RESOLUTION #2016-3

BE IT RESOLVED by the Township Committee of the Township of White, County of Warren, that the Chief Financial Officer/Deputy Chief Financial Officer shall administer the cash management plan, adopted on January 4, 2016, through compliance with 40A:5-1, et seq, prudent application of these cash management policies, which shall not conflict the plan in any way.

1. **Objectives.** The priority of investing practices shall be, in order of descending importance, **security, liquidity, and yield.**

A. Security. The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

1. **Credit Risk.** Credit risk is the risk of loss due to failure of security issuer or backer. Credit risk may be mitigated by:

a. Limiting investments to the safest types of security. Agencies to be used: **Valley National Bank; First National Bank of Hope; Bank of America; PNC Bank; NJ Cash Management Fund; TD BankNorth, Fulton Bank of New Jersey.**

b. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.

c. Diversifying the investment portfolio.

2. **Interest Rate Risk.** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

a. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and

b. By investing operating funds primarily in shorter-term securities.

B. Liquidity. The portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investments of various funds should structured so that they match the potential need. Thus, investments of operating funds should be kept in investments with a maturity of not more than one year. Investments of a capital, or long term trust fund nature should match the expected use of the funds, But not to exceed five years. Investments should consist of securities with active secondary markets or in mutual funds that permit liquidation at net asset value. Securities shall not be sold prior to maturity with the following exceptions:

1. A declining credit security could be sold early to minimize the loss of principal.

2. A security swap would improve the quality, yield or target duration in the portfolio.

3. Liquidity needs of the local unit require that the security be sold.

C. **Yield:** The investment portfolio must be designed with the objective of attaining a market Rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer/Deputy Chief Financial Officer shall carefully evaluate the legality, security, and yield attributes of any investment offering above market yields.

II Standards of Care

A. Prudence. The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio in accordance with State Law and this Policy. Chief Financial Officers/Deputy Chief Financial Officers acting in accordance with the Cash Management Plan and Policy shall be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by, the Cash Management Plan.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

B. Ethics and Conflicts of Interest. Officers and employees involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material investment in financial institutions with which they conduct business. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity. Personnel involved in investment activities shall comply with the Local Government Ethics Law.

C. Delegation of Responsibility and Authority. Responsibility and authority to manage a Cash Management Plan and Policy is granted to the Chief Financial Officer/Deputy Chief Financial Officer, pursuant to **N.J.S.A. 40A:5-14**. No person may engage in an investment transaction except as pro-vided under the terms of the Policy and the written procedures established by the Chief Financial Officer. The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. Safekeeping and Custody.

A. Authorized Banks for Deposit of Governmental Funds. The Cash Management Plan shall list all authorized banks for deposit of governmental funds. Only banks approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act(GUDPA)can be approved depositories.

B. Approved Security Broker/Dealers. The Cash Management Plan shall list any approved security brokers/dealers.

C. Internal Controls.

1. <u>The Governing Body shall act to provide that the agency has an internal control structure that is established, defined and maintained</u> to ensure that the assets of the entity are protected from loss, theft or misuse. The Chief Financial Officer/Deputy Chief Financial Officer shall develop written internal controls and submit them to the Governing Body for approval. The internal control structure shall be designed to provide reasonable assurance that the assets of the entity are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that"

   a.. The cost of a control should not exceed the benefits likely to be derived..

   b. The valuation of costs and benefits of internal controls requires estimates and judgments by management.

2. Internal control practices shall address the following points:

   a.. Control of collusion - Collusion is a situation where two or more employees are working in conjunction to defraud their employer.

   b. Separation of transaction authority from accounting and record keeping - By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.

   c. Custodial safekeeping - Securities purchased from any bank or dealer, including appropriate collateral(as defined by <u>N.J.S.A. 12A:9-105)</u>shall be be placed with an independent third party for custodial safekeeping.

   d. Avoidance of physical delivery securities - Book entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.

e. Clear delegation of authority to subordinate staff members - Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.

f. Written confirmation or telephone transactions for investments and wire transfers - Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communication may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.

g. Development of a wire transfer agreement with the lead bank or third party custodian - This agreement should outline the various controls, security provisions, and delineate responsibilities of each party making and receiving wire transfers.

D. Delivery vs. Payment: All trades where applicable will be executed by delivery vs. payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to to the release of funds. Securities will be held by a third party custodian as evidenced by safekeeping receipts.

IV. **Reporting.**

A. Methods: The Chief Financial Officer/Deputy Chief Financial Officer shall prepare an investment report to the Governing Body each month, including a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the last month. This management summary will be prepared in a manner which will allow the Governing Body to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report should be provided to the Chief Executive Officer and the Governing Body. The report will include those items outlined in the Cash Management Plan.

B. Performance Standards: The investment portfolio will be managed in accordance with the parameters specified within the Cash Management Plan and Policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. Portfolio performance should be compared to appropriate benchmarks on a regular basis.

V. **Policy**.

A. Exemption: Any investment currently held that does not meet these guidelines shall be exempted from the requirements of the Cash Management Plan. At maturity or liquidation such monies shall be reinvested only as provided by the Cash Management Plan and Policy.

B. Amendment: The Cash Management Plan must be approved by the Governing Body, by Resolution, on an annual basis, and may be amended at any time during the year to reflect changes due to changes in laws, depositories, funds or investments.

Roll Call Vote: Herb – yes Mackey – yes Race - yes

CERTIFICATION

I hereby certify that the foregoing is a true copy of a Resolution adopted by the White Township Committee, at a meeting held Monday, January 4, 2016, at the Municipal Building, 555 CR 519, Belvidere, N. J. 07823

Kathleen R. Reinalda, RMC
Township Clerk