

**MINUTES OF THE TOWNSHIP COUNCIL
TOWNSHIP OF BERKELEY HEIGHTS
EXECUTIVE SESSION HELD ON JULY22, 2014**

CALL TO ORDER

Mayor Bruno called the Executive Session to order at 7:05 p.m.

ROLL CALL

Mr. Delia, Mr. Hall, Mr. Pastore, Mr. Woodruff, answered present.

Absent – Mayor Bruno, Mrs. Kingsley and Mr. Pirone

Also present was Joseph Sordillo Township Attorney, and Ana Minkoff, Township Clerk.

EXECUTIVE SESSION –

- 1. Contract Negotiations/Land Acquisition-Little Flower Church**
- 2. Attorney/Client Privilege-Litigation-Mathis v. Berkeley Heights**
- 3. Attorney/Client Privilege-Litigation- Foregger v. Berkeley Heights**

Also present Mike Mistretta and Michel Marceau.

Mr. Mistretta gave a hand out on estimated numbers, not final. He met with Jim Ramentol and reviewed his plans. He will be meeting with the Tax Assessor on Monday. Right now the property has zero income. The projected income is \$17,500,000.00. Professional services will cost about 20% and the library would remain. Total cost would be approximately \$20,940,000.00; this would be for Option (1).

Option 2

Campus will be at Little Flower, approximately 9,500 sq. ft. for the Police Department; the total would be \$21.3 million to \$25.4 million. There is a projected \$5 million for the property; there is a lot of interest. One proposal is 100% residential, with density of 20 units per acre, a total of 9 acres. It would be 1 – 2 bedroom apartments and studios, the cost would be around \$20,000.00 - \$25,000.00, around 170 units in total.

Mr. Woodruff asked if one developer did both, does it provide a benefit.

Mr. Mistretta answered yes, it would be good to do the RFQ as (1) package.

A lengthy discussion continued regarding doing (1) RFP or RFQ and the benefits.

Mr. Woodruff stated that with option (1) we would have to find a place for the employees, and leaves us with an old library. He also stated that the past 4 – 5 days he has heard from individuals regarding the cost of this project. He is concerned about how they reached their conclusion, they could not have pulled the numbers from the air, he is concerned that there is already misinformation out there, he strongly urges for the prosecutor to get involved.

Attorney/Client Privilege-Litigation-Mathis v. Berkeley Heights

Also present Jim Patterson- Attorney

Mr. Patterson stated that Mr. Mathis is claiming that he should be allowed to retract his resignation. It was the Mayor's decision not to accept it, he is seeking injunction and will go back to court on July 30. The court will decide if he is allowed to return and if he was caused irreparable harm. They are stating that it is different for Police and there are (2) cases out there. This could go either way, and he anticipates he will seek money, and this will not end next week. The attorney for Mr. Mathis reached out and he has a wish list, we are reviewing to see if we could resolve this matter. Mr. Mathis wants to stay as Chief for 20 more months so he can complete 30 years. He believes that he was shorted money and the previous Chief received 14% more than the Captain. He recommends that we go back with something; either we take him back for a fix period of time or give him a lump sum, removal in not an easy thing to do.

Mr. Woodruff stated that we do not want him back. All agreed.
He suggested maybe settling Chapter 78.

Mr. Patterson stated that lifetime benefit may be an issue for him if he does not retire.

Mr. Woodruff stated that if this is litigated it can cost up to \$100,000.00.

Mr. Patterson stated that the Chief title is important to Mr. Mathis, he recommends that we let him keep the title for (3) months and he is allowed to retire as Chief. He is not sure of how much money he will be requesting.

Mr. Hall stated that we give him what is owed to him and not a penny more.

Mr. Woodruff stated that we should let Mr. Patterson know the amount we are willing to pay.

All agreed on a month salary and that Jim Patterson has the authority to negotiate.

Attorney/Client Privilege-Litigation- Foregger v. Berkeley Heights

Mr. Sordillo stated that Mr. Foregger is challenging the designation of the Redevelopment and he is also suing the Planning Board.

Adjourned at 8:24 p.m.

Approved: April 19, 2016

**Ana Minkoff
Township Clerk**