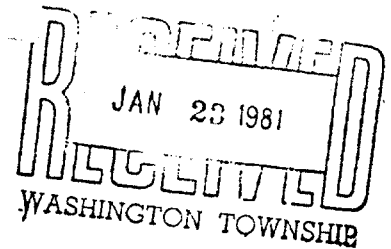


Co. Full File

SHELDON SCHIFFMAN
COUNSELLOR AT LAW
SHORT HILLS PLAZA
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636 MORRIS TURNPIKE
SHORT HILLS, NEW JERSEY 07078

HARMON H. LOOKHOFF



AREA CODE 201-376-3710

Certified Mail

January 22, 1981

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Chester Township Clerk,
Municipal Building,
Parker Road, P.O. Box 428,
Chester, New Jersey. 07980

Washington Township Clerk,
Route 24, P.O. Box 216,
Long Valley, New Jersey. 07853

Dear Sirs:

I would appreciate your seeing that this letter is conveyed to the appropriate township official as soon as possible.

I represent Dr. and Mrs. Arthur Tingue, who own and reside on land on Parker Road in Chester Township, partly contiguous to land on which a land fill is operated by Combe Fill Corporation. It is my client's position that the operation of this land fill is being conducted improperly and illegally and has damaged their property. As their attorney, it has come to my attention that a land fill located in Mt. Olive Township, also operated by Combe Fill Corporation, may be closed in the very near future.

I believe this is a very serious development, and that the immediate closing of the Mt. Olive land fill is not in the interests of my clients or other citizens of Chester and Washington Townships. I recall a public meeting in Washington Township at which Mr. Gary Molchan, the Manager of Combe Fill Corporation, said that when the Mt. Olive land fill closed, solid waste being dumped at Mt. Olive would start going to the Chester land fill.

Judge Reginald Stanton of the Superior Court, Chancery Division in Morristown, on January 2, 1981, entered an Order which may have the effect of closing the Mt. Olive land fill by January 31st. Whether the land fill will be closed pursuant to that Order is presently unclear, because the Department of Environmental Protection is taking the position that the Mt. Olive land fill should remain open through at

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least December 31, 1981. Also, the Board of Public Utility Commissioners' position is that only it can order the land fill to be closed notwithstanding Judge Stanton's Order.

However, apparently Combe Fill Corporation wishes to close the Mt. Olive land fill, and in fact, Mr. Molchan has notified the carters using the Mt. Olive land fill, by letter dated December 31st, 1980, that it will suspend service at that land fill as of January 31st, 1981, and that the solid waste being taken there now will have to go to alternative sites at and after that time. Further, the attorneys for Combe Fill Corporation have advised the Board of Public Utilities that it will not receive solid waste after January 31st, 1981. The Deputy Attorney General in charge of this case for the Board of Public Utilities is a Mrs. Peretz. She advises that it is likely that a hearing will be conducted prior to January 31st with respect to the intended suspension of service on that date. On behalf of my clients, I request that the municipalities involved move to intervene before the Board of Public Utilities in opposition to the suspension of service to start on January 31st, 1981, at the Mt. Olive land fill. In this connection, I would point out that I was advised by the Board of Public Utilities that the Mt. Olive land fill receives approximately one hundred trucks of solid waste per day, as opposed to approximately fifty for the Chester land fill. Therefore, if they were all diverted to Chester, the number of trucks unloading at Chester would increase by approximately two hundred per cent.

If you or your attorneys have any questions about this matter, please feel free to contact me.

Very truly yours,

SHELDON SCHIFFMAN


HARMON H. LOOKHOFF

hhl/sh

cc: Dr. and Mrs. Arthur Tingue
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