

BOROUGH OF PROSPECT PARK
MAYOR & COUNCIL
MINUTES OF THE REGULAR MEETING
APRIL 22, 2013

Present:

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

Absent:

Councilman	Richard Esquiche
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Also Present:

Municipal Attorney	Denis Murphy
Municipal Clerk	Stephanie Evans

Mayor Mohamed T. Khairullah called the meeting to order at 6:30 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 April 22, 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.

Motion To Excuse The Absence of Councilman Esquiche with prior notice.

Motion by Councilman Hayek, seconded by Councilwoman Ortiz to Excuse.

ROLL CALL

AYES: Artis, Hayek, Ortiz, Peralta, Zakaria

NAYS: None

ABSTAIN: None

ABSENT: Esquiche

****Councilman Zakaria recued himself and stepped out of the meeting at 6:33pm.**

PROCLAMATIONS

No Proclamations this evening.

APPOINTMENTS AND OATH OF OFFICES ADMINISTERED

Mayor Khairullah requests the advice and consent of the Borough Council for the following appointment:

- **Appointment of a full-time Police Officer.**

**RESOLUTION NO. 2013-074 RESOLUTION APPOINTING ESSLAM ZAKARIA
AS A FULL TIME POLICE OFFICER**

Motion by Councilman Hayek, seconded by Council President Artis to Approve.

ROLL CALL

AYES: Artis, Hayek, Ortiz, Peralta, Zakaria

NAYS: None

ABSTAIN: None

ABSENT: Esquiche

RECUSED: Zakaria

The Oath of Office will be administered by Mayor Mohamed Khairullah.

COUNCILMAN ZAKARIA RETURNED TO THE MEETING AT 6:36pm

Mayor Khairullah requests the advice and consent of the Borough Council for the following appointment:

- **Appointment of Firefighter to the Prospect Park Volunteer Fire Department Hose Company #1**

**RESOLUTION NO. 2013-075 RESOLUTION APPOINTING JULIO ESTRADA
AS A FIREFIGHTER TO THE PROSPECT PARK
VOLUNTEER FIRE DEPARTMENT**

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

ROLL CALL

AYES: Artis, Hayek, Ortiz, Peralta, Zakaria

NAYS: None

ABSTAIN: None

ABSENT: Esquiche

The Oath of Office will be administered by Mayor Mohamed Khairullah.

ORDINANCE – ADOPTION OF ORDINANCE

**Motion For Second and Final Reading of Ordinance No. 2013-01
(Handicapped Parking Spaces-Installations and Removals)
Motion by Councilman Hayek, seconded by Councilwoman Ortiz to Read Ordinance.**

ROLL CALL

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

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 Open Public Hearing On Ordinance 2013-01
Motion by Councilman Zakaria, seconded by Council President Artis to Open.**

ROLL CALL

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

No Public Comments

**Motion To Close Public Hearing On Ordinance 2013-01
Motion by Councilman Zakaria, seconded by Councilwoman Ortiz to Close.**

ROLL CALL

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

**Motion To Approve and Adopt Ordinance 2013-01 And Authorize Municipal Clerk
To Advertise According To Law**

Motion by Councilman Hayek, seconded by Councilman Zakaria to Adopt.

ROLL CALL

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

ORDINANCE –INTRODUCTION OF ORDINANCE

Municipal Attorney Denis Murphy informed the Mayor and Council he left open the time frames of opening and closing, and time to set forth the group rates leaving it up to the Recreation Director and the Recreation Liaison to establish. To avoid further cost of publication, these hours and rates can be done by resolution at a future date by approval by the Mayor.

**Motion To Read The Introduction of Ordinance No. 2013-02
(Amend Spray Park Rules and Regulations)**

Motion by Councilman Hayek, seconded by Councilwoman Peralta to Read.

ROLL CALL

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

The Clerk will read Ordinance 2013-02 by Title:

**BOROUGH OF PROSPECT PARK
ORDINANCE 2013-02
AN ORDINANCE AMENDING CHAPTER 58, SECTION 58-3A
ENTITLED "SPRAY PARK"**

**Motion To Adopt On First Reading And Authorize Municipal Clerk To Advertise
For A Public Hearing To Be Held On May 20, 2013**

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

ROLL CALL

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

**Motion To Read The Introduction of Ordinance No. 2013-03
(CAP Law)**

Motion by Council President Artis, seconded by Councilwoman Peralta to Read.

ROLL CALL

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

The Clerk will read Ordinance 2013-03 by Title:

**BOROUGH OF PROSPECT PARK
ORDINANCE 2013-03
CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A 40A:4-45.14)**

**Motion To Adopt On First Reading and Authorize Municipal Clerk To Advertise
For A Public Hearing To Be Held On May 20, 2013**

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

ROLL CALL

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

RESOLUTION

CONSENT AGENDA

RESOLUTION NO. 2013-076 - 2013-085

- RESOLUTION NO. 2013-076 RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER**
- RESOLUTION NO. 2013-077 RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER**
- RESOLUTION NO. 2013-078 RESOLUTION ACCEPTING RESIGNATION OF DAMIAN SERAFIN AS RECREATION DIRECTOR FOR THE BOROUGH OF PROSPECT PARK**
- RESOLUTION NO. 2013-079 RESOLUTION AUTHORIZING A REQUEST FOR HANDICAPPED PARKING SPACE: 14 BROWN AVENUE**
- RESOLUTION NO. 2013-080 RESOLUTION AUTHORIZING A REQUEST FOR HANDICAPPED PARKING SPACE: 11 FAIRVIEW AVENUE**
- RESOLUTION NO. 2013-081 RESOLUTION AUTHORIZING A REQUEST FOR HANDICAPPED PARKING SPACE: 53 HOPPER STEET**
- RESOLUTION NO. 2013-082 RESOLUTION AUTHORIZING A REQUEST FOR HANDICAPPED PARKING SPACE: 400 NORTH 9TH STREET**
- RESOLUTION NO. 2013-083 RESOLUTION AUTHORIZING A REQUEST FOR HANDICAPPED PARKING SPACE: 140 NORTH 15TH STREET**
- RESOLUTION NO. 2013-084 RESOLUTION AUTHORIZING AN INTRALOCAL SERVICE AGREEMENT BETWEEN THE BOROUGH OF PROSPECT PARK AND THE BOARD OF EDUCATION OF THE BOROUGH OF PROSPECT PARK FOR A SCHOOL RESOURCE OFFICER**
- RESOLUTION NO. 2013-085 RESOLUTION AUTHORIZING PAYMENT OF THE APRIL BILL LIST**

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

ROLL CALL

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

NON-CONSENT AGENDA

RESOLUTION NO. 2013-086

**RESOLUTION INTRODUCTION OF 2013
BUDGET AND ALL OTHER MATTERS RELATED
THEREOF**

Motion by Councilwoman Ortiz, seconded by Council President Artis to Approve:

ROLL CALL

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

Municipal Clerk read the following statement:

Municipal Budget Notice: Section 1. Municipal Budget of the Borough of Prospect Park, County of Passaic for the Fiscal year 2013. Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013. Be It Further Resolved, that said Budget be published in the North Jersey Herald Press in the issue of May 20th, 2013. The Governing Body of the Borough of Prospect Park does hereby approve the following as the Budget for the year 2013.

RESOLUTION NO. 2013-087

**RESOLUTION PROVIDING FOR INCREASE IN
RESERVE FOR UNCOLLECTED TAXES
PERCENTAGE**

Motion by Councilman Hayek, seconded by Council President Artis to Approve:

ROLL CALL

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

RESOLUTION NO. 2013-088

**RESOLUTION APPROVING AN ADOPT-A-PARK
PROGRAM**

Motion by Councilman Zakaria, seconded by Councilman Hayek to Approve:

ROLL CALL

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

RESOLUTION NO. 2013-089

**RESOLUTION RATIFYING THE TERMINATION
OF CONTRACT WITH EVERGREEN
CONSTRUCTION AND AUTHORIZING THE
ENTRY INTO A CONTRACT WITH VINCE
LIMANDRI OF WAYNE, NEW JERSEY**

Motion by Councilman Zakaria, seconded by Councilman Hayek to Approve:

ROLL CALL

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

RESOLUTION NO. 2013-090

**RESOLUTION AUTHORIZING PREPARATION
OF BID SPECIFICATIONS AND ADVERTISEMENT**

**FOR SOLICITATION OF BIDS FOR CONTRACT
FOR SOLID WASTE COLLECTION AND
DISPOSAL FOR A PERIOD OF NINETY (90) DAYS**

Motion by Councilman Zakaria, seconded by Councilwoman Peralta to Approve:

ROLL CALL

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

COUNCIL AND COMMITTEE REPORTS

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

COUNCIL PRESIDENT ARTIS (Public Safety) – Police monthly operations report, total calls 379, motor vehicle accidents 10, ambulance calls 36, fire calls 5, burglary 3, theft 5, vehicles towed 8, aggravated assault 1, simple assault 4, criminal mischief 1, domestic violence 2, stolen vehicles 2, recovered vehicles 1, alarms 6, suspicious persons 14, and c.d.s.arrests 4

COUNCILMAN ESQUICHE (Housing/Health & Welfare) – Excused absence.

COUNCILMAN HAYEK (Communications/Ordinances) – Ordinance updates are completed, will submit to Clerk.

COUNCILWOMAN ORTIZ (Finance/Insurance) – Provided detailed finance report.

COUNCILWOMAN PERALTA (Parks & Recreation/Building & Grounds) – Recreation has a lot of good baseball teams this year, Opening Ceremony will be April 27th at 9am. The first game in town will be April 29. Will have registration for tee-ball shortly. Wan to schedule “Clean Communities Day” sometime in May.

CONCILMAN ZAKARIA (Public Service) – DPW has repaired/replaced nearly 270 signs. It also took DPW two days to repair some damage, not sure if it was caused by the weather. There was also damage done by the rear gate of the basketball courts. The water leaks were taken care at the Spray Park.

MAYOR MOHAMED T. KHAIRULLAH – Met today with a community organization to discuss community programs, along with the Council President. We discussed increasing the community involvement to bring more educational and recreational events. We are entering policy negotiations, and finalizing the budget.

ENGINEER’S REPORT – The Brown Avenue Improvements project is out to bid, the deadline is May 2nd for bids. Also the Spray Park is being tested tomorrow. Finally with regards to the overflow from tank, will be meeting tomorrow.

PUBLIC HEARING

(Privilege of the floor)

Motion to Open the Public Hearing

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

ROLL CALL

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

Tom Magura, 263 North 8th Street – wanted to know when copies of the budget would be available.

Mayor Khairullah informed him that he could receive a copy tomorrow from the Clerk’s office.

Motion to Close the Public Hearing

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

ROLL CALL

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

ADJOURN MEETING

Motion To Adjourn @ 7:02pm.

Motion by Councilman Hayek, seconded by Councilwoman to Adjourn.

ROLL CALL

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

Mohamed T. Khairullah
Mayor

Stephanie Evans, RMC
Municipal Clerk