

**WORKSHOP MEETING MINUTES  
TOWNSHIP COUNCIL – TOWNSHIP OF OCEAN**

**OCTOBER 28, 2010**

**OAKHURST, NEW JERSEY**

---

The Workshop Meeting was held in the Council Conference Room, Town Hall, 399 Monmouth Road, Oakhurst, NJ 07755 beginning at 4:00 p.m.

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

**Absent:** Councilmember Garofalo

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

Jeffrey Surenian, Esq., Surenian & Associates  
Marybeth Lonagan, Clarke, Caton Hintz  
Marianne Wilensky, Director of Community Development

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual Notice was sent to the Asbury Park Press and The Coaster, posted in Town Hall and filed in the Office of the Township Clerk on October 26, 2010.

---

Mayor Larkin read the following resolution:

**RESOLUTION  
DECLARING CLOSED SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
  - C1. Litigation – COAH
  - C2. Contract – Purchase of Real Property
3. It is anticipated at this time that the Municipal Clerk shall on a six (6) month basis, review the minutes of closed sessions of the Township of Ocean and make a recommendation to the Governing Body which minutes should be considered for public record. The minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person(s) in the same manner as any meeting minutes of the Township of Ocean.
4. This resolution shall take effect immediately.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve				X	
Motion to Second	X				
Approved	X		X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused		X			

Council reconvened into Open Session at 5:45 pm.

Mayor Larkin stated that there was one Resolution, #10-179a, which required action of the Governing Body. Resolution #10-179a strictly amends the Addendum referenced in Resolution #152a with K & D Associates.

**RESOLUTION:**

**10-179 Amend the Developers Agreement/Addendum for the following:**

**a. Block 140, Lot 108 – 735 Highway 35 North – K & D Associates/Renuka Sheth**

**WHEREAS**, K & D Associates, L.P./Renuka Sheth (hereinafter “Developer”) is the owner of property known as Block 140, Lot 108, as shown on the Township of Ocean Tax Map in the C-3 (General Commercial) Zone located at 735 Highway 35 North in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Township Council of the Township of Ocean authorized the Mayor and Municipal Clerk to execute a Developer’s Agreement, along with an Addendum, with K & D Associates, L.P., by way of resolution dated on October 4, 2010; and

**WHEREAS**, it was determined that an amendment to the Addendum of the Developer’s Agreement between the Township and K & D Associates, L.S. is necessary;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to amend the Developer’s Agreement and Addendum for K & D Associates, L.P./Renuth Sheth for Block 140, Lot 108 located at 735 Highway 35 North

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided by the Township Clerk to each of the following:

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. K & D Associates/Renuka Sheth
5. Code Enforcement Officer

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second	X				
Approved	X		X		X
Opposed				X	
Not Voting/Recuse					
Absent/Excused		X			

The following individuals did not issue a report at this meeting:  
Councilmember(s) Hiers, Schepiga and Siciliano  
Andrew Brannen, Township Manager  
Martin Arbus, Esq., Township Attorney

**PUBLIC COMMENTS:**

Seeing that there were no additional comments, the meeting was adjourned.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve	X				
Motion to Second				X	
Approved	X		X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused		X			

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC  
Township Clerk