TOWNSHIP OF MAPLE SHADE

Ordinance 2014-01

ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP'S LAND USE ORDINANCE REGARDING MINIMUM LOT WIDTH IN THE RA, R-1 AND R-2 RESIDENTIAL DISTRICTS

WHEREAS, a need arises on occasion for the Township Committee of the Township of Maple Shade to amend existing ordinances; and

WHEREAS, the Township of Maple Shade finds it in the best interests of the Township to amend certain provisions of the Combined Land Use Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Maple Shade that Chapter 205 of the Maple Shade Code, Article III, Article IV and Article V, specifically Code Sections 205-13A, 205-17A and 205-21A are amended to provide that the minimum lot width at the right-of-way shall be not less than the minimum required lot width at the building line, unless a variance is granted by the appropriate land use board having jurisdiction.

All other provisions of Chapter 205 of the Land Use Ordinances of the Township of Maple Shade shall remain in full force and effect; however, any ordinances or parts of ordinances inconsistent with the provisions of this ordinance as amended are hereby repealed to the extent of said inconsistency.

This ordinance shall take effect immediately upon final passage and publication in accordance with the laws of the State of New Jersey. Further, in accordance with the provisions of NJS 40:55D-16 a copy of this ordinance as finally adopted shall be filed with the Burlington County Planning Board.

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

January 23, 2014

SECOND READING

MOTION: Volpe			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

February 27, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-02

AMEND THE TOWNSHIP CODE AT
CHAPTER 78- CRIMINAL BACKGROUND CHECKS

BE IT ORDAINED, by the Township Council of the Township of Maple Shade as follows:

Section 1. Section 78-3 B is hereby amended to delete the last sentence of this section:
"The Township of Maple Shade shall bear the costs for the background checks for individuals qualified under this section."

Section 2. **Repealer.** Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. **Severability.** In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

February 20, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
~~Wiest~~			
Saporito	x		

March 27, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-03

ORDINANCE TO AMEND CHAPTER 114, ARTICLE V
OF THE TOWNSHIP CODEREGARDING PROPERTY
GOVERNED BY SECONDHAND SALES REGULATIONS

WHEREAS, the Township Council previously adopted provisions regarding the sale of secondhand goods and the licensure of dealers in such goods by Ordinance 2013-14; and

WHEREAS, upon recommendation of the Police Department, the Township Council now seeks to amend the scope of goods governed by such regulations.

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

Section 1. The definition of "Secondhand Goods" contained in Section 114-41 is hereby amended to delete the words "furniture" and "clothing."

Section 2. Appendix 1 (Also identified as Appendix 114(a)) is hereby amended as follows:

a. The words "furniture" and "clothing" are hereby deleted.

b. The term "any and all other articles of value" is revised to read "any and all other articles of value identifiable by a serial number or other owner-applied number."

Section 3. **Repealer.** Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. **Severability.** In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

FIRST READING

MOTION: Volpe			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

February 20, 2014

SECOND READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
~~Wiest~~			
Saporito	x		

March 27, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-04

AN ORDINANCE AMENDING SECTION TWO OF THE MAPLE SHADE EMPLOYEE HANDBOOK TO ADOPT CUSTOMER BILL OF RIGHTS

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

Section 1. The Maple Shade Employee Handbook is hereby amended at Section Two: Workplace Policies to add the following:

Customer Bill of Rights

The Township refers employees to its Customer Bill of Rights contained within this handbook. Employees shall be responsible for providing customer service in accordance with this policy.

(A copy of the Customer Bill of Rights to be included in the Employee Handbook is attached to this Ordinance.)

Section 2. **Repealer.** Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. **Severability.** In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

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

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

February 27, 2014

MUNICIPAL CLERK

SECOND READING

MOTION: Volpe			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Saporito	x		

March 27, 2014

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-05

CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Council of the Township of Maple Shade in the County of Burlington finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Council hereby determines that a 3.0% increase in the budget for said year, amounting to $340,524.09 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Council of the Township of Maple Shade, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Maple Shade shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $397,278.11, and that the CY 2014 municipal budget for the Township of Maple Shade be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

FIRST READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

February 27, 2014

SECOND READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Saporito	x		

March 27, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-06

AN ORDINANCE GRANTING A FIVE (5) YEAR TAX EXEMPTION AND ABATEMENT OF LOCAL REAL PROPERTY TAXES TO THE OWNER OF A QUALIFIED NEW COMMERCIAL DEVELOPMENT ON PROPERTY HAVING A STREET ADDRESS OF 2840 ROUTE 73 AND DESIGNATED AS BLOCK 189.01, LOT 1.01 ON THE TAX MAP OF THE TOWNSHIP OF MAPLE SHADE

WHEREAS, Group 1 Realty, Inc. ("Group 1), timely filed an application with the Township of Maple Shade ("Township") requesting a five (5) year tax exemption and abatement of local real property taxes in connection with a new commercial development located at 2840 Route 73 and designated as Block 189.01, Lot 1.01 on the Tax Map of the Township of Maple Shade ("Property"); and

WHEREAS, Group 1 has requested that the Township grant a tax exemption and abatement pursuant to N.J.S.A. 40A:20-21 et seq. and Township Code Section 181-1 et seq., which allow for a five (5) year tax exemption and abatement of real property taxes for new commercial structures in order to promote construction of commercial structures in designated redevelopment areas; and

WHEREAS, the Property is located within the Route 38/73/Lenola Road Redevelopment Plan Area ("Redevelopment Plan"), which Redevelopment Plan was adopted by the Township Council by Ordinance 2007-27 and amended by Ordinance 2012-14; and

WHEREAS, Group 1 has submitted the required application materials and application fee pursuant to N.J.S.A. 40A:21-9 and Township Code Section 181-1 et seq.;and

WHEREAS, having reviewed Group 1's application and submission materials, the Township is satisfied that the new commercial development to be constructed by Group 1 satisfies the requisite requirements in order to qualify for a five (5) year tax exemption and abatement pursuant to N.J.S.A. 40A:20-21 et seq. and Township Code Section 181-1 et seq. ("Application"); and

NOW, THEREFORE, BE IT ORDINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAPLE SHADE, NEW JERSEY, THAT:

1. Pursuant to the Laws of the State of New Jersey, N.J.S.A. 40A:21-1 et seq., and Township Code Section 181-1 et seq., the Township Council of the Township of Maple Shade ("Council") hereby approves the Application of Group 1 for a five (5) year tax exemption and abatement for a qualified new commercial development to be constructed on the Property.

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Saporito	x		

SECOND READING

MOTION: Wiest			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

March 13, 2014 April 10, 2014 Adopted: July 24, 2014
Motion to Table: Manchello 2nd: Wells Roll Call: yes
to 4-24-2014

MUNICIPAL CLERK MAYOR

Take From Table 7-26-14: Wells 2nd: Volpe Roll Call: yes

TOWNSHIP OF MAPLE SHADE

Ordinance_____

2. The Council hereby approves the attached form of Agreement for Payment in Lieu of Taxes to be entered into between Group 1 and the Township authorizing the tax exemption and abatement and setting forth the obligations of the respective parties and payment schedule for Group 1's payment in lieu of taxes ("Agreement").

3. The Mayor, on behalf of the Township, is hereby authorized to execute, and the Township Clerk to attest and affix the seal of the Township to, the Agreement.

4. The Township Clerk shall maintain a copy of the Application and executed Agreement on file in the Township Clerk's Office; and shall forward a copy of the executed Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs within 30 days of full execution of the Agreement.

5. The tax exemption and abatement shall commence from the date of the issuance of a temporary certificate of occupancy or permanent certificate of occupancy, whichever is issued first, for the improvements and expire five (5) years thereafter.

6. The Property shall be subject to the total tax levy as more fully set forth in the Agreement.

7. The Township Tax Assessor and Township Tax Collector are hereby authorized to take any and all necessary actions granted under law to implement the provisions of this Ordinance.

8. Group I shall provide to the Township all required information concerning construction costs and any other relevant information requested by the Township Tax Assessor or Tax Collector.

9. Group 1, or any subsequent owner of the Property, shall notify Township in writing pursuant to the notice provisions of the attached Agreement, of any alteration and/or improvements made to the Property that were not specifically approved by the Agreement as qualifying for a five (5) year tax exemption and abatement while the Agreement is in effect. Such notice shall include a description of the alterations and/or improvements, a copy of any permits issued for the alterations and/or improvements, and the total cost of said alterations and/or improvements.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

10. In the event that alterations and/or improvements are made to the Property pursuant to Paragraph 7 immediately above, the additional costs shall be added to the initial cost of the development as set forth in the Application and included in the payment in lieu of taxes calculated in accordance with the terms of the Agreement.

11. Fraud or misrepresentation of material facts surrounding the Application and related documents thereto shall be grounds to rescind the Agreement *ab initio*.

12. The Ordinance shall take effect upon final passage and publication in accordance with law.

STATEMENT

Ordinance granting a five (5) year tax exemption and abatement to Group 1 Realty, Inc., for a new qualified commercial development on property located at 2840 Route 73 and designated as Block 189.01, Lot 1.01 on the Tax Map of the Township of Maple Shade for a period commencing from the date of the issuance of a temporary certificate of occupancy or permanent certificate of occupancy, whichever is issued first, for the improvements and expiring five (5) years thereafter.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-07

AN ORDINANCE AMENDING MAPLE SHADE TOWNSHIP CODE CHAPTER 181 "TAXATION" TO PROVIDE FOR LONG TERM TAX EXEMPTIONS

WHEREAS, the Township of Maple Shade ("Township") has designated and/or will designate certain areas of the Township as areas in need of redevelopment and/or areas in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. In furtherance of such designations, the Township desires to provide property tax incentives to qualified developers of such areas to accomplish the goals of redevelopment and rehabilitation; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade ("Council") that the Township Code is hereby amended to include a new Article II in Chapter 181 entitled "Taxation" as follows:

ARTICLE 2: PROCEDURES FOR APPLICATION, APPROVAL AND ADMINISTRATION OF LONG TERM TAX EXEMPTIONS

Section 1. Purpose.

This Article sets forth the procedures to be followed by the Township in the review and consideration of applications for tax exemptions of real property taxes pursuant to N.J.S.A. 40A:20-1 et seq. and the administration of financial agreements authorized by the Council.

Section 2. Definitions.

2.1 **Act** shall mean the Long Term Tax Exemption Law, N.J.S.A. 40A: 20-1 et seq.

2.2 **Agreement (or Financial Agreement)** shall mean a contract entered into between the Township and a qualified Entity pursuant to Act.

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

April 24, 2014

MUNICIPAL CLERK

SECOND READING

MOTION: Volpe			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

May 22, 2014

MAYOR

2.3 **Application** shall mean an application for a Long Term Tax Exemption submitted to the Township containing the information and data required to be submitted pursuant to Section 3.1 hereof.

2.4 **Completion** shall mean substantially ready for the intended use for which the building or structure is constructed as evidenced by a temporary certificate of occupancy or a permanent certificate of occupancy, whichever is issued first.

2.5 **Days** shall mean calendar days.

2.6 **Entity** shall mean a limited-dividend entity satisfying the qualifications set forth in N.J.S.A. 40A:20-5, a nonprofit entity satisfying the qualifications of N.J.S.A. 40A:20-5.1; or the New Jersey Economic Development Authority, which seeks to enter into a financial agreement with the Township pursuant to N.J.S.A. 40A:20-1 et seq. to undertake a project pursuant to an adopted redevelopment plan for the redevelopment of all or any part of a redevelopment area; or a project necessary, useful or convenient for the relocation of residents displaced or to be displaced by the redevelopment of all or any part of one or more redevelopment areas; or a low and moderate income housing project.

2.7 **Project** shall mean any work or undertaking pursuant to a redevelopment plan adopted pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1, which has as its purpose the redevelopment of all or any part of a redevelopment area including any industrial, commercial, residential or other use, and may include any buildings, land, including demolition, clearance or removal of buildings from land, equipment, facilities, or other real or personal properties which are necessary, convenient, or desirable appurtenances, such as, but not limited to, streets, sewers, utilities, parks, site preparation, landscaping, and administrative, community, health, recreational, educational and welfare facilities.

Section 3. Application for Exemption.

3.1 Form of Application. All Applications shall be submitted by an Entity utilizing the Application form on file with the Office of the Township Clerk and adopted by the Council

which Application may be amended from time to time. The Application shall include but not be limited to:

a. A general statement of the nature of the proposed project, that the undertaking conforms to all applicable municipal ordinances, and that the project accords with the redevelopment plan and master plan of the Township, or, in the case of a redevelopment relocation housing project, provides for the relocation of residents displaced or to be displaced from a redevelopment area, or, in the case of a low and moderate income housing project, the housing units are restricted to occupation by low and moderate income households.

b. A description of the proposed project outlining the area included and a description of each unit thereof if the project is to be undertaken in units and setting forth architectural and site plans as required.

c. A statement prepared by a qualified architect or engineer of the estimated cost of the proposed project in sufficient detail as required by the Township, including the estimated cost of each unit to be undertaken.

d. The source, method and amount of money to be subscribed through the investment of private capital, setting forth the amount of stock or other securities to be issued therefor or the extent of capital invested and the proprietary or ownership interest obtained in consideration therefor.

e. A fiscal plan for the project outlining a schedule of annual gross revenue, the estimated expenditures for operation and maintenance, payments for interest, amortization of debt and reserves, and payments to the Township

to be made pursuant to a financial agreement to be entered into with the Township.

f. A proposed financial agreement conforming to the provisions of Section 3.2 herein.

g. Schedule of the construction of the project.

h. An estimate by the entity as to the number and type of jobs to be created by the project during the period of construction and the number and type of permanent jobs to be created by the project within one (1) year after the completion date.

3.2 Form of Financial Agreement. The proposed Agreement shall be prepared by the Applicant and submitted as a separate part of the Application. The Agreement shall be in the form of a contract requiring full performance within 30 years from the date of completion of the Project and shall include the following:

a. Profits of or dividends payable by the Entity shall be limited according to terms appropriate for the type of Entity in conformance with the provisions of the Act.

b. All improvements and land, to the extent authorized pursuant to N.J.S.A. 40A:20-12, in the Project to be constructed or acquired by the Entity shall be exempt from taxation in accordance with the Act and this Chapter.

c. The Entity shall make payments for Township services in accordance with the requirements of the Act.

d. The Entity shall submit annually, within 90 days after the close of its fiscal year, its auditor's reports to the Mayor and Council and to the Director of

the Division of Local Government Services in the Department of Community Affairs.

e. The Entity shall, upon request, permit inspection of property, equipment, buildings and other facilities of the Entity, and also permit examination and audit of its books, contracts, records, documents and papers by authorized representatives of the Township or the State.

f. In the event of any dispute between the parties, matters in controversy shall be resolved by arbitration in the manner provided in the Agreement.

g. The Agreement shall be terminable by the Entity in the matter set forth within the Act.

h. The Entity shall at all times prior to the expiration or termination of the Agreement, remain bound by the provisions of the Act and executed Agreement.

i. The Agreement shall contain detailed representation and covenants as to the manner in which the Entity proposes to use, manage or operate the Project.

j. The Agreement shall set forth the method for:

   i. computing gross revenue for the Entity;

   ii. the method of determining insurance;

   iii. operating and maintenance expenses paid by a tenant which are ordinarily paid by a landlord;

   iv. the plans for financing the project: including the estimated total project cost, the amortization rate on the total project cost, the

source of funds, the interest rates to be paid on the construction financing, the source and amount of paid-in capital;

v. the terms of mortgage amortization or payment of principal on any mortgage;

vi. a good faith projection of initial sales prices of any condominium units and expenses to be incurred in promoting and consummating such sales; and

vii. the rental schedules and lease terms to be used in the Project.

k. The Agreement shall set forth the appropriate annual service charge schedule to be followed for the payment in lieu of taxes in accordance with N.J.S.A. 40A:20-12.

l. The Agreement shall include a provision for the Township's levy of an annual administrative fee equal to 2% of the annual service charge pursuant to N.J.S.A. 40A:20-12.b.

m. The Agreement shall require the timely submission of a certified audit of the total project cost and a certified audit of the fiscal operations of the project, and shall require timely payment of all municipal taxes, fees and charges arising out of the Agreement or in any way arising out of the property. The Financial Agreement shall provide that the failure to comply with the requirement to submit certified audits, make payment of municipal taxes, fees and charges, or failure to comply with any material condition of the agreement, shall be grounds for the Township to terminate

the agreement, and/or to exercise such other remedies as may be provided by statute, municipal ordinance or the financial agreement.

3.3 Discretionary Terms of Financial Agreement. The Township may, in its discretion, approve a Financial Agreement that contains terms related to the following:

a. Transfer to Another Entity. A provision that the Township will consent to the sale of the Project by the Entity to another urban renewal entity, its successors or assigns, owning no other project at the time of the transfer and that, upon assumption by the transferee urban renewal entity of the transferor's obligations under the Financial Agreement, the tax exemption and improvements thereto and, to the extent authorized by N.J.S.A. 40A:20-12, the land shall continue and inure to the transferee entity, its respective successors and assigns.

b. Purchasing Entity Net Profits. The purchasing entity's net profits, if any, shall be computed commencing with the date of acquisition of the Project.

c. Selling Entity. The date of transfer of title of the Project to the purchasing entity shall be considered to be the close of the fiscal year of the selling entity.

d. Payment of Reserve. Within 90 days after the date of the transfer of title, the selling entity shall pay the Township the amount of the reserve, if any, maintained pursuant to N.J.S.A. 40A:20-15 and –16.

e. Administrative Fee. The Township shall levy an administrative fee in the amount of 2% of the annual service charge for the processing of any

request to sell the project and continue the tax exemption pursuant to the terms of the Agreement upon transfer.

3.4. Application Fee. The following fees are to be paid at the time that an Application is submitted for consideration by the Township based on the estimated cost of the improvements as follows:

ESTIMATED COST	FEE
0 to $50,000	1%
$50,001 to $150,000	1.2%
$150,001 to $300,000	1.4%
$300,001 to $500,000	1.6%
$500,001 and above	1.8%

Provided, however, that the maximum fee shall not exceed $10,000 for a single Application.

3.5 All applicants shall submit one (1) original and ten (10) copies of an application for exemption to the Township Manager in person or by certified mail at:

Township of Maple Shade
Municipal Building
200 Stiles Avenue
Maple Shade Township, NJ 08052

3.6 Distribution of Application. Within five (5) days of receipt of an Application, the Township Manager shall simultaneously distribute one (1) copy of the Application to each of the following for their review and recommendations to the Township Manager:

a. Director of Community Development

b. Chief Financial Officer

c. Township Solicitor

3.7 Scope of Review.

a. Community Development Review. Upon receipt of an application, the Director of Community Development shall conduct a complete review of

the project. Such review shall take into consideration the suitability, propriety, and accuracy of the property, description(s), plan(s) and estimate(s) submitted, the degree to which the project complies with the Township's development goals as expressed in the Township's master plan, zoning ordinances, and redevelopment plans and the degree of economic necessity of the tax abatement for the project.

Based upon the review, the Director of Community Development shall submit a recommendation to approve or disapprove the application to the Township Manager within 20 days of receipt of the application. Such recommendation shall include any changes to the application that may be deemed necessary by the Director of Community Development, as well as a detailed explanation as to the analysis conducted to arrive at such recommendation.

b. Financial Review. Upon receipt of an application, the Chief Financial Officer shall conduct a financial review of the application including a cost and benefit analysis of the proposed project. In addition, the Chief Financial Officer shall obtain written certifications of the information contained within the application. Those certifications shall include the following:

i. Certification of the Tax Assessor as to:

(a) The taxes levied on the real property included within the project in both the year in which the application was filed and the immediately preceding year.

(b) The current status of payments due for real estate taxes, service charges and/or municipal liens of any type arising from the property included within the project or from any other property owned by the entity.

(c) The current status of payments due for any financial agreement then in force and effect which the entity is a party.

(d) The status of payments due for water and sewer services provided to the real property included within the project or other real property within the Township, which the entity has an interest.

(e) The precise identity of all real property included within the project, including the metes and bounds description, all tax block and lot designations and corresponding street addresses, as well as a survey or plotting of the property on the official tax map.

(f) The owner of record as recorded in the office for each tax lot included within the project.

(g) The tax assessment for land and improvements then in effect for each tax lot included within the project.

(h) The total amount assessed on all real property included within the project in the calendar year immediately preceding its acquisition by the Township, the Township's agent, the entity or the entity's agent.

(i) The taxes levied on the real property included within the project in both the year in which the application was filed and the immediately preceding year.

Based upon the review, the Chief Financial Officer shall submit a recommendation to approve or disapprove the application to the Township Manager within 20 days of receipt of the application. Such recommendation shall include any changes to the application that may be deemed necessary by the Chief Financial Officer, as well as a detailed explanation as to the analysis conducted to arrive at such recommendation.

c. Legal Review. Upon receipt of an application, the Township Solicitor shall conduct a review as to the form and legality of the application. In addition, the Township Solicitor shall obtain written certifications from township officials as necessary to substantiate the information contained in the application. The Township Solicitor shall:

i. Review any financial agreements then in force and effect to determine the extent to which each party to the application is a party to any other agreements with the Township and whether they are current on their obligations in those agreements.

ii. Make a determination as to the propriety of the application. Applications shall be deemed proper in those cases where they are presented in the proper form, satisfy the requirements of this chapter and all other applicable statutes and ordinances and for

which no delinquency has been found with respect to any payments due to the Township.

iii. Where an application is deemed proper, the Township Solicitor shall prepare an ordinance in the form necessary to authorize the exemption and shall prepare the form of the financial agreement. All financial agreements shall be in the form filed with the Township Clerk. The authorizing ordinance shall be signed by the Township Solicitor as to form and legality and submitted, together with the financial agreement to the Township Manager.

iv. Where an application is deemed improper or deficient, the Township Solicitor shall prepare a correspondence outlining those aspects of the application that are deficient and shall forward the correspondence to the Township Manager for consideration.

v. The Township Solicitor shall submit a recommendation to approve or disapprove the Application to the Township Manager within 20 days of receipt of the Application.

Failure of the Township Solicitor to submit its recommendation to the Township Manager within the set timeframe shall relieve the Township Manager of their obligation to consider the Township Solicitor's recommendation.

d. Township Manager. Upon receipt of the recommendations of the Director of Community Development, the Chief Financial Officer, and Township Solicitor, the Township Manager shall submit three (3) copies of the

Application to the Township Council with a recommendation to approve the Application or a recommendation to reject the Application. The recommendation whether to approve or reject the Application shall occur within sixty (60) days after receipt of the Application by the Township Manager.

3.8 Township Council Consideration. Upon receipt of an Application submitted by the Applicant as well as the Township Manager's recommendation, the Council shall place the Application on its agenda for consideration. Upon review, the Council shall adopt a resolution either approving the Application or disapproving the Application. In the event of a disapproval, the Council may suggest changes to the Application in order secure an approval.

a. Where an Application is disapproved by the Council, the Applicant may revise the Application and resubmit it to Mayor and Council of its consideration in accordance with Section 3. Where an Application is resubmitted within a two (2) year period from the date the disapproving resolution of the Council was adopted, the Application fee shall be waived.

Section 4. Financial Agreement.

4.1 Council Findings. Any Agreement approved by the Council must include determinations as to:

a. The relative benefits of the Project to the redevelopment of the redevelopment area when compared to the costs, if any, associated with the tax exemption; and

b. An assessment of the importance of the tax exemption to be granted in obtaining the development of the Project and influencing the locational decisions of probably occupants of the Project or units of the Project.

4.2 Approval of Financial Agreement. The terms the tax exemption and form of a Financial Agreement shall be approved by Ordinance of the Council and notice of adoption of the Ordinance shall be published in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40A:20-12.

4.3 Execution of Financial Agreement. Upon adoption of an Ordinance by the Township Council authorizing the exemption and Financial Agreement, it shall be the responsibility of the Township Clerk to insure that the Financial Agreement is fully executed. No Financial Agreement shall be considered to be in force and effect unless and until it has been signed by the Entity and the Township Manager and dated and certified by the Township Clerk by signature and affixing the Township Seal.

4.4 Township Clerk Certification. When housing is to be constructed, acquired or rehabilitated by an Entity, the land upon which the housing is situated shall be exempt from taxation for a period of time as set forth within the Agreement. The exemption shall be allowed following the Township Clerk's certification to the Township Tax Assessor that the Agreement has been entered into and is in effect. The delivery of a certified copy of the Council's Ordinance approving the tax exemption and Financial Agreement along with a copy of the Financial Agreement by the Township Clerk to the Township Tax Assessor shall constitute the required certification.

4.5 Transmittal to Director of the Division of Local Government Services. The Township Clerk shall transmit a certified copy of the Council's Ordinance approving the tax

exemption and Financial Agreement with the Entity along with a copy of the Agreement itself to the Director of the Division of Local Services.

Section 5. Financial Agreement Payment Schedule.

5.1 The financial agreement shall establish a schedule of annual service charges to be paid over the term of the exemption period, which shall be in stages as follows:

a. For the first stage of the exemption period, which shall commence with the date of completion of the unit or of the project, as the case may be and continue for a time of not less than six years nor more than 15 years, as specified in the financial agreement, the urban renewal entity shall pay the Township an annual service charge for municipal services.

b. For the second stage of the exemption period, which shall not be less than one year nor more than six years, as specified in the financial agreement, an amount equal to either the amount determined pursuant to N.J.S.A. 40A:20-11, or 20% of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater;

c. For the third stage of the exemption period, which shall not be less than one year nor more than six years, as specified in the financial agreement, an amount equal to either the amount determined pursuant to N.J.S.A. 40A:20-11, or 40% of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater:

d. For the fourth stage of the exemption period, which shall not be less than one year nor more than six years, as specified in the financial agreement, an amount equal to either the amount determined pursuant to N.J.S.A.

40A:20-11 or 60% of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater; and

e. For the final stage of the exemption period, the duration of which shall not be less than one year and shall be specified in the financial agreement, an amount equal to either the amount determined pursuant to N.J.S.A. 40A:20-11, or 80% of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater.

If the financial agreement provides for an exemption period of less than 30 years from the completion of the entire project, or less than 35 years from the execution of the financial agreement, the financial agreement shall set forth a schedule of annual service charges for the exemption period which shall be based upon the minimum service charges and staged adjustments set forth in this section.

Notwithstanding the above, the minimum service charge shall not be less than the amount of the total taxes levied against all real property of the project area in the last full tax year in which the area was subject to taxation.

The annual service charge shall be paid to the Township on a quarterly basis in a manner consistent with the Township's tax collection schedule.

The Entity shall be entitled to credit for the amount, without interest, of the real estate taxes on land paid by it in the last four proceeding installments against the annual service charge.

All exemptions granted shall terminate at the time prescribed in the Financial Agreement.

Section 6. Period of Construction, Oversight and Charges.

6.1 During the period of construction of a project, the Tax Assessor and Construction Code Official shall each be responsible for oversight of the project and the agreement as follows:

a. Permits and Inspections. Upon receipt of an executed financial agreement, the Construction Code Official shall cause permits to be issued upon the application of the entity and shall cause inspections of all work activity to be conducted in the manner provided by applicable Township ordinances. The Construction Code Official shall notify the Tax Assessor of any failure by the entity to properly apply for permits, to begin or complete construction within the time frame set forth in the financial agreement. When permits are issued, the Construction Code Official shall be responsible for notifying the Tax Assessor of such issuance.

b. Quarterly Report to Assessment. From the date of the execution of a financial agreement until the issuance of a permanent certificate of occupancy for the project, the Construction Code Official shall report to the Tax Assessor each quarter as to the status of permit and construction activity on the project. Upon the total or partial completion of construction, the Construction Code Official shall issue a certificate of occupancy in appropriate form, and shall be responsible for filing a copy of every certificate with the Tax Assessor.

c. Assessments and Taxes. When a permanent or temporary certificate of occupancy is issued for a project granted a tax exemption pursuant to the Act, the Tax Assessor shall reflect the improvements and land thereof, as authorized, on the Exempt Property List or as otherwise required by State Statute. Further, the Tax Assessor shall exempt the assessment of all improvements covered by the financial agreement during the period the

exemption remains in effect. Assessments for land shall remain taxable throughout the term of the exemption, except as otherwise provided.

At any time that the Tax Assessor causes the assessment on the improvements or land of a project to be removed, in whole or in part, from taxable to exempt status, he shall so notify the Tax Collector in writing so as to insure the commencement and payment of annual service charges, pursuant to the terms of the financial agreement.

d. Collection and Audit. Upon receipt of an executed financial agreement, the Tax Assessor shall note within its book of accounts a record of the execution of the agreement and the dates provided for commencement and completion of construction. The Tax Collector shall thereafter continue to levy taxes and collect payment thereof on the property until the occurrence of the following:

   i. In the event that a certificate of occupancy is issued for the project, the Tax Collector shall immediately cease to levy or collect taxes on the portion of the assessed value covered by the certificate of occupancy and shall instead commence billing the entity the estimated annual service charge (in lieu of taxes) as required by the financial agreement. Where the financial agreement is authorized pursuant to the Act, taxes on the value of the land shall continue to be levied and collected according to the laws of New Jersey.

e. Certified Project Costs. When a certificate of occupancy for a project is issued, in addition to the steps outlined above, the Entity shall submit to

the Chief Financial Officer, Tax Collector and the Tax Assessor a copy of a certified total project cost audit prepared by a certified public accountant along with an independent and qualified architect's certification required by the Act, within ninety (90) days from the date of issuance of the certificate of occupancy.

i. The Tax Assessor shall review the certified total project cost audit and the architect's certification and make a determination as to the acceptability of the audit. If the audit is deemed unacceptable it may be performed by the Township's designated auditor and the cost thereof shall be borne by the Entity. The Tax Assessor shall be responsible for billing the Entity for the cost of the audit. Once the audit is accepted, if its findings cause any change in the basis to be used in the determination of the annual service charge, net profit or excess profits, the Tax Assessor shall bill the entity for any adjustment. The Tax Assessor shall also maintain a copy of an approved certified total project cost audit in its permanent files.

ii. Upon adoption of an ordinance authorizing an amendment to the Financial Agreement, as result of the certified total project costs, the Tax Assessor shall bill the entity for the cost of the audit services and for any additional service charges resulting from an adjustment of the estimated service charges, and thereafter the annual service charges or excess profits, if owed, shall be billed to the entity. The Township Clerk shall be responsible for

distributing and filing executed copies of the financial agreement, as amended, in the same manner as set forth for in the financial agreement.

f. Breach of Material Term. In the event that the Entity fails to commence or complete construction of the project within the time required by the Agreement, or fails to make payment of annual service charges (in lieu of taxes) as required by the Agreement, or otherwise fails to satisfy a material condition of the Agreement, the Tax Assessor shall notify the Township Solicitor of the default by the Entity.

i. The Township Solicitor shall thereupon take steps necessary to terminate the financial agreement and to advise the Tax Assessor and the Tax Collector of the actions to be taken regarding the assessment and collection of real estate taxes.

ii. The Township Solicitor shall also be responsible for the preparation of such ordinance necessary to authorize the termination of the financial agreement.

iii. Upon adoption of such an ordinance, the Township Clerk shall be responsible for filing and distributing the ordinance in accordance with the procedures established in the financial agreement and shall provide a copy of the ordinance to the Director of the Division of Local Government Services.

Section 7. Administration of Financial Agreement after Construction.

7.1 Operation of Project. Upon completion of the construction project and the

issuance of a permanent certificate of occupancy, the Entity shall continue to operate the Project according to the terms of the Financial Agreement until the Agreement terminates or expires.

7.2 Billing and Payment. During the term of the Agreement, the Tax Collector shall bill quarterly service charges to the Entity in a manner consistent with the Township's tax collection schedule.

The bills shall reflect the taxes due on the value of all land included within the project and all service charges (in lieu of taxes), or other fees or charges due on the improvements as required by the Agreement.

If authorized by law, the land upon which housing is constructed, acquired or rehabilitated by an Entity, may be exempt from taxation during the term of the Financial Agreement.

Irrespective of the date of issuance, any bill for annual service charges or other Township charges shall be deemed to have been issued on the first day of each calendar quarter and to be due and payable within thirty (30) calendar days thereafter.

Where annual service charges are billed on the basis of estimated or projected figures, any payments thereof shall be reconciled upon the submission of a certified audit. In such instance, the Entity shall make any additional or required payments within ninety (90) days after the close of its fiscal year. Any additional payment by an Entity shall be submitted along with a statement by a certified public accountant, attesting that the additional payment was the actual amount due based upon the gross revenue or total project cost as computed in accordance with provisions of the Act and the financial agreement.

All payments due to the Township arising out of the Financial Agreement which are not paid as of the date due shall be subject to the same charges for penalties and interest as arrears

then in effect for nonpayment of real estate taxes.

The Tax Collector shall accept all payments made pursuant to an effective and valid Financial Agreement and shall maintain books of account as to each Agreement.

Except as otherwise required by law, the Tax Collector shall apply payments received for real estate taxes in the following order: first, amounts due for penalties and interest on taxes, and then amounts due for the principal of tax payments.

As to payments received for service charges: first: amounts due for penalties and interest, and then: amounts due for the principal of service charge payments (in lieu of taxes).

The entity shall be responsible for making timely payments for real estate taxes and service charges directly to the Tax Collector.

7.3 Annual Administration Fee. In addition to payment of the annual service charge (in lieu of taxes) an Entity shall be required to pay an annual administrative fee to the Township. The annual administration fee shall be paid on February 1st of each year. In the event the entity granted the exemption pursuant to the Act does not pay the annual administrative fee, such delinquency shall be grounds for rescission or termination of the exemption.

7.4 Annual Audits. Where required by law or by the Financial Agreement, an Entity shall submit a certified audit prepared by a certified public accountant of the financial performance of the project.

A certified audit shall be submitted each year within ninety (90) days after the end of the fiscal year of the entity to the Township Tax Assessor with a simultaneous copy to the Township Clerk for archival purposes.

As part of or in addition to the submission of a certified audit, the Entity shall submit a statement prepared by a certified public accountant attesting to the net profits and the percentage

of excess profits utilized to maintain reserves authorized pursuant to the provisions of the Act.

The Tax Assessor shall review each audit upon submission and make a determination as to any adjustment required in the annual service charge (in lieu of taxes), net profit and/or excess profits.

7.5 Noncompliance for Nonpayment. If an Entity fails to comply with the requirements for timely payment of real estate taxes and service charges during the term of the Financial Agreement, the Tax Assessor shall have the responsibility to enforce the terms of the Financial Agreement through the below procedure. Such procedure shall not be the Township's sole remedy, but rather shall be used in addition to such other remedies as may be provided by the law and the terms of the Financial Agreement.

a. In the case where any payment due to the Township pursuant to a Financial Agreement, whether arising from real estate taxes or service charges (in lieu of taxes) is in arrears for a period of six (6) months or more, the Tax Assessor shall notify the Entity that unless the total amount due including penalties and interest and subsequent charges are brought to current status within a period of thirty (30) days from the date of the notification, the exemption and Financial Agreement shall be rescinded. If the entity fails to comply with such notice, the Tax Assessor shall recommend that the Township Solicitor prepare an ordinance rescinding the exemption and Financial Agreement, and shall notify the Tax Assessor of the pending action.

b. Where an exemption and financial agreement is rescinded, the Entity shall have thirty (30) calendar days to seek reinstatement of the exemption and

Financial Agreement, which shall only be permitted when all obligations of the Entity or person receiving the benefit of an exemption are satisfied and made current. Upon satisfaction of all obligations, the Tax Assessor shall recommend that the Township Solicitor prepare an ordinance to reinstate the exemption and Financial Agreement for the remainder of its term.

c. It shall be the responsibility of the Township Clerk to file and distribute copies of all ordinances to rescind or reinstate an exemption and Financial Agreement.

7.6 Remedies for Nonpayment. In the event of any nonpayment as outlined in 7.5, in addition to the remedies outlined therein, the Entity by signing the Agreement agrees that the Township shall have the same rights to enforce liens and commence foreclosure proceedings against its project as though the nonpayment were real estate taxes. The Township may exercise such rights by following the procedures established by State statute and local ordinances for the collection of delinquent real estate taxes.

7.7 Noncompliance with Audit Submission. If an Entity fails to comply with the requirements for timely submission of its certified audit during the term of the Financial Agreement, the Tax Assessor shall have the responsibility to enforce the terms of the Financial Agreement through the below procedure. Such procedure shall not be the Township's sole remedy, but rather shall be used in addition to such other remedies as may be provided by the law and the terms of the Financial Agreement.

a. Where any certified audit required to be submitted pursuant to a Financial Agreement is delinquent for a period of three (3) months or more from the

date required to be submitted, the Tax Assessor shall notify the Entity that unless the audit is submitted in proper form within thirty (30) days from the date of notification, the exemption and Financial Agreement shall be rescinded. If the Entity fails to comply with the notice, the Tax Assessor shall recommend that the Township Solicitor prepare an ordinance rescinding the exemption and Financial Agreement, which shall cause the project or unit thereof to be assessed according to the general laws of taxation.

b. Where an exemption and Financial Agreement is rescinded, the Entity shall have thirty (30) calendar days to seek reinstatement of the exemption and Financial Agreement, which shall only be permitted when all obligations of the Entity or person receiving the benefit of an exemption are satisfied and made current. Upon satisfaction of all obligations, the Tax Assessor shall recommend that the Township Solicitor prepare an ordinance to reinstate the exemption and Financial Agreement for the remainder of its term.

c. It shall be the responsibility of the Township Clerk to file and distribute copies of all ordinances to rescind or reinstate an exemption and Financial Agreement.

d. The Township, at its option may choose not to exercise its right to rescind or terminate, but instead cause an equivalent audit to be conducted by qualified personnel under the Township's direction. Where this option is elected, the Township shall utilize the resulting audit as the basis for

billing as if it had been submitted by the entity. Further, the Township shall have the right to bill the Entity for the cost of conducting an audit. Exercise of this option by the Township shall not in any way preclude or waive the right of the Township to terminate an exemption for any other default, declare the exemption and financial agreement void or other such remedies as may be provided by law, regulation or the terms of the financial agreement.

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-08

AN ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE
TO ESTABLISH POLICE SALARIES AND WAGES
RETROACTIVE FOR 2011, 2012, 2013 AND FOR THE YEAR 2014 AND 2015

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

SECTION I.

The Township Council herby determines and establishes the Following Police salaries and wages to be paid at the following amounts retroactive from 2011 to 2013 and for the years 2014 and 2015.

The Township Council hereby establishes the following uniformed classifications, to be paid annual salaries on a bi-weekly basis and hereinafter stated. Rate set for 2011 shall be paid retroactively to January 1, 2011. Rate established for 2012 shall be paid retroactively to January 1, 2012. Rate established for 2013 shall be paid retroactively to January 1, 2013. Rate established for 2014 shall be paid retroactively to January 1, 2014. These rates shall be in accordance with the fully-executed contracts, subject to the provisions of the Municipal Budget, as finally adopted each year.

Patrol	1/1/2011	1/1/2012	1/1/2013	1/1/2014	1/1/2015
ACADEMY & FTO	35,046.15	35,046.15	35,046.15	35,046.15	35,046.15
LEVEL #1	45,023.46	45,923.93	46,842.41	47,779.26	48,734.84
LEVEL #2	54,299.85	55,385.85	56,493.57	57,623.44	58,775.91
LEVEL #3	58,314.35	59,480.64	60,670.25	61,883.65	63,121.33
LEVEL #4	62,169.69	63,413.09	64,681.35	65,974.98	67,294.48
LEVEL #5	71,863.31	73,300.58	74,766.59	76,261.92	77,787.16
LEVEL #6	81,556.94	83,188.07	84,851.84	86,548.88	88,279.85
LEVEL #7 7 TO 10 Years	84,411.43	86,099.65	87,821.65	89,578.08	91,369.64
LEVEL #8 11 to 14 Years	85,227.00	86,931.54	88,670.17	90,443.57	92,252.44
LEVEL #9 15 to 19 Years	86,042.56	87,763.41	89,518.68	91,309.05	93,135.23
LEVEL #10 20 or more years	86,858.13	88,595.29	90,367.20	92,174.54	94,018.03

FIRST READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

May 8, 2014

SECOND READING

MOTION: Volpe			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

May 22, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

Superior Officers	1/1/2011	1/1/2012	1/1/2013	1/1/2014	1/1/2015
LEVEL I	92,974.92	94,834.43	96,731.12	98,665.74	100,639.05
LEVEL II 7 TO 10 Years	96,229.05	98,153.63	100,116.70	102,119.04	104,161.42
LEVEL III 11 to 14 Years	97,158.79	99,101.97	101,084.01	103,105.69	105,167.80
LEVEL IV 15 to 19 Years	98,088.54	100,050.31	102,051.32	104,092.34	106,174.19
LEVEL V 20 or more years	99,018.30	100,998.67	103,018.64	105,079.01	107,180.59

SECTION II

This Ordinance shall take effect upon final passage and publication according to the law.

SECTION III

All Ordinances or parts of Ordinances inconsistent with the Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV

If any section, paragraph, subdivision, clause or provision of the Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-09

TOWNSHIP OF MAPLE SHADE

ORDINANCE 2014-09

**AN ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE
IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY
ENTITLED "SALARIES AND COMPENSATION"**

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

SECTION I

The Township Council hereby amends Section II (a) of Ordinance #1986-9, as amended by Ordinance #2013-08, and deletes the amounts set forth in said section, and substitues the following amount to be paid retroactively to January 1, 2014.

RANGE	MINIMUM	MAXIMUM
1	32,761.29	41,790.14
2	36,158.02	44,948.26
3	42,113.14	50,143.73
4	46,853.91	59,362.20
5	49,558.75	65,890.71
6	53,499.70	63,247.19
7	56,574.85	82,800.74
8	65,896.34	85,791.39
9	70,594.79	90,351.64
10	76,582.26	93,162.15
11	78,041.40	105,453.44
12	87,982.50	106,946.13
13	90,357.96	109,614.44
14	97,088.25	123,748.14
15	121,275.77	155,169.49

FIRST READING

MOTION: Manchello			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		

May 22, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		

June 12, 2014

MUNICIPAL CLERK

MAYOR

SECTION II

The Township Council hereby amends Section 5(a) of Ordinance 1986-9, as previously amended by Ordinance #2013-08 with regard to the following part-time positions, retroactively to January 1, 2014, subject to the provisions of the municipal budget.

POSITION	SALARY
Construction Official	$18,000.00 - 30,000
Electrical Subcode Official	15,000.00 annually
Plumbing Subcode Official	13,500.00 annually
Building Subcode Official	15,600.00 annually
Fire Subcode Official	12,000.00 annually
Acting Building Dept. Officials	25.00 - 35.00 per hour
Code Enforcement Officer	13,000.00 - 17,287.13
Fire Official	20.00 - 30.00 per hour
Fire Inspector	75.00 - 150.00 per day
Senior Clerk Typist	9.00 - 25.00 per hour
Clerk Typist	9.00 - 25.00 per hour
Clerk	9.00 - 25.00 per hour
Laborer	9.00 - 20.88 per hour
Deputy Township Clerk	2,040.00 annually
Assessing Clerk	13.00 - 25.00 per hour
Tax Clerk	14,000.00 - 33,000.00
Township Manager	118,000 - 122,000.00
Township Council Member	6,426.93
Township Council Member: Marriage/Civil Union Ceremonies	100.00 per ceremony
Chief of Police	130,000 - 140,000
School Crossing Guard	9.00 - 13.73 per hour
Police Reserve Officer	10.00 - 25.00 per hour
Municipal Judge	21,000.00 - 27,000.00
Tax Assessor	40,000.00 - 76,040.00
Deputy Tax Assessor	30,000.00 - 40,000.00
Recreation Director	17,838.00 annually
Building Maintenance Worker	10.00 - 13.86 per hour
Election Workers	10.00 - 12.00 per hour
Court Courier	10.00 - 11.25 per hour

SECTION III

This ordinance shall take effect upon final passage and publication according to the law.

SECTION IV

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

PLEASE TAKE NOTICE that this ordinance will be heard on second reading and a public hearing will be held by the Township Council at a meeting to be held at the Municipal Complex, 200 Stiles Avenue, Maple Shde, NJ (08052) on June 12, 2014 at 7:00 pm. All

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-10

AN ORDINANCE ACCEPTING THE CONVEYANCE OF
A SANITARY SEWER EASEMENT FOR BLOCK 189.01, LOT 1.01

WHEREAS,pursuant to that approval granted by the Maple Shade Township Planning Board as memorialized in a resolution dated February 27, 2013, for the property known as Block 189.01, Lot 1.01, Group 1 Realty, Inc., ("Group 1") was required to provide a sanitary sewer easement to the Township to permit repair, maintenance and replacement of the existing sanitary sewer line within the proposed easement area; and

WHEREAS, the proposed form of easement has been reviewed and approved by the Township professionals and recommended for acceptance by the Township.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Maple Shade that the sanitary sewer easement for Block 189.01, Lot 1.01 conveyed by Group 1 Realty, Inc. is hereby accepted. The Mayor and Township Clerk are hereby authorized to sign the easement acknowledging the Township's acceptance and to deliver a copy to the property owner for recording.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

FIRST READING

MOTION: Manchello			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wiest	x		
Saporito	x		

June 12, 2014

MUNICIPAL CLERK

SECOND READING

MOTION: Volpe			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

July 24, 2014

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-11

ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE, COUNTY OF BURLINGTON, NEW JERSEY APPROVING THE FINANCIAL AGREEMENT OF BARRONS URBAN RENEWAL ASSOCIATES, L.P. FOR THE CONSTRUCTION OF A MIXED-USE PROJECT LOCATED ON PROPERTY DESIGNATED AS BLOCK 64, LOTS 1-5 & 8 AND HAVING A STREET ADDRESS OF 113-110 WEST MAIN STREET

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), the Township of Maple Shade (the "Township") designated an "area in need of redevelopment" which included the properties identified on the Township's Tax Maps as Block 64, Lots 1-5 and 8 (the "Project Site") and adopted a redevelopment plan, entitled Redevelopment Plan for Block 64, Lots 1, 2, 3, 4, 5 and 8 ("Barron Building"), within the Downtown Business District Redevelopment Area (as same may be amended and supplemented, the "Redevelopment Plan"), for the Redevelopment of the Project Site; and

WHEREAS, in accordance with the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., as amended and supplemented (the "Long Term Tax Exemption Law"),Barrons Urban Renewal Associates, L.P. (the "Entity") was formed for the purpose of undertaking the redevelopment of the Project Site pursuant to the Redevelopment Plan; and

WHEREAS, the Entityintends to redevelop the Project Site with a four-story, mixed-use building consisting of sixty (60) senior residential units for residents ages 62 and older (to consist of fifty-seven one-bedroom units and three two-bedroom units), as well as approximately 8,500 square feet of commercial/retail use and associated improvements (collectively referred to as the "Project Improvements"); and

WHEREAS, the Entity will reserve five (5) of the residential units for the purpose of serving formerly homeless members of the community; and

FIRST READING

MOTION: Wells			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

June 26, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

July 24, 2014

MUNICIPAL CLERK

MAYOR

WHEREAS, the Entitysubmitted to the Township Manager of the Township (the "Manager") an application for a long-term tax exemption, which is on file with the Township Clerk (the "Application"), requesting an exemption for the Project Improvements, pursuant to the Long Term Tax Exemption Law; and

WHEREAS, the Entity also submitted to the Manager a form of financial agreement (the "Financial Agreement"), a copy of which is attached hereto as Exhibit A establishing the rights, responsibilities and obligations of the Redeveloper; and

WHEREAS, the Manager submitted the Application and Financial Agreement to the Township Council with his recommendations for approval, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Township Council agreed with the Manager's recommendation and did, in fact, approve the Entity's Application determining that the Project Improvements represented an undertaking permitted by the Long Term Tax Exemption Law and further that the Project Improvements were being made for the purpose of redevelopment of the Project Site as authorized by the Redevelopment Law and the Long Term Tax Exemption Law; and

WHEREAS, the Entity and Township have further finalized the terms of the Agreement for execution as set forth on attachment "A";

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

Section 1. The Agreement of the Entity is hereby approved.

Section 2. The Manager is hereby authorized to execute the Agreement substantially in the form attached hereto as Exhibit A, subject to minor modifications or revision, as deemed necessary and appropriate after consultation with counsel.

Section 3. The Clerk of the Township is hereby authorized and directed, upon execution of the Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporation seal of the Township upon such document.

Section 4. The executed copy of the Agreement shall be certified by and filed with the Office of the Township Clerk. Further, the Clerk of the Township shall file certified copies of this Ordinance and Agreement with the Tax Assessor of the Township and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the Long Term Tax Exemption Law.

Section 5. This ordinance shall take effect in accordance with applicable law.

I hereby certify that the above ordinance was duly adopted by the Township Council of the Township of Maple Shade at a meeting of said Township Council held on July __, 2014.

_____
Township Clerk of the Township of Maple Shade

_____
Mayor of the Township of Maple Shade

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-12

AN ORDINANCE AMENDING CHAPTER 200 OF THE TOWNSHIP CODE
ELMINATING WATER SHUT-OFF HEARING AND PENALTY

WHEREAS, the Township Tax Collector has recommended that the Township Code be amended to eliminate the required hearing and shut-off procedures for delinquent utility accounts as these procedures have not proven effective; and

WHEREAS, the Township Manager has endorsed this recommendation.

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

SECTION I.

Section 200-18 of the Township Code is hereby amended at subsection C as follows:

§ 200-18 Meter readings; billings and penalty.

C. Penalty for unpaid bills.

(1) All of the water rentals or rates or charges provided herein shall be payable to the Collector of Taxes. If not paid within 30 days from the date of the bill, they shall become delinquent and shall bear interest thereon at a rate similar to the rate charged for delinquent taxes in said Township and shall become a lien on said property and shall be collectible as in the case of other municipal taxes, charges or liens.

~~(2) Every bill shall be due 28 days after the date on which the bill is rendered as aforesaid. A bill shall be deemed to be delinquent if the same is not paid on the 29th day after the date on which the bill is rendered. If a bill is not paid within 14 days of the delinquent date, then the Township shall forward a notice by regular mail to the consumer that a hearing will be held before the Township Manager for the purpose of determining whether the water service shall be shut off.~~

SECTION II.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

FIRST READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

June 26, 2014

SECOND READING

MOTION: Volpe			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

July 24, 2014

MUNICIPAL CLERK

MAYOR

SECTION III.

Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-13

AN ORDINANCE ESTABLISHING SYNTHETIC
SURFACE ATHLETIC FIELD USE POLICY

The Township Council of the Township of Maple Shade hereby creates an Ordinance establishing a synthetic surface athletic field use policy as follows:

SECTION I.

Purpose.

This document embodies the policies and procedures which govern synthetic field use and users in order to insure optimal maintenance of our synthetic athletic fields, owned by the Township of Maple Shade and to assure fair and efficient access to those facilities.

Factors to be considered in determining permission for use, as well as permission for type of use, are: current capital improvements or rehabilitation, regular maintenance, extent of wear and tear to be caused by use, coordination of uses, efficient scheduling, location of facility, and availability of services at a facility.

All parties must comply with Federal and State anti-discrimination laws. All facility users shall comply with all applicable federal, state and local laws; such user shall pay all the costs, expenses, fines, penalties, and damages which may be imposed upon the owner of the property by reason of, or arising out of, the user's failure to fully and promptly comply with all legal requirements and observe all the provisions of this policy.

SECTION II.

Location of Synthetic Fields

A. Solomon Field- Woodlawn "Tex Gywnne" Sports Complex

SECTION III.

Priority of Use by Category.

The synthetic surface athletic field located at Solomon Field is for use by permit only. Permits for synthetic field use are issued by category in which the organization or event is placed. Category 1 user/event has priority over Category 2 and lower user/event. If there is a

FIRST READING

MOTION: Wiest			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

June 26, 2014

SECOND READING

MOTION: Wiest			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wiest	x		

August 21, 2014

MUNICIPAL CLERK

MAYOR

dispute within a category, the authorized representative of Maple Shade Township will decide priority.

A. **Category I Permit use:** Maple Shade Youth Football, Maple Shade Soccer Club. The users in this category are responsible for the maintenance and overall appearance of these fields. These groups also pay for any and all energy consumption associated with the use of these locations.

B. **Category II Permit Use:** Maple Shade Recreation Department, Maple Shade Board of Education Athletic Department.

C. **Category III Permit Use:** Any Maple Shade Township Recognized Youth Sports Association.Criteria for a recognized youth sports association is listed in Section VIII of this document.

D. **Category IV Permit Use:** Not for profit/501(c)3 Organizations. Category IV permit users are subject to fee schedule listed below.

E. **Category V Permit User:** All other organizations. Category V permit users are subject to fee schedule listed below.

SECTION IV.

Allocation of Fields and Facilities.

A. Maple Shade Township Recreation Director: The Recreation Director or other authorized person designated by the Township Manager will determine time allocation according to this policy. The authorized person of Maple Shade Township will review anticipated use with a member from each of the groups in Category I.

B. Field Review: Any group that is interest in using the turf field should submit their request in writing to Maple Shade Township Recreation Director, 200 Stiles Avenue, Maple Shade, New Jersey (08052) .

C. Schedule: The Recreation Director or other authorized person will develop a seasonal field schedule for all such users. It shall be prepared on a draft basis at least two months before the effective date. The draft shall be reviewed and become final upon approval of the Township Manager at least one month before the effective date in order to allow scheduling of games and practices.

D. Field Review Committee: A key purpose of this committee is to review complaints received about the use and/or misuse of the synthetic surface field by the category users of the fields. This committee is authorized to restrict access to groups who abuse the Field Use privileges. The members of this review committee will be determined by the Recreation Director as needed.

E. Enforcement: Each group that has been given a permit to use the field will be asked to have the permit on site while they are using the field. Responsible officials within the Township of Maple Shade will receive a copy of the field schedule. A copy will be posted on the Maple Shade Township website (www.mapleshade.com) and a copy shall be available upon request to any resident by contacting the Recreation Director at 200 Stiles Avenue, Maple Shade, New Jersey (08052).

SECTION V.

Facility Use Rules and Regulations

A. Use of synthetic surface is authorized by permit only.

B. Use of alcoholic beverages or controlled substances of any kind is prohibited.

C. Smoking is prohibited at all times.

D. Use of profane, threatening, insulting, indecent and abusive language is prohibited.

E. No gum chewing or sunflower seeds allowed on the playing surface.

F. All trash must be placed in proper receptacles. Users are expected to leave the facility in the same condition in which it was found, or better.

G. The Synthetic Surface Athletic Field may not be used before 8:00 a.m. or after 9:30 p.m. Practices and games should be scheduled to be concluded before this time limit allowing time for participant and spectators to exit the field safely.

H. Warm-ups for the next scheduled event must be performed so as not to interfere with existing event and so as not to endanger the welfare of all participants, spectators and facilities.

I. Use of metal cleats is prohibited.

J. No public urination or defecation. Any user group that desires a "port-o-john" at a site must gain approval from the Township. The Township will also be responsible for the site location and screening of the facility if appropriate. The requesting group will be responsible for all rental fees associated with the Portable Toilet.

K. No pets allowed on the synthetic surface athletic field at any time.

L. All managers, coaches, or persons in charge of a group using the field will be responsible for the conduct of all participants, spectators and other connected with the activity, including visiting teams and opponents.

SECTION VI.

Fee Schedule

All fees are due upon application for field use, dependent upon confirmation of availability, and contingent upon Township approval by the authorized person of the Township of Maple Shade.

A. **Category I:** the users in this category are responsible for the maintenance and overall appearance of the artificial surface field. These groups shall also pay for any and all energy consumption associated with the use of this field.

B. **Category II& III:** the fee is waived for groups in this category.

C. **Category IV:** Non-Profit Organization

Artificial Surface Field	$100.00 per hour

D. **Category V:** All Other Organizations

Artificial Surface Field	$200.00 per hour

SECTION VII.

Conditions of Use

A. Applicants using the artificial surface field must agree to assume full liability for any damage to the field and adhere to all sections of the signed application.

B. Applicants must supply to the Township of Maple Shade a certificate of insurance with limits no less than $2,000,000.00 naming the Township as additional insured for said event and/or function.

C. Organizations using the artificial surface field must supply a yearly financial statement showing the amount of income from all sources and the disbursement of funds in detail, and the current balance of the most recent fiscal year.

D. The Township reserves the right to change the fee as needed to accommodate extraordinary circumstances.

E. Fees are non-refundable.

SECTION VIII.

Criteria for Township Recognized Youth Sports Association

A Maple Shade Township organization, whose primary function is to provide recreational activities within the community, may seek to obtain a permit for use of the synthetic surface athletic field by satisfying the following requirements:

A. Establish a demonstrated need for providing the activity.

B. Program does not duplicate a similar activity offered successfully within the community.

C. Activity is provided strictly on a non-profit basis by a non-profit group.

D. All participants, including instructors, coaches, officials and players are covered under a liability and accident insurance plan approved by Maple Shade Township. Annually, a Certificate of Insurance evidencing the amount and type of coverage must be provided. The Certificate of Insurance will name Maple Shade Township as additional insured and require 30 days notice of cancellation to the Township. Amount of insurance is established annually by the Township.

E. All Coaches training, screening and certification programs, which are required by such organization's affiliation (for example, Little League), are properly enforced by the respective Youth Association; proof of same will be provided to the Recreation Director, as requested.

F. If the recognized Youth Sports Association offers both recreational (in-town) and/or competitive (try-out) play, residency requirements must be 75%.

G. The organization agrees to pay all costs as directed by the Township.

H. All requests must be received in writing by the Recreation Department at least ninety (90) days in advance to allow sufficient time for review and scheduling.

I. An organization not currently recognized by the Township may seek recognized status bycompleting the required form,establishing its compliance with the above criteria, providing a copy of its Certificate of Incorporation, By-Laws and Minutes (or comparable documents governing unincorporated associations or other type entities), and providing proof of IRS 501(c)3 status to the Township of Maple Shade.

SECTION IX.

Athletic Camps

This category of use will include instructional activities that extend beyond one day and for which a separate fee or tuition is charged and made payable to the camp directly. The athletic camps are subject to the following conditions:

A. All camps, no matter on which facility, must be scheduled through Maple Shade Township and comply with Township permit requirements.

B. Facilities are limited to camps which have 51% residency requirement and are open to all youth regardless of skill level.

C. Every camp scheduled must be sponsored by a recognized youth sports organization. A letter of support, including all pertinent camp information including dates, times, age level, tuition fees, must be supplied for pre-approval to the Township Recreation Director prior to the scheduling of the use.

D. Each youth sports organization recognized by the Township is limited to one organization for sponsorship of their athletic camps. If a need arises for an additional sponsorship, a letter of request including all information required under subsection C above must be supplied.

SECTION X.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION XI.

Severability. In the event that any section paragraph, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION XII.

This ordinance shall take effect immediately upon adoption and publication according to law.

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-14

BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS, APPROPRIATING $2,458,500 THEREFORE AND AUTHORIZING THE ISSUANCE OF $2,335,575 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COSTS FOR SAID IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements and purposes described in Section 3 of this Bond Ordinance are hereby authorized as capital improvements to be made or acquired by the Township of Maple Shade, County of Burlington, New Jersey (hereinafter referred to as the "Township"). For said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of $2,458,500, being inclusive of all appropriations heretofore made therefor, including the sum of $122,925 as the down payment from the Capital Improvement Fund, or other legally available funds of the Township. The down payment is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Township and is currently available for down payment or capital improvement purposes, as required by the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1 et seq. (the "Law").

Section 2. For the financing of said obligations and to meet the part of said $2,458,500 appropriation not otherwise provided for hereunder, negotiable bonds of the Township are hereby authorized to be issued in a principal amount not to exceed $2,335,575 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable bond anticipation notes in the principal amount not to exceed $2,335,575 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this Ordinance, the aggregate amount of bond anticipation notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and bond anticipation notes issued pursuant to this ordinance shall at any time exceed $2,335,575, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such bond anticipation notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed and shall be under the seal of said Township and attested as permitted by law. The appropriate Township officers are hereby authorized to execute said bond anticipation notes and to issue said notes in such form as may be adopted in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said bond anticipation notes, is hereby delegated to the Chief Financial Officer of the Township (the "Financial Officer"), who is hereby authorized to sell said bond anticipation notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of bond anticipation notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the bond anticipation notes sold, the price obtained and the name of the purchaser.

FIRST READING

MOTION: Manchello			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

July 24, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Wells	x		
Wiest	x		
Volpe	x		

August 21, 2014

MUNICIPAL CLERK

MAYOR

Section 3. The improvements hereby authorized and the purposes of the financing of which said obligations are to be issued are:

Improvements/Purposes	Estimated Cost	Down Payment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (Years)
1)2014 Road Program and improvements to storm drain system including but not limited to (a) resurfacing of S. Coles Avenue, (b) Mill Road. (Elm Avenue to Maple), Beechwood (Maple to Greenwood & cross street at Glendale), '485 Alexander to Mill Rd., (c) engineering, design, legal and related costs for the above, and all of the foregoing to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$1,000,000	$50,000	$950,000	10
2) Building Improvements - Municipal Complex and other Township properties, including but not limited to (a) computer equipment, (b) video broadcasting equipment, (c) office furniture, (d) HVAC-Phase IV, (e) panting of court room and vestibule areas, (f) building security locking system and cameras, and (g) improvements to Township building elevator system, all of the forgoing to include all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$676,000	$33,800	$642,200	14.07
3)Police Department- (a) Mobile Video Recording System, (b) 4 2014 Sport.Utility Vehicles, (c) Communications Equipment, (d) Traffic Incident Response Unit, all of the forgoing to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$480,000	$24,000	$456,000	6.40
4) Fire Department - (a) firefighting gear washer and dryer, (b) replacement of curb, sidewalk and blacktop of large parking lot; all the forgoing to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$125,000	$6,250	$118,750	11
5) Roads/Public Works Department - (a) leaf loaders, leaf collection boxes and related equipment, (b) pick up truck, all of the forgoing to include all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$53,000	$2,650	$50,350	10.7
6) Recreation Improvements - (a) Tyrex for playgrounds, (b) Babe Ruth Baseball Fencing, (d) Improvements to old Rescue Building (c) Gazebo Park Improvements, all of the forgoing to include all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$124,500	$6,225	$118,275	15
TOTALS:	$2,458,500	$122,925	$2,335,575	

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and is property or improvements which the Township may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of all said purposes is within the limitations of the Local Bond Law taking into consideration the amount of obligations authorized, the average period of usefulness is 10.6929 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof

has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Township determined as provided in said Law is increased by this bond ordinance by $2,335,575 and obligations authorized and/or hereunder will be within all debt limitations prescribed by said Law.

(d) Amounts not exceeding $200,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received for the purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements or acquisitions or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purpose shall be reduced accordingly.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and, unless paid from other revenues of the Township, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the State of New Jersey, Department of Community Affairs, showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 8. The Township reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2(e), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 9. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 11. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Dated:

Attest:

ANDREA T. DeGOLIA, Township Clerk

_____, Mayor

[SEAL]

[W:\050-MapleShade,Township\038.2014.genordinance.wpd]

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-15

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS, APPROPRIATING $2,100,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $1,995,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COSTS FOR SAID IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements and purposes described in Section 3 of this Bond Ordinance are hereby authorized as utility capital improvements to be made or acquired by the Township of Maple Shade, County of Burlington, New Jersey (hereinafter referred to as the "Township"). For said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of $2,100,000, being inclusive of all appropriations heretofore made therefor. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this Bond Ordinance authorized obligations for a purpose which is self-liquidating and deductible from the gross debt of the Township as set forth in N.J.S.A. 40A2-7(h) of the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1, et seq. (the "Law"), however, the appropriation set forth herein includes the sum of $105,000 as the down payment from the Utility Capital Improvement Fund, or other legally available funds of the Township. The down payment is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Township and is currently available for down payment or capital improvement purposes, as required by the Law.

Section 2. For the financing of said obligations and to meet the part of said $2,100,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Township are hereby authorized to be issued in a principal amount not to exceed $1,995,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable bond anticipation notes in the principal amount not to exceed $1,995,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this Ordinance, the aggregate amount of bond anticipation notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and bond anticipation notes issued pursuant to this ordinance shall at any time exceed $1,995,000, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such bond anticipation notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed and shall be under the seal of said Township and attested as permitted by law. The appropriate Township officers are hereby authorized to execute said bond anticipation notes and to issue said notes in such form as may be adopted in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said bond anticipation notes, is hereby delegated to the Chief Financial Officer of the Township (the "Financial Officer"), who is hereby authorized to sell said bond anticipation notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

July 24, 2014

SECOND READING

MOTION: Wells			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Wells	x		
Wiest	x		
Volpe	x		

August 21, 2014

MUNICIPAL CLERK

MAYOR

Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of bond anticipation notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes of the financing of which said obligations are to be issued are:

Improvements/Purposes	Estimated Cost	Down Payment (Utility Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (Years)
1. Orbal System Upgrades with Smart BNR and SCANA system improvements, to include all improvements, equipment and/or appurtenances necessary therefore and related thereto.	$1,831,525	$92,825	$1,738,700	40
2. Various improvements to the Water System and Sewer System including but not limited to Windsor Pump Station Emergency Pump and Fire Hydrant Replacement Work, and the forgoing to include all improvements, equipment and/or appurtenances necessary therefore and related thereto.	$218,525	$12,175	$206,350	40
TOTALS:	**$2,100,000**	**$105,000**	**$1,995,000**	

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and is property or improvements which the Township may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness is within the limitations of the Local Bond Law taking into consideration the amount of obligations authorized, according to the reasonable life thereof computed from the date of the bonds authorized, the period of usefulness is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Township determined as provided in said Law is increased by this bond ordinance by $1,995,000 and obligations authorized and/or hereunder will be within all debt limitations prescribed by said Law.

(d) This bond ordinance authorizes obligations of the Township solely for a purpose described in paragraph (h) of Section 40A:2-7 of the Local Bond Law, and the obligations

authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitation of Section 40A:2-45 of said Law and are deductible pursuant to paragraph (c) of Section 40A:2-44 et seq. of said Law from the gross debt of the Township.

(e) Amounts not exceeding $400,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received for the purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements, obligations or acquisition or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purpose shall be reduced accordingly.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and, unless paid from other revenues of the Township, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the State of New Jersey, Department of Community Affairs, showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 8. The Township reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2(e), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 9. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 11. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Dated:
Attest:

ANDREA T. DeGOLIA, Township Clerk
[SEAL]

CLAIRE VOLPE, Mayor

[W:\050-MapleShade,Township\039.2014.utilityordinance.wpd]

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-16

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF MAPLE SHADE TO CONVEY AN EASEMENT OVER A CERTAIN PORTION OF BLOCK 210, LOT 2 ADJACENT TO THE PROPERTY LOCATED AT 200 RUDDEROW AVENUE (BLOCK 210, LOT 3).

WHEREAS, the Estate of Mary A. Delany is the owner of the property ("property owner") located at 200 Rudderow Avenue, also known as Block 210, Lot 3 on the Tax Map of the Township of Maple Shade (the "property"); and

WHEREAS, the Township of Maple Shade owns the adjoining lot identified as Block 210, Lot 2 (the "Township Property") which property is utilized as part of the Rudderow Pump Station for the Township utility; and

WHEREAS, a recent survey indicates that a portion of the existing dwelling (which was constructed in 1961 after obtaining Township approvals) on Lot 3, encroaches approximately 1.02 feet onto the Township Property and that the existing paver and concrete walk encroach approximately 5.07 feet onto the Township Property; and

WHEREAS, the granting of an easement by the Township to the property owner is necessary in order to permit the existing dwelling and walkway to remain in their current locations and for the property owner to proceed with the sale of its property; and

WHEREAS, the Township Utility Engineer has confirmed that granting of an easement would have no impact on the existing pipes running to the Rudderow Pump Station or on access to the station; and

WHEREAS, the Township Council does not object to the granting of an easement to the property owner for the encroachment; and

FIRST READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

July 24, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		

August 21, 2014

MUNICIPAL CLERK

MAYOR

WHEREAS, the improvement encroachment (also referenced as the "easement area") is depicted in more detail in the attached metes and bounds description prepared by Richard A. Alaimo Association of Engineers dated July 15, 2014, a copy of which is attached hereto and is also available for public inspection in the Township Clerk's Office; and

WHEREAS, with respect to the within project, the Township Council has made the following findings and conclusions:

(1) Theencroachment into the Township's adjoining lot is deminimus, and will not interfere with use of Lot 2 by the Township; and

(2) The owner of Lot 3 is the only property owner that owns land immediately adjacent to the proposed easement area; and

WHEREAS, as a result,theTownshipCouncil has determined to grant approval for an easement to permit the projection into the Township's property (Block 210, Lot 2), as set forth herein, and have also determined that such approval shall be for nominal consideration; and

WHEREAS, the purpose of this Ordinance is to confirm said approval and to grant the necessary easement(s), in accordance with the New Jersey Local Lands and Buildings Law, *N.J.S.A. 40A:12-1, et seq.*; and

WHEREAS, the Township Council does not wish for the granting of this easement to serve as a precedent for further encroachments into the Township-owned lots elsewhere in the Township, but rather declare that any and all such requests must be carefully reviewed by the Governing Body and considered strictly on a case-by-case basis, and that any such requests shall be granted only where substantial reasons are shown to justify and warrant the granting of the easement(s).

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

1. That, pursuant to the New Jersey Local Lands and Buildings Law, *N.J.S.A. 40A:12-1, et seq.*, and specifically *N.J.S.A. 40A:12-13(b)(5)*, the Township of

Maple Shade is hereby authorized to convey an easement to the Estate of Mary A. Delany, over certain portions of Block 210, Lot 2, as more particularly set forth above and as depicted in the metes and bounds description prepared by Alaimo Engineering, a copy of which is attached heretoand is also available for public inspection in the Township Clerk's Office; and

2. That the easement referenced herein shall be granted for nominal consideration.

3. That the grantee's use of the easement area is limited to the current encroachments set forth above. No landscaping or permanent structure of any type shall be permitted to be constructed in the easement area.

4. The Township shall have the right to remove and replace the existing fence in the easement area if required for utility repairs or improvements.

5. That the easement referenced herein shall be extinguished upon removal of the paver walk and concrete walk and/or removal or modification of that portion of the existing dwelling on Block 210, Lot 3, such that it no longer encroaches on the Property. This shall not preclude routine maintenance,repair or replacement of the existing improvements.

6. That the Mayor is authorized to execute and the Municipal Clerk to attest any and all documents that are necessary in order to effectuate the granting of this easement, which documents shall be in a form satisfactory to the Township Attorney.

7. That, following proper execution and notarization of the necessary easement documents, the same shall be recorded with the Burlington County Clerk's Office.

8. That all costs and expenses associated with this matter shall be paid by the ownerof Block 210, Lot 3.

9. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

10. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

11. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-17

AN ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE
TO ESTABLISH POLICE SALARIES AND WAGES
RETROACTIVE FOR 2012, 2013 AND FOR THE YEAR 2014 AND 2015

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

SECTION I.

The Township Council herby determines and establishes the Following Police salaries and wages to be paid at the following amounts retroactive from 2012 to 2013 and for the years 2014 and 2015.

The Township Council hereby establishes the following uniformed classifications, to be paid annual salaries on a bi-weekly basis and hereinafter stated. Rate established for 2012 shall be paid retroactively to January 1, 2012. Rate established for 2013 shall be paid retroactively to January 1, 2013. Rate established for 2014 shall be paid retroactively to January 1, 2014. These rates shall be in accordance with the fully-executed contracts, subject to the provisions of the Municipal Budget, as finally adopted each year.

Position	1/1/2012	1/1/2013	1/1/2014	1/1/2015
Captain	$125,765.01	$128,280.31	$130,845.91	$133,462.82
Lieutenant	$113,235.38	$115,500.08	$117,810.08	$120,166.28

SECTION II

This Ordinance shall take effect upon final passage and publication according to the law.

SECTION III

All Ordinances or parts of Ordinances inconsistent with the Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV

If any section, paragraph, subdivision, clause or provision of the Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

FIRST READING

MOTION: Manchello			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

September 11, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
~~Wells~~			
Wiest	x		
Saporito	x		

October 9, 2014 tabled
October 23, 2014 adopted

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-18

ORDINANCE RESCINDING THE CERTIFICATE OF APPROVAL PROGRAM
FOR RESIDENTIAL PROPERTIES

WHEREAS, the Township Council previously approved a Certificate of Approval program requiring the inspection of certain residential properties prior to resale or rental; and

WHEREAS, the Township Council has determined to terminate the current inspection requirements until further review is completed.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade, State of New Jersey as follows:

Section 1.The following sections of the Township Code are hereby deleted:

a) Article II of Chapter 106 of the Township Code (more specifically, subsections 106-13 through 106-22

b) Section 88-3.31.

Section 2. **Repealer.** Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. **Severability.** In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

FIRST READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

September 11, 2014

MUNICIPAL CLERK

SECOND READING

MOTION: Volpe			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
~~Wells~~			
Wiest	x		
Saporito	x		

October 9, 2014 tabled
October 23, 2014 adopted

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-19

AN ORDINANCE AMENDING CHAPTER
175 OF THE TOWNSHIP CODE
REGARDING SNOW REMOVAL

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

That Chapter 175 of the Township Code, entitled "Removal of Snow and Ice" is hereby amended as follows:

Section I. Subsection 175-1 shall be removed and replaced with the following:

175-1. Removal by Owner or Tenant Required

A. The owner or tenant of lands abutting or bordering upon the sidewalks and gutters of public streets, avenues and highways in the Township are required to remove all ice and snow from the sidewalks and gutters within 12 hours of daylight after the same shall be formed or fall thereon.

B. No person, firm or corporation, the owner, tenant or occupant of any premises abutting any public street within the Township shall throw, place or deposit any snow, ice or sleet into or upon any of Township streets. It is the intent and purpose of this provision to prohibit all persons from throwing, casting, placing, plowing or depositing snow, ice and sleet which has accumulated within the private property or any area outside of the traveled way or shoulder onto a Township street.

C. No person, firm or corporation, the owner, tenant or occupant of any premises abutting any Township street, shall plow any snow, ice and sleet into or upon the Township streets. All snow, ice and sleet shall be deposited off the traveled way and shoulder. It is hereby further required, to facilitate the traffic flow and to maintain the proper width on the Township streets, that said person or persons or individuals and/or their agents shall feather the snow along said Township streets so that same does not encroach upon the traveled way and/or shoulder, if one exists.

FIRST READING

MOTION: Wiest			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Wiest	x		
Saporito	x		

September 25, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
~~Wiest~~			
Wiest	x		
Saporito	x		

October 23, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

D. In the event that snow and ice on a sidewalk have become so hard that they cannot be removed without the likelihood of damage to the sidewalk, the person or entity charged with their removal shall, within the time mentioned in Subsection A hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel thereon reasonably safe and shall then, as soon thereafter as weather permits, cause said sidewalk to be thoroughly cleaned.

Section II. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section III. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-20

AN ORDINANCE AMENDING CHAPTER 60 "AMUSEMENT DEVICES" TO PROVIDE FOR REDEMPTION AMUSEMENT GAMES LICENSING

BE IT ORDAINED by the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey as follows:

Section 1.

Chapter 60 "Amusement Devices" is hereby amended to include new Article II. Redemption Amusement Games (Sections 60-12 through 60-24) as follows:

60-12 REDEMPTION AMUSEMENT GAMES.

60-12 Definitions

The following words and terms when used in this section shall have the following meanings, unless the context clearly indicates otherwise.

Amusement Games Licensing Law shall mean N.J.S.A. 5:8-78 through N.J.S.A. 5:8-121 inclusive, including any amendments thereto duly enacted subsequent to the effective date of this Chapter.

Amusement ride shall mean any mechanical device(s) which carry or convey passengers along, around or over a fixed restricted route or course for the purpose of giving its passengers pleasure, thrills or excitement and as otherwise defined and regulated under the Carnival Amusement Ride Safety Act N.J.S.A. 5:3-31, et seq.

Arcade shall mean a place where a single player may play any one of a number of machines or devices, upon payment of a fee, to attempt to obtain a prize or tickets or tokens redeemable for a prize, or to attempt to attain a score or result upon the basis of which a prize, ticket or token is awarded.

Certification shall mean a Certification of Permissibility granted by the Control Commission pursuant to N.J.A.C. 13:3-7.1, et seq.

Commission shall mean the Legalized Games of Chance Control Commission the successor to the Amusement Games Control Commissioner pursuant to Reorganization Plan No. 004-1992, at 24 N.J.R.4462, November 30, 1992.

Council shall mean the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey.

FIRST READING

MOTION: Manchello			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

October 9, 2014

MUNICIPAL CLERK

SECOND READING

MOTION: Manchello			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		

November 13, 2014 Tabled
November 25, 2014 Adopted

MAYOR

Law shall mean Amusement Games Licensing Law N.J.S.A. 5:8-78 through N.J.S.A. 5:8-121 inclusive.

Recognized amusement park shall mean a commercially operated permanent business open to the public at least thirty-one (31) consecutive days annually, whose acreage is designed and themed for the primary purpose of providing participatory amusements incorporating rides or water slides licensed in accordance with N.J.S.A. 5:3-31 et seq., and food and merchandise concessions in permanent structures.

Redemption amusement game shall mean any amusement game(s), whether of skill or chance, or both, and whether the game is played and operated with or without numbers or figures, played for amusement or entertainment, in which the person or player actively participates and the outcome of which is not in the control of the operator, and which is so conducted that the sale of a right to participate, the event which determines whether a player wins or loses and the award of the merchandise prize all occur as a continuous sequence at the time when and place where the player or players are all present.

Regulations shall mean New Jersey Administrative Code Title 13, Chapter 3.

Township shall mean the Township of Maple Shade, County of Camden, State of New Jersey.

60-13 License Required to Operate Redemption Amusement Games.

a. It shall be unlawful for any person to own or operate within the Township any redemption amusement game without first having obtained a proper license from the Township and the Commission. The license shall be issued only pursuant to the provisions of the Law and this chapter.

b. Each applicant for such a license shall file with the Township Clerk a written application in the form prescribed by the Commission duly executed and verified together with the fees specified by Law and this section.

c. Each license issued by the Township shall be inoperative unless the licensee named therein shall also, within ninety (90) days from the issuance thereof and prior to the conduct or operation of amusement games thereunder, procure a State license authorizing the licensee holding the Township license to operate and conduct certain games according to the terms of the Township license.

60-14 Issuance of License; Term; Certificate; Display.

a. *Issuance.* Upon the applicant's compliance with all applicable requirements of this section, the Township Council shall by resolution authorize the issuance of a license. Said resolution shall specifically recite the finding of the Township Council that the premises to be licensed are located in a recognized amusement park. Promptly following the date of the resolution, the Township Clerk shall issue the license certificate or

certificates authorized thereby and shall forward to the Commission a certified copy of the resolution, a copy of the application, a counterpart original of the license certificate and the license fees payable to the Commission as hereinafter provided.

b. *License Term.* Each license issued pursuant to this section shall be for a term of the calendar year which next follows the date of such resolution or if the applicant shall so request, for a term which commences on the date of the resolution and which expires on December 31 next following such date provided, however, that the license so issued shall be inoperative unless and until the licensee named therein shall also, within ninety (90) days from the issuance thereof and prior to the conduct or operation of redemption amusement games thereunder, procure and receive from the Commission, a State license authorizing the licensee holding the Maple Shade Township license to operate and conduct certain redemption amusement games according to the terms of such Maple Shade Township license, and any license hereunder shall also be inoperative during any period of suspension or revocation of such State license.

c. *License Certificate.*

1. The license certificate shall be in the form prescribed by the Commission and shall set out on the face thereof:

(a) The name of the licensee;
(b) The address of the licensed premises and such further description or limitation upon the licensed premises as may be provided in the application or the said resolution;
c) The certification category of the kinds of games licensed and in the case of arcade games, the number thereof;
d) The amount of fee paid; and
(e) A statement of the dates between which and the hours between which such games may be conducted.

2. Each license certificate shall be issued in triplicate, the original to be delivered to the applicant, with one (1) copy to the Commission, as aforesaid, and the remaining copy to be retained by the Township Clerk.

d. *Display.* Each license certificate and all other information required under the Amusement Games Licensing Law to be posted upon licensed premises shall be conspicuously displayed at the place or places where the redemption amusement games are to be conducted, at all times during the conduct thereof.

60-15 Separate Licenses Required; Fees.

a. There shall be issued to an applicant who shall qualify, a separate license for each place at which the licensee is authorized to hold, operate and conduct such redemption amusement games. The annual license fee for each place shall be two hundred fifty ($250.00) dollars. In the event that the license is denied or the application

therefor is withdrawn, the Township shall retain twenty-five (25%) percent of the application fee as an investigation fee, and the balance shall be returned to the applicant.

b. A separate Township license shall be issued for each specific kind of game authorized to be held, operated and conducted on the licensed premises by the licensee, except that a single license may be issued for all games classified under Certification No. 2 (arcade games) pursuant to N.J.A.C. 13:3-7.9(a) 2 and operated in an arcade at a single location.

c. As a condition of granting an amusement game license the applicant therefor shall pay to the Township an annual fee of two hundred fifty ($250.00) dollars per game for games in Certifications 1 (throw games), 3 (non-draw raffle games), 4 (competitive games), 5 (games of chance-stop and go game), 6 (guessing games), 7 (tests of strength), 8 (miscellaneous games) and 9 (pan game, crazy ball and crazy block).

d. An applicant who is the owner of an arcade shall pay to the Township an annual fee of two hundred fifty ($250.00) dollars for the first fifty (50) machines in Certification 2, plus an additional fee of ten ($10.00) dollars per machine for each machine in excess of fifty (50) machines operated or to be operated at the arcade.

e. No licensee shall hold, operate or conduct on the licensed premises any unlicensed game required to be licensed pursuant to the Amusement Games Control Law or the Amusement Games Licensing Law or the Legalized Games of Chance Control Commission Regulations.

60-16 License Restrictions.

a. No license shall be issued to authorize the operation and conduct of any amusement game in the Township unless the game is:

1. Played for amusement or entertainment;
2. One in which the person or player actively participates;
3. One in which the outcome is not in the control of the operator; and
4. One which is so conducted that when and where all of the players are present there occurs in continuous sequence:

   (a) The sale of a right to participate;
   (b) The event which determines whether a player wins or loses; and
   (c) The award of a merchandise prize or tokens or tickets which may be accumulated or immediately redeemable for a merchandise prize.

b. No licensee shall hold, operate or conduct or allow, permit or suffer the holding, operation or conduct of any amusement game on the licensed premises during hours or on days prohibited by municipal ordinance or during hours or on days not authorized by the license as indicated on the license certificate.

c. Bingo or Raffles. No license shall be issued under the law or this section to authorize the holding, operation or conduct of any bingo game nor for any draw raffle.

d. Certification Requirements for Amusement Game. No license shall be issued to authorize the holding, operation or conduct of any game not certified as permissible by Commission pursuant to N.J.A.C. 13:3-7, Certification, and any license issued with respect to any certified game shall authorize it to be held, operated and conducted only with the limitations and restrictions of its Certification.

60-17 Qualification of Applicant; Conviction of Crime.

No Township license shall be issued to any applicant if any of the persons required by N.J.A.C. 13:3-1.11 to be fingerprinted in connection with the application are not of good moral character or have ever been convicted of a crime unless the disqualification resulting from such conviction has been removed by the Commission pursuant to P.L. 1962, c.200.

60-18 Fingerprinting.

a. Each individual applicant, the officers, directors and stockholders (including the officers, directors and stockholders of any corporation holding five (5%) percent or more of the capital stock) of any corporate applicant, as well as the partners or members as the case may be, of any partnership, association, or organization applicant, upon filing of an initial application or any employee of an applicant, may, if so required by the Commission or Township, be fingerprinted under the supervision of the Township Chief of Police.

b. The fingerprint records so obtained shall be marked "Applicant" and shall be submitted to the Federal Bureau of Investigation and the New Jersey State Police Bureau of Identification and upon receipt of returns from such Bureaus, the Chief of Police shall make a report thereof to the Council, together with a report of any other arrest or conviction record which may be obtained from other sources.

c. Failure or refusal of any of the above-designated persons to submit to fingerprinting shall be deemed cause for denial of the application.

d. Any fees for fingerprinting or any other investigations shall be paid for by the applicant.

60-19 Employees Qualification.

a. No licensee shall employ in any capacity on the licensed premises any person who would fail to qualify as a licensee by reason of conviction of a crime or otherwise.

b. The licensee may require employees to complete an application or affidavit certifying the employee's eligibility for employment under the terms of this section.

60-20 Fingerprinting Employees.

No licensee shall employ or have connected with him in any business capacity whatsoever any adult person who refuses to submit himself or herself for fingerprinting when required to do so by any agent of the Township or the Commission.

60-21 Refusal to Issue License; Notice and Hearing: Amendments

a. In the event the Township determines the license should not be granted, the applicant shall be granted a hearing, held on due notice to the applicant, at which time the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application. Said hearing process shall be established by the Township.

b. Any license may be amended, upon application to the Township, a copy of which application must be submitted to the Commission, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license, and upon payment of such additional license fee, if any, as would have been payable.

c. Notice of any such amendment shall be certified to the Commission by the Township within three (3) days, along with a twenty-five ($25.00) dollars amendment fee, payable by the licensee to the Commission.

d. No licensee who has applied for an amended license shall operate a game other than that which has been licensed by the Township and the Commission until an amended license certificate has been issued.

e. Whenever any change shall occur in the facts as set forth in any application for a license, the licensee shall file with the Commission and the Township a notice in writing of such change within ten (10) days after the occurrence which notice of change shall become part of the application.

60-22 Conspicuous Display of License.

a. No licensee shall hold, operate, conduct or allow any amusement game on the licensed premises, unless a current, original license certificate is conspicuously posted.

b. The license certificate shall be maintained in a manner so that it may be easily read.

c. The license certificate shall be presented upon request without delay or interference to:

1. An authorized representative of the licensing municipality;
2. Commission member or a Commission representative; or

3. A member of the general public.

d. The person requesting the license certificate shall be afforded the opportunity to review and record any and all information on the license certificate.

e. A photocopy or other reproduction of the license certificate shall not be acceptable for purposes of compliance with this section. The original license certificate shall not be photocopied or reproduced.

60-23 Devolution of License upon Death, Bankruptcy, Receivership or Incompetency of Licensee.

a. In case of death, bankruptcy, receivership or incompetency of the licensee, or if for any other reason the operation of the business covered by the license shall devolve by operation of law upon a person other than the licensee, application for extension of the license for a limited time, not exceeding its term, shall be made promptly by the executor, administrator, trustee, receiver or other person upon whom operation of the business covered by the license shall have devolved by operation of the law.

b. Application for such extension shall be made in the form of a petition addressed to and acted upon by the municipal Governing Body.

c. If the petition for extension is granted, the license certificate shall be appropriately endorsed by the municipal Governing Body without fee and a report of the extension shall be made to the commission by the municipal Governing Body within ten (10) days.

60-24 Control and Supervision.

a. Control and Supervision of Amusement Games by Municipality; Suspension and Revocation of License; Hearing; Right of Entry.

1. The Township and the Commission shall have and exercise control and supervision over all amusement games held, operated or conducted under any amusement game license, issued to the end that the game(s) are fairly held, operated and conducted in accordance with the provisions of the license, the rules and regulations promulgated by the commission and the provisions of this chapter governing the holding, operation and conduct of the game(s).

2. The Township and the Commission shall have power and authority to suspend any license issued by the Township and to evoke the same, after hearing, for any violation of the law or this chapter, and shall have the right of entry, by its officers and agents at all times into any premises where any such amusement game(s) is being held, operated and conducted or where it is intended that any such amusement game(s) shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

b. Offenses; Violators as Disorderly Persons; Forfeiture of Licenses. Any person, association or corporation who or which shall make any false statement in any application for an amusement game license or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating or conducting of amusement games under any such license or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operating and conducting of any amusement game under any such license or shall violate any of the provisions of the law or this chapter or of any term of such license shall be a disorderly person and if convicted as such shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to it under the law or this chapter.

c. Gambling on Licensed Premises. No licensee shall allow on the licensed premises any playing for money or other valuable thing at any game other than that permitted by the license issued pursuant to the application and description of the game for that licensed premises, and in no event shall any prize be conditioned in any way upon any occurrence at or upon the outcome of any athletic, sporting game or contest or lottery.

d. Licensee Responsible for Acts of Employees.

1. In any disciplinary proceedings to suspend or revoke any amusement games license, it shall be sufficient, in order to establish the guilt of the licensee, to show that the violation was committed by an agent, servant or employee of the licensee.

2. The fact that the licensee did not participate in the violation or that his agent, representative or employee acted contrary to instructions given to him by the licensee or that the violation did not occur in the licensee's presence, shall constitute no defense to the charges preferred in such disciplinary proceedings.

e. Tickets or Tokens Awarded; Expiration; Arcade with Other Games.

1. There shall be no limit on the time within which tokens or tickets must be redeemed in any arcade licensed pursuant to N.J.A.C. 13:3-7.9(a)2 under Certification No. 2,

2. The transfer of ownership of any arcade licensed by the Township under Certification Nos. 2, N.J.A.C. 13:3- 7.9(a)2 shall specifically provide that all tickets and tokens awarded by the transferor shall be honored by the transferee.

3. All winners shall be determined and all prizes or tickets or tokens that may be accumulated for a prize shall be awarded in any game forthwith upon the completion of the game and before making or accepting any charge for participation in any subsequent game or play.

4. Where games licensed and certified pursuant to N.J.A.C. 13:3-7.9(a)1, 3, 5, 6, 7, 8 or 9 are operated in conjunction with an arcade licensed pursuant to N.J.A.C. 13:3-7.9(a)2 under Certification No. 2, the arcade licensee may also award as prizes, tickets or tokens redeemable toward merchandise prizes available in the arcade, provided that the value of any single prize ticket shall not permit redemption for a prize valued in excess of an average retail value prescribed by N.J.A.C. 13 :3-3 .5(d) . Such tickets may be combined with tickets or tokens awarded in the arcade for redemption purposes.

f. Redemption of Prize or Cash.

1. No licensee shall redeem for money or for the playing of any additional game, any prize, ticket or token or allow, permit or participate in such redemption.

2. Notwithstanding paragraph f,1. above, a licensee may, at the conclusion of the game and at the player's option, award an additional game as a prize when operating an amusement game certified pursuant to N.J.A.C. 13:3-7.9(a)2.

g. Deceptive, Fraudulent or Misleading Advertising or Practice; Conduct of Games.

1. No licensee shall allow or engage in any deceptive, misleading or fraudulent advertising or practice in connection with the holding, operating or conducting of any licensed game.

2. All games, including free, sample or tryout games, must be conducted in their original certified form. No licensee or operator shall demonstrate any game from any position other than the position from which the player will participate.

3. All prizes that are available to be won shall be displayed, and requirements to win such prizes shall be clearly stated. If multiple wins are required for a prize, such requirements shall be clearly posted.

h. Maximum Fee for Participation in Game.

1. No licensee shall charge or accept, directly or indirectly, more than that prescribed by N.J.A.C. 13:3-3.15(a) from any one player for an opportunity to participate in any one amusement game.

2. All prizes, or tickets or tokens redeemable for a prize, awarded in a game shall be awarded immediately upon completion of the game and before making or accepting a charge for participation in any subsequent game.

3. No charge may be made or accepted for participation in a game in excess of the posted charge for the opportunity to participate in the game. Nothing in this section shall be construed to prohibit a licensee from offering a discounted entry fee for

multiple opportunities to participate in a single game not in excess of that prescribed by N.J.A.C. 13:3-3.4.

4. Upon receipt of currency greater than the charge to play a game, the licensee shall immediately remit the appropriate change to the player. Debit cards do not constitute currency, but only the charge shall be deducted from the debit card.

i. Hindering Inspection or Investigation. No licensee or employee, agent or representative shall, directly or indirectly, hinder or delay or cause the hindrance or delay of any investigation by the Commission or the municipal Governing Body or its agents, or fail to facilitate such inspection or investigation in anyway whatsoever.

j. Incorporating Provisions of Law, Regulations and this Section. Each provision of the Amusement Games Control Act N.J.S.A. 5:8-78 through N.J.S.A. 5:8-99 inclusive, Amusement Games Licensing Law, N.J.S.A. 5:8-100 through N.J.S.A. 5:8-119 inclusive and the regulations promulgated by the Commission, governing the licensing and operation of Amusement Games N.J.A.C. 13:3-1 through N.J.A.C. 13:3-7.9 inclusive, including any amendments thereto duly enacted subsequent to the effective date of this section are by reference hereby incorporated as provisions of this section as if they were herein at length set forth. Any violation of any provision of law or regulations by a licensee shall be a violation not only of the law or regulation, but also of this section. Any duty or responsibility of a licensee set forth in the law or regulations is also of a duty or responsibility of the licensee under this section.

Section II. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section III. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-21

AN ORDINANCE OF THE TOWNSHIP OF
MAPLE SHADE TO AMEND CHAPTER 194-10
OF THE TOWNSHIP CODE TO PROHIBIT PARKING
ON PORTIONS OF STILES AVENUE

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

SECTION I.

The Township Council hereby amends Chapter 194-10 of the Township Code to prohibit parking on portions of Stiles Avenue (to be listed in the appropriate alphabetical order):

Name of Street	Sides	Location
Stiles Avenue (CR 609)	East	From the Northerly curb line of Main Street to Route 73

SECTION II.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION III.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

FIRST READING

MOTION: Manchello			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
~~Wells~~			
Wiest	x		
Saporito	x		

October 23, 2014

SECOND READING

MOTION: Manchello			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

November 13, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-22

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE XI OF THE TOWNSHIP CODE TO ESTABLISH AN ECONOMIC DEVELOPMENT COMMITTEE AND TO ELIMINATE CERTAIN ADVISORY BODIES

BE IT ORDAINED, by the Township Council of the Township of Maple Shade as follows:

SECTION I.

The following Sections of the Township Code are hereby deleted:

Section 4-37. Shade Tree Commission
Section 4-45 Construction Board of Appeals
Section 4-45.1 Library Advisory Committee
Section 4-46 Community Development Commission

The remaining sections of Article XI (Sections 4-35 through 4-46, (Section 4-47 shall remain in place) shall thereafter be renumbered.

SECTION II.

New Section 4-43 entitled "Economic Development Advisory Committee" shall be inserted as follows:

4-43 Economic Development Advisory Committee

A. Membership; terms; Chairperson.

1. There shall be an Economic Development Advisory Committee ("EDAC") consisting of six members to be annually appointed by the Township Council. Membership shall include at least one member from each of the following classes:

(a) Class A: a person who is knowledgeable in economic development and regional planning and who may reside outside the Township. Class A members shall be nonvoting members.

(b) Class B: member of the Township Council.

(c)Class C: Township Manager, or his designee, and the Township Community Development Director.

(d) Class D: these members shall hold no other municipal office, position or employment except for membership on the Township Planning Board, as provided in N.J.S.A. 40:55D-107.

FIRST READING

MOTION: Manchello			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

November 13, 2014

MUNICIPAL CLERK

SECOND READING

MOTION: Volpe			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

December 11, 2014

MAYOR

2. The Township Council shall annually appoint a Chairperson. No Class B member may hold this position.

B. Four voting members shall constitute the required quorum to conduct business.

C. The EDAC shall select a Secretary who need not be a member of the EDAC or a municipal employee.

D. The EDAC shall obtain its legal counsel from the Township Redevelopment Attorney or, if none is appointed, the Township Attorney.

E. The Economic Development Advisory Committee shall be responsible for the following:

(1) Make recommendations to the Land Use Planning Board on the economic development plan element of the Maple Shade Township Municipal Master Plan, which shall be developed and approved pursuant to N.J.S.A. 40:55D-28b(8).

(2) Meet with prospective developers to provide an orientation to the goals and objectives of the economic development plan element and other related official planning documents.

(3) Undertake conceptual reviews of proposed major site plan applications, redevelopment plans, and when so requested by the Council, Manager or the Land Use Planning Board, other development plans in the Township.

(4) Provide input to the Maple Shade Township Planning Board on the consistency of development applications with respect to the goals and objectives of the economic development plan element and other planning documents.

(5) Undertake on behalf of and/or recommend to the Township Council such other advisory, educational or informational functions as will enhance the economic vitality and sustainability of Maple Shade Township.

SECTION III.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION IV.

Severability. In the event that any section paragraph, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION V.

This ordinance shall take effect immediately upon adoption and publication according to law.

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-23

AN ORDINANCE AMENDING CHAPTER 88 OF THE TOWNSHIP CODE
REGARDING FEES FOR ZONING PERMITS

BE IT ORDAINED, by the Township Council of the Township of Maple Shade, County of Burlington and State of New Jersey as follows:

SECTION I.

Add the following new section to Chapter 88 "Fees" in the appropriate alphabetical order:

Zoning Permits

A. For residential building, addition, accessory use construction or use modification- $10.00 per permit.
B. For commercial addition, accessory use construction or use modification- $25.00 per permit.

SECTION II.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III.

Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION IV.

This ordinance shall take effect immediately upon adoption and publication according to law.

FIRST READING

MOTION: Volpe			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

November 13, 2014

SECOND READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

December 11, 2014

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-24

AN ORDINANANCE AMENDING CHAPTER 175, ARTICLE III OF THE TOWNSHIP CODE REGARDING STREET OPENINGS AND CHAPTER 88 REGARDING STREET OPENING FEES

BE IT ORDAINED, by the Township Council of the Township of Maple Shade, County of Burlington and State of New Jersey as follows:

SECTION I.

Chapter 175, Article III entitled "Street Excavations" is hereby amended as follows:

§175-15 Bond; Deposit
In the event that the fee is paid as provided in § **175-14B** above and said work is done in accordance with a new approved land development project, the board engineer shall prepare a bond estimate inclusive of all infrastructure work for street excavation. A bond for said work shall be deposited with the Community Development Director prior to any work being performed.

A. (remains as written)
B. Delete and replace with:
A maintenance bond shall be deposited with the township to guarantee that the restoration will remain in good condition for at least one year.

(1) The minimum amount of each maintenance bond shall be $500 and there shall be an addition al amount of $1 for each square foot in excess of 100 square feet.

C. Capital projects under the supervision of the Township Engineer shall post a bond with the Township Treasurer. The Township Engineer shall prepare a bond estimate inclusive of all infrastructure work for said capital project.
(1) A maintenance bond shall be deposited with the Township to guarantee that the restoration will remain in good condition for at least one year.
(2) The minimum amount of each maintenance bond shall be $500 and there shall be an additional amount of $1 for each square foot over 100 square feet.

D. No bond issued to the Township of Maple Shade shall be released without a resolution of approval from the Township Council.

FIRST READING

MOTION: Volpe			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

November 13, 2014

SECOND READING

MOTION: (TO RESCIND) Wiest			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

December 11, 2014

MUNICIPAL CLERK

MAYOR

SECTION II.

§88-16 of the Township Code entitled "Street Excavations" is hereby replaced with the following:

A. Road Opening Permit- $50.00 per opening per roadway .
B. A $200.00 inspection fee per opening per roadway shall be submitted with every permit application to cover the costs of the Township Engineer to review, approve or deny such permit and to inspect all work after completion.

SECTION III.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION IV.

Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION V.

This ordinance shall take effect immediately upon adoption and publication according to law.

TOWNSHIP OF MAPLE SHADE

Ordinance 2014-25

AN ORDINANCE AMENDING CHAPTER 114 OF THE TOWNSHIP CODE
REGARDING CLOTHING DONATION BINS

BE IT ORDAINED, by the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey as follows:

SECTION I.

Chapter 114, Article IV of the Township Code entitled "Charitable Clothing Bins" (Sections 114-31 through 39) is hereby deleted and replaced with the following:

Chapter 114, Article IV Clothing Donation Bins

§114- 31 Terms Defined
For the purposes of this chapter "solicitation" or "solicit" means the request, directly or indirectly, for money, credit, property, financial assistance, or other thing of any kind or value. Solicitation shall include, but not be limited to, the use or employment of canisters, cards, receptacles or similar devices for the collection of money or other things of value. A solicitation shall take place whether or not the person making the solicitation receives any contribution.

§114-32 Limitation on Location
Generally. Used clothing donation steel or similar storage containers (hereinafter referred to in this section as "bins") are prohibited in the Township of Maple Shade.

B. Exceptions. Registered nonprofit organizations are permitted to place clothing donation bins on nonresidential property in accordance with the following:

(1) Nonresidential commercial premises devoted to nonprofit purposes, and churches, are permitted to have up to three used clothing donation bins. Used clothing donation containers are not permitted on any other commercial property unless specifically authorized by the Township Council.

(2) The bin(s) shall be appropriately located so as not to interfere with sight triangles, on-site circulation, required setbacks, landscaping, parking, and any other requirements that may have been imposed as part of the site plan approval for the premises, and shall be placed on a concrete surface. The bins shall not be placed in a designated parking space, unless specifically authorized by the Township Council. Township Council may refer the application to the Zoning Officer for review and determination as to whether any land use approvals are required.

FIRST READING

MOTION: Wells			
SECONDED: Wiest			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

November 13, 2014

SECOND READING

MOTION: Volpe			
SECONDED: Manchello			
COUNCIL MEMBER:	YEA	NAY	ABS.
Manchello	x		
Volpe	x		
Wells	x		
Wiest	x		
Saporito	x		

December 11, 2014

MUNICIPAL CLERK

MAYOR

(3) The bin(s) shall be of the type that are enclosed by use of a receiving door and locked so that the contents of the bin(s) may not be accessed by anyone other than those responsible for the retrieval of the contents.

(4) Each bin shall not cover a ground surface area in excess of five feet by five feet, nor be more than six feet in height.

(5) Each bin must be regularly emptied of its contents so that it does not overflow, resulting in used clothing being strewn about the surrounding area.

§114-33 Permit Required

A permit for clothing donation bins shall be required and obtained by the owner of the bins. The permit shall be issued by the Township Clerk, upon review and approval by the Township Council,but can only be granted when it is determined by the Township Council that:

(a) The bin(s) are for use by a duly registered nonprofit organization (Proof of nonprofit status shall be provided when the permit is submitted.);

(b) The proper types of bin(s) are being used as described by this section;

(c) The bin(s) are being placed in a proper location as described by this section and do not constitute a safety hazard;

(d) A letter of authority/permission from the owner of the property upon which the bins are to be and/or are already located has been received; and

(e) The name, address and phone number of the nonprofit organization or church is displayed on each bin.

(f) At the discretion of the Township Council, any permit approval may be conditioned upon the application securing a site plan approval.

§114-34 Application

The application for a clothing donation bin shall include the following information:

(1) The name, address and telephone number of the duly registered nonprofit organization and proof of nonprofit status;

(2) The proposed location of the bin, as precisely as possible;

(3) The manner in which the person anticipates any clothing or other donations collected via the bin will be used, sold, or distributed;

(4) The method by which the proceeds of collected donations will be allocated or spent;

(5) The name and telephone number of the bona fide office of any entity which may share or profit from any clothing or other donations collected via the bin; and

(6) The written permission from the property owner.

114-35Application Fee and Renewal

A. The permit fee shall be $25 per calendar year per clothing donation bin.
B. An expiring permit for a donation clothing bin may be renewed upon application for renewal and payment of the $25 annual fee. The application shall include the following information:
    (1) The location where the bin is situated and, if the person intends to move it, the proposed new location where the bin would be situated following renewal;
    (2) Written consent from the property owner to place the bin on his property;
    (3) The manner in which the person has used, sold, or distributed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal; and
    (4) The name and telephone number of the bona fide office of any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal.

§114-36 Duty to maintain and service bins

It shall be the duty of the person in whose name the permit has been issued to properly maintain and service the donation clothing bin to prevent any nuisance, hazardous or unsafe condition.

§114-37 Investigation of complaints; seizure; additional penalty.

A. The Zoning Officer shall receive and investigate, within 30 days, any complaints concerning a donation clothing bin. Whenever it appears to the Zoning Officer that a person has engaged in, or is engaging in, any act or practice in violation of this chapter, other than for a nuisance, hazardous or unsafe condition, the person to whom the permit was issued shall be issued a warning, or in the case of a nonpermitted bin, the property owner shall be issued a warning by personal service or certified mail, stating that if the violation is not rectified, or a hearing with the Zoning Officer is not requested, within 45 days, the bin will be seized or removed at the expense of the permittee, and any clothing or other donations collected via the bin will be sold at public auction or otherwise disposed of. In addition to any other means used to notify the person who placed the bin, such warning shall be affixed to the exterior of the bin itself.

B.In the event that the permittee does not rectify the violation or request a hearing within 45 days of issuance of the warning, the appropriate municipal agency may seize the bin, remove it, or have it removed, at the expense of the person who placed the bin, and sell at public auction, or otherwise dispose of, any clothing or other donations collected via the

bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Chief Financial Officer.

C. In addition to the applicable penalties set forth in §114-38 of this chapter, any person who violates this chapter and whose donation clothing bin has been seized, may also be subject to a penalty of up to $20,000 for each violation and be deemed ineligible to place, use or employ a donation clothing bin for solicitation purposes. A person's eligibility may be restored pursuant to N.J.S.A. 40:48-2.63.

§114-38Violations and penalties.
Any person who is operating a nonpermitted donation clothing bin or has obtained a permit but has been cited by the Zoning Officer for neglecting to maintain a donation clothing bin so that it does cause a nuisance, or create a hazardous or unsafe condition, and has failed to cure such violation within 48 hours of written notice of such violation shall be subject to a fine for the first offense of $100 per day and for the second offense of $250 per day upon failure to cure such violation. However, nothing within this section shall be construed as to limit the ability of the appropriate municipal agency to seize any bin that fails to comply with the applicable provisions of this chapter concerning seizure of clothing bins and the penalties associated with such seizure.

SECTION II.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III.

Severability. In the event that any section paragraph, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION IV.

This ordinance shall take effect immediately upon adoption and publication according to law.