

CHAPTER 116

AN ACT to amend a chapter of the laws of 1994, as proposed in legislative bill number S. 6691 relating to establishing a public library district in the town of Esopus, Ulster county, in relation to the name of such library

Became a law May 24, 1994, 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. Subdivision 1 of section 2, subdivision 2 of section 4, and section 5 of a chapter of the laws of 1994, relating to establishing a public library district in the town of Esopus, Ulster county, as proposed in legislative bill number S. 6691, are amended to read as follows:

1. The public library district herein described shall not come into existence unless and until it is approved and the initial proposed budget is approved by a vote of the majority of the qualified voters voting in an election held pursuant to the following provisions. Upon receipt of a petition signed by not less than twenty-five voters qualified to vote at a general town election, the board of trustees of the [Town of Esopus] Port Ewen free library shall give notice of an election to be conducted on the first Tuesday in June of 1994. At said election the issues shall be:

(a) whether the public library district herein described shall be created or not;

(b) whether the budget therefor proposed by the board of trustees of the [Town of Esopus] Port Ewen free library shall be approved or disapproved; and

(c) the election of nine trustees as hereinafter provided. The trustees of the [Town of Esopus] Port Ewen free library shall give notice of said election by the publication of a notice in one or more newspapers having a general circulation in the town of Esopus. 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 board of trustees of the [Town of Esopus] Port Ewen free library shall cause copies of such notice to be posted conspicuously in five public places in the town 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 issues to be decided at said election and the hours during which the polls will be open for receipt of ballots. The board of trustees of the [Town of Esopus] Port Ewen free library shall prepare the ballots for such elections and the polls shall remain open for the receipt thereof at all elections from four o'clock p.m. until ten o'clock p.m., and such additional consecutive hours prior thereto as the board of trustees may have determined and specified in the notice thereof. The board of trustees shall designate a resident taxpayer of such district to act as chairman of any election of such 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 board of trustees may adopt a resolution providing that such chairman, election inspectors and ballot clerks shall be paid for their respective services at the initial election or at any annual election or at any subsequent special election. Such resolution, if adopted, may fix reasonable compensation for the services of each such official. Every voter of the town of Esopus otherwise qualified to vote at a general town election shall be qualified to vote at said election. After the polls have been closed at said election, 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 seventy-two hours thereafter, the chairman, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvass with the board of trustees and with the town clerk of the town of Esopus.

2. The board of trustees shall annually file with the clerk of the town of Esopus in the time and for the purposes specified in section 104 of the town law an estimate of the proposed budget including costs of

library services to be raised by levy for the library district in the year beginning with the succeeding first day of January. The town board shall not make any change in the estimate of revenues or expenditures submitted by the board of the public library district in preparation of its preliminary budget as required by section [107] 106 of the town law.

§ 5. Charter, commencement of operations, and transfer of property and employees. The initial trustees shall, within thirty days from the date of approval of the public library district by the voters of the district, apply to the board of regents for a charter as a public library.

Upon the granting of such a charter by the board of regents, then title to all personal property, tangible and intangible, now held by the [Town of Esopus] Port Ewen *free* library shall be transferred to, vest in, and be acquired by the public library district hereby established. Upon the granting of such a charter by the board of regents, all employees of the [Town of Esopus] Port Ewen *free* library shall become employees of the public library district upon the same terms and conditions of employment and at the same rate of pay as their previous employment by the [Town of Esopus] Port Ewen *free* library.

§ 2. This act shall take effect on the same date as a chapter of the laws of 1994, relating to establishing a public library district in the town of Esopus, Ulster county, as proposed in legislative bill number S. 6691, takes effect.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is old law to be omitted.