

**SOUTHEAST MONMOUTH MUNICIPAL UTILITIES AUTHORITY  
RESOLUTION NO. 2014-20**

**A RESOLUTION OF THE SOUTHEAST MONMOUTH MUNICIPAL UTILITIES  
AUTHORITY CERTIFYING COMPLIANCE WITH THE PROMULGATION OF THE  
LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY DATED JULY 30,  
1968 (2013 AUDIT REPORT)**

**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; and

**WHEREAS**, the Annual Report of Audit for the year 2013 has been filed by the Township Auditor, Robert Hulsart & Co., with the Authority Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Authority 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.A.C. 5:30-6.5, a regulation requiring that the governing body of each Authority shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Authority have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and,

**WHEREAS**, the members of the Authority have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Authority attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Authority no later than 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 Authority 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 Authority 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 (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 Southeast Monmouth Municipal Utilities Authority, hereby states that it has complied with N.J.A.C. 5:30-6. and does hereby submit a certified copy of this resolution and the required affidavit to said Authority to show evidence of said compliance.



**MOTION TO ADOPT & MEMORALIZE:**

Offered By: \_\_\_\_\_

Second By: \_\_\_\_\_

**ROLL CALL ON VOTE**

Joseph May: \_\_\_\_\_

Bryan Dempsey: \_\_\_\_\_

Jeffrey Bertrand: \_\_\_\_\_

Thomas Nolan: \_\_\_\_\_

Lorraine Carafa: \_\_\_\_\_

**CERTIFICATION**

I hereby certify that I, the undersigned, am the secretary of the Southeast Monmouth Municipal Utilities Authority, and I hereby certify that the foregoing Resolution was adopted by the Authority at a meeting held on October 2, 2014.

\_\_\_\_\_  
Phyllis Heinle