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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

July 12, 2016
7:06 p.m.

BEFORE:

- Commissioner Steven L. Rogers
- Commissioner Thomas J. Evans
- Commissioner Alphonse Petracco
- Mayor Joseph P. Scarpelli

Job No. NJ2349514

Transcribed by: Nicole Yawn

P R O C E E D I N G S

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MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Yes, Mayor.

Board of Commissioners public meeting Tuesday,
July 12th, 2016. The time is 7:06 p.m.

Pursuant to the requirement of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the July 7th, 2016 issue of the Nutley Sun. A copy of this notice has been posted on the Nutley Town Hall bulletin board, and a copy is on file in the municipal clerk's office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci is absent,
excused.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, except for
Commissioner Tucci. He is absent, excused this evening.

MAYOR SCARPELLI: Thank you, Madam Clerk.

We have really only one resolution on the agenda

1 tonight.

2 Would anybody from the public like to comment on
3 agenda items only?

4 Seeing none, Commissioner Evans?

5 COMMISSIONER EVANS: Thank you, Mayor.

6 WHEREAS, the Township of Nutley, in the county of
7 Essex, New Jersey has previously issued its bonds and bond
8 anticipation notes, and/or other debt obligations; and

9 WHEREAS, with the issuance of Redevelopment Area
10 Bonds in connection with the Phase I Medical School
11 transaction and the HLR Redevelopment Area and the
12 redevelopment of same, the township has covenanted and/or
13 entered into one or more undertakings or agreements for the
14 purposes of performing financial analyses related to the
15 Redevelopment Area Bonds, and (b), to the extent required,
16 assisting underwriters to comply with Rule 15c-12 under the
17 Securities Exchange Act of 1934, to provide continuing
18 disclosure to the public marketplace; and

19 WHEREAS, the Redevelopment Area Bonds and the
20 Continuing Disclosure Obligation, requires the township to
21 (a), perform certain financial analyses related to the
22 Redevelopment Area Bonds and redevelopment of the HLR
23 Redevelopment Area, and (b), to the extent required, file
24 certain financial information and notice of certain
25 events in specified places and at specified times; and

1 WHEREAS, the township is desirous of retaining a
2 professional firm that specializes in financial analysis
3 related to issuance of Redevelopment Area Bonds, and in
4 continuing disclosure matters, to make the necessary filings
5 at the specified places and specified times as part of the
6 township's Continuing Disclosure Obligation; and

7 WHEREAS, funds are available from account 6-01-226
8 -205 and have been certified by the chief financial officer,
9 said certification being attached to this resolution; and

10 NOW, THEREFORE, BE IT RESOLVED, by the board of
11 commissioners of the township of Nutley, county of Essex,
12 New Jersey as follows:

13 1. The mayor and township clerk are hereby
14 authorized and directed to execute an agreement with NW
15 Financial Group, LLC, 2 Hudson Place, Hoboken, NJ for the
16 services of professional financial analysis and auditing
17 services for a total amount not to exceed \$10,000 in
18 accordance with a proposal dated July 12th, 2016.

19 2. This contract is awarded without competitive
20 bidding as a professional service in accordance with
21 N.J.S.A. 40a1 1-5(1)(a) of the Local Public Contracts Law
22 because the contract is for a service performed by a persons
23 authorized by law to practice a recognized profession that
24 is regulated by law.

25 3. Notice of this action shall be printed once in

1 the Nutley Sun, the legal newspaper of the township of
2 Nutley.

3 So move.

4 COMMISSIONER ROGERS: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 Does anybody want to be heard to address the board
14 of commissioners tonight?

15 Madam Clerk, read the notice.

16 MADAM CLERK: Yes, Mayor.

17 All persons addressing the board of commissioners
18 regarding community concerns should approach the microphone
19 and provide their name and address for the record. Unless
20 further time is granted by the board, each person shall
21 limit their address to five minutes. All remarks to the
22 board and its individual members must be addressed to the
23 mayor.

24 The mayor may defer citizens' comments to the
25 appropriate member of the board. Dialogue between citizens

1 and others addressing the board shall be allowed unless the
2 mayor or presiding officer or the majority of the membership
3 of the board shall determine that the interests of decorum
4 and/or the expeditious conduct of municipal business are
5 being adversely affected by such dialogue.

6 MAYOR SCARPELLI: Would anybody like to address
7 the board of commissioners this evening?

8 Seeing none, we needed a motion to go into
9 executive session. And we anticipate that will be an
10 extended period of time. We don't have any other action on
11 the agenda tonight. So we will be going back into executive
12 and closing the meeting.

13 COMMISSIONER PETRACCO: Move it.

14 COMMISSIONER ROGERS: Second.

15 WHEREAS, Section 8 of the Open Public Meeting Act,
16 Chapter 231 Public Law 1975 permits the exclusion of the
17 public from meeting in certain circumstances; and

18 WHEREAS, the public body is of the opinion that
19 such circumstances exist; and

20 WHEREAS, the board of commissioners of the
21 township of Nutley in the county of Essex in the state of
22 New Jersey desire to proceed to closed executive session;
23 and

24 NOW, THEREFORE, BE IT RESOLVED by the board of
25 commissioners of the township of Nutley move into closed

1 executive session to discuss contract negotiations and
2 litigation.

3 BE IT FURTHER RESOLVED that at a time when such
4 discussion may be disclosed to the public shall be one when
5 such disclosure may be made without adversely affecting the
6 township of Nutley pending and/or anticipated legal,
7 personnel or contractual matters, and other matters within
8 the exceptions provided for by statute.

9 Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: (No audible response).

15 MADAM CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 MADAM CLERK: What time is it?

18 The time is now 7:12.

19 (Whereupon, these proceedings were concluded at 7:12
20 PM)

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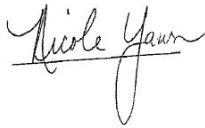
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I, Nicole Yawn certify that the foregoing transcript is a true and accurate record of the proceedings.



Nicole Yawn

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