

STATE OF NEW YORK

5776--B

Cal. No. 1113

2017-2018 Regular Sessions

IN SENATE

April 28, 2017

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend chapter 924 of the laws of 1941 relating to legalizing acts and proceedings of the town board of the town of Southold, Suffolk county relating to the establishment of the Mattituck park district, in relation to appointment of a treasurer by the park commissioners

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

1 Section 1. Sections 1 and 2 of chapter 924 of the laws of 1941 relat-
2 ing to legalizing acts and proceedings of the town board of the town of
3 Southold, Suffolk county relating to the establishment of the Mattituck
4 park district, section 1 as amended by chapter 459 of the laws of 2009,
5 are amended to read as follows:
6 Section 1. The Mattituck park district in the town of Southold,
7 Suffolk county, heretofore established by the town board of the town of
8 Southold pursuant to the petition of resident taxpayers of the district,
9 is hereby continued as a public park district in said town. The legal
10 voters of the district, as determined by the Suffolk county board of
11 elections list of eligible voters in effect as of the previous general
12 election, shall elect three residents of such park district thereof to
13 be the park commissioners, for terms of one, two and three years respec-
14 tively[~~;~~ ~~and~~]. The park commissioners shall [~~also elect~~] appoint a trea-
15 surer in such park district [~~for a term of three years,~~] who shall be
16 entitled to receive and have custody of the funds of the district and
17 pay out the same for the purposes herein provided for, on the order of

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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1 the park commissioners. The treasurer, before entering upon the duties
2 of his or her office, shall give such security for the safe-keeping and
3 lawful application of the funds of the district as the town board of the
4 town of Southold may require. Additional security shall be given from
5 time to time for the safe-keeping and lawful application of the proceeds
6 of town bonds or certificates of indebtedness issued and sold for any
7 improvement or acquisition of land voted by residents of the district
8 and approved by the town board of the town. The commissioners constitut-
9 ing the board of park commissioners, elected pursuant to chapter sixty-
10 one of the laws of nineteen hundred twenty-four, now in office, shall
11 constitute the board of park commissioners herein provided for until the
12 expiration of their present terms, respectively, and the present incum-
13 bent of the office of the treasurer of said district shall continue to
14 be the treasurer of said district until the expiration of his or her
15 term and until his or her successor is [~~elected~~] appointed and has qual-
16 ified. The park commissioners shall receive no compensation for their
17 services, but shall be reimbursed for their expenses actually and neces-
18 sarily incurred by them in the performance of their duties hereunder.
19 The treasurer shall receive [~~a~~] compensation to be fixed by the park
20 commissioners within the amount authorized by the residents of the
21 district. The park commissioners may employ a secretary and such other
22 employees and technical assistants as may be necessary and fix their
23 compensation within the amount provided therefor. Residency within the
24 Mattituck park district shall be determined by the voter's address as
25 set forth on the Suffolk county board of elections list of eligible
26 voters in effect as of the previous election and shall be within the
27 boundaries of the Mattituck park district as set forth in this chapter.

28 The annual estimates of amounts necessary to provide for the operation
29 of the park district shall include estimates of amounts necessary to pay
30 the salary of the treasurer and expenses of the park district for
31 personal service of employees and expenses of the park commissioners,
32 and the amount or amounts approved and voted by the residents of the
33 district shall be included and raised by tax on taxable real property of
34 the park district.

35 § 2. The secretary of the park district, not less than thirty days
36 prior to the expiration of the term of office of any such commissioner
37 [~~or of the treasurer~~], shall call an election by posting notices of the
38 election conspicuously in at least four of the most public places in
39 said district and publishing the same in a newspaper published in the
40 town of Southold for two weeks immediately preceding the election. Each
41 notice of an election hereunder shall specify the offices to be filled
42 and the date, hour and place of the election. Special elections to fill
43 vacancies shall be called in the same manner, within thirty days after
44 any such vacancy shall occur. All elections shall be by ballot.

45 § 2. This act shall take effect immediately.