

## ORDINANCE #2118-24

### AN ORDINANCE AMENDING CHAPTER 19 (CULTURE AND HERITAGE COMMITTEE) AND CHAPTER 260 (LIBRARY) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Middlesex to amend Chapter 19 (Culture and Heritage Committee) and Chapter 260 (Library) of the municipal code of the Borough of Middlesex; and

**BE IT THEREFORE ORDAINED**, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapters 19 and 260 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey shall be amended as follows:

#### SECTION I.

Section 19-1 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

There is hereby established a Cultural and ~~Heritage~~ **Arts** Committee which shall promote cultural engagement, ~~historical education and preservation,~~ **and** the advancement of the creative arts in the Borough of Middlesex. The term "Committee," when used by itself in this chapter, shall refer to the Borough of Middlesex Culture and ~~Heritage~~ **Arts** Committee.

#### SECTION II.

Section 19-2 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The Committee shall consist of 44 ~~seven (7)~~ **seven (7)** members ~~and two (2) alternates~~; from among residents and community leaders. Members **and alternates** shall be appointed by the Mayor with the advice and consent of the Borough Council. Members shall be appointed for a term of three years, and all appointments shall expire on December 31. The initial appointment terms will be staggered and shall be made for the balance of the one-, two- or three-year term designated, ending on December 31 of the applicable year in order to prevent all 44 **seven (7)** members' terms from expiring at the same time. Initial appointments will contain three one-year terms, four two-year terms and four three-year terms. In the event of a vacancy prior to the expiration of a member's term, the Mayor shall appoint, with advice and consent of the Council, a replacement to fill the remaining portion of the unexpired term.

#### SECTION III.

Section 19-4 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

- A. The duties of the Committee shall consist of engaging and encouraging cultural historic and artistic engagement, events and all related activities. These duties may include, but shall not be limited to, the advancement of the following:

- (1) Visual arts, including, but not limited to, sculpture, painting, drawing, architectural design, photography, motion pictures, and television.
  - (2) Literary arts, including, but not limited to, the writing of prose, poetry, drama and choreography.
  - (3) Performing arts, including, but not limited to, music, dance, poetry-reading, and theater.
  - (4) The collection and display of art objects.
  - ~~(5) The preservation or commemoration of the culture and history of the Borough of Middlesex.~~
  - (5) Other activities which the Committee defines as advancing the creativity or culture in the Borough of Middlesex.**
- B. The Committee shall advise the Mayor and the Borough Council on ways and means for the encouragement of creative talent within the Borough of Middlesex ~~for the preservation of the history and heritage of the Borough,~~ and for the recognition of persons who have made outstanding contributions to the development, expansion, or preservation of culture ~~and history~~ in Middlesex, whether such person is or is not an artist.
- C. The Committee is encouraged to establish cooperative efforts to seek voluntary assistance from other sources of expertise consistent with its purpose, **including an anticipated collaboration with the Middlesex Borough Department of Recreation.**
- D. The Committee shall be authorized and encouraged to apply for and to accept grants and contributions under the auspices of and through the Borough of Middlesex from public and private sources to finance its initiatives. The Committee shall make no expenditure or commitment of Borough funds without the specific authorization of the Council, except that the Mayor, to the extent of staff availability, may authorize administrative staff support for grant applications and publicity. This includes but is not limited to matching funds for grants, donations, and the like.
- E. The Borough shall set up a dedication by rider account for the Committee to:
- (1) Deposit monies obtained from donations, grants or from budget appropriations set annually by the Borough through the budgeting process, specifically for the Cultural and ~~Heritage~~ **Arts** Committee.
  - (2) Pay bills associated with events run by the Cultural and ~~Heritage~~ **Arts** Committee.
- F. All events and estimated expenditures must be approved by resolution of the governing body prior to the scheduling of any event.
- G. A financial report detailing year-to-date deposits and expenditures will be provided to the Committee Chairman prior to the first meeting of each month.
- H. **The Committee shall comply with all requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and shall be required to record minutes of each meeting thereof, with said minutes to be transmitted to the Borough Council and the Department of Recreation within seven (7) days of approval.**

#### SECTION IV.

Chapter 260 is hereby amended as follows (all provisions herein are novel and a new Article II shall be created):

## Article II. Heritage Preservation

### Section 260-6 Library Responsibility

It shall be the responsibility of the Middlesex Public Library, **in collaboration with other Borough stakeholders,** to preserve and commemorate the culture, heritage, and history of the Borough of Middlesex.

### Section 260-7 Collaboration

The Middlesex Public Library is encouraged to establish cooperative efforts to seek voluntary assistance from other sources of expertise consistent with its purpose.

### Section 260-8 Grants

The Middlesex Public Library is encouraged to apply for and to accept grants and contributions under the auspices of and through the Borough of Middlesex from public and private sources to finance initiatives related to the preservation and commemoration of the culture, heritage, and history thereof.

## **SECTION V.**

Chapter 19 of the Municipal Code of the Borough of Middlesex is hereby retitled "CULTURE AND ARTS COMMITTEE."

## **SECTION VI.**

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

## **SECTION VII.**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

## **SECTION VIII.**

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

ATTEST:

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Linda Chismar, Municipal Clerk

Jack Mikolajczyk, Mayor

INTRODUCED: 03/26/2024

DATE OF PUBLICATION:  
OF INTRODUCTION March 29, 2024

ADOPTED: April 9, 2024

DATE OF PUBLICATION  
OF ADOPTION: April 12, 2024