

**MINUTES OF THE TOWNSHIP COUNCIL  
TOWNSHIP OF BERKELEY HEIGHTS  
EXECUTIVE SESSION HELD ON AUGUST 20, 2013**

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**CALL TO ORDER**

Mayor Bruno called the Executive Session to order at 7:03 p.m.

**ROLL CALL**

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

Absent - Mrs. Kingsley and Mr. Pirone

Also Present - Township Attorney Joseph Sordillo, Administrator Linda Cavanaugh and Township Clerk Ana Minkoff.

**EXECUTIVE SESSION - Contract Negotiations- Off Duty Police Services - Connell  
Attorney/Client Privilege- Department of Public Works  
Attorney/Client Privilege - BAC v. Berkeley Heights**

**Contract Negotiations- Off Duty Police Services - Connell**

Also present John DiPasquale

Mayor Bruno stated that he wanted to discuss the Connell Trust agreement.

Mr. DiPasquale stated that in 2003-04 there was an inquiry about Connell not paying the administration fee; they did not think that an administration fee was needed. He thinks that Connell's agreement holds water. There are 4500 or more people there; they pay for an officer, not an administrative fee, which is \$5.00 per hour and \$50.00 per car fee. This is a daily function.

Mr. Hall asked who agreed to this agreement.

Mr. DiPasquale stated that he did not know who made the decision.

Mayor Bruno stated that this agreement is not memorialized anywhere; he believes that this was done in 2004 by Mayor Cohen. This area has a high theft area.

Mr. DiPasquale stated that they are called there because of the car thefts.

Mr. Woodruff stated that this is a unique situation, that Connell is a significant tax payer.

Mr. Hall asked if every significant tax payer wanted that kind of a service, if we would be able to provide it.

Mr. DiPasquale stated "yes", since it directly benefits the township and the tax payer is getting a better service.

Mr. Hall stated that the standard for trust work should be the same for everyone.

Mr. Woodruff asked about liability if an officer gets in an accident.

Mr. Sordillo stated that liability is an issue, and that is why an agreement should be in writing. If something occurred while they are working there, Connell would be responsible.

Mr. DiPasquale stated that if Connell chose not to continue with the service, it would impact the community.

Mr. Pirone asked if Lucent ever had a similar agreement.

Mr. DiPasquale stated that he did not know.

A discussion continued and all agreed that this agreement should be memorialized.

### **Attorney/Client Privilege- Department of Public Works**

Mrs. Cavanaugh stated that she received a call from the Prosecutor's office and that the DPW investigation was concluded. The staff was interviewed and there was no written protocol, the documents were not accurate and no one would testify about the tires. There were a list of recommendations; more oversight at the DPW, there should be a gas boy system, annual review of auto parts.

Mayor Bruno stated that he would like for an auto program, similar to the one that Firestone has, better record keeping is necessary.

Mrs. Cavanaugh stated that she had a meeting with Don, and he will keep a separate file for each vehicle, and he will set up a better tracking system. There will also be a list of qualified vendors, and who is authorized to buy parts. She informed DPW that there will be some changes.

Mayor Bruno stated that there should be a master list.

Mrs. Cavanaugh stated that we should be careful about how we disposed of items. The Chief of Police is looking into the titles that have missing vehicles.

Mayor Bruno stated concern over the tires.

Mr. Woodruff stated that there are many questions that need to be asked. He asked about the missing bus.

Mr. Delia stated that he has been through this and he has a lot of evidence, he believes that there are many parts that have been taken.

Mrs. Cavanaugh stated that she is hopeful that things are changing and there needs to be a protocol in place.

Mr. Pirone stated that the system has to change.

Mr. Delia stated that there are a lot of other things disappearing, that there are tens of thousand of dollars missing, and that tools are disappearing.

Mr. Hall stated that the Council needs proof.

Mr. Delia stated that no one does anything in this town, that there is no oversight.

Mayor Bruno stated that Mr. Delia needs to be able to back up his allegations.

Mr. Delia stated that he is willing to take the risk as long as someone does something.

A lengthy discussion continued.

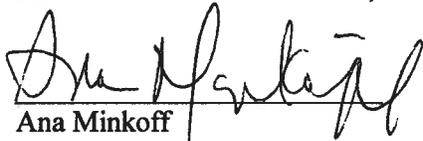
**Attorney/Client Privilege – BAC v. Berkeley Heights**

Mr. Sordillo stated that he received a call from the BAC attorney with a settlement offer, for \$500,000.00 plus all the fees to connect.

There was no one in favor of the offer.

Adjourned at 8:15 p.m.

**APPROVED: December 15, 2015**



Ana Minkoff  
Township Clerk

