

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

OCTOBER 4, 2010

OAKHURST, NEW JERSEY

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

Subject: Litigation – COAH

Action: Martin Arbus, Township Attorney, discussed the status of the litigation. He reported, as follows:

1. Roosevelt Properties – a sketch was distributed showing the proposed construction of 54 units, of which 20% will be low and moderate income units. The sketch also showed the non-developable portion of the property in question.
2. Avalon Bay was denied a Builders remedy based on the fact that they failed to negotiate with the Township and they were not the “catalyst for change”.
3. With regard to Roosevelt Properties, discussion occurred about trying to negotiate with them. The Township could use the same argument as they did against Avalon Bay, should they decide to go that route.
4. Mr. Arbus, Mr. Brannen and Mr. Surenian attended a meeting with Assemblyman Green, who is sponsoring the Assembly version of S1. Mr. Arbus does not have a great feeling about whether the proposed changes will benefit the Township.
5. The Township will be back in court on October 8, as there is a Motion to have a Court-appointed Master appointed.

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

Subject: Contract – Sale of Land

Action: Mr. Brannen informed the Council that the owner of Block 182, Lot 79 has requested that they be allowed to purchase the westernmost triangular parcel of Lawrence Avenue south of Block 182, Lot 79 in order to extend the boundary of their property. This would vacate that portion of Lawrence Avenue. After discussion, the Council agreed to proceed.

Items No. C2, C4 and C5 were not discussed at this meeting. They will be discussed at a future meeting.

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC
Township Clerk