

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

APRIL 18, 2012

OAKHURST, NEW JERSEY

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

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

Subject: Litigation - COAH

Action: Martin Arbus, Township Attorney, reported the following:

- The Case Management Hearing originally scheduled for April 20, 2012 has been cancelled. No new date has been determined
- Roosevelt Properties – are working on a revised plan that will allow them to construct more units than originally received
- A determination has been made by the Township that acquiring the BVB property is not something that benefits the Township. With that said, the Township will inquire if BVB wishes to purchase the Township's parcel.

Subject: Contract – PBA/SOA

Action: Andrew Brannen, Township Manager, reported that he had a meeting with the representatives of the PBA and a tentative agreement has been reached, pending the outcome of the PBA's meeting that night. Mr. Brannen discussed the various provisions of the agreement. All concurred to move forward, as explained.

Subject: Litigation - COMART

Action: Mr. Arbus reported that an agreement has been reached, however, Mr. Arbus does not feel it is in the best interest of the Township to give up the easement provision that currently exists. All concurred with Mr. Arbus and he will notify the Attorney for COMART.

Subject: Contract – Purchase of Real Estate

Action: Mr. Brannen reported that KHovnanian Developers has a contract to purchase Whalepond Village. Part of the agreement to purchase is that the affordability provision for Whalepond Village, which is set to expire in 2012, will remain in place for a maximum of two years or until the units become vacant.

The Township reached out to Poplar Village to gauge their interest in re-locating to the Whalepond Village site. In order for that to occur, Poplar Village wants the Township to subsidize them up to \$2 million but with them already set to receive funding from FEMA, it does not appear feasible for them to move at this time.

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC/MMC
Township Clerk