

TOWNSHIP OF WALL

**RESOLUTION AUTHORIZING A PROFESSIONAL
SERVICE CONTRACT FOR THE PROVISION OF OUTSIDE AUDITOR
SERVICES IN CONNECTION WITH THE REVIEW OF
THE TOWNSHIP OF WALL, BOARD OF EDUCATION BUDGET
WHICH WAS DEFEATED IN THE ELECTION OF APRIL 20, 2010**

WHEREAS, the Township of Wall, Board of Education budget was defeated in the School Board Election held on April 20, 2010 by a majority of the those voting in said election (hereinafter "defeated budget"); and

WHEREAS, the Township Committee is desirous of evaluating said defeated budget to ascertain whether there are any areas in which the Township Committee may recommend cuts and or reductions; and

WHEREAS, the Township Committee is desirous of having an outside auditor review the defeated budget and make recommendations to the Township Committee; and

WHEREAS, the Township is desirous of engaging Robert Allison of Hutchins Farrell Meyer & Allison PA located at 912 Hwy No 33 in Freehold NJ to perform outside auditing services at hourly rates specified in their proposal dated April 21, 2010, which is attached hereto as though fully set forth herein at length and further not to exceed \$5,000.00; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(i) exempts Professional Services Contracts from the bidding requirements of the Local Public Contracts Law; and

WHEREAS, the Local Public Contracts law, N.J.S.A. 40A:11-1 et seq., requires that a Resolution of appointment for professional services be publicly advertised; and

WHEREAS, this professional service contract will be awarded without competitive bidding; and

RATIFY MAY 12, 2010

WHEREAS, all vendors of goods and services must comply with the Mandatory Affirmative Action language, Americans with Disabilities language and provide a copy of their Business Registration Certificate because the amount of the contract exceeds 15% of the bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1. A Professional Services Contract is hereby awarded to Robert Allison of Hutchins Farrell Meyer & Allison PA for outside auditing services in connection with a review of the defeated Township of Wall, Board of Education budget at hourly rates specified in their proposal dated April 21, 2010, which attached hereto as though fully set forth herein at length and further not to exceed \$5,000.00.

2. This professional service contract is being awarded without competitive bidding, because they involve members of recognized professions licensed and regulated by law and are, therefore, specifically exempt pursuant to N.J.S.A.40A:11-5.

3. The Mayor and Township Clerk are hereby authorized and directed to take such ministerial measures as is necessary to execute a Professional Services Contract with Robert Allison of Hutchins Farrell Meyer & Allison PA for the provision of outside auditing services in connection with a review of the defeated Township of Wall, Board of Education budget, in a form of contract/agreement acceptable to the Borough Attorney; and

3. The Township Clerk is hereby authorized and directed to cause to be published the required notice as provided by N.J.S.A. 40A:11-5(1)(a)(i) in the Coast Star newspaper and keep, maintain and make available for public inspection this Resolution and Contract/Agreement.

4. Robert Allison of Hutchins Farrell Meyer & Allison PA shall supply the Township of Wall with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by N.J.A.C.17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by N.J.A.C.17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.

5. Robert Allison of Hutchins Farrell Meyer & Allison PA shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the required notice shall be attached to and incorporated in the Professional Service Agreement authorized herein.

6. Robert Allison of Hutchins Farrell Meyer & Allison PA shall provide a copy of their Business Registration Certificate prior to the execution of any contract for the provision of outside auditing services.

7. This resolution is subject to the filing of certification from the CFO as to the availability of funds per N.J.A.C.5:30-5.3 (a).

I, Lorraine Kubacz, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on May 5, 2010.

Lorraine Kubacz, RMC
Township Clerk

Motion made by Committeeperson _____seconded by
 Committeeperson _____and adopted on roll
 call by the following vote:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor George K. Newberry				
Deputy Mayor Ann Marie Conte				
Committeeman Jeffrey W. Foster				
Committeeman Clinton C.				
Committeeman Todd Luttman				

CERTIFICATION

I, Steven M. Mayer, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that the funds are available for Professional Services and that the funds were appropriated in the 2010 Local Municipal Budget under the line item entitled, "Finance - Other Expense" and said monies are contingent upon the adoption of the 2010 Municipal budget.

Stephen M. Mayer
Chief Financial Officer