

**PROCUREMENT POLICY FOR THE TOWN OF WESTMORELAND
2025**

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing the procurement of goods and services not subject to bidding requirements of GML §103 or any other law; and

WHEREAS, comments have been solicited from those officers of the Town involved with procurement;¹

NOW, THEREFORE, be it

RESOLVED, that the Town of Westmoreland does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML §103. Every town 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 town 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.

The Town hereby identifies the individuals listed below as responsible for purchasing, as of the date of the last annual review of this Policy:²

Charles Hebbard, Town Supervisor
Russell Young, Highway Superintendent

(The Town does not maintain a separate and distinct purchasing department or purchasing commission.)

Guideline 2. This Policy shall NOT apply to all purchases of (a) supplies or equipment which will exceed \$20,000 in the fiscal year or, (b) public works contracts over \$35,000, which shall be formally put to bid pursuant to GML §103.

Guideline 3. All estimated purchases of:
A. Less than \$20,000 but greater than \$3,000, require a written request for a proposal (RFP)³ and written/faxed quotes from at least three (3) vendors;

¹ GML §104-b(3)

² GML §104-b(2)(f)

³ Any written RFP shall describe the desired goods, quantity and particulars of delivery. The Purchaser shall compile a list of vendors from whom written/faxed/oral quotes have been requested and the written/faxed/oral quotes offered

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder.⁵ If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the Record supporting the procurement.

Guideline 5. 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 Purchaser shall document the attempt made at obtaining said quotes and/or proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

07 A motion to set the following standard workday for NYS Retirement was advanced by Councilperson Seymour and seconded by Councilperson Donley. All Board members voted AYE and the motion was declared carried.

08 A motion to adopt the following Blanket Undertaking for 2024 was advanced by Councilperson Seymour and seconded by Councilperson Rundle. All Board members voted AYE and the motion was declared carried.

RESOLUTION – AUTHORIZING BLANKET UNDERTAKING
COVERING OFFICERS, CLERKS, AND EMPLOYEES OF
THE TOWN OF WESTMORELAND – 2025

WHEREAS, pursuant to Public Officers Law §11, the Town Board is authorized to establish the amount of an official undertaking for various employees of the Town; and

WHEREAS, Public Officers Law §11(2), the Town Board is authorized to procure a blanket undertaking from any authorized corporate surety covering officers, clerks and employees in such amount as determined by the Town Board; and

WHEREAS, the Town Board has procured such a blanket undertaking through National Grange Mutual Insurance, via agent, Eastern Shore Associates, whereby the faithful performance of the duties of the officers and employees are guaranteed for the covered amounts as shown thereon; and

WHEREAS, the Town Board has reviewed said blanket undertaking which provides for coverage during the period from January 1, 2025 through December 31, 2025 and finds same sufficient in form, manner of execution, and sufficiency of surety pursuant to Public Officers Law §11(2),

NOW, THEREFORE BE IT RESOLVED, as follows:

⁵ GML §104-b(2)(e)

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. Pursuant to the authority granted in Public Officers Law, Article 2, Section 11, sub. 2, the Town Board authorizes the procurement of a commercial blanket undertaking through National Grange Mutual Insurance, via its agent Eastern Shore Associates, which undertaking shall be conditioned upon
 - a. the faithful performance of the duties of the Supervisor, Deputy Supervisor, Town Board Members, Tax and Assessment Collector, Clerk, Deputy Clerk, Codes Officer(s), Superintendent of Highways, Town Justices, Clerk(s) to Justice(s) and all other employees of the Town,
 - b. the supervisor will well and truly keep, pay over and account for all moneys and property, including any special district funds and the local school fund, if any, belonging to his town and coming into his or her hands as such supervisor,
 - c. the receiver of taxes and assessments will well and truly keep, pay over and account for all moneys and property coming into his or her hands as such receiver of taxes and assessments, including all school district taxes.
3. The individual undertakings of the Supervisor, Deputy Supervisor, Town Board Members, Tax and Assessment Collector, Clerk, Deputy Clerk, Codes Officer(s), Superintendent of Highways, Town Justices, Clerk(s) to Justice(s) and all other employees of the Town are dispensed with and the blanket undertaking sufficient in lieu thereof.