

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

APRIL 11, 2011

OAKHURST, NEW JERSEY

Present: Mayor Larkin
Councilmember(s) Evans, Garofalo, Schepiga, Siciliano

Others: Martin Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager
Vincent Buttiglieri, Township Clerk

Subject: Litigation – COAH

Action: Martin Arbus, Township Attorney, discussed as follows:

- The Township was in Court last week to ask for an extension of time for the Affordable Housing Plan to be completed. Judge Kapalko did give the extension until July 2011
- The Township submitted their RDP showing the Township's obligation to be 216 units. All supporting documents were also submitted. Both BVB and Roosevelt Property sites were included in the Plan, however, the Avalon Bay sight was absent from the final Plan.
- A breakdown was of what sights would yield what number of affordable units was discussed
- Discussion occurred as to whether the Township wished to argue the point of "Scarce Resource Restraint", as a means to support our significantly reduced obligation. If the Township did opt for this, any developer who would want to develop property larger than a certain size, would need to receive approval from the Court. No final decision has been made as to whether to proceed with this argument.

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC
Township Clerk