

These minutes have not been approved and are subject to change or modification by the Mayor and Council at a public meeting.

**SINE DIE
JANUARY 2, 2014**

This SINE DIE Meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to The Our Town, The Record, The Community News and The County Seat newspapers on December 27, 2013. In addition, copies of this notice were posted on the bulletin board in the Municipal Building at 15 Park Avenue, filed with the Borough Clerk and distributed to all persons, if any, requesting copies of same pursuant to said act.

In case of an emergency or fire alarm, you must evacuate the building by using the exit door immediately to my right and at the rear of the room. Occupants must exit the building by using the staircase and not the elevator.

This meeting is being recorded by both video and audio and may be rebroadcast.

Members of the 2013 Governing Body present: Mayor Padovano, Council members Morrone, Eisenberg, Ballerini, Fleischmann and Febre. Also present were Borough Attorney Ronald A. Dario, Borough Clerk Jean M. Pelligra and Borough Administrator Roberta Stern.

Mayor Padovano asked CFO Charles Cuccia to explain the reason for the meeting.

CFO Cuccia explained the emergency occurred after the last meeting of 2013, but before the end of the year; therefore, the 2013 council must take action on this resolution as it will affect the budget of the prior year.

Mayor Padovano opened the meeting to questions from the council for CFO Cuccia.

Council President Febre questioned if any of the emergency was covered by insurance.

CFO Cuccia responded no and explained pipes under the roadway are not covered.

Council member Ballerini questioned what would happen if negligence was involved.

Mayor Padovano responded we can pursue someone who damaged our sewer system.

Administrator Stern explained the findings in the Engineer's report.

Council member Ballerini asked if the Engineer's report had been distributed.

Administrator Stern responded no, adding due to the age of our sewer system, there will be a report forthcoming suggesting portions of the system that could be upgraded.

Council member Morrone questioned if this cost comes out of the 2013 budget.

CFO Cuccia explained it is authorized in the 2013 budget, but paid for in 2014 outside the cap.

Council member Fleischmann stated in the spring, the borough should consider checking the sewer line from the swim pool to ensure the concession stand grease trap is functioning properly since it feeds into that same lateral line.

Administrator Stern responded what was found in the sewer line could not have come just from the concession stand.

There being no further questions, Mayor Padovano closed this portion of the meeting.

RESOLUTIONS BY TITLE - CONSIDERATION OF THE FOLLOWING

RESOLUTION #161-13

**RESOLUTION AUTHORIZING EMERGENCY APPROPRIATION PURSUANT TO
N.J.S.A. 40A:11-6 FOR EMERGENCY REPAIRS TO SANITARY SEWER, MANHOLES,
ADDITIONAL OBSTRUCTIONS AND EMPLOYEE OVERTIME**

WHEREAS, an emergency has arisen with respect to contracting various contractors with equipment to relieve the sewer backup, create a bypass, install a new manhole, address the pipe collapse, video , excavation, siphon cleaning, costs of the Engineer and over-time pay for the Department of Public Works . To meet the pressing need to protect the public health, safety and welfare which had occurred subsequently to the adoption of the 2013 municipal budget and which was not capable of anticipation at the time of the adoption of the 2013 budget and, for which no adequate provision was made in the 2013 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purposes mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation created by this resolution is \$55,000.00 and three percent of the total operating appropriations in the budget for 2013 is \$436,517.10; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3%) percent of the total operating appropriations in the budget for 2013;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood (by not less than 2/3rds of all the governing body members affirmatively concurring) in accordance with N.J.S.A. 40A:4-48:

1. An emergency appropriation is hereby made for the following:

Drainbusters	\$ 16,608.00
Montana Construction	\$ 28,115.71
National Water Main Cleaning	\$ 3,600.00
Neglia Engineering Assoc.	\$ 5,500.00
Employee Overtime	\$ 600.00
Other Expenses	\$ 576.29

TOTAL **\$55,000.00**

2. That said emergency appropriation shall be provided for in full in the 2014 budget and is requested to be excluded from the CAPS.
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Council member Ballerini moved for adoption, seconded by Council member Febre; and so carried by unanimous roll call vote.

ADJOURNMENT

Council member Febre moved the meeting be adjourned; seconded by Council member Eisenberg and so carried at 6:15 pm.