

Memo

To: Borough Council
From: Eric Maurer 
CC: Mayor Goldberg
Date: 8/10/2011
Re: 2011 Best Practices

The NJ Department of Community Affairs has promulgated a new Best Practices Checklist for 2011, one that is shorter than for 2010, but nonetheless includes a number of new items. A municipality must have 41 of 50 items with answers of yes, in progress, or not applicable in order not to have any state aid funds withheld. This year the penalties are bigger than last year. With a total 33 to 40 positive answers, a municipality can lose 1% of its state aid. For Hawthorne that would be \$14,683. The penalty is progressively larger as fewer positive answers are given, such that with 8 or fewer positive answers, a municipality could lose 5% of its aid.

Hawthorne's Best Practices Report for 2011 is attached. It shows 38 "yes" answers, 2 "not applicable," and 5 "in progress," for a total of 45 positive answers, allowing as to make the target easily for no loss in state aid.

This report will be submitted before the required submission date of August 31st. There is a requirement this year that, either before or after submission, the Governing Body must discuss the completed checklist at a public meeting, with the Municipal Clerk then submitting a certification that this has been done. As I promised at the previous Council meeting, the report is being submitted to the Council with the agenda packet for the meeting of 8/17, so that the Council may hold the required discussion at that time.

The two 'not applicable' answers relate to insurance. Municipalities who are not members of either the NJEBF or a HIF are expected to solicit proposals every three years on employee health benefits. Since we belong to a HIF, the item doesn't apply. Nevertheless, we have sought competitive pricing information within the previous three years. The second item was for members of the NJEBF only, which we are not.

The 5 items marked as "prospective" or "in progress" are ones that we expect to implement in coming months. These include back-up of computer files, which we do, but for which we must find an off-site storage location; an online auction for sale of

surplus property which we hope to do for some larger items by the end of this year; quarterly distribution of budget reports to the Council which previously we've done only intermittently; establishing a written transitional duty policy for employees on worker's compensation leave which previously we've done only informally; and police accreditation which is a process we currently have underway.

Among the items with "no" answers are three for which Council action would be required. We do not need them in 2011 to preserve our state aid funding. The Council, however, may wish to consider whether they are best practices we'd like to adopt, either to position us to retain funding in future years, or simply because they are good practices. These three are:

- 1) Has your municipality adopted a pay-to-play ordinance pursuant to N.J.S.A. 40A:11-51? This law allows the municipality and its agencies to prohibit the award of public contracts to business entities that have made certain campaign contributions exceeding \$300 and to limit the contributions that the holders of a contract can make during the term of a contract to \$300. A model ordinance concerning pay-to-play can be found at:
www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc
- 2) Does your municipality require its elected officials to attend basic courses on responsibilities and obligations in local government (i.e. budgeting, policy setting, local government contracting, risk management, and compliance with the Open Public Records Act)?
- 3) Has your municipality held or scheduled a "Joint Yearly Open Public Meeting" between the local school board(s) and the governing body to discuss community needs, shared services, and the school and municipal budgets?

Best Practices Worksheet CY 2012

Hawthorne Borough (Passaic)

1604		Question	Answer	Comments
General Management				
1	Has your municipality adopted a pay-to-play ordinance pursuant to N.J.S.A. 40A:11-51? This law allows the municipality and its agencies to prohibit the award of public contracts to business entities that have made certain campaign contributions exceeding \$300 and to limit the contributions that the holders of a contract can make during the term of a contract to \$300. A model ordinance concerning pay-to-play can be found at: www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc	No		
2	Did your municipality evaluate and/or enter into at least one new shared service or cooperative agreement in 2010, outside of joining cooperative purchasing system?	Yes		Evaluated shared services agreement for municipal pool that was finalized in 2011
3	Does your municipality maintain an up-to-date municipal website containing, but not limited to: past three years adopted budgets; and the current year proposed budget including the full adopted budget for current year when approved by the governing body; most recent annual financial statements and audits; notification(s) for solicitation of Bids and RFPs; employee contact information; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	Yes		
4	Does your municipality's legal counsel review procurement specifications and sign off on all major professional service contracts before the documents are signed?	Yes		
5	Does your municipality have an ongoing policy cross referencing the submittal of Certificates of Occupancy from the Construction Official to the Tax Assessor?	Yes		
6	Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite?	Prospective		Now backed up regularly, but must establish process for offsite storage
7	Does your municipality require its elected officials to attend basic courses on responsibilities and obligations in local government (i.e. budgeting, policy setting, local government contracting, risk management, and compliance with the Open Public Records Act)?	No		
8	If your municipality assigns employees with vehicles that can be taken home after work hours, is there a written policy in place to prohibit personal use and does that policy ensure that the commuting miles are reflected in employee W-2s?	Yes		

Best Practices Worksheet CY 2012

Hawthorne Borough (Passaic)

	Question	Answer	Comments
1604			
9	Does your municipality sell personal property (fire trucks, road equipment, confiscated items, etc.) through an approved online auction system to broaden the market area for increased revenue?	Prospective	Online auction being planned by year-end.
10	Are ordinances codified on an annual basis and made available electronically and/or in an existing ordinance book for the public?	Yes	
11	Has your municipality established an "Absence from Meetings Policy" for elected officials and appointed board members?	Yes	
Financial Standards			
1	Does your municipality's newly (within the last six months) negotiated public employee contracts refrain from increasing base salary items by more than an average of two (2%) percent annually over the aggregate amount expended in the final year of the previous contract?	Yes	
2	Is there a system of checks and balances over the purchasing and disbursement functions, including payroll (e.g., the same employee who prepares the checks also reconciles the bank account would not be a proper system of checks and balances)?	Yes	
3	Does your municipality have written procedures pertaining to cash receipts and cash disbursements including but not limited to: receiving, recording and preparing deposits for cash receipts; and processing, reviewing, and approving disbursements?	Yes	
4	Does management (department heads) review and approve all payroll disbursements, invoices, and purchase orders before final approval of the governing body by resolution?	Yes	
5	Are bank statements and related canceled checks and validated deposit slips, reviewed and reconciled monthly to the general ledger balances?	Yes	
6	Are contracts for services over the pay-to-play threshold of \$17,500 awarded using bids or a fair and open process?	No	Some contracts are, but not all.
7	Does your municipality maintain all documentation regarding bids including but not limited to: notices to potential bidders that include the plans, specifications, and contracts; documentation that the bids were properly advertised; and bid opening documentation that include the submitted bids, bid tabulation sheet, and indication of which bid was accepted?	Yes	

Best Practices Worksheet CY 2012

Hawthorne Borough (Passaic)

1604	Question	Answer	Comments
8	Does your municipality perform an audit of your utility (telephone, fax, electric meters) accounts at least once every three years to ensure that inactive accounts are cancelled?	Yes	
Budget Preparation & Presentation			
1	Has your governing body reviewed the municipality's annual financial statement with particular emphasis on surplus generation and usage, tax collection rates (including the status of tax liens), and delinquent tax collection statements?	Yes	
2	Did your municipality prepare a five (5) year summary showing the amount of surplus anticipated and the percentage of the budget that this represents?	Yes	
3	Does your municipal CFO or auditor evaluate your capital balances annually to review and cancel unspent funds at the closure of capital projects?	Yes	
4	Do elected officials receive quarterly (or more frequent) reports on the status of all budget revenues and appropriations as they correspond to the annual adopted budget?	Prospective	Done intermittently in the past, but will be done quarterly from this point forward.
5	Was a budget history and projection showing three years of history prepared in a "Viewer Friendly" style for public use?	Yes	
Health Insurance			
1	If your municipality does not participate in the State Health Benefits Plan (SHBP), a joint insurance fund (JIF), or a healthcare insurance fund (HIF), have competitive proposals for insurance been solicited in the last three years?	N/A	Hawthorne is a member of the NJMEBF
2	If your municipality is a member of the SHBP, have you transitioned from Chapter 88 (lifelong retirement benefits & Medicare Part B payouts) to Chapter 48 (healthcare cafeteria and select cost-saving provisions for all current and future employees)? N.J.S.A. 52:14-17.38(b1) to 52:14-17.38 (b2)	N/A	Hawthorne is not a member of the SHBP
3	Does your municipality perform an annual review of health benefit covered lives in an effort to delete employees, spouses or dependents who should no longer be receiving coverage?	Yes	
4	Do your municipal firefighters receive annual heart screening in conformance with NFPA Standard 1582, Chapter 7.4-7.7?	Yes	
Personnel			

Best Practices Worksheet CY 2012

Hawthorne Borough (Passaic)

	Question	Answer	Comments
1604			
1	Does your municipality make available to the public free of charge, either through an internet posting or on-site review, documents that show the current salaries of all personnel and additional documents that would allow the public to understand how your municipality's aggregate salaries have changed over a three year period?	Yes	
2	Has your municipality, consistent with N.J.S.A. 34:13A-8.2, filed a copy of all negotiated public employee contracts with the Public Employment Relations Commission, or will your municipality bring itself into compliance by having all contracts emailed to contracts@perc.state.nj.us .	Yes	
3	Are all applicants and employees hired, promoted and retrained in accordance with established equal employment opportunity (EEO) and non-discrimination policies?	Yes	
4	Does your municipality limit health benefits to full-time (35 or more hours weekly), employees and exclude from coverage all part-time employees, elected or appointed officials?	Yes	
5	Are standardized absentee forms completed and filed for all employee absences?	Yes	
6	Are formal records maintained by your Personnel Department (Human Resources office) to account for vacation and sick leave earned and taken by all employees?	Yes	
7	Does supervisory staff review and approve employee time and attendance reports before submitting to management?	Yes	
8	Does your municipality limit the carry forward of accrued vacation time to no more than one year's worth of such time (meaning no employee hired after the effective date of the limitation policy can have more than two (2) years of vacation time on the books in any given year)?	Yes	
9	Does the municipal governing body approve all payments of accumulated/uncompensated absence benefits?	No	
10	Does your municipality's personnel manual include policies covering the use of municipal computers, including internet/e-mail use?	Yes	
11	Does your municipality have a transitional duty program (light duty) to encourage employees out on workers compensation to return to work?	Prospective	Has been done intermittently in the past, but a written policy needs to be established.

Best Practices Worksheet CY 2012

Hawthorne Borough (Passaic)

	Question	Answer	Comments
1604			
12	Does your municipality provide annual employment practice liability training for elected officials, managers, administrators, department heads and supervisors?	Yes	
Public Safety			
1	Does your municipality have an emergency management plan that is updated bi-annually and verified yearly through practical exercises and written reports distributed to all affected parties (police, fire, OEM, etc.) as required pursuant to L.1989, c.222, s.20?	Yes	
2	Is your municipality's police department accredited by the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), or have senior officers had advanced training through professional agencies/academies?	Prospective	The Borough has engaged a consultant to guide the Dept through the accreditation process
3	Are all required hazard-use inspections and reports performed in accordance with state standards, needed-relevant information disseminated to emergency response organizations and a copy of the report sent to local fire and police agencies?	Yes	
4	Does your municipality have formal written mutual aid agreements for all emergency response organizations?	Yes	
5	Does your municipality have a formal procedure to ensure that all park and recreation facilities are inspected/assessed periodically to determine whether proper maintenance is being done to ensure the safety of the using public?	Yes	
Energy			
1	Has your municipality conducted an energy audit within the last three years to evaluate whether the energy consumption (i.e. heating, lighting, ventilation and air conditioning) of municipal facilities can be reduced?	Yes	
2	If your municipality issues published or posted newsletters to its residents, did such publications promote recycling efforts and solid waste management in compliance with the storm water regulations? N.J.A.C. 7:8 et seq.	Yes	
Municipal/School Relations			
1	Has your municipality held or scheduled a "Joint Yearly Open Public Meeting" between the local school board(s) and the governing body to discuss community needs, shared services, and the school and municipal budgets?	No	

Best Practices Worksheet CY 2012

Hawthorne Borough (Passaic)

1604	Question	Answer	Comments
2	Do you share playing fields, recreation services, and/or equipment with the local board(s) of education?	Yes	
3	Has your municipality entered into any shared services with local board(s) of education pertaining to maintaining of fields, sharing of equipment, purchasing of gasoline, snow plowing, etc.?	Yes	
	Select	0	
	Yes	38	
	No	5	
	N/A	2	
	Prospective	5	
	Total Answered:	50	
	Score (Yes + N/A + Prospective)	45	
	Score %	90%	
	Percent Withheld	0%	
	Chief Financial Officer Completion Certification:		