

**BOROUGH OF METUCHEN  
COUNCIL MINUTES OCTOBER 21, 2013**

A Regular Meeting of the Borough Council of the Borough of Metuchen was held in the Council Chambers of Borough Hall on Monday October 21, 2013. The meeting was called to order at 7:30pm by Mayor Vahalla. The invocation was given by Councilman Wallace followed by the Pledge of Allegiance.

The Mayor advised that adequate notice of this meeting was provided by an annual notice sent to the Home News Tribune and the Star Ledger and filing a copy with the Borough Clerk within seven days following the annual organization meeting of the body.

Present were Councilmembers Wallace, Rasmussen, Inserro, Grayzel, Cammarano.

Absent was Council President Muldoon

It was noted that Councilman Cammarano would be Acting Council President P

Also present were Mayor Vahalla, Borough Administrator Boerth, Borough Attorney Murphy and Borough Clerk Harris.

**AGENDA SESSION**

On a motion by Acting Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the agenda session was opened.

Acting Council President Cammarano requested that items E F and H be removed from the New Business Consent Agenda for a separate vote on them individually. Acting Council President Cammarano also removed Item G from the New Business Consent agenda under the advice from the Borough Attorney.

Councilwoman Inserro was happy to announce that the Edison Greenway Group is receiving a grant from Together North Jersey. Together North Jersey will be hosting a general outreach session on Saturday October 26, 2013.

Councilwoman Inserro spoke about establishing a Disability Commission.

Mayor Vahalla requested that Borough Attorney Murphy review this request.

On a motion by Acting Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the agenda session was closed.

**DOG PARK PETITION**

Lily Hoover is a Girl Scout Cadet from troop 80962 and Abby Brooks from troop 80417 are interested in making the establishment of a Dog Park their silver project. The girls circulated a petition which received 323 signatures at the Country Fair and the online petition had about 250 signatures.

Mayor Vahalla informed the girls that he would be naming 11 committee members this evening and that Councilman Grayzel would be the liaison.

Mayor Vahalla named the Dog Committee as Scott Gallagher, Andrew Locklend, Amy Brooks, Abby Brooks, Lily Hoover, Maggie Cook, Stuart Schloshman, Evelyn Ferretes, Jackie Morris, Alan Regan, Maryann Vahalla and Susan Kay.

**AMERICAN ITALIAN PRESENTATION**

In recognition of the American Italian Civic League which disbanded and named the First Aid Squad as a benefactor a certificate was presented to them as a sign of appreciation. Mr.

Cammarano acting on behalf of the American Italian Civic league requested that since they no longer have a building if the squad would display it in their building.

**APPROVAL OF COUNCIL MINUTES**

On a motion by Acting Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the Council Minutes of January 7, 2013 and January 22, 2013 were approved.

## **PUBLIC COMMENT**

Mayor Vahalla opened the meeting for public comment.

Jim Graziano the Borough Emergency Management Coordinator, stated that with the anniversary of Hurricane Sandy approaching he wanted to come to say thank and recognize people and groups for their help. He thanked the Police Department, Fire Department, EMS, JFK Medical Center, Department of Public Works, Board of Education, Steve Epstein (Boro Ace Hardware), Metuchen High School students, Beacon Hill Gas, Borough Improvement League (Tyreen Reuter), Assembly of God Church, New Hope Baptist Church, Mayor, Council, Bill Boerth, Judy Graziano and the people of Metuchen. Acting Council President Cammarano added that Mr. Graziano should be thanking himself for all the hard work he puts in. Mayor Vahalla stated that Metuchen pulled together in a big part to Mr. Graziano's leadership. Councilwoman Rasmussen wanted to thank Linda Koskoski. She was one of the first people she saw that posted on Facebook that she had power and invited for people to come over to utilize the electricity. Former Mayor Ed O'Brien praised Mr. Graziano for the job he does for the Borough. In addition he came to voice his support of the Complete Streets Resolution.

Sherry Rose Rubin(114 Spring Street) expressed her support of the Dog Park and of Abby Brooks and Lily Hoover. She also thanked Councilwoman Inserro for her efforts to create a Disability Commission.

Linda Koskoski(3 Goodwill Place) discussed making Metuchen a fair trade town by adopting a resolution to that affect.

Mayor Vahalla asked for her to send the resolution to Borough Clerk Harris and then have the resolution further sent to Borough Attorney Murphy for review.

Tyreen Reuter(16 Durham Avenue) also discussed Fair Trade in Metuchen.

Alan Regan(96 Maple Avenue) suggested determining the health of a tree by doing ultrasounds to see if they are hollow or solid.

Mayor Vahalla stated that in 2009 a study was already done on the trees.

Acting Council President Cammarano stated that many of the trees that fell during the storms were healthy trees but they were lifted from the roots.

Kevin Brennaman(114 Columbia Avenue) wanted to thank and congratulate Mr. Graziano on the service he provides to the Borough. He also thanked the American Italian Legion for their donation to the EMS and applauds the Council for the creation of a Complete Streets policy.

Walt Stochell(2118 Oak Tree Road Edison)stated that the Middlesex Greenway Coalition supports the adoption of the Complete Streets policy. He is pleased that Metuchen is doing this and it's good to see Metuchen taking the lead on it.

Tom Bish(51 Kempson Place) wanted to encourage the Council to adopt the Complete Streets resolution.

Karen Alexander(1 Lawrence Street) came to show support for the Complete Streets policy. She thinks it's so important that the Borough adopt it.

Nelson Lee(16 Bounty Street) came to speak about his support for a Complete Streets policy.

Sean Massey(93 Highland Avenue) is also in favor of a Complete Streets policy.

Hearing no one else wishing to speak Mayor Vahalla closed the public comment portion of the meeting.

## **COMMUNICATIONS CONSENT AGENDA**

On a motion from Acting Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the Communications Consent Agenda item letter A was approved.

A. Receive and Accept Traffic and Transportation Meeting Minutes of September 11, 2013.

### **REPORTS OF OFFICIALS**

Acting Council President Cammarano reported the Library Board is still moving forward to ascertain a new librarian.

### **POOL**

Acting Council President Cammarano reported that the Pool Committee met last week and discussed upgrading the computer system.

### **TRAFFIC AND TRANSPORTATION**

Councilman Wallace stated that the Traffic and Transportation Committee met and are in support the Complete Streets Resolution. The Committee is also working on additional location for the Pedestrian Safety Flags to be posted.

### **RECREATION**

Councilman Wallace stated that the Recreation Commission will be holding their pumpkin carving event this Saturday Saturday and the the Halloween parade and trick or treating will be held at the Pearl Street Parking lot on Sunday afternoon.

Councilman Wallace stated that someone damaged the bamboo that was located just past Goodwill Place.

Mayor Vahalla added that Councilman Wallace requested that a pedestrian sign be placed on Grove Avenue which after conferring with the Chief of Police and the Public Works Director will be installed in approximately a week.

### **MUNICIPAL ALLIANCE/YOUTH SERVICE**

Councilwoman Rasmussen reported that the Youth Services Board met last week. Saturday, October 26, 2013 from 10:00am-2:00pm it will be Take Back Day. People can bring their old prescription medication to the Police Department and they will dispose of it safely.

Councilwoman Rasmussen also stated that the Treasure Hunt fundraiser will continue this week at the Pearl Street lot on Saturday, October 26, 2013 from 9:00am-2:00pm.

### **ENVIRONMENTAL**

Councilwoman Rasmussen stated that the Environmental Commission met last week and discussed the cost of ascertaining digital mapping of the Edison Wetlands.

### **BOARD OF HEALTH**

Councilwoman Inserro stated that the Board of Health met and had a preliminary discussion on the health concerns of having a dog park. Councilwoman Inserro also stated that the Board of Health passed on first reading the Heating Ordinance which regulates the temperature of rental units.

### **REPORT OF THE BOROUGH ATTORNEY**

Borough Attorney Murphy had no report.

### **REPORT OF BOROUGH ADMINISTOR**

Borough Administrator Boerth had no report.

### **REPORT OF THE MAYOR**

Mayor Vahalla reported that he, Council President Muldoon, Councilman Cammarano and the Chairman of the Parking Authority will meet with New Jersey Transit on November 1, 2013 to try to encourage them to apply for grants to extend the platforms in Metuchen.

**NEW BUSINESS CONSENT AGENDA**

On a motion by Acting Council President Cammarano, seconded by Councilwoman Rasmussen with all in favor the New Business Consent Agenda item A through D, encompassing Resolutions 2013-203 through 2013-206 were approved.

**RESOLUTION NO. 2013-203**

**RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND 19 BRYANT AVENUE- #12-018**

**WHEREAS**, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Ayesha and Rahmani Ould-Hammou, as the required Performance Guarantees for Street Opening #12-018-19 Bryant Avenue; and

**WHEREAS**, the Director of Public Works advises that said work has been completed in a manner satisfactory to his department; and

**WHEREAS**, the Director of Public Works advises it is in order to release the monies previously deposited,

**NOW, THEREFORE, BE IT RESOLVED**, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to, Ayesha and Rahmani Ould-Hammou, 19 Bryant Avenue, Metuchen, NJ 08840 as recommended by the Director of Public Works.

Dated: October 21, 2013

**RESOLUTION NO.2013-204**

**REFUND STREET OPENING PERMIT BOND FOR 200 HILLSIDE AVENUE-#13-054  
MATTCO PLUMBING**

**WHEREAS**, Mattco Plumbing and Heating, LLC., PO Box 288, Metuchen, NJ, 08840 made payment on July 10, 2013 in the amount of \$500.00 for a Street Opening Permit Bond for work to be done at 200 Hillside Avenue; and

**WHEREAS**, the contractor filed an erroneous permit for the incorrect address and needs to be refunded; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Metuchen, that the Chief Financial Officer is hereby authorized and directed to refund **Mattco Plumbing and Heating, LLC., PO Box 288, Metuchen, NJ, 08840** for the erroneous Street Opening Permit Bond in the amount of \$500.00.

Dated: October 21, 2013

**RESOLUTION NO. 2013-205**

**RESOLUTION AWARDDING BID AWARD FOR 2013 NJDOT AND CAPITAL ROADWAY IMPROVEMENT PROGRAM-HIGH STREET AND CLIFFWOOD PLACE-FISCHER CONTRACTING**

**WHEREAS**, bids were received by the Borough Administrator on October 2, 2013 for the 2013 NJDOT and Capital Roadway Improvement Program for the Borough of Metuchen-High Street and Cliffwood Place; and

**WHEREAS**, the Borough Council has reviewed the recommendation made by the Borough Engineer on said bids; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds will be available in the amount of \$332,333.00, and funds are available in the 2013 Capital Ordinance as evidenced by the Chief Financial Officer's Certification, of which \$332,333.00 is 2013 Capital Funds,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for the 2013 NJDOT and Capital Roadway Improvement Program-High Street and Cliffwood Place be and the same is hereby awarded to most responsive bidder, Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 and that award of contract is conditioned on approval from the New Jersey Department of Transportation.

**BE IT FURTHER RESOLVED**, that the Mayor and the Borough Clerk are hereby authorized and directed to execute the contract for the same.

**BE IT FURTHER RESOLVED**, that the certified check or bid bonds of the unsuccessful bidders:

1. Tony and Son, Inc., PO Box AH, Rahway, NJ 07065  
be returned.

**BE IT FURTHER RESOLVED**, that the certified check or bid bond of the successful bidder and the next lowest bidders:

1. Fischer Contracting, Inc. 10 Short Hills Lane, Scotch Plains, NJ 07076
2. Stilo Excavating, Inc., 2907 South Clinton Avenue, South Plainfield, NJ 07080
3. Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876
4. Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857

be returned upon the receipt of a fully executed contract and other required documents.

Dated: October 21, 2013

#### **RESOLUTION NO. 2013-206**

### **RESOLUTION AMENDING RESOLUTION NO.2013-31- AWARD OF CONTRACT FOR COAH AND TAX APPEAL ATTORNEY**

**WHEREAS**, the Borough of Metuchen has a need to acquire the services of a Attorney for Affordable Housing/COAH issues and a Tax Appeal Attorney as a contract without competitive bidding (non-fair and open) pursuant to the provisions of <N.J.S.A. 19:44A-20.4; and,

**WHEREAS**, Requests for Qualifications were received and reviewed by the Borough Administrator; and,

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$5,000; and,

**WHEREAS**, the anticipated term of this contract is *the calendar* year 2013; and,

**WHEREAS**, the original agreement stipulated that the maximum amount of the contract shall not exceed \$10,000 and funds shall be available in the 2013 budget as evidenced by the Chief Financial Officer's Certification; and,

**WHEREAS**, the Borough, on October 17, 2013, deemed it necessary to dedicate an additional \$14,000 for continued services; and,

**WHEREAS**, the Borough has deemed it necessary to dedicate a n additional \$14,000 for continued services; and,

**WHEREAS**, the new maximum amount of the contract shall not exceed \$24,000 and funds shall be available in the 2013 budget as evidenced by the Chief Financial Officer's Certification.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Metuchen as follows:

1. The Chief Financial Officer is hereby authorized and directed to amend the agreement with *David Frizell and Bruce Samuels of the firm Frizell and Samuels, 450 Main Street, Metuchen, NJ 08840.*

Dated: October 21, 2013

**ITEMS REMOVED FROM CONSENT AGENDA**

**RESOLUTION 2013-207**

On a motion by Acting Council President, seconded by Councilwoman Rasmussen, with all in favor with the exception of Acting Council President Cammarano, Resolution 2013-207 was approved.

**RESOLUTION NO. 2013-207**

**RESOLUTION AUTHORIZING BID AWARD FOR CAMERAS AND EQUIPMENT FOR COUNCIL CHAMBERS**

**WHEREAS**, bids were received by the Borough Administrator on October 2, 2013 for **Cameras and Equipment For Council Chambers** the Borough of Metuchen; and

**WHEREAS**, the Borough received one bid as follows;

HB Communications Inc.                      \$30,896.00

**WHEREAS**, the Finance Officer has determined that sufficient funds will be available in a prior year Capital Ordinance in the amount of \$30,896.00 as evidenced by the Finance Officer's certification; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for Cameras and Equipment For Council Chambers be and the same is hereby awarded to HB Communications Inc., 60 Dodge Avenue, North Haven, Ct., 06473; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator and the Borough Clerk are hereby authorized and directed to execute the contract for the same.

**BE IT FURTHER RESOLVED** that the certified check or bid bond of the successful bidder be returned upon the receipt of a fully executed contract and other required documents.

Dated: October 21, 2013

**RESOLUTION 2013-208**

On a motion by Acting Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor Resolution 2013-208 was approved.

Mayor Vahalla asked Borough Administrator Boerth to further explain this resolution.

Borough Administrator Boerth explained the resolution which is pursuant to the Federal Internal Revenue Codes.

Acting Council President Cammarano questioned if it was at no cost to the Borough Borough Administrator Boerth stating there will be the cost of creating the payroll deductions and accounting time.

Councilman Grayzel stated that this must be like a to a 401k plan that exists for Municipal employees.

A more in depth discussion regarding the Resolution ensued.

**RESOLUTION NO. 2013-208**

**RESOLUTION AUTHORIZING THE PREPARATION AND ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF AN ADDITIONAL/SUPPLEMENTAL DEFERRED COMPENSATION PLAN FOR THE BOROUGH OF METUCHEN**

**WHEREAS**, employees of the Borough of Metuchen have expressed an interest in the implementation of an additional employee funded deferred compensation plan for Borough employees to participate; and

**WHEREAS**, the Borough of Metuchen wishes to attract and retain qualified employees through the accrual of tax benefits to eligible employees through participation in an Additional/Supplemental Deferred Compensation Plan as established pursuant to Section 457 of the Federal Internal Revenue Codes; and

**WHEREAS**, the Borough of Metuchen may implement an Additional/Supplemental Deferred Compensation Plan at no cost to the Borough of Metuchen; and

**WHEREAS**, the Mayor and Council of the Borough of Metuchen deems it in the best interest of the Borough to explore the implementation of an Additional/Supplemental Deferred Compensation Plan that may serve the interests of the Borough of Metuchen by enabling it to provide further enhanced retirement security to its eligible employees;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Metuchen, that it hereby authorizes the preparation and advertisement for a Request for Proposals for the implementation of an Additional/Supplemental Deferred Compensation Plan for eligible Borough Employees.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Metuchen, that it hereby designates and delegates to the Borough Administrators and all other Borough employees and officials the authority to effectuate the within Resolution.

Dated: October 21, 2013

#### **RESOLUTION 2013-210**

On a motion by Acting Council President Cammarano, seconded by Councilwoman Inzerro, with all in favor Resolution 2013-210 was approved.

#### **RESOLUTION NO. 2013-210**

#### **RESOLUTION ESTABLISHING A "COMPLETE STREETS" POLICY FOR THE BOROUGH OF METUCHEN**

**WHEREAS**, for decades the Borough of Metuchen has been planning and pursuing implementation of strategies to become a more liveable community, striving for a well-balanced and connected transportation system allowing for safe walking and biking and efficient public transit; and

**WHEREAS**, Complete Streets is a fairly new term, but encompasses many of the established characteristics and recent improvements that distinguish Metuchen as a special community, such as:

- The provision of sidewalks on the majority of Borough streets along with shade trees that provide separation between pedestrians and moving vehicles;
- Pedestrian-scale Main Street streetlamps and benches throughout the downtown area;
- A centrally-located train station situated within walking and biking distance of almost every resident in the community;
- The reduction of the width of Main Street with bump-outs to slow traffic and shorten pedestrian crossing distances along with pedestrian activated crosswalk signals
- Unique "signature" transit shelters that provide seating, protection from the elements and a sense of dignity for bus riders;

- Traffic calming improvements along multiple blocks of South Main Street, including corner bump-outs to shorten pedestrian crossing distances, a gateway island and a raised speed table;
- Newly created or transformed existing streets within town center redevelopment projects such as Franklin Square on Middlesex Avenue and Central Square and Suburban Square on Central Avenue, which incorporate reduced-speed streets, sidewalks lined with shade trees and Main Street streetlamps, and public spaces;
- Several blocks transformed with new sidewalks, shade trees and pedestrian-scale street lamps along State Highway Route 27 in the redeveloped Southwest Gateway District;
- Decades of strict adherence by the Planning and Zoning Boards to Land Development Ordinance design standards that require buildings, not parking lots, to front upon sidewalks in order to appropriately line the edges of pedestrian-friendly streetscapes;
- Most recently, an experiment that introduced pedestrian crossing signal flags to enhance safety by helping to make motorists more aware of pedestrian crossings at several dangerous locations; and

**WHEREAS**, the Borough has plans to incorporate concepts of “shared space” in the design of the proposed public plaza at the corner of New and Pearl Streets and to convert the next leg of the Lehigh Valley Railroad into an extension of the Middlesex Greenway to provide access to the Dismal Swamp, both of which are examples of Complete Street philosophy of the highest order;

**WHEREAS**, Complete Streets are encompassed in policies and strategies that the Borough has been planning and implementing for decades and has already achieved significant accomplishments by incorporating pedestrian safety and traffic calming measures when public streets are improved and such is part of a comprehensive long-term strategy to increase pedestrian safety in response to several high-profile accidents in recent years, as well as a sound financial investment that provides long-term savings, in that a transportation budget can incorporate Complete Streets projects without requiring significant additional funding; and

**WHEREAS**, the Alan M. Voorhees Transportation Center at Rutgers University released a report titled “Economic Impacts of Active Transportation (Bicycling and Walking) in New Jersey”, and found that investment in active transportation-related infrastructure and spending at active transportation-related businesses and events contributed \$500 million in economic activity in NJ in one year;

**WHEREAS**, creating Complete Streets also reduces infrastructure costs by requiring far less pavement per user compared to increasing road capacity for vehicles alone; this saves money at the onset of the project and reduces maintenance costs over the long-term; and

**WHEREAS**, Metuchen is designated as a NJ Transit Village and Town Center, and the 2007-2011 American Community Survey estimates that 19% of Metuchen residents take public transit to work and 2% walk to work, and they need the public right-of-way to better serve them by safe places to walk, bicycle, or board the bus, and by designing the streets to better accommodate them; and

**WHEREAS**, the New Jersey Department of Transportation adopted its own complete streets policy and plans to implement it through the planning, design, construction, maintenance and operation of new and retrofit transportation facilities within public rights of way that are

federally or state funded, including projects processed or administered through the Department's Capital Program;

**WHEREAS**, it is recognized that any policy must be flexible and reflect that all streets are different, including some streets or corridors in the Borough which may not fully satisfy a complete streets environment, but that the transportation system overall will balance the needs of all users and support a comprehensive network of complete streets;

**WHEREAS**, the Metuchen Borough Council recognizes and fully supports this initiative and wishes to reinforce its commitment to creating a comprehensive, integrated, connected street network that accommodates all road users of all ages and all abilities and for all trips, tying together past efforts and unique Borough features such as the downtown business district, the Middlesex Greenway and its transit facilities;

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Metuchen that it hereby authorizes and adopts a Complete Street Policy as follows:

### **BOROUGH OF METUCHEN COMPLETE STREETS POLICY**

#### **I. Purpose of Complete Streets Policy**

The Complete Streets Policy of Metuchen is a guide to the planning, design, construction, maintenance and operation of new and retrofit transportation facilities within the public rights of way, including projects processed or administered through the Borough's Capital Program.

#### **II. Definition of Complete Streets**

"Complete Streets" means streets that are designed and operated to enable safe access for all users, in that pedestrians, bicyclists, motorists and public transportation users of all ages and abilities are able to safely move along and across a street.

#### **III. Benefits of Complete Streets**

The benefits of Complete Streets are many and varied, such as: a) improving safety for pedestrians, bicyclists, children, older citizens, non-drivers and the mobility challenged as well as those that cannot afford a car or chose to live car free; b) providing connections to bicycling and walking trip generators such as employment, education, residential, recreation, retail centers and public facilities, thus promoting healthy lifestyles; c) reducing traffic congestion and reliance on carbon fuels, reducing greenhouse gas emissions; d) cutting costs by incorporation of sidewalks, bicycle facilities, safe crossings and transit amenities into the initial design of a project, sparing the expense of future retrofits.

#### **IV. Complete Streets Policy**

The Complete Streets policy will enable the Borough to develop a safe, reliable, efficient, integrated and connected multimodal transportation system that will promote access, mobility and health for all users, and will ensure that the safety and convenience of all users of the transportation system are accommodated, including pedestrians, bicyclists, users of mass transit, people of all ages and abilities, motorists, emergency responders, freight providers and adjacent land users. However, the Borough recognizes that this policy must be flexible and reflect that all streets are different, including some streets in the Borough which may not fully satisfy a complete streets environment and to the extent possible, the Borough seeks to provide a transportation system overall which will balance the needs of all users and support a comprehensive network of complete streets.

#### **V. Scope of Complete Streets Applicability**

1. All Borough-owned transportation facilities in the public right of way including, but not limited to, streets, bridges and all other connecting pathways shall be designed, constructed, operated, and maintained, whenever feasible to do so, so that users of all ages and abilities can

travel safely and independently. A focus and priority in implementing this Complete Streets policy should be given to areas of the Borough in proximity to or providing access to schools, public facilities, transit stops, the downtown and neighborhood business districts, and the Middlesex Greenway.

2. Privately constructed streets shall adhere to this policy.

3. The Borough shall seek to foster partnerships with the State of New Jersey, neighboring communities and counties, business and non-profit organizations, and school districts to develop facilities and accommodations that further the Borough's complete streets policy and continue such infrastructure beyond the Borough's borders.

4. To the extent feasible, the Borough shall approach transportation improvements and project phases as an opportunity to create safer, more accessible streets for all users. These phases include, but are not limited to: planning, programming, design, right-of-way acquisition, construction, construction engineering, reconstruction, operation and maintenance. Other changes to transportation facilities on streets and rights-of-way, including capital improvements, re-channelization projects and major maintenance, should also be included on a case by case basis.

## **VI. Exceptions**

Exception to this policy, including for private projects, must be approved by the Borough Engineer at the appropriate phase and be documented with supporting data that indicates that this Policy was taken into consideration and set forth the reasoning behind the Borough Engineer's determination. It is recognized that this policy must be flexible and reflect that all streets are different, including some streets in the Borough which may not fully satisfy a complete streets environment.

Exceptions may be considered for approval when:

1. An affected roadway prohibits, by law, use by specified users (such as an interstate freeways or pedestrian malls), in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross or otherwise intersect with the affected roadway;

2. The activities are ordinary maintenance activities designed to keep assets in serviceable condition (e.g. mowing, cleaning, sweeping, spot repair, and surface treatments such as chip seal or interim measures);

3. The Borough Engineer determines that the application of Complete Streets principles is unnecessary, unfeasible, unduly cost prohibitive, or inappropriate because it would be contrary to public safety or unwarranted due to existing conditions as it is recognized that all streets are different, including some streets in the Borough which may not be appropriate for a complete streets environment;

4. When the cost of incorporating new bicycle, pedestrian, and/or public transit facilities is determined to be excessive (defined as greater than 20% of the overall project costs), the need for and/or probable use of the facility shall be considered in making the determination as to the Borough's budget and the Borough's capital improvements program approval process or when project plans and specifications are being prepared, this exception shall apply only to Borough projects, or

5. Other available means or factors indicate an absence of need, including future need, or use of road by non-motorized users is prohibited.

## **VII. Education, Design Standards, Performance Measures, Implementation and Reporting**

The Borough intends to follow accepted or adopted design standards and use the best and latest design standards available including but not limited to: the New Jersey Department of Transportation Roadway Design Manual; National Association of City Transportation Officials Urban Bikeway Design Guide; AASHTO Guide for the Development of Bicycle Facilities; AASHTO Guide for the Planning, Design and Operation of Pedestrian Facilities; Manual of Uniform Traffic Control Devices.

In recognition of context sensitivity, public input and the needs of many users, a flexible, innovative and balanced approach that follows other appropriate design standards may be considered, provided that a comparable level of safety for all users is present.

Upon adoption of this policy the Borough Council shall advise the Borough Engineer and Planner and the Planning Board and the Zoning Board of Adjustment, along with their respective professionals, of the adoption of the Policy and recommend that it be incorporated into its review of all applications for development including zoning exemptions. Additionally, all initial planning and design studies, environmental reviews, and other project reviews for projects requiring funding or approval of the Borough should: (1) evaluate the effect of proposed project on safe travel by all users, and (2) identify measures to mitigate any adverse impacts on such travel.

Within six (6) months of adoption of the Complete Street Policy, the Borough Administrator, Borough Planner, Borough Engineer, Zoning Officer, a representative of the Police Department and the DPW Director shall report to the Borough Council regarding: steps taken to implement this resolution, plans for continued implementation in the coming year, revisions implemented and/or needed to codes, ordinances, rules, plans and procedures, and any desired actions that would need to be taken by the Borough Council or other Borough departments. Borough departments and professionals, such as Borough Planner, Borough Engineer, Borough Administrator, Zoning Officer, a representative of the Police Department and the DPW Director should review existing zoning, construction, traffic and development ordinances and policies to identify codes, procedures, rules and regulations needing revisions in order to integrate, accommodate, and balance the needs of all users in projects.

**BE IT FURTHER RESOLVED**, that this resolution shall remain on file in the Clerk's office.

Dated: October 21, 2013

### **BILL RESOLUTION**

On a motion by Acting Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the Bill Resolution in the amount of \$230,188.80 was approved.

### **PUBLIC COMMENT**

Mayor Vahalla opened the meeting to the public for comment.

Linda Koskoski(3 Goodwill Place) wanted to add to her previous comment and say she supports the Complete Street policy.

Thomas Rockafeller(36 Linden Avenue) said thank you for passing this policy and he thinks it will be great.

Hearing no one else wishing to comment Mayor Vahalla closed the public comment portion of the meeting.

### **ADJOURNMENT**

On a motion by Acting Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the meeting was adjourned.