

**ORDINANCE NO. 35-2021**

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2  
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH  
OF ROSELAND ENTITLED "ADMINISTRATION" ADDING NEW  
SECTION 2-71 ENTITLED "COMMUNICATIONS POLICY"**

**WHEREAS**, the Mayor and Council of the Borough of Roseland wish to amend Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration" to establish policies and procedures for all municipal communication channels and methods that are intended to be seen by residents and the general public; and

**WHEREAS**, these policies and procedures shall include but not be limited to, Roseland's Public, Educational and Government (PEG) television station, television station Bulletin Board, social media channels, the Borough website, the Borough newsletter, Borough calendars – printed and digital, and other printed communications;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Roseland hereby amend Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration" as follows:

**SECTION I**

A new Section 2-71 entitled "Communications Policy" shall be added as follows:

**2-71 COMMUNICATIONS POLICY.**

**2-71.1 Policy Statement.**

The following shall be the policies and procedures of the Borough of Roseland for all communication channels and methods that are intended to be seen by residents and the general public. This includes, but is not limited to, Roseland's PEG television station, television station Bulletin Board, social media channels, the Borough website, the Borough newsletter, Borough calendars – printed and digital, and other printed communications.

Programming on the Borough of Roseland's communication outlets shall fall under the jurisdiction of the Public Information Officer at the direction of the Borough Administrator, Borough Council & Mayor.

**2-71.2 Objectives.**

The objectives of this section are to:

- a. Provide unedited content of Borough meetings and other municipal public meetings, as designated, for public consumption.

- b. Provide comprehensive information about events, programs and services offered to Roseland residents by municipal departments and by non-profit organizations in the community.
- c. Provide information pertinent to Roseland residents from other local, state, and federal governmental entities.
- d. Widen the dissemination of information on the activities of the municipal government advisory bodies of the Borough.
- e. Provide emergency communications in the event of disaster or widespread service disruption.
- f. Provide and distribute programming and notices of interest to the residents, which will inform and educate, as well as encourage participation in government services, activities and decision making.

### **2-71.3 Television Channel Operation.**

The PEG television channel shall operate on all cable service providers offering service in the Borough pursuant to a franchise authorized pursuant to the provisions of the State Cable Television Act.

The television channel shall operate in accordance with applicable provisions of the State Cable Television Act [1] and the Federal Telecommunications Act. The relationship between the municipality and the school district relating to the operation of the channel shall be in accordance with any shared services agreement in effect.

[1]: *Editor's Note: See NJ.SA. 48:5A-1 et seq.*

### **2-71.4 Types of Allowed Content.**

The types of allowed content shall be as follows:

- a. Live broadcasting: Live coverage of designated meetings and events.
- b. Previously Live Programs: Past meetings, shows and events that were broadcast live but also recorded for rebroadcast at a later time.
- c. Staff-originated programming and messages: Approved programming produced by the municipality, to include programs for local departments, issues related to municipal government or about groups, committees, boards, etc., that are affiliated with government and non-profits involved in the community.
- d. Outside-originated programming and messages: Approved programming that is related to government or the Borough that is produced by an outside source. This programming may be submitted, donated, purchased, rented or borrowed. Important information from the local and regional school system, Essex County

government, State of New Jersey, and the federal government shall also be permissible to share through all Borough communication channels. Non-profit organizations based in Roseland may also submit appropriate programs to be seen by the community.

- e. Emergency broadcasts and messages, as needed
- f. Borough promotional announcements: events, programs and activities hosted by the Borough.
  - 1. Promotional announcements for events by Roseland based non-profit organizations or by non-Roseland based non-profit organizations shall only be permitted when an event is being held within the Borough or if it will bring a specific benefit to the Borough.
  - 2. Any non-profit organization wishing to promote a promotional event announcement through the Borough's communications channels must fill out a specified form to be reviewed and approved. These entities will only be allowed to share said event information on the Borough television station, the online and printed Borough events calendar, and the Borough newsletter.
- g. Local Business Spotlight: A local business may be spotlighted only if all of the following circumstances are adhered to:
  - 1. The business must have had a newsworthy event occur, i.e., a ribbon cutting ceremony, a grand reopening, recognition of new ownership, acquired an award or distinction.
  - 2. The mayor or a member of the Borough Council attended the event.
  - 3. The publication of said content was approved by the Mayor or Borough Administrator.
  - 4. The content of the spotlight focuses on the newsworthy event alone, and not give any appearance of an endorsement or overly favorable treatment.

## **2-71.5 Types of Prohibited Content.**

Content that is posted by the Borough, content submitted by residents, or public comments posted on Borough social media that contains any of the following inappropriate forms of content shall not be permitted and are subject to immediate removal and/or restriction by the Public Information Officer and/or the Borough Administrator and/or the Borough Clerk and/or the Police Department and/or his/her designees.

- a. Profane, obscene, violent, or pornographic content and/or language, or sexually suggestive or explicit content links to such materials. Any image or link containing minors or suspected minors in sexual and/or provocative situations will be reported to law enforcement;
- b. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin, marital status, status with regard to public assistance, physical or mental disability or sexual orientation;
- c. Defamatory attacks;

- d. Threats to any person or organization;
- e. Solicitation of commerce, or content that could give the appearance of an endorsement of a business, including but not limited to advertising of any private business or product for sale;
- f. Conduct in violation of any federal, state or local law;
- g. Encouragement of illegal activity or illegal activity;
- h. Information that may tend to compromise the safety or security of the public or public systems;
- i. Content that violates a legal ownership interest, such as a copyright, of any party the Borough does not permit or allow copyright infringing activities and/or infringement of intellectual property rights on its website or social media sites and will remove any and all content and submissions if properly notified that such content and/or submission infringes on another's intellectual property rights;
- j. Spamming or repetitive content;
- k. Comments from children under 13 cannot be posted in order to comply with the Children's Online Privacy Protection Act. By posting on a Borough media site, users acknowledge that they are at least 13 years old. Parents are responsible for any minor child's posting or comments;
- l. Content that incites violence;
- m. Comments containing vulgar, offensive, threatening, or harassing language, personal attacks, or unsupported accusations; and,
- n. Persons posting prohibited content are subject to being barred from posting comments on Borough social media.
- o. No political messages, videos, or photos, except for messages regarding notifying the public about election deadlines, changes, or about Election Day itself.

#### **2-71.6 Posting & Retention Policy.**

- a. All internal requests for public communications shall be sent to the Public Information Officer with the applicable information and media to be shared, along with proof of the approval to proceed from *either* the Borough Administrator, the Borough Council, the Mayor, or Mayor's designee.
- b. All outside requests to share content, from residents, non-profits, local organizations, and other governmental entities shall be submitted via a written and/or digital form that shall be reviewed by the Borough Administrator and Public Information Officer to ensure the content is appropriate and conforms to the necessary Borough guidelines.
- c. All state OPRA guidelines should be followed, including but not limited to:
  - 1. Keeping a record of all Bulletin Board slides posted in the last year.
  - 2. Keeping a record of all posting requests sent in over the last year.
  - 3. Keeping a record of the PEG television channel program schedule over the last year.
  - 4. Backing up of social media postings made by the Borough and of comments made by the public.

- d. The channel is not to be utilized for announcements from the general public. Access to the channel shall be limited to municipal; governmental or quasi-governmental functions and operations. Utilization of the channel for personal gain is not permitted.
  - 1. An exception to this rule shall only be allowed if formally authorized by the governing body by resolution and provided to the Borough Administrator and Public Information Officer. The purpose for allowing general announcements from the public must be constrained to a community cause or a specific purpose and shall include a sunset provision.
- e. The Borough shall keep messaging consistent on all platforms in order to establish a uniform message and image to the public. Small deviations shall be allowed where appropriate depending on the medium, for example posting more photos on a photo-centric social media platform or more business news and updates on a professional and business-centric social media platform.
- f. Information dissemination throughout all platforms shall always be in good taste in terms of frequency and variety. This shall be enforced by the Public Information Officer with consultation with the Borough Administrator and Mayor.

#### **2-71.7 Message Dissemination Priority.**

The following is a general list of message dissemination priorities. The priorities may be altered on a case-by-case basis by the Borough Administrator and the Public Information Officer.

- a. Emergency communication by the mayor or his/her designee, the Police Department, or the Roseland Office of Emergency Management takes priority over all other communications.
- b. Programming and messages related to public events, weather events, and other occurrences that are due to occur in the next 24 hours.
- c. Programming of or about meetings of policy making bodies such as the Borough Council.
- d. Programming of various Borough departments and their services.
- e. Programming of county, state, federal government and/or Borough boards, commissions and authorities and/or agencies that use public dollars.
- f. Other local events and messages from the public, non-profit organizations, and Roseland organizations.

## **SECTION II**

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so

declared invalid shall be inseparable from the remainder or any portion thereof.

### SECTION III

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

### SECTION IV

This ordinance shall take effect in accordance with applicable law.

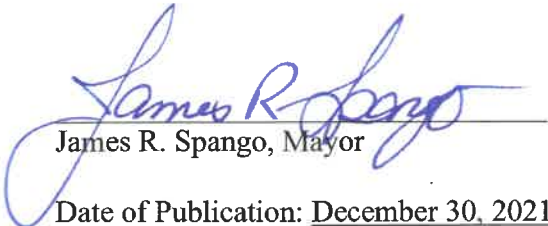
DATE OF INTRODUCTION: November 23, 2021

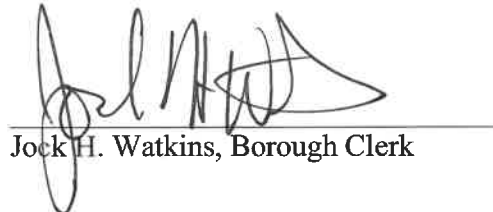
Motion to Introduce by: Councilwoman Tolli  
Motion Seconded by: Councilman Trillo  
Introduction Approved: 5-0 Voice Vote (Fishman absent)

DATE OF ADOPTION: December 21, 2021

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi	X		X				
Councilwoman Fishman			X				
Councilman Freda			X				
Councilwoman Perrotti			X				
Councilwoman Tolli			X				
Councilman Trillo		X	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 21<sup>st</sup> day of December, 2021.

  
James R. Spango, Mayor

  
Jock H. Watkins, Borough Clerk

Date of Publication: December 30, 2021, The Progress