

Town of Hempstead Local Development Corporation
Board Meeting
Nathan L. Bennett Pavilion*
One Washington Street, Hempstead, NY
Monday, January 31, 2022, 9:30 AM
or following the Town of Hempstead IDA Meeting

*Notes:

- AS MANDATED BY GOVERNOR KATHY HOCHUL, <u>MASKS MUST BE WORN</u> AT THE TOWN OF HEMPSTEAD FACILITY. Social Distancing is also encouraged.
- A Livestream of the meeting may also be viewed at <u>www.tohldc.org</u>. Select "Watch Meetings."

The Agenda will include but not be limited to:

- Confirm the presence of a Quorum
- Public Comment with respect to Agenda Items

New Business:

- Consideration of a Resolution to appoint the LDC Committee Members
- Consideration of a Resolution to appoint the LDC Officers of the Board
- Consideration of a Resolution to appoint the LDC Bond/Transaction Counsel
- Consideration of a Resolution to appoint the LDC Corporation Counsel
- Consideration and Adoption of the Construction Wage Policy
- Consideration of a Resolution to authorize Budget Line Transfers of the 2021 Budget.
- Summary of Confidential Board Evaluations
- Distribution of Board Self-Evaluation forms (included in meeting materials)

Reading and approval of the minutes:

• Consideration and approval of the Minutes of December 20, 2021

Report of the treasurer:

• Financial Statements & Expenditure List December 14, 2021 –January 24, 2022

Committee Updates:

Adjournment:

Chairman Approval: 1/18/22

Contact: Michael Lodato, Corporate Administrator

<u>MLodato@tohmail.org</u>

516-489-5000 x3706

Local Development Corporation Committees

Advertising and Marketing:	Thomas Grech, Chairman Florestano Girardi Jack Majkut Fred Parola Mike Lodato Laura Tomeo
Time Certification Records Personnel and Leave:	Jack Majkut, Chairman Thomas Grech Fred Parola Mike Lodato Laura Tomeo (open)
Audit Committee: Ro	obert Bedford, Chairman Eric Mallette Jack Majkut Mike Lodato Fred Parola (open)
Governance and Uniform Policies And Guidelines:	Eric Mallette, Chairman Florestano Girardi Robert Bedford Edie Longo John Ryan Arlyn Eames
Finance and Investment Committee:	Florestano Girardi, Chairman Eric Mallette Robert Bedford Thomas Grech Mike Lodato Fred Parola
Note: The Board Chair and CEO sha	ll be an ex-officio member of each standing committee.
Adopted: January 31, 2022	
(ayes) (nays)	
Resolution Number: 004-2022	
Chairman, Florestano Girardi	

Resolution

TOWN OF HEMPSTEAD LOCAL DEVELOPMENT CORPORATION

Appointment of Officers 2022

WHEREAS, pursuant to a special act of the Legislature, the Town of Hempstead Local Development Corp. was established in 1971 and;

WHEREAS, at the Corporations Meeting, the Town of Hempstead Local Development Corporation, appointed and serving at the pleasure of the Town of Hempstead Town Board, has elected the following members as officers for 2022:

Chairman, Florestano Girardi Vice Chairman, (OPEN) Treasurer, Eric Mallette Secretary, Jack Majkut

NOW, THEREFORE, BE IT

RESOLVED, that the Local Development Corporation Board has hereby appointed the above named individuals as officers of the Town of Hempstead Local Development Corporation for a term of one year.

Adopted: 1/31/21

(ayes) (nays)

Resolution Number: 003-2022 LDC

Florestano Girardi

Chairman

Resolution

TOWN OF HEMPSTEAD LOCAL DEVELOPMENT CORPORATION.

Nixon Peabody/Phillips Lytle Bond/Transaction Counsel

WHEREAS, pursuant to a special act of the Legislature, the Town of Hempstead Local Development Corporation was established in 1971 and;

WHEREAS, the Town of Hempstead Local Development Corporation received Request for Qualifications from both Nixon Peabody LLP and Phillips Lytle LLP and previously appointed both for the position of Bond/Transaction Counsel to the Town of Hempstead Local Development Corporation and;

NOW, THEREFORE, BE IT

RESOLVED, that Nixon Peabody LLP & Phillips Lytle LLP are hereby appointed to serve as Bond/Transaction Counsels to the Town of Hempstead Local Development Corporation.

Adopted:	1/31/21
	yes) ays)
Resolutio	n Number: 006-2022 LDC
Florestand Chairman	

Resolution

TOWN OF HEMPSTEAD LOCAL DEVELOPMENT CORPORATION Appointing

John E. Ryan Corporation Counsel

WHEREAS, pursuant to a special act of the Legislature, the Town of Hempstead Local Development Corporation was established in 1971 and;

WHEREAS, at the Corporation's Board Meeting on January 31, 2022, the Town of Hempstead Local Development Corporation has elected to appointment of John E. Ryan, Esq., Corporation Counsel to the LDC and;

WHEREAS, John E. Ryan had previously served as Corporation Counsel to the LDC since 2009 and; was again selected by RFQ in 2019,

WHEREAS, the Town of Hempstead Local Development Corporation appoints John E. Ryan, ESQ., for the position of Corporation Counsel with the Town of Hempstead Local Development Corporation and;

NOW, THEREFORE, BE IT

RESOLVED, that John E. Ryan is hereby appointed Corporation Counsel to the Town of Hempstead Local Development Corporation

Adopted: 1/31/22 (ayes) (nays)

Resolution Number: 005-2022 LDC

Florestano Girardi	
Chairman	

CONSTRUCTION WAGE POLICY TOWN OF HEMPSTEAD LOCAL DEVELOPMENT CORPORATION EFFECTIVE January 31, 2022

The purpose of the Hempstead LDC is to provide benefits that reduce costs and financial barriers to the creation and to the expansion of business and enhance the number of jobs in the Town.

The Corporation has consistently sought to ensure that skilled labor construction jobs in compliance with the state prevailing wage be encouraged in projects funded by the issuance of LDC tax exempt bonds in large projects.

The policy of the Town of Hempstead LDC with respect to prevailing wage shall apply to any project for which financial assistance is sought from the LDC with anticipated hard construction costs in excess of \$5,000,000.00 per site received after January 1, 2022 & prior to December 31, 2022.

Any applicant to the Corporation for tax-exempt bonds to finance all or a portion of the construction costs of a project shall agree to:

- a (i) Employ 90% of the workers for the project from within Nassau or Suffolk Counties; and purchase 90% of the building materials from within the bi-County region; and
- a (ii) Be governed by the prevailing wage requirements of Section 220 of Article 8 of the Labor Law of the State of New York; and when requested by the Corporation, implement an apprenticeship program that considers the intent of Town of Hempstead.

OR

- b (i) Provide to the Corporation a fully executed project labor agreement with the Building & Construction Trades Council of Nassau & Suffolk Counties which shall cover all construction trade employees anticipated to work on the project; and
- b (ii) Such project labor agreement shall be binding upon all parties and applicable to all construction costs attendant to the project for which benefits have been provided.

Furthermore, this policy may be waived, at the sole and final discretion of the Corporation, in the event that the applicant demonstrates to the Corporation special circumstances or economic hardship to justify a waiver to be in the best interests of the Town of Hempstead. This policy shall expire at the close of business (5:00 p.m. EST) on December 31, 2022.

Adopted: 1/31/21

Resolution Number: 001 -2022 LDC

(ayes) (nays)

Florestano Girardi

Chairman

RESOLUTION

TOWN OF HEMPSTEAD Local Development Corporation BUDGET LINE TRANSFERS 2021 Budget RATIFYING AND CONFIRMING

WHEREAS, the Town of Hempstead Local Development Corporation adopted a 2021 Budget by resolution 023- 2020 LDC, on October 22, 2020; and

WHEREAS, the Corporation authorizes the following budget line transfers to cover expenses incurred in 2021:

Transfer \$1262.00 from Fund Balance, to Salary and Wages

Transfer \$750,000.00 from Fund Balance, to Service Agreements

Transfer \$250.00 from Fund Balance, to Accounting

Transfer \$388.00 from Travel, to Postage

Transfer \$189.00 from Paychex, to Office Expenses

Transfer \$800.00 from Professional Services, to Office Expenses

Transfer \$1,000.00 from Advertising, to Office Expenses

Transfer \$1,000.00 from Meeting Expense, to Office Expenses

Transfer \$25.00 from Telephone, to Bank Charges

Transfer \$75.00 from Printing, to Bank Charges

Transfer \$62.00 from Public Hearing Expenses, to Bank Charges

Transfer \$81.00 from Travel, to Bank Charges

NOW, THEREFORE, BE IT

RESOLVED, the Town of Hempstead Local Development Corporation hereby authorizes the above outlined budget line transfers for the 2021 Budget.

Adopted: 1/31/21

(ayes)

(nays)

Resolution Number: 002-2022 LDC

Chairman, Florestano Girardi

Summary Results of Confidential Evaluation of Board Performance 2021 – TOH LDC

Criteria	A araa	Somewhat	Somewhat Disagree	Disagree	
Board members have a shared understanding	Agree	Agree	Disagree	Disagree	
of the mission and purpose of the Authority.	111				
The policies, practices and decisions of the	1. 1				
Board are always consistent with this mission.					
Board members comprehend their role and					
fiduciary responsibilities and hold themselves	111				
and each other to these principles.	' '				
The Board has adopted policies, by-laws, and					
practices for the effective governance,	1.)				
management and operations of the Authority	(i)				
and reviews these annually.					
The Board sets clear and measurable					
performance goals for the Authority that	11				
contribute to accomplishing its mission.	, ,	*			
The decisions made by Board members are					
arrived at through independent judgment and					
deliberation, free of political influence or self-	1///				
interest.	'				
Individual Board members communicate					
effectively with executive staff so as to be well	1111				
informed on the status of all important issues.	' '				
Board members are knowledgeable about the					
Authority's programs, financial statements,	111				
reporting requirements, and other transactions.	1111				
The Board meets to review and approve all					
documents and reports prior to public release	1/1				
and is confident that the information being	/ / /				
presented is accurate and complete.					
The Board knows the statutory obligations of					
the Authority and if the Authority is in	1//				
compliance with state law.	[(/)				
Board and committee meetings facilitate open,	,				
deliberate and thorough discussion, and the	1//				
active participation of members.	' '				
Board members have sufficient opportunity to					
research, discuss, question and prepare before	111				
decisions are made and votes taken.	'''				
Individual Board members feel empowered to					
delay votes, defer agenda items, or table	1//				
actions if they feel additional information or	1//				
discussion is required.					
The Board exercises appropriate oversight of					
the CEO and other executive staff, including	1//				
setting performance expectations and	' '	:			
reviewing performance annually.					
The Board has identified the areas of most risk					
to the Authority and works with management to	10				
implement risk mitigation strategies before	(1)				
problems occur.					
Board members demonstrate leadership and	11.				
vision and work respectfully with each other.	111				

Name of Authority:	TOWN OF HEMPSTEAD LOCAL DEVELOPMENT CORPORAT	ION
Date Completed:		

Town of Hempstead Local Development Corporation Individual Board Member Evaluation Form 2021 Review

Part I: Are you satisfied with your performance as	s a board member in	n the following a	nreas?
	Very Good	<u>Adequate</u>	Needs Work
Input in policy development & Decision making			
Committee Participation			
Business Outreach			
 What factors contribute to your perf (Be specific) Here is what I would need from the commitment: 			
Part II:			
	Very Good	Adequate	Needs Work
You have full understanding of the Role and responsibility of the board		·	
You understand the LDC's mission			

& Programs

Board has clear goals and actions Resulting from realistic strategic planning

Board received regular reports on budget, programs, performance, and other important matters.

<u>Very Good</u> <u>Adequate</u> <u>Needs Work</u>

Board effectively represents the Organization to the community

Board regularly evaluates progress Toward goals and program performance

Board has approved comprehensive Personnel policies, which have been Reviewed on an annual basis

Each member of the board feels involved And interested in the work of the LDC

All necessary skills and diversity are Represented on the board

Part III:

• List three to five points on which you believe the board should focus its attention in the next year. (Be specific)

Part IV:

Very Good Adequate Needs Work

Does the board set clear Expectations for the staff

Is the board furnished with Concise and necessary meeting Material to make the most Informed decision

•	What can staff do to improve the flow of information to the board to effectuate better communication, understanding, and responsiveness to the Corporation's projects, programs, and mandates?
•	Do you have any other comments or suggestions that will help the board and staff increase it's effectiveness?
Name:	
Signatu	ure <u>:</u>
Date:	Position:
Follow	v up <u>:</u>

Town of Hempstead

Frederick E. Parola Chief Executive Officer



350 FRONT STREET HEMPSTEAD, NY 11550-4037 (516) 489-5000 EXT. 4200 • (516) 489-3179

Minutes
Town of Hempstead
Local Development Corporation Meeting
Nathan L.H. Bennett Pavilion
One Washington Street
Hempstead, New York 11550

Agenda Monday, December, 20 2021 9:30 AM (or after the IDA Meeting Closes)

Agenda: Consideration and Adoption of a 2022 LDC Meeting Schedule, Consideration of a resolution for the LDC to set aside \$750,000.00 for a program to assist in Career Planning, Occupational Skills, Training Programs, Career and Computer skills workshops through the Department of Occupational Resources, Confidential Board Member Evaluations, Consideration of a Salary Resolution for Frederick Parola, Consideration of a Salary Resolution for Edie Longo, Consideration and Re-Adoption of the LDC Sexual Harassment Policy, Consideration and Adoption of the 2022 LDC Contract with Sheehan and Co. for the 2021 Audited Financials, Consideration and Adoption of the LDC Contract with Giovatto Agency for 2022 to maintain and update the website, Consideration of a Ratifying and Confirming Resolution to Pay Workers' Compensation.

Those in Attendance:

Florestano Girardi, Chairman

Eric Mallette, Treasurer Jack Majkut, Secretary Thomas Grech, Member

Via Teleconference:

Jack Majkut, Secretary Robert Bedford, Member

Excused:

Resigned:

James Marsh

Cherice Vanderhall

Also in Attendance:

Frederick E. Parola, CEO

Edie M. Longo, CFO

Arlyn Eames, Deputy CFO

Michael Lodato, Corporate Administrator Laura Tomeo, Deputy Corporate Administrator

John E. Ryan, Esq., Corporation Counsel

William Weir, Esq., Bond Counsel Paul O'Brien, Esq., Bond Counsel

The Chairman confirmed a Quorum. The Meeting was called to order at 10:35 AM

<u>Consideration and Adoption of a 2022 LDC Meeting Schedule</u>: Florestano Girardi made a motion to adopt the 2022 LDC Meeting Schedule. This was seconded by Thomas Grech. All were in favor. Motion carried.

Consideration of a resolution for the LDC to set aside \$750,000.00 for a program, to assist in Career Planning, Occupational Skills, Training Programs, Career and Computer skills workshops and other job training programs that may be created or available to the residents of the Town of Hempstead through the Department of Occupational Resources: Florestano Girardi made a motion to adopt a resolution providing the Department of Occupational Resources \$750,000 to assist in Career Planning, Occupational Skills, Training Programs, Career and Computer skills workshops and other job training programs that may be created or available to the residents of the Town of Hempstead . This was seconded by Thomas Grech, All were in favor. Motion carried.

Confidential Board Member Evaluations:

Supplied the Board with the Confidential Board Member Evaluations to be completed.

<u>Consideration of a Salary Resolution for Frederick Parola</u>: Florestano Girardi made a motion to adopt a 2022 Salary Resolution for Frederick Parola for a 3% increase. This was seconded by Thomas Grech. All were in favor. Motion carried.

<u>Consideration of a Salary Resolution for Edie Longo</u>: Florestano Girardi made a motion to adopt a 2022 Salary Resolutionfor a 3% increase for Edie Longo. This was seconded by Thomas Grech. All were in favor. Motion carried.

<u>Consideration and Re-Adoption of the LDC Sexual Harassment Policy</u>: Florestano Girardi made a motion to re-adopt the LDC Sexual Harassment Policy as approved by the Governance Committee. This was seconded by Thomas Grech. All were in favor. Motion carried.

Consideration and Adoption of the 2022 Contract with Sheehan and Co. for the 2021 Audited Financials: Florestano Girardi made a motion to adopt a resolution hiring Sheehan and Co. as the financial auditors for the 2021 Audited Financial Statements for an amount not to exceed \$10,300.00. This was seconded by Thomas Grech. All were in favor. Motion carried.

Consideration and Adoption of the 2022 Contract with Giovatti Agency for Website Hosting and Maintenance for 2022: Florestano Girardi made a motion to adopt a resolution hiring Giovatti Agency for the LDC Website Hosting and Maintenance for 2022 for an amount not to exceed \$5,000.00. This was seconded by Thomas Grech. All were in favor, Motion carried.

Consideration and Adoption Ratifying and Confirming resolution to Pay Workers' Compensation: Florestano Girardi made a motion to adopt a resolution ratifying and confirming a payment of \$8,000.00 to the Workers' Compensation Board for the Local Development Corporations' Workers' Compensation coverage. This was seconded by Thomas Grech. All were in favor, Motion carried.

Minutes of November 18, 2021: The board was furnished with a copy of the November 18, 2021 Board Meeting Minutes. Florestano Girardi made a motion to waive the reading of the minutes and adopt the minutes as presented for the November 18, 2021 meeting. This motion was seconded by Thomas Grech. All were in favor. Motion carried.

<u>Treasurer's Report</u>: The board was furnished with the Financial Statements and Expenditure List for November 12, 2021 – December 13, 2021. Eric Mallette advised the board all finances were in order.

With all business concluded, Florestano Girardi made a motion to close the meeting. This was seconded by Thomas Grech. All were in favor. Motion carried. The meeting was closed at 10:45 am.

Jack Majkut Secretary January 31, 2022 9:04 AM 01/24/22 Accrual Basis

Town of Hempstead Local Development Corporation Account QuickReport

As of January 24, 2022

Туре	Date	Num	Name	Memo	Split	Amount	Balance
00 · Cash							8,903.3
	America Checking -	6632					8,903.3
Check	12/17/2021	Electr	Bank of America	Payroll Taxes	-SPLIT-	-1,328.67	7,574.6
Check	12/17/2021	5171	Edie Longo	LDC Part Tim	-SPLIT-	-618.99	6,955.6
Check	12/17/2021	5172	Frederick E. Parola	LDC Part Tim	-SPLIT-	-1,849.43	5,106.2
Transfer	12/22/2021			Funds Transfer	200-34 · Bank o	750,000.00	755,106.2
Check	12/22/2021	1476	TOH Department of	Job Training a	522-82 · Servic	-750,000.00	5,106.2
Transfer	12/30/2021		·	Funds Transfer	200-34 · Bank o	10,000.00	15,106.2
Check	12/31/2021	Electr	Paychex	Payroll Fee 12	2100-01 · PAY	-56.90	15,049.3
Check	12/31/2021	Electr	Bank of America	Payroll Taxes	-SPLIT-	-1,266.97	13,782.3
Check	12/31/2021	5174	Frederick E. Parola	LDC Part Tim	-SPLIT-	-1,806.59	11,975.7
Check	12/31/2021	5173	Edie Longo	LDC Part Tim	-SPLIT-	-535.65	11,440.1
Check	12/31/2021	1477	Michael Lodato	LDC Part time	522-15 · Profes	-1,948.00	9,492.1
Check	12/31/2021	1478	Laura Tomeo	LDC Part time	522-15 · Profes	-53.00	9,439.1
Check	12/31/2021	1480	Arlyn Eames	November 18t	522-15 · Profes	-31.23	9,407.9
Check	1/3/2022	1479	Giovatto Agency	2022 Website	522-03 · Adverti	-5,000.00	4,407.9
Transfer	1/6/2022			Funds Transfer	200-34 · Bank o	15,000.00	19,407.9
Check	1/6/2022	1481	TOH Industrial Devel	Rent, Postage	-SPLIT-	-10,099.29	9,308.6
Check	1/14/2022	5175	Edie Longo	LDC Part Tim	-SPLIT-	-570.22	8,738.3
Check	1/14/2022	5176	Frederick E. Parola	LDC Part Tim	-SPLIT-	-1,769.15	6,969.2
Check	1/14/2022	Electr	Paychex	Payroll Fee 3/	2100-01 · PAY	-182.90	6,786.3
Check	1/14/2022	Electr	Bank of America	Payroll Taxes	-SPLIT-	-1,370.02	5,416.3
Check	1/18/2022	1482	Staples Credit Plan	Office Supplies	522-07 · Office	-45.29	5,371.0
Deposit	1/19/2022		·	Deposit	-SPLIT-	6,000.00	11,371.0
Deposit	1/19/2022			Deposit	2701-00 · Annu	1,000.00	12,371.0
Deposit	1/21/2022			Deposit	-SPLIT-	4,000.00	16,371.0
Total 200-33 · Ban	k of America Checki	ng -6632				7,467.70	16,371.0
otal 200 · Cash					_	7,467.70	16,371.0
AL						7,467.70	16,371.0

9:04 AM

01/24/22

Accrual Basis

Town of Hempstead Local Development Corporation Account QuickReport

As of January 24, 2022

Туре	Date	Num	Name	Memo	Split	Amount	Balance
200 · Cash							2,817,938.87
200-34 · Bank of Am	erica Savings -3	706					2,817,938.87
Check	12/15/2021			Service Charge	522-09 · Bank	-33.22	2,817,905.65
Transfer	12/22/2021			Funds Transfer	200-33 · Bank o	-750,000.00	2,067,905.65
Transfer	12/30/2021			Funds Transfer	200-33 · Bank o	-10,000.00	2,057,905.65
Transfer	1/6/2022			Funds Transfer	200-33 · Bank o	-15,000.00	2,042,905.65
Total 200-34 · Bank o	of America Saving	s -3706				-775,033.22	2,042,905.65
Total 200 · Cash					_	-775,033.22	2,042,905.65
TOTAL					_	-775,033.22	2,042,905.65

9:05 AM 01/24/22 Accrual Basis

Town of Hempstead Local Development Corporation Profit & Loss

December 14, 2021 through January 24, 2022

	Dec 14, '21 - Jan 24, 22
Ordinary Income/Expense	
Income	
2701-00 · Annual and Compliance Fees	11,000.00
Total Income	11,000.00
Expense	
2100-01 PAYCHEX	239.80
522-03 · Advertising & Marketing	5,000.00
522-07 · Office Expenses	2,884.17
522-09 · Bank Charges	33.22
522-12 · Rent Expense	15,000.00
522-14 · Telephone	875.00
522-15 Professional Services	2,032.23
522-19 · Postage and Delivery	1,484.70
522-50 · Salary & Wages	10,205.94
522-60 · Payroll Taxes	
522-61 · FICA Social Security	632.78
522-62 FICA Medicare	147.99
522-63 · FUTA	0.00
522-64 · SUI	136.18
Total 522-60 · Payroll Taxes	916.95
522-82 · Service Agreements	750,000.00
Total Expense	788,672.01
Net Ordinary Income	-777,672.01
et Income	-777,672.01