

RESOLUTION ACCEPTING ANNUAL AUDIT AND AUTHORIZING PUBLICATION OF SYNOPSIS PURSUANT TO N.J.S.A. 40A:5A-16 AND N.J.S.A. 40A:14-89

WHEREAS, N.J.S.A. 40A:5A-15 sets forth the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, shall cause an annual audit of its accounts to be made; and

WHEREAS, N.J.S.A. 52:27BB-35 authorizes the Local Finance Board of the State of New Jersey to promulgate Rules and Regulations pertaining to local fiscal affairs, specifically, the method, scope and procedure of regular audits; and

WHEREAS, the Board engaged Barry J. Osborn, C.P.A., to perform the annual audit; and

WHEREAS, the annual audit report for the years ended December 31, 2013 and 2012, prepared and presented by Barry J. Osborn, C.P.A., was filed with the Board of Fire Commissioners of Fire District No. 4 even date herewith; and

WHEREAS, N.J.S.A. 40A:5A-15 requires a certified duplicate copy of said annual audit be filed with the Clerk of the Township of Howell and Director of the Division of Local Government Services in the Department of Community Affairs within five (5) days after the original report is filed with the Board; and

WHEREAS, N.J.S.A. 40A:5A-16 and N.J.S.A. 40A:14-89 sets forth that the Board shall cause a synopsis of the annual audit to be prepared and published at least twice in a newspaper circulated in the District and a copy of the synopsis be filed with the Director of the Division of Local Government Services, both within ten (10) days after publication; and

WHEREAS, the said Barry J. Osborn, C.P.A. prepared a synopsis for and on behalf of the Board pursuant to N.J.S.A. 40A:5A-16 and N.J.S.A. 40A:14-89; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the Board of Fire Commissioners of Fire District No. 4 to the penalty provisions of N.J.S.A. 52:27BB-52, to wit:

“A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, accept the annual audit prepared by Barry J. Osborn, C.P.A., for the years ended December 31, 2013 and 2012; and

BE IT FURTHER RESOLVED, that a certified duplicate copy of said annual audit be filed with the Clerk of the Township of Howell and the Director of the Division of Local Government Services in the Department of Community Affairs within five (5) days from the date herewith; and

BE IT FURTHER RESOLVED, that the synopsis prepared by Barry J. Osborn, C.P.A., be published in the Asbury Park Press pursuant to statute with a copy of the synopsis being filed with the Director of the Division of Local Government Services in the Department of Community Affairs, both within ten (10) days after publication; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith are hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.


#### CERTIFICATION

I, ROBERT J. KELLY, Clerk of the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 13<sup>th</sup> day of October, 2014.

I do further certify that the said Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, is composed of - 5 - members, and that - - members were present and - - members voted affirmatively for the adoption of the Resolution and - - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, on this 13<sup>th</sup> day of October, 2014.

  
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ROBERT J. KELLY, CLERK  
Board of Fire Commissioners  
Fire District No. 4  
Township of Howell