

**ENDWELL FIRE DISTRICT**  
**Rules and Regulations**

<b>RECORD RETENTION AND DESTRUCTION POLICY</b>	
<b>Number: 2023-09</b>	<b>Adopted: January 04, 2023</b>

**POLICY STATEMENT**

1. It is the policy of the Endwell Fire District (“Fire District”) to (a) ensure that records are retained as long as needed for administrative, legal, and fiscal purposes; (b) ensure that state and federal record retention requirements are met; (c) ensure that records with enduring historical and other research value are identified and retained permanently; and (d) encourage and facilitate the systematic disposal of unneeded records.

**AUTHORITY**

2. The authority for this Policy is 8 NYCRR Part 185; Arts and Cultural Affairs Law Article 57-A and as otherwise provided by law.

**RECORDS MANAGEMENT OFFICER**

3. The Board of Fire Commissioners of the Fire District (“Board”) has designated the Fire District Secretary the Records Management Officer of the Fire District pursuant to Arts and Cultural Affairs Law section 57.19 as part of its FOIL Policy.

**RECORDS RETENTION AND DISPOSITION SCHEDULE LGS-1**

4. The Fire District shall dispose of applicable records in accordance with the NYS Department of Education Retention and Disposition Schedule for New York Local Government Records 2020, (“LGS-01”) and as promulgated by the NY State Archives as such applies to Fire District records pursuant to Arts and Cultural Affairs Law 57.25(2).

**RECORDS CREATED BEFORE 1910**

5. Disposition of records created before 1910 requires specific written approval from the New York State Commissioner of Education pursuant to 8 NYCRR 185.6(c). State Archives shall be contacted to determine appropriate action as to such records. This provision shall also apply to the disposition of original records predating 1910 which have been reproduced by microphotography or other means.

**RECORDS NOT LISTED IN LGS-1**

6. For records not listed in Schedule LGS-1 the Records Management Officer, or the custodian of the record, shall contact State Archives to determine if it is indeed covered by Schedule LGS -1 and if a legal minimum retention period has been established. If not, State Archives will assist local governments and officials and advise the Fire District on the disposition of the records.

**RECORDS OF HISTORICAL OR OTHER SIGNIFICANCE**

7. The fire service is filled with rich historical and other traditions which can be important reference points for the community generally and the fire service specifically. Such history and tradition may be present in records that might otherwise be disposed of or destroyed under this Policy. As a result, special care and consideration should be given by the Records

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Management Officer to determine which records shall be destroyed even when authorized by Schedule LGS -1.

8. Prior to the destruction of any record, the Records Management Officer shall advise the Board of Fire Commissioners of the pending destruction of such record in order to provide an opportunity to evaluate whether such record holds any historical or other intrinsic value to the Fire District.
9. Where the Board finds that such is the case, the record shall be preserved as determined by the Board. Otherwise, the Board shall order the destruction of such record in a manner approved herein or as otherwise ordered by the Board.
10. A determination by the Board as to the historical or other significance of any particular record shall not bind the future destruction of other records.

**RETENTION AND DESTRUCTION**

11. The Records Management Officer of the Fire District shall annually review the records of the Fire District and shall, by February 15<sup>th</sup> of each year, identify those Fire District records for disposal pursuant to this Policy.
12. Where a record is required to be retained by the LGS -1 schedule or as otherwise provided by law or this Policy, it shall be done in a manner to protect the integrity of the record for the life of the record under such schedule or otherwise.
13. Where a record has been authorized for destruction, it shall be physically destroyed by shredding or other methods to protect the information in a such destroyed record from further use or identification.

**AMENDMENT**

14. The Board of Fire Commissioners may amend this Policy from time to time in accordance with the law.

Reviewed and Adopted: January 04, 2023  
Reviewed and Adopted: January 5, 2022  
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Board of Fire Commissioners