

TOWNSHIP OF MAPLE SHADE
RESOLUTION 2023-R-33

AMEND CONTRACT FOR VARIOUS PUMP STATION IMPROVEMENTS WITH MUNICIPAL MAINTENANCE COMPANY AND APPROVE FINAL CHANGE ORDER AS A DECREASE IN THE AMOUNT OF \$24,853.00

WHEREAS, the Township Council, by previous Resolution, awarded a contract to Municipal Maintenance Company for Various Pump Station Improvements; and

WHEREAS, Remington & Vernick Engineers, the Township's agent responsible for supervising the various pump station improvements, has advised the Township Council, by way of a December 1, 2022 correspondence and attached change orders and the submission of the appropriate certification, that the original contract be increased; and

WHEREAS, N.J.A.C. 5:30-11.1, et seq. provides that the Governing Body may authorize change orders and amend contracts in accordance with the procedures set forth in said regulations; and

WHEREAS, the Township Council has reviewed the aforementioned request and desires to act favorably with respect to same and to amend the contract accordingly and to approve the change order.

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 amends the subject contract and decreases the contract price in the amount of \$24,853.00, from \$331,129.00 to \$306,276.00, in accordance with the terms and conditions of the aforementioned certification and December 1, 2022 correspondence and change order final request, said certification, correspondence and request being attached hereto as Exhibit A and made a part hereof.

2. That the Township Council hereby directs the Township Mayor and Clerk to execute any and all documents necessary to effectuate the terms of this Resolution and which are prepared by or reviewed by the Township Attorney.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Maple Shade, County of Burlington and State of New Jersey at a meeting held January 5, 2023.

Andrea T. McVeigh, Township Clerk

DATE: January 5, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Ms. Nunes	x		x			
Schmidt						x
Mrs. Volpe		x	x			
Wiest			x			
Kauffman			x			

TOWNSHIP OF MAPLE SHADE
RESOLUTION 2023-R-34

**AWARD OF CONTRACT TO M.S.P. CONSTRUCTION CORP. FOR THE MERION LANE
WATER MAIN REPLACEMENT FOR THE AMOUNT OF \$260,769.60**

WHEREAS, the Township Council has determined to provide for the replacement of the water main on Merion Lane in the Township of Maple Shade, 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 the cost of which will be paid with Municipal Funds and will exceed \$44,000.00 in the fiscal year; and

WHEREAS, N.J.S.A. 40A:11-4 states that a contract, the cost of which will exceed \$44,000.00 in a fiscal year, shall be awarded only after public advertising for bids and bidding therefor; and

WHEREAS, the Township Utility Engineer has publicly advertised for bids and has received and opened bids on January 6, 2023 for the purpose of awarding a contract for the aforementioned purpose and the Utility Engineer 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 M.S.P. Construction Corp., 19-B Minneakoniong Road, Flemington, New Jersey (08822) 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 \$260,769.60 representing bid items 1-22, 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

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Maple Shade, County of Burlington and State of New Jersey at a meeting held January 5, 2023.

Andrea T. McVeigh, Township Clerk

DATE: January 5, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Ms. Nunes	x		x			
Schmidt						x
Mrs. Volpe		x	x			
Wiest			x			
Kauffman			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2023-R-35

A RESOLUTION TO AFFIRM THE TOWNSHIP OF MAPLE SHADE’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of Maple Shade to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Maple Shade has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township Council of the Township of Maple Shade that:

Section 1: No official, employee, appointee or volunteer of the Township of Maple Shade by whatever title known, or any entity that is in any way a part of the Township of Maple Shade shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Maple Shade’s business or using the facilities or property of the Township of Maple Shade.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Maple Shade to provide services that otherwise could be performed by the Township of Maple Shade.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Maple Shade as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township Manager shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Township Manager shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Maple Shade. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Maple Shade’s web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Maple Shade in order for the public to be made aware of this policy and the Township of Maple Shade’s commitment to the implementation and enforcement of this policy.

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 January 19, 2023.

Andrea T. McVeigh, Township Clerk

DATE: January 19, 2023

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

TOWNSHIP OF MAPLE SHADE
RESOLUTION 2023-R-36

**AUTHORIZING GRANT APPLICATION SUBMISSION FOR THE NEW
JERSEY DEPARTMENT OF COMMUNITY AFFAIRS LOCAL
RECREATION IMPROVEMENT GRANT (LRIG) AND EXECUTION OF
GRANT AGREEMENT**

WHEREAS, the Township of Maple Shade desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to improve Collins Lane Park by installing pedestrian lighting along the walking trail, landscaping improvement and other associated work.

BE IT THEREFORE RESOLVED, that the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey does hereby authorize the application for such grant and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and

BE IT FURTHER RESOLVED, that upon receipt of the fully executed agreement from the Department, the Township Council does further authorize the expenditure of the funds pursuant to the terms of the agreement between the Township of Maple Shade, County of Burlington, State of New Jersey and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the Mayor, Township Clerk, Township Manager and/or Chief Financial Officer, and/or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

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 January 19, 2023.

Andrea T. McVeigh, Municipal Clerk

DATE: January 19, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Ms. Nunes	x		x			
Schmidt						x
Ms. Volpe		x	x			
Wiest			x			
Kauffman			x			

**TOWNSHIP OF MAPLE SHADE
RESOLUTION 2023-R-37**

RESOLUTION OF THE TOWNSHIP OF MAPLE SHADE AUTHORIZING THE PURCHASE OF FIRE PROTECTION CLOTHING THROUGH THE NJ STATE CONTRACT 17-FLEET-00810 AND 17-FLEET-00811 FOR AN AMOUNT NOT TO EXCEED \$47,120.87

WHEREAS, the Township of Maple Shade may by resolution and without advertising for bids in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law, purchase goods and/or services under a New Jersey State Contract; and

WHEREAS, the Township of Maple Shade wishes to purchase Fire Protection Clothing for the Maple Shade Fire Department; and

WHEREAS, Municipal Emergency Services, 66 Firemens Way, Poughkeepsie, NY 12603 has been awarded New Jersey State Contract 17-Fleet-00810 and NJ-Fleet-00811 for Fire Protection Clothing (00810) and Boots (00811); and

WHEREAS, the total purchase is in the amount of \$47,120.87; and

WHEREAS, the Chief Financial Officer, as required by N.J.A.C. 5:30-5.3 (b), has certified that there are sufficient funds available for the purpose of said purchase in an amount not to exceed \$47,120.87 and to be charged from account C-04-215-20-006-016 in which said certification is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Maple Shade, County of Burlington, that the Council hereby authorizes and approves the purchase of Fire Protection Clothing from Municipal Emergency Services, 66 Firemens Way, Poughkeepsie, NY 12603 under the New Jersey State Contracts NJ-Fleet-00810 and NJ-Fleet-00811 in an amount not to exceed \$47,120.87.

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent and Chief Financial Officer are hereby authorized to execute any and all documents to effectuate said purchase.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

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 January 19, 2023.

Andrea T. McVeigh, Township Clerk

DATE: January 19, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Ms. Nunes	x		x			
Schmidt						x
Ms. Volpe		x	x			
Wiest			x			
Kauffman			x			

TOWNSHIP OF MAPLE SHADE
RESOLUTION 2023-R-38

A RESOLUTION SUPPORTING THE CREATION OF A COMMUNITY GARDEN

WHEREAS, the Township of Maple Shade recognizes that Community Gardens are an important strategy for residents to improve nutrition and gain control over quality and variety of their food supply while lowering their cost of living; and

WHEREAS, community gardening allows people of all backgrounds to intermingle and foster a better sense of community thus enabling improvements in quality of life; and

WHEREAS, community gardening and greening projects cultivate volunteers and community leaders to work together to create gardens for the benefit of present and future generations

WHEREAS, a proposal was brought to the Mayor and Council by the Maple Shade Green Team to create such a garden at a Township owned property located at 41 Collins Lane, Maple Shade New Jersey and the Council expressed that they are in favor of repurposing a property already devoted to public use.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Maple Shade do hereby fully support the request by the Maple Shade Green Team to place a community garden at 41 Collins Lane, Maple Shade New Jersey, on no more than one (1) acre.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Maple Shade, County of Burlington and State of New Jersey at a meeting held January 19, 2023.

Andrea T. McVeigh, Township Clerk

DATE: January 19, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Ms. Nunes	x		x			
Schmidt						x
Mrs. Volpe		x	x			
Wiest			x			
Kauffman			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2023-R-39

AUTHORIZE FOR AERIAL LARVAL MOSQUITO CONTROL

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has determined to provide for the application of mosquito larvicide for all municipalities, said larvicide to be applied primarily to low-lying, swampy areas, wooded sites, and along or around streams and other bodies of water; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has forwarded a correspondence to the Township of Maple Shade indicating that in order for the Division of Mosquito Control to apply mosquito larvicide over the Township of Maple Shade, the Township must execute the authorization provided with respect thereto; and

WHEREAS, the Township Council has reviewed said correspondence and approves the execution of the authorization.

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 directs the Mayor and Clerk to execute the authorization for the application of mosquito larvicide over the Township of Maple Shade.
2. That the Township Council hereby directs the Township Clerk to forward a copy of this Resolution to the Board of Chosen Freeholders of the County of Burlington.

CERTIFICATION

I do hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Maple Shade, in the County of Burlington and State of New Jersey, at a meeting held on January 19, 2023.

Andrea T. McVeigh, Township Clerk

DATE: January 19, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Ms. Nunes	x		x			
Schmidt						x
Mrs. Volpe		x	x			
Wiest			x			
Kauffman			x			

TOWNSHIP OF MAPLE SHADE

RESOLUTION 2023-R-40

RESOLUTION FOR POLICE OFF-DUTY EMPLOYMENT

WHEREAS, the Township of Maple Shade has determined that a policy is needed to manage temporary off-duty police work by establishing requirements for private employers, as defined herein, to follow when the services of off-duty police are required; and

WHEREAS, management of off-duty police work requires established payment schedules, timetables for making requests, hourly rates for off-duty police officers, Workers' Compensation coverage, liability insurance coverage, and fees for the use of municipal vehicles; and

WHEREAS, the Township Police Department administers all aspects of the Township Police Department's off-duty program related to scheduling and the Township Finance Office handles all escrow, billing and collections.

BE IT RESOLVED, by the Mayor and Council of the Township of Maple Shade that any private employer must adhere to the requirements established in the following provisions:

1. For purposes of this Resolution, the term private employer shall mean any entity, public or private, other than the Township of Maple Shade that is hiring a police officer of the Township of Maple Shade to provide security, traffic control, or other police-related services for the private employer's business, project, or function.
2. Township police officers may work for a private employer on their off-duty hours with the approval of the Chief of Police or his/her designee and provided that the Chief determines, in his/her sole discretion, that there are sufficient police personnel available for such work, that the off-duty work will not interfere with the needs of the Township.
3. Any private employer requesting the services of a Township police officer for off-duty police related services shall contact the Maple Shade Police Department no less than 48hours prior to the start of work to schedule officers. Exceptions to the 48-hour requirement will be for those contracts that require work directly affecting the life, safety and welfare of township residents.
4. Private employers will be billed a minimum of four (4) hours when work is cancelled with less than two hours' notice.
5. The Township hereby establishes an escrow account dedicated to the payment of Township police officers for off-duty police related services at the rate set forth herein. The Chief Financial

Officer shall ensure exact funds for the payment of off-duty employees are deposited in the escrow account prior to the start of any off-duty work.

6. If, at any time, the deposit in the escrow account is less than the amount of funds that are needed to pay for off-duty police related services, the Chief Financial Officer, Chief of Police or his/her designee shall notify the contractor of same and ensure the account is replenished. No additional work may be performed until escrow is replenished.
7. The hourly rate to be billed to the contractor for off-duty police related activity shall be \$120.00 per hour for the year 2023. This rate shall cover the off-duty police officer's hourly rate, all applicable taxes, the cost for the use of the police vehicle, plus a reasonable sum representing the administrative costs and any overhead or out-of-pocket expenses the Township of Maple Shade may incur for providing this service.
8. The private employer shall provide proof of Workers' Compensation coverage in the event an off-duty police officer is injured while working an approved off-duty assignment.
9. The Private Employee shall be required to submit a signed Indemnification and Hold Harmless Agreement and Certificate of Insurance from an insurance company authorized to do business in New Jersey. The Workers' Compensation and Employers' Liability coverage shall be in accordance with the laws of the State of New Jersey. The Commercial General Liability insurance coverage policy limits must be not less than \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate for bodily injury and property damage, including premises/operations and broad form contractual liability. Said Certificate shall name the Township of Maple Shade as an additional insured for all coverages except Workers' Compensation.

BE IT FURTHER RESOLVED, that all Township employees and officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

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 January 19, 2023.

Andrea T. McVeigh, Township Clerk

DATE: January 19, 2023

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