

Providing Authorization For U.S. Treasury Reporting For 2025 & 2026 ARPA Administration Estimated Costs – Agricultural Crisis Relief Coordinator - Department Of Finance, Division Of Recovery And Resilience

Referred to: The Economic Development, Planning, Education, Employment, Arts and Agriculture Committee (Chairwoman Sperry and Legislators Clinton, Corcoran, Hewitt, Litts, Stewart and Walls), The American Rescue Plan Act Special Committee (Chairman Corcoran and Legislators Clinton, Levine, Lopez, and Sperry), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chairman of the ARPA Special Committee, Thomas Corcoran, Jr., and Deputy Chair Megan Sperry offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Finance, Division of Recovery and Resilience; and

WHEREAS, the Secretary of the United States Treasury Department issued a third interim final rule on November 20, 2023 which provides additional federal regulations on the meaning and mechanisms to obligate American Rescue Plan Act, State and Local Fiscal Recovery Funds (ARPA-SLFRF) for a U.S. Treasury imposed grant deadline (See Federal Register, Volume 88, Number 222 pages 80584 through 80589); and

WHEREAS, American Rescue Plan Act (ARPA) funds not obligated by the U.S. Treasury obligation deadline of December 31, 2024 are required to be returned to the U.S. Treasury; and

WHEREAS, the third interim final rule provides a mechanism in grant reporting due to U.S. Treasury on April 30, 2024 for Ulster County to obligate ARPA-SLFRF funding for year 2025 and 2026 ‘reporting and compliance requirements’; ‘record retention and internal control requirements,’; and, generally, for meeting incurred ARPA-SLFRF needs as a result of, “receiving or expending SLFRF funds[.]” (See Federal Register, Volume 88, Number 222 page 80586); and

WHEREAS, this regulation provides a means for Ulster County to report specific 2025 and 2026 administrative support funding needs in an April 30, 2024 grant report that will obligate ARPA-SLFRF funding for the December 31, 2024 deadline; and

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WHEREAS, the Ulster County Legislature passed Resolution 400 on February 14, 2023 amending the 2023 Ulster County Operating budget and providing One Million Eight Hundred and Eighty-Nine Thousand Seven Hundred and Two and 00/100 (\$1,889,702.00) Dollars of ARPA-SLFRF funding for the purpose of programmatic funding of the Agricultural Crisis Relief program (the ‘Program’); and

WHEREAS, Program funding was not expended in 2023 and the authorized funding amount in Resolution 400 of 2023 was adopted into the 2024 Ulster County Operating budget; and

WHEREAS, additional funding for the Program is authorized in the 2024 Ulster County Operating Budget for the administrative position which has been filled at 0.75 FTE with the title of Agricultural Service Administrator in the amount of Sixty-Thousand and Twenty Three Dollars and Fifteen Cents (\$60,023.15), which equates to Eighty-Nine Thousand, Three-Hundred and Ninety Eight Dollars and Forty-Eight Cents (\$89,398.48) including fringe benefits; and

WHEREAS, the goals of the Program will require administrative support to report and complete expenditures for Program funds in fiscal years ended December 31, 2025 and 2026; and

WHEREAS, authorization to obligate and secure ARPA-SLFRF funds after December 31, 2024 through December 31, 2026 incurred as a result of meeting the requirements of an authorized Program must be reported in the U.S. Treasury grant report due April 30, 2024; and

WHEREAS, further 2025 and 2026 operating budget approvals for the Agricultural Crisis Relief Coordinator would require a re-allocation of funding per the authority granted to the Legislature in the Ulster County Charter; and

WHEREAS, to take advantage of the additional flexibility provided by the third interim final rule, recipients must (1) determine the amount of SLFRF funds the recipient estimates it will use to cover such expenditures, (2) document a reasonable justification for this estimate, (3) report that amount to Treasury by April 30, 2024, with an explanation of how the amount was determined, and (4) report at award closeout the final amount expended for these costs; and

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WHEREAS, Ulster County has issued two (2) rounds of the ARPA Parks Program and has awarded funding with a leftover, remaining amount of Four-Hundred and Fifty-Six Thousand, One-Hundred and Thirty-Five Dollars (\$456,135.00), and intends to utilize a portion of this funding to cover the costs of extending the Agricultural Service Administrator position; now, therefore be it

RESOLVED, that the amount of SLFRF funds necessary to cover the Agricultural Service Administrator for each one year period, January 1, 2025 through December 31, 2025, and January 1, 2026 through December 31, 2026 is estimated to be Sixty-Thousand and Twenty Three Dollars (\$60,023.00) annually, which equates to Eighty-Nine Thousand, Three-Hundred and Ninety Eight Dollars (\$89,398.00) annually including fringe benefits, for a two year total cost of One Hundred Seventy-Eight Thousand, Seven-Hundred and Ninety Six Dollars (\$178,796); and, be it further

RESOLVED, it is determined that the position is necessary to meet the reporting and compliance requirements of the funding source, including in connection with the preparation and submission of recipients’ required reports, review of subaward reports or subrecipient monitoring generally, maintenance of data and reporting tools, and review and processing of invoices; and, be it further

RESOLVED, the Ulster County Legislature hereby authorizes the Director of the ARP Division to report the above amount to Treasury by April 30, 2024, with an explanation of how the amount was determined for the purposes of delivering the Ulster County Agricultural Crisis Relief Program, and, be it further

RESOLVED, that the 2024 Ulster County Personnel Listing is hereby amended as follows:

<u>POSITION NO.</u>	<u>DECREASE</u>	<u>TITLE</u>	<u>AMOUNT</u>
80211226 (Annual Salary \$60,023.00)		Agricultural Service Admin	\$15,005.00

and, be it further

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RESOLVED, that the 2024 Ulster County Budget is hereby amended as follows:

	<u>DECREASE</u>	<u>AMOUNT</u>
AA.8021.3405-1300.1300 (App.#)	Regular Pay	\$15,005.00
AA.8021.3405-8000.8000 (App.#)	Retirement	\$ 2,321.00
AA.8021.3405-8010.8010 (App.#)	Social Security / FICA	\$ 1,148.00
AA.8021.3405-8020.8020 (App.#)	Health Insurance Dental	\$ 25.00
AA.8021.3405-8020.8035 (App.#)	Health Insurance Hospital & Medical	\$ 3,669.00
AA.8021.3405-8020.8055 (App.#)	Health Insurance Optical	\$ 180.00
AA.8021.3405-3400.4995 (Rev.#)	Federal Aid, ARPA	\$ 22,348.00
HH.7197.0635-4300.4505 (App.#)	Fees for Professional Services	\$156,449.00
HH.7197.0635-3400.4995 (Rev.#),	Federal Aid, ARPA	\$156,449.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(Noes: Legislator Maloney)
(Absent: Legislator Litts)

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Passed Committee: Economic Development, Planning, Education, Employment, Arts and Agriculture as amended on March 5, 2024

Passed Committee: American Rescue Plan Act on March 7, 2024

Passed Committee: Ways and Means on March 14, 2024

FINANCIAL IMPACT:

(\$178,796.00) – REDUCTION IN 2024 FEDERAL AID REVENUE

(\$178,796.00) – REDUCTION IN 2024 APPROPRIATIONS

\$89,398.00 – ANTICIPATED 2025 FEDERAL AID REVENUE

\$89,398.00 – ANTICIPATED 2025 APPROPRIATIONS

\$89,398.00 – ANTICIPATED 2026 FEDERAL AID REVENUE

\$89,398.00 – ANTICIPATED 2026 APPROPRIATIONS

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 20th Day of March in the year Two Thousand Twenty-Four, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20th Day of March in the year Two Thousand Twenty-Four.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
20th Day of March 2024.

Approved by the County Executive this
28th Day of March 2024.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Jen Metzger
Jen Metzger, County Executive