Stillwater Fire District
Stillwater, New York

Fire District Policy and Procedure **Policy Number: 3 of 2007**

Policy Name: **Disposal of Surplus Fire District Property**

Date Issued: **January 8th, 2007**

Effective: **January 8th, 2007**

Revised: _____

Review Date: **January 2017**

I. PURPOSE

A. The purpose of this policy is to provide guidance on the sale of fire district property as provisioned by section 176(23) of Town Law.

II. POLICY

A. Section 176(23) of the Town Law states that if the value of the fire district property declared as surplus is less than $10,000 the Board of Commissioners need to pass a resolution at a meeting declaring the item to be surplus and then dispose of it so as to maximize the return to the district.

B. If the value of an item declared as surplus is over $10,000. but less than $50,000 the Board shall then publish a copy of the Board's resolution within 10 days stating that it was adopted subject to a permissive referendum pursuant to section 6-g of the General Municipal Law.

   i. Permissive Referendum: If resident taxpayers owning 25% of the residential real property within the district do not come forward with a petition within 30 days demanding a mandatory referendum the Board may dispose of the item obtaining the maximum value for the district.

C. If the surplus item is valued over $50,000 the Board must initiate a mandatory referendum to the voters at a special election or at a regular Fire District election and then obtain the maximum return to the district.

By Order of Board of Fire Commissioners – Stillwater Fire District

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Chairman Board of Fire Commissioners