

BOROUGH OF PROSPECT PARK
MAYOR AND COUNCIL
MINUTES OF THE WORK SESSION
JANUARY 14, 2013

Present:

Mayor	Mohamed T. Khairullah
Council Present	Robert Artis
Councilman	Richard Esquiche
Councilman	Samir Hayek
Councilwoman	Felicia Ortiz
Councilwoman	Cristina Peralta
Councilman	Adnan Zakaria

Absent:

None

Also Present:

Municipal Attorney	Denis Murphy
Municipal Clerk	Stephanie Evans

This meeting was called to order by Mayor Mohamed T. Khairullah at 6:30 PM.

The meeting was opened with the Flag Salute by Council President Artis, and was followed by a Prayer led by Councilman Hayek.

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETING ACT

Read by Municipal Clerk Stephanie Evans.

The Mayor and Council of the Borough of Prospect Park conducted their Work Session on January 14, 2013 in the Council Chambers of the Municipal Building located at 106 Brown Avenue, Prospect Park, New Jersey at 6:30PM as noticed in the Annual Schedule of Meetings approved at the Re-Organization Meeting of the Mayor and Council on January 5, 2013.

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was included in a notice sent to The Hawthorne Press, Herald News and The Record on January 7, 2013, posted on the bulletin board in the Municipal Building and has remained continuously posted as the required notices under the Statute. Copies of the above mentioned notice is available to the public and on file in the office of the Municipal Clerk.

Proper notice having been given, the Municipal Clerk is directed to include this statement in the minutes of this meeting.

SPECIAL PRESENTATIONS

NuBreed Inkk – Owners David Vilvas and Louis DeVilla spoke before the Mayor and Council, thanking them for allowing them to come before them. We have been here for 2 years, as tattoo suppliers, but would like to open up a tattoo parlor in the back of their store. For the past 2 years, they have been building

relationships in Prospect Park, would rather stay in this area. The current space affords them the opportunity to expand, with street parking, and off street parking. The addition of a tattoo parlor would be by appointment only; no minor would be allowed into the store, or allowed to hang out in front of the building. All tattoo artist are state certified/license, all supplies would be maintained up to Borough and State code, along with additional precautions. Wanted to know if the Council had any questions for them.

Denis Murphy reviewed the correspondence where it was mentioned that there is an ordinance prohibiting tattoo parlors in the Borough of Prospect Park, if going before Land Use Board, they would be seeking a variance. The Governing Body couldn't make any comment at this time, since this would have to go before the Land Use Board regarding ordinance from the 80's or 90's. Council would only be able to ask questions, no other type comments can be made.

Paul Jay Birch, Housing Official – advised Mayor and Council came to him regarding the possibility of opening a tattoo parlor, and he informed them of the ordinance prohibiting it, and the ordinance would have to be reevaluated. He did suggest that they speak with the Mayor.

Mayor Khairullah – I spoke with them last week, informing them that if it's ordinance issue, they would have to go through a certain procedure. I just wanted them to make their care before Council.

Denis Murphy proceeded to explain that this meeting was a Work Shop where no action takes place, other than opening and closing meetings.

The Council proceeded to ask the following questions:

How are you going to prevent kids from hanging out? It's not allowed now, its known no one is allowed to hang out in or in front of the business. We went from a 900 sq. ft. store to a 6000 sq. ft.

Have you ever owned or operated any other business and do the artists need to have a license? Have successfully run this business for 2 years, and managed other businesses, also have help launched other people. Yes the artists must be licensed, and have other health certifications. We will do tattoo's by appointment only, and walk-ins would be welcomed. Also if minors come with their parents for a tattoo, we will not permit it. Customers must be at least 18 years old with a picture id. No minors are allowed in the store while their parents are getting a tattoo. If we are to consider the request do we have to have a code?

Denis – need to read the ordinance than provide legal advice. Also Land Use Board must review it regarding businesses in residential area. There are regulations under the State regarding “Body Art, Body Piercing”.

Mr. Vilvas and Mr. DeVilla were informed that if there is any change to any ordinance and/or code that it will take time. They understood this.

DEPARTMENT HEAD REPORTS AND DISCUSSION

ENGINEER'S REPORT – Brown Avenue project is preliminary completed, working on final design, should be completed in 2 weeks. Contractor contacted Mayor regarding payment for Spray Park, but needs to be tested before it's issued.

POLICE DEPT. – New vehicle is here, but it needs to be stripped, and equipment installed. Monthly report will be reviewed by committee before next meeting.

HEALTH DEPARTMENT - Nothing

DEPARTMENT OF PUBLIC WORKS - Nothing

FIRE DEPARTMENT - Nothing

OFFICE OF EMERGENCY MANAGEMENT - Nothing

CONSTRUCTION/HOUSING DEPT. –Absentee Landlord billing for this month. I moved everything to January. Once computer issue is resolved everything will go this month. Money is up due to house sales. Haledon Ave. project is having several problems with County. Street Scape issues, wanting to move or changed, if shifted it needs to go back to the way it way. Two building in back were damaged by Sandy, roof blown off, permit to repair 2 back building, not part of project.

RECREATION - Nothing

TREASURER- One resolution to add to agenda regarding tax redemption.

PURCHASE/SERVICE REQUESTS DISCUSSION - None

MUNICIPAL CLERK'S AGENDA

PROCLAMATIONS - None

APPOINTMENTS – None

COMMUNICATIONS & CORRESPONDENCE

Request from Fire Chief Doug Struyk that Mr. Jostany Acosta be added as a Firefighter for Hose Company #1, at next meeting on 1-28-13, oath to taken.

Passaic County Agriculture Development Board Support for Sustainable State Funding for Preservation and Stewardship of Open Space, Parks, Farmland, and Historic Sites in New Jersey

Passaic County Agriculture Development Board Support Sustainable State Funding for Preservation and Stewardship Of Open Space, Parks, Farmland and Historic Sites in New Jersey

UNFINISHED BUSINESS - None

NEW BUSINESS

Review of Minutes: November 26, 2012
December 10, 2012
December 17, 2012

Animal Control Contract – ACO – 2013

RFQ's: Municipal Attorney
Borough Engineer
Borough Planner
Borough Auditor
Bond Counsel
Grant Writer
Land Use Attorney
Risk Management Consult

RESOLUTIONS

Resolutions for Holiday Home Decorating Contest
1st Place \$100.00
2nd Place \$75.00
3rd Place \$50.00

Resolution Authorizing Agreement with Lysa DeLaurentis (ACO) Animal Control

Resolution to Advertise for RFQ-Professional Services

GENERAL DISCUSSION - None

COUNCIL AND COMMITTEE REPORTS

COUNCIL PRESIDENT ARTIS (Public Safety) – Nothing at this time.

COUNCILMAN ESQUICHE (Public Service) – Nothing at this time.

COUNCILMAN HAYEK (Communications/Ordinances) – Wanted to welcome Councilman Esquiche. Confide that new blood will give fresh ideas for Prospect Park residents. Would like Council to see pictures of the winners. Tattoo subject I believe a update is needed in the ordinances. Whether there is a community will for type of establishment in Prospect Park.

COUNCILWOMAN ORTIZ (Finance/Insurance) – Still working on report, hope it will be completed for next meeting.

Denis Murphy stepped out of meeting at 6:54PM.

COUNCILWOMAN PERALTA (Parks & Recreation/Buildings & Grounds) – Have not had a meeting yet, need to form communities.

Denis Murphy returned to meeting at 6:55PM

Mayor Khairullah – Council President can finish assigning committees or myself. Each councilmember will hold position 2 and 3 on a committee; each person will be on 3 committees.

COUNCILMAN ZAKARIA (Housing/Health & Welfare) – Construction report, permits 11, inspections 8, total \$2,670.00. Housing inspections 13, complaints 11, total revenue is \$1,150.00. Housing sales 5.

MAYOR MOHAMED T. KHAIRULLAH – Will give full report on January 28. Starting to work on this year’s budget. In terms of looking at numbers, obviously this year we have a police contract to negotiate. I trust we will work together as a team as always. I am very optimistic this year. Thank you for your time and efforts.

PUBLIC HEARING
(Privilege of the floor)

Motion To Open the Public Hearing

Motion by Councilwoman Ortiz, seconded by Councilman Zakaria Approve.

ROLL CALL

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria

NAYS: None

ABSTAIN: None

ABSENT: None

Mr. Tom Magura, 263 North 8th Street – Wanted an update on the water tower.

Mayor Khairullah suggested that Mr. Birch provide that.

Paul Birch – The water tower has been closed off, it’s virtually complete right now. The emergency towers and transformers that go on top for our emergency hook-up that goes to Police and Fire. Passaic Valley has agreed to replace the old antennas. It was harder to move the old antennas that were on the other tower, than it was to spend \$14,000.00 to get new ones to put on the tank. They have not been moved yet. The tank has not been painted yet. We had a couple people go up and see if we could orientate the print the proper way. It’s been very difficult. There will be stencils; I have seen some of the artwork. In fact the Mayor helped pick the colors, tulips, “Welcome to Prospect Park”, it will have diversity. Water tank moving along well, it has to be hooked up.

Paul Birch – Regarding the Tattoo Parlor, I know that ordinance we have on the books specifically denies it. What I am going to say is I agree with Councilman Hayek regarding placing it in an appropriate place.

Councilman Esquiche asked about liability issues regarding the tattoo parlor and the town.

Denis Murphy – The business would require insurance. There are certain immunities under the Tort Claims Act for the Borough.

Motion To Close the Public Hearing

Motion by Councilman Esquiche, seconded by Councilwoman Peralta to Approve.

ROLL CALL:

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria

NAYS: None

ABSTAIN: None

ABSENT: None

ADJOURN MEETING 7:08PM

Motion To Adjourn.

Motion by Councilwoman Ortiz, seconded by Councilwoman Peralta to Adjourn.

ROLL CALL

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria

NAYS: None

ABSTAIN: None

ABSENT: None

Mohamed T. Khairullah
Mayor

Stephanie Evans, RMC
Municipal Clerk