

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

FEBRUARY 7, 2011

OAKHURST, NEW JERSEY

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

Absent: Councilmember 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:

1. He spoke with Senator Lesniak with regard to the new legislation, which should be introduced by Friday, February 18, 2011. Also discussed was the apartment allocation aspect of the legislation and whether the apartments in Ocean Township would fit the criteria of the new legislation.
2. With regard to BVB and Avalon Bay:

Mr. Arbus stated that the Township has met with both Litigants to discussed their proposals and how they relate to what the Township can live with.

BVB Associates wishes to build 140 units on 6 acres, or 25 units per acre. The Township feels that to be excessive. Discussion occurred between BVB and the Township about reducing the size of the development, and the height and location of the structures.

The Township discussed the possibility of purchasing the 6 acres from BVB and including it with the 4 acres it currently owns, creating a 10 acre piece that the Township would include in its inventory for possible development, should the need arise.

Mr. Arbus stated that Avalon Bay has been less cooperative in their flexibility but discussions will continue with both litigants, as well as with Roosevelt Properties.

Mr. Arbus will continue to report back with any future developments.

Subject: Litigation – Loch Arbour

Action: Mr. Arbus reported that the Township had made its argument before the Appellate Court and we are waiting for their decision.

Discussion occurred with regard to the Township's options should Loch Arbour merge with Allenhurst School District.

Mr. Arbus will continue to report back with any future developments.

Subject: Contract – Sale of Real Estate

Action: Andrew Brannen, Township Manager, stated that the Township would be securing an estimate on the value of the Boise Building. Once established, discussion will occur with Township Officials to determine whether the Township wishes to make inquiry with the current renter to gage their interest in purchasing the building.

Subject: Contract – Local 701 and Local 177; Employee Benefits

Action: Mr. Brannen informed the Council that there is an individual from the Department of Public Works who is retiring, however, they are not yet 55 years of age. According to the Contract, that employee would not be eligible for health benefits in retirement. It was determined that the current provision should be enforced.

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC
Township Clerk