

SPECIAL MEETING OF NOVEMBER 14, 2005

Mayor Ganz called the meeting to order at 7:00 p.m. Assistant Municipal Clerk Bojanowski read the following statement of compliance:

In accordance with the Open Public Meetings Act, annual notice of all meetings of the Borough of Fair Lawn was published in the Record issues of December 18, 2004. Notices were also posted on the bulletin board located on the first floor of the Municipal Building and the Maurice Pine Free Public Library. Copies were mailed to the North Jersey Herald and News and the Shopper. The annual notice identified the times and locations of the Council meetings and work sessions.

PRESENT: Mayor Ganz, Deputy Mayors Etler and Weinstein and Councilmembers Caan and McCarthy.

ALSO PRESENT: Manager/Municipal Clerk Kwasniewski, Attorney Lustgarten and Assistant Municipal Clerk Bojanowski.

RESOLUTIONS BY CONSENT #32-2005

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Caan, Consent Agenda 32-2005 containing the following items was unanimously adopted

- a. Resol. #312-2005 - Emergency Appropriations - Water
- b. Resol. #313-2005 - Emergency Appropriations - Gasoline

MISCELLANEOUS PUBLIC COMMENTS

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, it was unanimously agreed to open the time for public comments.

Don Meyers, 8-22 Mayfair Terrace asked why this water appropriation was not taken off consent. Manager/Municipal Clerk Kwasniewski stated it was a dry summer, they used more water and they had to buy more water from the water companies. The rate increase came in July and was higher than anticipated and they did not have enough appropriation. Mr. Meyers asked if this had anything to do with the \$50,000 line item that was stricken from the budget at the budget recap meeting on March 1st. Manager/Municipal Clerk Kwasniewski stated it had nothing to do with that. This is strictly for the purchase of water and emergency appropriation money may only be used for that purpose. Mr. Meyers questioned if this is actually an emergency when on March 1st there was a \$50,000 line item in the budget for water to fill Memorial Pool and Mayor Ganz stated he would not pay that bill.

He added the other Councilmembers sat silently and made no objections. Deputy Mayor Weinstein stated they sat at a budget, which is an estimate of the costs for the year, by law they make emergency appropriations if there is not sufficient money in the budget.

Mr. Meyers believed the budget was manipulated for the purpose of the election and now another point and quarter is being added to next year's taxes to pay for what this year's Council decided they were not going appropriate and deliberately did not because of what Mayor Ganz said at the meeting.

Deputy Mayor Etlar stated Mr. Meyers accusations were untrue and if he believed anyone on this Council knew that there would be a drought that is untrue. Mr. Meyers stated they sat very quietly when the line item was stricken from the budget. Deputy Mayor Etlar stated they are two separate things.

Mayor Ganz stated the well is owned by the Borough and they do not pay for that. They pay for outside water. Deputy Mayor Etlar the water system has to be maintained up to date and the accounting for that is separate from the rest of Borough's appropriations.

Mr. Meyers stated if they struck a \$50,000 line item from the budget they should only have to be adding \$50,000 or \$70,000 for opening the pool early. He wanted to know why they are asking for \$200,000. Mayor Ganz stated this is not the pool's money, it is the bills for United Water and Passaic Valley Water Authority. Mr. Meyers asked why it was coming out of the general account council appropriation and not out of the water utilities. Manager/Municipal Clerk Kwasniewski this is for the water utility other expenses. I is not the general fund. She suggested he read the resolution and advised him again that this has nothing to do with the pool.

Mr. Meyers stated they are looking for \$100,000 for gasoline. He added up the requisitions that were put through for the first six months of this year and they added up to \$87,000. If they double that the Borough uses about \$175,000 worth of gasoline. He understood they had some problems and the prices did get a little out of control this fall. He stated 1/3 of \$175,000 is about \$58,000. He asked how much did the price go up, maybe 25%, then they should be asking for \$15,000 more. Mayor Ganz stated when gas topped at \$3.00 a gallon that is 25% more than \$2.00 a gallon. Mr. Meyers stated they are not asking for a 25% increase but closer to a 200% increase. Mayor Ganz stated Mr. Meyers would have the Borough not be able to fuel its vehicles and this Council does not buy into his theory.

Deputy Mayor Weinstein stated these numbers come from the CFO and they trust his guidance and that why these emergency appropriations are made. He advised Mr. Meyers to speak with the CFO if he is questioning how this is calculated. Mr. Meyers asked if there was no place else in this budget to find this money. Mayor Ganz stated he must know there is a requirement that they must certify that there is no other source available to do this in order to have the emergency appropriation.

Mr. Meyers stated that they cut \$187,000 in overtime and asked how that was going this year. Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to get that information for him for the next meeting.

Arlene Rubinstein, 28 Rutgers Terrace asked if they always listen to the CFO on budgetary items. Deputy Mayor Weinstein stated what he said was they are calculated and they listen to the CFO for guidance. Mrs. Rubinstein stated she has been at meetings where the CFO has said they cannot do this and Mayor Ganz replied that yes he could. She stated Mayor Ganz has been ignoring the taxpayers of this town and now the Democrats, Republicans, Independents and Undeclared have all spoken by the result of the election. She added two years from now this emergency water appropriation will be remembered and the taxpayers of this town will have a basis for a very long memory because the taxes are going through the roof unnecessarily.

Francis Gallagher, 8-54 Cedar Street stated he was doing an addition on his house and the neighbors keep calling the police. He went to the police station to see when he could work on his house because he has a full time job and they suggested going to the Council meeting. Mayor Ganz suggested meeting with Manager/Municipal Clerk Kwasniewski. She would give him all the details and would be happy to work with him.

John Bredehorst, 9-33 Sycamore Drive stated he has lived in this town since 1939 and has never ran into a problem. There are contractors working all around town on the weekends and the police don't bother them and he did not believe this was right. Mayor Ganz suggested talking to the Manager.

Gary Sacchinelli, 23-17 Ellington Terrace stated there are a lot of tempers flying and a lot of people do not come to Council meetings but watch them. This is not a healthy thing to see. He understood some residents can get people aggravated and their view may not agree with the Council but when the public sees the Council people in a fight it is not a good atmosphere. It also stops others from wanting to come to meetings. He asked everyone to hold their tempers because it does not look good for the town.

ADJOURNMENT

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Etler, the meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor David L. Ganz

Councilmember Allan Caan

Deputy Mayor Martin Etlar

Councilmember Owen McCarthy

Deputy Mayor Steven Weinstein