

CHAPTER 779

AN ACT to amend chapter ten hundred seventeen of the laws of nineteen hundred sixty-three, entitled "An act to establish the Uniondale public library district in the town of Hempstead, Nassau county," in relation to the Uniondale public library district, in the town of Hempstead, Nassau county

Became a law April 22, 1964, with the approval of the Governor. Passed, by a majority vote, three-fifths being present

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections two, three, four, five and six of chapter ten hundred seventeen of the laws of nineteen hundred sixty-three, entitled, "An act to establish the Uniondale public library district, in the town of Hempstead, Nassau county," are hereby amended to read as follows:

§ 2. The several lots and parcels of land within the area of said public library district are hereby determined to be benefited by the library facilities and services existing as of the effective date of this act and [the town board of the town of Hempstead is hereby authorized to assess, levy and collect] the necessary expenses of operation, maintenance and repair of such facilities and services and such capital improvements as may be hereafter authorized pursuant to the provisions of this act *shall be assessed, levied and collected* from such lots and parcels of land in the same manner and at the same time as other town charges.

§ 3. The board of trustees of the public library of said union free school district number two, town of Hempstead, in office on the effective date of this act shall constitute the board of trustees of the Uniondale public library district herein established. *Each such trustee of the district herein established shall continue to hold office as such for the balance of his term as trustee of such school district*

library and until his successor is elected. Thereafter, on the first Tuesday of December in each calendar year in which the term of any such trustee shall expire, an election shall be held for a trustee to succeed such trustee for a term of five years commencing the first day of January next succeeding such election.

The trustee shall give notice thereof by the publication of a notice once in one or more newspapers having a general circulation in the district. The first publication of such notice shall be not less than thirteen days and not more than twenty days prior to the date of such election. In addition, the trustees of such district shall cause copies of such notice to be posted conspicuously in five public places in the district at least thirteen days prior to the date of such election. Such notice shall specify the time when and the place where such election will be held, the officers to be elected thereat and their terms of office, and the hours during which the polls will be open for the receipt of ballots. The trustees of such district shall prepare the ballots for all elections of trustees and the polls shall remain open for the receipt thereof at all elections from seven o'clock in the evening until ten o'clock in the evening and such additional consecutive hours prior thereto as the trustees may have determined and specified in the notice thereof. The trustees shall designate a resident taxpayer of such district to act as chairman of any election of said district and shall designate not less than two nor more than four resident taxpayers to act as election inspectors and ballot clerks at such elections. No trustee shall serve as such chairman or as an election inspector or ballot clerk. The trustees may adopt a resolution providing that such chairman, election inspectors and ballot clerks shall be paid for their respective services at any such annual election or at any special election. Such resolution, if adopted, shall fix the amount of such compensation but the amount shall not exceed ten dollars for each such official.

Every elector of the town who shall have resided in the district for the period of thirty days next preceding any election of trustees shall be qualified to vote.

Every trustee must at the time of his election or appointment and throughout his term of office be (1) a resident elector of such district and (2) the owner of property within such district assessed upon the latest completed assessment roll of the town of Hempstead.

After the polls shall have been closed at any election held for the election of trustees the election inspectors and ballot clerks shall immediately canvass publicly the ballots cast and the chairman of the election shall publicly announce the result. Within twenty-four hours thereafter, the chairman, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvass with the trustees and with the town clerk.

If the number of voters is so great as to render it inexpedient or impossible to conduct the election at one polling place, the trustees may divide the district into election districts and provide a polling

place for each such election district, provided, however, that the number of election districts shall not exceed one for each six hundred electors plus one for a remaining fraction of six hundred. In such event, the notice specified in subdivision one of this section shall describe the election districts and state where the polling places will be located, and the trustees shall designate not less than two nor more than four resident taxpayers to act as election inspectors and ballot clerks at each such polling place. The trustees may adopt a resolution providing that such election inspectors and ballot clerks shall be paid for their respective services at any such annual election or at any special election of the district. Such resolution, if adopted, shall fix the amount of such compensation but the amount shall not exceed ten dollars for each such official. No trustee shall serve as an election inspector or ballot clerk.

§ 4. Except as herein otherwise provided said Uniondale public library district shall constitute an improvement district within the meaning of the town law and title two of chapter two of chapter two hundred seventy-three of the laws of nineteen hundred thirty-nine, constituting the Nassau county civil divisions act, and shall be subject to all of the provisions thereof relating to improvement districts except such as are inconsistent with the provisions of this act.

§ 5. Except as otherwise provided by this act, the provisions of the education law relating to public libraries established by the electors of a school district and the trustees of such public libraries shall be applicable to the public library district herein established.

§ 6. The facilities of said Uniondale public library district shall not be increased or improved or reconstructed nor shall additional facilities or lands be acquired nor shall obsolete, inadequate, damaged, destroyed or worn out apparatus and equipment be replaced nor shall additional apparatus and equipment be acquired unless the town board shall determine same to be in the public interest after a public hearing called and held in the manner prescribed in and in accordance with section [one hundred ninety-three] two hundred sixteen of the town law [provided that no such public hearing shall be called unless the purpose thereof shall have been requested and approved in writing by a majority of the trustees of such district]. The purchases of books, magazines, newspapers, writings and other types of literature, recordings, visual aids, films and other materials and equipment generally used in the operation of a public library and for which provision has been made in the district budget or for which surplus funds or unexpended balances are available shall not be deemed to require the procedure herein prescribed. The town board may, on the written request of the trustees of said district, acquire by purchase, condemnation or otherwise on behalf of and in the name of the district such real property or interests therein as may be in the public interest.

§ 2. This act shall take effect immediately.