

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2020-R-109

RESOLUTION REQUESTING APPROVAL
OF ITEMS OF REVENUE AND
APPROPRIATION - N.J.S.A. 40A:4-87-
CLEAN COMUNITIES

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approval the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Maple Shade, in the County of Burlington and State of New Jersey, as follows:

1. The Township Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$37,351.20, which is now available from the Clean Communities program.
2. The Township Council hereby appropriates the like sum of \$37,351.20 under the caption of "2020 Clean Communities."
3. The above is the result of the submission of a grant application and execution of a grant agreement with Clean Communities in the amount of \$37,351.20.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Maple Shade Township Council at a meeting held on June 25, 2020.

Andrea T. McVeigh, Township Clerk

DATE: June 25, 2020

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Manchello			x			
Nunes	x		x			
Wiest		x	x			
Volpe			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2020-R-110

AWARD OF CONTRACT TO CHARLES MARANDINO, LLC
FOR SOUTH LIPPINCOTT AVENUE ACCESSIBILITY IMPROVEMENTS
FOR THE AMOUNT OF \$80,930.00

WHEREAS, the Township Council has determined, as part of the 2019 Community Development Block Grant, to provide accessibility improvements for South Lippincott Avenue, same being more particularly described in specifications which are on file in the Office of the Township Clerk and available for public inspection during regular business hours, and it appearing that the cost of the aforementioned items will be paid with Municipal Funds and will exceed \$17,500.00 in the fiscal year; and

WHEREAS, the Township Engineer has publicly advertised for bids and has received and opened bids on June 11, 2020 for the purpose of awarding a contract for the aforementioned purpose and the Township Manager has informed the Township Council that a certain entity is the lowest, qualified responsible bidder for said contract and has recommended that the Township Council award said contract or reject said bids within sixty (60) days as required by N.J.S.A. 40A:11-4; and

WHEREAS, the Township's Chief Financial Officer, as required by N.J.A.C. 5:30-1, has certified that there are sufficient funds available for the purpose of awarding a contract to said entity, said certification being attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Maple Shade, in the County of Burlington and State of New Jersey, as follows:

1. That the Township Council, based upon the aforementioned certificate, hereby declares that there are sufficient funds available for the aforesaid purpose, and the Township Council hereby directs that the hereinafter expenditure be charged against:

2. That the Township Council, for the aforementioned reasons, hereby declares that Charles Marandino, LLC, 233 Main Street, P.O. Box 20, Milmay, New Jersey (08340) is the

lowest qualified bidder for the aforementioned contract and hereby awards a contract to the said entity for the aforesaid purpose for the amount of \$80,930.00, representing the base bid plus Alternate A, in accordance with the terms and conditions of the Bid Proposal, the Notice to Bidders and Specifications, copies of which are on file in the Office of the Township Clerk and available for public inspection during regular business hours.

3. That the Township Council hereby directs the Township Clerk to return the bid securities to any unsuccessful bidders in accordance with N.J.S.A. 40A:11-4.

4. That the Township Council hereby directs the Township Mayor and Clerk execute any contract documents which are necessary to effectuate the terms of this Resolution and which shall be prepared by or reviewed by the Office of the Township Attorney.

CERTIFICATION

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 Andrea T. McVeigh, Township Clerk

DATE: June 25, 2020

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Manchello			x			
Nunes	x		x			
Wiest		x	x			
Volpe			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2020-R-111

A RESOLUTION APPROVING AN AMENDED AND RESTATED SECTION 125 FLEXIBLE BENEFITS PLAN FOR THE TOWNSHIP OF MAPLE SHADE

WHEREAS, Section XI of the Section 125 Flexible Benefit Plan (“Plan”) permits amendment to the Plan;

WHEREAS, the Employer desires to amend the Plan to include changes in the definition of medical expense related to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act);

NOW, THEREFORE, the Plan is hereby amended, effective April 15, 2020, or if later, upon execution of this amendment, as follows:

1.

Section 8.04 (a) is amended by removing that Section in its entirety and in its place including the following:

“(a) Eligible Medical Expense in General. The phrase ‘Eligible Medical Expense’ means any expense incurred by a Participant or any of his Dependents (subject to the restrictions in Sections 8.04(b) and (c)) during a Plan Year that (i) qualifies as an expense incurred by the Participant or Dependents for medical care as defined in Code Section 215(d) and meets the requirements outlined in Code Section 125, (ii) is excluded from gross income of the Participant under Code Section 105(b), and (iii) has not been and will not be paid or reimbursed by any other insurance plan, through damages, or from any other source. Notwithstanding the above, capital expenditures are not Eligible Medical Expenses under this Plan.

2.

Section 8.05 introductory language is amended by removing that portion of the Section in its entirety and in its place including the following:

“8.05 USE OF DEBIT CARD: In the event that the Employer elects to allow the use of debit cards (“Debit Cards”) for reimbursement of Eligible Medical Expenses under the Medical Expense Reimbursement Plan, the provisions Described in this Section shall apply.”

3.

This amendment is effective for medical expenses incurred after December 31, 2019

4.

Other than changes made herein, the Plan shall remain in full force and effect.

IN WITNESS WHEREOF, the Employer has caused this Amendment to the Plan to be executed by its duly authorized representative this 25th day of June 2020.

By: _____

Title: _____

Employer Name: _____

Employer State or Tax ID: _____

CERTIFICATION

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Andrea T. McVeigh, Township Clerk

DATE: June 25, 2020

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Manchello			x			
Nunes	x		x			
Wiest		x	x			
Volpe			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2020-R-112

AUTHORIZE RENEWAL OF 2020-2021 LIQUOR LICENSES

WHEREAS, the Township Clerk has informed the Township Council that certain entities have applied to the Township Council for a renewal of Plenary Retail Consumption and Plenary Retail Distribution Licenses as permitted by N.J.S.A. 33:1-12.13; and

WHEREAS, the Township Clerk has informed the Township Council that the applications have been submitted with the proper fees and in the proper form and have otherwise conformed with the requirements set forth in N.J.S.A. 33:1-26 and 33:1-17; and

WHEREAS, the Township Council has reviewed said applications and accompanying documents and believes that it would be in the best interest of the Township to renew said licenses.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Maple Shade, in the County of Burlington and State of New Jersey, as follows:

1. That the Township Council, for the aforementioned reasons; hereby declares that the entities listed as: **Sensational Host; Patel & Patel, Corporation; Ganesh Beverages, Inc.; Happy Hour Social & Athletic Club, Inc.; and Maple Shade 25 Club** are qualified applicants who have fully complied with the aforementioned legal requirements.
2. That the Township Council, for the aforementioned reasons; hereby authorizes the approval of the above listed license renewals for the 2020-2021 term.
3. That the Township Council hereby directs the Township Clerk to execute the necessary documents to effectuate the terms of this Resolution.

CERTIFICATION

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Andrea T. McVeigh, Township Clerk

DATE: June 25, 2020

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Manchello			x			
Nunes	x		x			
Wiest		x	x			
Volpe			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2020-R-113

AUTHORIZING MEMBERSHIP IN MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of fire Commissioners, are permitted pursuant to N.J.S.A. 40A:14-26 and 40A:14-156.1; and

WHEREAS, the President of Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. Seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14E-11 et. Seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. Seq., and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality to enter into a mutual aid and assistance agreement with the County of Burlington and other municipalities including, but not limited, to, municipal police, emergency medical service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situation when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Maple Shade, in the County of Burlington, and State of New Jersey as follows:

A. That the Township of Maple Shade is hereby authorized and directed to enter into the Burlington County Mutual Aid and Assistance Agreement Between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.

B. That the Mayor and Township Clerk of the Township of Maple Shade are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Township of Maple Shade.

C. That the Township Clerk is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Burlington County Department of Public Safety Services, Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all participating units to the Mutual Aid and Assistance Agreements.

CERTIFICATION

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Andrea T. McVeigh, Township Clerk

DATE: June 25, 2020

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Kauffman			x			
Manchello			x			
Nunes	x		x			
Wiest		x	x			
Volpe			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2020-R-114

RELEASE PERFORMANCE GUARANTEE FOR TESLA, INC. WITH RESPECT TO BLOCK 193, LOTS 6, 16 & 17

WHEREAS, Tesla, Inc. is the owner of Block 193, Lots 6, 16 & 17 in the Township of Maple Shade and has been granted preliminary and final approval of development plans for said block and lots, subject to certain terms and conditions including, but not limited to, the filing of Third Party Performance Guarantees insuring the satisfactory installation of certain on-tract and off-tract public improvements; and

WHEREAS, Tesla, Inc. provided a performance guarantee for Block 193, Lots 6, 16 & 17 and notified the Township Council in writing and in accordance with the procedures set forth in N.J.S.A. 40:55D-53.d that the required improvements have been completed which are the subject matter of the aforementioned bond and has requested the release of the performance guarantee; and

WHEREAS, the Township Engineer inspected the improvements and filed a detailed report in writing with the Township Council and recommended that the Township Council approve the request to release the performance guarantee subject to certain conditions; and

WHEREAS, the Township Council reviewed said request and report and desires to act favorably with respect to the Engineer's recommendations in accordance with N.J.S.A. 40:55D-53.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Maple Shade, in the County of Burlington and State of New Jersey, as follows:

1. That the Township Council hereby agrees to release the performance guarantee filed for Tesla, Inc, subject to satisfaction of the following conditions:
 - a. Payment of all outstanding taxes, professional review and inspection escrow fees;
 - b. Posting of two-year maintenance guarantee; and
 - b. Review and approval of all documents by the Township Attorney.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Maple Shade Township Council at a meeting held on June 25, 2020.

Andrea T. McVeigh, Township Clerk

DATE: June 25, 2020

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Kauffman			x			
Manchello			x			
Nunes	x		x			
Wiest		x	x			
Volpe			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2020-R-115

RESOLUTION RESCINDING RESOLUTION 2020-R-80 and 2020-R-90 REGARDING RESTRICTIONS ON TRANSIENT GUEST RENTALS

WHEREAS, on April 23, 2020, Maple Shade Emergency Management Coordinator Andrew Simonsick, Sr. entered an emergency proclamation in accordance with State Administrative Order 2020-08 temporarily prohibiting all transient and seasonal rental of hotels, motels, guest houses and residential homes or parts thereof within the Township of Maple Shade until the State of Emergency is lifted by the Governor of the State of New Jersey; and

WHEREAS, on April 23, 2020, the Maple Shade Township Council adopted Resolution 2020-R-80 ratifying the restrictions on transient guest rentals set forth in the Township's Emergency Management Proclamation; and

WHEREAS, on April 24, 2020, State Director of Emergency Management Cahill issued Administrative Order 2020-09 clarifying the conditions of AO 2020-8 and prohibiting restrictions on the ability of hotels to accept individuals who have no permanent housing to which they may safely or lawfully return; and

WHEREAS, on April 25, 2020, the Township Emergency Management Coordinator issued his Proclamation amending his prior proclamation temporarily suspending all hotel and motel transient rentals to address the conditions of AO-2020-09.

WHEREAS, on May 14, 2020, the Maple Shade Township council adopted Resolution No. 2020-R-90 amending Resolution 2020-R-80 to address the conditions of the recent Emergency Management Proclamation; and

WHEREAS, on June 9, 2020, Governor Murphy adopted Executive Order 152 eliminating the "stay at home" order and otherwise expanding the scope of open businesses and recreation and increasing the permitted number of attendees at indoor and outdoor gatherings; and

WHEREAS, in light of this order, the Township Emergency Management Coordinator rescinded his emergency proclamation #2 lifting the restrictions on hotels and other transient guest housing.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Maple Shade, County of Burlington that Resolutions 2020-R-80 and 2020-R-90 are hereby rescinded.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Maple Shade Township Council at a meeting held on June 25, 2020.

Andrea T. McVeigh, Township Clerk

DATE: June 25, 2020

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Kauffman			x			
Manchello			x			
Nunes	x		x			
Wiest		x	x			
Volpe			x			