

ORDINANCE NO. 02-2023

**BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY**

AN ORDINANCE CREATING A NEW CHAPTER 12 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROSELAND ENTITLED "CHILDREN'S FUND", AUTHORIZING THE CREATION OF A CHILDREN'S FUND AND ESTABLISHING ADMINISTRATIVE AND PROCEDURAL GUIDELINES FOR THE OPERATION AND MANAGEMENT OF SAID FUND

WHEREAS, the Borough of Roseland wishes to create a Children's Fund was to assist children of Roseland families in need as a result of illness, unemployment, calamity, or death or divorce within their family unit; and

WHEREAS, the Children's Fund will allow children to benefit from stability while their family is overcoming adversity; and

WHEREAS, the Children's Fund will aid children who are at risk and private Children's Fund contributions assist families in providing for a healthy and safe environment and positive socialization with peers by subsidizing recreational programs, school functions, public pool memberships, meal assistance, holiday assistance, medical care and like uses; and

WHEREAS, the Children's Fund will be established as a Trust Fund through the Dedication by Rider function authorized pursuant to N.J.S.A. 40A:4-49 thereby establishing the legal and fiscal foundation to achieve the purpose of the Children Fund; and

WHEREAS, food gift certificates, holiday assistance, school physicals, immunizations, school lunches, and eyeglasses are also examples of assistance which has been provided to children of Roseland; and

WHEREAS, the Children's Fund will be supported solely through private donations; and

WHEREAS, the Borough Council of the Borough of Roseland desires to formally establish and codify the Children's Fund.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Roseland, County of Essex, State of New Jersey, as follows:

SECTION I

There is hereby established a new Chapter 12 entitled "Children's Fund" of the Code of the Borough of Roseland to read as follows:

CHAPTER 12 CHILDREN'S FUND.

§ 12-1- Establishment

There is hereby established an account in the General Trust Fund which shall be funded through a Dedication by Rider designated as the "Roseland Children's Fund" (hereinafter referred to as the "Children's Fund"). Private donations shall be considered the funds from which the Children's Fund may, as directed by the Fund Coordinator with approval from the Fund Committee, be utilized exclusively for the following purposes list in § 12-2.

§ 12-2 - Purpose

The purpose of the Children's Fund shall be to assist children of Roseland families in need of support as a result of serious illness, unemployment, homelessness, domestic violence, death or divorce. The Children's Fund shall allow children to benefit from stability while their parents, legal guardians or guardians as appropriate are overcoming adversity. The Children's Fund may also be used to support seriously injured or ill children whose family is in financial distress because of a child's medical condition. The Children's Fund shall aid children who are at risk due to their family situation. It shall provide for a healthy and safe environment and positive socialization with peers by subsidizing recreational programs, school functions, public pool memberships, meal assistance, holiday assistance, medical care and like uses.

§ 12-3 - Purpose

The Children's Fund shall be funded entirely through private donations. The Children's Fund shall also be permitted to accept testamentary bequests, any other non-monetary donations, and such supplementary funding as the Fund Committee may, in their sole discretion, to authorize and appropriate-subject to oversight by the Chief Financial Officer and to be audited by the Borough Auditor. Non-monetary donations shall be received, inventoried and disbursed in accordance with the policies set by the Fund Committee pursuant to this Chapter. Any and all interest accruing with respect to the Children's Fund shall be credited to the Children's Fund.

§ 12-4 - Fund Coordinator

The Children's Fund Coordinator shall be the Borough Administrator. The Fund Coordinator shall file, catalogue, and distribute all requests for assistance to other Fund Committee members. Private donations shall be processed through the Finance Department.

§ 12-5 - Appointment; Qualifications; Duties.

There is hereby established a Children's Fund Committee which shall consist of the following five

(5) members:

Mayor
Council Liaison to Finance and Administration
Borough Administrator
Two (2) Resident Members

The two (2) resident members shall be appointed by the mayor, and shall serve at the pleasure of the appointing authority, both of whom shall be residents of the Borough.

The Fund Committee shall be responsible for the development of policies and procedures for the collection, inventory and disbursement of funds and donations received by the Children's Fund. No funds shall be disbursed without a recorded vote of the majority of the Fund Committee.

No member of the Fund Committee shall be permitted to act on any matter in which the member has, either directly, indirectly or remotely, any personal or financial interest, and she/he shall adhere to and abide by the provisions of the Local Government Ethics Law of the State of New Jersey, P.L. 1991, c. 29 (N.J.S.A. 40A:9-22.5). Whenever any such member shall disqualify himself or herself from acting on a particular matter, he or she shall not continue to sit with the Fund Committee on hearing any such matter nor participate in any discussion or decisions relating thereto.

The Fund Committee shall issue a quarterly report to the Borough Council as to the amount and number of donations received and the amount and number of donations made to those in need from donated funds. The identity of all recipients shall remain confidential unless required by law for such identities to be disclosed. The personal, familial, and financial circumstances shall, at all times, remain under sealed file and may only be released upon approval of the Borough Manager with written advice issued by the Borough Attorney.

The Fund Committee shall develop a priority system to determine how donated funds are to be distributed, recognizing that many cases may be worthy of consideration and the timing of circumstances may impact disbursement of funds.

§ 12-6 – Term of Office.

The term of office for the resident members of the committee shall be for one (1) year and will expire at the end of the calendar year or until the appointment and qualification of their successors.

§ 12-7 – Compensation.

The members of the Committee shall receive no compensation for their services.

SECTION II

If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION III

This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

DATE OF INTRODUCTION: January 17, 2023

Motion to Introduce by: Councilman Trillo

Motion Seconded by: Councilman Bardi

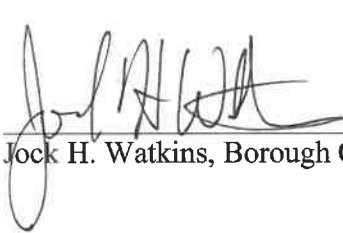
Introduction Approved: 6-0 Voice Vote

DATE OF ADOPTION: February 21, 2023

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi			X				
Councilwoman Fishman		X	X				
Councilman Freda							X
Councilwoman Perrotti			X				
Councilwoman Tolli			X				
Council President Trillo	X		X				
Mayor Spango (In case of tie)							
VOTE:			5	0			

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the 21st day of February, 2023.


James R. Spango, Mayor


Jock H. Watkins, Borough Clerk

Date of Publication: March 2, 2023, The Progress