

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

**OCTOBER 19, 2009**

**OAKHURST, NEW JERSEY**

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

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**Subject:** Litigation – COAH  
**Action:** Martin Arbus, Esq., Township Attorney, reported that he had received an additional lawsuit from Robert Kazuba, Esq., on behalf of Avalon Bay. Mr. Arbus stated that it appeared that this suit was for the exact same property that the previous suit, filed by BVB, was for.

Mr. Arbus also stated that the Township Council will be voting on two (2) resolutions at the October 19, 2009 Public Meeting regarding COAH:

1. Approve a contract with Jeffrey Surenian, Esq., and the Firm Jeffrey Surenian and Associates, to provide legal assistance on all COAH matters.
2. Protect the Township against any future lawsuits related to COAH

Mr. Arbus stated that perhaps these lawsuits may be consolidated into one, therefore, causing the Township to settle with the latter developer.

At this juncture, Mr. Arbus and Andrew Brannen, Township Manager, received a call from Jeffrey Surenian regarding this matter. After discussing this matter, it was decided that this resolution should be revised to take into account the second lawsuit. A revised resolution was drafted by Mr. Surenian and will be approved, as amended, at the Public Meeting that night.

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

Respectfully submitted,

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Vincent Buttiglieri, RMC/CMC  
Township Clerk