

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 22-74

A RESOLUTION APPOINTING FALON AND COMPANY TO PROVIDE FINANCIAL SERVICES FOR THE PREPARATION OF THE ANNUAL FINANCIAL STATEMENTS AND THE PERFORMANCE OF THE ANNUAL AUDIT FOR THE YEAR 2021 ENDED DECEMBER 31, 2021.

WHEREAS, the Mayor and Borough Council of the Borough of Red Bank has determined that there exists a need for the preparation of the 2021 annual financial statement and the 2021 annual audit of the accounts of the Borough of Red Bank; and

WHEREAS, the Borough Council recommends Charles J. Fallon of Fallon & Company, 1390 Route 36, Suite 102, Hazlet, NJ 07730-1716 be appointed Borough Auditor and the professional services contract for the preparation of the 2021 audit of the Borough of Red Bank be awarded for a total amount not to exceed \$40,000.00; and

WHEREAS, any additional services requested by the Borough would be mutually agreed upon before the commencement of any work and billed at the following rates:

Partner or RMA	\$145.00
Senior Manager	\$115.00
Manager	\$100.00
Senior Staff	\$ 80.00
Staff	\$ 60.00

WHEREAS, a certification affirming the availability of funds in accordance with N.J.A.C. 5:34-5.1 et seq. has been provided by the Chief Financial and is attached hereto and made a part hereof, indicating that the appropriation for the within expenditure is to be funded from the 2022 Budget for Current, Water/Sewer Utility and Parking Utility Accounts; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, such award of contract shall be made as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.8; and

WHEREAS, Darren McConnell, the Acting Borough Administrator has determined that the value of the acquisition will exceed \$17,500; and

WHEREAS, Charles J. Fallon of Fallon & Company has completed and submitted a Business Entity Disclosure Certification which certifies that Charles J. Fallon of Fallon & Company have not made any reportable contributions to a political or candidate committee members of the Red Bank Borough Council, in the previous one year, and that the contract will prohibit Charles J. Fallon of Fallon & Company from making any reportable contributions, contrary to N.J.S.A. 19:44A-20.5, through the term of their contract with the municipality; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Red Bank as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement with Charles J. Fallon of Fallon & Company, 1390 Route 36, Suite

102, Hazlet, NJ 07730-1716 for the year commencing January 1, 2021, and ending December 31, 2021, for a total amount not to exceed \$40,000.00.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because these services are rendered or performed by a person authorized by law to practice a recognized profession.

	Motion	Yes	No
Councilwoman Mirandi	(x)	()	()
Councilwoman Sturdivant	(x)	()	()
Councilwoman Triggiano	Second	(x)	()
Councilman Ballard		(x)	()
Councilman Zipprich	Motion	(x)	()
Councilwoman Horgan		(x)	()

Dated: March 9, 2022

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on March 9, 2022.

Bonnie K. Thomas

Bonnie K. Thomas, Acting Municipal Clerk