

**BOROUGH OF PROSPECT PARK**  
**MAYOR AND COUNCIL**  
**MINUTES OF WORK SESSION**  
**OCTOBER 22, 2013**

**Present:**

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

**Absent:**

Councilman	Adnan Zakaria
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**Also Present:**

Municipal Attorney	Denis Murphy
Municipal Clerk	Stephanie Evans

The meeting was called to order by Mayor Mohamed T. Khairullah at 6:35 pm.

The meeting was opened with the Flag Salute led by Council President Artis, and the Prayer led by Councilman Hayek.

**NOTICE OF MEETING**

**STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETING ACT**

Read by the Municipal Clerk, Stephanie Evans

The Work Session of the Mayor and Council of the Borough of Prospect Park rescheduled from Monday, October 21, 2013 at 6:30pm have been changed to Tuesday, October 22, 2013 at 6:30pm. The Meeting will take place in the Municipal Building located at 106 Brown Avenue, Prospect Park, New Jersey. Formal action may be taken.

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 October 18, 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 Zakaria with prior notice.**

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

**ROLL CALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Zakaria

Mayor Khairullah addressed the Police Department, and Sargent Marcoux said the only thing he has is the appointments that will be further in the meeting.

**PUBLIC PRESENTATIONS:**

Valley National Bank, Eliza Marchlewska, Assistant Vice President – Naomi Kasib, Court Administrator filled in for Ms. Marchlewska and advised the Council of a new credit card agreement that she has reviewed. \$562.34 savings per year with Valley National versus the current company. The monthly charge would be \$199.87, all other fees have been waived. This will be a fixed rate for as long as we use Valley National. Naomi will have Ms. Marchlewska come in, and will locate the current contract for Denis to review.

**DEPARTMENT HEAD REPORTS AND DISCUSSION:**

ENGINEER'S REPORT –

POLICE DEPARTMENT REPORT -

Sargent Marcoux stated that he handed out copies of Craig Bonagura's resume to the Mayor and Council, he passed his evaluation, medical, and background check, and Chief Atie is recommending him hiring and appointment him as a Class II Special. Mayor Khairullah asked if all councilmembers had met with him, and Councilman Hayek said he didn't have a chance. The Mayor suggested that Craig stay after the meeting to meet with Councilman Hayek. Councilman Esquiche asked how the hiring process was handled. Sargent Marcoux said that Chief Atie conducted an interview and then that was followed by Sargent Portella doing a background check along with another interview. Councilwoman Peralta wanted to know how many people were interviewed; Sargent Marcoux believed it was three, they were interviewed and Craig Bonagura was the best candidate. Mayor Khairullah said that this was the first time he met Craig tonight, he was aware that there was a hiring process going on, and Governing Body was never involved before. The Mayor didn't know if Council President Artis had any involvement in this process. Council President Artis said in the past they interviewed before hiring but after all the tests and background checks were done. Mayor Khairullah informed everyone that based on feedback that auxiliary officers were given a chance, some declined for their own personal reasons, and some were probably disqualified. The process was completely handled by the Police Department without any involvement of the Governing Body. I was aware of the fact that an interview was going on and that some of the residents that I could discuss private situations in person, some members declined the position and some were not qualified. Sargent Marcoux went on to say that Craig is already trained for service, and that no academy is needed, he can start right away and do in-service training. That was one of the key elements, him being certified already.

HEALTH DEPARTMENT REPORT – No report

DEPARTMENT OF PUBLIC WORKS REPORT –

Kenny Valt explained that he will need to upgrade his radio communication system to meet the FCC regulation to switch to narrow-band, and would need to be done by January, 2014. The monthly fee would be \$62.80, no new equipment would be needed, and the current equipment would be reprogramed. The total charge would be \$725.00. Also we had a leak in the basement as a result of Passaic Valley's pump not turning on. There was damage done to boxes in the basement. I meet with Farah and Passaic Valley to discuss the damages and what needs to be done to avoid this issue.

FIRE DEPARTMENT REPORT – No report

OFFICE OF EMERGENCY MANAGEMENT REPORT –

CONSTRUCTION/HOUSING DEPARTMENT REPORT –

RECREATION REPORT – No report

TREASURER'S REPORT –

Steve just wanted to inform the Mayor and Council that the 2013 Best Practices Inventory had been completed and submitted DLGS, and the Borough will receive its money.

**MUNICIPAL CLERK’S AGENDA:**

**PROCLAMATIONS AND PRESENTATION –**

Prospect Park Day Talent Show 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Place Winners

**APPOINTMENTS –**

Police Department Class II Special Police Officer.

Police Department Substitute Crossing Guard

**COMMUNICATIONS AND CORRESPONDENCE –**

Request from Paterson to pass a Resolution in support of Ballot Question #2, Amending New Jersey’s State Constitution to increase the minimum wage to \$8.25 per hour.

Request from “Save Our Developmental Centers Coalition” for a resolution opposing the closure of North Jersey and Woodbridge Developmental Centers.

Request from the Volunteer Fire Development for a fund drive on Haledon Ave. and North 8<sup>th</sup> Street, and East Main Street and North 6<sup>th</sup> Street, Saturday, November 2<sup>th</sup> 8am to 1pm. Rain date of November 16<sup>th</sup>.

**APPROVAL OF MINUTES –**

September 9, 2013                      Special Meeting

September 9, 2013                      Work Session

September 23, 2013                     Regular Meeting

**ORDINANCES –**

Ordinance 2013-06      Amend Chapter 85, Section 84-45 Entitled  
**ADOPTION**              Restriction of Spaces – Handicapped Spaces .

Ordinance 2013-07      Bond Ordinance providing an appropriation of \$400,000  
**ADOPTION**              for various improvements to Hofstra Park for an 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.

Ordinance 2013-08      Bond Ordinance providing an appropriation of \$322,000  
**ADOPTION**              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.

Ordinance 2013-09      Bond Ordinance providing an appropriation of \$134,000  
**ADOPTION**              for various capital improvements for an by the Borough  
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.

Ordinance 2013-10      An ordinance amending Chapter 85, Section 84-45 entitled  
**INTRODUCTION**        “Restriction of Spaces”

RESOLUTIONS –

Resolution for the Prospect Park Day Talent Contest:

1 <sup>st</sup> Place Winner	\$75.00
2 <sup>nd</sup> Place Winner	\$50.00
3 <sup>rd</sup> Place Winner	\$25.00

Resolution Appointing Special Auxiliary Officer.

Resolution Appointing Substitute Crossing Guard.

Resolution Authorizing Sale/Auction of a 2006 Chevrolet Impala.

Resolution Approving The Borough of Prospect Park Volunteer Fire Department  
To Hold A Fund Drive In The Borough Of Prospect Park.

Resolution Authorizing Municipal Clerk to advertise for RFQ's for professional services.

GENERAL DISCUSSION –

**COUNCIL AND COMMITTEE REPORTS:**

LEGAL UPDATES – DENIS MURPHY, MUNICIPAL ATTORNEY – No report

COUNCIL PRESIDENT ARTIS – Fire Dept. report calls for September were as follows:  
Building 1, Auto 1, Dept. drills 2, False alarms 1, Emergencies 1, Mutual aid 1.

COUNCILMAN ESQUICHE – No report

COUNCILMAN HAYEK – Would like residents to go to the Borough website.

COUNCILWOMAN ORTIZ – Finance report of current fund collections 2013 current taxes \$66,427.19, delinquent taxes \$1,644.11, prepaid taxes 22.12, interest on investments \$242.51, interest & costs on taxes \$8,332.23, fees & permits \$5,706.31, tax title liens \$30,752.94, construction fees \$1,938.00, cell tower rents \$5,574.68, budget credits \$2,049.01, interfunds receivable \$10,000, total collections \$132,689.10. Disbursements 2012 budget reserves \$8,073.13, 2013 budget appropriations \$416,396.46, tax title liens \$37,137.22, county open space taxes \$4,896.13, regional high school taxes \$424,435.24, local school taxes \$286,424.50 total disbursements \$1,177,362.92. Cash on hand 9/30/13 \$1,834,407.36.

COUNCILWOMAN PERALTA – Talked about upcoming event this Saturday, the 26<sup>th</sup>. It's the Haunted Hayride, with three place winners, looking for volunteers to set-up and help during the night. Fliers went out to the school informing all students about it, also goody bags and hot chocolate will be served. The park will be closed during the day and reopen at 6pm. The event will run from 6pm to 8pm.

COUNCILMAN ZAKARIA – Not present

ENGINEER'S REPORT – This afternoon there was a leak in the basement of the municipal building; it came from the pumping station. Passaic Valley pumps leaking underneath causing damage to Borough walls. Will meet with them tomorrow to discuss how much damage, and report back to Mayor and Council.

## **PUBLIC HEARING**

**(Privilege of the floor)**

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

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

### **ROLL CALL**

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

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Zakaria**

William Martinez, 285 North 8<sup>th</sup> Street – Talked about the increase in crime within the Borough and wanted to know if the Mayor and Council along with the Police support starting a neighborhood watch and how to get it started. Councilwoman Peralta stated that she had recently spoken with the Chief of the Sheriff's Dept., and he said that the department would help to help this program together, it only needed volunteers. If Mr. Martinez would get a group of volunteers together this program would be supported and started by our Police Dept. Also if anyone should see anything at any time, use the panic button on your car's remote. And when you get a group together come to me or Robert Artis and we will get the program going. Mayor Khairullah agreed that times are changing, if Mr. Martinez would lead, the Mayor and Council would give him their full support.

Karen Napolitano, 89 Hopper Street – Would like to be part of the 911 system, the rate would be the same as Paterson's. She resides near the Paterson border, and when her mother needed an ambulance it took 40 minutes, a neighbor waited so long that she delivered her baby in the bathroom. All employees are certified volunteers, I'm not looking for a contract, wants to give back to the community. Mayor Khairullah questioned whether or not our agreement with Paterson limits us with services. Denis Murphy would have to review the agreement and there would be other concerns, there are certain requirements that would need to be provided, such as proof of insurance, and other things of that nature. The other aspect is your company, as per profit company, as oppose to the City of Paterson. Contracting with the City of Paterson is different as contracting with a private entity, not required meeting the bidding laws, it may require a Request for Proposal to go out, which is not uncommon for ambulance services. Then there would be the response to those proposals to be submitted. An example would be why should the Borough choose you as opposed to Saint Joe's. From a public entity's standpoint prior to them contracting with anyone, they contract differently with a public entity versus a private one. When contracting with a private entity certain rules must be followed, such as competitive bidding process, in this case it would be a procurement process, an RFP. There may be something in the Paterson agreement that may prohibit us. Mayor Khairullah recommended that Council President Artis and Denis Murphy study our options. You may be doing all the research for other companies, if you are a for profit company, you do all the research, we will still have to go out to bid and you may not be the lowest responsible bidder. Know that this is where you are with this situation. But if the Public Safety Committee wants to look into it, as an option to reduce the response time for the residents, then your man would be Council President Artis. Denis also mentioned that in the contract it can be designated that a specific ambulance be designated for the town for a specific amount of time, and if that is in the contract the question becomes why is it taking so long to get an ambulance, and if not why isn't it in the contract. It was discussed that Sargent Marcoux would check dispatch records to verify response times. Sargent Marcoux stated that Paterson does have a designated ambulance on Temple Street, and usually response time is 20 minutes. Mayor Khairullah wanted Ms. Napolitano to establish contact with Council President Artis to review this issue.

**Motion to Close the Public Hearing.**

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

**ROLL CALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Zakaria

**RESOLUTION**

**RESOLUTION NO. 2013-150**

**RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING ANTICIPATED LITIGATION AND MATTER 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

**Exit from Work Session Meeting to enter into Executive Session at 7:27 pm.**

**Exit from Executive Session and Return to the Work Session at 8:44 pm.**

**ADJOURN MEETING**

**Motion To Adjourn.**

**Motion by Councilwoman Peralta, seconded by Councilman Esquiche 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**