

**BOROUGH OF PROSPECT PARK**  
**MAYOR & COUNCIL**  
**MINUTES OF THE REGULAR MEETING**  
**MAY 20, 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	Richard Angowski
Municipal Clerk	Stephanie Evans

Mayor Mohamed T. Khairullah called the meeting to order at 6:32 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 the Municipal Clerk, Stephanie Evans.

The Mayor and Council of the Borough of Prospect Park will be conducting their Regular Meeting on May 20, 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.

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

**Police Department Chaplain**

**RESOLUTION NO. 2013-093**

**RESOLUTION APPOINTING REVEREND  
RANDALL LASSITER CHAPLAIN OF  
THE BOROUGH OF PROSPECT PARK  
POLICE DEPARTMENT**

**Motion To Approve:**

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

**ROLL CALL**

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

NAYS: None

ABSTAIN: None

ABSENT: None

---

**ADOPTION OF 2013 BUDGET**

**Motion To Open Public Hearing On 2013 Budget**

**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

John Vander Molen, 220 Fairview Ave. – Read in the paper that taxes will be raised \$204.00, disappointed. The 2% CAP was passed to keep taxes controlled. Anything to keep budget from rising would be appreciated, it's a collective effort.

Mayor Khairullah thanked Mr. Vander Molen for his comments, as Council we have to look at our past, present, and future. I disappointed in 2006, 2007, 2008 when the Manchester budget was going up by hundreds of dollars on an annual basis for the residents of Prospect Park. At which time the Borough tightens its belt so overall budget didn't increase as much as it could have. What we did this year when we looked at the budget, we saw an opportunity to restore services that were held back on in the past. That is why we made some of these decisions. The overall bill, Jim correct me if I'm wrong, including all aspects of the bill, what is the overall total?

Jim Cerullo, Ferraioli, Wielkotz, Cerullo & Cuva, Borough Auditors – Based on the preliminary numbers we have, we know the school numbers, the county has to be fine tuned, for the most part the average homeowner who is assessed at \$146,000 looking at an \$80.00 decrease, including all 3 areas.

Mayor Khairullah continued by saying Mr. Vander Molen was correct that the municipal budget did go up. This Governing Body decided several years ago when Manchester was running out of control due to a court decision, to tighten their budget that deprived our residents of many services that we should have been able to offer them. Now seeing an opportunity where there is an overall decrease to our residents we need to prove service to our residents, yes you are correct the municipal part is \$204.00, but the overall no one will see a tax increase in their bill. The municipality will be blamed regardless of who increases it. We are looking at the big picture, and the residents are still getting an \$80.00 decrease. To look ahead, we are looking at police contracts starting this year, for the upcoming contract starting next year. Which we think needs to be very reasonable as

it was the past 6 years. I do expect concessions from the police department, and I will say it publicly and everyone knows how I stand on it, the municipal employees here stayed without an increase for the past 2 years, all departments gave furlough days, including the council, as small as our salary is, we stand symbolically with everyone. I thank you and hope my point came across.

Mr. Vander Molen responded by agreeing with Mayor that people will complain to the town versus any other responsible agency.

Janet Guariglia, 182 Haledon Ave. – Asked the council why taxes are so high in Prospect Park, highest in Passaic County. She takes care of her property, because she loves the town and wants to keep the town beautiful. Doesn't want to be forced out of Prospect Park due to increasing taxes, senior citizen with limited income. She has a complaint regarding the Spray Park, and would volunteer to do whatever for the town.

Mayor responded by thanking Ms. Guariglia for her comments. He stated again that with regards to the big picture, to provide services to the residents. We tightened our belts previously when we didn't have to, we could have just operated with a normal budget in the past and had the normal increases, but didn't. Manchester's increases didn't affect you as much as they could have. Once the dust settles we can review everything and see if there are any opportunities for savings. We are very aware of savings when we crafted this budget, and we thought we needed to provide the residents with more services. We now have a combined full time Recreation Director. In the past we have had directors who lasted no more than a year and a half. The best case scenario, which I think will add greatly to recreational activities for the kids. As for the projects we spoke about, we try to get as much grant money as possible. Our numbers speak to that fact; Prospect Park residents probably pay the least amount of money per percentage wise than other towns.

Ms. Guariglia wanted to mention one more item, the digital sign in front of the municipal building. It takes 7 seconds to read the sign, if you stop to read it, you will get hit in the back. This sign should be like the one in front of the school, its practical, and won't cost as much money. Please think about replacing the sign.

Mayor replied that until there is a better solution, and some ideas are floating around, we will have to use the digital sign.

Al Demarest, 368 North 9<sup>th</sup> Street – Went through the school budget, acknowledges that the school gets more money than the municipality. Regarding the salaries and wages for

the borough, a lot of people didn't get raises because you are doing it for the public. I give everyone up there credit.

**Motion To Close Public Hearing On 2013 Budget**

**Motion by Council President Artis, seconded by Councilman Esquiche to Approve.**

**ROLL CALL**

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

NAYS:           None

ABSTAIN:       None

ABSENT:        None

**RESOLUTION NO. 2013-094      RESOLUTION TO AMEND 2013 BUDGET**  
**Motion by Councilwoman Peralta, seconded by Councilwoman Ortiz to Approve:**

**ROLL CALL**

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

**RESOLUTION NO. 2013-095      RESOLUTION TO ADOPT 2013 BUDGET**  
**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

**ORDINANCE – ADOPTION OF ORDINANCES**

**Motion For Second and Final Reading of Ordinance No. 2013-02**  
**(Spray Park Rules and Regulations)**

**Motion by Councilwoman Peralta, seconded by Council President Artis to Approve.**

**ROLL CALL**

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

**The Clerk will read Ordinance 2013-02 by Title:**

**BOROUGH OF PROSPECT PARK**  
**ORDINANCE 2013-02**  
**AN ORDINANCE AMENDING CHAPTER 58 OF THE CODE OF THE**  
**BOROUGH OF PROSPECT PARK REGULATING THE USE OF HOFSTRA**  
**PARK SECTION 58-3A SPRAY PARK**

**Motion To Open Public Hearing On Ordinance 2013-02**

**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

John Vander Molen – Wanted to know how we were going to utilize workers to oversee the operation of the park, full time, part time, volunteers?

Councilwoman Peralta – replied that she has been handling recreation for the past 5 years, and have always asked for volunteers. We need to have people that are responsible. The Spray Park will only be opened for 2 ½ months, we will charge admittance. That is how we will pay people. Since this is the first year we are

operational, we will learn and be better prepared for next year. We will have more than 1 person working there.

Mayor Khairullah also stated that if we hire more than 1 person, only one person will be handing out wristbands or buttons, whatever we decide on. We have a new Recreation Director, and we have ideas of what we want to do, but we want our new Recreation Director to be comfortable. We are having discussions to see what we want to implement. What we will have to do is set a budget to cover that salary. We are also hoping that people will hold events there, so we can generate revenue to cover everything. It will be touch and go for now to what will work and what won't work for us, if we can reliable volunteers, remember that we are dealing with money; we want to be able to hold someone accountable for handling the money. We will see how this "test pilot year" goes. I hope that people find it enjoyable, and find it an alternative to paying for the Fair Lawn pool, this is something more local.

**Motion To Close Public Hearing On Ordinance 2013-02**

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

**ROLL CALL**

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

**Motion To Adopt Ordinance 2013-02 And Authorize Municipal Clerk To Advertise**

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

**ROLL CALL**

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

**Motion For Second and Final Reading of Ordinance No. 2013-03**

**(CAP Bank)**

**Motion by Councilwoman Ortiz, seconded by Councilwoman Peralta to Approve.**

**ROLL CALL**

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

**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 Open Public Hearing On Ordinance 2013-03**

**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

Mr. Vander Molen questioned the amount of 3 or 3 ½%, and also requested that amounts be shown on the agendas.

Jim Cerullo explained that the percentage is 3 ½%.

Mayor Khairullah further explained the municipal part that comes from the taxpayers' money, how I can maximize the benefits to the taxpayers, part of it was from day one to reduce the debt. I can tell you from the time I became Mayor the debt was \$3,980,070.00 as of December 31, 2012, the debt was reduced to \$3,203,578.00. Despite the fact that we bonded for a fire rescue truck and other projects, we consciously made a decision to reduce the debt of the Borough. The other part we had to take in consideration is for this year is seeing that the overall tax bill a negative or a decrease to the residents, and stop dipping into the surplus. We can not leave a burden for future residents of this town. By taking this opportunity, not using the surplus, we could have reduced it by using the surplus but we want to build up the surplus for the town. The surplus should be used when we need for emergencies, not to balance the budget every single year. Remember we were on State Aid for so many years, this is our 2<sup>nd</sup> year not being on it, and we are very proud of it. So overall yes the municipal budget by itself may look scary, but when you look at the big picture, the reduction of debt, increase of surplus. The fact is that we are looking at a more positive year next year with a better police contract. The biggest expense in our budget is the police department. We are headed in the right direction, we saw an opportunity, and we knew that the overall tax bill was going to be an issue. We wanted to increase services and provide a better future for the town.

No further public comments.

**Motion To Close Public Hearing On Ordinance 2013-03**

**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 Adopt Ordinance 2013-03 And Authorize Municipal Clerk To Advertise**

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

**ROLL CALL**

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

NAYS: None

ABSTAIN: None

ABSENT: None



**ORDINANCE – INTRODUCTION OF ORDINANCE**

**Motion to Read The Introduction Of Ordinance No. 2013-04  
(Special Emergency Appropriation For Tax Maps)**

**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

**The Clerk Will Read Ordinance 2013-04 By Title:**

**BOROUGH OF PROSPECT PARK  
ORDINANCE 2013-04  
AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY  
APPROPRIATION PURSUANT TO N.J.S.A 40A:4-54 FOR UPDATING THE  
BOROUGH OF PROSPECT PARK’S TAX MAPS**

**Motion To Adopt On First Reading And Authorize Municipal Clerk To Advertise  
For A Public Hearing To Be Held On June 24, 2013.**

**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

**RESOLUTIONS**

**NON CONSENT AGENDA**

**RESOLUTION NO. 2013-096      RESOLUTION AUTHORIZING  
APPLICATION OF TONNAGE GRANT**

**Motion To Approve:**

**Motion by Councilman Esquiche, seconded by Council President Artis to Approve.**

**ROLL CALL**

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

**RESOLUTION NO. 2013-097      RESOLUTION AUTHORIZING RECREATION  
FEES FOR THE SUMMER CAMP PROGRAM**

**Motion To Approve:**

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

**ROLL CALL**

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

**RESOLUTION NO. 2013-098      RESOLUTION APPROVING CUB PACK #2  
TO HOLD ITS ANNUAL TAG DAY IN THE  
BOROUGH OF PROSPECT PARK**  
**Motion To Approve:**  
**Motion by Councilwoman Peralta, seconded by Councilman Esquiche to Approve.**  
**ROLL CALL**

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

**RESOLUTION NO. 2013-099      RESOLUTION AUTHORIZING PAYMENT  
OF THE MAY BILL LIST**  
**Motion To Approve:**  
**Motion by Councilwoman Peralta, seconded by Councilwoman Ortiz, to Approve.**  
**ROLL CALL**

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

**RESOLUTION NO. 2013-100      RESOLUTION AWARDED CONTRACT FOR  
THE BROWN AVENUE IMPROVEMENTS  
PHASE I TO J.J. SINISI, INC.**  
**Motion To Approve**  
**Motion by Council President Artis, seconded by Councilman Esquiche to Approve.**  
**ROLL CALL**

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

**RESOLUTION NO. 2013-101      RESOLUTION AUTHORIZING REFUND OF  
REDEMPTION MONIES TO OUTSIDE LENHOLDER**  
**Motion To Approve**  
**Motion by Councilman Zakaria, seconded by Councilwoman Ortiz 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) –**Fire Prevention report; 2 inspections, 1 re-inspection, 1 investigation, and 1 complaint turned over to Building/Housing. Also 6 open burning issues stopped by Fire Prevention/Fire Department/ and Police.

**COUNCILMAN ESQUICHE (Housing/Health & Welfare) –** Board of Health report with the Minutes, Open Issues including evaluations, HEPT Shorts, Podiatry and Health Fair flyers. Would like to update supplies in basement. Construction and Housing – permits issued 21 new,

inspections made 13, total fees received \$9,954. Housing inspections 17, total revenue for CO's and house sales \$5,510.00.

**COUNCILMAN HAYEK** (Communications/Ordinances) – No report at this time

**COUNCILWOMAN ORTIZ** (Finance/Insurance) – Finance Report; current taxes \$669,586.74, delinquent taxes \$16,922.49, interest & costs on taxes \$1,803.83, fees & permits \$3,791.00, court fines & costs \$22,935.00, tax title liens \$40,127.92, construction fees \$10,236.00, cell tower rents \$5,485.30, budget credits \$6,471.50, total collections \$777,269.78. Disbursements – 2012 budget reserves \$87,900, 2013 budget appropriations \$540,128.27, tax title liens \$40, 137.92, state fees \$387.00, total disbursements \$580,740.10. Cash on hand 4/30/2013 \$1,019,385.21.

**COUNCILWOMAN PERALTA** (Parks & Recreation/Building & Grounds) – Baseball teams have been set-up and are playing, they have all won games. We will have registration for tee-ball shortly. The gardening contest will start on June 3. June 8 will be the Borough's National Day of Prayer, and Cub Pack #2 will be having their annual Tag Day. Also Clean Communities Day was May 18<sup>th</sup>, and several people came out for that, which I want to say thank you to.

**CONCILMAN ZAKARIA** (Public Service) – DPW reported that they asked Hawthorne DPW to use their lawnmower to cut the grass in the park, raked the ball fields and lined them, picked up litter and stones out of the fields. Waiting for signs to be delivered for Water Park, working with contractor for the bathrooms. Also picked up scrap metal and brush pick up.

**MAYOR MOHAMED T. KHAIRULLAH** – Everything I wanted to say was brought up already. The bathrooms should be ready in about 2 weeks. The new water tank has “Prospect Park” painted on it, which was something that was requested. You can see it all the way by Big Jim's. There is a ring of tulips all around the tank which celebrates the Dutch heritage of Prospect Park. I have asked Passaic Valley to paint the other side of the tank, so it can be lined up with the New York skyline. We asked for this feature because we are very proud of our town, and it's a good promotion. The park and tank happen to be in line with a lot of planes. This is 5 times bigger than the old tank. There is a group of people who have been going around the County and requesting a “National Day of Prayer”, one of them happens to be a Prospect Park resident. He has asked if we could hold a “National Day of Prayer” here in the town. We agreed and will be hosting it on June 8<sup>th</sup>, at 10am. I am also in talks with a startup company that is offering their product for free, where we can send text messages and emails to people; we may be testing them out. Just a reminder that our website is up, if you have any suggestions or comments, please go there. Also Prospect Park has a Facebook page, strictly for updates, another way of getting information out there.

**ENGINEER'S REPORT** – Will set up pre-construction meeting for Brown Avenue Improvements. This should be completed by the fall, before school starts. Alternate Bid will cover sidewalks, and most soft fees. Regarding the Spray Park we are waiting for Passaic Valley to give us clearance.

## **PUBLIC HEARING**

**(Privilege of the floor)**

**Motion to Open 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

Janet Guariglia inquired about Channel 77 viewing.

Councilman Artis informed Ms. Guariglia that it was still being worked on. Need to obtain funding in order to proceed.

Betty Van Eeuwen, 336 North 7<sup>th</sup> Street - agreed about the sign complaints, and wanted to know when additional microphones will be purchased.

Mayor Khairullah replied that he agreed with her and that was part of what he was saying, stretching our legs, we can look at a few projects that need improvements. This could be one of them, and clearer communications.

Tom Magura, 263 North 8<sup>th</sup> Street – Memorial Day services on Friday, May 24, at 7pm at the school. Previously the school had built a surplus, but then the state stepped in and took it.

Mayor Khairullah wanted to remind everyone that the debt is aggressively being paid down, but we are trying to built up the surplus a bit. Hopefully in the future we will be able to have choices, but for now everything is tight, but building towards the future.

**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

**ADJOURN MEETING @ 7:47PM**

**Motion To Adjourn**

**Motion by Council Zakaria, seconded Councilman Esquiche 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