

**BOROUGH OF PROSPECT PARK**  
**MAYOR AND COUNCIL**  
**REGULAR MEETING**  
**JULY 22, 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

The meeting was called to order by Mayor Mohamed T. Khairullah at 6:34 pm.

The meeting was opened with the Flag Salute led 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 Regular Meeting on July 22, 2013 in the Council Chambers of the Municipal Building located at 106 Brown Avenue, Prospect Park, New Jersey at 6:30PM as originally 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.

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**SPECIAL PRESENTATION**

Citation Awards for 2013 Graduates of Manchester Regional High School and Passaic County Technical Institute.

Tasnim A. Zakaria attending Fairleigh Dickinson University on a full scholarship

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**APPOINTMENTS AND OATH OF OFFICES ADMINSTERED**

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

**SUMMER CAMP COUNSELORS**

**RESOLUTION NO. 2013-123**

**RESOLUTION APPOINTING CRISTINA ORTIZ  
AS A SUMMER CAMP COUNSELOR**

**Motion To Approve:**

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

**ROLL CALL:**

AYES: Artis, Esquiche, Ortiz, Peralta, Zakaria

NAYS: Hayek

ABSTAIN: None

ABSENT: None

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

**APPROVAL OF MINUTES**

June 10, 2013	Work Session
June 13, 2013	Special Meeting
June 24, 2013	Regular Meeting

**Motion To Approve:**

**Motion by Councilman Hayek, seconded by Councilman Esquiche**

**ROLL CALL:**

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

NAYS: None

ABSTAIN: Esquiche, Zakaria for Approval of June 13<sup>th</sup> Minutes due to Absents

ABSENT: None

**RESOLUTIONS**

**RESOLUTION NO. 2013-124**

**RESOLUTION APPROVING BILL LIST FOR  
JULY, 2013 \$1,378,002.76**

**Motion To Approve:**

**Motion by Council President Artis, seconded by Councilman Hayek**

**ROLL CALL:**

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

NAYS: None

ABSTAIN: None

ABSENT: None

**RESOLUTION NO. 2013-125**

**RESOLUTION AUTHORIZING THE EXECUTION  
AND ENTRY INTO AN AGREEMENT FOR  
SPECIAL DUTY ASSIGNMENT POLICE OFFICERS  
BETWEEN THE STATE OPERATED SCHOOL  
DISTRICT OF PATERSON AND THE BOROUGH  
OF PROSPECT PARK**

Mayor Khairullah asked if anyone wanted an explanation of this resolution. Councilman Hayek wanted a further explanation.

Chief Atie explained that this was requested by the City of Paterson for St Paul's Church, to provide security with 3 guards on duty at all times. They are also requesting extra off-duty police officers as well. Hours of operation will be 8am to 4pm. Kids will be dropped off and picked up by a bus provided by the City of Paterson.

Councilman Hayek wanted to know if the bus will have security.

Councilman Esquiche wanted to know if Sheriff Berdnik's police were going to be involved.

Chie Atie said yes the bus will have security, and only Prospect Park police would be involved, if needed the City of Paterson would reach out to the county. Usually if it's a county school that's when county police are used.

Councilwoman Ortiz wanted to know if Council had any sign in this agreement.

Denis Murphy explained that this was just a resolution for authorization to enter into an agreement with Paterson's Board of Education paying for the police services; it has the schedule of the amount of payment. These will be off duty police officers that will report there, it provides for the reimbursement for the response.

Mayor Khairullah wanted to clarify the question by saying the Councilwoman wanted to if we had the opportunity to approve or disapprove this school. I thought and experience being employed by a private school, it is a school facility. Any school can rent in a private transaction; the town has nothing to do it.

Denis Murphy further explained that the town is not seeking a chance of use, which would require a Land Use approval.

Chief Atie advised that the students would be wearing uniforms, and there would be approximately 75 students in the school.

**Motion To Approve.**

**Motion by Councilman Hayek, seconded by Council President Artis 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 – No report

**COUNCIL PRESIDENT ARTIS** (Public Safety) – June’s Police Department report-car accidents 14, fire calls 7, theft 10, vehicles towed 9, simple assaults 10, criminal mischief 5, domestic violence 4, stolen vehicles 1, recovered property 1, alarms 5, suspicious person/auto 15, CDS arrests 4, and robbery 2. Fire Department report-building calls 4, drills 1.

**COUNCILMAN ESQUICHE** (Housing/Health & Welfare) – Construction report permits issued 11 new, inspections 13, fees received for June \$1,286.00 YTD \$20,361.00. Gas Station progressing quickly opens possibly September. House activity- housing inspections 8, complaints verified 21, total fees for June \$500.00 YTD \$10,073.00. House sales 2.

**COUNCILMAN HAYEK** (Communications/Ordinances) – Continuing to update codebook. Website is under construction.

**COUNCILWOMAN ORTIZ** (Finance/Insurance) – 2013 current taxes \$82,828.53, delinquent taxes \$8,619.96, interest on investments 325.36, interest & costs on taxes 3,575.11, fees & permits 3,895.53, court fines & costs 14,227.96, school resource officer 107,000, construction code fees 2,226.00, cell tower rents 9,775.00, budget credits 3,112.00, total collection 235,585.96. Disbursements – 2012 budget reserves 10,000, 2013 budget appropriations 171,945.40, tax overpayments 466.13, tax title liens 10,500.00, local school taxes 286,424.50, total disbursements 479,336.03. Cash on hand 6/30/2013 756,856.69.

**COUNCILWOMAN PERALTA** (Parks & Recreation/Building & Grounds) – Recreation Director, Diana Pleasant, was present and informed Mayor and Council that applications are ready for vendors to participate in Prospect Park Day, September 14. The Spray Park is open but hoping numbers pick up. The Atlantic City bus trip will be August 18, \$25 per ticket, seniors \$20.00, and \$15.00 back. Summer Camp is going to Camp Hoe this Friday, again in August. For Prospect Park Day we need volunteers and vendors. The Committee will be having a meeting to discuss all borough events. Also the September 11<sup>th</sup> vigil will be at 6:30pm.

**CONCILMAN ZAKARIA** (Public Service) – Thanked all the borough employees for all the work they do.

**MAYOR MOHAMED T. KHAIRULLAH** – Good to be back. Thanked everyone for following up on their duties. Quick update regarding the Spray Park things are getting back on track and the bathrooms should be opening up by the end of the week.

**ENGINEER’S REPORT** – No report.

**PUBLIC HEARING**  
**(Privilege of the floor)**

**Motion To Open Public Hearing**

**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

John Vander Molen, 220 Fairview Ave. – Not representing the present firefighters but I do admire them. I was shocked to find out they were under investigation, I know you can't say anything, I really don't understand. I'm shocked, angry, upset their operations are under investigation. They do this for free, other surrounding towns are paid, and we should admire them or not investigate them.

Janet Guariglia, 182 Haledon Ave. – Asked Mayor if he received and read her letter as of yet and preceded to state there are some Board of Health issues regarding the Spray Park and the Summer Camp. But as resident, she felt the Fire Department is wonderful and great the way they are, and thanked them for what they do. The call time has increased since losing the ambulance service.

Mayor Khairullah had to clarify the issue on response time for the ambulance service; we had to change the service because of response time. We are in a much better situation now on response time.

John Vander Molen – wanted to know if these were going to be off-duty police officers.

Chief Atie confirmed that this would involve off duty police officers, and it would not impact service to the Borough.

Tom White, 43 North 16<sup>th</sup> Street – Shouldn't lose the Fire Department.

Karl Hoffman, 125 North 17<sup>th</sup> Street – Wanted to if off duty police officers would be wearing their uniforms from Prospect Park?

Chief Atie – Officers will be in uniform and officers represent the department 24 hours a day.

Denis Murphy stated the approval tonight is conditioned upon our submission of the agreement to our joint insurance fund that there will not be any increase to the cost of insurance and that they would cover worker's comp. as well as public liability for that agreement. So there wouldn't be an increased cost to the Borough and they would be covered under existing insurance coverage.

Karl Hoffman didn't understand the concept of hiring someone for security by Paterson.

Mayor Khairullah explained that it's as if they were being hired by a construction company.

Wilma Vander Molen, 220 Fairview Ave. – Our firefighters drop whatever they are doing when that whistle blows. They are volunteering their time, they may move out of town, but they remain volunteers here. If we lose this fire department we may not get them back, keep it intact as it is.

Mayor Khairullah wanted to address one point that keeps repeating itself. There seems to be a point regarding the dismemberment or elimination of the fire department which unfortunately I heard while I was overseas. Let me be very clear about this, there is no such thing, so whoever is spreading this rumor could write it on a piece of paper and swallow it. There is no such thing. I am going to allow anyone before I close the public hearing session before I respond, my comments are going to be very clear and I hope you understand what I am trying to say. If anybody from the fire department would like to say anything before I close, because once I close and I make my remarks, there will be no more responses. Is anyone going to say anything?

No further public comments.

**Motion To Close Public Hearing**

**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

Mayor Khairullah's final statement was the investigation has nothing to do with the entire fire department. I was a firefighter here, everything you went through and explained I experienced. I fought fires with some of these people. One of them uses to chase me when I was a kid on a bike responding to fires, this is the type of bond that we have with them. When I took over as Mayor and with this Council we committed to the fire department, everything they wanted they got. Let me tell you one thing, every single person that operates under this municipality has and will everyone will answer to this governing body. There is no one above questioning, so when they were asked to respond, they have to respond. That's as far as I am going to go. Now our hand was forced into forming an investigative committee to get answers and that's why we are there. Figure it out the way you want to figure it out now and let us do our jobs. Thank you.

**ADJOURN MEETING @ 7:08PM**

**Motion To Adjourn**

**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

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Mohamed T. Khairullah  
Mayor

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Stephanie Evans, RMC  
Municipal Clerk