

**BOROUGH OF PROSPECT PARK**  
**MAYOR AND COUNCIL**  
**MINUTES OF REGULAR MEETING**  
**SEPTEMBER 23, 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 6:37 PM.

The Flag Salute was led by Council President Artis, and the Prayer was 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 will be conducting their Regular Meeting on September 23, 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.

**RESOLUTIONS**

**CONSENT AGENDA**

**RESOLUTIONS NUMBERS                      2013-130 THROUGH 2013-141**  
**WILL BE ADOPTED BY A CONSENT AGENDA, WITH ONE VOTE BY THE**  
**BOROUGH COUNCIL AND WILL BE READ BY TITLE ONLY.**

- RESOLUTION NO. 2013-130**      **RESOLUTION AUTHORIZING PAYMENT OF \$250.00 TO HENRIETTA VERBLAAUM AS THE 1<sup>ST</sup> PLACE WINNER OF THE ANNUAL GARDENING COMPETITION**
- RESOLUTION NO. 2013-131**      **RESOLUTION AUTHORIZING PAYMENT OF \$150.00 TO FERIAL HAOPSHY AS THE 2<sup>ND</sup> PLACE WINNER OF THE ANNUAL GARDENING COMPETITION**
- RESOLUTION NO. 2013-132**      **RESOLUTION AUTHORIZING PAYMENT OF \$100.00 TO RUTH EVERETT AS THE 3<sup>RD</sup> PLACE WINNER OF THE ANNUAL GARDENING COMPETITION**
- RESOLUTION NO. 2013-133**      **RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH THE CITY OF PATERSON FOR HEALTH SERVICES**
- RESOLUTION NO. 2013-134**      **RESOLUTION APPROVING REQUEST FOR HANDICAPPED PARKING: 247 NORTH 6<sup>TH</sup> STREET**
- RESOLUTION NO. 2013-135**      **RESOLUTION APPROVING REQUEST FOR HANDICAPPED PARKING: 255 NORTH 7<sup>TH</sup> STREET**
- RESOLUTION NO. 2013-136**      **RESOLUTION APPROVING REQUEST FOR HANDICAPPED PARKING: 280 NORTH 7<sup>TH</sup> STREET**
- RESOLUTION NO. 2013-137**      **RESOLUTION APPROVING REQUEST FOR HANDICAPPED PARKING: 264 NORTH 9<sup>TH</sup> STREET**
- RESOLUTION NO. 2013-138**      **RESOLUTION APPROVING REQUEST FOR HANDICAPPED PARKING: 284 NORTH 9<sup>TH</sup> STREET**
- RESOLUTION NO. 2013-139**      **RESOLUTION APPROVING REQUEST FOR HANDICAPPED PARKING: 250 NORTH 10<sup>TH</sup> STREET**
- RESOLUTION NO. 2013-140**      **RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER**
- RESOLUTION NO. 2013-141**      **RESOLUTION APPROVING BILL LIST FOR SEPTEMBER 2013**

**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

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**AWARDS AND PRESENTATIONS:**

Awards for 2013 Annual Gardening Competition

Honorable Mention: Gertrude Dykstra, Cornelius Tanis, Marcia Roukema, Anand Shah

3<sup>rd</sup> Place Winner – Ruth Everett

2<sup>nd</sup> Place Winner – Ferial Haopshy

1<sup>st</sup> Place Winner – Henrietta Verblaauw

New Hope Community Ministries – Phil Beverly and Liz Rodriguez

**APPOINTMENTS:**

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

**RESOLUTION NO. 2013-129 RESOLUTION APPOINTING XAVIER RAMON MARTINEZ AS A CROSSING GUARD FOR THE BOROUGH OF PROSPECT PARK**

**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**

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**FIRE DEPARTMENT REPORT**

Mayor Khairullah apologized for jumping around the agenda. He next wanted to address the Volunteer Fire Department not being presented during the Borough’s 9-11 Memorial Service. We needed any explanation as to why, he was disappointed in the 12 years of honoring this memorial that the Fire Department didn’t attend. The Mayor and Council were addressed by Fire Official William R. Smith and Assistant Chief Michael Van Lenten of the Volunteer Fire Department.

William R. Smith, 106 Brown Ave. – We have been informed that the Council is seeking information regarding the 9-11 service. I was present, as were 11 other firefighters. The scope of that presence some firefighters were dressed in uniform, some dressed in just tee-shirts, such as myself, so I can say firefighters were present and some of the newer firefighters did not have dress uniforms. That is basically all there is, I will answer any questions you may have.

Mayor Khairullah asked Assistant Chief Van Lenten if he anything to add. Assistant Chief stated that he was not able to attend that night. Any event that they are invited to, they do their best to attend, participate, with the manpower that we have.

Mayor Khairullah asked if any of the Councilmembers had any questions. Since there were no questions from the Council the Mayor continued by asking if the Volunteer Fire Department foreseen any problems with next year’s 9-11 Memorial. Fire Official Smith replied by saying he didn’t anticipate any problems but I will say again a discussion amongst all the firefighters, that some were at County. There has been a lot of dialog about how that has changed over the years. The reality among the public and even among the first responders the intensity has decreased. So I believe the Fire Department will make a conscience effort to be more informative and request members to be present in the future. Again I think looking at surrounding communities; the communities that had larger turnouts were dedicating memorials. Again the County presentation had lower members showing up. The Mayor asked if there was a

memo that was sent out to all the firefighters asking to attend the memorial as an official function of the Fire Dept. Or was it something where they were informally informed about it? Fire Official Smith said that he wasn't personally aware of a memo that went out to the Fire Dept. I am not aware of a memo going out to the Fire Dept., I would say it was a more informal thing; basically it was "Are you going you going to the service tonight, yes or not, by word of mouth. I am not personally aware of a memo. Mayor Khairullah asked the Assistant Chief directly how it was done in the past, since there was apparatus, the Flag from my office that was put up, everyone was in uniform, and the Fire Dept. operated the siren during the moment of silence. None of that happened this time, which is why the questions. Chief Van Lenten stated that individual members took it upon themselves; I guess those members chose not to put forth the effort. There is no different notification, any event we gone to in previous years just been, this is the 9-11 service if you can attend. The Mayor asked how do we make sure this doesn't happen next year, that we have full attendance, since you may be our Chief next year. Most of the victims we are honoring were firefighters and first responders. I think whether the public participates or not, it's the Municipality's obligation to invite the public, the Fire Department should be there. I am going to ask you as the future Chief how do we propose to insure that next year your department officially is visibly there. Assistant Chief Van Lenten replied by saying that as volunteers he couldn't force people to come out, maybe better communications with the members, and Mayor and Council. We didn't realize what you expected from us. If we had known what was expected from us year after year versus taking things upon ourselves. As far as I know that was never any communication asking us to bring the apparatus, or put the flag up? So now that we know what you are looking for in the future, we will put our best effort forth, and accommodate that. Mayor Khairullah thanked both the Assistant Chief and the Fire Official. Mayor Khairullah asked the Council if there were any questions.

Councilwoman Ortiz stated that the concern they had was when they were being asked where the Fire Dept. was. Because of the circumstances of the 9-11 Memorial Service, and the people we were honoring, residents wanted to know the Fire Dept. was, the Police Department and the Ambulance service attended. Fire Official Smith stated that some of the residents wouldn't recognize them out of uniform. The only they can do is strive in the future to move in a better communications channel and express that as many people as possible that are available to participate in their uniforms.

Councilman Hayek questioned as to whether the Fire Department needed a formal invitation in order to participate in any events for the town. Assistant Chief Van Lenten stated that he believed that a formal invite isn't necessary just let him know what the Borough would want, letting him know what is expected from any Councilmember. He couldn't promise it would be done, but they would try their best.

Mayor Khairullah asked again if there were any questions, or comments, seeing none he continued by saying he thanked them very much. It was one thing to have concerns but with the current situation, people might perceive it as a sign of tension. I am glad that you clarified that there were just circumstances that didn't allow for it to happen. I appreciate the dialogue that is going on and look forward to continuing the working with you for the betterment of the Borough. Thank you.

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#### **APPROVAL OF MINUTES**

July 8, 2013	Special Session
July 8, 2013	Work Meeting
July 24, 2013	Regular Meeting

**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**

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New Hope Community Ministries – Phil Beverly greeted the Mayor and Council and thanked the Council for the invitation to come tonight. Mr. Beverly went on to say that some you know who we are and some don't. For those that don't about New Hope he was here to explain what they offer and how they work within the neighborhood. For an example how they helped out during Sandy. We are located right on 11<sup>th</sup> Street for the past 4 years, previously in Haledon, in operation for the past 10 years, and a community development organization. We are committed to working with low income residents in Prospect Park and Haledon, working from a state of crisis to self-sufficiency. We have several programs that we operate and have about 350-400 residents that we work with. We offer a food pantry, mentoring program, family counseling, parenting classes and a women's group. We also work with surrounding churches for ESL classes. We try to get to root causes of people's problems so they don't face those same struggles again. We welcome people of all faiths and those who are atheists also. We are a non-profit organization and we accept donations, that how we operate. If you are interested we will be around after the meeting to discuss the possibility of volunteering.

Liz Rodriguez one of the programs she is involved with is ESL, New Hope is a big program that is headed by Al Santino, who is the Director. This program is held every Saturday from 10am to 12 noon. I will be around after the meeting if you have any questions or need additional information. You can always find me at New Hope.

Mayor Khairullah informed the public that if anyone had any questions they were welcome to speak with them, but for now he wanted to know if any of the Council had any questions or comments.

Councilwoman Ortiz had one question; do you provide classes for citizenship? Mr. Beverly informed everyone that they do host a preparation session a few Monday nights in a row to go through some of the questions that may be on the exam, and things that someone would need to know for the test. We do have a partnership with an immigration attorney in Ridgewood that helps and advises. When we start the new session we will publish the information.

Councilman Hayek stated that he was impressed with posting on Facebook regarding the amount that was recently raised by the fundraising campaign.

Mayor Khairullah told New Hope that they could utilize the Prospect Park Facebook page to post, as long as it's a community service, we'll approve the post and you can invite people to the page. Also we are starting a new service, similar to a reverse 911 service. I am asking the Administrator to start a new link for New Hope so people can sign up for it, and if you want to make announcements. So just reach out to Stephanie to get it started. We are building up a good base, this goes to the rest of the community. We have a new link where you can sign up for text and email messages to be alerted with what is going on in town. So hopefully we can create a sub-link for New Hope and you guys can make announcements, we appreciate what you do for the community.

William Paterson University – Dr. Verdicchio – Greeted the Mayor and Council and everyone at the meeting, thanking Mayor and Council for allowing them to appear. He was here to explain what work the William Paterson research team did regarding the Borough of Prospect Park for the last 14 months. There are four members of the research team present, while the other five members of the team that had to attend class tonight.

Paige Rainville - A student of Education and Spanish at William Paterson, third year student. Using this project as her Honor's thesis, as part of the Honors College. You may be wondering why we chose Prospect Park as our project, and what makes it so special. It is special; it doesn't fit the mold of other towns in this area. It has a distinguished history, and has undergone a major cultural change in the past 100 years. That is what draw us in to this project. It has gone from one major religion, one major people group, and one language to a variety of religions, languages, and people living in the same community, yet it held on to its core values. That's what we have seen this community. While there was this transformation of this small town that has occurred, the core values have remained the same. The streets are quiet, the houses clean, and the town has remained graffiti free, the traditions are carried on and is what keeps the community safe and well kept. We wanted to know how a community likes yours could remain in tack while going through such significant changes. Aside from studying the community we are also interested in studying the school, to see how changes of community have impacted the schools.

Eman Al-Jayeh - A speech therapy pathologist, a double minor in Psychology and Anthropology. How we got involved in your specific community. We research several organizations such as New Hope, we offered our volunteering services, and we went on walking tours. Part of our research had us attending Prospect Park Day, and introducing ourselves to community leaders. Our research team conducted oral histories of past and present residents; we also wanted to thank the Fire Department for the time they gave us. We are looking forward to seeing the town's archives, especially pictures. If anyone has any please contact us so we may make them a part of our research.

Kelly Ginart - Junior at the Honor's College, studying Anthropology, English, and Elementary Special Education. We have come up with preliminary findings that we would like to share with you. We hope that as we continue we can expand upon the points that we have so far. As the Borough is in a cultural transition we notice that we can confirm findings that we found on the Borough website. Religion is a strong cultural value; it is not just one religion, but multiple religions that hold the community together. We hope to look into faith, and help faith based organizations reach out and provide services to the community. Interviewed community leaders and verified that the cultural and linguists difference that we observed in Prospect Park is in fact the strength of the community.

Dr. Verdicchio went on to also acknowledge the remaining present member of the research team, Amani Kattaya, who is the videographer, as well as a Sociology Education Major. We have enjoyed our 14 months here, and learned a great deal. We would like you to know where this P project goes now. We are now talking with Arcadia Publishing Company. This will be a book about the Borough of Prospect Park. It takes about a year from beginning to end, hopefully within the next 6 weeks we will be able to secure a contract. A tentative will be "Prospect Park, Yesterday, Today and Tomorrow". We appreciate everyone's assistance in this project and for people inviting us into their homes. Thank you for welcoming us in your community. We also have a Prospect Park Facebook page, called "Prospect Park NJ Community Services", which I will forward to you.

**COUNCILMAN ZAKARIA EXCUSED HIMSELF FROM THE MEETING AT 7:15 PM**

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**ORDINANCE – ADOPTION OF ORDINANCE**

**MOTION FOR SECOND AND FINAL READING OF ORDINANCE 2013-05  
(AMEND SALARY ORDINANCE)**

**MOTION BY COUNCILMAN HAYEK, SECONDED BY COUNCILWOMAN  
PERALTA TO APPROVE:**

**ROLL CALL:**

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

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Zakaria**

**The Clerk will read Ordinance 2013-05 by Title:**

**BOROUGH OF PROSPECT PARK  
ORDINANCE 2013-05**

**AN ORDINANCE AMENDING THE ANNUAL SALARIES OF THE OFFICERS AND  
EMPLOYEES OF THE BOROUGH OF PROSPECT PARK FOR THE YEAR 2013**

**MOTION TO OPEN PUBLIC HEARING ON ORDINANCE 2013-05**

**MOTION BY COUNCIL PRESIDENT ARTIS, SECONDED BY COUNCILWOMAN  
ORTIZ TO APPROVE:**

**ROLL CALL:**

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

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Zakaria**

Al Demarest, 368 North 9<sup>th</sup> Street – stated that he feels that everyone deserves these raises.

**MOTION TO CLOSE PUBLIC HEARING ON ORDINANCE 2013-05**

**MOTION BY COUNCILWOMAN ORTIZ, SECONDED BY COUNCILWOMAN  
PERALTA TO APPROVE:**

**ROLL CALL:**

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

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Zakaria**

**MOTION TO ADOPT ORDINANCE 2013-05 AND AUTHORIZE CLERK TO ADVERTISE.  
MOTION BY COUNCILMAN HAYEK, SECONDED BY COUNCILWOMAN PERALTA  
TO APPROVE:**

**ROLL CALL:**

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

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Zakaria**

**ORDINANCE – INTRODUCTION OF ORDINANCE**

**MOTION TO READ THE INTRODUCTION OF ORDINANCE 2013-06  
(AMEND HANDICAPPED SPACES)**

**MOTION BY COUNCILMAN HAYEK, SECONDED BY COUNCILWOMAN ORTIZ TO APPROVE:**

**ROLL CALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Zakaria

The Clerk will read Ordinance 2013-06 by Title:

**BOROUGH OF PROSPECT PARK  
ORDINANCE 2013-06  
AN ORDINANCE AMENDING CHAPTER 85, SECTION 84-45 ENTITLED  
"RESTRICTION OF SPACES"**

**MOTION TO ADOPT ON FIRST READING AND AUTHORIZE CLERK TO ADVERTISE FOR A PUBLIC HEARING TO BE HELD ON OCTOBER 28, 2013.**

**MOTION BY COUNCILMAN HAYEK, SECONDED BY COUNCILWOMAN PERALTA TO APPROVE:**

**ROLL CALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Zakaria

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**MOTION TO READ THE INTRODUCTION OF BOND ORDINANCE 2013-07 (VARIOUS IMPROVEMENTS TO HOFSTRA PARK – APPROPRIATION \$400,000)  
MOTION BY COUNCILMAN HAYEK, SECONDED BY COUNCIL PRESIDENT ARTIS TO APPROVE:**

**ROLLCALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Zakaria

The Clerk will read Ordinance 2013-07 by Title:

**BOROUGH OF PROSPECT PARK  
ORDINANCE 2013-07  
BOND ORDINANCE PROVIDING AN APPROPRIATION  
OF \$400,000 FOR VARIOUS IMPROVEMENTS TO HOFSTRA PARK, FOR AND BY  
THE BOROUGH OF PROSPECT PARK, IN THE COUNTY OF PASSAIC, NEW  
JERSEY AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF  
THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION**

**MOTION TO ADOPT ON FIRST READING AND AUTHORIZE CLERK TO ADVERTISE FOR A PUBLIC HEARING TO BE HELD ON OCTOBER 28, 2013.**

**MOTION BY COUNCILMAN HAYEK, SECONDED BY COUNCILWOMAN ORTIZ TO APPROVE:**

**ROLL CALL:**

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

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**MOTION TO READ THE INTRODUCTION OF BOND ORDINANCE 2013-08  
(NORTH 7<sup>TH</sup> STREET IMPROVEMENTS –APPROPRIATION \$322,000)  
MOTION BY COUNCIL PRESIDENT ARTIS, SECONDED BY COUNCILMAN  
ESQUICHE TO APPROVE:**

**ROLLCALL:**

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

The Clerk will read Ordinance 2013-08 by Title:

**BOROUGH OF PROSPECT PARK  
ORDINANCE 2013-08  
BOND ORDINANCE PROVIDING AN APPROPRIATION  
OF \$322,000 FOR VARIOUS IMPROVEMENTS TO NORTH  
7<sup>TH</sup> STREET FOR AND BY THE BOROUGH OF PROSPECT PARK,  
IN THE COUNTY OF PASSAIC, NEW JERSEY AND AUTHORIZING  
THE ISSUANCE OF \$106,000 BONDS OR NOTES OF THE BOROUGH  
FOR FINANCING PART OF THE APPROPRIATION**

**MOTION TO ADOPT ON FIRST READING AND AUTHORIZE CLERK TO  
ADVERTISE FOR A PUBLIC HEARING TO BE HELD ON OCTOBER 28, 2013.  
MOTION BY COUNCILWOMAN ORTIZ, SECONDED BY COUNCILMAN  
ESQUICHE TO APPROVE:**

**ROLL CALL:**

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

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**MOTION TO READ THE INTRODUCTION OF BOND ORDINANCE 2013-09  
(VARIOUS CAPITAL IMPROVEMENTS – APPROPRIATION AMOUNT \$134,000)  
MOTION COUNCILMAN ESQUICHE, SECONDED BY COUNCILMAN HAYEK TO  
APPROVE:**

**ROLL CALL:**

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

The Clerk will read Ordinance 2013-09 by Title:

**BOROUGH OF PROSPECT PARK  
ORDINANCE 2013-09**

**BOND ORDINANCE PROVIDING AN APPROPRIATION  
OF \$134,000 FOR VARIOUS CAPITAL IMPROVEMENTS  
FOR AND BY THE BOROUGH OF PROSPECT PARK,  
IN THE COUNTY OF PASSAIC, NEW JERSEY AND AUTHORIZING  
THE ISSUANCE OF \$127,000 BONDS OR NOTES OF THE BOROUGH  
FOR FINANCING PART OF THE APPROPRIATION**

**MOTION TO ADOPT ON FIRST READING AND AUTHORIZE CLERK TO  
ADVERTISE FOR A PUBLIC HEARING TO BE HELD ON OCTOBER 28, 2013.  
MOTION BY COUNCILMAN HAYEK, SECONDED BY COUNCILWOMAN  
PERALTA TO APPROVE:**

**ROLL CALL:**

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

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**RESOLUTION  
NON-CONSENT AGENDA**

**RESOLUTION NO. 2013-142 RESOLUTION PROCLAIMING AUGUST 18<sup>TH</sup> TO  
THE AUGUST 24<sup>TH</sup>, 2013 AS PASSAIC COUNTY  
SENIOR CITIZEN WEEK**

**Motion To Approve:**

**Motion by Councilman Esquiche, Seconded by Councilwoman Peralta to Approve.**

**ROLL CALL:**

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

**RESOLUTION NO. 2013-143 RESOLUTION AMENDING CAPITAL BUDGET**

**Motion To Approve:**

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

**ROLL CALL:**

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

**RESOLUTION NO. 2013-144 RESOLUTION AUTHORIZING AND ACCEPTING  
PROPOSAL FROM THE BOROUGH ENGINEER  
FOR THE FOLLOWING PROJECT:  
NORTH 7<sup>TH</sup> STREET IMPROVMENTS**

**Motion To Approve:**

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

**ROLL CALL:**

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

**RESOLUTION NO. 2013-145      RESOLUTION AUTHORIZING AND ACCEPTING  
PROSOPAL FROM THE BOROUGH ENGINEER  
FOR THE FOLLOWING PROJECT:  
HOFSTRA PARK IMPROVEMENTS**

**Motion To Approve:**

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

**ROLL CALL:**

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

**NAYS:            None**

**ABSTAIN:        None**

**ABSENT:         Zakaria**

**RESOLUTION NO. 2013-146      RESOLUTION AUTHORIZING THE LAND USE  
BOARD OF THE BOROUGH OF PROSPECT PARK  
TO UNDERTAKE A PRELIMINARY  
INVESTIGATION PURSUANT TO THE  
REQUIREMENTS OF THE LOCAL  
REDEVELOPMENT AND HOUSING LAW,  
N.J.S.A. 40A:12A-1, EST SEQ., OF WHETHER THE  
PROPERTIES IDENTIFIED AS BLOCK 13, LOT 9;  
BLOCK 14, LOT 1; BLOCK 15, LOT 1, BLOCK 16,  
LOT 8, BLOCK 21, LOTS 9 & 26; BLOCK 27, LOT 39  
BLOCK 63, LOT 1; BLOCK 67, LOT 5; BLOCK 68,  
LOT 12; BLOCK 73, LOT 51; BLOCK 93, LOT 1;  
BLOCK 100, LOT 1; AND BLOCK 102, LOTS 1, 26 &  
67.01, IN THE BOROUGH OF PROSPECT PARK,  
OR ANY PORTION THEREOF, SHOULD BE  
DECLARIED AN AREA IN NEED OF  
REDEVELOPMENT ACCORDING TO THE  
CRITERIA SET FORTH IN N.J.S.A. 40A:12A-5.**

Mayor Khairullah asked the Municipal Attorney to explain this resolution since it was not previously discussed at the Work Session.

Denis Murphy explained that the procedure and legal opinion will be discussed in Executive Session. Mr. Murphy continued by saying we had received from the developer of the quarry a request for a designation of the quarry properties, that's why the title of the resolution is so long. This resolution is seeking to designate the area for redevelopment, there are certain things the Borough is able to do, if it's designated as area in need of redevelopment. About 10 years ago, the Borough had authorized this while there was ongoing litigation between Tilcon and the Borough. As part of the settlement agreement with Tilcon the Borough agreed not to pursue the designated area as in need of redevelopment. However the new owner has made the request. What happens next, you don't just designate an area in need of redevelopment. A planner, engineer, along with other professionals and certain criteria needs to be met the Statue in order for the Borough to designate it an area in need of redevelopment. That initial report, preliminary investigation by Statue requires to be done by the Planning Board, you have a Land Use Board, which is a combination of both. What this resolution does, it refers to the Planning Board or the Land Use Board the authorization to do a preliminary review, and make recommendations along with the request from the development, since it was the developer's request, and they have agreed to pay, setting up an escrow account, to pay for the planner who is hired by us. It would not be a planner or engineer hired by the developer to do this study. After the study is complete, it will come back to you for further action. The next step would be after this resolution is past; we would set up an escrow agreement with the developer, who would deposit funds into the

town. Steve Sanzari would be in charge of those funds. A planner designated by the Borough, which you already have, as well as an Engineer, would then take on if the Land Use Board so chooses, then take on the efforts for producing a preliminary study to see if that area falls within the Statutory guidelines for an area in need of redevelopment.

Mayor Khairullah asked if there was a financial benefit for the Borough. Mr. Murphy stated that it provides the Borough with more flexibility. The end result would be is if it is an area designed in need of redevelopment what you could do is create a redevelopment plan, which is specific to those pieces of properties. The way the resolution is drafted is that it's not just one piece of property; it is all those properties, or a portion of a property. After the redevelopment plan is formulated through your planner or engineer, then you are permitted to dictate, I don't want to use the dictate, what type of development goes there. From the stand point, this was something Tilcon had in the settlement agreement with the Borough, that we were not going to exercise any of the rights under the redevelopment law. Generally speaking you don't have a developer requesting this, but it could streamline the process that through a redevelopment plan that you formulate with the Planner, you essentially, I'm getting into an area of legal opinion, arguments can be made I'll just say that with the redevelopment plan, the developer would bound by the plan not by the zoning ordinance. But the redevelopment plan would still have to come back to Council; you would need to adopt the redevelopment plan, it's not as if the Planning Board goes off and does this, and submits a report, and you never hear anything again about the redevelopment plan. It still comes back, one question is if the area is in need of redevelopment and two and if it is, then there would be a development of a redevelopment plan for that area. It is not a light undertaking, both the area of redevelopment and the development of a redevelopment plan. The first step is whether this is an area in need of development; there are certain criteria that needs to be met first for it be a designated area. The plan would be the second step. This is the reason for an escrow agreement, the developer is not hiring, and the Borough is hiring someone to do it and utilizing the escrow funds to pay.

**Motion To Approve:**

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

**ROLL CALL:**

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

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Zakaria**

**RESOLUTION NO. 2013-147**

**RESOLUTION AUTHORIZING AN EXECUTIVE  
SESSION FOR THE PURPOSE OF DISCUSSING  
POTENTIAL AND PENDING LITIGATION AND  
MATTERS OF ATTORNEY-CLIENT PRIVILEGE**

**Motion To Approve:**

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

**ROLL CALL:**

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

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Zakaria**

**Entered into Executive Session at 7:45PM**

**Returned to Regular Meeting at 8:21 PM**

**Motion To Return To Regular Meeting**

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

**ROLL CALL:**

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

**COUNCIL AND COMMITTEE REPORTS**

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

**COUNCIL PRESIDENT ARTIS (Public Safety) –** Fire Department’s report for July, Buildings 6, Autos 2, Dept. Drills 1, Misc. 1. Police Report total calls for August 269, Operations Report 196, Incident report 62, Motor vehicle accidents 11, Ambulance calls 41, Fire calls 5, Burglary 2, Theft 6, Vehicles towed 9, Aggravated Assault 2, Simple assault 1, Criminal mischief 2, Domestic violence 1, Recovered stolen property 1, Alarms 11, Suspicious persons/acts 16, CDS 6. He wanted everyone to take notice of the recent arrest by the Police Department involving 139 vials of heroin and 34 packets cocaine. There were several letters of commendations to various officers for their dedicated work.

**COUNCILMAN ESQUICHE (Housing/Health & Welfare) –** Construction permits 9 new, inspections 11, total fees received \$886.00 ytd \$23,132. Housing activity inspections 8, complaints verified 21, total revenue for registrations, CO’s, and COC’s \$400.00 ytd \$11,595.00. 306 Haledon Ave., Gas Station, County set hearing for 9/19. Court fines were \$1,300.

**COUNCILMAN HAYEK (Communications/Ordinances) –** Glad quick links were added to web page. Continuing to work on updating codebook.

**COUNCILWOMAN ORTIZ (Finance/Insurance) –** 2013 Current Taxes 1,989,468.94, Delinquent taxes \$8,803.43, Prepaid taxes \$2,350.00, Interest on investments \$321.30, Interest & costs on taxes \$2,519.24, Fees & permits \$4,815.40, Municipal court fines & costs \$10,625.70, Energy receipts taxes \$123,382.36, CMPTRA \$27,683.10, Construction code fees \$1,258.00 Cell tower rents \$5,574.68, Budget credits \$9,317.50, Total Collections \$2,186,119.65. Disbursements – 2013 budget appropriations \$459,814.37, County open space taxes \$4,896.13, Total Disbursements \$464,710.50. Cash on hand \$1,999,864.49, interest rate on all cash .25%

**COUNCILWOMAN PERALTA (Parks & Recreation/Building & Grounds) –** Wants to thank very one for their support during Prospects Park Day. We had 20 vendors, which is the largest number of vendors we ever had. Halloween Hayride is October 26, and we are looking for sponsors, vendors, and people to participate in the Scary Stations. Have contacted the school regarding Zumba classes.

**CONCILMAN ZAKARIA (Public Service) –** Presented by Councilman Esquiche for DPW, painting crosswalks and stop bars, still picking up brush around town, had to remove a downed tree on the corner of 10<sup>th</sup> and Brown during a storm, a 2<sup>nd</sup> tree during a 2<sup>nd</sup> storm came down at 262 North 10<sup>th</sup>. RJ working on recycling truck, getting it ready for leaf season. DPW received a call regarding a broken sewer line on the corner of North 16<sup>th</sup> and Kenneth Ave., this line was broken by PSE&G, they started fixing it today. Passaic Valley Water will also be out.

**ENGINEER’S REPORT –** Reconstruction had to be done on Haledon Ave, the handicapped cut-outs were not up to code and had to be redone.

**TREASURER’S UPDATE –** Nothing at present.

**MAYOR MOHAMED T. KHAIRULLAH –** He wanted to thank Councilwoman Peralta and her committee, and everyone that helped during Prospect Park Day. I think this was one of the most successful days our town has seen. Our commitment to recreation in town and to the children is

obviously not coincidental; the park is becoming more of an attraction. And our reach-out efforts I think are very helpful. I want to thank the school for being a great resource for us when it comes to inviting the residents for us. We didn't have 10 people deep watching the parade, but it was definitely nice to have people the entire length of the parade. Hopefully for future parades we will have more and more participation; we can build on this success. In terms of the Manchester situation with the latest turn of events. Maybe Denis can correct me if I'm wrong. There is a new decision by the Commissioner of Education that mandates us to pay more over the next two years. Essentially there is no way of rolling back or going back to old formulas, we are told that because North Haledon initially won the vote 9-10 years ago. They were ordered to stay. The court sided with them financially, however with the recent decision the courts and the Commissioner of Education failed, or they both failed to understand the consciences of putting further financial restraints or pressure on a community such as Prospect Park and also Haledon our neighboring town. That being said it is obviously in our best interest to appeal this latest decision by the Commissioner for various reasons. We understand that North Haledon didn't file an appeal yet. Should they not file an appeal; things will stay based on the recent decision of the Commissioner of Education. If they file an appeal, and most likely we feel they will file an appeal, that's been their trend, and based on their Mayor's statement, we are forced to file an appeal because they will obviously be asking us to pay more. It is our intention to be ready, should an appeal be filed, but it is something we have to do, not want to do, of course there will be legal expenses, but the bigger expense would be if we didn't file. I think we need to form a town committee so we can coordinate as a town, regarding this decision. The Governing Body will do what it needs to do legally. I think when it comes to public relations, lobbying our legislators, and elected officials, that is something that in our case can not only be done by elected officials, the community needs to have their voices heard. Our legislators need to understand that is a financial cost to our residents. The Governed and Commissioner needs to understand that we cannot afford the financial pressure they are putting on us. I don't think it's the best interest of Prospect Park or our neighboring community that we continue to cut services so we could subsidize the increases in Manchester taxes. We try to do what's right by tightening our belts on the municipal side so when Manchester increases the taxes because of the change to the formula our residents don't feel the hit, but there is only so much we can cut before services are adversely affected. I don't think that it's in the best interest of North Haledon if we have to cut services. For example our biggest expense has always been the police. I don't know if that's what they want us to do. If crime starts to increase in our town, then guess what, their border is right next to us, they are not ten towns away. I think cooler heads need to prevail, this needs to stop, but obviously we will be ready to what we need to do to lessen the impact should they file an appeal. I thank the Council for their support and understanding. If the residents have any comments, questions, we are always here.

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

**Motion to Open the Public Hearing**

**Motion by Councilwoman Peralta, seconded by Councilman Esquiche To Approve:**

**ROLL CALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Zakaria

Don White, 43 North 16<sup>th</sup> Street – Wanted to know what was going on with the investigation of the Fire Department.

Council President Artis replied by saying we have met on several occasions to put this to rest. Right now we are just waiting to finalize this for everyone that is involved. That is our only delay. One additional meeting with the fire dept. and that should be it.

Mayor Khairullah stated that there is a line of communication that was established recently and talks are in progress there are things that he say more on once this is over, but for now I can tell you there is a health dialog going on.

Al Demarest, 368 North 9<sup>th</sup> Street – regarding Prospect Park Day it was one of the best one he has ever seen. A few weeks ago he read about drug arrests. When you find drugs you need to have back-up. We need additional police officers, moral is godwit doesn't matter what rate they are, everyone one does everything. We need a 2<sup>nd</sup> in commend, they can be out patrolling, but it won't cost much between the ranks. Start thinking about promotions, we need more policemen. Surrounding towns have added more men.

Mayor Khairullah responded by saying put yourself in our place, between the surplus which we were working on, now we have to worry about Manchester raising taxes. But as the Mayor of this town or councilmember we are expected to have the answers for everything. But that's why we followed the strategy of when Manchester increases their taxes, we cut our expenses. Because I know if they can and they have cooperated with us in the past, Manchester, or we have agreed to cut their budget when they had an April election, but when you have certain situations, such as the Commissioner's decision or previous court decisions there is nothing we can. I am very aware when I started as Mayor the structure of the Police Department had more man power, and I would love to bring it back. I know that we live in a crazier world now, and it gets crazier each day. The Police Dept. has cooperated with us in the past and they are at the end of a fantastic contract that lasted six years. Because of that contract they survived many things that affected other departments. I will meet with the CFO and our Auditor to talk about next year. I can't promise anything right now, but once we have a picture of what we are expecting next year then we can some decisions. I would love to bring the Police Department back to the right number of officers. That's where we are, you have a commitment that we want to, but we have conditions around us that tell us we can't do it right now. Not because we don't want to but because of the conditions around us. We want the public to know what we would like to do. It's great when someone tells me what is going on and it's a positive thing. If a house gets broken into on 17<sup>th</sup> Street, and it's someone from Hopper Street telling me, people share more negative news then positive. I do tell the Chief to inform the public about something that is positive, make it public. You have a commitment of trying to change things, improve things, given things to the Police Department, but we have to deal with the conditions. We will see in the next few weeks, months, I think the deadline to file an appeal is where in the middle of October. We have to deal with that, we have to figure out the cost of that, we have contract negations going on right now, that we are trying to finalize. We will take everything into consideration and make so moves sooner rather than later. Now that I said that once this appears in the paper, I will get 20 phone calls telling me they want a job. Seeing no other speakers, the Mayor motioned to close the public hearing.

**Motion to Close the Public Hearing**

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

**ROLL CALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Zakaria

**ADJOURN MEETING**

**Motion To Adjourn at 8:54 PM.**

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

**ROLL CALL:**

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

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**Mohamed T. Khairullah**  
**Mayor**

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**Stephanie Evans, RMC**  
**Municipal Clerk**

APPROVAL PENDING