

REGULAR MEETING

DATE: June 3, 2024

CALL TO ORDER

The Regular Meeting of the Milford Borough Common Council was held at Milford Firehouse located at 21 Water Street on June 3, 2024. The meeting was called to order by Henry Schepens, Mayor at 7:00PM.

PLEDGE OF ALLEGIANCE was led by Mayor Schepens.

SUNSHINE PROCLAMATION was read by Mayor Schepens.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 11, 2024 in the Hunterdon County Democrat and Express Times newspapers.

Notices were also posted on the bulletin boards both inside and outside the Municipal Building and at the Milford Public Library.

ROLL CALL

Present: James Gallos, Noralie LaFevre, Helen Livingston,
Douglas Sloyer, Elisa Yager
Henry Schepens, Mayor

Absent: None

The record reflects the presence of: Todd Bolig, Attorney

NEW BUSINESS

Council Vacancy

The Milford Republican Committee presented Alex Peredjogin to Borough Council to fill the Council vacancy.

Noralie LaFevre made a motion for Alex Peredjogin to fill the Council vacancy.

Second by James Gallos.

All in Favor - AYES: All NAYS: None ABSTAIN: None ABSENT: None

Attorney Bolig swore in Alex Peredjogin and Councilman Peredjogin took his seat on Council.

LEGAL AFFAIRS REPORT – TODD BOLIG, ESQ.

No report tonight.

REPORTS FROM DEPARTMENT COMMISSIONERS

ADMINISTRATION/SAFETY – MAYOR HENRY SCHEPENS

- Mayor Schepens reported to Council that Eileen Lankford has been hired to replace Jennifer Locke as Head Librarian. Eileen will be starting on June 7th and will be working 24 hours per week.
- Mayor Schepens met with the Public Works employees last week and reviewed the Borough’s open door policy regarding any concerns the employees may have.
- Mayor Schepens would like members of Council to consider a stipend policy for any employee who does not receive medical benefits from the Borough and don’t qualify for the state benefit waiver. Mayor and Council agreed to make a decision at the July

Council meeting.

BUILDING & GROUNDS – COUNCILWOMAN LAFEVRE

Building and Grounds

Bat Removal – Ehrlich completed a clean-up of the bat droppings in the Borough Hall attic on Saturday, June 1st. Ehrlich Pest Control also advised that there are holes along the wall on each end of the building that also need to be repaired when the roof is being replaced.

Borough Roof Replacement – The Architect and Borough Engineer inspected the roof and are waiting for the State Historic Preservation Office to approve the roof plan.

Library Renovation – The Architect and Borough Engineer inspected the library and reviewed library plans. The bid package is being completed by the architect.

York Road Borough Park – rocks were packed into the creek bank but more rocks will be needed.

Bridge Street Park Lot Embankment Repair – rocks are still being placed in the creek along the fence but more rocks will be needed.

Local Business

- The Milford Merchant website has been updated and lists all merchant events and dates of events.
- Music in the Park first night was Thursday, May 16th with musician Michael Patrick performing.
- The merchant association discussed the poor condition of the American flags to be put up in town. The merchant association has applied for a grant for flags from the Fargo Foundation and are awaiting their decision.

SOLID WASTE/RECYCLING – COUNCILMAN GALLOS

Councilman Gallos reviewed the County’s electronic recycling schedule.

ORDINANCE – FIRST READING

ORDINANCE NUMBER 985-2024

**ORDINANCE PRESCRIBING THE PUBLIC’S ACCESS
AND USE OF THE BOROUGH’S
GOVERNMENT USE ZONE, BLOCK 29, LOT 5.01.**

WHEREAS, certain real property under the sole and exclusive ownership of the Borough of Milford, officially designated as the Borough’s “Government Use Zone” (Block 29, Lot 5.01) (hereinafter the “GU Zone”) is utilized for critical Borough infrastructure including various Borough wells and sanitary sewer lines; and

WHEREAS, the GU Zone has areas within it which have been delineated by the New Jersey Department of Environmental Protection as protected wetlands; and

WHEREAS, the Borough has an area within the GU Zone which has been historically utilized by both the Borough and the Borough’s residents for the collection of leaves and brush; and

WHEREAS, the Borough has experienced issues involving the dumping of leaves and brush, at dates and times not specifically authorized by the Borough, and has also discovered various other household materials, tires, and other refuse dumped upon the GU Zone; and

WHEREAS, the Borough's GU Zone has been subjected to and remains subject to various unlawful "self-help" repairs and landscaping measures which have been undertaken without the permission of the Borough; and

WHEREAS, the Common Council of the Borough of Milford has determined that the existence of the Borough's wells, the presence of delineated wetlands, the unlawful dumping of materials, and various unlawful acts of trespass upon the Borough's GU Zone, each subject the Borough to potential liability resulting in increased insurance costs, and regulatory fines and penalties, resulting in increased costs ultimately borne by the Borough's residents; and

WHEREAS, the potential liability(ies) presented coupled with increased insurance premiums, which would ultimately be borne by all of the Borough's residents, necessitates that various restrictions as to usage of the GU Zone by members of the public be implemented including both the permitted hours of usage and the permitted areas of access within the GU Zone.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the Borough of Milford, State of New Jersey, that:

Section I. Purpose.

A. The public's access to and upon the Borough's Government Use Zone, Block 29, Lot 5.01 is hereby prohibited between sunset and sunrise without the express consent of the Milford Borough Common Council, or in the case of bona fide emergency.

B. The Government Use Zone shall be closed to the public annually for the entirety of the 26th day of the month of June for the Borough's inspection of same. No one shall be permitted on the Government Use Zone on that day.

B. The public is permitted only on the paths as depicted on the attached map of the Borough's Government Use Zone. Said paths are for pedestrian use only, eg. walking, running and non-motorized bicycling only. No motorized methods of transportation, including but not limited to "E-bikes, ATVs, and "quads", are permitted in or on the Borough's Government Use Zone.

C. Ingress and egress to the Government Use Zone shall solely be from the area designated on the attached map.

D. There shall be no disposal of any item(s) including but not limited to the disposal of any household items, rubbish, building materials, automotive parts, tires of any kind, leaves, limbs and branches, tree stumps, soil, lumber, rocks and stones, and / or recyclable materials.

E. There shall be no other use(s) permitted on the Borough's Government Use Zone.

F. The public shall be permitted to be on and have access to the Government Use Zone from sunrise to sunset.

G. The Borough shall post signs referencing this Ordinance by Ordinance Number and shall indicate the hours of the Government Use Zone's permitted use, and the prohibition against any use(s) other than walking, running or bicycling on the permitted and maintained areas of the Government Use Zone.

H. This Ordinance shall not prohibit those from entering upon the Government Use Zone who are permitted to do so as of right as evidenced by a properly recorded deed or easement of record in the Hunterdon County Clerk's office.

Section II. Enforcement. This Ordinance shall be enforced by the Borough of Milford's Zoning Officer, or any other employee or agent of the Borough so authorized by resolution of the Borough of Milford, or by the New Jersey State Police or any other law enforcement agency having jurisdiction within the Borough of Milford.

Section III. Penalties: Any person who violates this Chapter shall be subject to a penalty upon conviction of not less than \$750.00 and not more than \$2,000.00 for each violation.

Section IV. Severability. Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

Section V. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 3rd day of June, 2024, at a meeting of the Borough Council of the Borough of Milford and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Borough Council of the Borough of Milford to be held on the 1st day of July, 2024, at 7:00PM, or as soon thereafter as the matter may be reached, to be held at the Milford Borough Fire Company, located at 21 Water Street, Milford, New Jersey 08848. Copies of said Ordinance are at the office of the Milford Borough Municipal Clerk, 30 Water Street, Milford, New Jersey 08848.

FIRST READING - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
James Gallos			X	X			
Noralie LaFevre	X			X			
Helen Livingston				X			
Alex Peredjogin				X			
Douglas Sloyer				X			
Elisa Yager		X		X			

ORDINANCE NUMBER ORD986-2024

AN ORDINANCE TO AMEND ORDINANCE 880-2018 TO DETERMINE AND FIX THE SALARIES AND WAGES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MILFORD, IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY

BE IT ORDAINED, the Common Council of the Borough of Milford, in the County of Hunterdon and State of New Jersey that Ordinance 880-2018 be amended to include the position of Part-time Water/Sewer Grant Acquisition Employee as follows:

<u>OFFICE OR TITLE</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
Water Operator	\$45,000.00	\$61,000.00	\$76,000.00

Amounts stated above as payable per year shall be considered salaries, or ranges of salaries, and shall be payable for the calendar year. The position of Water Operator Employee shall be paid bi-weekly.

BE IT FURTHER RESOLVED that all other sections of Ordinance 880-2018 not amended hereby shall remain in effect, and

BE IT FURTHER ORDAINED by the Common Council of the Borough of Milford that this Ordinance shall take effect immediately after final adoption and publication in accordance with the laws of the State of New Jersey.

FIRST READING - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
Alex Peredjogin				x			
Noralie LaFevre		x		x			
Douglas Sloyer				x			
James Gallos			x	x			
Helen Livingston				x			
Elisa Yager	x			x			

ORDINANCE NUMBER 987-2024

ORDINANCE REGULATING

“TREE REMOVAL-REPLACEMENT” BY THE BOROUGH OF MILFORD IN ACCORDANCE WITH MANDATES FROM NEW JERSEY’S DEPARTMENT OF ENVIRONMENTAL PROTECTION.

CHAPTER 177 Trees and Shrubs

TREE REMOVAL-REPLACEMENT ORDINANCE

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in the Borough of Milford to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

A. “Applicant” means any “person”, as defined below, who applies for approval to remove trees regulated under this ordinance.

B. “Critical Root Radius (CRR)” – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6” DBH would have a CRR = 6”x1.5’ = 9’.

C. “Diameter at Breast Height (DBH)” means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

D. “Hazard Tree” means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. [Municipalities may choose to require a Licensed Tree Expert to make all Hazard tree determination]

1. Has an infectious disease or insect infestation;
2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

E. “Person” means any individual, resident, corporation, utility, company, partnership, firm, or association.

F. “Planting strip” means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

G. “Resident” means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

H. “Street Tree” means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

I. “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

J. “Tree Caliper” means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

K. “Tree removal” means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

[Application review and approval can be conducted along with existing business practices and permit application review such as, but not limited to, site plan approvals, building permit approvals, planning board application approval, etc. A separate application process is not required, but the Department has included sample language below for municipalities that prefer to do so.]

A. Optional Application Process:

1. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Tree Removal Application to the Milford Zoning Officer. No tree shall be removed until municipal officials have reviewed and approved the removal.

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person who removes one or more tree(s), as defined as Tree removal, with a DBH of 6” or more per acre, unless otherwise detailed under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed **or** meet the Tree Replacement Criteria in the table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)	Application Fee
1	DBH of 2.5” (for street trees) or 6” (for non-street trees) to 12.99”	Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed	<i>No Fee</i>
2	DBH of 13” to 22.99”	Replant 2 trees with minimum tree calipers of 1.5” for each tree	<i>No Fee</i>

		removed	
3	DBH of 23” to 32.99”	Replant 3 trees with minimum tree calipers of 1.5” for each tree removed	\$25.00
4	DBH of 33” or greater	Replant 4 trees with minimum tree calipers of 1.5” for each tree removed	\$50.00

C. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of (amount to be set by municipality) per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption **[the municipality shall define what “proper justification” is such as photos or statements from NJ licensed tree expert as per NJ Statue 45:15C-11 or arborist.]**:

- A. Residents who remove less than four (4) trees per acre fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the ‘count’ resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;

- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife.
- G. Hazard trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement:

This ordinance shall be enforced by the Borough of Milford Zoning Officer during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$300.00 per tree or planting of additional trees.

SECTION VIII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on June 3, 2024, at a meeting of the Borough Council of the Borough of Milford and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Borough Council of the Borough of Milford to be held on July 1, 2024, at 7:00PM, or as soon thereafter as the matter may be reached, to be held at the Borough of Milford Municipal Building 30 Water Street Milford, New Jersey 08848

Copies of said Ordinance are at the office of the Milford Borough Municipal Clerk 30 Water Street Milford, NJ 08848.

Appendix A

Approved list of Replacement tree Species and Planting Standards for Milford Borough Use the Link Below for the list

[Recommended-Trees-to-Plant-PDF \(hunterdon.nj.us\)](https://hunterdon.nj.us)

FIRST READING - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
Douglas Sloyer				x			
Noralie LaFevre		x		x			
James Gallos			x	x			
Helen Livingston				x			
Elisa Yager	x			x			
Alex Peredjogin				x			

ORDINANCE – SECOND READING/PUBLIC HEARING

ORDINANCE NUMBER 982-2024

AN ORDINANCE APPROPRIATING THE SUM OF \$7,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF MILFORD FOR EMERGENCY TEMPORARY REPAIRS

Noralie LaFevre made a motion to open the public hearing on Ordinance No. 975-2024. Seconded by Elisa Yager.

ROLL CALL: AYES: N. LaFevre, D. Sloyer, J. Gallos, H. Livingston, E. Yager, A. Peredjogin
 NAYS: None ABSTAIN: None ABSENT: None

There were no comments from the public in attendance.

Motion to close the public hearing was made by Noralie LaFevre.

Seconded by Elisa Yager.

ROLL CALL: AYES: N. LaFevre, D. Sloyer, J. Gallos, H. Livingston, E. Yager, Peredjogin
 NAYS: None ABSTAIN: None ABSENT: None

SECOND READING - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
Noralie LaFevre		x		x			
James Gallos				x			
Helen Livingston			x	x			
Elisa Yager	x			x			
Alex Peredjogin				x			
Douglas Sloyer				x			

RESOLUTIONS

RESOLUTION NO. RE2024-052

BE IT HEREBY RESOLVED by the MILFORD BOROUGH COMMON COUNCIL that all **VOUCHERS** presented and approved be paid.

This being submitted at the Council meeting held on June 3, 2024.

ROLL CALL VOTE

Council Vote	Motion	Second	Ayes	Nays	Abstain	Absent
Alex Peredjogin			x			
James Gallos	x		x			
Douglas Sloyer			x			
Noralie LaFevre			x			
Helen Livingston		x	x			
Elisa Yager			x			

RESOLUTION NO. RE2024-053

WHEREAS, the Borough of Milford requires all establishments selling alcoholic beverages be licensed; and

WHEREAS, all copies of the application have been received, reviewed and found to be in order; and

WHEREAS, the appropriate fees have been paid; and

WHEREAS, all Ordinance regulations have been met.

BE IT HEREBY RESOLVED by the MILFORD BOROUGH COMMON COUNCIL that *AAB Liquor Inc. T/A Milford Market (License Number: 1020-44-002-02)* be granted a renewal of their Plenary Retail Distribution Liquor License for 2024/2025.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to issue and endorse said license.

This being submitted at the Council meeting held on June 3, 2024.

ROLL CALL VOTE

Council Vote	Motion	Second	Ayes	Nays	Abstain	Absent
Alex Peredjogin			x			
James Gallos	x		x			
Douglas Sloyer			x			
Noralie LaFevre			x			
Helen Livingston		x	x			
Elisa Yager			x			

RESOLUTION NO. RE2024-054

WHEREAS, the Borough of Milford requires all establishments selling alcoholic beverages be licensed; and

WHEREAS, all copies of the application have been received, reviewed and found to be in order; and

WHEREAS, the appropriate fees have been paid; and

WHEREAS, all Ordinance regulations have been met.

BE IT HEREBY RESOLVED by the MILFORD BOROUGH COMMON COUNCIL that *Descendants Brewing LLC T/A Ship Inn (License Number: 1020-33-002-006)* be granted a renewal of their Plenary Retail Consumption Liquor License for 2024/2025.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to issue and endorse said license.

This being submitted at the Council meeting held on June 3, 2024.

ROLL CALL VOTE

Roll Call Vote	Motion	Second	Ayes	Nays	Abstain	Absent
Elisa Yager		x	x			
Helen Livingston			x			
Douglas Sloyer			x			
Noralie LaFevre	x		x			
Alex Peredjogin			x			
James Gallos			x			

RESOLUTION NO. RE2024-055

WHEREAS, the Borough of Milford requires all establishments selling alcoholic beverages be licensed; and

WHEREAS, all copies of the application have been received, reviewed and found to be in order; and

WHEREAS, the appropriate fees have been paid; and

WHEREAS, all Ordinance regulations have been met.

BE IT HEREBY RESOLVED by the MILFORD BOROUGH COMMON COUNCIL that the *Milford NJ Fire Company, Inc. The, T/A Milford New Jersey Fire Company* be granted a renewal of their Club Liquor License for 2024/2025.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to issue and endorse said license.

This being submitted at the Council meeting held on June 3, 2024.

Roll Call Vote	Motion	Second	Ayes	Nays	Abstain	Absent
Noralie LaFevre	x		x			
Douglas Sloyer					x	
James Gallos			x			
Alex Peredjogin			x			
Helen Livingston		x	x			
Elisa Yager			x			

RESOLUTION NO. RE2024-056

WHEREAS, the Borough of Milford requires all establishments selling alcoholic beverages be licensed; and

WHEREAS, all copies of the application have been received, reviewed and found to be in order; and

WHEREAS, the appropriate fees have been paid; and

WHEREAS, all Ordinance regulations have been met.

BE IT HEREBY RESOLVED by the MILFORD BOROUGH COMMON COUNCIL that *The Milford House LLC (License Number: 1020-33-001-005)* be granted a renewal of their Plenary Retail Consumption Liquor License for 2024/2025.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to issue and endorse said license.

This being submitted at the Council meeting held on June 3, 2024.

Roll Call Vote	Motion	Second	Ayes	Nays	Abstain	Absent
James Gallos			x			
Douglas Sloyer			x			
Noralie LaFevre	x		x			
Alex Peredjogin			x			
Helen Livingston			x			
Elisa Yager		x	x			

RESOLUTION NO. RE2024-057

WHEREAS, in 2021, the Borough of Milford’s Common Council, pursuant to the Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*, advertised for bids in the *Star-Ledger* and the *Delaware Valley News* newspapers for the curbside collection of the Borough’s solid waste (52 weekly collections per annum), commingled recyclables (26 collections per annum every other week), and “Type 13” bulky waste materials on the Borough’s “Annual Clean-up Day” (once per annum); and

WHEREAS, the Borough solicited bids seeking the provision of all three services (solid waste, recyclables, and annual clean-up day) for a three (3) year period commencing March 1, 2022 and concluding February 28, 2025, inclusive; and

WHEREAS, the Borough timely received bids from three vendors, to wit: LMR Disposal, LLC, PO Box 309, Phillipsburg, New Jersey 08865; J.P. Mascaro & Sons, 2650 Audubon Road, Audubon, Pennsylvania 19403; and Republic Services of New Jersey, LLC d/b/a Raritan Valley Disposal, 9 Frontage Road, Clinton, New Jersey 08809; and

WHEREAS, the Bids were opened on January 12, 2022 by the Borough with LMR Disposal, LLC, J.P. Mascaro & Sons and Republic Services, LLC each submitting timely and compliant bids in accordance with the Borough’s bid specifications and applicable law; and

WHEREAS, the lowest compliant bid received was that of LMR Disposal, LLC.; and
WHEREAS, the Borough awarded said Solid Waste Contract (the “Contract”) to LMR Disposal, LLC on February 7, 2022; and

WHEREAS, Casella Major Account Services, LLC, a solid waste and recyclable material collector, is under contract to purchase LMR Disposal, LLC., with said transaction expected to be concluded on or before year end; and

WHEREAS, Casella Major Account Services, LLC acquisition of LMR Disposal, LLC necessitates that Casella Major Account Services, LLC assume LMR Disposal, LLC contractual obligations to the Borough vis-à-vis the Contract; and

WHEREAS, the Borough, LMR Disposal, LLC and Casella Major Account Services, LLC seek to ensure that the solid waste collection services occur without interruption to the Borough, and that an orderly transition of services is effectuated by and between LMR Disposal, LLC and Casella Major Account Services, LLC; and

WHEREAS, Casella Major Account Services, LLC shall provide to Milford Borough all of the documentation in the form and manner as set forth and otherwise mandated by both the Borough’s 2022 Solid Waste Bid specifications and the Contract, and that same shall be reviewed by the Borough and the Borough’s legal counsel to ensure Casella Major Account Services, LLC compliance; and

WHEREAS, LMR Disposal, LLC and Casella Major Account Services, LLC, and each of them, recognize that the assignment to Casella Major Account Services, LLC of LMR Disposal, LLC duties and obligations owed to the Borough by way of the Contract, is expressly contingent upon the Borough’s review of Casella Major Account Services, LLC documentation, and that the assignment shall not be effective until such time as the Borough’s legal counsel reviews and issues written approval of the documentation provided by Casella Major Account Services, LLC as required pursuant to both the Borough’s 2022 Solid Waste Bid specifications and the Contract.

NOW, WHEREFORE BE IT HEREBY RESOLVED BY THE MILFORD BOROUGH COMMON COUNCIL THAT:

1. The Borough conditionally approves of LMR Disposal, LLC assignment of its rights, duties and obligations under the Contract to Casella Major Account Services, LLC subject to Casella Major Account Services, LLC fulfillment of any and all obligations as set forth and otherwise required by both the Borough’s 2022 Solid Waste Bid specifications and the Contract.
2. That the date for said assignment shall be effective as of the date of Milford Borough’s legal counsel’s written approval authorizing said assignment.

This being submitted at the Council meeting held on June 3, 2024.

	Motion	Second	Ayes	Nays	Abstain	Absent/Ineligible
Noralie LaFevre			x			
James Gallos			x			
Doug Sloyer			x			
Elisa Yager	x		x			
Helen Livingston		x	x			
Alex Peredjogin			x			

**RESOLUTION NO. RE2024-058
 RESOLUTION APPROVING PROPOSALS FOR SERVICES TO
 REPLACE ROOF AT THE MILFORD BOROUGH HALL AND
 BOROUGH LIBRARY RENOVATIONS**

WHEREAS, the Borough of Milford accepts the proposals from SSP Architects for

architectural services; and

WHEREAS, the Borough Engineer has determined that SSP Architects will provide the following services:

The first project is to replace the main roofing at the Borough Hall. This section of roofing is stone aggregate over a felt type (asphalt shingle) roofing system that has exceeded its useful life.

The second project is to subdivide the Library into two spaces, one serving the administrative offices of the Borough and the other to service the Library. The project will address interior renovations to the entire building.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Milford, Hunterdon County, State of New Jersey, that:

SSP Architects, 50 Division Street, Suite 503, Somerville will provide the above services.

This being submitted at the Council meeting held on Monday, June 3, 2024.

Council Vote	Motion	Second	Ayes	Nays	Abstain	Absent
Noralie LaFevre	x		x			
James Gallos			x			
Douglas Sloyer		x	x			
Helen Livingston			x			
Alex Peredjogin			x			
Elisa Yager			x			

RESOLUTION NO. RE2024-059

WHEREAS, the Common Council of the Borough of Milford requires any and all Coin Tosses, held in the Borough, to have a permit; and

WHEREAS, a copy of the applicant’s request to hold a Coin Toss has been received, reviewed and found in order; and

WHEREAS, all the regulations of the Borough Ordinance have been met.

BE IT HEREBY RESOLVED by the MILFORD BOROUGH COMMON COUNCIL that approval is granted and a permit be issued to the Garden State Underwater Recovery Unit, PO Box 404, Milford, NJ. to hold a Coin Toss on June 15, 2024 with a rain date of June 16, 2024 and December 15, 2024 with a rain date of December 16, 2024. The location will be at the intersection of County Route 519 and Bridge Street.

THEREFORE, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to issue and endorse these permits.

This being submitted at the Council meeting held on June 3, 2024.

Council Vote	Motion	Second	Ayes	Nays	Abstain	Absent
Noralie LaFevre			x			
James Gallos	x		x			
Douglas Sloyer			x			
Helen Livingston			x			
Alex Peredjogin			x			
Elisa Yager		x	x			

PUBLIC COMMENTS

Noralie LaFevre made a motion to open the public portion of the meeting.

Seconded by Elisa Yager.

ROLL CALL: AYES: J. Gallos, N. LaFevre, H. Livingston, D. Sloyer, E. Yager, A. Peredjogin

NAYS: None ABSTAIN: None ABSENT: None

No comments from the public in attendance.

Motion to close the public hearing was made by Elisa Yager.

Seconded by Helen Livingston

ROLL CALL: AYES: J. Gallos, N. LaFevre, H. Livingston, D. Sloyer, E. Yager, A. Peredjogin

NAYS: None ABSTAIN: None ABSENT: None

Motion carried.

CLERK'S REPORT – May 2024

Comments: none

Motion to accept: Elisa Yager

Seconded: Douglas Sloyer

All in Favor – AYES: All NAYS: None ABSTAIN: None ABSENT: None

Clerk's Report for May 2024 was approved.

SPECIAL MEETING MINUTES FROM PREVIOUS MEETINGS PRESENTED FOR APPROVAL – May 1, 2024

Comments: none

Motion to accept: Noralie LaFevre

Seconded: Elisa Yager

All in Favor - AYES: All NAYS : None ABSTAIN: J. Gallos, D. Sloyer, A. Peredjogin

ABSENT: None

Special Meeting Minutes of May 1, 2024 are approved.

REGULAR MEETING MINUTES FROM PREVIOUS MEETINGS PRESENTED FOR APPROVAL – May 20, 2024

Comments: none

Motion to accept: Douglas Sloyer

Seconded: Helen Livingston

All in Favor - AYES: All NAYS : None ABSTAIN: A. Peredjogin ABSENT: None

Regular Meeting Minutes of May 20, 2024 are approved.

CORRESPONDENCE LIST

Correspondence was reviewed.

ADJOURNMENT

Mayor Schepens advised there being no further business to discuss, the minutes of this meeting will be available as soon as possible.

Motion to adjourn was made by: Elisa Yager

Seconded by: Helen Livingston

All in Favor - AYES: All NAYS: None ABSTAIN: None ABSENT: None

Meeting adjourned at 8:08PM.

CURRENT CAPITAL FUND DISBURSEMENTS

06/10/24 Check # 1617 Reivax York Road/Mt. Nebo \$177,564.24

MILFORD BOROUGH SEWER UTILITY ACCOUNT DISBURSEMENTS

MILFORD BOROUGH WATER DEPARTMENT ACCOUNT DISBURSEMENTS

MILFORD BOROUGH CURRENT ACCOUNT DISBURSEMENTS

MILFORD BOROUGH CURRENT ACCOUNT DISBURSEMENTS-cont.

Respectfully Submitted,

Karen Dysart, RMC
Municipal Clerk