

ORDINANCE NO. 27-2020

BOROUGH OF ROSELAND  
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE APPROPRIATING \$76,000 FROM THE CAPITAL  
IMPROVEMENT FUND FOR THE ACQUISITION OF  
EQUIPMENT IN AND BY THE BOROUGH OF ROSELAND, IN  
THE COUNTY OF ESSEX, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF  
ROSELAND, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

Section 1. \$76,000 is hereby appropriated from the Capital Improvement Fund of the Borough of Roseland, in the County of Essex, New Jersey (the "Borough"), for the acquisition of equipment, including a washer/extractor for the Fire Department, turnout gear for the Fire Department and copy machines for all departments and further including all related costs and expenditures incidental thereto.

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

DATE OF INTRODUCTION: October 20, 2020

Motion to Introduce by: Councilwoman Perrotti

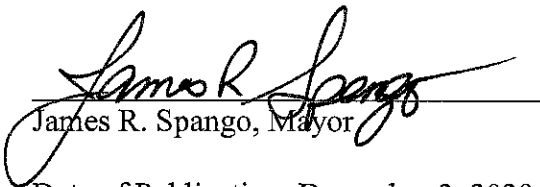
Motion Seconded by: Councilman Freda

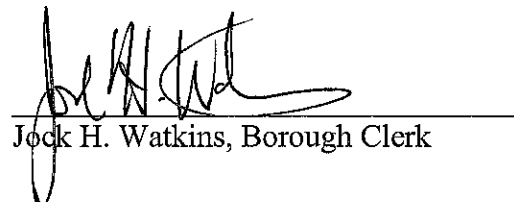
Introduction Approved: 6-0 Voice Vote

DATE OF ADOPTION: November 24, 2020

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Council President Bardi	X		X				
Councilwoman Fishman			X				
Councilman Freda		X	X				
Councilwoman Perrotti			X				
Councilwoman Tolli			X				
Councilman Trillo			X				
Mayor Spango (In case of tie)							
VOTE:			6	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 24<sup>th</sup> day of November, 2020.

  
James R. Spango, Mayor

  
Jock H. Watkins, Borough Clerk

Date of Publication: December 3, 2020, The Progress

## CLERK'S CERTIFICATE

I, Jock Watkins, Clerk of the Borough of Roseland, in the County of Essex, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Borough of Roseland, in the County of Essex, State of New Jersey (herein called the "Borough"). In this capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Borough and the records relative to all ordinances and resolutions of the Borough. The representations made herein are based upon the records of the Borough.

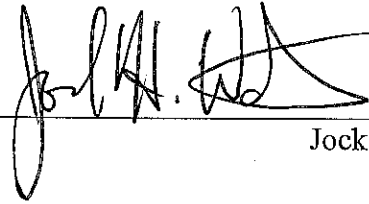
2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Borough on first reading on October 20, 2020 and finally adopted by the governing body on November 24, 2020 and, where necessary, approved by the Mayor on November 24, 2020, 2020.

3. On October 29, 2020, a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the Borough at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them.

4. A certified copy of this ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the ordinance, a copy of which is attached hereto, was duly published on December 3, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the Borough this 9<sup>th</sup> day of December, 2020.

A handwritten signature in black ink, appearing to read "J.H. Watkins", written over a horizontal line.

Jock H. Watkins, Clerk

[SEAL]

A faint, circular embossed seal is visible on the left side of the page, below the signature line. It contains illegible text and a central emblem.

EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Roseland, in the County of Essex, New Jersey held via Zoom conference call in the Borough on October 20, 2020 at 6:30 o'clock p.m.

PRESENT: James R. Spango, Mayor

Christopher Bardi, Council President

Eileen Fishman, Councilwoman

Roger Freda, Councilman

Jean Perrotti, Councilwoman

Michele Tolli, Councilwoman

Marcelino Trillo, Councilman

ABSENT: None

[Attach appropriate minutes hereto]

There being no one else wishing to be heard, Councilman Bardi made a motion to close public comment. The motion was seconded by Councilwoman Perrotti and approved by a 6-0 voice vote.

### **INTRODUCTION OF ORDINANCES**

Councilwoman Fishman made a motion to introduce Ordinance No. 23-2020: "An Ordinance Amending and Supplementing Chapter 20 of the Revised General Ordinances of the Borough of Roseland entitled "Soil and Soil Moving". The motion was seconded by Councilman Trillo and approved by a 6-0 voice vote. The public hearing will be held on November 24, 2020 via teleconference.

Councilman Bardi made a motion to introduce Ordinance No. 24-2020: "An Ordinance of the Borough of Roseland Amending and Supplementing Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration", and Chapter 21 entitled "Shade Trees"". The motion was seconded by Councilwoman Fishman and approved by a 6-0 voice vote. The public hearing will be held on November 24, 2020 via teleconference.

Councilwoman Fishman made a motion to introduce Ordinance No. 25-2020: "An Ordinance of the Borough of Roseland Amending and Supplementing Chapter 30 of the Land Development Ordinances of the Borough of Roseland". The motion was seconded by Councilwoman Perrotti and approved by a 6-0 voice vote. Ordinance No. 25-2020 will be referred to the Planning Board to ensure that the amendments proposed therein are not inconsistent with the Master Plan. The public hearing will be held on December 15, 2020 via teleconference.

Ordinance No. 26-2020 was tabled until the November 5, 2020 Caucus meeting.

Councilwoman Perrotti made a motion to introduce Ordinance No. 27-2020 "An Ordinance of the Borough of Roseland Appropriating \$76,000 from the Capital Improvement Fund for the Acquisition of Equipment in and by the Borough of Roseland, in the County of Essex, New Jersey". The motion was seconded by Councilman Freda and approved by a 6-0 voice vote. The public hearing will be held on November 24, 2020 via teleconference.

Councilman Bardi made a motion to introduce Ordinance No. 28-2020 "An Ordinance of the Borough of Roseland providing for various building improvements in and by the Borough of Roseland, in the County of Essex, New Jersey, Appropriating \$145,000.00 Bonds or Notes of the Borough to Finance Part of the Cost Thereof". The motion was seconded by Councilwoman Fishman and approved by a 6-0 voice vote. The public hearing will be held on November 24, 2020 via teleconference.

### **PUBLIC HEARING/ADOPTION OF ORDINANCES**

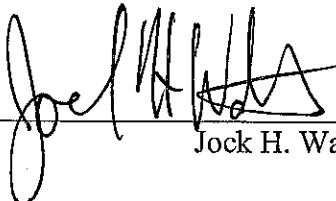
Clerk Watkins read Ordinance No. 21-2020 by title only for the second time: "An Ordinance Amending and Supplementing Chapter 30 Land Development to provide a Downtown Business District Overlay Zone". Councilman Freda made a motion to open the

## CERTIFICATE

I, Jock H. Watkins, Clerk of the Borough of Roseland, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Borough duly called and held on October 20, 2020 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 9<sup>th</sup> day of December, 2020.


(SEAL)

  
Jock H. Watkins, Clerk

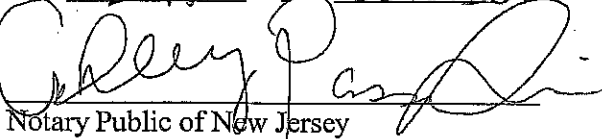
PROOF OF PUBLICATION AFFIDAVIT

Date: October 29, 2020

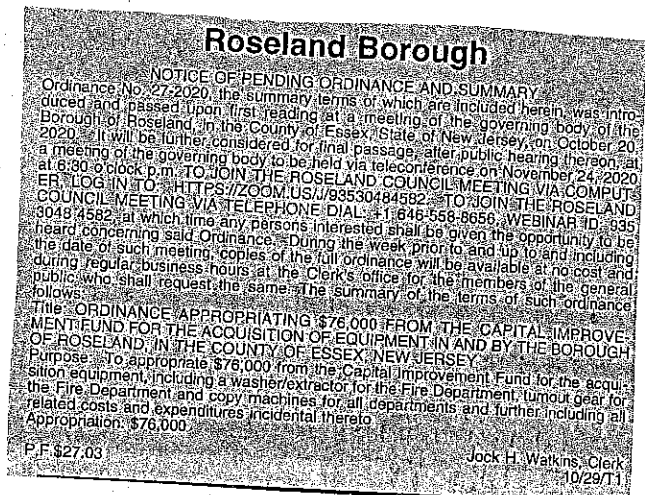
As the duly appointed  
Municipal Clerk for the  
Borough of Roseland,  
in the County of  
Essex, State of New Jersey,  
I, Jock H. Watkins,  
hereby certify that a  
Public Notice, of which a  
copy is attached hereto,  
was published in the  
Progress newspaper,  
in the October 29, 2020  
Issue of said newspaper.

  
Jock H. Watkins, Municipal Clerk

Sworn and subscribed before me  
This 29th day of OCTOBER

  
Notary Public of New Jersey

ASHLEY PASSAFIUME  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 12/22/2021





EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Roseland, in the County of Essex, New Jersey held via Zoom conference call in the Borough on November 24, 2020 at 6:30 o'clock p.m.

PRESENT: James R. Spango, Mayor

Christopher Bardi, Council President

Eileen Fishman, Councilwoman

Roger Freda, Councilman

Jean Perrotti, Councilwoman

Michele Tolli, Councilwoman

Marcelino Trillo, Councilman

ABSENT: None

[Attach appropriate minutes hereto]

There being no one wishing to be heard, Councilman Trillo made a motion to close the public hearing. The motion was seconded by Councilwoman Perrotti and approved by a 6-0 voice vote.

Clerk Watkins read Ordinance No. 24-2020 for the third and final time: "An ordinance of the Borough of Roseland amending and supplementing Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration" and Chapter 21 entitled "Shade Trees"". Councilwoman Fishman made a motion to adopt Ordinance No. 24-2020. The motion was seconded by Councilman Trillo and approved by a 6-0 roll call vote.

Clerk Watkins read Ordinance No. 26-2020 by title only for the second time: "An ordinance of the Borough of Roseland amending the effective date of certain provisions of Ordinance No. 16-2020 entitled "An ordinance amending and supplementing Chapter 17 of the Revised General Ordinances of the Borough of Roseland entitled "Water and Sewer"". Councilwoman Fishman made a motion to open the public hearing on Ordinance No. 26-2020. The motion was seconded by Councilman Bardi and approved by a 6-0 voice vote.

Public Comment

None

There being no one wishing to be heard, Councilwoman Fishman made a motion to close the public hearing. The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

Clerk Watkins read Ordinance No. 26-2020 for the third and final time: "An ordinance of the Borough of Roseland amending the effective date of certain provisions of Ordinance No. 16-2020 entitled "An ordinance amending and supplementing Chapter 17 of the Revised General Ordinances of the Borough of Roseland entitled "Water and Sewer"". Councilwoman Perrotti made a motion to adopt Ordinance No. 26-2020. The motion was seconded by Councilman Freda and approved by a 6-0 roll call vote.

Clerk Watkins read Ordinance No. 27-2020 by title only for the second time: "An ordinance of the Borough of Roseland appropriating \$76,000 from the Capital Improvement Fund for the acquisition of equipment in and by the Borough of Roseland, in the County of Essex, New Jersey". Councilwoman Fishman made a motion to open the public hearing on Ordinance No. 27-2020. The motion was seconded by Councilman Freda and approved by a 6-0 voice vote.

Public Comment

None

There being no one wishing to be heard, Councilwoman Fishman made a motion to close the public hearing. The motion was seconded by Councilman Trillo and approved by a 6-0 voice vote.

Clerk Watkins read Ordinance No. 27-2020 for the third and final time: "An ordinance of the Borough of Roseland appropriating \$76,000 from the Capital Improvement Fund for the acquisition of equipment in and by the Borough of Roseland, in the County of Essex, New Jersey". Councilman Bardi made a motion to adopt Ordinance No. 27-2020. The motion was seconded by Councilman Freda and approved by a 6-0 roll call vote.

Clerk Watkins read Ordinance No. 28-2020 by title only for the second time: "An ordinance of the Borough of Roseland providing for various building improvements in and by the Borough of Roseland, in the County of Essex, New Jersey, appropriating \$145,000.00 therefor and authorizing the issuance of \$124,000.00 bonds or notes of the Borough to finance part of the cost thereof." Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 28-2020. The motion was seconded by Councilwoman Fishman and approved by a 6-0 voice vote.

#### Public Comment

None

There being no one wishing to be heard, Councilwoman Fishman made a motion to close the public hearing. The motion was seconded by Councilman Freda and approved by a 6-0 voice vote.

Clerk Watkins read Ordinance No. 28-2020 for the third and final time: "An ordinance of the Borough of Roseland providing for various building improvements in and by the Borough of Roseland, in the County of Essex, New Jersey, appropriating \$145,000.00 therefor and authorizing the issuance of \$124,000.00 bonds or notes of the Borough to finance part of the cost thereof.". Councilwoman Tolli made a motion to adopt Ordinance No. 28-2020. The motion was seconded by Councilman Trillo and approved by a 6-0 roll call vote.

#### APPROVAL OF BILLS

Councilman Bardi made a motion to approve Resolution No. 332-2020 approving the October 16, 2020 bill list November 20, 2020 Bill List in the amount of \$184,182.09. The motion was seconded by Councilman Trillo and approved by a 6-0 voice vote.

#### ADOPTION OF RESOLUTIONS

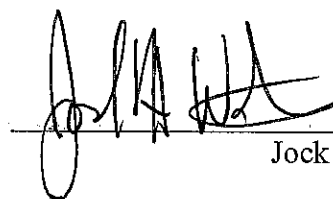
Councilwoman Tolli made a motion to approve Resolution No. 333-2020 authorizing the Mayor to sign a twelve-month contract with Valley Physician Service for employee alcohol and drug testing services. The motion was seconded by Councilwoman Fishman and approved by a 6-0 voice vote.

Resolution No. 334-2020 was withdrawn.

# CERTIFICATE

I, Jock H. Watkins, Clerk of the Borough of Roseland, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Borough duly called and held on November 24, 2020 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 9<sup>th</sup> day of December, 2020.



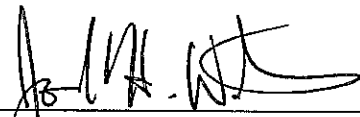
Jock H. Watkins, Clerk

(SEAL)

PROOF OF PUBLICATION AFFIDAVIT


Date: December 3, 2020

As the duly appointed  
Municipal Clerk for the  
Borough of Roseland,  
in the County of  
Essex, State of New Jersey,  
I, Jock H. Watkins,  
hereby certify that a  
Public Notice, of which a  
copy is attached hereto,  
was published in the  
Progress newspaper,  
in the December 3, 2020  
Issue of said newspaper.

  
Jock H. Watkins, Municipal Clerk

Sworn and subscribed before me

This 3RD day of December

  
Notary Public of New Jersey

ASHLEY PASSAFIUME  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 12/22/2020

**Roseland Borough**

**ORDINANCE STATEMENT AND SUMMARY**

Capital Improvement Ordinance No. 27-2020, the summary terms of which are included herein, has been finally adopted by the Borough of Roseland, in the County of Essex, State of New Jersey on November 24, 2020. Copies of the full ordinance will be available for review on the Borough website at [www.roselandnj.org](http://www.roselandnj.org) or by email request sent to Borough Clerk Jock Watkins at [jwatkins@roselandnj.org](mailto:jwatkins@roselandnj.org). The summary of the terms of such ordinance follows:

**Title:** ORDINANCE APPROPRIATING \$76,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF EQUIPMENT IN AND BY THE BOROUGH OF ROSELAND, IN THE COUNTY OF ESSEX, NEW JERSEY

**Purpose:** Purpose: To appropriate \$76,000 from the Capital Improvement Fund for the acquisition equipment, including a washer/extractor for the Fire Department, turn-out gear for the Fire Department and copy machines for all departments and further including all related costs and expenditures incidental thereto.

**Appropriation:** \$76,000

75 Livingston Avenue, Roseland, NJ 07068 (973) 622-1800 Jock Watkins, Clerk

October 16, 2020

Maureen Chumacas  
Chief Financial Officer  
Borough of Roseland  
140 Eagle Rock Avenue  
Roseland, New Jersey 07068

**Re: \$75,000 Fully Funded Ordinance**

Dear Maureen:

In accordance with your request, I have prepared and enclose herewith a form of ordinance appropriating moneys from the Capital Improvement Fund. The ordinance should be adopted in accordance with the procedure set forth below for your convenience:

In order to comply with the capital budget regulations, the ordinance contains a provision amending the capital budget to the extent of any inconsistency with the ordinance and it should be sent to Trenton and filed along with the resolution of the governing body in the form required by the Local Finance Board showing the details of the amended capital budget. It will not be necessary to publish the resolution.

The ordinance may be introduced and read by title only and adopted by a majority of the members of the governing body present, assuming a quorum. After introduction, the Notice of Pending Ordinance and Summary must be published in the local newspaper, a form of which I have enclosed for your use. Also, the ordinance should be posted on the bulletin board customarily used for notices, together with the Notice of Pending Ordinance and Summary, and copies of the ordinance should be made available to anyone who requests them of the Clerk after introduction.

The ordinance can be considered for final adoption not less than ten days after introduction and not less than seven days after the first publication of the ordinance together with the Notice of Pending Ordinance and Summary. If the ordinance has been posted and copies made available as indicated above, the ordinance can be read at the second hearing by title only. If the ordinance posting procedure has not been followed, the ordinance must be read in full at the second hearing. After the ordinance is read for the second time, the governing body should hold a public hearing and should give all members of the public a chance to be heard on the ordinance and to ask pertinent questions. After the public hearing, the ordinance can be finally adopted as required by applicable law. After final adoption, the Ordinance Statement and Summary must be published, a copy of which I have enclosed for your use. Note that if the approval of an officer is required to make the ordinance effective, the ordinance must be approved by that officer, or passed over veto, before it is published after final adoption.

McManimon, Scotland & Baumann, LLC  
Newark, Roseland, Trenton, New York

After the ordinance is finally adopted, it will be necessary for us to establish a record of proceedings documenting its proper adoption. In order to do this, we will need one completely executed set of the documents enumerated on the attached checklist. By copy of this letter, I am sending the Clerk a copy of the checklist along with a copy of the ordinance. With the exception of the Affidavits of Publication, I am also sending the Clerk the necessary certificates to be completed, executed and returned to us along with the necessary attachments to provide us with this documentation.

If you or the Clerk have any questions about the form of the ordinance, the adoption procedure or the form of the certificates, please call me. Thank you for this opportunity to have been of assistance.

Very truly yours,

Matthew D. Jessup  
Matthew D. Jessup  
Enclosures  
cc: Jock Watkins, Clerk, w/encl.  
Joni Noble McDonnell, Esq., w/encl.  
Frances McEnerney, C.P.A., w/encl.

P.F. \$81.09

12/03/21

