RESOLUTION 123 - 2011

RESOLUTION ACKNOWLEDGING RECEIPT AND ACCEPTANCE OF THE ANNUAL REPORT OF AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions;

WHEREAS, the annual report of audit for the year ending December 31, 2010 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A 40A:5-6, and a copy has been received by each member of the governing body; and;

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local finance Board has promulgated N.J.S.A. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later that forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; 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 governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

> R.S. 52:27BB-52 – 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 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 on thousand

dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Woodbury Heights, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

BOROUGH OF WOODBURY HEIGHTS

BY: _____
HARRY W. ELTON, JR., MAYOR

ATTEST:

_____
JANET PIZZI, BOROUGH CLERK

THE FOREGOING RESOLUTION WAS DULY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODBURY HEIGHTS AT THE REGULAR MEETING HELD ON DECEMBER 21, 2011.

_____
JANET PIZZI, BOROUGH CLERK

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE REGULAR MEETING HELD ON DECEMBER 21, 2011.

_____
JANET PIZZI, BOROUGH CLERK