

RESOLUTION NO. 13-41

**RESOLUTION OF THE BOARD OF COMMISSIONERS
MORRIS COUNTY IMPROVEMENT AUTHORITY**

TITLE:

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT
FOR AUDITING SERVICES**

WHEREAS, the Morris County Improvement Authority (the “Authority”) has been duly created by resolution of the County of Morris (the “County”), State of New Jersey (the “State”) and exists in good standing as a public body corporate and politic under and pursuant to all applicable law, including the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended from time to time (codified at N.J.S.A. 40:37A-44 et seq., the “Act”);

WHEREAS, in order to carry out the operations of the Authority, including without limitation the negotiation, sale and issuance of bonds, notes or other obligations of the Authority to finance projects permitted under the Act, the Authority needs to contract for the certain services, including hiring an auditor;

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, enacted by the New Jersey State Legislature shall become effective;

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., an authority may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the member municipality’s political parties or to any candidate’s committee of any person serving in an elective public office of the member municipality when such contract was awarded, unless said business entity is awarded a contract under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the Authority desires to appoint Ferraioli, Wielkotz, Cerullo & Cuva, P.A. for a contract in an amount less than \$17,500;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Authority as follows:

Section 1. The Authority hereby awards a contract for an aggregate amount less than \$17,500 to the following firm to perform auditing services for the Authority for a one year period commencing December 18, 2013:

- a. Auditor: Ferraioli, Wielkocz, Cerullo & Cuva P.A.
401 Wanaque Avenue, Pompton Lakes, New Jersey
Contact Person: Thomas M. Ferry, CPA, RMA

Section 2. The Chairperson is hereby authorized and directed to execute a contract with Ferraioli, Wielkocz, Cerullo & Cuva, P.A. on the following basis, provided that the Chairperson take all actions necessary for such contracts to comply with the bidding exceptions to the Contracts Law, including the publication requirements therein.

- a. Auditor annual fee: \$3,600
- b. Additional charges, upon prior approval, pursuant to the contract as follows:
 - (i) Partner \$175
 - (ii) Manager \$110
 - (iii) Senior \$ 80
 - (iv) Staff \$ 75
 - (v) Administrative \$ 60

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Section 3. This resolution shall take effect immediately.

MOVED/SECONDED:

Resolution moved by Commissioner _____.

Resolution seconded by Commissioner _____.

VOTE:

Commissioner	Yes	No	Abstain	Absent
Pinto				
Ramirez				
Roe				
Sandman				
Bonanni				

ATTESTATION:

This Resolution was acted upon at the Regular Meeting of the Authority held on December 18, 2013 at the Authority’s principal corporate office in Morristown, New Jersey.

Attested to this 18th day of December, 2013

By: _____

Secretary of the Authority

FORM and LEGALITY:

This Resolution is approved as to form and legality as of December 18, 2013.

By: _____

**Stephen B. Pearlman, Esq., Partner
Inglesino, Pearlman, Wyciskala & Taylor, LLC
Counsel to the Authority**