BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* July 12, 2016

Seconded by: Commissioner Steven L. Rogers *No.* *182-16*

WHEREAS, the Township of Nutley, in the County of Essex, New Jersey (the "Township") has previously issued its bonds, bond anticipation notes and/or other debt obligations (the "Bonds"); and

WHEREAS, with the issuance of the Redevelopment Area Bonds (RABs) in connection with the Phase I Medical School transaction and the HLR Redevelopment Area and the redevelopment of same, the Township has covenanted and/or entered into one or more undertakings or agreements for the purposes of (a) performing financial analyses related to the Redevelopment Area Bonds (RABs), and (b) to the extent required, assisting underwriters to comply with Rule 15c-12 under the Securities Exchange Act of 1934, to provide continuing disclosure (the "Continuing Disclosure Obligation") to the public marketplace; and

WHEREAS, the Redevelopment Area Bonds (RABs) and the Continuing Disclosure Obligation, requires the Township to (a) perform certain financial analyses related to the Redevelopment Area Bonds (RABs) and redevelopment of the HLR Redevelopment Area, and (b) to the extent required, file certain financial information and notice of certain events in specified places and at specified times; and

WHEREAS, the Township is desirous of retaining a professional firm that specializes in financial analysis related to issuance of Redevelopment Area Bonds (RAB), and in continuing disclosure matters to make the necessary filings at the specified places and specified times as part of the Township's Continuing Disclosure Obligation; and

WHEREAS, funds are available from account no. 6-01-226 -205 and have been certified by the Chief Financial Officer, said certification being attached to this resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with NW Financial Group, LLC, 2 Hudson Place, Hoboken, NJ 07030 for the services of **Professional Financial Analysis and Auditing Services** for a total amount not to exceed **$10,000.00** in accordance with a proposal dated July 12, 2016.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40a11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

3. Notice of this action shall be printed once in the Nutley Sun, the legal newspaper of the Township of Nutley.

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held July 12, 2016

Record of Vote	*Commissioner Steven L. Rogers*	*Commissioner Mauro G. Tucci*	*Commissioner Thomas J. Evans*	*Commissioner Alphonse Petracco*	*Mayor Joseph P. Scarpelli*
Yes	X		X	X	X
No					
Not Voting					
Absent/Excused		X			

A16-31

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

Purpose: **Professional Serv-Fiancial Serv-RAB's-NW Financial**

Account: **6-01-226-200**

Fund: **Current Fund**

Amount: **$10,000.00**

Date: **July 12, 2016**

Rosemary Costa

Rosemary Costa
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* July 12, 2016

Seconded by: Commissioner Steven L. Rogers *No.* *183-16*

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, the public body is of the opinion that such circumstance exists; and

WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley move into closed executive session to discuss:

1. Contract Negotiations
2. Litigation

BE IT FURTHER RESOLVED, that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Township of Nutley pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by statute.

. . .

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held July 12, 2016

Record of Vote	*Commissioner Steven L. Rogers*	*Commissioner Mauro G. Tucci*	*Commissioner Thomas J. Evans*	*Commissioner Alphonse Petracco*	*Mayor Joseph P. Scarpelli*
Yes	X		X	X	X
No					
Not Voting					
Absent/Excused		X			