

**BOARD OF FIRE COMMISSIONERS
COLDENHAM FIRE DISTRICT
COUNTY OF ORANGE, NEW YORK**

NOTICE OF RESOLUTION 2026-4

RESOLUTION DECLARING A PUBLIC EMERGENCY PURSUANT TO NYS GENERAL MUNICIPAL LAW § 103(4) FOR EMERGENCY ACQUISITION AND PROCUREMENT OF FIRE APPARATUS

WHEREAS, the Coldenham Fire District is responsible for providing critical fire protection, rescue, and emergency medical services to the inhabitants and property within the Fire District; and

WHEREAS, General Municipal Law § 103(4) of the State of New York authorizes a fire district to waive public competitive bidding requirements when a public emergency arises from an unforeseen accident or other sudden occurrence, creating an immediate threat to public life, health, safety, or property, and requiring immediate action which cannot await competitive bidding; and

WHEREAS, on July 28, 2026, an unforeseen structure fire occurred at the fire station located at 511 Coldenham Road, Walden, NY 12586 resulting in the Fire District's primary response apparatus, specifically Utility 201, Tanker 202, Tanker (tanker/pumper) 203, Engine 204, Tower/Ladder 205, Brush 206, Fire Police 207, Rescue 208, and the 1975/90 Tanker (former tanker 202), sustained the sudden, unforeseen, and catastrophic effects of the structure fire at the Coldenham Fire House on July 28, 2026 completely rendering said apparatus inoperable and beyond immediate economic or timely repair; and

WHEREAS, the sudden loss of these critical life-saving pieces of emergency equipment creates an immediate, severe vulnerability in the Fire District's fire suppression, rescue, and emergency response capabilities, thereby creating a direct and imminent threat to the life, health, safety, and property of the residents and visitors within the Fire District; and

WHEREAS, the standard timeframe required to draft complete technical specifications, publish public notices, and await the opening and award of competitive bids would leave the community without adequate, required fire protection for an unacceptable and highly dangerous duration; and

WHEREAS, to minimize public danger and to maximize procurement flexibility under fluid market conditions, the Board of Fire Commissioners desires to authorize multiple emergency procurement paths, including purchasing a new apparatus, purchasing a used/demonstrator apparatus, or entering into an emergency lease agreement for a new or used apparatus, whichever path most rapidly restores protection to the District at a reasonable cost;

NOW, THEREFORE, BE IT RESOLVED the Board of Fire Commissioners of the Coldenham Fire District hereby formally determines and declares:

Declaration of a Public Emergency: The Board of Fire Commissioners hereby declares that a public emergency exists within the meaning of General Municipal Law § 103(4), arising from the sudden,

unforeseen loss of the aforementioned fire apparatus, which requires immediate action to protect public life, health, safety, and property.

Authorization to Waive Competitive Bidding: Due to the vital need to immediately restore emergency response baselines, the Board hereby waives formal public competitive bidding for the acquisition of replacement fire apparatus, as permitted under law.

Approved Procurement Pathways: To ensure the fastest possible acquisition, the Board hereby authorizes the Fire District to evaluate, negotiate, and execute any of the following procurement methods:

Purchase of New Apparatus: Outright purchase of a new stock, inventory, or available fire apparatus, to include apparatus currently being assembled.

Purchase of Used/Demo Apparatus: Outright purchase of a pre-owned, surplus, refurbished, or manufacturer demonstrator fire apparatus.

Lease of New or Used Apparatus: An emergency lease, lease-purchase, or rental agreement for either a new or used apparatus to provide immediate operational coverage, subject to legal counsel's review of lease-purchase financing restrictions under GML § 109-b if applicable.

Fiscal Limits and Prudent Procurement: Despite the waiver of formal bidding, district officials are directed to act prudently, seek competitive quotes from multiple vendors where practicable, and secure fair and reasonable pricing.

RESOLVED, that this resolution shall take effect immediately upon adoption.

Commissioner Wayne Jacobowitz moved, Commissioner Dan Abbatiello seconded, and the Board of Fire Commissioners voted as follows:

Commissioner Wayne Jacobowitz: -yes

Commissioner Daleann Cruver: -yes

Commissioner Daniel Abbatiello: -yes

Commissioner Frederick Stipak: -absent

Commissioner Joseph Keenan: -yes

The foregoing resolution was thereupon declared duly adopted and approved by 80 % percent of the total voting power of such Board of Fire Commissioners.

Dated: August 21, 2026


Joseph E. Keenan, Secretary
Board of Fire Commissioners
Coldenham Fire District