NEW CASTLE FIRE DISTRICT NO. 1
PROPERTY DISPOSAL POLICY

1. **Objective**: Under Town Law § 176, the Board of Fire Commissioners is permitted to sell or dispose of personal property owned by the Fire District which it determines is no longer necessary for the uses and purposes of the Fire District. The following Policy shall apply when the Board of Fire Commissioners determines to sell or dispose of personal property.

2. **Policy**: A Fire District officer or employee will make a recommendation to the Board of Fire Commissioners that a piece(s) of personal property should be disposed of because it is no longer necessary for the uses and purposes of the Fire District. The Board of Fire Commissioners will resolve at a meeting that the property identified is no longer necessary for the uses and purposes of the Fire District, determine the estimated value of the personal property (or deem that it has no value), and direct either its sale or disposal.

3. **Requirements Based on Property Value**:

   A. If the property has a value, the Board of Fire Commissioners will follow the authorization procedure required by Town Law § 176:

      (1) If the property is valued at under $10,000.00, the Board of Fire Commissioners can dispose of the property via a resolution of the Board.

      (2) If the property is valued between $10,000.00-$49,999.99, the Board of Fire Commissioners can dispose of the property via a resolution, subject to permissive referendum.

      (3) If the property is valued at $50,000.00 and over, the Board of Fire Commissioners can dispose of the property via a resolution, subject to mandatory referendum.

4. **Sale of Item**:

   A. If the item is to be sold, the individual will select a method of sale with approval of the Board of Fire Commissioners that will obtain maximum value for the item. Competitive sale is not required but should be considered, and the needs of another municipal entity or not for profit entity may be considered.

   B. The individual may elect to use the services of a personal property sales broker, provided that he/she obtains approval from the Board of Fire Commissioners and obtains an approved written contract from the broker.

C. Final sales terms and the purchaser will be subject to the approval of the Board of Fire Commissioners.

5. **Markings**: Fire District staff shall remove all identifying markings from equipment sold.

6. **Donation**: The Board of Fire Commissioners may elect to donate personal property to another municipal entity or a not-for-profit corporation if it determines that the public interest, greater good, and best interests of Fire District will be served by such action.

7. **Lack of Value**: The Board of Fire Commissioners may determine that certain personal property has no value and should be discarded as trash. Fire District staff will follow the directions of the Board of Fire Commissioners in disposing of personal property.

8. **Personal Property**: Personal property assigned to Fire District and Fire Department officers, employees, and members will be returned to the Fire District upon completion of use, termination of the need to possess the equipment, completion of term of office, suspension, leave of absence, and/or separation from service. Personal property may not be retained by such personnel.

9. **Sale of Personal Property Prohibited**: Personal property may not be sold or given to Fire District officers and/or employees. Personal property may not be sold or given to a Fire Department officer or member who was assigned the use of the property. Otherwise, Fire Department officers or members may bid to purchase surplus personal property.

10. **Surplus Personal Property**:

A. The Board of Fire Commissioners reserves the right to give surplus personal property to Fire District and Fire Department officers, employees, and/or members as part of a service award such as attaching a helmet to a plaque, permitting a member to retain a dress uniform in recognition of service, etc.

B. The Board of Fire Commissioners also reserves the right to permit Fire District and Fire Department officers, employees, and/or members to retain a cellular phone which it determines to be no longer necessary for Fire District uses and purposes and which it determines to have no value.

C. The Board of Fire Commissioners also reserves the right to assist with turning over a cellular telephone number for the personal use of an official, employee, or member at such person's personal expense when the phone is removed from being a Fire District charge.

11. **Amendment**: The Board of Fire Commissioners may amend this Policy from time to time in accordance with the law.

12. **Adoption**: This Policy is adopted on June 20, 2024 and supersedes any previous versions of this policy.