

**VILLAGE OF PHILMONT  
COLUMBIA COUNTY, NEW YORK**

**RESOLUTION NO. 2**

**PROCUREMENT POLICY FOR THE VILLAGE OF PHILMONT**

At a regular meeting of the Village Board of the Village of Philmont, Columbia County, New York, duly held on the 8th day of April 2024 at the Village Hall, 124 Main Street, Philmont New York, the following Resolution was proposed and seconded:

Resolution by:        Trustee Gitterman;

Seconded by:        Trustee Detzel.

**WHEREAS**, the Village recognizes that section 103 of the New York General Municipal Law requires the Village to formally advertise for bids on all contracts for the purchase of materials, supplies and equipment involving an expenditure of more than \$20,000.00 and on all contracts for the accomplishment of public works more than \$35,000.00. Said projects being subject to the “formal competitive bidding process”.

**WHEREAS**, the Village recognizes that on purchases or projects that are not subject to the “formal competitive bidding process”, section 104-b of the New York General Municipal Law allows the Village to adopt internal policies and procedures governing the procurement of goods and services so as to assure the prudent and economical use of public moneys in the best interest of the taxpayers of the Village of Philmont.

**WHEREAS**, the Village desires to review, amend and implement such a procurement policy upon the following terms and conditions as set forth herein,

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of the Village of Philmont that the Village of Philmont Procurement Policy shall be as follows:

**Guideline 1.** Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal law § 103. Every Village officer, board, department head or other personnel with the requisite purchasing authority (hereinafter “Purchaser”) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

**Guideline 2.** All purchases of supplies or equipment which will exceed \$20,000 in the fiscal year, or public works contracts over \$35,000 shall be formally bid in accordance with the provisions of 103 of the general Municipal law.

**Guideline 3.** Purchases of goods not subject to the formal competitive bidding process:

- a. All estimated purchases of LESS than \$20,000.00 but GREATER THAN \$3,000.00 shall require a written request for proposal (RFP) and written / faxed / e-mailed quotes from three (3) vendors.
- b. All estimated purchases of LESS than \$3,000.00 but GREATER THAN \$1,000.00 shall require an oral request for proposal and an oral/fax/e-mailed quote from two (2) vendors.
- c. All estimated purchases of LESS than \$1,000.00 shall be left to the discretion of the purchaser as authorized by the Village Mayor to make such purchases.

**Guideline 4.** Public works contracts not subject to the formal competitive bidding process:

- a. All estimated contracts of LESS than \$35,000.00 but GREATER THAN \$10,000.00 shall require a written request for proposal (RFP) and written / faxed / e-mailed

quotes from three (3) vendors.

- b. All estimated contracts of LESS than \$10,000.00 but GREATER THAN \$3,000.00 shall require a written request for proposal (RFP) and written / faxed / e-mailed quotes from two (2) vendors.
- c. All estimated contracts of LESS than \$3,000.00 shall be left to the discretion of the purchaser as authorized by the Village Mayor to make such purchases.

**Guideline 5.** Any written request for a proposal (RFP) shall describe the desired goods or services, and the particulars of the acquisition or task. The purchaser shall compile a list of all vendors from whom the written/faxed/oral quotes are offered. All information gathered in complying with the procedures of these guidelines shall be preserved and filed with the Village clerk.

**Guideline 6.** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares written justification providing the reason or reasons why it is in the best interest of the Village and its taxpayers to make an award other than the low bidder. If the bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

**Guideline 7.** A good-faith effort shall be made to obtain the required number of proposals or quotes. If the purchaser is unable to obtain the required number of proposals or quotes, the purchaser shall document the attempts made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline 8.** Except when directed by the Village board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. If the purchase is on State Contract through the Office of General Services (NY General Municipal Law §104);

- b. If the purchase or work is required by virtue of a public emergency arising out of an accident or other unforeseen occurrence. Services (NY General Municipal Law §103(4));
- c. For purchases of surplus or secondhand supplies, materials or equipment from the federal government, the State of New York or from any other political subdivision, district or public benefit corporation. Services (NY General Municipal Law §103(6));
- d. For purchases made under County contract Services (NY General Municipal Law §103(3));
- e. Contracts for professional services or those requiring special or technical skill, training or expertise.
- f. Sole-source situations;
- g. Where the Village of Philmont is procuring a commodity or service, whether by competitive bid or other type of procurement that is the subject of a GreenNY procurement specification that has received final approval of the NYS GreenNY Council pursuant to Executive Order No 22 (2022), the Village Clerk shall follow the GreenNY procurement specification to the maximum extent practicable and where cost is reasonably competitive as defined in the General Municipal Law § 104-a. GreenNY approved procurement specifications can be found online at <https://ogs.ny.gov/greenny/approved-greenny-specifications>.

**Guideline 9.** Every prospective purchaser of goods or public works acting in compliance with this policy should attempt to find said goods or public works from providers within the County of Columbia.

**Guideline 10.** This policy shall be reviewed annually by the Village Board at its

organizational meeting, or as soon thereafter as is reasonably practicable.

**NOW THEREFORE**, Upon question of the foregoing Resolution, the following Village Board members voted "Aye" in favor of the Resolution:

Trustee Cropper;

Trustee Gitterman;

Trustee Speed; and

Trustee Detzel.

The following Village Board Members voted "No" in opposition thereto:  
None.

The Resolution having been approved / disapproved by a majority of the Village Board, the same was declared duly adopted by the Mayor.

**WITNESS** my hand and seal of said Village this the 8th day of April 2024.

  
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Jessica Thomas, Village Clerk



**VILLAGE OF PHILMONT  
COLUMBIA COUNTY, NEW YORK**

**ADOPTING A RENEWABLE POWER PROCUREMENT  
POLICY**

**RESOLUTION NO. 3**

At a meeting of the Village Board of Trustees for the Village of Philmont, Columbia County, New York, duly held on the 8th day of April 2024 at the Village Hall, 124 Main Street, Philmont, New York, the following Resolution was proposed and seconded:

Resolution by: Trustee Gitterman;

Seconded by: Trustee Cropper.

**WHEREAS**, the Village of Philmont has a legitimate governmental interest in protecting human health within the Village and beyond; and

**WHEREAS**, carbon dioxide is regulated by the Environmental Protection Agency as a pollutant with recognized detrimental impacts on the environment and human health; and

**WHEREAS**, the Village's use of electrical power as currently supplied by New York State Electric & Gas (NYSEG) was responsible for approximately 148.7 pounds of carbon dioxide emissions in 2021, and the Village's total cost of electricity in 2021 was \$56,605.81.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board for the Village of Philmont has investigated the availability and cost of renewable electric power; and be it further

**RESOLVED**, that the Village of Philmont has, since June 30, 2016, entered into annual contracts to purchase renewable solar power for each year; and be it further

**RESOLVED**, that the Village of Philmont will continue to enter into annual contracts in all years that such clean power can be found which, when contracted, would not increase the

Village's total estimated electrical costs above such electrical costs if the electricity had been provided by NYSEG, and be it further

**RESOLVED**, that this policy goes into effect immediately.

Upon question of the foregoing Resolution, the following Board members voted "Aye" in favor of the Resolution:

Trustee Cropper;

Trustee Gitterman;

Trustee Speed; and


Trustee Detzel.

The following Board members voted "No" in opposition thereto:

None.

The Resolution having been approved by a majority of the Village Board, the same was declared duly adopted by the Mayor of the Village of Philmont.

Dated: April 8, 2024

  
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Jessica Thomas, Village Clerk  
Village of Philmont