

**PENNINGTON BOROUGH
RESOLUTION 2026-1.1**

**RESOLUTION APPOINTING PKF O'CONNOR DAVIES AS
BOROUGH AUDITOR FOR THE YEAR 2026**

WHEREAS, the Borough of Pennington has a need to appoint a Borough Auditor and to contract for related professional auditing services in the year 2026, including conduct of audits for 2025;

WHEREAS, PKF O'Connor Davies has served as Borough Auditor and is prepared to continue to serve in this capacity in accordance with a mutually acceptable contract for professional services;

WHEREAS, the Borough Clerk has determined and has certified in writing that the anticipated value of such contract for professional services, having a term of one (1) year, would exceed \$17,500;

WHEREAS, approval of such contract would comply with the Local Pay-To-Play Law, N.J.S.A. 19:44A-20.5, effective January 1, 2006, which except in prescribed circumstances prohibits the award of contracts with a value in excess of \$17,500 to any person or business entity which makes reportable contributions to local political or candidate committees representing members of the governing body;

WHEREAS, PKF O'Connor Davies has completed and submitted a sworn Business Entity Disclosure Certification which certifies that the firm has made and shall make no political contribution prohibited by the relevant provisions of the statute;

WHEREAS, this contract is being awarded as a professional services contract in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., without advertising for proposals or competitive bidding, because the services contracted for are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, PKF O'Connor Davies, proposes to continue to serve as Borough Auditor for estimated fees not to exceed in the aggregate \$46,500 for the following services: annual audit of the Borough (\$35,000.00); preparation of annual financial statement (\$8,500.00); and LOSAP report (\$3,000.00);

WHEREAS, PKF O'Connor Davies proposes to continue to serve as the Auditor for the Pennington Public Library and has submitted a separate engagement letter dated December 5, 2025 for those services, for estimated fees not to exceed in the aggregate \$7,500.00; and

WHEREAS, PKF O'Connor Davies shall perform such additional professional services as may be requested from time to time by the Borough at the following hourly rates: Partner - \$225.00; Director - \$210.00; Supervisor - \$185.00; Senior Associate - \$160.00; Associate - \$140.00-\$150.00, and as further set forth in the attached letter of engagement dated December 2, 2025 provided aggregate fees under this contract, including expenses, shall not exceed \$46,500 (exclusive of the Library) without the prior written approval of Borough Council;

WHEREAS, PKF O'Connor Davies shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purpose of this contract in the Current Fund under Finance and Library and in the Water/Sewer Utility budget;

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing an award of contract for professional services without competitive bid be publicly advertised following adoption;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that PKF O'Connor Davies be appointed as Borough Auditor of the Borough of Pennington for a period of one year in compliance with applicable law;

BE IT FURTHER RESOLVED, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into a professional services agreement with PKF O'Connor Davies by accepting the annexed letter of engagement dated December 2, 2025 with such amendments as to form required by the Borough Attorney;

NOW, BE IT FURTHER RESOLVED, that a copy of this resolution shall be published as required by law within ten (10) days of its adoption.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B
Angarone					Rubenstein				
Chandler					Stern				
Kassler-Taub					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on January 5, 2026.

Elizabeth Sterling, Borough Clerk