

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

**JUNE 14, 2010**

**OAKHURST, NEW JERSEY**

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

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

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**Subject:** Litigation - COAH

**Action:** Martin Arbus, Township Attorney, discussed the following:

1. The Township has agreed to a settlement with Martelli at Wayside, LLC. It has to be signed off by the Court, since it is a matter of litigation. The Court has the jurisdiction to either accept or reject the settlement agreement.
2. Motions will be heard on June 16, 2010
3. The proposed revisions to COAH have been passed by the Senate and now it is referred to the Assembly and will be heard on June 17, 2010. It is anticipated that this matter will be concluded by the end of June 2010.

Mr. Arbus stated that he is not sure whether the revisions will benefit Ocean Township or not, however, he anticipates that whatever happens, the decision will be challenged.

**Subject:** Litigation – Land Sale

**Action:** Andrew Brannen, Township Manager, reported that the land sale that was supposed to occur between the Township and Mr. Mecchia has once again hit a stumbling block. Apparently, since the property in question was purchased by the Township through the Green Acres, it cannot be exchanged without holding a Scoping Hearing. Additionally, the cul-de-sac that was proposed would not be allowed to be constructed on Green Acres property, which this would be considered. Mr. Arbus will continue to have dialogue with Mr. Mecchia's attorney.

**Subject:** Contract – Land Sale

**Action:** Mr. Brannen reported that the Township has received a request to sell Block 40, Lot 54 to a contiguous property owner. Mayor Larkin expressed concern with regard to the presence of wetlands on the parcel in question. Councilmember Siciliano stated that it would be up to the owner to determine what could or could not be constructed on that property and if the Township had no use for the parcel in question, why not sell it. After some discussion, it was determined that Mr. Brannen would make sure the requestor was aware of the wetlands and if they wished to proceed, the Township would consider moving forward with this sale.

**Subject:** Contract – Local 701 and Local 177

**Action:** Mr. Brannen explained that there was an arbitration hearing held with representatives from Local 701. The arbitrator ruled that members of the local bargaining unit must be called in to perform the duties that they are responsible for, as opposed to having a supervisor perform the same duties.

Additionally, Local 177 members are now beginning to grieve the fact that they are being asked to perform duties outside the realm of their responsibilities.

**Subject:** Contract – Fireman's Field

**Action:** Mr. Brannen reported that the Township will honor all the agreements that were entered into with various entities.

With regard to the Camp Allsport agreement, Mr. Brannen stated that if the fields were left in satisfactory condition after this year, the Township would extend the agreement with them for 2011.

After discussion, the Council went back into the Public Meeting.

Respectfully submitted,

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Vincent Buttiglieri, RMC/CMC  
Township Clerk