

RESOLUTION NO.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW ESTABLISHING THE OFFICE OF THE CONFLICT DEFENDER IN THE COUNTY OF ALLEGANY

Offered by: Public Safety

WHEREAS, on this 9th day of November 2022, a Local Law (Intro. No. 3-2022, Print No. 1) was introduced to establish the Office of the Conflict Defender in the County of Allegany, and

WHEREAS, it will be necessary to set a date for a public hearing on said proposed local law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on November 23, 2022, at 2:00 p.m. in the County Legislative Chambers, Room 221, County Office Building, 7 Court Street, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 3-2022, Print No. 1.

2. That the Clerk of the Board of Legislators is directed to prepare, with the assistance of the County Attorney, a notice of said public hearing, to cause the publication of a copy of said notice in each of the three newspapers which have been officially designated by this Board to publish "notices," and to affix a copy of said notice on the County bulletin board in the County Courthouse at Belmont, New York; both publication and posting to be made at least five days before the public hearing.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
 Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

COUNTY OF ALLEGANY

Intro. No. 3-2022

Print No. 1

A LOCAL LAW ESTABLISHING THE OFFICE OF THE CONFLICT DEFENDER IN THE COUNTY OF ALLEGANY

BE IT ENACTED, by the Board of Legislators of the County of Allegany, State of New York, as follows:

Section 1. Office of the Conflict Defender. The County of Allegany, through its Board of Legislators, recognizes its Constitutional responsibility in providing mandated legal representation to indigent persons. The County currently provides mandated legal representation through the County's Office of the Public Defender, as well as through an Assigned Counsel Program providing mandated representation services when a conflict of interest disqualifies the Public Defender in criminal and Family Court matters. The County Board of Legislators' purpose for creating the Office of the Conflict Defender is to directly provide mandated representation in certain conflict situations, and to otherwise manage, administer, and supervise mandated representation services that are not provided by the Public Defender. It is the intent of this Local Law to establish a framework to achieve this purpose, in accordance with the applicable laws of New York State.

Section 2. Conflict Defender; Appointment; Term of Office.

- a. The head of such office shall be a Conflict Defender. The Conflict Defender shall be appointed by the County Board of Legislators, and shall report directly to the County Administrator.
- b. The term of office for the first Conflict Defender appointed pursuant to this Local Law shall commence on the date of their appointment, and shall expire on December 31, 2025.
- c. The term of office for each subsequent Conflict Defender shall be for four years; in no event shall the County Board of Legislators appoint a Conflict Defender to a term of office that exceeds the tenure of the County Board of Legislators making such appointment.

Section 3. Qualifications. At the time of the appointment, the Conflict Defender shall have the following education, training, and/or experience:

- a. Graduation from a regionally accredited or New York State accredited law school; and
- b. Admission to practice law in New York State at the time of appointment and be continuously admitted during their term of office; and
- c. Minimum of five (5) years as a practicing attorney, with experience in criminal defense and/or Family Court.

Section 4. Salary. The Conflict Defender shall receive an annual salary to be fixed by the County Board of Legislators.

Section 5. Powers and Duties. Without curtailing, diminishing, or transferring the powers of any elected County official, the Conflict Defender shall act as the representative of the County Board of Legislators in providing mandated legal representation to indigent persons. Such powers and duties shall include the following:

a. Legal Representation Duties

- i. In the event that mandated representation cannot be provided when a conflict of interest exists in the Office of the Public Defender, then the Conflict Defender shall represent each indigent defendant in the County of Allegany who is charged with a crime, as defined in County Law § 722-a, at every stage of the proceedings following arrest, without charge, and at the request of the defendant, or by order of the court with the consent of the defendant. Such representation shall include, but not be limited to, initiating proceedings that, in the judgment of the Conflict Defender, are necessary to protect the rights of the accused and may, in the Conflict Defender's discretion, involve prosecuting any appeal if, in its judgment, the facts and circumstances warrant such appeal.
- ii. In the event that a conflict of interest exists in the Office of the Public Defender, then the Conflict Defender shall represent any indigent person in the County of Allegany who is entitled to counsel in a proceeding, pursuant to Family Court Act §§ 262 and 1120 and Surrogate's Court Procedure Act § 407, without charge, at every stage of the proceedings, who is financially unable to obtain counsel. Such representation shall include initiating proceedings that, in the judgment of the Conflict Defender, are necessary to protect the rights of the indigent person and may, in the Conflict Defender's discretion, involve prosecuting any appeal if, in its judgment, the facts and circumstances warrant such appeal.
- iii. May assign professional, technical, and clerical personnel in the investigation, preparation, litigation, and appeal in any court proceeding involving indigent defendants or persons subject to the appropriations approved for these services by the County Board of Legislators.

b. Administrative and Supervisory Duties

- i. Responsible for the management and operation of the Conflict Defender's Office in accordance with New York State Civil Service Law, the County of Allegany's policies and procedures, any applicable collective bargaining agreements, and sound management principles, and shall have the powers and duties necessary to carry out the functions of the office as set forth herein, and as may from time to time be amended by resolution of the County Board of Legislators.
- ii. Develop and administer the systems, policies, practices, and procedures of the office, and shall coordinate and administer all of the activities of the office.

- iii. Prepare reports as may be required by the County Administrator, the County Board of Legislators, and/or the New York State Office of Indigent Legal Services.
- iv. Develop, prepare, and administer the budget of the Office of the Conflict Defender.

Section 6. Assigned Counsel Plan.

- a. The Conflict Defender may, if directed by the County Board of Legislators, assist in administering the Assigned Counsel Plan to ensure quality representation of indigent defendants/respondents; fair and reasonable compensation of assigned counsel; and adequate resources for defense and representation of the indigent.
- b. The Conflict Defender shall solicit input from the Allegany County Bar Association, and shall endeavor to develop plans, standards, policies, and procedures to jointly enhance the quality of mandated representation.
- c. The Conflict Defender will not represent a defendant and/or a respondent when an attorney or attorneys of the Assigned Counsel Plan is assigned to indigent defendants and/or respondents on the same matter.
- d. The Conflict Defender's duties associated with the Assigned Counsel Plan under this section may include, but not be limited to, the following:
 - i. Develop professional standards for Assigned Counsel Panel attorneys, and compile and maintain a list of qualified panel attorneys willing to accept conflict assignments.
 - ii. Recruit attorneys, develop an application process, and review and select qualified attorneys for conflict management on a rotating basis by the courts.
 - iii. Maintain a record of all attorneys assigned by the courts.
 - iv. Formulate guidelines for the maximum number of cases to be assigned to panel attorneys to ensure that the workload does not negatively affect the quality of representation.
 - v. Develop and implement a complaint procedure regarding attorney performance.
 - vi. Develop and administer a fair and equitable payment process, review attorney vouchers, and make recommendations to the assigning courts.
 - vii. Establish and maintain relevant continuing legal education programs for panel attorneys.
 - viii. Advise the County Board of Legislators about such other matters as to the Conflict Defender, that in its professional judgment, would contribute to enhancing and improving the quality of conflict defense provided by the County of Allegany.

Section 7. Assistant Conflict Defender(s) and Support Staff.

- a. The Conflict Defender shall have the power to appoint Assistant Conflict Defender(s) and Support Staff pursuant to County Law § 716 and as authorized by the County Board of Legislators.
- b. If the Assistant Conflict Defender(s) are determined to be in the exempt class for purposes of Civil Service Law, then the Assistant Conflict Defender(s) shall serve at the pleasure of the Conflict Defender.

Section 8. Other Powers and Duties. The Conflict Defender shall have such other related powers and duties and perform such other duties as may now or hereafter be confirmed or imposed by the County Board of Legislators.

Section 9. Limitations. Nothing contained herein shall be deemed to alter or impair any powers, duties, or responsibilities which are provided to the County Board of Legislators under law, nor shall anything herein be deemed to curtail, diminish, or transfer the powers of any elected County official.

Section 10. Separability of Powers. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree, or order shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such judgment, decree, or order shall have been rendered.

Section 11. Conflict with Previous Local Laws or Resolutions. In the event of a conflict or inconsistency between this Local Law and any previous Local Law or Resolution of the County Board of Legislators, the terms of this Local Law shall govern.

Section 12. Effective Date. This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule Law.

MEMORANDUM OF EXPLANATION

Introduction No: _____
(clerk's use only)

COMMITTEE: Public Safety

DATE: November 2, 2022

Requesting a Resolution setting the date of a Public Hearing on a Local Law Establishing the Office of Conflict Defender.

Currently, the County provides indigent defense through a two-tier process that involves the Public Defender's Office and the provision of Assigned Counsel as overseen through the County's contract with an Assigned Counsel Administrator. Assigned Counsel is a panel of private attorneys that are able and willing to take assignments of cases on a rotating and as-needed basis at a rate of pay set forth in state statute.

In most circumstances, the Public Defender's Office is the first mechanism available for legal representation of an eligible individual. If the Public Defender's Office is unable to represent an individual due to a conflict, the matter is then referred to have Assigned Counsel represent him or her.

Currently there is a drought of available attorneys to serve as Assigned Counsel. That is a condition experienced throughout New York State and not just limited to Allegany County. It is a serious problem, as without depth within an Assigned Counsel panel, there may not be enough private attorneys available and a backlog can develop as eligible individuals wait for attorneys to be added to the panel to be assigned to represent them.

Creating a Conflict Defender's Office will assist in addressing these issues as it will change the two-tier process into a three-tier one. County-employed attorneys in the Public Defender's Office will remain the first mechanism for representation. If there is a conflict there, the next mechanism will be County-employed attorneys in the Conflict Attorney's Office. Finally, after those options are exhausted, Assigned Counsel may be utilized as the last mechanism available to ensure representation for eligible individuals.

The desired outcome is to ensure that attorneys are employed by the County and available to take cases which would should help to alleviate the crunch experienced by the limited number of private attorneys on the Assigned Counsel panel compared to the overall need of indigent defense in the County.

Funding for a Conflict Defender's Office above and beyond what the County traditionally spends on retaining attorney services maybe available from the New York State Office of Indigent Legal Services.

For further information regarding this matter, contact:

Allison B. Carrow, County Attorney

585-268-9410

RESOLUTION NO.

APPROVAL OF 2022 ALLEGANY COUNTY INVESTMENT POLICY & GUIDELINES

Offered by: Ways & Means Committee

Pursuant to General Municipal Law § 10

RESOLVED:

1. That the Board of Legislators approves the 2022 Allegany County Investment Policy & Guidelines, which are updated to coincide with the provisions of General Municipal Law § 10.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____

Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 19, 2022

Requesting a Resolution approving the Allegany County Investment Policy & Guidelines which has been updated to coincide with General Municipal Law Section 10.

FISCAL IMPACT: Will allow us to take advantage of investment opportunities to potentially increase our earnings.

For further information regarding this matter, contact:

Terri Ross, Allegany County Treasurer

268-9290

INVESTMENT POLICY & GUIDELINES

FOR

Allegany County, NY

October, 2022

I. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by Allegany County (“The Entity”) on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of Allegany County’s investment activities are, in priority order:

- To conform with all applicable federal, State and other legal requirements (legality);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity) and
- To obtain a reasonable rate of return (yield).

To appropriately meet these objectives, Allegany County will make investment decisions based on categories of cash with which the time horizon is continually calculated using a liquidity analysis of past and anticipated future financial requirements.

III. DELEGATION OF AUTHORITY

The Allegany County Treasurer/CFO maintains responsibility for administration of the investment program who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in Allegany County to govern effectively.

Investments shall be made with prudence, diligence, skill, judgement and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of Allegany County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The Allegany County Treasurer/CFO shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. INTERNAL CONTROLS

It is the policy of Allegany County for all moneys collected by any officer or employee of the government to transfer those funds to the Allegany County Treasurer/CFO within five days of deposit, or within the time period specified in law, whichever is shorter.

The Allegany County Treasurer/CFO is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

Allegany County shall maintain a list of financial institutions and dealers approved for investment purposes. The Allegany County Treasurer/CFO is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians.

VIII. COLLATERALIZATION

All demand and time deposits of Allegany County in excess of the amount insured under the provision of the Federal Deposit Insurance Act-

\$250,000 Transaction Accounts

\$250,000 Time Deposits

\$500,000 Total Coverage

shall be secured by eligible collateral, consisting of any one, or combination, of the following:

1) A pledge of eligible securities, as provided in General Municipal Law, Section 10, which is provided in Appendix A.

IX. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of Allegany County that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by New York State Law in appendix A) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within New York State at the bank or trust company.
3. An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York

State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.

4. An “eligible letter of credit,” payable to Allegany County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An “eligible letter of credit” shall be an irrevocable letter of credit issued in favor of Allegany County, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
5. An “irrevocable letter of credit” issued in favor of Allegany County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

X. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of Allegany County shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of Allegany County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to Allegany County or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, Allegany County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe

how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide Allegany County with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

XI. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, Allegany County Board of Legislators authorizes the Allegany County Treasurer/CFO to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
2. Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
3. Obligations of the United States of America;
4. Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
5. Obligations of the State; With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State other than Allegany County;
6. General obligation bonds and notes of any state other than this state, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller.
7. Obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six months, provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly-owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six month period or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation.
8. Bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in clause (7). Provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company; or

9. Obligations of, or instruments issued by or fully guaranteed as to principal and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the Congress of the United States, including but not limited to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation and the United States postal service, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency.
10. No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America or in obligations of agencies or instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations) and are rated in the highest rating category by at least one nationally recognized statistical rating organization, provided, however, that no more than two hundred fifty million dollars may be invested in such funds.

All investment obligations shall be payable or redeemable at the option of Allegany County within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of Allegany County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the monies were obtained, and shall be secured as provided in Sections IX and X herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of Allegany County authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of Allegany County within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which Allegany County transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with Allegany County. The Allegany County Treasurer/CFO shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for

proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers.

Allegany County shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

XIII. PURCHASE OF INVESTMENTS

The Allegany County Treasurer/CFO is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to Allegany County by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, Allegany County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide Allegany County with a perfected interest in the securities.

The Allegany County Treasurer/CFO, where authorized, can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable

for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIV. DEFINITIONS

The terms “public funds,” “public deposits,” “bank,” “trust company,” “eligible securities,” “eligible surety bond,” and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law Section 10.

Appendix A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in Excess of FDIC Coverage (see Investment Policy, Section VIII)

[Note: This is not a list of Permitted Investments. Please see Investment Policy, Section X, for Permitted Investments. Moreover, this list is for purposes of illustration only. Governing boards, in the exercise of their prudent discretion, must determine which types of eligible securities, authorized by law, to list as permitted.]

“Eligible Securities” for Collateral	For purposes of determining aggregate “market value,” eligible securities shall be valued at these percentages of “market value”:
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.	100%
(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%
(x) Commercial paper and bankers’ acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as “Treasury STRIPS.”	80%

RESOLUTION NO.

AMENDMENT TO RESOLUTION NO. 82-2011, AS FURTHER AMENDED BY RESOLUTION NO. 289-2015, RESOLUTION NO. 219-2017, AND RESOLUTION NO. 14-2018, ADDING THE BANK OF NEW YORK MELLON AS A NEW DESIGNATED DEPOSITORY, REMOVING STEUBEN TRUST COMPANY AS A DESIGNATED DEPOSITORY, AND INCREASING THE LIMITS THAT CAN BE HELD AT APPROVED DEPOSITORIES

Offered by: Ways & Means Committee

Pursuant to County Law § 212 and General Municipal Law § 10

RESOLVED:

1. That paragraph 1 of Resolution No. 82-2011, as further amended by Resolution No. 289-2015, Resolution No. 219-2017, and Resolution No. 14-2018, is amended with the addition of The Bank of New York Mellon to the list of designated depositories.

2. That paragraph 1 of Resolution No. 82-2011, as further amended by Resolution No. 289-2015, Resolution No. 219-2017, and Resolution No. 14-2018, shall also be amended with the removal of Steuben Trust Company from the list of designated depositories.

2. That paragraph 1 of Resolution No. 82-2011, as further amended by Resolution No. 289-2015, Resolution No. 219-2017, and Resolution No. 14-208, shall also be amended to increase the maximum amounts to read as follows:

Community Bank of New York	\$100,000,000
Five Star Bank and Trust	\$100,000,000
JP Morgan Chase	\$100,000,000
Key Bank	\$100,000,000
M & T Bank	\$100,000,000
Tompkins Bank of Castile	\$100,000,000
The Bank of New York Mellon	\$100,000,000 **New Depository

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____

Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 19, 2022

(Pursuant to County Law 212 and General Municipal Law 10)

Requesting an amendment to Resolution Nos. 219-17 and 14-18 Designation of Depositories with maximum deposit amounts. For investment purposes, I am requesting to increase the limits that can be held at our approved depositories, add one new bank to the designated list, as well as remove Steuben Trust Company as a designated depository bank. I would request that the new designations be as follows:

Community Bank of New York	\$ 100,000,000
Five Star Bank and Trust	\$ 100,000,000
JP Morgan Chase	\$ 100,000,000
Key Bank	\$ 100,000,000
M&T Bank	\$ 100,000,000
Tompkins Bank of Castile	\$ 100,000,000
The Bank of New York Mellon	\$ 100,000,000 ** new depository

(History of Resolutions #14-18, # 219-17, # 289-15, # 82-11, # 113-09, # 227-03, # 254-96, # 184-89, # 121-87, #54-80)

FISCAL IMPACT: Will allow us to take advantage of investment opportunities to potentially increase our earnings.

For further information regarding this matter, contact:

Terri Ross, Allegany County Treasurer

268-9290

RESOLUTION NO.

SUPPORT OF THE NEW YORK STATE SNOWMOBILE TRAIL DEVELOPMENT AND MAINTENANCE FUND

Offered by: Resource Management Committee

WHEREAS, snowmobiling is a key contributor to Allegany County's winter tourism industry, bringing in significant spending by the snowmobiling community supporting our restaurants and small businesses, and contributing up to \$868 million annually to the Upstate New York economy, and

WHEREAS, the Allegany County snowmobile clubs maintain over 373 miles of trails throughout the County, and there are 10,500 miles of trails statewide, and

WHEREAS, the maintenance of the snowmobile trails in Allegany County is completed almost entirely by volunteers who are members of the snowmobile clubs, and

WHEREAS, it is important that snowmobile infrastructure in Allegany County remains in a condition to welcome snowmobilers, and the trails are safe and well-maintained in accordance with all applicable regulatory standards, and

WHEREAS, since 1987, the New York State Snowmobile Trail Development and Maintenance Fund has been utilized by municipalities and their snowmobile club partners to properly groom and maintain their local snowmobile trails, including the purchase of necessary equipment, and

WHEREAS, the New York State Trail Development and Maintenance Fund is fully funded through the registration fees of snowmobilers participating in the sport, and has no general assessment on the taxpayers, and

WHEREAS, the snowmobile community, including the New York State Snowmobile Association and the snowmobile clubs in Allegany County, have requested an increase in the snowmobile registration fees to support trail maintenance, and

WHEREAS, there has not been a snowmobile registration fee increase since 2005, while there have been registration fee increases in surrounding states, and

WHEREAS, there is significant inflation throughout the country, including on critical machinery needed to maintain the snowmobile trails in their proper condition, and

WHEREAS, Allegany County supports the snowmobiling community and the economic impact that snowmobiling has on our businesses and people, now, therefore, be it

RESOLVED:

1. That this Board of Legislators respectfully requests that Governor Kathy Hochul and the New York State Legislature support increases to snowmobile registration fees that will, in turn, create more financial support for the New York State Snowmobile Trail

Development and Maintenance Fund, the utilization of which supports critical winter tourism in Allegany County.

2. That the Clerk of the Allegany County Board of Legislators shall forward copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George M. Borrello, and Assemblyman Joseph Giglio.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____

Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro No. _____
(Clerk's Use Only)

COMMITTEE: Resource Management

DATE: October 19, 2022

Requesting the State increase snowmobile registration fees in collaboration with the New York State Snowmobile Association (NYSSA) and its 220 snowmobile clubs of which the Allegany County Snowmobile Federation, Inc. is a member.

The last snowmobile registration fee increase was in 2004, two years before the Snowmobiler Rights and Responsibility Act took effect (Ch.609, L.2005). This is the longest-tenured registration fee schedule since the trail fund was first established in 1987. Adjusting for cost of living and inflation increases, a club member fee of \$45 in 2005 would equate to \$65 today, and the non-club member fee of \$100 would be worth \$135.

The New York State Snowmobile Trail Development and Maintenance Fund, which is fully funded by snowmobile registration fees, is a dedicated source of funding that helps municipalities and their snowmobile club partners to properly maintain and groom the state's snowmobile trails. This fund is used for both maintenance and equipment purchases, both of which have seen significant cost increases over the past several years.

The proposed snowmobile registration fee increases are critical for long-term fiscal planning and sustainability of snowmobile clubs and the trail system in New York State.

FISCAL IMPACT:

By adopting an increase in the snowmobile registration fees as part of the State's Executive Budget it will positively impact the quality of the snowmobiling experience in New York State and contribute to recreational and economic growth in the region.

FOR FURTHER INFORMATION REGARDING THIS MATTER, CONTACT:

Carissa M. Knapp, Allegany County Administrator
NAME AND TITLE

585-268-9216
TELEPHONE NUMBER

RESOLUTION NO.

APPROVAL OF REMOVAL OF PARCELS FROM THE 2022 TAX FORECLOSURE AUCTION FOR COUNTY USE

Offered by: Ways & Means Committee

RESOLVED:

1. That the Board of Legislators approves the removal of the following parcels from the 2022 Tax Foreclosure Auction for the potential County use or development:

<u>Sale Lot #</u>	<u>Town</u>	<u>Tax Map #</u>	<u>Address</u>
29	Belfast	105.-1-95	103 S Main Street
30	Belfast	105.-1-95	103 S Main Street

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 12, 2022

Requesting approval to remove the following parcels from the 2022 Tax Auction. The county wished to retain title to these two properties for potential county use or development.

Sale Lot #	Town	Tax Map #	Address
29	Belfast	105.-1-95	130 S Main Street
30	Belfast	105.-1-52	130 S Main Street

For further information regarding this matter, contact:

Terri Ross, Allegany County Treasurer

268-9290

RESOLUTION NO.

APPROVAL OF REMOVAL OF PARCELS FROM THE 2022 TAX FORECLOSURE AUCTION FOR SALE TO THE ALLEGANY COUNTY LAND BANK CORPORATION

Offered by: Ways & Means Committee

RESOLVED:

1. That the Board of Legislators approves the removal of the following parcels from the 2022 Tax Foreclosure Auction for sale to the Allegany County Land Bank Corporation:

<u>Sale Lot #</u>	<u>Town</u>	<u>Tax Map #</u>	<u>Address</u>	<u>Purchase Amt.</u>
7	Almond (V)	126.7-2-11	26 Main Street	\$ 750
82	Independence	295.5-1-32.22	88 CR 19	\$ 2,300
97	Wellsville (V)	225.20-1-96	62 OConnor Street	\$ 2,700
103	Wellsville (V)	238.8-2-19	31 Grover Street	\$ 4,200
108	Wellsville (T)	239.18-1-16	Stannards Road	\$ 2,100

Total due for 5 properties: \$12,050

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 12, 2022

Requesting approval to remove the following parcels from the 2022 Tax Auction based on a request from the Allegany County Land Bank

Sale Lot #	Town	Tax Map #	Address	Purchase Amt
7	Almond (V)	126.7-2-11	26 Main Street	\$ 750
82	Independence	295.5-1-32.22	898 CR 19	\$ 2,300
97	Wellsville(V)	225.20-1-96	62 OConnor St	\$ 2,700
103	Wellsville (V)	238.8-2-19	31 Grover Street	\$ 4,200
108	Wellsville (T)	239.18-1-16	Stannards Road	\$ 2,100
Total due for 7 properties				\$12,050

See attached bid forms

For further information regarding this matter, contact:

Terri Ross, Allegany County Treasurer

268-9290

RESOLUTION NO.

RELEVY OF RETURNED SCHOOL TAXES

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law § 1330

RESOLVED:

1. That the amount of the unpaid returned school taxes of the several school districts of Allegany County with seven per centum of the amount of principal and interest in addition thereto, is relevied upon the real property upon which the same were imposed.
2. This resolution shall take effect on November 1, 2022.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____, 20_____.

_____ Dated at Belmont, New York, this _____ day of _____, 20_____

Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

RESOLUTION NO.

RELEVY OF RETURNED VILLAGE TAXES

Offered by: Ways & Means Committee

Pursuant to Local Law No. 4 of 1978 and Real Property
Tax Law § 1442

RESOLVED:

1. That the amount of the unpaid returned village taxes of each village of Allegany County which has complied with the provisions of Local Law No. 4 of 1978, together with seven per centum of the amount of principal and interest, is relieved upon the real property upon which the same were originally imposed by each such respective village.

2. This resolution shall take effect on November 1, 2022.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____, 20_____.

_____ Dated at Belmont, New York, this _____ day of _____, 20_____

Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

RESOLUTION NO.

A RESOLUTION LEVYING THE AMOUNT OF UNPAID SEWER AND WATER RENTS IN VARIOUS TOWN SEWER AND WATER DISTRICTS AGAINST THE VARIOUS REAL PROPERTIES LIABLE THEREFOR

Offered by: Ways & Means Committee

Pursuant to Article 14-F of the General Municipal Law and Town Law § 198

WHEREAS, the Towns of Belfast, Bolivar, Caneadea, Friendship, Hume, Independence, Scio, Wellsville, and Wirt have submitted to this Board of Legislators statements showing sewer and water rents unpaid by the persons or entities noted therein and the real property to be charged with such unpaid rents, and

WHEREAS, pursuant to law, this Board is required to levy such sums against the real property liable, now, therefore, be it

RESOLVED:

1. That the unpaid sewer and water rents by the persons or entities noted in statements filed with this Board of Legislators by the respective Supervisors of the Towns of Belfast, Bolivar, Caneadea, Friendship, Hume, Independence, Scio, Wellsville, and Wirt between September 22, 2022, and November 1, 2022, are levied against the real property noted in such statements and are to be placed on the tax rolls of such Towns in the manner provided by law.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____, 20_____.

_____ Dated at Belmont, New York, this _____ day of _____, 20_____
Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

RESOLUTION NO.

CREATION OF A CAPITAL FUND PROJECT ACCOUNT FOR A CAPITAL PROJECT TO IMPROVE ACCESS TO COUNTY FOREST LANDS, AND THE TRANSFER OF FUNDING FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO THE CAPITAL FUND PROJECT NUMBER H7197*

Offered by: Ways & Means Committee

RESOLVED:

1. That a Capital Fund Project Account is established within the Capital Fund for a Capital Project to Improve Access to County Forest Lands is approved.
2. That the following transfer of funding from the American Rescue Plan Act (ARPA) funds be made to the Capital Fund project number H7197*:

<u>Budget Adjustment: General</u>		<u>Amount</u>
EXPENSE		
A9560.904A*	Interfund Transfer to Capital from General ARP	\$ 321,000
REVENUE		
A2030.4089.ARP	Fed Aid – COVID 19 American Rescue Funds	\$ 321,000

<u>Budget Adjustment: Capital Recreation Equipment & Capital Outlay</u>		
EXPENSE		
H7197.200*	Capital Project Expense	\$ 321,000
REVENUE		
H7197.5031.ARP*	Interfund Transfer from General ARP	\$ 321,000

<u>Journal: General/Capital</u>		
A691.ARP	Def Rev – Fed ARPA Funding 2021	(\$ 321,000)
A2030.4089.ARP	Fed Aid – COVID 19 American Rescue Funds	\$ 321,000
A9560.904A*	Interfund Transfer to Capital from Gen ARP	(\$ 321,000)
H7197.5031.ARP*	Interfund Transfer from General ARP	\$ 321,000

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
 Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Introduction No: _____
(clerk's use only)

COMMITTEE: Ways & Means

DATE: October 19, 2022

Requesting a resolution to create and appropriate funding of a capital project for the purpose of improving access to County Forest Lands. The proposed improvements are intended to improve access to county-owned public lands, increase outdoor recreational opportunities, expand awareness of the WNY wilds brand and encourage future trail development.

The lots to be improved upon include 1,272 acres and reside within/or border six townships: Allen, Almond, Angelica Birdsall, Grove and West Almond.

C. Horner Lot
Dixon Lot
Engle Lot
Helmer/Neetz Lots
Metz/Griffen Lots
Travis Lot

Request that funding be appropriated from our Federal American Rescue funds (ARP) as follows to the capital fund project number H 7197 *. (*new account)

	<u>Amount:</u>
<u>Budget Adjustment: General</u>	
EXPENSE	
A 9560.904A* Interfund Transfer to Capital from General ARP	\$ 321,000
REVENUE	
A 2030.4089.ARP Fed Aid – COVID 19 American Rescue Funds	\$ 321,000

<u>Budget Adjustment: Capital Recreation Equipment & Capital Outlay</u>	
EXPENSE	
H 7197.200* Capital Project Expense	\$ 321,000
REVENUE	
H 7197.5031.ARP* Interfund Transfer from General ARP	\$ 321,000

<u>Journal: General/Capital</u>	
A 691.ARP Def Rev – Fed ARPA Funding 2021	(\$ 321,000)
A 2030.4089.ARP Fed Aid – COVID 19 American Rescue Funds	\$ 321,000
A 9560.904A* Interfund Transfer to Capital from Gen ARP	(\$ 321,000)
H 7197.5031.ARP* Interfund Transfer from General ARP	\$ 321,000

FISCAL IMPACT: allocation of \$ 321,000 from ARP funds to a capital project account to fund a capital for improving access to County Forest Lands.

For further information regarding this matter contact:
Carissa M. Knapp, County Administrator/Budget Officer
Terri L. Ross, County Treasurer/Deputy Budget Officer

RESOLUTION NO.

APPROVAL OF GRANT APPLICATION FOR THE NEW YORK STATE I LOVE NY STATE AID PROGRAM FOR TOURISM PROMOTION FUNDS

Offered by: Planning & Economic Development and Ways & Means Committees

WHEREAS, the New York State I LOVE NY State Aid Program is offering grant funds for tourism promotion, and

WHEREAS, the County of Allegany, along with the counties of Cattaraugus, Chautauqua, Wyoming, Livingston, Orleans, and Genesee, desire to apply for these grant funds collaboratively so they can incorporate marketing strategies to promote tourism regionally and locally, and

WHEREAS, if approved, the total grant request would be in the amount of \$256,000, with the County expected to receive a state aid funding award of \$68,000, now, therefore, be it

RESOLVED:

1. That the Planning Department is authorized to act on behalf of Allegany County to apply for grant funds through the New York State I LOVE NY State Aid Program.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

For Authorization to Apply for Grant

INTRODUCTION NO: _____

(Clerk's use only)

Committee of Jurisdiction: Planning & Economic Development

Date: September 22, 2022

Seeking authorization to apply for:

Tourism promotion funds from the New York State I LOVE NY state aid program in the amount of \$256, (Regional Formula amount of funding request for Allegany County) in anticipation of the 2023 request for proposals. Allegany County anticipates receiving a state aid funding award of \$68,000.

Explanation of grant application:

With funding, Allegany County will incorporate marketing strategies to promote tourism regionally and locally. Strategies will include branding and marketing objectives using travel guides, maps, and brochures and will incorporate the new county Western NY Wilds brand for 2023 and beyond.

Regional collaboration partners include Cattaraugus and Chautauqua Counties as well as Fresh Air Counties Wyoming, Livingston, Orleans and Genesee.

FISCAL IMPACT:

Revenues (2023)

A6989.3715.00 State Aid – I love NY	\$68,000
A6989.475 Local Share Match – I love NY	\$68,000

Total COUNTY SHARE of grant: Allegany County will match the state aid funding amount. Estimated to be \$68,000

State Grant? Revenue: \$ 68,000

This grant is renewal of existing grant funded program or a _____ new grant fund program.

Grant Fiscal Year: 2023

Obligation of County after grant expires: No obligation.

Major benefits of applying for this grant are: Effective marketing and branding of Western NY Wilds and increased tourism in Allegany County.

Department Head: Kier Dirlam, Director of Planning & Carissa M. Knapp, County Administrator

Phone: 585-268-9216

RESOLUTION NO.

APPROVAL OF GRANT APPLICATION FOR THE UNITED STATES DEPARTMENT OF TREASURY, SECTION 9901 OF THE ARPA 2021 LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND

Offered by: Ways & Means Committee

WHEREAS, the American Rescue Plan Act (ARPA) appropriated \$2 billion to the United States Department of the Treasury across Fiscal Years 2022-2023 to provide payment to eligible revenue sharing counties and tribal governments through the Section 9901 of the ARPA 2021 Local Assistance and Tribal Consistency Fund, and

WHEREAS, recipients of these grant funds have broad discretion on its use, including, but not limited to, maintaining or expanding public services in the areas of health, education, housing, and public safety; infrastructure, roads, and bridges; water, economic development, and clean energy; increasing the work force; and improvements in service delivery and technology, and

WHEREAS, the County of Allegany has received notification from the United States Department of the Treasury that it is eligible to apply for these grant funds in the amount of \$50,000 for Fiscal Year 2022 and \$50,000 for Fiscal Year 2023, and

WHEREAS, if approved, the total grant request would be in the amount of \$100,000 for Fiscal Years 2022-2023, now, therefore, be it

RESOLVED:

1. That the Treasurer’s Office is authorized to act on behalf of Allegany County to apply for grant funds through the United States Department of the Treasury, Section 9901 of the ARPA 2021 Local Assistance and Tribal Consistency Fund.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

For Authorization to Apply for Grant

INTRODUCTION NO: _____

(Clerk's use only)

Committee of Jurisdiction: Ways and Means

Date: 10/19/2022

Seeking authorization to apply for: **US Dept of Treasury – Section 9901 of the ARPA 2021
Local Assistance and Tribal Consistency Fund (LATCF)**

Explanation of grant application:

The ARPA appropriated \$ 2 billion to Treasurer across fiscal years 2022 and 2023 to provide payments to eligible revenue sharing counties and eligible Tribal governments for us on any governmental purpose except for a lobbying activity. We have been notified that we are eligible to apply for \$ 50,000 for two year or a total of \$ 100,000. We must submit a request for the funding by January 2023.

Recipients have broad discretion on uses of these funds, similar to the ways in which we can use our own local revenue sources. Such as maintaining or expanding public services: health, education, housing, public safety, infrastructures, roads, bridges, water, economic development, clean energy, increasing work force, improvements in service delivery, technology, etc etc.

Periodic reports will be required to be submitted to the US Dept of Treasury as necessary.

FISCAL IMPACT:

Total grant: \$ 100,000

Local county share: \$ 0

State Grant? _____

Federal Grant? X_____

Revenue: number will be assigned upon award 2022/2023 \$ 100,000

This grant is renewal of existing grant funded program or a X new grant fund program.

Grant Fiscal Year: 2022-2023

Obligation of County after grant expires: none

Major benefits of applying for this grant are: \$ 100,000 over 2 years to enhance government operations

Department Head: Terri L. Ross, Allegany County Treasurer/Deputy Budget Officer 585-268-9290

RESOLUTION NO.

ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE HEALTHCARE WORKER BONUS PROGRAM FUNDS TO THE COUNTY OF ALLEGANY, AND THE PAYMENT OF SAID FUNDS TO APPROVED ELIGIBLE EMPLOYEES

Offered by: Ways & Means Committee

WHEREAS, the County of Allegany received New York State Healthcare Worker Bonus Program bonus funds for its approved eligible employees, and

WHEREAS, the total amount of bonus funds received by the County is \$16,000, and

WHEREAS, the County also received from the New York State Healthcare Worker Bonus Program the employer share of the FICA taxes associated with these bonuses, which totals \$1,224, and

WHEREAS, the County, in accordance with the program requirements, is to pay the approved eligible employees listed below the gross bonus amount, net any taxes dues, now, therefore, be it

RESOLVED:

1. That the Board of Legislators accepts the \$16,000 of bonus fund, and the \$1,224 of FICA taxes associated with the bonus funds, from the New York State Healthcare Worker Bonus Program.

2. That the funds are deposited in the 2022 Budget to revenue number A1340.3089.HWB – St Aid – NYS Health Worker Bonus Program, and the funds will be expensed from the appropriate department’s payroll account.

3. That the following approved eligible employees will be paid the gross bonus amount, net any taxes due, in accordance with the program requirements:

<u>Department of Health</u>	<u>Amount</u>
Diane Franklin	\$1,500
Deborah Fuller	\$ 500
Melissa Grantier	\$1,500
Tyler Shaw	\$1,500
Melissa Watson	\$1,500
<u>Mental Health (Community Services)</u>	<u>Amount</u>
Robert Anderson	\$ 500
Carrie Hoopes	\$1,500
Jacob Marcy	\$1,500
Megan McClune-Smith	\$1,500
Christina Torrey	\$1,500

RESOLUTION NO.

Carina Watson	\$1,500
Lindy White	\$1,500

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____

Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 12, 2022

Requesting permission to accept funds by resolution in the amount of \$ \$ 16,000 from the NYS Healthcare Worker Bonus Program and also accept the employer share of the FICA taxes (\$ 1,224) associated with those bonuses and to pay to the approved employees listed below the gross bonus amount (net any taxes due) within 30 days as per the program requirements.

These funds have been deposited to revenue number

A1340.3089.HWB – St Aid – NYS Health Worker Bonus Program

and will be expensed from the appropriate department's payroll account.

Department of Health	
Diane Franklin	\$ 1,500
Deborah Fuller	\$ 500
Melissa Grantier	\$ 1,500
Tyler Shaw	\$ 1,500
Melissa Watson	\$ 1,500

Mental Health (Community Services)	
Robert Anderson	\$ 500
Carrie Hoopes	\$ 1,500
Jacob Marcy	\$ 1,500
Megan McClune-Smith	\$ 1,500
Christina Torrey	\$ 1,500
Carina Watson	\$ 1,500
Lindy White	\$ 1,500

For further information regarding this matter, contact:

Terri Ross, Allegany County Treasurer

268-9290

RESOLUTION NO.

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of \$1,824.20, representing the cost less a \$200 deductible to repair a 2019 Chevy Tahoe (VIN #1GNSKAKC8KR289165) assigned to the Emergency Management and Fire Office, that was involved in a motor vehicle accident with a deer on January 13, 2022, has been offered by New York Municipal Insurance Reciprocal (NYMIR) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of \$1,824.20, representing the cost less a \$200 deductible to repair a 2019 Chevy Tahoe (VIN #1GNSKAKC8KR289165) assigned to the Emergency Management and Fire Office, that was involved in a motor vehicle accident with a deer on January 13, 2022, is accepted.

2. That the accepted sum shall be appropriated as follows:

<u>Appropriation</u>		<u>Amount</u>
CS1931.429	Risk Retention – Uninsured Property	\$1,824.20

<u>Revenue</u>		<u>Amount</u>
CS1930.2680.00	Insurance Recovery	\$1,824.20

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 12, 2022

RE: Appropriation of Insurance Recovery

Clerk of the Board Brenda Rigby Riehle requests a resolution accepting a check in the amount of \$1,824.20 from the New York Municipal Insurance Reciprocal (NYMIR) representing the cost less a \$200 deductible to repair our 2019 Chevy Tahoe (VIN #1GNSKAKC8KR289165) assigned to our Emergency Management and Fire Office that was involved in a motor vehicle/deer accident on January 13, 2022.

The funds should be accepted and appropriated as follows:

Appropriation:		
	CS1931.429 (Risk Retention – Uninsured Property Loss)	\$1,824.20
Revenue:		
	CS1930.2680.00 (Insurance Recovery)	\$1,824.20

FISCAL IMPACT: \$200 deductible

For further information regarding this matter, contact:

Brenda Rigby Riehle, Clerk of the Board
Phone: 585-268-9220
Email: rigbyba@alleganyco.com

RESOLUTION NO.

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of \$483.77, representing the cost less a \$200 deductible to repair a 2019 Ford Ecosport (VIN #MAJ6S3GL3KC277285, Lease #AC0046) assigned to the Health Department, that was involved in a motor vehicle accident with a deer on September 13, 2022, has been offered by New York Municipal Insurance Reciprocal (NYMIR) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of \$483.77, representing the cost less a \$200 deductible to repair a 2019 Ford Ecosport (VIN #MAJ6S3GL3KC277285, Lease #AC0046) assigned to the Health Department, that was involved in a motor vehicle accident with a deer on September 13, 2022, is accepted.

2. That the accepted sum shall be appropriated as follows:

<u>Appropriation</u>		<u>Amount</u>
CS1931.429	Risk Retention – Uninsured Property	\$483.77

<u>Revenue</u>		<u>Amount</u>
CS1930.2680.00	Insurance Recovery	\$483.77

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____
Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 12, 2022

RE: Appropriation of Insurance Recovery

Clerk of the Board Brenda Rigby Riehle requests a resolution accepting a check in the amount of \$483.77 from the New York Municipal Insurance Reciprocal (NYMIR) representing the cost less a \$200 deductible to repair our 2019 Ford Ecosport #MAJ6S3GL3KC277285 (Lease #AC0046) assigned to the Health Department that was involved in a motor vehicle/deer accident on September 13, 2022.

The funds should be accepted and appropriated as follows:

Appropriation:		
	CS1931.429 (Risk Retention – Uninsured Property Loss)	\$483.77
Revenue:		
	CS1930.2680.00 (Insurance Recovery)	\$483.77

FISCAL IMPACT: \$200 deductible

For further information regarding this matter, contact:

Brenda Rigby Riehle, Clerk of the Board

Phone: 585-268-9220

Email: rigbyba@alleganyco.com

RESOLUTION NO.

APPROVAL OF COOPERATION AGREEMENT WITH NY MUNICIPAL TRUST FOR SHORT-TERM INVESTMENT FUNDS

Offered by: Ways & Means Committee

RESOLVED:

1. That the Cooperation Agreement with NY Municipal Trust for short-term investment funds, which are professionally managed and serviced by affiliates of The Bank of New York Mellon, is approved.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the _____ day of _____ 20_____.

_____ Dated at Belmont, New York, this _____ day of _____ 20_____

Clerk, Board of Legislators, Allegany County

Moved by _____ Seconded by _____ VOTE: Ayes _____ Noes _____ Absent _____ Voice _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Ways and Means

DATE: October 19, 2022

Requesting a Resolution approving the NY Municipal Trust Cooperation Agreement. NY MuniTrust offers competitive short-term investments for our operational and excess cash needs that are carefully selected to seek as high a level of current income as is consistent with the preservation of capital and the maintenance of liquidity. The investment funds are professionally managed and serviced by affiliates of BNY Mellon.

FISCAL IMPACT: Will allow us to take advantage of investment opportunities to potentially increase our earnings.

For further information regarding this matter, contact:

Terri Ross, Allegany County Treasurer

268-9290