

Commack Public Library—Establishment

CHAPTER 744

An Act to amend chapter one thousand nine of the laws of nineteen hundred sixty-six, entitled "An act to provide for the establishment of the Commack public library in the town of Huntington, Suffolk county".

Approved and effective May 22, 1969.

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

Section 1. Chapter one thousand nine of the laws of nineteen hundred sixty-six, entitled "An act to provide for the establishment of the Commack public library in the town of Huntington, Suffolk county" is hereby amended to read as follows:

Section 1. Establishment of library. Notwithstanding the provisions of any general or special law to the contrary, the town board of the town of Huntington, Suffolk county, is the qualified voters of union free school district number ten of the towns of Huntington and Smithtown residing within the town of Huntington are hereby authorized, acting by a majority vote of the members of such town board, of such voters present and voting at an election which shall be called by the board of education of such union free school district whenever twenty-five taxpayers shall so petition to establish a public library, to be known as the Commack public library, which shall serve all the territory that lies

within union free school district No. 10 number ten as the same is located within the town of Huntington only, Suffolk county, situate in the unincorporated area of the town of Huntington.

§ 2. Election required. Such town board shall not establish the library as hereinbefore authorized unless such establishment of the library is approved by a majority of the residents of the area to be served by said public library who are electors of said town and who own real property assessed on the most recent assessment roll of said town voting in an election held in said town pursuant to article six of the town law.

§ 3. The trustees shall be appointed by said town board elected by the residents of the area to be served by such library who are qualified voters of union free school district number ten of the towns of Huntington and Smithtown, Suffolk county, as provided in section two hundred sixty of the education law, provided that every trustee must at the time of his appointment and throughout his term of office be (1) a resident of the area to be served by such public library (2) an elector of such town and (3) the owner of property within the area served by such library assessed upon the latest completed assessment roll of the town of Huntington a qualified voter of such school district, and reside within the area to be served.

§ 4. § 3. Application for charter. The duly appointed elected trustees shall, within thirty days after the town board shall voters establish the library as hereinbefore authorized, apply to the board of regents for a charter as a public library. Except as is otherwise provided by this act, the trustees shall, upon receiving such a charter, have the powers of trustees of a public library as set forth in the education law.

§ 5. The necessary expenses of operation, maintenance and repair of such facilities and services and the cost of improvements shall be paid for by taxes assessed, levied and collected from the several lots and parcels of land in the area to be served by said public library in the same manner and at the same time as other town charges.

The costs of improvements may be financed pursuant to the local finance law and in such case the town board shall raise annually by tax a sum sufficient to pay the interest and the principal of obligations issued to finance such improvement, if not otherwise paid, as the same shall become due; such tax shall be assessed, levied and collected from the several lots and parcels of land within the area to be served by such public library in the same manner and at the same time as other town charges.

4. a. The qualified voters of union free school district number ten of the towns of Huntington and Smithtown, residing within the town of Huntington, shall have power by a majority of those present and voting at an annual or special meeting of the qualified voters of such school district residing in the town of Huntington, to vote a tax on the taxable property of such school district located in the town of Huntington, for the purpose of paying the necessary expense of operation and maintenance of such public library including capital improvements. Such sum so voted shall be assessed and levied against the taxable property of said school district situated within the town of Huntington, and shall be collected in the same manner as other school district taxes.

b. Union free school district number ten in the towns of Huntington and Smithtown may acquire real or personal property for library purposes for the library created pursuant to this act. The qualified voters

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of such school district residing within the town of Huntington, when such voters shall have established a public library under the provisions of this act, may determine, at a duly called special meeting of such voters by majority of the voters present and voting on the proposition, to levy a tax to be collected in installments for the purchase or condemnation of a site and the erection thereon of a library building, or the erection of a library building on land acquired otherwise than by purchase or condemnation, or for the purchase of land and a suitable building thereon and the making of necessary alterations and additions and the equipping of such building for use as a library. Any such tax so voted shall be assessed and levied against the taxable property of union free school district number ten of the towns of Smithtown and Huntington situated within the town of Huntington and shall be collected in the same manner as other school district taxes.

§ 6. 5. Except as otherwise provided by this act the provisions of the education law relating to public libraries established by ~~town~~ school districts and to the trustees of such public libraries shall be applicable to the public library established as herein provided and the trustees thereof.

§ 7. 6. This act shall take effect immediately.

§ 2. This act shall take effect immediately.