

# ENDWELL FIRE DISTRICT

<b>ANNUAL FIREFIGHTERS' INSPECTION DINNER POLICY AND PROCEDURE</b>	
<b>Number: 2023-38</b>	<b>Adopted: August 23, 2023</b>

The annual dinner held in order to perform a public inspection of the uniformed members of the volunteer fire department, perform a ceremonial installation of officers, and recognize members and officers for their service to the community in the past year is an expense that is authorized by statute. Section 176-d of the Town Law states that "Notwithstanding any other provision of law to the contrary, a fire district may include as part of its budget an appropriation to fund an annual fireman's inspection dinner for each fire company within the fire district."

In order to achieve savings for the fire district, the Board combines the annual dinner for all fire companies into one dinner for the entire fire department.

The Board of Fire Commissioners will plan an inspection dinner each year and will take input from the Office of the Chief of Department and a fire department committee if one is formed by the Chief.

No contracts or agreements with vendors of goods and/ or services relative to this dinner will be entered into by the Office of the Chief, any chief officer, the fire department committee, or any member of the committee. The work of the Office of the Chief of Department and any fire department committee in assisting in the development of a plan and schedule for the dinner shall be advisory only.

The final decision on all plans for the dinner shall be made by the Board of Fire Commissioners.

The final decision on all contracts and agreements with vendors for the dinner shall be made by the Board of Fire Commissioners.

## **Scheduling of the Dinner**

The first decision that must be made by the Board relates to the scheduling of the dinner. However, a schedule cannot be set until a catering facility is reserved since the catering facilities have more difficulty in providing an acceptable weekend date than the fire district and fire department. If the dinner is to be held at the firehouse, the availability of the hall and a caterer is also a scheduling issue. Thus, scheduling the dinner involves selecting the site/ facility and the caterer.

## **Selecting the Catering Facility**

The Board will endeavor to select a catering facility at which the dinner will be held. It must pick a facility and negotiate a contract that involves reserving the room or rooms for a particular date and time. The Board must negotiate a contract with the catering facility that results in reserving the room or rooms for a particular date and time and also sets the prices the Board will pay for the dinners and other goods and services the district will be paying for. The cost of the dinners and the goods and services that the district is paying for should be fully listed and itemized in the contract.

In the event that after negotiating the agreement, management at the facility offers to add goods and services to the affair at no additional charge in order to recognize the volunteer fire service, such an additional offer should be stated in the contract.

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The contract will require a down payment and other payment terms. The Board will endeavor to obtain the lowest down payment requirement possible. It must balance the general policy to avoid paying for goods and services in advance of their receipt with the industry standard of requiring a down payment with forfeiture terms in order to reserve a date at a facility.

To the extent possible, the Board will endeavor to obtain payment terms that permit payment of the balance at the conclusion of the event so that the Board is in a position to negotiate price concessions for any failure of the facility to meet its obligations under the contract.

The contract should establish the terms of any gratuity payment requirements so that gratuities paid on the evening of the affair reflect the prior agreement of the parties.

The contract should establish the maximum number and minimum number of guests for the function, and to the extent possible, the Board will endeavor to secure a facility that is adequate to handle the size of the crowd anticipated while at the same time obtaining the lowest minimum number of guests it must contractually guarantee.

At least three written quotes should be obtained from catering facilities and reviewed by the Board before an award of the contract is made.

In selecting a catering facility, the Board recognizes that such selection is not amenable to competitive bidding since each facility is unique and offers unique services, atmosphere, etc. Even in taking quotes, the Board recognizes that the lowest quote may not be the best choice for the dinner because of aspects of the decision that do not relate to price. Nevertheless, obtaining quotes provides the Board with an idea of the marketplace for catering services and may also place the Board in a position to negotiate a lower price from the desired facility.

### **Service of Alcohol at the Dinner**

The Board is aware of the continuing legislative controversy surrounding the provision of alcohol at inspection dinners and the use of public money to pay for the alcohol. The Board is also aware of a bill that was proposed in 2006 in the Assembly that would have made alcohol an impermissible expense for this type of dinner and notes that this legislative proposal is evidence of the fact that there is no current legal impediment to the inclusion of alcohol in the fare served to attendees at the dinner. Section 176-d of the Town Law contains very limited guidance on this and other issues related to the dinner.

The Board has also been advised that the Office of the State Comptroller has conceded that these dinners are the one exception to the general rule against the use of public money to purchase alcohol. The Board will abide by future legislative action in this regard and would prefer that vendors provide the service of alcohol at no additional charge if it is to be offered by vendors for the dinner.

In the event that alcohol is served, the catering facility will be required to enforce all state laws relative to the service of alcohol, and fire district and department personnel will be held

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accountable to rules that relate to the service of alcohol at department and district functions including rules that relate to members, officers, and employees under the age of 21 years.

## **Development of Guest List**

The Board of Fire Commissioners will develop a guest list with input from the Office of the Chief of Department and a fire department committee if one is formed by the Chief.

All members in good standing and ex-chiefs of the fire department will receive an invitation to the dinner, entitling them to bring a spouse or guest. With the exception of the guests permitted for chief officers, no guests will be permitted who are under the age of 18 years.

The chief of department and assistant chiefs of the department will be given a special number of additional invitations for the dinner for friends and family that will permit them to have certain other guests present to assist them in enjoying the honors to be bestowed upon them at the dinner.

The Board will invite certain district employees and consultants with guests in the event that it determines their presence is required in order to properly recognize chief officers to be installed and other firefighters to be honored.

The Board will invite commissioners and chiefs from other fire districts and fire departments, town, county, and state officials, local police department representatives, representatives from state and county firematic organizations, and other members of the community (with a guest as the Board deems appropriate) in the event that it determines their presence is required in order to properly recognize chief officers to be installed and other firefighters to be honored.

At the completion of the guest review process, a written list of invitees will be established and added to the district file for the dinner.

This policy shall not establish a right for any person to attend the dinner, and the Board shall have the discretion not to invite or to withdraw an invitation given to any person.

Invitations will be sent out, and responses will be recorded, with a final result in writing placed in the district file for the dinner.

An attempt will be made to take attendance at the dinner in order to record who actually attended and to verify a "head count" for the purpose of verifying the final charge made by the catering facility.

A final report of the names of attendees who actually attended should be placed in written form in the dinner file.

The Board reserves the authority to expand the guest list if it determines prior to the dinner that it will be unable to meet the minimum guarantee of dinners that must be paid for as a result of the invitations sent out and the responses received.

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## **Additional Goods and Services for the Dinner**

The Board shall utilize the district purchasing and procurement procedure in order to select vendors to provide additional goods and services for the dinner. To the extent, practical, three written quotes will be received for each of the following:

1. Entertainment. The Board will endeavor to select a band, DJ, or other entertainer to provide entertainment at the catering facility for attendees. The Board is aware that this type of service is artistic in nature and that price may not be the determining factor, but it will nevertheless consider multiple bids for services and seek the input of the Office of the Chief of Department and a fire department committee if one is formed by the Chief.
2. Programs and Invitations. The Board will use normal purchasing practices in order to obtain the production and supply of dinner programs and invitations. The Board is aware that this type of service is artistic in nature and that price may not be the determining factor, but it will nevertheless consider multiple bids for services and seek the input of the Office of the Chief of Department and a fire department committee if one is formed by the Chief.
3. Photography. The Board will use normal purchasing practices in order to obtain still photography and videotaping services for the dinner to the extent it deems such services necessary. The Board is aware that this type of service is artistic in nature and that price may not be the determining factor, but it will nevertheless consider multiple bids for services and seek the input of the Office of the Chief of Department and a fire department committee if one is formed by the Chief.
4. Flowers. The Board will use normal purchasing practices in order to obtain the production and supply of flowers for the dinner. The Board is aware that this type of service is artistic in nature and that price may not be the determining factor, but it will nevertheless consider multiple bids for services and seek the input of the Office of the Chief of Department and a fire department committee if one is formed by the Chief.

The Board will consider other goods and services to be added to the dinner based upon a recommendation from the Office of the Chief of Department and a fire department committee if one is formed by the Chief. To the extent that new features are added, the Board will conduct an annual review of this policy and make necessary amendments.

## **Service Awards for Personnel**

The Board will consider purchasing items to be awarded to volunteer members and officers of the department recognizing their services and achievements during the past year(s) and will consider the recommendation from the Office of the Chief of Department with regard to identifying personnel to be recognized and to selecting the actual awards. To the extent possible, the Board will use normal purchasing policies to purchase the service awards.

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## **Cost Control**

The Board is aware that these dinners are expensive and that the market created by other types of functions which use these same facilities causes the costs associated with using the facilities and services at the facilities to be greater. The Board firmly believes in providing a quality dinner each year in order to properly recognize the hard work, dedication, and achievements of the officers and members of the Department, but also recognizes that costs must be contained in designing these dinners. The Board will look each year to find ways to save money and reduce the costs associated with these dinners.

## **Annual Review of Policy**

The Board will conduct an annual review of this policy and make necessary amendments.

The adoption of the foregoing policy in the form of a resolution was duly put to a vote, and upon roll call, the vote was as follows:

Chairman Carlton "Andy" Anderson	AYE
Commissioner Donald "Don" Battaglini	AYE
Commissioner Mark Storm	AYE
Commissioner Michael Hamzik	AYE
Commissioner Michael Lewis	AYE

The resolution was thereupon duly adopted.

Dated: Endwell, New York  
August 23, 2023

Adopted: August 23, 2023