

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

**SEPTEMBER 13, 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:** Personnel – Employee Benefits (C1)  
Contract – Local 701 and Local 177 (C4)  
Contract – PBA/SOA (C5)

**Action:** Mr. Brannen informed the Council that the Township received the Arbitrator's ruling with regard to the PBA labor agreement. The decision included salary adjustments of 3%, 2.75%, 2.5% and 2.25% for the years 2008-2011, as well as contributions to their health benefits. Based on this decision, Mr. Brannen discussed the following items:

1. What salary adjustments should be given to the non-union personnel – it was determined that they would receive 2.25% for 2009, 2.5% in 2010 and 2.25 in 2011. Additionally, the years 2012 and 2013 will be added at an increase of 2.25%
2. The salary ordinance will be introduced at the October 4, 2010 meeting and adopted on the October 18, 2010 meeting, at which time, a resolution will be put on the agenda accepting the contract with the PBA.
3. Salary adjustments for various employees, in addition to the percentage increases. These adjustments were previously discussed and agreed upon however, due to the unsettling contract, it was deemed necessary to wait until a decision was made with regard to the PBA contract.
4. Moving the two Public Works Assistant Forman positions from the Clerical/Technical to the Supervisor classification.
5. Remain at the current level of staffing in the Police Department

**Subject:** Litigation – COAH

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

Mr. Arbus reported that there was a Case Management Conference on September 13, 2010. He, Marianne Wilensky, Andrew Brannen and Jeffrey Surenian, Esq. represented the Township. Ms. Wilensky was called to testify and did a great job. She highlighted the various apartment complexes located throughout the Township and how, if included, would more than satisfy the Township's obligation.

The following matters were discussed:

1. Fairness of the Martelli Settlement – although there were some objectors present, Mr. Arbus stated that Judge Kapalko has requested additional information but after he reviews said information, he will ultimately approve the settlement with Martelli.
2. Judge Kapalko expressed the opinion that the time has come to appoint a Master to oversee the Township, as it develops its Housing Plan. The Judge was adamant that the time had come, regardless of the pending COAH legislation, that the Plan needs to be developed.
3. In the matter of Roosevelt Properties, the hearing has been changed from September 16, 2010 to October 8, 2010.
4. The Township will be meeting with BVB Associates to determine if a settlement can be reached with them.

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

**Subject:** Contract – Police Dispatch

**Action:** Mr. Brannen reported that the Township has been approached by Asbury Park to see if the Township would provide Police/Fire Dispatching services to Asbury Park. The Township investigated what it would take to assume those responsibilities and would it be both financially practical or feasible to assume said responsibilities. Also, could the Township handle this and would we be required to hire any additional personnel.

Mr. Brannen distributed a spreadsheet depicting what would be required should this come to fruition and what the Township would charge Asbury Park to provide these services.

After reviewing the information, the Council agreed to further explore the potential to assume these duties, and possibly expand to other towns.

Respectfully submitted,

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Vincent Buttiglieri, RMC/CMC  
Township Clerk