

(C)

BLUE BIRD INN LLC
15 ARLINGTON AVENUE
LEDGEWOOD NJ 07852
Pro – Se Defendant
(973) 584-5177

RECEIVED & FILED
SUPERIOR COURT

2008 NOV 21 PM 12:49

CIVIL DIVISION

dg
11/26/08

Faked
J. DODDU
11-26-08

c.c.: To Quinn

G.U.RAO

Plaintiff,

vs.

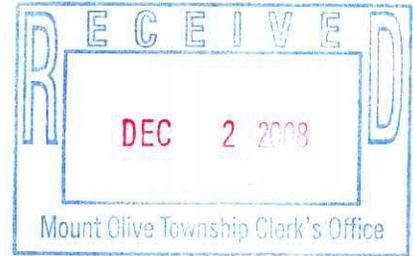
BLUE BIRD INN LLC

Defendant

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MORRIS COUNTY

DOCKET NO. F-14989-08

CIVIL ACTION
THIRD PARTY
COMPLAINT



BLUE BIRD INN LLC

Third-Party Plaintiff

vs.

TOWNSHIP OF MOUNT
OLIVE

Third-Party Defendant

RECEIVED

NOV 26 2008

CLERK OF THE TOWNSHIP &
PUBLIC ADMINISTRATION

Third Party Plaintiff Blue Bird Inn LLC with offices at 15 Arlington Avenue, Ledgewood New Jersey 07852 by way of Third Party Complaint says as follows:

FIRST COUNT

1. Third Party Plaintiff purchased Lot 21, Block 3201 known as the Blue Bird Inn on or about April 2002.

2. At the time of purchase tax liens, sewer liens and special assessment liens which amounted to approximately \$97,000.00 were all paid for the years 1995 thru 2003.
3. On or about May 2006 Third Party Plaintiff inquired to the Township of Mount Olive Department of Public Works regarding a hook up to the public sewer system.
4. Third Party Plaintiff was advised by Township through Tim Quinn that the Blue Bird property required grinder pumps which could be purchased from Tom Vallente pumps in Lake Hopatcong.
5. Third Party Plaintiff was advised that the Blue Bird property would require two grinder pumps at a cost of \$4900.00 each. Tanks to hold the grinder pumps would also be needed and electric wiring and installation would cost \$16,000.00.
6. At said time Third Party Plaintiff inquired as to a gravity fed line for hook up due to the high prices of the grinder pumps and installation. We were advised by Township through Tim Quinn that we would have to hire engineer who would be able to tell if this could be done.
7. Jamine Engineering was hired to do the work required for a gravity fed line.
8. Lakeland surveying was hired for all surveying work.
9. The Third Party Defendant Township through Tim Quinn gave the permission to install the gravity fed line.

10. Clinton Mitschele excavation was hired to do the job.
11. On October 25, 2006 work for installation began.
12. On October 27, 2006 Tim Quinn and other Township Officials inspected the work
13. On October 27, 2006 Township Board of Health came to inspect the septic system and seepage pits being removed.
14. The total cost for all work that was done \$9,500.00.
16. Pursuant to an opra request on the Budd Lake Sewer System, I was given many documents. One of these documents states that due to the topography in your area, your property will be served with a grinder pump which has already been installed. A alarm box, electrical disconnect box, grinder pump a physical connection between your grinder pump and forced main in the street was installed by a contractor authorized by the Township.
17. Third Party Plaintiff contacted Township Tim Quinn and asked were are the grinder pumps, alarm box, electrical disconnect box which were to be provided for the property.
18. Third Party Defendant Township through Tim Quinn stated that he did not know what happened to the grinder pumps or why the property was not provided with the grinder pumps, alarm box, electrical disconnect box.
19. Third Party Defendant failed to provide the equipment and appetencies necessary to tie into the public sewers.
20. In Fact the property was incapable of being connected to the public sewer system and charged special assessment fees, usage fees and higher real-estate taxes for

a system that was not there.

WHERE AS, The Third Party Defendant has committed FRUID and contrary to
Law and should be set aside; and

WHERE AS, Third Party Plaintiff should be fully refunded in the amount
of \$97,000.00 plus interest and \$ 9,500.00 for installation into the sewer system.

DATED: November ^{20th} 17, 2008


TONIE FRY- BLUE BIRD INN LLC

CERTIFICATION OF MAILING

I hereby certify that the original of the within Third Party Complaint, and Supporting papers, have been filed with the presiding Chancery Division, General Equity Part, Washington and Court Street, Morristown, NJ 07960, and have been sent The attorney Michael G. Pellegrino at 290 Route 46 west Denville, New Jersey 07834.

DATED: November ~~17~~^{20th}, 2008



TONIE FRY – BLUE BIRD INN LLC

BLUE BIRD INN LLC
15 ARLINGTON AVENUE
LEDGEWOOD NJ 07852
Pro Se Defendant
(973) 584-5177

G.U. RAO

Plaintiff,

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MORRIS COUNTY

vs.

DOCKET NO. F-14989-08

BLUE BIRD INN LLC

Defendant

NOTICE OF MOTION TO
ADD THIRD PARTY
COMPLAINT

TO: Hon. Catherine M. Langlois, J.S.C.
Morris County Superior Court
Chancery Division, General Equity
Washington & Court Streets
Morristown, NJ 07960

TO: Pellegrino & Feldstein, L.L.C.
290 Route 46 west
Denville, NJ 07834

PLEASE TAKE NOTICE, that the defendant BLUE BIRD INN LLC
files this Notice of Motion for Third Party Complaint. This Motion is
being filed to add the Township of Mount Olive as a party to this Action.

DATED: November 17, 2008

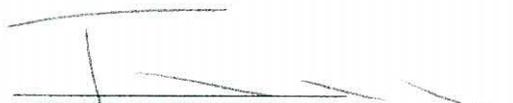
Blue Bird Inn LLC
Pro-se Defendant

TONIE FRY

CERTIFICATION OF MAILING

I hereby certify that the original of the within Notice of Motion, and supporting papers, have been filed with the Presiding Chancery Division Judge Langlois J.S.C. Washington and Court Street, Morristown, NJ 07960, and have been sent to the Plaintiffs attorney Pellegrino & Feldstein LLC. 290 Route 46 west, Denville, NJ 07834 and Township of Mount Olive 204 Flanders-Drakestown Road, Budd Lake, NJ 07828.

DATED:
November 20, 2008


BLUE BIRD INN LLC

CERTIFICATION OF MAILING

I hereby certify that the original of the within complaint and documents have been filed with the presiding Hon. Judge Langlois J.S.C. Washington and Court Street, Morristown, NJ 07960, and has been sent to the Plaintiffs attorney Pellegrino & Feldstein LLC. 290 Route 46 west, Denville, NJ 07834 and to the Township of Mount Olive, 204 Flanders-Drakestown Rd. Budd Lake, NJ 07828

DATED:
November 20, 2008


BLUE BIRD INN LLC

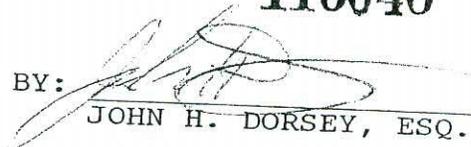
Please take Notice that I have also requested OPRA for documents form the Township Administration department. There are about 8 full boxes of documents that I have started to look thou. It is going to take me some time to go thou all of these documents. As soon as I collect these documents I will forward copies to the Court, plaintiffs attorney Mr. Pellegrino and to the Township of Mount Olive.

DATED:
November 20, 2008


BLUE BIRD INN LLC

116046

RECORD & RETURN:
714 Main Street
P.O. Box 228
Boonton, NJ 07005

PREPARED BY: 
JOHN H. DORSEY, ESQ.

GENERAL EASEMENT

This Grant of Easement made this 3rd day of October, 1994,

BY AND BETWEEN: BUDD LAKE REALTY CORP., a Corporation of the State of New Jersey, with a mailing address of P.O. Box 402, Westwood, New Jersey 07675,

Hereinafter Referred to as Grantors,

AND: THE TOWNSHIP OF MOUNT OLIVE, a Municipal Corporation in the County of Morris and State of New Jersey, with offices located at Route 46, P.O. Box A, Budd Lake, New Jersey 07828,

Hereinafter Referred to as Grantee,

KNOW ALL PERSONS BY THESE PRESENTS:

That, in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration paid to the Grantors by the Grantee, the receipt of which is hereby acknowledged, the Grantors each, for their respective heirs, distributees, personal representatives, successors and assigns, do hereby grant, bargain, sell, transfer, convey, release, quit claim and remise unto the Grantee, its successors and assigns, a PERPETUAL EASEMENT to erect, construct, install, lay, use, operate, maintain, inspect, alter, clean, remove and replace sewer pipes, household sewage pump, and all appurtenances necessary and incident to the purposes of the easement, and in connection with the same, temporarily to place materials which may be necessary to effect the purposes of the easement upon lands

respective Grantors situate in the Township of Mount Olive, Morris County, New Jersey, TOGETHER WITH the right of ingress and egress over adjacent lands of Grantors, their respective heirs, distributees, personal representatives, successors and assigns, as the same may be required in order to effect the purposes of the easement.

The location of the easement on the lands of the Grantor is shown on Sheet No. 44 of Contract No. SS-1E-92 of the Contract Drawing of the Budd Lake Sewer Project dated March, 1992, Revised October, 1992.

The easement shall encompass a tract of land 15 feet maximum in width, the centerline of which is defined as the centerline of the sewer line as constructed.

The Grantee expressly agrees that any and all disturbances to the surface of the lands of the Grantor will be promptly repaired and to the extent possible restored to their pre-existing condition, whether such disturbance takes place during the initial installation or at any time thereafter as may be occasioned, by subsequent repairs or maintenance to the said sewer line and sewage pump within the easement area.

Nothing in this easement shall be construed so as to grant any right to the Grantee, which shall in any way interfere with the safe and unrestricted use by the Grantor of the land above and adjacent to said sewer line and sewage pump, except that said Grantor shall not use nor attempt to use said easement in such manner as would interfere with the proper, safe and continuous use of same.

IN WITNESS WHEREOF, the parties hereto have hereunto caused these presents to be signed, sealed and acknowledged the day and year first above written.

ATTEST:

BUDD LAKE REALTY CORP.

Christine Waldron
Christine Waldron Asst. Secy.

Reinhard Wolchuk
REINHARD WOLCHUK V.P.

Street Address: Route 46

Tax Lot 22 Block 3201

ATTEST:

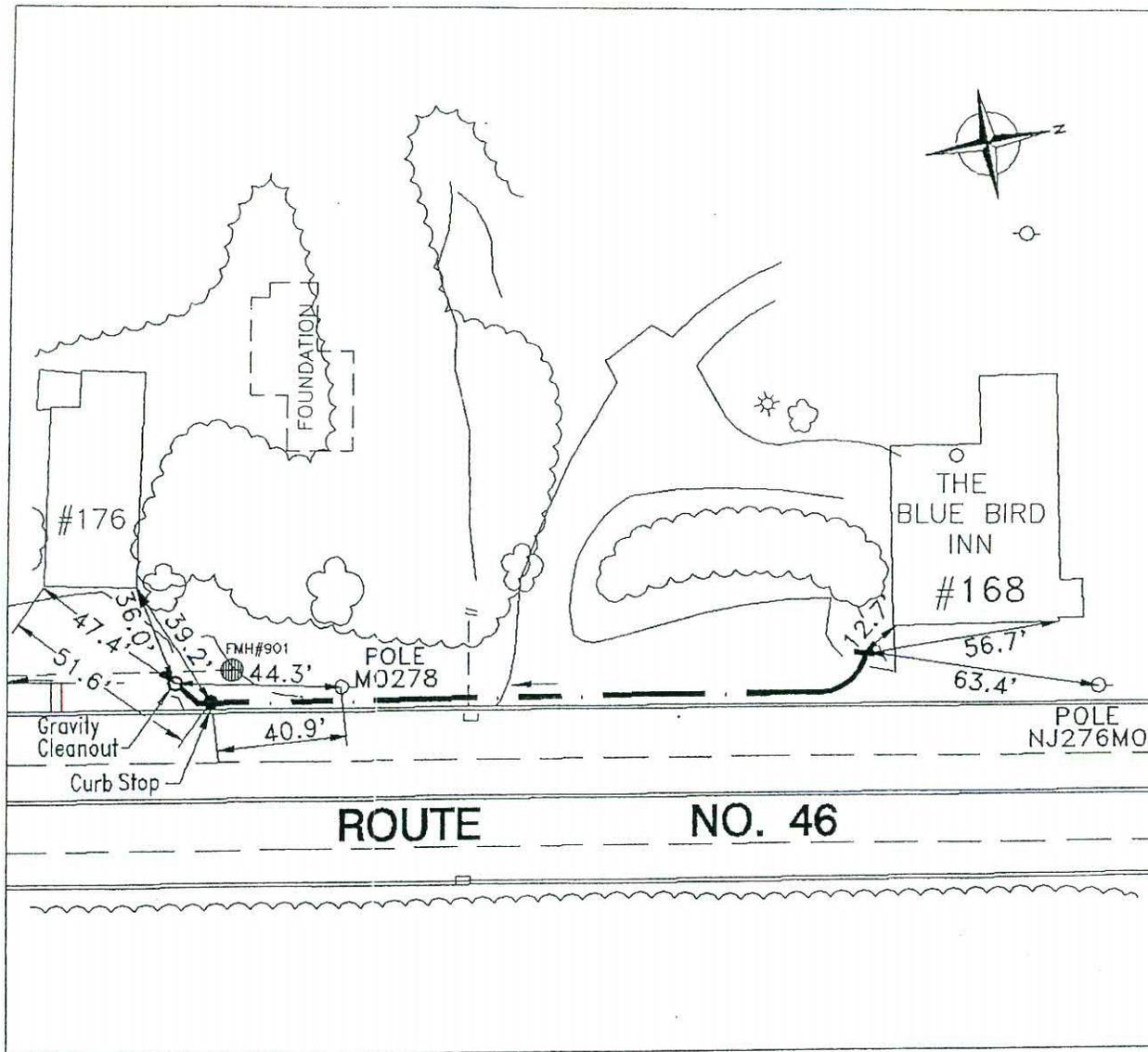
TOWNSHIP OF MOUNT OLIVE

Lisa M. Lashway
LISA M. LASHWAY, Twp. Clerk

By: *James E. Schiess*
JAMES E. SCHIESS, Mayor

RECEIVED
Oct 20 8 58 AM '94
ALFONSE W. SCERBO
MORRIS CO. CLERK

COUNTY OF MORRIS
Consideration 8,000
Base Tax _____
Additional Tax _____
REALTY TRANSFER FEE Exempt E
Date 10-20-94 By L.M.
RECORDING FEE 3.00



FIRST: Budd Lake Realty Corp. LAST: _____

ADDRESS: 168 Route No. 46 LOT: 21 BLOCK: 3201

PERMIT No.: _____ DATE ISSUED: _____

LHP LATERAL TO GRAVITY LATERAL CONNECTION AT MAINLINE STATION NO.: See Contract No. SS-1E2-92 Bk.

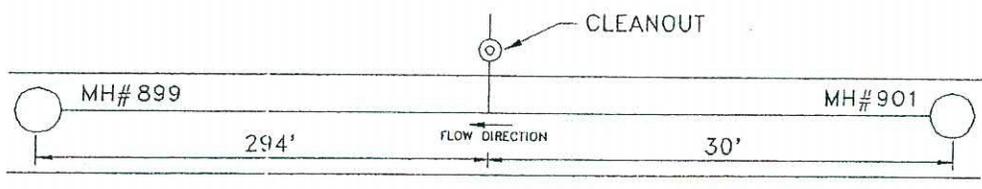
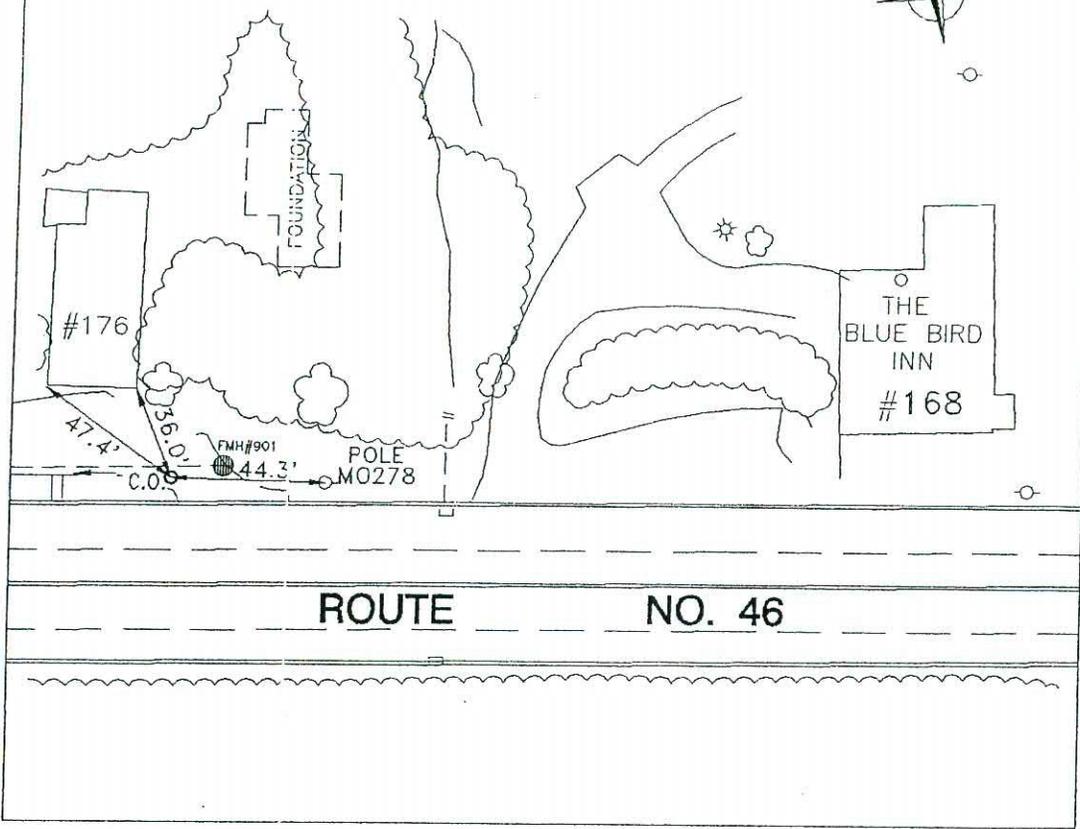
PUMP AND INLET LATERAL INSTALLED: _____ - _____ LHP LATERAL INSTALLED: 7-10-96

LHP CURB STOP ASSEMBLY DEPTH: 6.0' LHP CURB STOP TO GRAVITY CLEANOUT LENGTH: 4.2'

PUMP TO INLET LATERAL CLEANOUT LENGTH: _____ - _____ INLET LATERAL LENGTH FROM CLEANOUT TO END OF PIPE: _____ - _____

INLET LATERAL CLEANOUT DEPTH: _____ - _____ DRAWING FILENAME: RT46168G

NOTE: HOOK-UP TO GRINDER PUMP
NECESSARY FOR SEWER SERVICE.
SEE CONTRACT NO. SS-1G-92
GRINDER PUMP LOCATION
INFORMATION BOOKLET.



FIRST: Budd Lake Realty Corp.	LAST:
ADDRESS: 168 Route No. 46 (Blue Bird Inn)	LOT: 21 BLOCK: 3201
	DRAWING FILENAME: RT46168
PERMIT No.:	DATE ISSUED:
WYE OR TEE MAINLINE STATION No.: 2+94	SIZE/TYPE MAIN: 8" PVC Pipe-SDR 35
DEPTH OF CLEANOUT INVERT: 6.0'	LENGTH, SIZE & TYPE OF LATERAL: 4.0' - 4" PVC Pipe -SDR 35
DEPTH TO TOP OF MAIN: 9.5'	DATE TEE-WYE INSTALLED: 10-14-96
DEPTH TO TOP OF RISER: 7.25'	DATE LATERAL INSTALLED: 10-14-96

116045

RECORD & RETURN:
JOHN H. DORSEY, ESQ.
714 Main Street
P.O. Box 228
Boonton, NJ 07005

Prepared By: *[Signature]*
JOHN H. DORSEY, ESQ.

GRANT OF EASEMENT

THIS GRANT OF EASEMENT, made this *October* 3rd. day of 1994,

BY AND BETWEEN: BUDD LAKE REALTY CORP., a Corporation of the State of New Jersey, with a mailing address of P.O. Box 402, Westwood, New Jersey 07675,

Hereinafter Referred to as "Owners"

AND: THE TOWNSHIP OF MOUNT OLIVE, a Municipal Corporation of the State of New Jersey, with offices located at Route 46, P.O. Box A, Budd Lake, New Jersey, 07828.

Hereinafter Referred to as "Township".

WHEREAS, the Owners are in possession of certain property in the Township of Mount Olive known and designated as Lot 22 in Block 3201 on the Tax Assessment Maps of the Township of Mount Olive located on Route 46, Budd Lake, New Jersey; and

WHEREAS, the Township desires to obtain a municipal utility easement for the installation of sanitary sewer facilities and appurtenances on a portion of the said property; and

WHEREAS, the Owners are desirous of granting said easement to the Township;

NOW, THEREFORE, in consideration of the sum of

COUNTY OF MORRIS	
Consideration	<i>800.00</i>
Base Tax	
Additional Tax	
REALTY TRANSFER FEE	<i>100.00</i>
Date	<i>10-20-94</i> By <i>[Signature]</i>
RECORDING FEE	<i>3.00</i>

DB4070 P246

EIGHT HUNDRED DOLLARS (\$800.00) and the mutual undertakings herein, the Owners hereby give, grant and convey to the Township, its successors and assigns, an easement in perpetuity for the purposes hereinafter set forth across the following premises being in the Township of Mount Olive, County of Morris and State of New Jersey, and more particularly described on Schedule A attached hereto and made a part hereof. Attached hereto and made a part hereof is also a survey entitled, "Proposed Sanitary Sewer Easement Block 3201, Lot 22, Township of Mount Olive, Morris County, New Jersey" upon which is disclosed Proposed Flush Manhole #901, the manhole from which the Township intends to provide a connection to Lot 22 and Lot 21 which has now, for developmental purposes, been merged into Lot 22.

The Owners further give, grant and convey to the Township a temporary easement on lands contiguous to said permanent easement, also described on Schedule A attached hereto, which temporary easement shall be used by the Township or its contractor, or its servants and agents, during the construction of any municipal utility within said easement as aforesaid for ingress and egress and for construction purposes. The temporary easement shall be abandoned and cease upon the completion and acceptance of the construction work by the Township of Mount Olive.

The aforesaid permanent easement shall include the right to

DB4070² P247

install, patrol, inspect, alter, improve, rebuild, replace, reconstruct, repair and maintain a sanitary sewer main, manholes and other necessary appurtenances thereof in and upon and under and through said lands; the right of the beneficiary of this easement, their agents, servants, employees, contractors and licensees of ingress and egress in and upon said lands until the completion of any such maintenance, repair, rebuilding, reconstruction or replacement of said installation and appurtenances is included herein on the condition, however, that the party making said installations and/or repairs, upon completion of any said work, shall remove all materials, tools, equipment and building debris from the said premises and generally restore the surface of the land as nearly as possible to the same condition as it may have been prior to the undertaking of the said work.

The Owners of the land shall have the right to use, occupy and enjoy the surface of the aforesaid premises, except as may otherwise appear herein or to be inconsistent with the rights hereby established, and shall not erect or cause to be erected, installed or placed upon the permanent easement herein described or part thereof, the erection, installation or placement of any building or structure on or over or interfering with the construction, maintenance or other operation of any sanitary sewer main or appurtenances constructed pursuant to this instrument. Subject to the prior written consent of the Township, which shall not be unreasonably withheld, the Owners shall have the right to place along, across and over this

DB4070 P³248

easement as many roads, streets, sidewalks, passageways, electric light and power lines, water lines, sewer lines, gas lines, telephone lines and other utilities as the owners may desire, provided that said installation shall not interfere with the sanitary sewer main and appurtenances. If any utility line is placed parallel to the within easement, such line shall not be placed directly over any sanitary sewer main or its appurtenances.

The Owners covenant and represent that they are lawfully seized and possessed of lands hereinabove described on Schedule A and that they have good and lawful right and title to convey said lands and any interest therein.

At the Township's option, the Owners agree to exercise reasonable efforts to procure and deliver to the Township, upon demand, proper postponements from parties holding liens or other interests in the lands, postponing and subordinating their interest in the permanent easement created by this instrument.

The covenants and easements herein granted shall run with the land and shall be construed as running with the land and that same shall be binding upon the parties hereto, their heirs, assigns and successors in title or interest, in perpetuity.

The Owners represent that they have secured the necessary postponements of any existing mortgages recorded on this property and further agree to hold the Township of Mount Olive, its agents, servants and employees, harmless as well as to indemnify the Township from any and all claims resulting from said payment.

DB4070⁴ P249

IN WITNESS WHEREOF, the parties hereto have hereunto caused these presents to be signed, sealed and acknowledged the day and year first above written.

ATTEST:

BUDD LAKE REALTY CORP.

Reinhard Wolckenhauer
REINHARD WOLCKENHAUER V.P.
By: REINHARD WOLCKENHAUER

Christine Waldron
By: CHRISTINE WALDRON Asst. Secy.
(Type in Name of Witness)
(As to Owners)

TOWNSHIP OF MOUNT OLIVE

By: *James E. Schiess*
JAMES E. SCHIESS, Mayor

Lisa M. Lashway
LISA M. LASHWAY, Township Clerk

DB4070 P250⁵

STATE OF NEW JERSEY)
COUNTY OF ~~MORRIS~~ ^{WARREN})SS.:
)

I CERTIFY that on Oct. 3, , 1994,

personally came before me and this person acknowledged under oath, to my satisfaction that:

- (a) this person is the Asst. Secretary of BUDD LAKE REALTY CORP., the corporation named in this instrument;
- (b) this person is the attesting witness to the signing of this instrument by the proper corporate officer who is Reinhard Wokkenhauer, V.P. President of the corporation;
- (c) this instrument was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- (d) this person knows the proper seal of the corporation which was affixed to this instrument; and
- (e) this person signed this proof to attest to the truth of these facts.

Sworn and Subscribed to before me this 3rd day of October, 1994.

Christine Waldron
Asst. Christine Waldron
Secretary

Marta Cecilia Ruis

A Notary Public of the State of New Jersey
My Commission Expires: 10/31/95

MARTA CECILIA RUIS
A Notary Public of New Jersey
My Commission Expires 10/31/95

ALFONSE M. SCERBO
MORRIS CO. CLERK

Oct 20 8 58 AM '94

RECEIVED

DB4070 P251

EDWARD F. SECCO
PROFESSIONAL LAND SURVEYOR
PROFESSIONAL PLANNER
459 U.S. ROUTE 46
P.O. BOX 177
KENVIL, NEW JERSEY 07847

201-584-7591

PERMANENT SANITARY SEWER EASEMENT

AND

TEMPORARY SANITARY SEWER CONSTRUCTION EASEMENT

BUDD LAKE REALTY CORP.

TO

THE TOWNSHIP OF MOUNT OLIVE

PART OF MOUNT OLIVE TOWNSHIP TAX MAP BLOCK 3201 - LOT 22

PERMANENT EASEMENT

Situate in the Township of Mount Olive, Morris County, New Jersey. BEING part of a tract of land as the same is described in a deed from Gary Brown, as Guardian of the Estate of Mabel Melick, to Budd Lake Realty Corp., dated January 27, 1992 and recorded in The Morris County Clerk's Office in Deed Book 3549, Page 199 etc., more particularly described as follows.

BEGINNING at a point in the northwesterly right of way line of U.S. Highway Route 46, said point being the sixth corner of the above-mentioned whole tract, and from said beginning point runs; thence

- (1) Along the northwesterly right of way line of U.S. Highway Route 46, South 10 degrees 47 minutes and 55 seconds West 59.00 feet to the beginning corner of the above-mentioned whole tract; thence
- (2) Partially along the first line of the same, North 79 degrees 12 minutes and 05 seconds West 10.00 feet; thence
- (3) Parallel with the first course herein described, being at all times distant 10.00 feet measured northwesterly and at right angles therefrom, North 10 degrees 47 minutes and 55 seconds East 59.00 feet to a point in the fifth line of the above-mentioned whole tract; thence

DB4070 P253

PART OF MOUNT OLIVE TOWNSHIP TAX MAP BLOCK 3201 - LOT 22

PERMANENT EASEMENT (cont.)

- (4) Partially along the fifth line of the same, South 79 degrees 12 minutes and 05 seconds East 10.00 feet TO THE PLACE OF BEGINNING.

CONTAINING 590 SQUARE FEET OF LAND be the same more or less.

TOGETHER WITH A TEMPORARY SANITARY SEWER CONSTRUCTION EASEMENT described as follows.

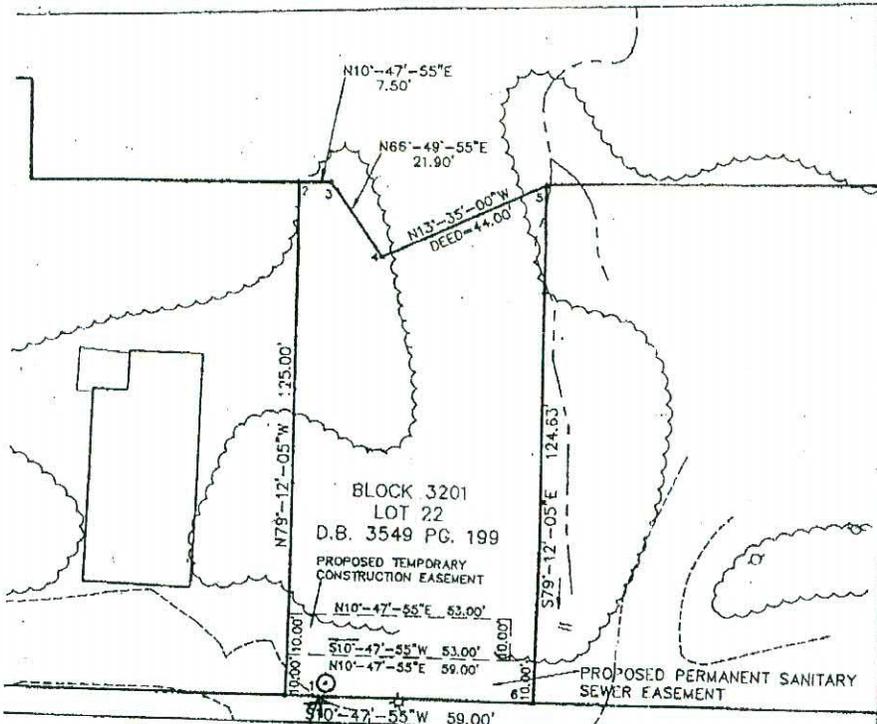
BEGINNING at the third corner of the above described Permanent Easement and running; thence

- (1) Partially along the first line of the above-mentioned whole tract, North 79 degrees 12 minutes and 05 seconds West 10.00 feet; thence
- (2) Parallel with the third course of the above described Permanent Easement, being at all times distant 10.00 feet measured northwesterly and at right angles therefrom, North 10 degrees 47 minutes and 55 seconds East 53.00 feet; thence
- (3) South 79 degrees 12 minutes and 05 seconds East 10.00 feet to a point in the third line of the above described Permanent Easement; thence
- (4) Partially and in a reverse direction along the third line of the above described Permanent Easement, South 10 degrees 47 minutes and 55 seconds West 53.00 feet TO THE PLACE OF BEGINNING.

CONTAINING 530 SQUARE FEET OF LAND be the same more or less.

The foregoing described parcels are SUBJECT TO easements, restrictions and other matters of record which may affect title, if any.

NOTE: Bearings are based on New Jersey State Plane Coordinate System (NAD-27).



HACKETTSTOWN U.S. HIGHWAY ROUTE 46 TO NETCONG
 (R.O.W. = 60')

*Proposed
 Flush Manhole
 #901*



REFERENCE:

DEED BOOK 3549 PAGE 199.
 MAP ENTITLED "MAP OF LOTS OWNED AND FORMERLY OWNED
 BY JOHN G. BUDD" FILED NOVEMBER 14, 1924 AS MAP No.671-C
 NEW JERSEY STATE HIGHWAY DEPARTMENT MAPPING

AS:

TOTAL LOT AREA = 6,900 SQ. FT.±
 PERMANENT EASE. = 590 SQ. FT.±
 TEMPORARY EASE. = 530 SQ. FT.±
 REMAINING AREA = 6,310 SQ. FT.±

PREPARED BY:

BUDD LAKE REALTY CORP.

DB4070 P255

DATE	REVISION
PROPOSED SANITARY SEWER EASEMENT	
BLOCK 3201 LOT 22	
TOWNSHIP OF MT. OLIVE MORRIS COUNTY, N.J.	
EDWARD F. SECCO	
459 U.S. ROUTE 46 P.O. BOX 177, KENNL, N.J. 07847 (201) 584-7591	
<i>Edward F. Secco</i>	
PROFESSIONAL LAND SURVEYOR LICENSE NO. 18607	
DATE: DEC. 23, 1993	SCALE: 1" = 30'
DRAWING No.	

MOUNT OLIVE TOWNSHIP HEALTH DEPARTMENT

SEPTIC SYSTEM(S) ABANDONMENT INSPECTION REPORT

Name of Owner: TONIE FRY

Property Address: 168 ROUTE 46

Block #: 3201 Lot #: 21

Septic System Components Emptied/Pumped Out And Completely Filled With Proper Material.

SEPTIC TANK(S)	(1) <u>500 GAL</u>	(2) <u>METAL EMPTY</u>
SEEPAGE PIT(S)	(1) _____	(2) _____
	(3) _____	(4) _____
CESSPOOL	<u>DISPOSAL FIELD</u>	
PUMP TANK	_____	

PUMPING PROOF PROVIDED: YES _____ NO

ADDITIONAL COMMENTS: ONE METAL TANK WAS PULLED OUT
AND THE OTHER ONE FULLED IN.
NO SEEPAGE PIT WAS PRESENT AND OBSERVED PART OF
DISPOSAL FIELD. (FEATHERED PIPE AND GRAVEL)

INSPECTOR'S SIGNATURE: M. J. [Signature]

DATE: 10-27-06



Township of Mt. Olive

SAMPLE - GRINDER PUMPS

MUNICIPAL BUILDING
(201) 691-0555
RESIDENCE
(201) 584-7711

OFFICE OF THE MAYOR
JAMES E. SCHIESS

ADMIN. COPY

Dear Homeowner,

The Budd Lake Sewer system is now operational in your area. Under Township Ordinance #31-96, you are required to connect to this system and abandon your existing septic tank within six (6) months following receipt of this notification.

Due to the topography in your area, your property will be served with a grinder pump which has already been installed. The location of your pump was determined after analyzing the information provided to the Township from your sewer questionnaire form or by an inspection of your property.

As you are aware, an alarm box, electrical disconnect box, grinder pump and a physical connection between your grinder pump and forced main in the street was installed by a contractor authorized by the Township. This grinder pump unit is the property of the Township and will be repaired and maintained by it. Obviously, we would request that you take the appropriate steps to ensure that proper care is taken of this unit.

In order to activate your grinder pump, a 240 volt line and a separate 30 amp circuit breaker is required. If you need an electrician to install this line and circuit breaker, you must obtain an electrical permit from the Building Department which is located on Wolfe Road next to the Mount Olive Public Library. It is your responsibility to bring this power line to the electrical disconnect and alarm boxes mounted on the outside of your house. You are also responsible for connecting your existing septic pipe coming from your house to the grinder pump. You must also have your existing septic tank pumped and filled with appropriate material. The procedures necessary to connect to your grinder pump are attached for your information.

They include:

1. Step by step procedures to walk you through the connection procedure
2. Specifications on material, installation and inspections required to connect
3. A typical house gravity connection to the grinder pump and trench lateral detail diagram
4. Permit application for a sewer connection (Note: The Township has waived residential permit fees normally charged for this type of connection).
5. An "As Built Drawing" prepared by our sewer engineer showing the location of the clean out between your house and grinder pump to which your contractor will connect your discharge line.

Should you have any questions following your review of the documents attached, you may contact Mr. Niroo Doshi at 201-691-0900, extension 230. He will provide you with any additional information you may need.

P.O. Box 450, Route 46, Budd Lake, New Jersey 07828

Lisa M. Lashway
Lisa Lashway, Township Clerk

Step by Step Procedures To Connect To Budd Lake Sewer System

1. Complete the Application For Permit attached, and bring to the Finance Department window in the Municipal Building located on Route 46 West in Budd Lake, to have your permit issued. This completed permit must be returned to the Township Finance Department upon final inspection of your connection by the Health Department. The Township has waived the fee for residential connections into the Budd Lake Sewer System.
2. Proceed to have your house connection line installed according to the specifications and conditions attached.
3. When the line has been installed, contact Mr. John Murphy at the Water and Sewer department at 201-584-7086 to schedule an inspection of the line. Please provide 48 hours notice to the department when requesting an inspection. Following this inspection and approval, you may have the line properly back-filled.
4. Following approval of your house connection line, you may have the physical connection to your house discharge pipe completed. This connection is to remain exposed until inspected by the Health Department. At this time your appropriate septic system tank(s) are to be pumped and/or filled.
5. Once your house discharge line is connected, contact the Health Department at 201-691-0900 x330 or x331 to schedule an inspection of this connection. Again, please provide 48 hours notice to the department when requesting an inspection. On passing this inspection, you will be provided with a Extraneous Flows form to be signed. After all inspections have passed, you may back-fill your physical house connection.
6. An "as-built" diagram of your connection showing the lateral connection, including the cleanout, is then to be drawn on the Sewer Permit issued to you in Step 1. Check to insure that all other required information is completed on this form. This should be completed by your contractor.
7. Complete and sign the Extraneous Flows form provided to you after you have received your final inspection. Copies of this and your completed sewer permit should be made and retained for your records.
8. Mail or hand deliver the original sewer permit and extraneous flow forms to the Municipal Building Receptionist within 7 working days following final approval of your connection.

Should you have any questions on this procedure, contact Mr. Niroo Doshi at 1-201-691-0900 x230.

STEPS TO BE FOLLOWED BY CONTRACTOR OR HOMEOWNER INSTALLING HOUSE CONNECTION LATERAL (FROM HOUSE TO TOWNSHIP CLEAN-OUT INSTALLED BEFORE GRINDER PUMP)

A. Pipe Material:

_____ pipe manufactured to conform to



Township of Mt. Olive

OFFICE OF THE MAYOR
JAMES E. SCHIESS

MUNICIPAL BUILDING
(201) 691-0555
RESIDENCE
(201) 584-7711

October 25, 1996

NOTE: →

Final

COPY

Dear Homeowner,

The Budd Lake Sewer system is now operational in your area. Under Township Ordinance #31-96, you are required to connect to this system and abandon your existing septic tank within six (6) months following receipt of this notification.

Included, for your review, are five attachments to help you understand what is required to connect to the sewer system. They include:

1. Step by step procedures to walk you through the connection procedure
2. Specifications on material, installation and inspections required to connect
3. A typical house gravity connection and trench lateral detail diagram
4. Permit application for a sewer connection (Note: The Township has waived residential permit fees normally charged for this type of connection.)
5. An "As Built Drawing" prepared by our sewer engineer showing the location of the lateral clean out to which your contractor will connect your discharge line.

Should you have any questions following your review of the documents attached, you may contact Mr. Niroo Doshi at 201-691-0900, extension 230. He will provide you with any additional information you may need.

Once your connection has been made, inspected and approved by the Township, you will be billed a quarterly use charge which covers the cost to the Township to maintain the sewer system and to have its waste treated at the MSA treatment facility.

When the entire project has been completed, an assessment committee will review the total cost of the project and determine an assessment to be placed on each dwelling connected to the system. This assessment will equate to the benefit provided to you as a result of having a sanitary sewer supplied to you. You will be advised at a later date as to what your assessment will be and the options available for paying it.

As you are aware, this was a major project that was not without the problems associated with one of its size. I appreciate your patience in coping with the inconveniences you may have encountered as a result of this construction. I believe that you will agree with me that, now that sewers are a reality, the benefits to you and our Community will far outweigh those inconveniences.

Very truly yours,

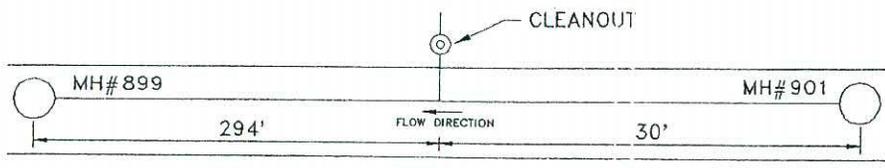
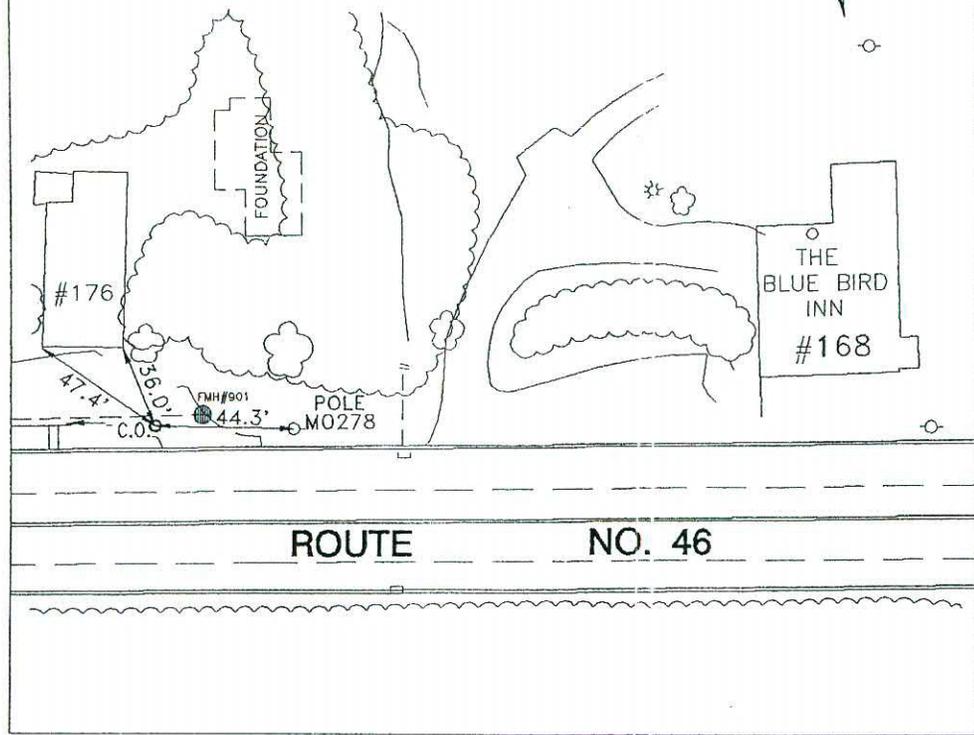
James E. Schiess
James E. Schiess
Mayor

JES/kg

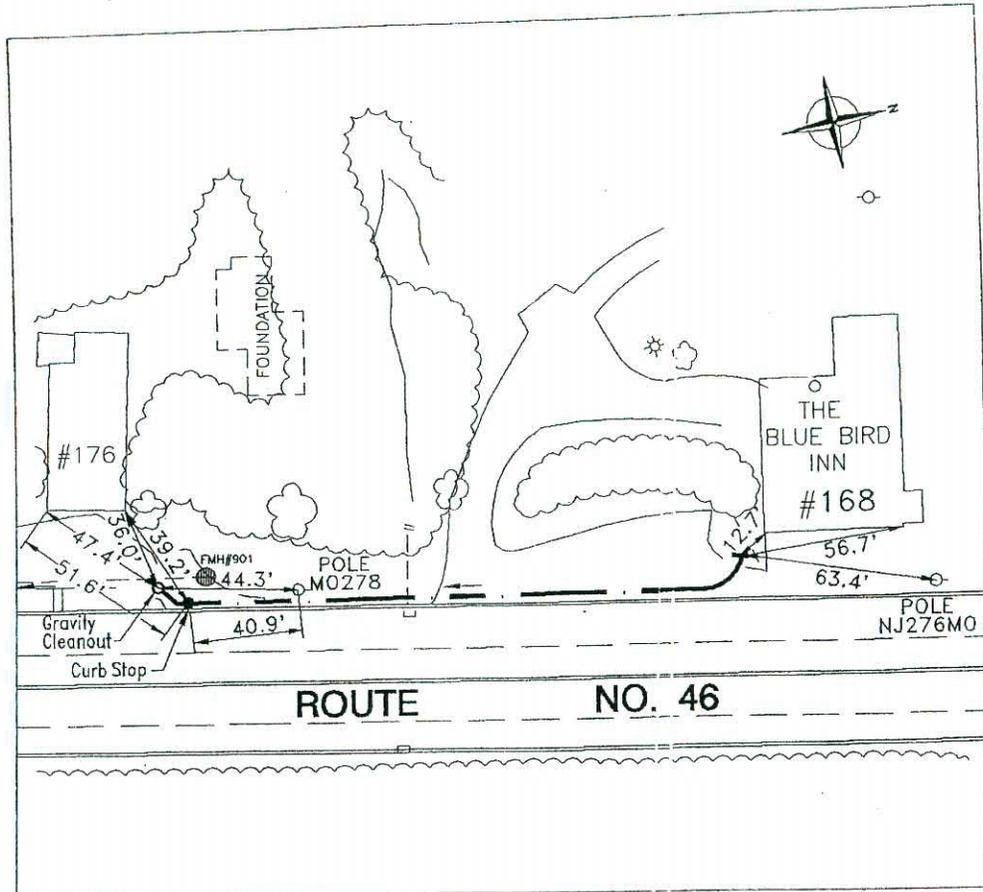
P.O. Box 450, Route 46, Budd Lake, New Jersey 07828



NOTE: HOOK-UP TO GRINDER PUMP
NECESSARY FOR SEWER SERVICE.
SEE CONTRACT NO. SS-1G-92
GRINDER PUMP LOCATION
INFORMATION BOOKLET.



FIRST: Budd Lake Realty Corp.	LAST:
ADDRESS: 168 Route No. 46 (Blue Bird Inn)	LOT: 21 BLOCK: 3201
PERMIT No.:	DRAWING FILENAME: RT46168
DATE ISSUED:	
WYE OR TEE MAINLINE STATION No.: 2+94	SIZE/TYPE MAIN: 8" PVC Pipe-SDR 35
DEPTH OF CLEANOUT INVERT: 6.0'	LENGTH, SIZE & TYPE OF LATERAL: 4.0' - 4" PVC Pipe -SDR 35
DEPTH TO TOP OF MAIN: 9.5'	DATE TEE-WYE INSTALLED: 10-14-96
DEPTH TO TOP OF RISER: 7.25'	DATE LATERAL INSTALLED: 10-14-96



FIRST: Budd Lake Realty Corp. LAST: _____

ADDRESS: 168 Route No. 46 LOT: 21 BLOCK: 3201

PERMIT No.: _____ DATE ISSUED: _____

LHP LATERAL TO GRAVITY LATERAL CONNECTION AT MAINLINE STATION NO.: See Contract No. SS-1E2-92 Bk.

PUMP AND INLET LATERAL INSTALLED: — LHP LATERAL INSTALLED: 7-10-96

LHP CURB STOP ASSEMBLY DEPTH: 6.0' LHP CURB STOP TO GRAVITY CLEANOUT LENGTH: 4.2'

PUMP TO INLET LATERAL CLEANOUT LENGTH: — INLET LATERAL LENGTH FROM CLEANOUT TO END OF PIPE: —

INLET LATERAL CLEANOUT DEPTH: — DRAWING FILENAME: RT46168G

TOWNSHIP OF MOUNT OLIVE

From the Desk of
Christie Stachnick
Benefits Coordinator / Administrative Assistant

FAX

To: *John Dorsey*

Date: *11/26/2008*

Fax:

Pages: *31*

Re: *Blue Bird Inn LLC v. MOT*

Urgent

For Review

Please Comment

Please Reply

Please Recycle

Comments:

Please see the following claim.