

Title: Community Development Fund Disbursement Policy

Purpose: To create a formal policy on the handling of monies paid to Chemung County for community development projects, from the Lessor & Operator of the Chemung County Landfill (Casella), pursuant to the Operation, Maintenance and Lease Agreement.

Policy:

I. Recitals:

- a. Chemung County is a party to an Operation, Management and Lease Agreement, with New England Waste Services of New York, Inc. and Casella Waste Systems, Inc. (“Casella”) dated September 19, 2005, and a First Amendment to the OML dated April 19, 2010, and a Second Amendment to the OML dated April 20, 2016 (collectively the “OML”).
- b. The OML provides that the following payments be provided to the County for community development projects (collectively “Community Development Funds”):
 - i. 7.10 Small Project Fund: up to \$50,000 per year
 - ii. 7.12 Community Development Payment: \$100,000 per year
- c. Chemung County is a diverse community with many needs. It is important that the Community Development Funds be disbursed widely amongst the community to ensure the greatest impact; and that all disbursements of these funds be approved and allocated lawfully.
- d. Community Development Funds can be used only for lawful purposes, and the Chemung County Legislature must approve the allocation and expenditure of all Community Development Funds prior to disbursement.
- e. The Legislature may vote to approve disbursements only when doing so furthers a public purpose of the County. The types of purposes for which Community Development Funds are designated to support include the areas of education, tourism, the arts, recreation, health, social services, public infrastructure, and the conservation and preservation of community, historical and cultural resources.

- f. The disbursements may be in the form of
 - i. Payments for items initiated and paid for by the County, consistent with the purposes of this policy; or
 - ii. Grants to municipal corporations or special districts within Chemung County, to fund items consistent with this policy; or
 - iii. Contracts for services consistent with this policy, to be performed for Chemung County by public corporations or not-for-profit organizations, the terms of which are subject to the review and approval of the County Attorney.
- g. Disbursement requests and resolutions approving same are contingent upon the County's receipt and possession of funds from Casella in an amount sufficient to fund the disbursement.

II. Disbursement Process:

- a. Requests to utilize Community Development Funds shall be made to the Chemung County Legislature only by the County Executive or a Chemung County Legislator.
- b. Disbursement requests must set forth:
 - i. the name of the requestor,
 - ii. the amount requested,
 - iii. the name and entity type of the proposed recipient,
 - iv. the nature of the community development project or purpose that is supported by the disbursement,
 - v. whether there are sufficient Community Development Funds to cover the disbursement request, and
 - vi. any other information pertinent to the request.
- c. Disbursement requests will be processed by the Budget Committee, and require a resolution approving same by the Chemung County Legislature.
- d. The Chemung County Treasurer will process the disbursements.