

10/27/14
Closed Session
7:40 p.m.

Present: Mayor Krenzel, Councilmembers Guindi, Haussermann, Hutchison, Jones,
Roselli, Trenga

Also Present: Frederick Carr, Borough Administrator, James Nolan, Esq., Borough Attorney,

RESOLUTION

WHEREAS, Section 8 of Chapter 231, Public Law 1975 permits the exclusion of the general public from a meeting of the Governing Body under certain circumstances; and

WHEREAS, the Mayor and Council of the Borough of South River are of the opinion such circumstances presently exist.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River in the County of Middlesex of the State of New Jersey, that the public be excluded upon the hereinafter specified subject matter and that such subject matter to be so discussed is as follows:

- **Attorney-Client privilege**
- **Litigation**

BE IT FURTHER RESOLVED that such record of the above discussion will be made public when confidentiality is no longer required.

DATED: OCTOBER 27, 2014

/s/ Peter Guindi
Councilmember

/s/ James Jones
Councilmember

Attorney-Client Privilege

Mr. Nolan briefed Council on request of National Church Residences to extend term of PILOT agreement. He stated that statutorily there is no legal authority to do so. Council directed Mr. Nolan to send letter to them advising that South River cannot extend term of agreement.

Litigation

Mr. Nolan discussed dispute with AMC Industries, the contractor for 2010 Road Improvements program, regarding traffic cones. AMC has filed for bankruptcy, claiming South River owes them money. Mr. Nolan contacted a bankruptcy attorney; hourly rate is \$300. Mr. Nolan stated that the bankruptcy attorney could handle bankruptcy issues; his firm could handle contractual issues at hourly rate of \$150.

Consensus of Council – Mr. Carr to check with JIF to see if matter could be handled by them; if not, use both attorneys to handle matter.

Closed session ended at 8:03 p.m.

Respectfully submitted,

Patricia O'Connor, RMC
Borough Clerk

Approved for release at the regular
meeting held on December 15, 2014