



Board of Trustees Annual Meeting

**99 James A. Garner Way
Hempstead, New York 11550**

Monday, April 3, 2023

6:00pm

**MAYOR'S COMMITTEE APPOINTMENTS
FOR THE OFFICIAL YEAR COMMENCING APRIL 3, 2023**

Building..... Trustees Boone & Griffith
1st Tuesday, date to be determined

Emergencies..... Trustees Boone & Griffith
3rd Thursday 10:00 a.m., Armory

Fire & Fire Alarm.....Trustees Boone & Burroughs
2nd week date to be determined

Insurance..... Trustees Daniels & Burroughs
Risk Managers quarterly, April, July, October January date to be determined

Parks..... Trustees Griffith & Boone
4th Tuesday 7:15 p.m., Kennedy Park

Purchasing.....Mayor Hobbs & Trustee Daniels

DPW (Sanitation/Streets/Recycling)..... Trustees Boone & Griffith
4th week date to be determined

Sewers..... Trustees Daniels & Burroughs
3rd week date to be determined

Tax and Water Trustees Burroughs & Griffith
2nd week date to be determined

Water Plant Trustees Boone & Daniels
1st week date to be determined

Budget..... ALL (Mayor & Trustees)
3rd week, Tuesday, 6:00 p.m., (just before Board meeting)

Library..... Trustees Boone & Griffith
1st Thursday 6:30 p.m.

Traffic Safety Board..... Trustees Daniels & Boone
4th Monday 6:30 p.m.

Police Committee..... Trustees Daniels & Burroughs

Legal..... Trustees Daniels & Griffith

Clerk's Office Trustees Griffith & Daniels

Comptroller Trustees Boone & Daniels

Hempstead Housing Authority Trustees Daniels & Burroughs

AGENDA – Monday, April 3, 2023

Mayor Hobbs wishes to announce the appointment of **Jeffery Daniels** as **Deputy Mayor** of the Incorporated Village of Hempstead for the official year commencing **April 3, 2023**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Patricia Perez** as **Village Clerk** for the official year commencing **April 3, 2023** to **April 7, 2025**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Stephany Braxton** as **Deputy Village Clerk** for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023** to **April 7, 2025**

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Joe Gill** as **Village Treasurer** for the official year commencing **April 3, 2023** to **April 7, 2025**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Michelle Banks** as **Secretary to the Planning Board** for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023**, for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Nakeda Ellis** as **Secretary to the Board of Trustees** for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023**, to **April 7, 2025**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Juanita Hargwood** as **Director of Human Relations** for the Incorporated Village of Hempstead for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Samantha Fountain** as **Secretary to the Fire Department Relations** for the Incorporated Village of Hempstead for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Catherine Jones-Hankins** as **Special Prosecutor** for the Incorporated Village of Hempstead at a fee of \$40 per hour for the official year commencing **April 3, 2023**, to **April 7, 2025**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Miali Mekelele** as **Special Prosecutor** for the Incorporated Village of Hempstead at a fee of \$40 per hour for the official year commencing **April 3, 2023**, to **April 7, 2025**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Carolyn Clyne** as **Special Prosecutor** at a fee of \$40 per hour for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023**,
to
April 7, 2025.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Oscar Prieto** as **Special Prosecutor** at a fee of \$40 per hour for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023**,
to
April 7, 2025.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Eckor Joseph** as **Special Prosecutor** at a fee of \$40 per hour for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023**,

to

April 7, 2025.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Jjais Forde** as **Special Prosecutor** at a fee of \$40 per hour for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023,**

to

April 7, 2025.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of **Kimberly McLean-Beckford** as **Special Prosecutor** at a fee of \$40 per hour for the Incorporated Village of Hempstead for the official year commencing **April 3, 2023**, to **April 7, 2025**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

_____ The designation of **Danny Leo** as **Chairperson** of Board of Zoning Appeals for the official year commencing on **April 3, 2023**, for a time to be determined once reviewed and approved by the Board of Trustees.

_____ The appointment of **Dan Oppenheimer** and **Sherina Gonzalez-Lucas** as **Board members** of the Zoning Board for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

The compensation to be paid to members and alternate members of the Board of Zoning Appeals for the fiscal year commencing **June 1, 2023** shall be as follows:

Chairperson of the Board..... \$175 per meeting
Each member--other than Chairperson..... \$150 per meeting

Further, no compensation will be paid for a meeting, which a member does not attend. There shall be no more than 12 regular meetings during the fiscal year.

As of **April 5, 2021**, the Zoning Board shall be comprised of:

Dan Oppenheimer
Lloyd Brathwaite

Term Expires

April 1, 2024.

Sherina Gonzales-Lucas
Danny Leo (Chairperson)
Bryant Brown

April 1, 2024.
April 6, 2024

Board of Zoning Appeals meets 1st Thursday of each month, 6:00 p.m., Village Hall.

AGENDA – Monday, April 3, 2023

_____ The designation of **Kennetha Pettus** as **Chairperson** of Planning Board for the official year commencing on **April 3, 2023**, for a time to be determined once reviewed and approved by the Board of Trustees.

_____ The appointment of **Timothy Rodgers** and **Marcia Turner** as **Board members** of the Planning Board for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

The compensation to be paid to the members of the Planning Board for the fiscal year commencing **June 1, 2023**, shall be as follows:

Chairperson of the Board..... \$175 each meeting

Each member, other than the Chairman.....\$150 per meeting

Further, no compensation shall be paid for any meeting, which a member does not attend; meetings are not to exceed 12 per year.

Planning Board shall now be comprised of:

Rashid Walker
Timothy Rodgers
Kennetha Pettus (Chairperson)

Term Expires
April 4, 2024

April 4, 2024

Marcia P. Turner
Arthur Cole

April 1, 2024

Planning Board meets every 3rd Monday of each month 6:30 p.m., Village Hall

AGENDA – Monday, April 3, 2023

_____ The designation of **Vanessa Henry** as **Chairperson** of Recreation and Parks for the official year commencing on **April 3, 2023**, for a time to be determined once reviewed and approved by the Board of Trustees.

_____ The appointment of **Vanessa Henry, Randi Harrison, Renee Weeks-Corder & Ricky Cooke** as Board **members** of Recreation and Parks commission for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

Recreation and Parks Commission shall now be comprised of:

Lourdes Watts	<u>Term Expires</u>
Vanessa Henry (Chairperson)	April 1, 2024
Randi Harrison	_____
Barbara Borum	_____
Renee Weeks-Corder	April 6, 2026
Jeffrey Spencer	_____
Ricky Cooke	April 1, 2024

Recreation and Parks Commission meets every 4th Tuesday of **each month** - 7:00 p.m., Kennedy Memorial Park

AGENDA – Monday, April 3, 2023

_____ The designation of **Mary Burns** as **Chairperson** of the **Traffic and Safety Board** for the ensuing year, to serve without compensation and that said Board shall meet at least once a month, except during the months of July and August and report to the Board of Trustees after each meeting.

_____ The appointment of **Mary Burns, Barbara Gant, Lenique Bligen, & Rodney Lawrence** as **Board members** of the Traffic and Safety Board for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

Traffic Safety Board shall now be comprised of:

Mary Burns (Chairperson)
Barbara Gant
Lenique Bligen
William H. Fowlkes Jr.
Troy Martinez
Rodney Lawrence

Term Expires

April 1, 2024
April 1, 2024

Traffic Safety Board meets every 4th Monday of each month except July and August, 6:30 p.m., Village Hall

AGENDA – Monday, April 3, 2023

_____ The designation of **Ronald Magarie** as **Chairperson** of Electrical Board for the official year commencing on **April 3, 2023**, for a time to be determined once reviewed and approved by the Board of Trustees.

_____ The appointment of **Mike Dumitri, John Congemi** and **Tom Considine** as **Board members** of the Electric Board for the official year commencing on **April 3, 2023** for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

Compensation to be paid to members of the **Electrical License Board** shall be as follows:

Chairperson of the Board.....\$60 per meeting

Each member, other than Chairman..... \$55 per meeting

(not to exceed one meeting per month (for fiscal year commencing **June 1, 2023**)

The **Electrical License Board** shall now be comprised of:

	<u>Term Expires</u>
Mike Dumitri	_____
John Congemi	_____
Tom Considine	_____
Ronald Magarie (Chairperson)	April 1, 2024
Christian Castillo	April 1, 2024

Electrical Board meets every 4th Thursday of each month 4:30 p.m., 202 Jackson Street

AGENDA – Monday, April 3, 2023

_____ The designation of **Kelly Magee** as **Chairperson** of Board of Plumbing for the official year commencing on **April 3, 2023**, for a time to be determined once reviewed and approved by the Board of Trustees.

_____ The appointment of **Kelly Magee, Timothy Daniels** and **Donovan Castro** as **Board members** of Plumbing Board for the official year commencing on **April 3, 2023** for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

Chairperson of the Board \$60 per meeting

Each member, other than Chairman.....\$55 per meeting
(not to exceed one meeting per month (for fiscal year commencing **June 1, 2023**)

Board of Plumbing Examiners shall now be comprised of:

	<u>Term Expires</u>
Kelly Magee (Chairperson)	_____
Timothy Daniels	_____
Donovan Castro	_____

Board of Plumbing Examiners meets every 4th Tuesday of each month, 4:30 p.m., 202 Jackson Street

AGENDA – Monday, April 3, 2023

_____ The appointment of **Teddy McLean, Deloris McQueen, Marina Ramos, Keisha Marshall, Stacey Lucas** and **Joe Gill** as **Board members** of **Personal Wireless Service** for the official year commencing on **April 3, 2023**

_____ The designation of Deloris McQueen as Personal Wireless Service Facilities Board Zoning Officer for a fee of \$5,000 expiring on **April 1, 2024**

Moved by Trustee _____

Seconded by Trustee _____

Personal Wireless Service Facilities Board shall now be comprised of:

	<u>Term Expires</u>
Teddy McLean	April 1, 2024
Deloris McQueen (Zoning Officer)	April 1, 2024
Marina Ramos	April 1, 2024
Keisha Marshall (by statute)	April 1, 2024
Joe Gill (by statute)	April 1, 2024
Stacey Lucas (statute)	April 1, 2024

Personal Wireless Service Facilities Board meets on the 4th Thursday at **11:00 a.m.** of each month at Village Hall.

_____ The appointment of **Curtis Watts, Ubh Mohammed & Rosanne Small-Morgan** as **Board members** of Community Development Agency (CDA) for the official year commencing on **April 3, 2023**, for a time to be determined once reviewed and approved by the Board of Trustees.

Moved by Trustee _____

Seconded by Trustee _____

Community Development Agency shall now be comprised of:

	<u>Term Expires</u>
Keria L. Blue	April 1, 2024
Curtis Watts	_____
Ubah Mohammed	_____
Rosanne Small-Morgan	_____

AGENDA – Monday, April 3, 2023

The appointment of the Certified Public Accounting firm of **Nawrocki Smith, LLP, 290 Broadhollow Road, #115E, Melville, New York, 11747**, for the Incorporated Village of Hempstead for the fiscal year, commencing **April 3, 2023**, to **April 1, 2024** at an annual fee of **\$68,000.00**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The appointment of the firm of **Harris Beach**, as Special Counsel to the Village of Hempstead pursuant to retainer agreements, copies of which are on file with the Village Clerk, for General Municipal advice, Election Law, and litigation when needed.

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Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

All Village checks shall be signed by the Mayor and the Treasurer, and in the absence of the Mayor, the Deputy Mayor shall sign all checks with the Treasurer, and that pursuant to Section 4-408c of the Village Law, all such checks as may be issued by the Village may be signed with facsimiles of the Mayor's, Treasurer's, and/or Deputy Mayor's signature.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

_____ The following banks are hereby designated as the proper depositories for the funds of the Incorporated Village of Hempstead.

1. T.D. Bank
2. Bank of America
3. Flushing Bank
4. J.P. Morgan Chase

Said depositories shall be required to file with the Village of Hempstead a copy of their CRA Compliance Policy Statement.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

Richner Communications is hereby designated as the official newspaper of the Incorporated Village of Hempstead commencing **April 3, 2023**, for all Village publications; the Village Clerk is also authorized to publish legal notices with the exception of certain **tax sale notices**, in **Newsday, Hempstead-Uniondale Times, Noticia**.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

The regular meetings of the Board of Trustees of the Incorporated Village of Hempstead shall be held on the **first and third Tuesday** of each month at **6:30 p.m.**, except during the months of July and August in which months the regular meetings shall be held on the first Tuesday **and the annual meeting on the first Monday in April at 6:00 p.m.**, thereof, and that special meetings of the Board of Trustees may be called by the Mayor or two Trustees acting in concert, by causing proper notice to be served pursuant to law and that all agenda items must be in the Office of the Village Clerk **no later than Wednesday** preceding the Board meeting date except that any item may be added to the agenda by a member of the Board of Trustees up to and including the Board meeting itself.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

Provided there are sufficient funds available in the appropriate budget account, the Mayor, Trustees, and employees, be granted permission to attend various conferences and/or official meetings during the official year commencing the 3rd day of **April 2023** and that all necessary expenses in connection with the attendance at said functions shall be a Village expense.

That mileage shall be paid at the rate of .625 cents **per mile** for the business use of a personal vehicle. Tolls and other road expenses shall be paid upon submission of a paid receipt. That the Board is empowered to make special exceptions to these provisions if it is deemed to be in the best interest of the Village. Also, before any such trips and/or travel take place, Board approval must be obtained in writing.

Moved by Trustee _____

Seconded by Trustee _____

AGENDA – Monday, April 3, 2023

That, WHEREAS, the Incorporated Village of Hempstead needs to implement an updated **Village Purchasing Policy,**

NOW, THEREFORE BE IT RESOLVED, that this Board of Trustees hereby adopts the annexed Purchasing policy. This policy is effective **April 3, 2023,** and will be reviewed on an annual basis.

Moved by Trustee _____

Seconded by Trustee _____

INC. VILLAGE OF HEMPSTEAD PURCHASING POLICY

In accordance with the Inc. Village of Hempstead adopted procedures, the Purchasing Department is authorized to administer all purchasing activities with regard to materials, supplies, services, equipment, and all other expenses. The primary function of Purchasing is to ensure that the Village of Hempstead receives the best possible products and services that meet the needs of the requesting department at the lowest possible cost. In this document, unless otherwise noted, the term “political subdivision” applies to the Incorporated Village of Hempstead in its entirety.

Rules governing purchasing and contract procedures were established under the concept of open competitive bidding as set forth by New York State General Municipal Law, (GML 103 and 104-b). Under this system, purchase awards are made to the lowest responsible vendor who meets the Village's specifications and is capable of delivering the service or product. These specifications and conditions are outlined in bid packages that are available to all interested vendors.

Inc. Village of Hempstead encourages all segments of the business community to participate in its purchasing program.

The Purchasing Department coordinates vendor contracts and supervises the procurement process to ensure compliance with purchasing policies and procedures. Office hours are from 8:30 AM to 4:15 PM, Monday through Friday. Vendors may call for an appointment during those hours.

THE PURCHASING PROCESS

The Purchasing Department maintains a list of qualified vendors for solicitation of quotes and bids. If a vendor would like to apply, they can contact the Purchasing Department to have their company's name added to the Inc. Village of Hempstead Vendor Bid List. Note the Village's Purchasing Policy is more restrictive than the Federal Purchase methods and the Village must always follow the most restrictive policy. The Purchasing Department operates annually on a Fiscal Year schedule that begins on June 1 of the current year and ends on May 31 of the following year.

METHODS OF PURCHASE

The following purchasing methods are used by the Village to acquire products, services, and equipment:

PROCEDURE FOR THE PURCHASE OF COMMODITIES, EQUIPMENT AND/OR GOODS

<u>Aggregate Dollar Limit</u>	<u>Procedure</u>
\$1 - \$3,500	At the discretion of the Purchasing Department
\$3,501 - \$5,000	Documented quotes from at least 3 separate vendors (if available)
\$5,001 - \$20,000	Written quotes from at least 3 separate vendors (if available)
\$20,001 and up	Sealed bids in conformance with Municipal Law, Section 103

PROCEDURE FOR THE PURCHASE OF PUBLIC WORKS PROJECTS/CONTRACTS

<u>Aggregate Dollar Limit</u>	<u>Procedure</u>
\$1 - \$3,500	At the discretion of the Purchasing Department

\$3,501 - \$5,000	Documented quotes from at least 3 separate vendors (if available)
\$5,001 - \$35,000	Written quotes from at least 3 separate vendors (if available)
\$35,001 and up	Sealed bids in conformance with Municipal Law, Section 103

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the requestor will document the attempt made at obtaining the proposals including the vendors contacted, date(s) and time(s) contacted and the reason no quote or proposal could be secured. Each documentation for each vendor will count as an individual separate quote. Securing the goods and/or services without obtaining the requisite number of proposals/documentated attempts is prohibited. Securing the goods and services without obtaining a fully executed Purchase Order prior to purchase is also prohibited. Additionally, under no circumstances are quotes to be artificially "split" to circumvent the Purchasing Policy's thresholds. Infractions of these violations may result in the rescinding of such agreements with the vendor, along with possible disciplinary action against the requestor, which may include suspension or restriction from conducting any purchases on behalf of the Village/Department.

In the course of normal business, departments are authorized to secure quotes from vendors in accordance with the aforementioned fixed limits and purchasing policy. **All quotes and proposals secured by individual departments are subject to review and approval by the Purchasing Agent.** Should the department be unable to secure quotes, the Purchasing Agent will assist that department to secure the required quotes. However, the primary responsibility to secure any and all quotes is with the Department. Vendors should take particular care when quoting prices to assure accuracy for quantities, units of measure, item descriptions, types of service, pricing, and delivery terms. Telephone quotes should be provided the same day as requested if possible. A written, faxed, or electronic, (e-mail) quote for purchases is solicited by issuance of a "Request for Quote" form; the vendor should return this completed form within the designated time period. Purchasing reviews quotes and selects the lowest one meeting the Village requirements and specifications. Inc. Village of Hempstead will accept quote responses via US Mail or a similar delivery service, fax, and e-mail.

STATE/LOCAL GOVERNMENT CONTRACTS

Pursuant to GML 103, political subdivisions are authorized to make purchases through the use of contracts, (or "piggybacks" on to), led by certain other governmental entities either to the lowest responsible bidder or on the basis of best value, in a manner consistent with General Municipal Law 103.

Pursuant to GML 104, political subdivisions are authorized to make purchases of materials, equipment, and supplies, (except printed material), through the NYS Office of General Services (OGS), subject to rules established by OGS, (see State Finance Law, Section 163). GML Section 104 provides that purchases by political subdivisions through the NYS Office of General Services (OGS) are exempt from competitive bidding requirements. Note: No official may make a purchase through the OGS when bids have already been received unless the purchase may be made upon the same terms, conditions, and specifications, but at a lower price, through OGS.

The Village will not be required to secure alternate proposals or quotations for those procurements as permitted by state law: under a county, state, or federal contract, under a contract of another federal subdivision, under national cooperative contracts approved by the Village Board, of articles manufactured in state correctional institutions or from agencies for the blind and severely disabled.

PURCHASING POLICIES AND CONTROL

DEPARTMENT PLANNING

ANTICIPATE YOUR NEEDS: Once you have established what you need, within the limitation of your budget, requisition these needs **as far in advance as possible**. The time element affords the Purchasing Department the

opportunity to solicit competitive bids or quotes and get the best value possible for the expenditure of TAX DOLLARS.

EMERGENCIES: An exception to the competitive bidding requirements exists for emergency situations. There are **three basic statutory criteria to be met** in order to fall within this exception.

- 1) The situation arises out of an accident or other unforeseen occurrence or condition.
- 2) The circumstances affect public buildings, public property or the life, health, safety, or property of the political subdivision's residents.
- 3) The situation requires immediate action, which cannot await competitive bidding.

ANY Emergency that arises needs to be reported to both the Purchasing Agent and the Village Treasurer in writing as soon as possible so they are aware of it and can anticipate the costs associated with it.

In short, if you can foresee the need in the future, you should be able to follow the purchasing policy.

SOLE SOURCE

Competitive bidding is not required under GML, Section 103 in those limited situations when a political subdivision, in the public interest, requires particular goods or services that uniquely serve the public interest, for which there is no substantial equivalent, and which are in fact available only from one source. In making these determinations the political subdivision should document, among other things, the unique benefits of the item as compared to the items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item is reasonable when compared to other products or services in the marketplace. In addition, the political subdivision should document that there is no possibility of competition for procurement.

When a sole source provider is identified for expenditures related to a Grant, the Village will obtain prior approval from the awarding agency for non-competitive contractual relationships in excess of \$150,000.

PROFESSIONAL SERVICES

The courts have held that "professional services" are not contracts for public work. That phrase is used in the bidding statutes, and therefore not subject to competitive bidding procedures. Generally, professional services involve specialized expertise, use of professional judgment and/or a high degree of creativity. Among the services which have been held to be exempt from competitive bidding under this exception are, but are not limited to, those of engineers, architects, land surveyors, attorneys, physicians, and insurance brokers. To assist the requisitioning department in selecting a vendor for professional services, in particular where market rates for services may fluctuate, the use of a Request for Proposal, or RFP, specifying the services requested is encouraged.

When consultant expenditures related to Grants exceed the federal threshold of \$650 per day or \$81.25 per hour, the Village will request prior approval from the awarding agency.

PURCHASE ORDERS

REQUESTIONS: "ALL" purchases of goods or services in excess of \$500.00 **requires** a requisition to be submitted. In "ALL" instances, the requisition is to be entered and purchase orders are to be completed before a purchase is made or service is performed. **If the Accounting Department receives any claims for materials, supplies or services for which no purchase order was issued, the Purchasing Agent in conjunction with the Treasurer will have the authority to nullify the payment of such claim.** ALL orders for Staples, WB Mason and Amazon require Requisitions that need to be approved by the Purchasing Agent before the order is placed regardless of the dollar amount. Direct payment claim vouchers should be avoided. New vendors need to have a W-9 on file with the Village. Please make sure they provide one to you before the purchase is made.

ALL requisitions in excess of \$3,500.00 that are not exempt from competitive bidding **requires** at least three documented quotes or else they will be rejected. Requisitions need to have a clear and precise description of the goods and services being ordered in both the "General Description" field and in the "Line Item" itself.

Quote/Invoice numbers and all pricing documentation need to be noted in the “General Notes” field. The appropriate Budget Code needs to be used that best corresponds to the good/service being purchased. Lastly, the Requisition needs to be signed and dated by the Manager/Director for the department placing it. Adequate documentation needs to be provided as backup/justification for each purchase. Each department shall designate one person as a point of contact, responsible for submittal of all requests and requisitions, as well as correspondence with the Purchasing Agent. A list of these contacts will be kept and updated by the Purchasing Agent annually.

CONFIRMING PURCHASE ORDERS: These should be kept to a minimum and will only be approved provided they meet the Purchasing Guidelines and the amount available in the appropriate budget line. The Purchasing Department **will not** approve a confirming order when the purchase is not justified, where the purchase is being made to circumvent established procedures, where the Purchasing Policy rules and guidelines have not been followed, or where there is a **LACK OF PROPER PLANNING**.

BLANKET PURCHASE ORDERS: Issued as requested to various vendors for purchase of those items/services considered to be of an immediate need or for the purpose of consolidation. Such examples would be electric or telephone bills, which involve ongoing purchases where the cost is consistent or approximately known for each time interval. Blanket Purchase Orders are issued for the fiscal year only. Blanket Purchase Orders must include the phrase, “**as needed for the period June 1st of (current year) to May 31st of (next year)**”.

FORMAL SEALED BIDS FOR COMMODITIES OVER \$20,000 AND PUBLIC WORKS PROJECTS/CONTRACTS OVER \$35,000

All purchases of “like” commodities exceeding \$20,000, and public works projects/contracts of “similar scope” exceeding \$35,000 in the **aggregate** for all departments combined annually are acquired through this process.

Legal notices are published in local newspapers informing the public of the products or services being bid.

Bid packages are prepared with detailed specifications and conditions including items bid, units and total quantity desired, instructions for bidding, delivery information, bid opening dates and any special requirements for bidding.

Bid notices are e-mailed to Bid Services, (companies in the business of informing prospective vendors of bids in their field of work), as well as put on the NY State Contract Reporter and Bidnet’s websites. A list of Bid Services can be obtained from the Purchasing Department. The bid packages are available for pickup at the Purchasing Department and can be shipped by US Mail. Vendors can request shipping by a delivery service such as Fed Ex or UPS, which will only be shipped this way at the vendors’ expense.

Plan holders' lists, (those vendors who have picked up bid packages), shall not be released prior to a bid opening as this may adversely affect the bids received and/or encourage collusion. Any requests received by a Village Department for this information will be directed to Purchasing. No exceptions are made to this policy.

Any bids not arriving prior to the bid-opening deadline will be rejected and returned to the bidder unopened.

Sealed bids are publicly opened and read at the time and place designated in the bid documents and legal notices. All information regarding the opening of a bid will be detailed within the bid specifications.

All bid tabulations showing bid results are available for public inspection during regular business hours at the Purchasing Department.

Purchase orders and/or contracts are awarded to the lowest responsive and responsible bidder(s) meeting Village specifications or on the basis of “best value” optimizing quality, cost, and efficiency.

The Village reserves the right to reject any and all bids or parts of bids when such rejection is in the best interest of the Village. The Village reserves the right to award all bids on an item-by-item or aggregate basis, whichever is deemed in the best interest of the Village.

REQUEST FOR PROPOSAL (RFP)

Requests for Proposals are traditionally used as a means of obtaining all types of professional services. A request for proposal and evaluation of proposal can consider price plus other factors such as experience, staffing and professional reputation.

The RFP involves making a request for various firms and then evaluating the proposals received. The Village Attorney will review all contracts. The Village Attorney's approval must be obtained prior to the execution of such contract with the firm selected.

RFPs are NOT opened in public nor read aloud publicly. They are opened in the office of the Department head(s) overseeing and making the final determination. A copy of each response, along with an evaluation sheet, and memo/letter of confidentiality, (if applicable), is given to each member making the decision. Once a decision has been made, evaluation results are given to the Purchasing Agent for final review before going to the Board for final approval. Only the winning bidder will receive an actual award notification. Non-winning proposers are only notified if the Department overseeing the RFP would like them notified. Once a fully executed contract is signed, the award is posted to Bidnet/Bid Services. The Board of Trustees reserves the right to waive any informalities in, or reject any and all RFPs, and to accept the RFP which they deem most favorable to the interest of the Village.

BID PRICES SUBMITTED

The bid price submitted shall be exclusive of Federal and State taxes and must not include any tax for which the bidder may claim exemption because of doing business with the Village. All prices submitted must include all delivery charges to Inc. Village of Hempstead.

PREVAILING WAGES

Prevailing wages shall be paid for each contract to which the municipality may involve the employment of laborers, workmen or mechanics, as outlined in Articles 8 (Construction), and 9 (Building Services) of the New York State Labor Law.

INSURANCE

The Village requires that insurance be procured with the specified coverage amounts required and an insurance declaration page and/or copy of the policy provided prior to a purchase order or payment. The declaration page or policy provided must name "Inc. Village of Hempstead" as a named insured. In addition, if the service being provided is considered a "Professional Service", a "Certificate of Professional Liability" must be provided naming the Village as a named insured.

IRAN DIVESTMENT ACT

In accordance with the Iran Divestment Act of 2012, all bids must include the statement of non-investment in the Iranian energy sector contained in 103-g of the General Municipal Law, subscribed, and affirmed by the bidder as true under the penalties of perjury.

SECURITY

If security is required, the bid invitation will indicate the kind and amount of security needed. Submitted bid packages will not be considered by the Village if the specified security is not enclosed.

The Village uses two types of security:

▫ **BID DEPOSIT: (Certified Check or Bid Bond):** The deposit must be for the amount specified in the bid invitation. The Deposit will be forfeited to the Village should the successful bidder fail to enter into a contract or to accept a purchase order. Bid Deposits are returned to the unsuccessful bidders by mail.

▫ **PERFORMANCE, LABOR AND MATERIAL BONDS:** These bonds may be required from a successful bidder on certain bids. The Village holds these bonds until all contract obligations are satisfactorily met. The bonds may be forfeited to the Village should the successful bidder fail to comply with the terms and conditions set forth in the specifications and the award. Bonds are to be made payable to the "Inc. Village of Hempstead".

CREDIT CARD

Any purchases of goods and services requiring the use of the Village's Credit Cards must first be brought to the attention of the Village Treasurer and Purchasing Agent for review and approval. All rules and guidelines in the Village's Credit Card Policy must be followed.

AWARD OF CONTRACT

Award of contract will be made to the lowest responsible qualified bidder whose proposal shall comply with all the provisions required in the bid package. The Village reserves the right to waive any informality or to reject any or all proposals and may advertise for new proposals, if in its opinion the best interest of the Village will be served. The Village may require any or all bidders to present evidence of experience, ability, and financial standing as well as a statement as to the equipment which they will have available for the execution of the contract. The Village at its discretion reserves the right to award a contract either on an item-by-item basis or as a total award of all items in combination.

DELIVERIES

Deliveries to departments are to be completed between the hours of 8:30 AM and 4:15 PM unless otherwise specified on the Purchase Order.

All Bills of Lading are to include a complete "Ship To" address and Purchase Order numbers, as they appear on the Purchase Order received.

INVOICING AND PAYMENT

To ensure prompt payment of a Purchase Order, invoices containing the proper information must be submitted to the "Ship To" address indicated on the Purchase Order.

Invoices must contain the Purchase Order number, quantities, complete and detailed item/service description, unit of measure and total prices as stated on the Purchase Order. Authorized Village representatives will issue no payments prior to receipt and acceptance of products and services.

Inc. Village of Hempstead is exempt from paying all Sales Tax and Compensating Use Tax imposed by the State pursuant to N.Y.S. Tax Law 1116(A)(1). Upon request, a letter attesting to this fact will be executed and signed by the Inc. Village of Hempstead Treasurer.

UNIFORM GUIDANCE

To the extent that its requirements are not already included in this Policy, the Village will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, ("Uniform Guidance") when making purchases directly charged to a federal award. The Village's contracts with respect to these purchases will contain the applicable provisions set forth in Appendix II to Part 200, Contract Provisions for Non- Federal Entity Contracts Under Federal Awards.

GIFTS AND GRATUITIES

Village policy prohibits acceptance of gifts in excess of \$75, at any time, as per the Village's Standards of Conduct, other than advertising novelties. Employees must not become obligated to any supplier and shall not participate in any Village transaction from which they will benefit directly or indirectly.

Employees are prohibited from using or linking any of their **own personal** cards, loyalty plans or rewards and points programs for Village purchases or transactions.

PURCHASING POLICY VIOLATIONS

The Purchasing Policy is based upon, designed to follow, and uphold New York State General Municipal Laws 103 and 104b, as well as to prevent favoritism, improvidence, extravagance, fraud, and corruption, foster honest competition, get the best goods or services at the lowest price and to protect the public interest. Any violation of this policy may result in disciplinary action, up to and including the suspension or restriction of the violator(s) from involvement in the procurement process.

Furthermore, any violation of this policy is considered a misdemeanor under New York State General Municipal Law 103, Section 7 and Section E; punishable by a fine up to \$5,000.00 and/or imprisonment of up to one year. Additional details can be found here: <https://codes.findlaw.com/ny/general-municipal-law/gmu-sect-103.html#:~:text=7..three%2De%20of%20this%20article> and here: <https://law.justia.com/codes/new-york/2021/gmu/article-5-a/103-e/>.

IN CONCLUSION

This publication is an attempt to ensure that the experience of doing business with Inc. Village of Hempstead is a positive one.

No single publication can be all encompassing or answer every question; however, it is hoped that this will provide the guidelines of our Purchasing Policy. In the case of any matter not specifically addressed here, New York State General Municipal Law, section 103 and 104-B, will guide the Village.

**For more information, please contact:
Inc. Village of Hempstead, Purchasing Department
99 James A Garner Way
Hempstead, NY 11550
Phone: 516-478-6287
Fax: 516-489-1264**

AGENDA – Monday, April 3, 2023

That, WHEREAS, the Incorporated Village of Hempstead needs to implement an updated **Credit Card policy**,

NOW, THEREFORE BE IT RESOLVED, that this Board of Trustees hereby adopts the annexed Credit Card policy. This policy is effective **April 3, 2023** and will be reviewed on an annual basis.

Moved by Trustee _____

Seconded by Trustee _____

**THE BOARD OF TRUSTEES
OF THE VILLAGE OF HEMPSTEAD
RESOLUTION ADOPTING CREDIT CARD POLICY**

WHEREAS, the Board of Trustees deems it prudent to establish a credit card policy for the use of Village credit cards by Village officers and employees.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Village of Hempstead does hereby adopt the following policy which is intended to apply to the procurement of goods and services by use of an authorized credit card in the name of the Village of Hempstead as provided herein.

PURPOSE:

To establish a convenient, efficient and cost-effective method of purchasing goods and services when vendors will not accept purchase orders, when there is no other method of procuring the good/service and/or when cost savings may be achieved by purchasing goods or services online or at an authorized, NYS Office of General Services/National Cooperative, (OMNIA), retail establishment, such as Home Depot.

POLICY:

The Village of Hempstead will provide a credit card issued for use by the Village Mayor for purchases of goods and services online, to pay Village expenses when attending conferences, workshops and courses, when purchase orders are not accepted by the vendor, when there is no other method of procuring the good/service, and/or when cost savings may be achieved by purchasing goods or services online. Maximum Credit Line of \$10,000.

The Village of Hempstead will provide a credit card issued for use by the Purchasing Agent, as directed by the Village Treasurer, for purchases of goods and services online, to pay Village expenses when attending conferences, workshops and courses, when purchase orders are not accepted by the vendor, when there is no other method of procuring the good/service and/or when cost savings may be achieved by purchasing goods or services online. Maximum Credit Line of \$20,000.

The Village of Hempstead will provide a credit card issued for use by the Village Library for purchases of goods and services online, to pay Village expenses when attending conferences, workshops and courses, when purchase orders are not accepted by the vendor, when there is no other method of procuring the good/service and/or when cost savings may be achieved by purchasing goods or services online. Maximum Credit Line of \$10,000.

The Village of Hempstead will provide a Commercial Home Depot issued retail credit card to be used for purchases of goods and services at this NYS OGS/National Cooperative, (OMNIA), approved retail establishment. The cards will be issued to the Village of Hempstead with further distribution as follows:

- Superintendent of the Department of Public Works, Maximum Credit Line of \$8,000
- Superintendent of Parks & Recreation, Maximum Credit Line of \$4,000
- Superintendent of the Water Plant, Maximum Credit Line of \$4,000
- Chief of Police, Hempstead Police Department, Maximum Credit Line of \$4,000
- Fire Chief, Hempstead Fire Department, Maximum Credit Line of \$5,000

In addition to this policy, use of the aforementioned cards are subject to all requirements of the Village Procurement Policy which is incorporated in this document by reference.

PROCEDURE:

Employees will be required to sign the Credit Cardholder Agreement attached to and made a part of this policy below. Use of the Village credit cards will be blocked for cash advances. Each employee and board member using a Village credit card shall be responsible for the security of his or her purchases. If the officer, employee or board member using a Village credit card cannot produce a receipt, he or she shall be responsible for reimbursement to the Village. All receipts must indicate the reason and nature of purchase. All receipts and expenditures shall be reconciled with the monthly statements and audited by the Village Board of Trustees.

No personal purchases or non-Village related purchases may be made with any card.

Any loss or theft of a credit card must be reported within 24 hours of discovery of such loss or theft to the card's vendor & Village Treasurer. In the event of willful or negligent default of the obligations and responsibilities of the cardholder, the Village shall take any recovery action(s) as deemed appropriate by law.

All authorized card users shall return issued cards upon request of the Board of Trustees or upon termination of their term of office.

AGENDA – Monday, April 3, 2023

That, WHEREAS, the Incorporated Village of Hempstead needs to implement an updated **Travel policy**,

NOW, THEREFORE BE IT RESOLVED, that this Board of Trustees hereby adopts the annexed Travel policy. This policy is effective **April 3, 2023** and will be reviewed on an annual basis.

Moved by Trustee _____

Seconded by Trustee _____

INC. VILLAGE OF HEMPSTEAD TRAVEL POLICY

Employee expenses to attend Conventions, Seminars and Training must be approved in advance by the Mayor and Board of Trustees. The person(s) designated to attend must be listed on the "Request for Seminar/Convention" form.

1. EMPLOYEE REIMBURSABLE TRAVEL OR TRANSPORTATION EXPENSES

Actual and necessary expenses incurred by an employee of the Village while in travel status in the performance of his or her duties are considered reimbursable travel expenses. In the absence of an approved Purchase Order, employees must advance all travel and lodging expenses. The Village will not make available to employees a Village credit card for travel and lodging expenses; however the Village Treasurer may use the Village's credit card to reserve hotel rooms and other online expenses such as registration fees if a Purchase Order is not accepted by the vendor or if previously approved. Advances will be reimbursed to the employee on a timely manner, (to avoid credit card late fees and/or interest charges), upon return from the conference and upon timely submission, (within 5 business days), of a properly completed, documented and approved expense report and claim voucher. Sales tax is not reimbursable and the NYS Tax Exemption Letter, (attached with this policy), should be presented to the vendor to have tax removed from any receipt and/or billing.

2. RECEIPTS

APPROPRIATE FULLY DETAILED ORIGINAL RECEIPTS MUST BE PHYSICALLY SUBMITTED FOR ALL REIMBURSABLE EXPENDITURES.

Personal credit card statements are not sufficient documentation or proof of expense.

3. TRANSPORTATION BY COMMON CARRIER

For all transportation by common carrier, round trip or other reduced fare basis must be used when applicable and appropriate receipts must be submitted for reimbursement.

a) AIR:

Air travel should be avoided where possible, but if necessary, scheduled only in those instances when it is clearly in the Village's best interest to do so and on **economy or coach service only**. Any "upgrades" are only to be done at the passenger's own expense and are **not** reimbursable. The passenger's portion of the airline ticket must be attached to the Claim Voucher.

b) TRAIN:

Train transportation should be scheduled to lower costs, economy class or coach service only.

c) BUS:

Bus travel will be permitted when convenience is equal to or better than train transportation.

d) TAXI:

Taxicab service may not be engaged where regularly established public transportation is available. However, in certain extraordinary circumstances, fully explained, this service will be reimbursable.

4. USE OF PERSONAL AUTOMOBILE

The use of personally owned vehicles on Village business is permissible and reimbursement will be made. Mileage will be reimbursed at the rate established by the Mayor and Board of Trustees, which is currently **\$.625/mile**. Mileage is calculated as the lesser of your home address or business location and the destination. Tolls are in addition to the mileage rate and payment for same will be honored upon submission of receipts.

5. RENTAL AUTOMOBILE

The use of a rental automobile will not be allowed.

6. USE OF VILLAGE VEHICLES

The use of a Village owned vehicle will be approved for use in attending approved conferences and seminars. Receipts for gasoline and other services including tolls should be kept and turned in with the Claim Voucher.

7. TOLLS, PARKING AND VIOLATIONS

Reimbursement for tolls will be made when receipts support toll charges.

Reasonable parking fees will be reimbursed when receipts support such fees.

Under no circumstances will employees be reimbursed for traffic or parking violations or towing and storage charges in connection with such violations.

8. LODGING

Receipted lodging expenses are reimbursable for actual costs. It is the employee's responsibility to provide a properly completed Form ST-129 NYS Exemption Certificate to the hotel. This form is usually presented at the time of registration or check-in, subject to the hotel's practice. The Village does not pay hotel occupancy taxes; as such they will not be reimbursed.

Where the absence of an employee on official business from his or her official workstation or place of residence does not exceed one business day, lodging expenses will not be allowed.

If the employees cannot attend the seminar or convention and/or needs to adjust the number of days/nights he or she is attending, the employee shall make all efforts to notify the hotel and his or her immediate supervisor ahead of time so as not to incur any additional expenses or cancellation fees. The Village will not reimburse these expenses and/or fees if the employee fails to do so.

9. MEALS

Individual meals while traveling within the United States are reimbursable based on either a per diem or actual expense method. The same reimbursement method must be used for the entire duration of the trip. You cannot choose one method one day and another method the next for example.

No reimbursement for any meals consumed within the County of Nassau shall be made unless such meals are incidental to an official Village business meeting. In addition, to be eligible for reimbursement, the request must be submitted on an expense report with an approved Claim Voucher, accompanied by the original receipt.

A signed memo from the Department Head must accompany the submission and provide the names of the meeting/meal participants, the specific business purpose of the meeting/meal and contain a statement from you indicating the specific reason(s) there was no other day or time during normal working hours to conduct such business. Lacking the above, the reimbursement will not be considered.

The following rules and regulations apply when an employee is travelling on business and meals are not provided as part of the meeting/conference.

- a. Actual Expense Rates: The following meal rates, (gratuity included), will be allowed in amounts not exceeding:

Breakfast:	\$17.00
Lunch:	\$18.00
Dinner:	\$34.00

Supporting restaurant receipts listing participating employees, meals and beverages consumed must be submitted and shall include the date, place, (name of restaurant, hotel, etc.), and the amount expended. Only meals consumed during the time of the seminar/convention will be reimbursed, not incidentally on the way to or after it.

Personal credit card statements are not sufficient documentation or proof of expense.

- b. Per Diem Rates: The Village will reimburse the traveler an amount of \$35.00 per day, (total of breakfast and lunch), for non-overnight stays and \$69.00 per day, (total of breakfast lunch and dinner), for overnight stays. The traveler will pay out-of-pocket for such meals and submit the per diem meal rate for each day of travel on his or her expense report. Any meals provided as part of the meeting/conference must be subtracted from the per diem rate. For example, if breakfast is paid for on a particular non-overnight stay, the per diem rate for that date will only be \$18.00, (\$35.00-\$17.00). Any proof that meals were or were not provided, (generally in the itinerary), must be included in the traveler's expense report.
- c. Alcoholic beverages: Under no circumstances is reimbursement allowable for alcoholic beverages.

10. TELEPHONE CHARGES

Reasonable telephone calls will be approved providing they are in connection with official Village business. One telephone call of reasonable length per day to the employee's place of residence will be allowed.

11. MISCELLANEOUS CHARGES

- a. Registration Fees. Fees for registration, tuition, admission and materials for conventions, conferences, seminars and association and organization meetings are reimbursable when supported by detailed receipts and organizational literature.
- b. Gratuities. At duly authorized conferences and conventions, other than for meals, the gratuities are generally not included in a special rate structure.
- c. Non-Reimbursable Charges. Charges for entertainment, theater tickets, gifts, in-room movies, bar tabs, newspapers, laundry and dry cleaning other personal items are not reimbursable.

12. EXEMPTION CERTIFICATES – ST-129

It is the responsibility of the employee to ensure Form ST-129 NYS Exemption Certificate is supplied where applicable for business related travel and the Village is not charged Sales Tax on hotel occupancy.

A form is attached to this policy and may be duplicated for business related travel. Additional copies may be obtained directly from the following link: www.tax.ny.gov/pdf/current_forms/st/st129_fill_in.pdf or in the alternative, from the Treasurer's office.

BY ORDER OF THE BOARD OF TRUSTEES