

Hempstead, Town of—Roosevelt Public Library District

CHAPTER 840

An Act to establish the Roosevelt public library district, in the town of Hempstead, county of Nassau.

Approved May 18, 1970, effective July 1, 1970.

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

Section 1. Notwithstanding the provisions of any general, special or local law to the contrary, there is hereby created and established in the town of Hempstead, county of Nassau, a public library district, to be known as the Roosevelt public library district, which shall include all the territory within union free school district number eight, town of Hempstead, county of Nassau, situate in the unincorporated area of the town of Hempstead.

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§ 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 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 eight, town of Hempstead, in office on the effective date of this act shall constitute the board of trustees of the Roosevelt 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 a resident elector of such district.

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 Roosevelt 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 Roosevelt 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 two hundred sixteen of the town law. The purchase 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.

§ 7. Title to all library property now held by the board of trustees of said public library of union free school district number eight, town of Hempstead, shall be transferred to and acquired by the board of trustees of the Roosevelt public library district created and established pursuant to this act on the effective date hereof.

§ 8. The board of trustees of the Roosevelt public library district shall annually file with the town clerk, at the time specified in section one hundred eleven of the town law, an estimate of the proposed expenditures and capital outlay to be raised by taxes, of the library for the year beginning with the succeeding first day of January. The town board may, however, reduce the total specified in such estimate and shall levy taxes for the total of the expenditures as approved by said town board less any estimated revenues.

§ 9. The board of trustees of Roosevelt public library district may, after the effective date of this act and prior to January first, nineteen hundred seventy-one, file with the town board estimates of the necessary

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expenses for operation and maintenance of the library incurred or to be incurred prior to the first levy of taxes for such library. The town board may reduce the total amount of the estimates. The town board shall authorize the presiding supervisor of the town of Hempstead to pay over to the treasurer of Roosevelt public library district the amount of the estimate as finally approved. The town may issue tax anticipation notes pursuant to subdivision two of paragraph d of section 24.00 of the local finance law to obtain the necessary moneys therefor. The board of trustees of Roosevelt public library district may accept on behalf of the district any gift, devise or bequest of real and personal property.

§ 10. All taxes, assessed, levied and collected, for the library except as is hereinafter provided for debt service and except as is provided in subdivision one, and all state aid or other aid for the library shall be paid to the treasurer of the library. The treasurer shall within ten days deposit such moneys in such national or state banks or trust companies as may be designated by the board of trustees, to be withdrawn only by the treasurer upon the authorization of the trustees. Such designation and deposit shall release such treasurer and his sureties from any liability for loss of such moneys by reason of the default or insolvency of any such depository.

§ 11. Officers of the library. The trustees shall at their first meeting each year, elect or appoint a president and vice president, who shall be members of the board and a clerk, treasurer and such other officers as they deem necessary. The clerk and treasurer shall not be members of the board and shall be entitled to receive compensation as fixed by resolution of the trustees.

§ 12. This act shall take effect July first, nineteen hundred seventy.