

RESOLUTION CERTIFYING COMPLIANCE WITH N.J.S.A. 40A:5A-17, BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 4, TOWNSHIP OF HOWELL

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

WHEREAS, the Board engaged Robert D. Elliott, C.P.A., of the firm Mohel, Elliott, Bauer and Gass, to perform the annual audit; and

WHEREAS, the annual audit report for the years ended December 31, 2019 and 2018 was filed with the Board of Fire Commissioners of Fire District No. 4, the Clerk of the Township of Howell and the Director of the Division of Local Government Services in the Department of Community Affairs; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, to, within forty-five (45) days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, specifically the sections of the audit report entitled in said report as "Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards" and "Schedule of Findings and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the Board have received the annual audit and have personally reviewed the annual audit and have specifically reviewed the sections of the annual audit report entitled in said report as "Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards" and "Schedule of Findings and Recommendations" in accordance with N.J.S.A. 40A:5A-17; 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, Township of Howell, County of Monmouth, State of New Jersey, 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, by the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, that the members of said body have complied with N.J.S.A. 40A:5A-17 in that each member has personally reviewed the annual audit report for the years ended December 31, 2019 and 2018 prepared by Robert D. Elliott, C.P.A., of the firm of Mohel, Elliott, Bauer and Gass, and specifically has reviewed the sections of the audit report entitled in said report as "Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards" and "Schedule of Findings and Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

BE IT FURTHER RESOLVED, that the Clerk of the Board, pursuant to N.J.S.A. 40A:5A-17, is hereby directed to promptly submit to the Director of Local Government Services, Department of Community Affairs, the aforesaid group affidavit accompanied by a certified true copy of this Resolution; 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.


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 conformed 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 8<sup>th</sup> day of December, 2020.

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 - 3 - members were present and - 3 - 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 8<sup>th</sup> day of December, 2020.

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