

**CLOSED SESSION MINUTES
TOWNSHIP COUNCIL – TOWNSHIP OF OCEAN
(SECTION 8 RESOLUTION)**

SEPTEMBER 21, 2009

OAKHURST, NEW JERSEY

Present: Mayor Larkin
Deputy Mayor Hiers, Councilmember(s) Schepiga, Siciliano
Others: Martin Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager
Vincent Buttiglieri, Township Clerk
Absent: Councilmember(s) Garofalo

Subject: Litigation – COAH
Action: Martin Arbus, Township Attorney, explained that the site in question had been approved for 12 single family homes. They are requesting a zone change from R-1 Residential and R-2 Residential to permit an inclusionary development consisting of 128 units of which 26 would be deed restricted for affordable housing. Mr. Arbus will have further discussion with the attorney for the proposed developer and will report back to the Council at the next meeting.

Subject: Litigation- Land Development
Action: Mr. Arbus and Andrew Brannen, Township Manager, will meet Jeffrey Surenian, Esq., who specializes in these types of matters, to discuss the Township's options regarding redevelopment. They will report back to the Council at a future meeting.

Subject: Litigation – Land Sale
Action: Mr. Brannen explained that the requestor wishes to purchase a small parcel of land next door to his existing parcel for the sole purpose of increasing his lot size and not for expansion. The Council did not seem to be in favor, but further discussion will occur.

Subject: Contract – Local 701
Action: Mr. Brannen discussed the employee health benefit contribution for 2010. Further discussion will occur at a future meeting.

Subject: Litigation – Loch Arbour Board of Education
Action: Mr. Arbus reported that Michael Shotland, Esq., attorney for Loch Arbour Board of Education, has argued that "special" legislation created the current situation and it will take "special" legislation to repeal it. According to Mr. Arbus, Loch Arbour is now attacking the initial legislation making them their own district. Mr. Arbus will continue to report back to the Council with any updates.

Subject: Contract – Loch Arbour Police Services
Action: Mr. Brannen reported that the contract between the Township and Loch Arbour will be extended for an additional year.

Subject: Litigation – West Wing Project
Action: Mr. Brannen explained that the Township has been notified that a discrepancy exists between the amount of monies owed to the contractor for the West Wing Project. This discrepancy is arising out of the fact that the contractor had performed some additional work, while some work that they were supposed to do had not been done. The cost difference is minimal. Mr. Brannen will try to work out this matter with the contractor, perhaps settling for the difference between what was and wasn't completed by the contractor.

One Item (Contract – Land Swap) was not discussed at this meeting.

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC
Township Clerk