

05/12/2015-8

Resolution No. 2015-

RESOLUTION AUTHORIZING LINE ITEM TRANSFERS PURSUANT TO N.J.S.A. 40A:14-78.9

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, submitted an annual Budget to the voters of Fire District No. 4 on the third Saturday of February, 2014; and

WHEREAS, said voters approved the Budget as presented and the amount of revenue to be raised through taxation; and

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, has operated pursuant to and in accordance with said Budget through November 1, 2014; and

WHEREAS, commencing November 1, 2014, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, finds it necessary to expend amounts in excess of those appropriations specified in various line items of the Operating Appropriation section of the aforementioned Budget for fiscal year 2014; and

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, finds there is excess appropriations in certain line items; and

WHEREAS, N.J.S.A. 40A:14-78.9 permits the transfer of excess funds appropriated for designated line items to line items with insufficient appropriations during the last two (2) months of the fiscal year; and

WHEREAS, N.J.S.A. 40A:14-78.9 requires that the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, adopt a Resolution by not less than a two thirds (2/3) vote of the full membership to transfer the amount of the excess line items to those line items where appropriations are deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, that for the above set forth reasons, the transfer of appropriations be made as set forth on SCHEDULE A attached hereto; 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BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and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; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the District Auditor, Barry J. Osborn, C.P.A., for the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, for the purpose of making the appropriate adjustments in the Audit for the 2014 fiscal year; and

BE IT FURTHER RESOLVED, that the above set forth transfers be effective December 31, 2014.

CERTIFICATION

I, MICHAEL L. ACAMPORA, 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 11th day of May, 2015.

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 - 5 - members were present and - 5 - members voted affirmatively for the adoption of the Resolution and - 0 - 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 11th day of May, 2015.



MICHAEL L. ACAMPORA, CLERK
Board of Fire Commissioners
Fire District No. 4
Township of Howell

SCHEDULE A

- Insufficient appropriations in line item(s) designated “Elections”;
- Excess appropriations in line item(s) designated “Utilities; and
- The following transfers of appropriations be made:
 - (a) One thousand dollars (\$1,000.00) be transferred from line item designated “Utilities” (amended budget \$32,000.00) and re-designated “Elections” (amended budget \$3,000.00).

The above made pursuant to the District Auditor, Barry J. Osborn, C.P.A.