

**CLOSED SESSION MINUTES  
NOVEMBER 3, 2014, FOLLOWING THE CAUCUS MEETING**

The closed session was convened at 7:33pm following the caucus meeting. Council President Popiolek explained that when the Borough foreclosed on the Rabinowitz lots on the White Horse Pike, the foreclosure certificate listed the master lot but not the two subordinate lots. As a result, we have received an heir hunter lawsuit. The Rabinowitz' have now come forward and are claiming we owe them for those lots. Solicitor Paul Gilligan said this was a technical mistake on the foreclosure certificate and that if we fight this in litigation, the court will probably uphold the fact that we made a technical mistake thereby granting validity to the Rabinowitz' claim. They are claiming that we took lot 6.02 but not 6.03 and 6.04. Kirk said they got an appraisal of the property that values the property at \$150,000. If we continue to fight, we would have to get an appraisal and go through the whole condemnation process. We have a settlement offer of \$30,000. Paul said he knows this is unpopular, but if you can get rid of this for \$30,000, it is our recommendation that you settle this. Kirk said Kristy spoke to the attorney for the Tax Collectors Association and he said if we did not list all three lots on the foreclosure certificate, then we only foreclosed on the one lot.

After a short discussion back and forth, it was decided we would accept the settlement offer. Terry said we will have to go back into open session to approve the necessary resolution.

On a motion by Council President Popiolek and Councilman Robenolt, the closed session was adjourned back to open session.

**OPEN SESSION:**

Clerk Shannon read the following resolutions for approval:

11-2014-111 Accepting the Settlement Offer from Stephen and Barbara Rabinowitz and Authorizing the Mayor, Solicitor and Borough Clerk to Execute Documents in Furtherance of the Settlement

11-2014-112 Authorizing Release of the Hidden Ponds Maintenance Bond

On a motion by Council President Popiolek, second by Councilwoman Bergeron, the resolutions were approved with the following poll vote: Popiolek-yes; Bergeron-yes; DeVecchio-yes; Nicholson-yes; Robenolt-yes.

Resolutions were approved.

Seeing no further business to be transacted, the meeting was adjourned on a motion by Councilwoman Bergeron, second by Councilman DeVecchio at 7:38pm.

*Terry Shannon*

Terry Shannon, Municipal Clerk