

**MINUTES OF THE TOWNSHIP COUNCIL
TOWNSHIP OF BERKELEY HEIGHTS
EXECUTIVE SESSION HELD ON FEBRUARY 19, 2013**

CALL TO ORDER

Mayor Bruno called the Executive Session to order at 7:06p.m.

ROLL CALL

Present - Mr. Delia, Mr. Hall, Mrs. Kingsley, Mr. Pastore, Mr. Pirone, Mr. Woodruff, and Mayor Bruno were present.

Absent – Mrs. Kingsley

Also Present – Township Attorney Joseph Sordillo, and Acting Clerk Ana Minkoff.

EXECUTIVE SESSION – 1. Attorney-Client Privilege- Passaic River Litigation

Also present Steve Kunzman

Mr. Sordillo stated that he spoke with the insurance carrier and that the \$95,000.00 will be covered by them. He does not believe that there is a deductible; the insurance company is in favor of the settlement.

Mr. Kunzman stated that he does not know what the appellate decision will decide, this settlement may still leave things open. The state has entered into a settlement of Memorandum, their agreement is not yet known. There are common law claims, this is seen as the best solution, superfund case may still happen, and other municipalities may be dragged in. About 50% of the municipalities have to agree on this settlement.

Mr. Woodruff asked about the potential federal litigation, and if third party defendants could sue and start the same process again.

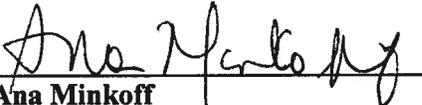
Mr. Kunzman stated that it is a possibility.

A discussion continued regarding the claim.

It was agreed that a resolution would be adopted at the next meeting.

Adjourned at 7:20 p.m.

Approved: August 18, 2015



Ana Minkoff
Township Clerk