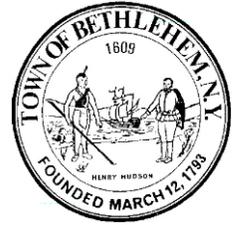


TOWN OF BETHLEHEM

David VanLuven
Town Supervisor

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Comptroller

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TOWN OF BETHLEHEM ANNUAL INVESTMENT REPORT FOR THE YEAR ENDED 12/31/2021

There are nine (9) designated depositories for the Town. All institutions, with the exception of Key Bank, which has a deposit limit of \$50 million due to the timing of tax collections and distributions, have a deposit limit of \$20 million. The following chart identifies each bank and the balances invested at year-end:

Key Bank of New York, NA Four Corners Office Delmar, NY 12054	7,987,792
JP Morgan Chase 12 Corporate Woods Boulevard Albany, NY 12211	190,174
Capital Bank 1365 New Scotland Road Slingerlands, NY 12159	1,146,005
Bank of Green County 425 Main Street Catskill, NY 12414	1,868,810
Pioneer Commercial Bank 184 Delaware Avenue Delmar, NY 12054	5,359,273
National Bank of Coxsackie 331 Rte 9W Glenmont, NY 12077	7,428,571
NYCLASS Municipal Investment Cooperative	455,309
Community Bank	-
M&T Bank	-
Total Cash	24,435,934

Fees Paid to Brokers: None.

Investment Guidelines: See **Exhibit A** for a copy of the 2021 Investment Policy, which was passed by the Town Board on January 13, 2021 – the Town's 2021 Organizational Meeting.

Amendments to Guidelines: None.

Results of Annual Independent Audit: The firm of BST & Co. CPAs, LLP has been engaged to perform an audit of the 2021 financial activity. The audit is primarily complete and the report is expected to be issued in May 2022. Copies will be on file on the Town’s website.

Inventory of Existing Investments as of 12/31/21: See **Exhibit B** for a summary of accounts held at year-end.

Investment Income Record: See **Exhibit C** for a detailed schedule of interest earned. The interest earnings for 2021 were equal to \$33,658, an 84.1% decrease from the 2020 earnings of \$211,088. This was due to interest rates that dropped precipitously throughout 2020 relating to the COVID outbreak. By the end of 2020, most rates had hit rock bottom and maintained that level throughout 2021.

The following schedule lists information on interest rates on the Town’s largest accounts:

2021

Type of Investment	High	Low	Avg.
Key Money Market	0.01	0.00	0.00
Chase Money Market	0.10	0.10	0.10
National Bank of Coxsackie Money Market	0.20	0.20	0.20
National Bank of Coxsackie Certificate of Deposit	0.25	0.25	0.25
Capital Bank Money Market / ICS	0.20	0.12	0.13
Pioneer Commercial Money Market	0.20	0.10	0.14
NYCLASS Municipal Cooperative	0.05	0.04	0.04
Bank of Greene County	0.20	0.12	0.14

2020

Type of Investment	High	Low	Avg.
Key Money Market	0.60	0.01	0.16
Key Bank Investment Services Treasury	1.51	1.51	1.51
Chase Money Market	0.10	0.01	0.03
National Bank of Coxsackie Money Market	1.51	0.20	0.57
Capital Bank Money Market / ICS	0.83	0.19	0.32
Pioneer Commercial Money Market	1.61	0.20	0.62
NYCLASS Municipal Cooperative	1.51	0.05	0.52
Bank of Greene County	1.26	0.20	0.71

- Most town funds are maintained in Money Market Accounts which provide a safe, liquid, and competitive return, with minimal investment of administrative time to manage.
- In August 2017, the Town began investing in treasuries, short-term debt obligations backed by the Federal Treasury Department (“Treasuries”), as an alternative investment strategy in an effort

to maximize interest earnings without tying up a significant amount of money for extended periods of time.

- In 2021, due to the unusually low rates, the Town did not invest in Treasuries.
- In May 2019, the Town opened an investment account with NYCLASS, a municipal investment cooperative. NYCLASS is a short-term, highly liquid investment fund which has been created specifically for the public sector in order to meet NYS's highly restrictive investment criteria.
- The Town maintains an ICS (Insured Cash Sweep) account at Capital Bank. This investment program acts similar to a Money Market, but provides full FDIC protection on 100% of the Town's deposit by spreading the funds to multiple banks within the program; each deposit being held below the federally insured threshold. The account is fully liquid and managed by Capital Bank at no cost to the Town.
- The Town's Tax Receiver accounts, held at Key Bank, National Bank of Coxsackie, Pioneer, and Capital Bank, do not provide cash interest. However, the funds do provide an offset toward bank service charges as described below.
- The Town's bond account at Key Bank does not provide cash interest, to ensure that the Town does not create an arbitrage situation, which results from earning greater interest than the Town is paying. In tax free municipal borrowing, this would be illegal. Despite not earning interest, these funds can be included in the calculation of compensating balances to offset bank service charges, as described below, without raising these concerns.
 - Similar accounts held at NYCLASS and Pioneer which hold moneys obtained through bonding, are interest bearing accounts, and pay interest consistent with each bank's money market account.

Non-Monetary Compensation: The Town receives numerous bank services and benefits, beyond interest payments, for the balances deposited at our approved banking institutions. In 2021, earned interest credits offset \$40,954.60 of \$64,469.93 in service charges at Key Bank:

Service Received from Key Bank included,

- Payment Processing ("Lockbox") – receipt and processing of water/sewer payments, Property tax and some school tax payments;
- Positive Pay - checks written on Town account are matched to a master file;
- Reconciliation Services - verification of outstanding checks;
- Debit blocks - ACH debits rejected unless preapproved;
- KTT - online access to view current and historical banking data as well as transfer and wire;
- Accelerated earnings for compensating credits (Average 0.25%);

While most of these services do not have a direct monetary value associated with them, the lockbox services deployed in 2012 have allowed the Town to absorb the attrition from one full time position, and contributed to the savings from a second full time position. The total saving is over \$100K annually in salary and fringe costs. At the Town's other banking and investment institutions, the Town's service charge costs are fully covered.

During 2021, the Comptroller's office asked for, and received, permission from the Town Board to move the payment processing center from Key Bank to Pioneer due to the escalating fees associated with the service. As of November 2021, the Town began using the Pioneer Lockbox, through FIS Global. To date the Town has not been charged for the service, and have been told that the service would be provided at no charge using our current deposit levels for the foreseeable future.

If you have any questions, please do not hesitate to call.

Michael Cohen
April 12, 2022

INVESTMENT POLICY FOR THE TOWN OF BETHLEHEM

Attachment A

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual, and is effective as of January 1, 1993, and as annually renewed and/or amended thereafter.

The Board shall annually review the Investment Policy, and amend if necessary.

II. OBJECTIVES

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

- a) to conform with all applicable federal, state and other legal requirements (legal);
- b) to adequately safeguard principal (safety);
- c) to provide sufficient liquidity to meet all operating requirements (liquidity);
- d) to obtain a reasonable rate of return (yield);
- e) to maximize efficient use of bank services offered in compensation for deposits.

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Comptroller, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base 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 Town of Bethlehem to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudent 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 Town of Bethlehem to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Town of Bethlehem for all moneys collected by any officer or employee of the

government to transfer those funds to the Comptroller on a weekly basis, or within the time period specified in law, whichever is shorter. The only exception to this requirement is for funds collected by the Town Clerk and by the Justices, which are normally transferred to the Comptroller monthly.

The Comptroller 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 and trust companies authorized for the deposit of moneys up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
Key Bank of New York	\$50,000,000
Capital Bank	\$20,000,000
Pioneer Commercial Bank	\$20,000,000
JP Morgan Chase	\$20,000,000
M&T Bank	\$20,000,000
Community Bank N.A.	\$20,000,000
National Bank of Coxsackie	\$20,000,000
Green County Commercial Bank	\$20,000,000
NYCLASS	\$20,000,000

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town of Bethlehem, 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 Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By 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 such officers within the State at the bank or trust company.
3. By an "eligible letter of credit," payable to the Town of Bethlehem 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 the Town of Bethlehem, 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.
4. By an "irrevocable letter of credit" issued in favor of the Town of Bethlehem 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.

5. 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 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 government 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 Town of Bethlehem 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, in any circumstances, be commingled 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.

Alternatively, the Town of Bethlehem may choose to arrange for redeposit of moneys through a deposit placement program through a bank or trust company that serves as custodian with respect to the moneys and arranges for the redeposit of the moneys in one or more banking institutions; the moneys being secured, provided that the depository receives deposits from customers of other financial institutions that are at least equal to the amount of moneys so invested.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the Town of Bethlehem authorizes the Comptroller to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- a) Special time deposit accounts;
- b) Certificates of deposit;
- c) Obligations of the United States of America;
- d) 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;
- e) Obligations of the State of New York;
- f) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- g) Obligation issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Bethlehem;

- h) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investments.
- i) Certificate of participation (COPS) issued pursuant to GML Section 109-b.
- j) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

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

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Bethlehem shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer (See Section VII). All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Bethlehem. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Comptroller 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 Comptroller is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all 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 trading 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 Town of Bethlehem 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.

The custodial agreement shall provide that 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 not authorized as an investment vehicle.

XIV. ADMINISTRATIVE FEES

It is the policy of the Town of Bethlehem to invest moneys collected from third parties for contract performance bonds. To compensate itself for the accounting and engineering services rendered in the administration of these funds, the Town imposes an annual fee equal to .5% of the base bond amount, subject to a maximum of \$500 per year.

XV. REPORTING

Within 120 days of the end of the fiscal year, the Comptroller shall prepare and submit to the Town Board an annual investment report; recommendations for changes in the Investment Guidelines; the investment income record; a list of total fees; commissions or other charges, if any, paid to the Custodial Bank and such other matters as the Comptroller deems appropriate. The Town Board shall review and approve the annual investment report within 45 days of receipt.

Time Deposits and Investments
December 31, 2021

Last updated: 4/12/2022

Account Number	Bank	Bank Balance	Add: Deposits in Transit	Less: Outstanding Checks	Town Balance	
Demand Deposits						
Key - Master Disbursement Acct	****0047	Key	1,720,801.00	296.00	1,649,893.00	71,204.00
Key - Payroll Account	****3654	Key	110,487.00	0.00	67,096.00	43,391.00
Key - Depository Account	****0149	Key	5,629,181.00	62,410.00	24,858.00	5,666,733.00
Key - Bond Account	****7525	Key	40,856.00	0.00	40,225.00	631.00
Key - Drug Asset Forfeiture-Federal	****9720	Key	27,503.00	0.00	0.00	27,503.00
Key - Drug Asset Forfeiture-State	****9738	Key	53,425.00	0.00	7,307.00	46,118.00
Key - Justice Donovan	****3768	Key	17,228.00	500.00	17,228.00	500.00
Key - Justice Kirby	****1518	Key	16,840.00	1,225.00	16,840.00	1,225.00
Key - Special Grant, Housing+	****5021	Key	593.00	0.00	0.00	593.00
Key - Special Grant	****1785	Key	4,109.00	0.00	0.00	4,109.00
Key - Park Merchant Account	****3708	Key	336,918.00	7,883.00	1,308.00	343,493.00
Key - Clapper Account	****5162	Key	10.00	0.00	10.00	0.00
Key - Roundabout Account	****4207	Key	10.00	0.00	10.00	0.00
Key - Premier Money Market	****4066	Key	1,782,282.00	0.00	0.00	1,782,282.00
Key - Receiver of Taxes	****1541	Key	10.00	0.00	0.00	10.00
Chase - Money Market	****6268	Chase	190,174.00	0.00	0.00	190,174.00
Capital Bank Insured Cash Sweep	****2852	Capital	1,145,627.00	0.00	0.00	1,145,627.00
Capital Bank Money Market	****4152	Capital	368.00	0.00	0.00	368.00
Capital Bank Public Funds	****0144	Capital	0.00	0.00	0.00	0.00
Capital Bank Tax Collection	****7386	Capital	10.00	0.00	0.00	10.00
NBC - Money Market	****0036	Ntn'l Bank	7,428,561.00	0.00	0.00	7,428,561.00
NBC - Tax Collection	****2706	Ntn'l Bank	10.00	0.00	0.00	10.00
Pioneer Savings Money Market	****0208	Pioneer	4,676,447.00	0.00	0.00	4,676,447.00
Pioneer Savings Water/Sewer	****0265	Pioneer	682,826.00	0.00	0.00	682,826.00
Bank of Green County - Money Market	****3232	Greene	1,796,662.00	16,932.00	0.00	1,813,594.00
Bank of Green County - Escrow	****2741	Greene	15,765.00	0.00	0.00	15,765.00
Bank of Green County - Escrow	****2767	Greene	18,302.00	0.00	1,380.00	16,922.00
Bank of Green County - Escrow	****2775	Greene	2,209.00	0.00	0.00	2,209.00
Bank of Green County - Escrow	****2783	Greene	20,320.00	0.00	0.00	20,320.00
Bank of Green County - Escrow	****2791	Greene	15,552.00	0.00	15,552.36	0.00
NYCLASS - Town Account	****0001	NYCLASS	132,244.00	0.00	0.00	132,244.00
NYCLASS - Escrow	****0002	NYCLASS	198,258.00	0.00	0.00	198,258.00
NYCLASS - Bond Account	****0003	NYCLASS	124,807.00	0.00	0.00	124,807.00
Total Demand Deposit Cash			26,188,395.00	89,246.00	1,841,707.36	24,435,934.00

COLLATERAL	Max FDIC	FDIC Used	Bank Balance	Collateral Per Bank	Collateral Required	Over/(Under) Collateralized
Key: Non interest & interest bearing	250,000	250,000	9,740,253	10,346,040	9,490,253	855,787
Chase: Non interest & interest bearing	250,000	190,174	190,174	-	-	-
Pioneer	250,000	500,000	5,359,273	4,956,459	4,859,273	97,186
National Bank of Coxackie	250,000	250,000	7,428,571	7,428,571	7,178,571	250,000
Capital Bank*	1,145,627	1,146,005	1,146,005	-	-	-
Bank of Greene County	250,000	250,000	1,868,810	1,699,751	1,618,810	80,941
NYCLASS	250,000	250,000	455,309	205,309	205,309	-
Total Collateral	2,645,627	2,836,179	26,188,395	24,636,130	23,352,216	1,283,914

Total Bank Balance =	26,188,395	Total Cash =	24,435,934
FDIC =	2,836,179	Plus petty cash =	2,350
Collateral =	23,352,216		24,438,284
	26,188,395	Less Agency =	-1,725
Total Cash	26,188,395	Total GW =	24,436,559
Agency Fund Cash	-34,068		-2,350
	26,154,327	GW w/o petty cash	24,434,209
Petty Cash	0		
Total Government Wide Cash (Bank)	26,154,327		
GW FDIC	2,836,179		
GW Collateral	23,318,148		
	26,154,327		

* Capital Bank Money Market Account is insured by the FDIC to \$250,000; The insured cash sweep account is fully funded by FDIC, based on the nature of the program.

**Town of Bethlehem
Summary of Interest Income
December 31, 2021**

Exhibit C

Last updated: 4/11/2022

2021 Fund	Key Bank	JP Morgan Chase	Pioneer Commercial	Capital Bank	Nat'l Bank of Coxsackie	Treasury Bills	Bank of Greene County	NYCLASS	Bond Proceeds	Total 2021	Change from Prior Year
General Fund	96	1	2,782	394	8,168	-	3,747	43	10	15,241	(95,251)
Parkland Set Aside Fees	-	-	-	-	-	-	-	-	-	-	(2,508)
Farms and Forest Funds	-	-	215	-	-	-	-	-	-	215	215
Highway Fund	-	-	2,960	822	1,202	-	1,572	6	9	6,571	(21,436)
Water Fund	-	5	1,216	225	1,906	-	857	(3,034)	29	1,204	(45,216)
Sewer Fund	-	9	2,116	48	3,532	-	1,365	-	-	7,070	(16,380)
Water Reserve	-	-	-	-	-	-	-	3,196	-	3,196	3,191
Landfill Reserve	-	-	158	-	-	-	-	-	-	158	(37)
Fire Tower Reserve	-	4	-	-	-	-	-	-	-	4	(7)
Total 2021	96	19	9,447	1,489	14,808	-	7,541	211	48	33,658	(177,430)

2020 Fund	Key Bank	JP Morgan Chase	Pioneer Commercial	Capital Bank	Nat'l Bank of Coxsackie	Treasury Bills	Bank of Greene County	NYCLASS	Bond Proceeds	Total 2020
General Fund	154	1	41,083	1,367	5,568	39,222	17,228	4,804	1,065	110,492
Parkland Set Aside Fees	-	-	-	2,508	-	-	-	-	-	2,508
Farms and Forest Funds	-	-	-	-	-	-	-	-	-	-
Highway Fund	-	-	5,520	1,106	11,668	-	1,194	4,675	3,844	28,007
Water Fund	-	10	1,655	313	8,659	-	6,284	16,583	12,916	46,420
Sewer Fund	-	28	2,172	110	6,430	-	1,828	12,872	11	23,451
Water Reserve	-	5	-	-	-	-	-	-	-	5
Landfill Reserve	-	-	195	-	-	-	-	-	-	195
Fire Tower Reserve	-	11	-	-	-	-	-	-	-	11
Total 2020	154	55	50,625	5,404	32,324	39,222	26,534	38,934	17,836	211,088

2021 NYCLASS in the Water Fund was negative due to a \$3,195.87 correction of prior year interest, relating to a retainage balance held in escrow.