

**MINUTES OF THE TOWNSHIP COUNCIL
TOWNSHIP OF BERKELEY HEIGHTS
EXECUTIVE SESSION HELD ON MAY 20, 2014**

CALL TO ORDER

Mayor Bruno called the Executive Session to order at 7:07 p.m.

ROLL CALL

Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore, Mrs. Kingsley and Mayor Bruno answered present. Mr. Hall arrived at 7:30 p.m. Also present was Township Attorney Joseph Sordillo, Township Administrator Linda Cavanaugh and Deputy Clerk Linda Santillo

- EXECUTIVE SESSION – 1. Contract Negotiations/Land Acquisition-Little Flower Church
2. Contract Negotiations/Land Transaction-Redevelopment of the
Municipal Complex (Executive Session Item #2 was PULLED from
the Agenda)**

Contract Negotiations/Land Acquisition-Little Flower Church

Paul Beisser was also present

Township Attorney Joseph Sordillo explained the draft of the Memorandum of Understanding. He said there are two appraisals, Paul Beisser-Value Research and Little Flower-ARD Appraisal. The contingencies are mostly on the part of the Township such as inspections, etc. Little Flower depends on the final approval from the Archdiocese and sufficient funding.

Mr. Hall said we have a preliminary agreement with Little Flower.

Mayor Bruno asked if the price of the Library reflects the upgrades.

Paul Beisser responded the appraisals are pretty close. Our approach is better supported. With the Library there is a big difference in appraisals.

Mr. Woodruff asked if there is any value with the Church getting a building right next door?

Paul Beisser said we can exploit that in negotiations. Paul Beisser went on to explain the appraisal. He said to keep in mind there is an acre difference. He said Little Flower owns property with a reverter clause. It can only be used for school use.

Mr. Woodruff said what if someone asks if the reverter clause affects the value of the property.

Mr. Beisser responded not it does not. Mr. Beisser said the reverter clause is not explicit as to if we have to pay for the property to get it back.

Mr. Sordillo said he would be shocked if court would say the Township gets the property back for \$1.00.

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Mr. Beisser said the rectory has a basement not calculated in the usable area.

Mr. Woodruff asked if we intend to share our report with the public.

Mr. Sordillo said no the report is giving advice and it would have to be heavily redacted. We do not want the document to get out yet. Mr. Sordillo said the Memorandum of Understanding has been sent to Little Flower in the current form and they are fine with it.

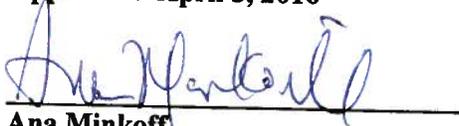
Mr. Hall said the Memorandum of Understanding allows us to talk publicly about it. We need to come up with a defensible price.

Mr. Beisser said his figure is defensible.

There was a discussion on negotiating a price and what figure to settle for.

Adjourned at 7:51 p.m.

Approved: April 5, 2016



Ana Minkoff
Township Clerk