

Introduced by:

Hon. Aron B. Wieder, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Joel Friedman, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Paul C. Cleary, Sponsor
Hon. Dana G. Stilley, Sponsor
Hon. Lon M. Hofstein, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Douglas J. Jobson, Sponsor

Referral No. 9126
April 16, 2024

**RESOLUTION NO. 231 OF 2024
ADOPTING THE INVESTMENT POLICY FOR THE COUNTY OF ROCKLAND
FOR THE YEAR 2024 AND ADOPTING THE DEPARTMENTAL GUIDELINES
FOR COMPLIANCE WITH INVESTMENT POLICY
[DEPARTMENTS OF BUDGET AND FINANCE]**

WIEDER/DAVIDSON: UNAN.

WHEREAS, By Resolution No. 668 of 1993, adopted December 7, 1993, the County of Rockland ("Legislature"), in accordance with Sections 6, 10, and 11 of the General Municipal Law, adopted an Investment Policy For The County Of Rockland; and

WHEREAS, Section 39 of the General Municipal Law requires that the Legislature annually review and re-adopt said investment policy; and

WHEREAS, The County Executive has referred the attached proposed Investment Policy and the Departmental Guidelines For Compliance With Investment Policy to the Legislature for its approval; and

WHEREAS, The Budget & Finance Committee of the Legislature has met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, That in accordance with Section 39 of the General Municipal Law, the Legislature hereby adopts the attached Investment Policy as the Investment Policy For The County Of Rockland for the year 2024; and be it further

RESOLVED, That in accordance with said Investment Policy, the Legislature hereby adopts the attached Departmental Guidance For Compliance With Investment Policy; and be it further

RESOLVED, That all depositories of County of Rockland funds shall file with the Legislature, to the attention of the Chairman of the Budget and Finance Committee, three copies of the Community Reinvestment Act compliance documents at the same time that said compliance documents are filed with the Federal Government.

WH:mt
2024-06288
3/19/2024
4/10/24 ds
4/11/2024, 4/17/2024/dmg

INVESTMENT POLICY FOR THE COUNTY OF ROCKLAND

I. SCOPE

This Investment Policy for the County of Rockland ("Investment Policy") applies to all moneys and other financial resources available to the County of Rockland for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

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

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Commissioner of Finance, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines and which shall be approved annually by the Rockland County Legislature. Such procedures shall include an adequate control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

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 the County of Rockland to govern effectively.

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 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 the County of Rockland to diversify its deposits and investments by financial institutions, by investment instruments, and by maturity scheduling.

VI. INTERNAL CONTROL

It is the policy of the County of Rockland for all money collected by any officer or employee of the government to transfer those funds to the Commissioner of Finance immediately, or within the time period specified by law. The Commissioner of Finance shall advise the legislature if funds are not timely transferred. The Commissioner of Finance is responsible for establishing and maintaining an internal control structure 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 and recorded properly and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks, dealers and trust companies authorized for the deposit of monies, or purchase of permitted investments, up to the maximum amount of **\$350,000,000** are:

Citibank, N.A.	Capital One Bank	M & T Bank
Wells Fargo Bank, N.A.	TD Bank	Key Bank
JP Morgan Chase Bank, N.A.	Citizens Bank, N.A.	Webster Bank, N.A.
NY Cooperative Liquid Asset Securities System (NYCLASS)		NY Cooperative Liquid Asset Securities System (NYCLASS-Prime)
Orange Bank & Trust Company		

The above-mentioned depositories shall provide to the Commissioner of Finance not later than November 30th of each year, a letter describing their level of compliance with the United States Community Reinvestment Act, stating how they plan to meet the neighborhood banking needs of Rockland's economically underprivileged communities. Within thirty (30) days of receipt the Commissioner of Finance shall provide copies of

these responses to the County Executive and the Chairman of the Legislature. The Commissioner of Finance shall be responsible to communicate these reporting requirements of the County Policy to the Depository Banks.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Sec. 10, all deposits of the County of Rockland, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to this policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose 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 by a bank that is in compliance with applicable federal minimum risk-based capital requirements. By an eligible "irrevocable letter of credit" issued in favor of the local government by a federal home loan bank (FHLB), whose commercial paper and other unsecured, short-term debt obligations are rated in the highest category by at least one nationally-recognized statistical rating organization, accept such letter of credit (LOC) payable to such

local government as security for payment of one hundred percent of the aggregate amount of public deposits from such officers and the agrees upon interest, if any.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% 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.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third-party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure local deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Rockland or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, under any circumstances, be co-mingled with or become part of the backing for any other deposit

or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Sec. 11, the County of Rockland authorizes the Commissioner of Finance to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposits;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Rockland;
- Certificates of Participation (COPs) issued pursuant to GML Sec. 109-b;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-e, 6-g, 6-h, 6-j, 6-k, 6-m or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Rockland 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 at the option of the County of Rockland within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS and DEALERS

The County of Rockland shall maintain a list of financial institutions approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution. All financial institutions with which the local government conducts business must be credit worthy. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers. The Commissioner of Finance is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Commissioner of Finance is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the requirements set forth in the Office of the State

Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board. 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 the County of Rockland 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, Sec. 10. The custodial agreement shall provide those securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

XIV. ADOPTION OF INVESTMENT POLICY

- The Commissioner of Finance shall submit the suggested investment policy to the Legislature of Rockland County.
- The Legislature shall adopt said policy by April 1st of each year.

**DEPARTMENTAL GUIDELINES FOR COMPLIANCE
WITH INVESTMENT POLICY**

The objectives of the Investment Policy of the County of Rockland are to protect the safety of principal; to ensure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. The Commissioner of Finance, or his designee, shall adhere to the guidelines established in the adopted Investment Policy. The following are the procedures established to ensure compliance with the investment policy:

1. A cash flow statement shall be prepared from the annual budget as adopted by the County Legislature. The Cash Flow statement shall be updated as required to reflect cash needs during the year. An analysis of daily receipts and scheduled disbursements shall be used in order to ensure cash to meet current financial obligations.
2. As cash becomes available for investment, all designated banks shall be called to obtain bank rate quotes. Call sheets shall be prepared, noting the bank to whom the call was made, and the banks rate quote.
3. Award to banks shall be made by 11:00 am of the day that quotes are taken, unless circumstances prevent same.
4. Utilize wire transfers of funds to and from the successful banks, whenever cost effective and practicable.
5. Notify any bank requesting same the quotes of that day.
6. The Commissioner of Finance, or his designee, are the authorized individuals to make the investments.
7. To ensure internal control, the following functions shall be performed by different department personnel:

- a. Obtaining quotes from the banks;
 - b. Preparation of wire transfers as required;
 - c. Preparation of daily balances by banks;
 - d. All transactions reviewed by the Commissioner of Finance or his designee on a periodic basis.
8. All awards should be consummated in writing with the banks.
 9. A daily schedule of investments shall be maintained to ensure that no one institution receives more than the designated amount, and that necessary collateral is pledged.

APPENDIX A

SCHEDULE OF ELIGIBLE SECURITIES

- ◆ 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.
- ◆ 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.
- ◆ Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State, or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- ◆ Obligations of counties, cities and other governmental entities of a state other than the State of New York 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.

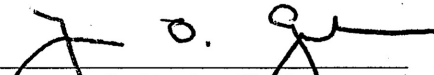
STATE OF NEW YORK)
) ss.
COUNTY OF ROCKLAND)

I, the undersigned, Clerk to the Legislature of the County of Rockland DO HEREBY CERTIFY that the attached is an original resolution of such Legislature, duly adopted on the 16th day of April 2024 by a majority of the members elected to the Legislature while such Legislature was in regular session with a duly constituted quorum of members present and voting.

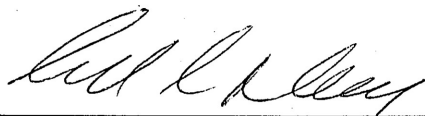
I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of seventeen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 17th day of April 2024.

Date sent to the County Executive:
April 17, 2024



Laurence O. Toole, Clerk
Rockland County Legislature



Edwin J. Day, County Executive
County of Rockland

4/17/24

Date