

RESOLUTION NO. 82-2018

BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

ADOPT OUTDOOR FACILITY USE POLICY AND ESTABLISH FEES

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roseland that the Outdoor Facility Use Policy shall be adopted as follows:

Outdoor Facility Use Policy

The Borough of Roseland's fields and parks at the following locations are to be used to enhance the educational, cultural and community life of our residents.

- Lynn DeBell Field
- Harrison Field
- Thomas J O'Beirne Field
- Bond Force Memorial Park
- Harrison Complex Park
- Tedesco Park

The borough, for its own purposes, and borough approved sanctioned groups shall have first priority in the use of fields and parks. The fields and parks are also available to other groups and organizations subject to the provisions of use. The Borough of Roseland has established the following regulations to govern the use of borough outdoor facilities.

Regulations

The Borough of Roseland assumes no liability or responsibility for injury or damage to the person or property of either anyone attending the event or anyone in connection with the organization using the outdoor facility.

Application for Use

An application for a permit should be submitted to the Borough Clerk's office for use of borough outdoor facilities at least five days in advance of the date requested, but no more than one year in advance of that date. A permit may also be reversed in the event that usage interferes with borough programming. The applicant must acknowledge reading a copy of this policy statement and sign the attached two agreements: "Agreement Concerning use of Borough of Roseland Facilities" and "Damage, Indemnification and Applicant Hold Harmless Agreement.

Rules and Regulations:

Field permits are only valid for the time frame they are issued for. It is the Recreations Department's responsibility to notify the Clerk's office within 48 hours of a cancellation due to inclement weather. The Borough will make every effort to reschedule events but all events must be rescheduled within the calendar year the permit was issued.

No refunds will be issued for unused time.

All permit requests must be made a minimum of one week prior to the requested date(s) of use, in person or in writing to the Borough of Roseland Clerks Office.

The permit application must be filled out completely, signed and filed in the Borough of Roseland Clerks Office. Person applying for permit assumes all responsibility for the use of the field(s)/park(s). Groups must have authorized permit and be on the master schedule. A certificate of Insurance is REQUIRED from every group or organization using the field(s) or park(s). The Borough of Roseland must be named as additional insured. The Roseland Board of Education must also be named as additional insured if requesting Harrison Field or Harrison Complex Park. Renewal must be submitted as it becomes due. NO ORGANIZATION /GROUP WILL BE ALLOWED TO USE THE FIELD(S) OR PARK(S) UNTIL ALL PAPERWORK IS COMPLETED AND ON FILE AND A PERMIT IS ISSUED. Groups using the field(s)/ park(s) without a permit will not be allowed to use the field(s)/ park(s) in the future.

Every organization/group shall sign such contracts and agreements as shall be required by the Borough of Roseland and pay the specified fees at the time the application is submitted.

Fields are lined in accordance to primary season of said sport as per specs for age and sport. Unauthorized field preparation is not permitted.

FALL

Field Requested:

Soccer

**Lynn DeBell Field
(Large/Junior)**

Age: 13 & up
7 & under
Grades: 7th & up
2nd & under
Field Size: 100 x 50 (yards) approx.
60 x 40 (yards) approx.
Goal Size: 8' x 24'
6' x 12'

***Harrison Field
(Intermediate)**

Age: 8 to 12
Grades: 3rd to 6th
Field Size: 80 x 55 (yards) approx.
Goal Size: 7' x 21'

***Thomas J O'Beirne Field
(Large/Junior)**

Age: 13 & up
7 & under
Grades: 7th & up
2nd & under

Field Size: 100 x 50 (yards) approx.
 60 x 40 (yards) approx.
 Goal Size: 8' x 24'
 6' x 12'

SPRING

Field Requested:

*** Harrison Field
 (40/60 & 50/70)**

Baseball/Softball

Depends on League

Age: 12 – 13 (Baseball – 50'/70')
 11 & under (Baseball – 46'/60')
 13 & up (Softball – 43'/60')
 11 – 12 (Softball – 40'/60')
 10 & under (Softball – 35'/60')

Grades: 7th (Baseball – 50'/70')
 6th & under (Baseball – 46'/60')
 7th & up (Softball – 43'/60')
 5th – 6th (Softball – 40'/60')
 4th & under (Softball – 35'/60')

Field Bases:	70' (Baseball)
	60' (Baseball/Softball)
Portable Pitching Mound:	50' or 46' (Baseball)
Pitching Rubber:	35', 40' or 43' (Softball)

*** Thomas J. O'Beirne Field
 (50/65 & 60/90)**

Age: 13 & up (Baseball – 60'6"/90')
 Adult (Softball – 50'/65')

Grades: 7th & up (Baseball – 60'6"/90')

Field Bases:	65' (Softball)
	90' (Baseball)
Pitching Mound:	60'6" (Baseball)
Pitching Rubber:	50' (Softball)

***Spring and Summer Lights required after 7:30 pm.
 * Fall lights required after 5:00 pm**

I _____ (print your name) have read and understand all the park rules and regulation and if my group damages the park or facility in anyway, I will be financially responsible for all the fees to repair the damage.

Signature

Date

MEMORANDUM

TO: All Department Heads, Sports Coaches, Officials, and Parents
FROM: Michael Colitti, Director of Recreation
RE: Thor Guard Lightning Warning System

As you may be aware, the Borough of Roseland has installed Thor Guard Lightning Prediction Systems in several areas throughout the community. The Recreation Department has posted guidelines for the users of recreational facilities during thunderstorms at the parks/fields mentioned below.

The Lightning Prediction and Warning Systems detect atmospheric conditions that indicate a lightning strike is imminent – within a 10-15-minute time frame. Warning horns and/or a strobe light are located at Bond Force Park, Harrison Complex, Noecker School, and Tedesco Park. When lightning is detected, a single 15-second blast of the horn will be activated. When the danger of a lightning strike has passed, an all-clear signal of three (3) five-second blasts of the horn will be sounded. Additionally, each horn cluster will be accompanied by, or in some areas have, a remote amber strobe light which will remain activated until the all-clear signal is sounded.

The Roseland Recreation Department has mandated that anyone who hears the warning signal should seek shelter, and remain in the shelter until the all-clear signal is activated. If no covered shelter is available, avoid open areas, water, tall trees, metal fences, overhead wires and power lines, elevated ground, cellular phones, and radios. If the warning signal should occur a second time, all games and practices must be cancelled.

In closing, please remember that umpires are still in charge, and have the authority to cancel or stop play temporarily at their discretion if they feel it is necessary, regardless of the Thor Guard Lightning Prediction System activating.

MC:sr

RESPONSIBLE LIGHTNING SAFETY

By: Robert M. Dugan

A recent study of lightning injuries and deaths by the Severe Storms Laboratory determined that 85% of all lightning tragedies occurred away from the actual storm. Clearly, these injuries and deaths occurred because the storm was not overhead, and there was probably little or no rain, lulling these victims into a false sense of security. They also concluded, correctly, that lightning can strike 6 to 8 miles from the previous discharge. Observations of lightning striking on a regular basis from 12 to 15 miles is documented, as well as the so-called "bolt-out-of-the-blue" coming from storms 30 to 50 miles away! After reading such statistics, a thinking person must wonder, "how can anyone prevent lightning-related tragedies?" CAREFULLY AND CONSERVATIVELY.

FLASH-TO-BANG WARNING METHOD

Although this system of warning, based on the thunder being heard approximately 5 seconds per mile after a lightning strike (flash) has occurred is fairly accurate. Its only use is for basic information...not life and death decisions! Because thunder begins "quieting" at 3 to 4 miles, using the minimum 35-second (7 miles) count, thunder could never be adequately and reliably discerned. This method of lightning warning should NEVER be used.

LIGHTNING DETECTION SYSTEMS

All lightning detection systems require a strike to occur before a warning can be provided. Just because lightning is 10 miles away, as with the flash-to-bang warning method, there is no guarantee – only a guess – whether the storm will either impact your playground or miss you. If a strike hits your immediate area from that storm 10 miles away, you'll find out about it before the detection system tells you it just happened. If a detection system is to be utilized, stop activities when the first strike occurs between 10 and 15 miles, and resume activities 15 minutes after the last strike is detected within 30 miles. You may have "false alerts" and prolonged down time, but you'll also be acting in as safe a manner as possible.

LIGHTNING PREDICTION SYSTEMS

Yes, lightning can be predicted and the THOR GUARD System has over 25 years of performance to back up their claims. The PGA Tours, USGA, NCAA, Atlanta Olympics, Air Force, and many others use these systems with remarkable accuracy. This system analyzes the earth's electrostatic field to determine when it is dangerous in a 1 to 2 mile area, and provides a warning prior to a lightning discharge. Operation is totally automatic and typical warning time is 8 to 15 minutes. This system also determines when the energy level has lowered enough to advise of safer conditions and resume outdoor activities.

BOROUGH OF ROSELAND

NOTICE

Roseland Borough, Ordinance 22-2002, prohibits the following:

- Littering
- Use of Glass Bottles
- Parking Vehicles on the Grass or Unauthorized Areas
- Consumption of Alcoholic Beverages and Other Intoxicants
- Unleashed Dogs
- Leashed Dogs in Picnic Areas, Play Areas and Sports Facilities/Fields
- Use of Bikes Off Paved Roadways
- Fires and/or Barbeques – Except in Designated Areas
- Unauthorized Sales or Commercial Activities
- Golf
- Powered Flight Models
- Profanity
- Fighting
- Weapons

Must comply with Revised General Ordinances of the Borough of Roseland Code 2-38 et al

Failure to comply with Ordinances may result in a written summons and/or fines up to \$500.00.

Signature of Officer of Organization _____
Office title _____ Address: _____
City: _____ Telephone # _____

RELEASE AND HOLD HARMLESS AGREEMENT

THIS RELEASE AND HOLD HARMLESS AGREEMENT made as of the
_____ day of _____, 201__ by _____

("Organization"), is made in consideration of the Organization being permitted by the Borough of Roseland ("Borough") to utilize the Borough Facilities, including but not limited to the buildings, structures, parking lots, equipment, and grounds owned or occupies by the Borough ("Facilities").

The undersigned representative of the Organization, hereby releases and discharges, on behalf of the Organization and its members, the Borough and all of its officials, agents, representatives, and employees from all claims, demands, expenses, and liability, whether for personal injury, loss of service or compensation, costs, property damage, or death which may be caused by my use of the Facilities. I agree that my Organization and its members will abide by all Ordinances, and Rules and Regulations of the Borough, whether posted or not.

I accept and assume any and all risks resulting from the use of the Facilities. I agree to indemnify, defend, and hold harmless the Borough and all its officials, agents, representatives and employees, from any and all claims which in any way arise out of or relate to the use of the Facilities, including the full amount of any settlement or judgment, and all costs and counsel fees, whether or not such claims are meritorious.

I agree that I shall never institute any lawsuit or action at law or otherwise against the Borough, nor institute, prosecute or in any way aid in the institution or prosecution of any claim, demand, action, or cause of action for damages, known or unknown, which I shall or may have in the future resulting from use of the Facilities. I further agree to save harmless the parties aforesaid from all loss and expense resulting from any suit or claim.

Release and Hold Harmless Agreement

Page Two Release and Hold Harmless Agreement

INSURANCE COVERAGES TO BE MAINTAINED BY VENDOR

<u>Type of Insurance</u>	<u>Limits</u>
General Liability	
Each Occurrence	\$1,000,000
Personal and Advertising Injury	\$1,000,000
General Aggregate	\$2,000,000
Products-Completed Operations Hazard	\$2,000,000

The policies set forth above shall include a waiver of subrogation as to the Borough Parties.

This coverage will have no deductible, and will name the Borough as an additional insured. Proof of such coverage, including a copy of the policy and/or a valid Certificate of Insurance and paid receipt will present to the Borough, prior to the issuance of the Permit.

Permits issued for Harrison Field and Park area will need to name the Borough of Roseland and the Roseland Board of Education as an additional insured.

Signature of Officer of Organization _____
Office title _____ Address: _____
City: _____ Telephone # _____

AGREEMENT

CONCERNING USE OF BOROUGH OF ROSELAND FACILITIES

In consideration of the issuance of the attached Facilities Permit,

_____ hereby agrees as follows:
(Name of Organization)

1. We agree that our organization and its members will abide by all Ordinances and Rules and Regulations of the Borough, whether posted or not.
2. We will be responsible for our cleanup after use of the facilities. "Facilities" will include but are not limited to the buildings, structures, parking lots, equipment, and grounds owned or occupied by the Borough ("Facilities").
3. We will be responsible for the repair of all damage resulting from our use.
4. We accept and assume any and all risks resulting from our Organization and its members' use of the Facilities. We agree to indemnify, defend and hold harmless the Borough and all its officials, agents, representatives, and employees from any and all claims which, in any way, arise out of or relate to the use of the Facilities, including the full amount of any settlement or judgment and all costs and counsel fees, whether or not such claims are meritorious.
5. We will procure and keep in effect a non-cancelable insurance coverage as per the insurance requirement stated in the "Release and Hold Harmless Agreement"
6. We understand that no refunds will be issued for unused time

Signature of Officer of Organization _____
Office title _____ Address: _____
City: _____ Telephone # _____

Level 1: Events or activities sponsored by Roseland Borough Churches, Commissions, Committees, Organizations and Schools. Also included are the following local Churches, Organizations, and Schools: Calvary Church, First Presbyterian Church, Life Source Church, Mount Saint Dominic Academy, West Essex High School and West Essex Middle School, Local Boy Scouts, Local Girl Scouts, Roseland Board of Ed, Roseland Jr. Woman's Club and VFW

Permit Fee: Free-

Professional Liability Insurance required naming Borough as Additional Insured

Please note: All groups (listed above) must comply with the Borough of Roseland Revised General Ordinance 2-38 et al

Level 2: All other private youth and adult users. This includes for-profit organizations, tournaments, club teams, clinics and / or camps with individual or team participation fees.

Completed Application

Hold Harmless Agreement

Use Facility Agreement

Professional Liability Insurance required

Permit Fee: See below

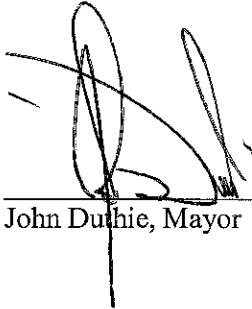
Type of Permit: Level 2	Non-Resident Fee Field Field 2 hr. block Park 4 hr. block Indoor 4 hr. block	Each additional hr.	Additional Off-Season Fee for lining Fields per week*
1 Field - No Lights	\$90.00	N/A	\$125.00
1 Lighted Field	\$115.00	N/A	\$125.00
1 Park - No Field (s)	\$135.00	\$55.00	
1 Park with 1 Field (4 Hours) - No Lights	\$195.00	\$70.00	\$125.00
1 Park with 1 Lighted Field (4 Hours)	\$220.00	\$75.00	\$125.00
1 Park with 2 Fields (4 Hours) - No Lights	\$255.00	\$85.00	\$125.00
1 Park with 2 Lighted Fields (4 Hours)	\$305.00	\$90.00	\$125.00

Please note: All groups (listed above) must comply with the Borough of Roseland Revised General Ordinance 2-38 et al

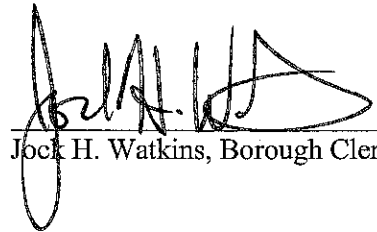
***Week is defined as Monday to Sunday.**

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi		X	X				
Councilman Jacobs			X				
Councilman Leonard			X				
Councilman Smith	X		X				
Council President Tolli			X				
Councilman Tsilionis			X				
Mayor Duthie (In case of tie)							
			6	0			

I do hereby certify that the forgoing is a true and exact copy of a Resolution adopted by the Mayor and Borough Council of the Borough of Roseland on February 20, 2018.



John Duthie, Mayor



Jock H. Watkins, Borough Clerk