

**TOWNSHIP OF MAPLE SHADE
COUNTY OF BURLINGTON
STATE OF NEW JERSEY**

ORDINANCE 2023-05

**AN ORDINANCE AMENDING CHAPTER 4, ARTICLE IX OF THE TOWNSHIP CODE
TO CREATE THE BUSINESS AND ECONOMIC DEVELOPMENT COMMISSION**

WHEREAS, in order to promote the development and continued growth of the Township's business districts and to centralize the Township's efforts to work with the business community and various community groups to enhance communication and input, the Township Council has determined to create an Economic Development Commission and the position of Township Director of Business & Economic Development and to eliminate the Advisory Board of Commerce.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade, County of Burlington as follows:

Section 1. Chapter 4 of the Township Code entitled "Administration of Government" at Article XI is hereby amended to add new §4-42 as follows:

§4-42 BUSINESS AND ECONOMIC DEVELOPMENT COMMISSION

A. Purpose.

The purpose of the Commission shall be:

1. To study the future of all Highway Commercial, Commercial, Business Districts and Downtown areas in regard to its economic growth and development.
2. To develop plans for the redevelopment of the downtown business district (§ ~~xxx-1.1~~ below).
3. To advise the business community on improvements requiring private sector action.
4. To advise the Township Council on improvements requiring local government action.
5. To evaluate potential redevelopment opportunities and assist in the coordination of redevelopment activities in the Township business districts ~~in the downtown area~~ and foster closer working relationships among all interested segments of the Maple Shade business community.

B. Definitions.

For purposes of this chapter, the following terms shall have the meanings indicated:

BUSINESS DISTRICT

Individually and cumulatively referring to the Downtown Business (“DB”) Zoning District and the additional commercial areas of the Township of Maple Shade contained within the BD, BD-1, C and HC Zoning Districts, as shown on the Zoning Map of the Township of Maple Shade.

C. Membership.

1. Numbers of members. Membership shall consist of 13 regular members, two (2) ex-officio members and 4 at-large members.
2. Classification of members.
 - A. Regular members,
 - (1) **Public officials (2)**: the Mayor and a second member of Council, as appointed by the Township Council.
 - (2) **Maple Shade resident**: One (1) member who shall be a resident of the Township of Maple Shade.
 - (3) **Senior citizen**: one regular member who has been a Maple Shade resident for at least seven (7) years and is over the age of sixty (60)
 - (4) **Merchant, commercial property landlord and/or business owner**; 3 members. These members shall be an owner or tenant merchant operating a business that is based in Maple Shade and/or an owner (landlord) of commercial property within a District.
 - (5) **Organizational representatives**: six (6) regular members. These members shall represent the views of organizations of the Maple Shade community.
 - (a) Maple Shade Business Association: one representative who shall be recommended by the Board of the Maple Shade Business Association.
 - (b) Nonprofit: one representative who shall be an active member of a least one recognized nonprofit organization operating in Maple Shade.
 - (c) Corporate representative: one representative who shall be an employee of a large (200 or more employees) corporate entity located in Maple Shade
 - (d) Board of Education: one representative who shall be a sitting member of the Maple Shade Board of Education and a Maple Shade resident.
 - (e) Planning Board: one representative who shall be a sitting member of the Maple Shade Planning Board and a Maple Shade resident.

- (f) Arts representative: one representative who shall be a member of an arts-related organization based in the Maple Shade area.

B. Ex-officio member: the Township Director of Business & Economic Development and Township Manager.

C. At-large members: Four (4) members to include any individual, employee, resident or non-resident, with an identifiable interest in the activities and mission of the Business & Economic Development Commission

3. Appointment. Appointments of all regular members shall be made by the Township Council.
4. Terms. All regular members shall serve for a three-year term however, Council representatives, Planning Board and Board of Education representatives shall not serve beyond their current term of public office.
5. Vacancy. In the event of a vacancy, the regular membership will recommend a successor who may be appointed by the Mayor with the advice and consent of the Council to fill the unexpired term. Vacancies shall be filled with persons within the same class of membership as the vacancy.

D. Voting powers.

1. Voting members. All regular members shall be voting members.
2. Non-voting members. The ex-officio members and at-large members shall participate in discussions. The ex-officio members and at-large members shall not vote. The ex-officio member may serve as alternate and vote only in the absence or disqualification of a regular member.

E. Officers.

1. Number of officers. The officers of the Commission shall be a Chair, Vice-Chair, Treasurer, Secretary
2. Election. The Chair, Vice-Chair, Secretary, and Treasurer shall be elected annually in the month of January by the Commission and shall hold their respective offices for one year or until their successors are elected. No individual may occupy more than one office.
3. Nominations.
 - (a) At the December meeting of each year, the ex-officio member, who will be the election officer, will then accept nominations for the position of Chair, Vice-Chair, Secretary and Treasurer.
 - (b) All nominations, whether oral or written, must be made, seconded and then accepted by the individual nominated. At the beginning of the January meeting, the election officer will accept any nominations from the floor and call the roll to

determine those eligible to receive ballots and cast votes. The election officer will prepare the ballots indicating the officers' title and a space in which the eligible voters can write in their choice for each officer's position. The election officer will distribute the ballots to those eligible to vote. Upon completion of the actual vote, the election officer will collect the ballots and will then tabulate the results. The results will be verified by the Council liaison and by any member of the Commission who is not running for election and who has been appointed by the election officer. The results for each office will also be posted so all present may view the final count.

4. Vacancies. All vacancies occurring prior to the expiration of the term of any of the offices shall be filled at the next meeting by the Commission who shall elect an officer to fill the unexpired term.
5. Removal. Any officer elected by the Commission may be removed by the Commission whenever, in its judgment, the best interests of the Commission will be served thereby. Such removal shall occur upon a two-thirds majority vote of the eligible Commissioners.

F. Meetings.

1. Schedule. The Commission shall meet at least 6 times a year. The time and place of the bi-monthly meetings shall be fixed annually by resolution of the Commission.
2. Notice. Notice of the annual schedule and of any special or additional meetings shall be made to the public pursuant to the Open Public Meetings Act. Any cancellation or change of meeting shall be made by the Executive Committee. Commissioners will be notified at least 48 hours in advance.
3. Open meetings. The meetings of the Commission shall be open to the public unless it is determined by the Chair of the Commission, or by a majority of the members, that a closed session is required to discuss any of the following categories or matters:
 - a. Any matter involving the purchase, lease or acquisition of real property with public funds where said purchase or lease could adversely affect the public interest if discussion of such matters were disclosed;
 - b. Any matter of pending or anticipated litigation;
 - c. Any matter of contract negotiations;
 - d. Any matter falling within the attorney/client privilege; and
 - e. Any matter involving the potential employment, appointment, termination or employment, terms and conditions of employment, evaluation of performance, promotion or disciplining of any specific public officer, employee and/or consultant.
- f. Quorum. A majority of the voting members of the Commission shall constitute a quorum for the transaction of business.
- g. Absence from meetings. All regular members are expected to attend all meetings. When a member has exceeded three (3) unexcused absences, the Commission may request the resignation and recommend a replacement to the Mayor for approval by the Council.

G. Powers.

The Business and Economic Development Commission shall have the powers necessary to effectuate the purposes herein described, said powers including, but not limited to, the following:

1. To adopt by-laws.
2. To propose and/or enter into agreements and contracts with persons, firms, corporations or governmental entities, which agreements and contracts may be necessary or convenient to the exercise of the purposes and objectives of the Commission.
3. To recommend contracts for professional services which may be required to carry out the planning and coordination functions of the Commission.
4. To coordinate the various public and business activities in the Business Districts, to establish an annual calendar of major downtown events as well as other events benefitting the various Business Districts and community as a whole and to recommend to the Council such ordinance changes as may be necessary to carry out the advisory purposes of the Commission.

H. Proposals to be submitted to Council.

The Commission shall submit to the Council for its consideration any major recommendation, plan or action proposed pursuant to Section G above. The Council shall communicate with the Commission its intent with respect to any such submission within 30 days of the receipt of same.

I. Limitation of powers.

The Commission is specifically prohibited from exercising any power of condemnation or eminent domain, from pledging the credit of the municipality and from creating any debt against the municipality.

J. Township departmental assistance.

1. General. Subject to limitations as may hereinafter be determined by the Council, insofar as may be practicable, the employees and professional staff of the Township of Maple Shade, including the Township Attorney, shall be available to assist the Commission in the performance of its duties.
2. Procedure. All requests for employee or professional staff assistance shall be made through the Township Manager. Any project that requires substantial assistance from the Township staff and professionals shall be reviewed by the full Commission and said assistance shall be approved by the Council prior to commencement of the project.

K. Remuneration.

The members of the Commission shall receive no salary or other compensation for their services but shall be reimbursed, subject to approval by the Council, for expenditures incurred in performance of duties as a member of the Commission. In no event shall such reimbursement exceed the amount budgeted by the Council for such purposes.

L. Appropriations; annual report.

1. The Council may appropriate annually, during the life of the Commission, a sum of money to assist in carrying out the purposes and objectives set forth herein. The annual expenditures of the Commission shall not exceed the total sum of the appropriation from the Council plus other moneys received by the Commission from other sources, including but not limited to gifts and donations.
2. The Commission shall make an annual report to the Council setting forth in detail its operations and transactions for the preceding 12 months. In addition, the Commission shall regularly circulate to the Mayor and Council copies of its meeting minutes. All records, reports and data shall be available to the Council for inspection at any time.

M. Conflict of interest.

1. Disclosure of interest. No Commissioner shall have or shall acquire any interest, direct or indirect, personal or financial, in any project which the Commission is promoting or in any contract or proposed contract for materials or services or in any lease, mortgage, sale or contract of any nature whatsoever relating to any such project or to the Commission without forthwith making written disclosure to the Commission of the nature and extent of the interest. Such disclosure shall be entered in writing upon the minutes of the Commission.
2. Voting. No Commissioner having an interest as described in § 4-42(M)(1) shall vote on matters directly relating to such interest.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, paragraph, subsection or provision of this Ordinance shall be held to be invalid or unconstitutional, such decision shall not affect the remaining portions of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon final adoption and publication according to law.

Introduction: February 23, 2023

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on March 23, 2023

Andrea T. McVeigh, RMC

Adopted: March 23, 2023

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