

BOROUGH OF DUNELLEN
ORDINANCE 2024-01

The following ordinance was Introduced for first reading on January 16, 2024. A second reading, public hearing and adoption is being held at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey, on February 5, 2024, and copies of this Ordinance have been posted on the public bulletin board prior to the date for second reading and final passage and copies of this Ordinance have been available at the Office of the Borough Clerk for any interested members of the public.

**AN ORDINANCE OF THE BOROUGH OF DUNELLEN, NEW JERSEY,
REPEALING AND REPLACING CHAPTER THREE OF THE DUNELLEN
MUNICIPAL CODE TO ABOLISH THE DUNELLEN ARTS AND CULTURE
COMMISSION AND CREATE THE DUNELLEN ARTS, INCLUSION AND
CULTURE COMMISSION, DEFINING THE DUTIES AND FUNCTIONS OF
THE COMMISSION, ESTABLISHING THE METHOD OF APPOINTMENT OF
MEMBERS TO THE COMMISSION AND PROVIDING FOR OPERATING
PROCEDURES.**

WHEREAS, the Dunellen Borough Mayor and Council finds that, in order to enhance the quality of life available to the members of the Dunellen Community, the borough should provide and encourage the formation of public programs which will afford greater opportunities to experience and enjoy the fine and performing arts and cultural experiences locally, as well as promote a positive environment, social and cultural harmony & belonging among Borough residents by celebrating Dunellen’s diverse community; and

WHEREAS, the Borough Mayor and Council has determined that the Dunellen Arts, Inclusion and Culture Commission should be formed to pursue this objective.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF DUNELLEN, AS FOLLOWS:

Chapter 3 entitled Arts and Culture Commission shall be repealed and replaced and a new Chapter 3 entitled “Dunellen Arts, Inclusion and Culture Commission” is hereby added to the Dunellen Municipal Code to read as follows:

Section 1. Commission Established – Membership.

- A. The Dunellen Arts, Inclusion and Culture Commission, consisting of nine members appointed by the mayor, is hereby established. The term of office shall be three years and until a successor is appointed and confirmed, provided that three of the initial nine members of the Commission shall serve for two years until their successors are appointed and confirmed, and three others of the initial nine members serve for one

year until their successors are appointed and confirmed, in order to achieve staggered terms of office. All subsequent appointments shall be for three years, or for the duration of an unexpired term in the case of an appointment to a vacancy. In addition, there shall be two alternate members, Alternate Member I and Alternate Member II, who during the absence of a member(s), shall vote in place of said absent members. Alternate Member I shall be called upon for voting purposes prior to Alternate Member II in matters of a singular absence. The term of the alternate members shall be three years and until a successor is appointed and confirmed, provided that one of the initial alternate members of the commission shall serve for two years until their successors are appointed and confirmed in order to achieve staggered terms.

B. Commission members shall be appointed upon the basis of demonstrated interest in, and knowledge and support of the arts, culture, diversity, inclusion and Dunellen's historical value. Members shall serve without salary or other compensation, provided that members shall be reimbursed for necessary expenses actually incurred. All commissioners shall reside, work, be affiliated with local civic organization, or own a business or property within the Borough at the time of appointment and throughout their terms of office.

Section 2. Rules of Procedures. The Commission shall adopt procedural rules governing the transaction of its business. The Rules shall include provision for the date, time and place of regular meetings of the Commission. Provisions shall be made for maintaining minutes of Commission meetings and records of all Commission reports, conclusions and recommendations. The Rules of Procedures shall provide for election of Commission Officers, which shall include a Chairperson, Vice Chairperson, and Secretary, who shall serve for at least one year. The Rules of the Commission shall provide that all Commission meetings shall be open to the public and that notice of meetings shall comply with the New Jersey Open Public Meetings Act, to the extent proceedings of the Commission are governed by such Act. The procedures shall address receipt and processing of citizen proposals and requests.

Section 3. Authority of Commission. The Dunellen Arts, Inclusion, and Culture Commission is empowered to undertake the following initiatives on behalf of the Borough of Dunellen:

A. Organize, facilitate, sponsor, or collaborate on public programs aimed at advancing the growth and public understanding of fine, visual, and performing arts, as well as cultural experiences in Dunellen. Additionally, the commission is tasked with fostering a positive environment, social and cultural harmony, and a sense of belonging among Borough residents and visitors. This includes celebrating Dunellen's diverse

culture and promoting goodwill, cooperation, and unity among the multicultural members of the Dunellen community.

B. To provide recommendations to the Mayor and Borough Council for possible borough sponsored cultural, inclusive, belonging, historical and artistic endeavors and projects and to act as a representative to the community in such matters;

C. To encourage donations, grants and other support to further expand the arts, culture, diversity, inclusion and historical services and programs available to citizens of Dunellen and members of the Dunellen community;

D. To take such other actions as the Borough Mayor and Council may direct from time to time.

Section 4. Meeting and Staff Services.

A. The Dunellen Arts, Inclusion and Culture Commission shall meet regularly at least once per month at a date, time and place to be established by the Commission. Commission meetings shall be open to the public and written meeting minutes shall be maintained and made available to the public upon approval of the minutes by the Commission.

B. The Borough Administrator shall be responsible for providing administrative and staff services for the Commission.

C. The Commission shall make a report to the Borough Mayor and Council annually.

Section 5. Budget. The Dunellen Arts, Inclusion and Culture Commission programs and operating expenses shall be funded from the Borough of Dunellen general fund, grants, donations, program and admission charges. The Borough Administrator shall be responsible, with advice from the Commission, for submitting the annual operating budget to the Mayor and Council.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. This ordinance, being an administrative action, is not subject to referendum and shall take effect five (5) days after publication.

