

**BOROUGH OF PROSPECT PARK**  
**MAYOR & COUNCIL**  
**MINUTES OF THE REGULAR MEETING**  
**MARCH 25, 2013**

**Present:**

Mayor	Mohamed T. Khairullah
Council President	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

Mayor Mohamed T. Khairullah called the meeting to order at 6:34 pm.

The meeting was opened with the Flag Salute led by Council President Artis, and 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 Regular Meeting on March 25, 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.

**PROCLAMATIONS**

No Proclamations this evening.

**APPOINTMENTS AND OATH OF OFFICES ADMINISTERED**

**Mayor Khairullah requests the advice and consent of the Borough Council to appoint William B. Smith as Office of Emergency Management Deputy.**

**RESOLUTION NO. 2013-057**

**RESOLUTION APPOINTING WILLAM B. SMITH  
AS OFFICE OF EMERGENCY MANAGEMENT  
DEPUTY**

**Motion To Approve**

**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

**The Oath of Office was administered by Mayor Mohamed Khairullah.**

**Mayor Khairullah requests the advice and consent of the Borough Council to  
appoint Feliciano Bernardo as a School Crossing Guards**

**RESOLUTION NO. 2013-058**

**RESOLUTION APPOINTING FELICIANO  
BERNARDO AS A SCHOOL CROSSING GUARD  
FOR THE BOROUGH OF PROSPECT PARK**

**Motion To Approve**

**Motion by Councilman Hayek, seconded by Councilman Zakaria to Approve.**

**ROLL CALL**

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**The Oath of Office was administered by Mayor Mohamed Khairullah.**

**Mayor Khairullah requests the advice and consent of the Borough Council to  
appoint the following members to the Recreation Advisory Board.**

<b>Luz Batista</b>	<b>Rosa Bolton</b>	<b>Rosaura-Rossie Candelario</b>
<b>Nydia Cano</b>	<b>Graciela Lane</b>	<b>Alex Makino</b>
<b>Linda Oppehaar</b>	<b>Jean Silver</b>	

**RESOLUTION NO. 2013-059**

**RESOLUTON APPOINTING MEMBERS TO  
THE RECREATION ADVISORY BOARD  
APPOINTMENT TERM – 1 YEAR**

**Motion To Approve:**

**Motion by Councilman Hayek, seconded by Councilwoman Ortiz to Approve.**

**ROLL CALL**

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**The Oath of Office was administered by Mayor Mohamed Khairullah.**

**Mayor Khairullah requests the advice and consent of the Borough Council to add a resolution on to the agenda subject to pending paperwork.**

**Motion To Add Resolution On To Agenda**

**Motion by Councilman Hayek, seconded by Councilwoman Ortiz to Approve.**

**ROLL CALL**

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**Mayor Khairullah requests the advice and consent of the Borough Council to appoint Adriana Reynoso as a School Crossing Guards**

**RESOLUTION NO. 2013-059A RESOLUTION APPOINTING FELICIANO BERNARDO AS A SCHOOL CROSSING GUARD FOR THE BOROUGH OF PROSPECT PARK**

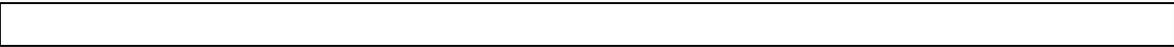
**Motion To Approve**

**Motion by Councilman Hayek, seconded by Councilman Esquiche to Approve.**

**ROLL CALL**

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**The Oath of Office was administered by Mayor Mohamed Khairullah.**



**PRESENTATION:**

Jerry Flock, Paterson Habitat for Humanity Project Director, Together North Jersey – Here today to discuss grant programs involving neighborhood development programs, especially talk about “Together North Jersey”, a local demonstration project, a planning grant that she wants to share, due by April 8<sup>th</sup>. For those who haven’t heard she will explain 13 county consortium, covers North Jersey Transportation Authority Planning Area. Which covers Rutgers, New Jersey Transit, NJ TPA, earned a Sustainable Communities Grant \$5million dollar grant from HUD, late 2011, and they matched that grant with another \$5million dollars. Within that pool of \$10million, \$2 ½ million dollars was put aside for “Local Demonstration Projects”, the goals of the consortium to create regional plan, with across the counties with focus on transits oriented development, access for housing, jobs, cultural, open space, all the needs of the community. This is the project that I am here to talk to you about, I am putting in for one of these local demonstration projects, and the area of study would be the east main corridor. Starts at Haledon Road, county road, up through Prospect Park, into Hawthorne, this is in conjunction with Passaic County Planning and Economic Development. I’m here to inform you of this project, get your interest and participation in it. The focus I’m going to include in that program, in line with North Jersey is trying to do, focus on jobs, economic development, and quality of life. We have identified the needs for jobs and also the issue of abandonment. You can see this from Paterson all the way up to Hawthorne. This is a highly competitive program across all the counties for economic development involving about \$90 thousand dollars. Planning resources are pre-selected. If you are interested

you need to sign the memorandum and have someone participate in the meetings, and adopt a resolution.

Mayor Khairullah asked the council if they had any questions on this matter.

Councilman Hayek asked what the benefits were of these programs?

Ms. Flock responded with explaining what benefits she has experienced, Paterson received \$100 thousand dollars, which they allocated for environmental design training; there are smaller grants, access to actually planning grants. Planning grants help by allowing your community to see its vision. This type of grant would allow a vision of what the eastern corridor would look, how do we connect people to jobs, what would the economic opportunities be, along with building an industrial corridor. This is much easier when you have someone from your community at the planning table.

It was stated that the due date for the grant application was April 8<sup>th</sup>, but the council's next meeting was April 8<sup>th</sup>, this will be a work session. Mayor Khairullah won't be available but Council President Artis and Municipal Attorney Denis Murphy will be available.

### **ORDINANCE**

#### **Motion To Read The Introduction of Ordinance No. 2013-01, Amending Chapter 85, Section 84-45 Entitled "Restriction of Spaces"**

**Motion by Councilman Zakaria, seconded by Councilwoman Ortiz to Read.**

#### **ROLL CALL**

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**The Clerk will read Ordinance 2013-01 by Title:**

**BOROUGH OF PROSPECT PARK  
ORDINANCE 2013-01  
AN ORDINANCE AMENDING CHAPTER 84, SECTION 84-44  
ENTITLED "RESTRICTION OF SPACES"**

#### **Motion To Adopt On First Reading And Authorize Municipal Clerk To Advertise For A Public Hearing To Be Held On April 22, 2013**

**Motion by Councilman Hayek, seconded by Councilman Esquiche to Adopt.**

#### **ROLL CALL**

AYES: Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**RESOLUTION**  
**CONSENT AGENDA**

**RESOLUTION NO. 2013-060 - 2013-073**

**RESOLUTION NO. 2013-060**

**RESOLUTION AUTHORIZING 2013 BUDGET  
APPROPRIATION RESERVE TRANSFER \$5,000**

**RESOLUTION NO. 2013-061**

**RESOLUTION APPOINTING STEPHANIE EVANS  
AS MUNICIPAL REGISTRAR OF THE BOROUGH  
OF PROSPECT PARK**

**RESOLUTION NO. 2013-062**

**RESOLUTION APPROVING AND AUTHORIZING  
THE PURCHASE OF ONE 2013 FOD F350 PICK UP  
TRUCK WITH SNOW PLOW PACKAGE AND  
POWER THIEMAN LIFTGATE, FOR THE  
BOROUGH OF PROSPECT PARK DEPARTMENT OF  
PUBLIC WORKS**

**RESOLUTION NO. 2013-063**

**RESOLUTION AUTHORIZING AND  
APPROVING A WALK FOR AUTISM**

**RESOLUTION NO. 2013-064**

**RESOLUTION AUTHORIZING A  
PROFESSIONAL SERVICE ONTRACT O  
SCHWARTZ SIMON EDELSTEIN & CELSO, LLC  
FOR THE PROVISION OF LEGAL SERVICE TO  
THE BOROUGH OF PROSPECT PARK**

**RESOLUTION NO. 2013-065**

**RESOLUTION AUTHORIZING A  
PROFESSIONAL SERVICE ONTRACT TO  
FASTECH CONSULTING FOR THE PROVISION  
ENGINEERING SERVICES TO THE BOROUGH  
OF PROSPECT PARK**

**RESOLUTION NO. 2013-066**

**RESOLUTION AUTHORIZING A  
PROFESSIONAL SERVICE OTNTRACT TO  
FERRAIOLI, WIELKOTZ, CERULLO & CUVA  
FOR THE PROVISION OF AUDITING SERVICES  
TO THE BOROUGH OF PROSPECT PARK**

**RESOLUTION NO. 2013-067**

**RESOLUTION AUTHORIZING A  
PROFESSIONAL SERIVCE CONTRACT TO  
RICCI PLANNING FOR THE PROVISION OF  
PLANNING SERVICES TO THE BOROUGH OF  
PROSPECT PARK**

**RESOLUTION NO. 2013-068**

**RESOLUTION AUTHORIZING A  
PROFESSIONAL SERVICE CONTRACT TO  
GIBBONS P.C. FOR THE PROVISION OF BOND  
COUNSEL SERVICES TO THE BOROUGH OF  
PROSPECT PARK**

- RESOLUTION NO. 2013-069**      **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO BUGLIONE, HUTTON & De YOE LLC. FOR THE PROVISION OF LAND USE LEGAL SERVICES TO THE BOROUGH OF PROSPECT PARK**
- RESOLUTION NO. 2013-070**      **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO CAPITAL ALTERNATIVES CORPORATION FOR THE PROVISION OF GRANT WRITING SERVICES TO THE BOROUGH OF PROSPECT PARK**
- RESOLUTION NO. 2013-071**      **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO AL ALEXANDER AGENCY FOR THE PROVISION OF RISK MANAGEMENT CONSULTANT SERVICES TO THE BOROUGH OF PROSPECT PARK**
- RESOLUTION NO. 2013-072**      **RESOLUTION FOR THE BILLS LIST MARCH 25, 2013 \$1,166,165.64**
- RESOLUTION NO. 2013-073**      **RESOLUTION SUPPORTING THE DELAYING OF DRAINING THREE (3) RESERVOIRS ON GARRET MOUNTAIN AND REPLACING THEM WITH LARGE CONCRETE TANKS, UNTIL RULES ARE RELEASED BY THE ENVIRONMENTAL PROTECTION AGENCY**

**Motion by Councilman Hayek, seconded by Councilwoman Peralta to Approve:**

**ROLL CALL**

- AYES:            Artis, Esquiche, Hayek, Ortiz, Peralta, Zakaria  
 NAYS:            None  
 ABSTAIN:        None  
 ABSENT:        None

**COUNCIL AND COMMITTEE REPORTS**

LEGAL UPDATE – DENIS MURPHY, MUNICIPAL ATTORNEY – Nothing at present.

COUNCIL PRESIDENT ARTIS (Public Safety) – Nothing at present.

COUNCILMAN ESQUICHE (Housing/Health & Welfare) – The gas station is proceeding with their plans. Absentee Landlord Registrations have been mailed out.

COUNCILMAN HAYEK (Communications/Ordinances) – The ordinance for the Spray Park has been updated, also updating the code book.

COUNCILWOMAN ORTIZ (Finance/Insurance) – finance report was given in detail.

COUNCILWOMAN PERALTA (Parks & Recreation/Building & Grounds) – Thanked everyone for the help with the Easter Egg Hunt, and appreciated the donated baskets, there was about 40 baskets. She wanted to express your gratitude to Surrogate Bernice Toledo, the Mayor, the Chief of Police, the PTA, and all the other town residents who volunteered that day.

Everyone had an enjoyable time. (Emergency siren drowned out remainder of report)

CONCILMAN ZAKARIA (Public Service) – (First part of report was drowned out by emergency siren) Discussed the details of the new pick-up truck for DPW, the basketball court and baseball areas have been cleared up. Signs have been updated.

MAYOR MOHAMED T. KHAIRULLAH – The municipal website is still a work in process, maybe 2-3 weeks. A new and improved website will be coming, and we have a face book page, please follow, and look for updates. The water tank is almost done which means the Spray Park will be operational in May. I encourage the committee to review, and submit the updated ordinance for the Spray Park, along with rules and regulations. We will also hear the school budget tomorrow; I understand there is good news there. Manchester Regional's

Superintendent informed me that there is a slight decrease there. We will be meeting with our financial officer this week also to discuss our budget. I will be out of town from April 5 – 14<sup>th</sup>, Council President will be the Acting Mayor during this time. I will inform every one of the times of departure and arrival.

ENGINEER'S REPORT – Approval from DOT for the Brown Avenue Project.

## **PUBLIC HEARING**

### **(Privilege of the floor)**

#### **Motion to Open the Public Hearing**

**Motion by Councilwoman Ortiz, seconded by Councilman Zakaria to Approve.**

#### **ROLL CALL**

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

NAYS:            None

ABSTAIN:       None

ABSENT:         None

**Debra Smith, Paterson** – Speaking as a family who has a daughter who resides at North Jersey Developmental Center. The State wants to close these state centers; these are the only 2 in Northern New Jersey. I am asking that you pass a resolution opposing these closing and send it to Govern Christie. My daughter has been a resident for 27 years in one of the centers and if it closes and she is moved, the new location will be 100 miles one way, away from her family. She is disabled, limited speech, aggressive behavioral issues, and suffers from seizure, and has experienced between 50 to 100 a day. Her seizures are under control at present, and credited this to the care and medical treatment received from North Jersey Developmental Center. They provide the most comprehensive medical care to their residents. If she were placed into a group home, waivers would have to be signed. Meaning that services provided cannot be matched. Our choices may be either accept community centers, which didn't work for her, or be sent to a facility that is 100 miles away.

**Rex Reid, Political and Legislative Representative** – Representative of the American Federation of State, County, and Municipal Employees. I am here to ask Prospect Park help the residents of these centers save their homes. Some of them know no other homes but these, some for decades. The State is looking to relocate them, as this has been done by other states. The cost to move these residents to group homes, along with the cost of housing, employees, medical care and emergency services is now absorbed by the your tax payers. Please support these people, their families, and our petition.

**Al Demarest, 368 North 9<sup>th</sup> Street** – Good turnout for the Easter Egg Hunt.

**Cindy Barkman, Hunterdon, NJ** – I have a relative in the Hunterdon Developmental Center and he is 50 yrs old and without this center he would not be alive today. He is very fragile and *vulnerable*. This people deserve your help, please pass this resolution.

**Mr. Frank Vitelli, 311 Sherwood Ave., Paterson** – I just want to ask if this Council will support a resolution? Since no one who spoke is from Prospect Park, how do you feel?

**Tafari Anderson** – Speaking as a parent who has two kids that are autistic. The new figures have been released and it show the percentage is now one out of every fifty is autistic. This means that homes like this is imperative, because of their services. Please address this issue. You can withdraw from this program, but we need your support.

Councilwoman Peralta asked how many residents, staff members are we talking about?

Mr. Anderson stated that there were 790 residents and 2600 employees between the two facilities’.

Mayor Khairullah asked if they had sample resolutions so he could review the wording of each resolution.

Denis Murphy asked if there was a specific deadline, since we weren’t prepared for this tonight?

Mayor Khairullah explained we needed a chance to review the documents and agreed that the families had no need to go through this. To have to travel 100 miles one way to see your daughter was unconscionable and inhumane. Prospect Park will support you in this; we just need to once again review the language of the resolution.

Councilman Esquiche explained that if we could avoid adding stress to the families, he would support it.

Council President Artis stated that he was a Director at the ARC Home, where they have 23 group homes, and the State is trying to get them to take some of these residents, and we can’t take the majority because of the severity of their handicaps. We don’t have the facilities for these challenges.

Councilwoman Ortiz stated that this doesn’t just affect one community, but all communities. You can count on our support.

Councilman Hayek finished up telling the public he also has a handicapped son, and he supports there efforts.

**Motion to Close the Public Hearing**

**Motion by Councilman Zakaria, seconded by Councilman Esquiche to Approve.**

**ROLL CALL**

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

NAYS: None

ABSTAIN: None

ABSENT: None

**Motion to Adjourn Meeting @ 7:33PM**

**Motion by Councilwoman Peralta, seconded by Councilman Esquiche to Adjourn.**

**ROLL CALL**

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

NAYS: None

ABSTAIN: None

ABSENT: None

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Mohamed T. Khairullah  
Mayor

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Stephanie Evans, RMC  
Municipal Clerk