

**RESOLUTION OF THE BOROUGH OF LAVALLETTE, COUNTY  
OF OCEAN, STATE OF NEW JERSEY APPOINTING ROBERT S.  
OLIWA / OLIWA & COMPANY AS BOROUGH AUDITOR**

Resolution Number: 2026-03  
Date of Adoption: January 5, 2026

**WHEREAS**, there exists a need for auditing and financial services for the Borough of Lavallette; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” without competitive bids’ and

**WHEREAS**, a determination of value has been made by the Borough of Lavallette that said contract shall be in excess of \$17,500; and

**WHEREAS**, the Mayor, with the advice and consent of the Borough Council, desires to appoint Robert S. Oliwa / Oliwa & Company, as Borough Auditor; and

**WHEREAS**, the maximum amount of the contract to be awarded under this resolution is as set forth in the Municipal Budget for Auditing Services; and

**WHEREAS**, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the resolution and contract be made available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Lavallette, County of Ocean, State of New Jersey as follows:

1. That Robert S. Oliwa / Oliwa & Company is hereby appointed as Borough Auditor for a term of one year and shall perform all auditing services for the Borough of Lavallette under the contract authorized herein, commencing January 1, 2026 and ending after the completion and submission of the 2026 Municipal Audit as outlined in the specification for services.

2. That the Mayor is hereby authorized to execute and the Municipal Clerk to attest to the agreement with Robert S. Oliwa / Oliwa & Company.

3. That this contract is awarded as a “Professional Service” in accordance with N.J.S.A. 40A:11-5 (1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.

4. That Robert S. Oliwa / Oliwa & Company shall enter into a written contract which shall include the following mandatory language pursuant to law:

During the performance of this contract, Robert S. Oliwa / Oliwa & Company agrees as follows:

- a. Robert S. Oliwa / Oliwa & Company will not discriminate against any applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The Auditing Firm will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and, selection for training, including apprenticeship. The Auditing Firm agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the public agency compliance officer setting forth provisions of this non-discrimination cause;
- b. Robert S. Oliwa / Oliwa & Company will, in all solicitations or advertisements for employees placed by or on behalf of the Auditing Firm, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex;
- c. Robert S. Oliwa / Oliwa & Company will send each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the Auditing Firm's commitments under this Act and shall post copies of the notice in conspicuous places available for employees and applicants for employment.
- d. Robert S. Oliwa / Oliwa & Company agrees to comply with any regulations promulgated by the State Treasurer, pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.
- e. Robert S. Oliwa / Oliwa & Company agrees to attempt in good faith to employ minority and female workers consistent with applicable county employment goals prescribed by N.J.A.C. 17:27-5.2, promulgated by the State Treasurer, pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with the binding determination of the applicable county employment goals of the affirmative action office, pursuant to N.J.A.C. 17:27-5.2, promulgated by the State Treasurer, pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.
- f. Robert S. Oliwa / Oliwa & Company to inform, in writing, appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in any direct or indirect discriminatory practices.
- g. Robert S. Oliwa / Oliwa & Company agrees to revise any of its testing proce-

dures, if necessary, to assure that all personal testing conforms with the principals of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

h. Robert S. Oliwa / Oliwa & Company agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey and applicable Federal law and applicable Federal court decisions.

5. That a notice of this action shall be printed once in the official newspaper of the Borough of Lavallette.
6. That this resolution shall take effect immediately.
7. That a certified copy of this resolution shall be provided by the Municipal Clerk to the Chief Financial Officer.
8. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Budget – 2026 Auditing Services.

### **CERTIFICATION**

I, **Donnelly Amico**, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and Council of the Borough of Lavallette at their Council Meeting held on the 5<sup>th</sup> day of **January 2026**.

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**Donnelly Amico**  
**Municipal Clerk**