

Local Development Corporation
Audit Committee Meeting
IDA/LDC Offices, Room 234A
350 Front Street, Hempstead, NY 11550
AGENDA
February 28, 2023, 8:55 AM

*Note: Visitors to the Town of Hempstead are encouraged to wear masks and socially distance if unvaccinated.

Members: Robert Bedford, Chairman, Eric Mallette, Jack Majkut, Jill Mollitor, Mike Lodato, Fred Parola

- Re-Adoption of the Purchasing Guidelines
- Adoption of the 2022 Mission Statement
- Adoption of the 2022 Measurement Report

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**PURCHASING & PROCUREMENT GUIDELINES OF THE
TOWN OF HEMPSTEAD LOCAL DEVELOPMENT CORPORATION**

The Corporation shall make no purchases of supplies, equipment, services, or materials nor shall the Corporation contract for the purchase of supplies, equipment, services, or materials except as follows:

a. When the cost of the supply, equipment, services, or material involved should reasonably be expected to cost in excess of ten thousand dollars (\$10,000), the item to be purchased shall be formally bid and the purchase made from the lowest responsible bidder.

b. When the cost of the supply, equipment, services, or material involved should reasonably be expected to cost in excess of three thousand dollars (\$3,000) but not more than ten thousand dollars (\$10,000), written price quotations shall be obtained from not fewer than three (3) vendors and the purchase made after all such quotations are evaluated by the Corporation.

c. When the cost of the supply, equipment, services, or material involved should reasonably be expected to cost in excess of one thousand dollars (\$1,000) but not more than three thousand dollars (\$3,000), written price quotations shall be obtained from not fewer than two (2) vendors and the purchase made after all such quotations are evaluated by the Corporation.

d. When the cost of the supply, equipment, services, or material involved should reasonably be expected to cost in excess of two hundred fifty dollars (\$250) but not more than one thousand dollars (\$1,000), oral price quotations shall be obtained from not fewer than two vendors (2) and the purchase made after all such quotations are evaluated by the Corporation.

e. No solicitation of price quotations shall be required in the following instances:

e-1. when the cost of the supply, equipment, services, or material involved is two hundred fifty dollars (\$250) or less,

e-2. when the purchase is of professional services,

e-3. when the purchase is necessitated by a *bona fide* emergency, which emergency is described in writing by the Corporation member or employee declaring same, ratified by telephone by not fewer than a majority of members and ratified by resolution at the next meeting of the Corporation,

e-4. when the supply, equipment, services, or material sought to be purchased is available only through a single source,

e-5. when the supply, equipment, services, or material is being purchased from a correctional facility, another governmental Corporation or an Corporation serving the blind or severely handicapped, or at auction, or

e-6. when the supply, equipment, services, or material is being purchased under a town, county or state contract.

As used in section e-3 hereof, the term "majority of members" shall mean a number of members equal to more than fifty percent (50%) of the difference between seven (7) and the number of LDC memberships, which are vacant at the time of the vote.

Adopted:

(eyes)

(nays)

Resolution Number:

Florestano Girardi
Chairman

**Local Public Authority Name: Town of Hempstead Local Development Corporation
Mission Statement**

Fiscal Year: January 1, 2022 – December 31, 2022

Enabling Legislation: The Corporation shall be a nonprofit local development corporation organized under Article XIX of the Membership Corporations Law and operated exclusively for the charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding the territory in which its operations are principally to be conducted by attracting new industry to such territory, or by encouraging development of, or retention of, an industry in said territory, or through the development or expansion of educational institution and lessening the burdens of the government in acting in the public interest.

Mission Statement:

The LDC, as a non-profit, quasi-governmental authority, functions in the public interest. The seven member board, through its enacted policies and operations, acts with transparency, openness and uniformity of procedure with all applicants. The LDC seeks to encourage economic growth and activity, while seeking to maintain the best interests of the residents of the Town of Hempstead.

Adopted:

Aye

Nay

Resolution Number:

Florestano Girardi
Chairman

2022 Town of Hempstead LDC
Measurement Report

Name of Public Authority:

Town Of Hempstead Local Development Corporation

List of Performance Goals:

- Full compliance with all state disclosure requirements.
- Ensure that the Corporation remains current on the status of the laws impacting LDCs
- Transparency of all operations.
- Strict adherence by management (staff) of all internal controls.
- Outreach to civic facilities, educational institutions, community and the public in general, to make them aware of the LDC's existence and the benefits the Corporation can provide.
- Ongoing update of the LDC website as well the advertising program to best ensure that outreach is fully realized
- Ensure interaction & outreach to elected officials with jurisdictions impacted by the Town Local Development Corporation.

Additional questions:

1. Have the board members acknowledged that they have read and understood the mission of the public authority?

Yes. Each board member has stated that each has read the LDC Mission statement, each member is engaged in the authority and its mission of providing benefits to not-for-profit entities to spur their good work & to generate economic activity.

2. Who has the power to appoint the management of the public authority?

The seven-member board of directors appoints the management of the LDC.

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority?

The personnel involved in the operation of the LDC provide experience and expertise to fulfill the LDC's mission. Three of the staff members of the Town of Hempstead Industrial Development Agency provide comparable duties for the LDC on a contractual basis. There are also two LDC Staff Members that are employed by the LDC directly.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

The LDC's operation is governed by staff and consultants who are responsible for the administration and management of the Corporation pursuant to the resolutions, 037-2018, 027-2018, 032-2017 and 042-2021 LDC, adopted by the Town Of Hempstead LDC board.

The LDC authorizing resolution and by-laws repose the Board of Directors' direct oversight and control over the management of the LDC. The Board Members are required to review and monitor financial and management controls as well as activities of the LDC. The Board sets policy through its approval of resolutions and the projects that it induces. Specifically, Board Members review and monitor the implementation of fundamental financial and management controls and establishes time and attendance rules as well as policies for staff. The LDC board is responsible for the adoption of a Code of Ethics that governs the activities of all members and staff of the LDC, procedures and policies to protect consultants and staff from retaliation, and an indemnification policy for all the staff and Board Members. Training to identify and avert sexual harassment is an additional requirement for employees and Board Members.

The LDC has established an independent Audit Committee, which has the responsibility to oversee all financial operations, as well as all reports and governmental disclosures prepared by the LDC. This committee interacts with Sheehan & Company, the independent CPA

firm that conducts the annual audit and reviews all financial activities and transactions of the Corporation on an ongoing basis throughout the year. The Committee continually examines and revises the internal controls that are in place at the LDC to ensure not only that all operations are conducted pursuant to the highest ethical standards, but that conflicts of interest are prevented.

The Governance Committee seeks to ensure that the LDC follows and adopts best practices with respect to all its procedures, operations and policies. The members are attentive to both government reforms and new initiatives adopted in both public & private sectors to ensure that the LDC members are aware of such measures and that the most effective and efficient methodologies for the conduct of all it's affairs are implemented.

5. Board of Director's Response:

Board members are actively involved in the development of the LDC's mission and in the ongoing evaluation of how well the Corporation is meeting its goals. During the year, the staff and board members discuss the contacts and proposals that have come to the LDC as well as the status of projects and all aspects of the proposal. Discussions further involve how well the corporation is meeting the needs of those who contact the Corporation and the key role that our incentives play in this regard.

6. Has the Board acknowledged that they have read and understood the responses to each of these questions?

Yes, each Board Member has discussed the nature and content of the answers to the questions on this statement.

Adopted:

Aye

Nay

Resolution Number:

Florestano Girardi
Chairman