

**BOROUGH OF BOUND BROOK
ORDINANCE NO. 2017-29**

**AN ORDINANCE ESTABLISHING THE CULTURAL ARTS COMMITTEE OF
THE BOROUGH OF BOUND BROOK, AND AUTHORIZING A TRUST
ACCOUNT FOR CULTURAL ARTS DONATIONS TO THE CULTURAL ARTS
COMMITTEE**

BE IT ORDAINED, by the Mayor and Council of the Borough of Bound Brook, in the County of Somerset and State of New Jersey, as follows:

Section 1. That Chapter 2, Administration, of the Revised General Ordinances of the Borough of Bound Brook, be and is hereby amended and supplemented to add a new Section 2-37 entitled "Cultural Arts Committee" to read as follows:

2-37 BOUND BROOK CULTURAL ARTS COMMITTEE

2-37.1 Creation.

There is hereby created a Cultural Arts Committee (hereafter known as the "Committee") to promote and encourage the expression and appreciation of the visual, literary and performing arts in Bound Brook by utilizing and cultivating the rich diversity of talent available both within and to Bound Brook.

2-37.2 Purpose and function.

The Committee shall:

- A. Investigate, develop and recommend community initiatives encouraging expression and appreciation of the Arts in Bound Brook.
- B. Promote initiatives and events encouraging expression and appreciation of the Arts in Bound Brook.
- C. Establish relationships with private and non-profit organizations to further the expression and appreciation of the Arts.
- D. Leverage Arts expression and appreciation to foster economic development and growth.

E. Maximize utilization of Bound Brook's indigenous Arts resources, both institutional and individual.

F. Recommend public policy and legislative positions that serve to achieve the Mission.

2-37.3 Committee structure.

A. The Committee will be made up of a Steering Committee and various sub-committees as named and designated by the Steering Committee.

B. The Steering Committee shall consist of up to 11 members. The membership make up of the Committee and the Sub-Committees shall be determined by the by-laws.

C. The Chairperson, Vice-Chairperson, Secretary and Treasurer of the Steering Committee will be selected from one of its members in a process outlined in the by-laws.

2-37.4 Term of Committee Members.

A. Committee members will serve for a term of 3 years with the exception of the appointments made in the first year. One-third of the members will be appointed for a one year term; one-third will be appointed for a two year term; and one-third will be appointed for a three year term.

B. After the initial terms have expired, each newly appointed Committee Member will be appointed for a 3 year term.

C. Sub-committee terms will be outlined in the by-laws.

2-37.5 Records and annual report.

The Committee shall keep records of its meetings and activities, and shall make an annual report on or before the first day of April which shall be submitted to the Borough Council, and which report shall be comprehensive and detailed covering operations, receipts, disbursements and expenditures for the full year.

2-37.6 Frequency of meetings.

A. Steering Committee meetings will be held monthly or more frequently as determined by the Steering Committee.

B. Sub-committee meetings dates and times will be determined by each sub-committee.

2-37.7 Appropriations.

A. The Borough Council shall annually fix, determine and appropriate a sum sufficient for the expenses of the Commission which shall be an exact offset to the receipt of public donations for such purposes.

B. The Committee shall not maintain their own financial records, but all financial records and financial matters shall be maintained by and conducted through the usual Borough departments.

2-37.8 Utilization of funds.

A. In accordance with N.J.S.A. 40A:5-29, which authorizes the Borough of Bound Brook to receive amounts from public donations to be expended for a specific purpose, the Bound Brook Cultural Arts Trust Fund shall be funded through the dedication to the fund of public donations and testamentary bequests intended for such purposes.

B. The funds accumulated within the trust fund may be utilized only for costs incurred to promote and encourage the expression and appreciation of the visual, literary and performing arts in Bound Brook by utilizing and cultivating the rich diversity of talent available both within and to Bound Brook.

2-37.9 Procedures.

Procedural questions will be managed according to Robert's Rules of Order unless Committee by-laws are adopted which will supersede the use of Robert's Rules.

2-37.10 Trust Funds.

The Arts Committee may receive amounts from public donations to promote and encourage the expression and appreciation of the visual, literary and performing arts in Bound Brook. The Borough desires to create a mechanism whereby such public donations will be placed into an account to be used solely for purposes consistent with the purposes and mission of the Bound Brook Cultural Arts Committee.

2-37.11 Establishment of fund.

All public donations realized or dedicated to the Borough for the specific purpose of promoting and encouraging the expression and appreciation of the visual, literary and performing arts in Bound Brook shall be deposited in a municipal account to be known as the "Bound Brook Cultural Arts Trust Fund."

2-37.12 Purposes for which expenditures may be made.

Any expenditure made from the above-mentioned municipal account shall be used solely for the costs incurred to promote and encourage the expression and appreciation of the visual, literary and performing arts in Bound Brook by utilizing and cultivating the rich diversity of talent available both within and to Bound Brook.

2-37.13 Mechanism for decision on expenditures.

The final determination as to the expenditure of funds for the capital purposes aforesaid shall be made by the Bound Brook Cultural Arts Committee. The decision shall be by majority vote of the Steering Committee of the Cultural Arts Committee in accordance with its by-laws.

SECTION 2. Severability Clause.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of the Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any other prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the

Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date.

This Ordinance shall take effect following adoption and publication in accordance with law.

ATTEST:

BOROUGH OF BOUND BROOK

Donna Marie Godleski
Borough Clerk

Robert Fazen
Mayor

Date of Introduction: September 12, 2017

Date of Adoption: September 26, 2017