

STATE OF NEW YORK

5473

2019-2020 Regular Sessions

IN SENATE

May 1, 2019

Introduced by Sens. MARTINEZ, BOYLE -- read twice and ordered printed,
and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law, in relation to compensation of chairman,
election inspectors and ballot clerks for fire districts elections

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

1 Section 1. Subdivisions 1 and 6 of section 175 of the town law, subdi-
2 vision 1 as amended by chapter 334 of the laws of 2011 and subdivision 6
3 as amended by chapter 586 of the laws of 2004, are amended to read as
4 follows:
5 1. An annual election shall be held in each fire district on the
6 second Tuesday in December, except that in the Ocean Bay Park fire
7 district, the Lonelyville fire district, the Davis Park fire district,
8 the Cherry Grove fire district, the Fair Harbor fire district and the
9 Fire Island Pines fire district, Suffolk county, such annual election
10 shall be held on the second Tuesday in July, except that in the town of
11 Salisbury, Herkimer county, such annual election shall be held on the
12 Tuesday next succeeding the first Monday in November from six o'clock in
13 the morning until nine o'clock in the evening and except that in the
14 Belfast fire district, Allegany county, such annual election shall be
15 held on the first Tuesday in December. The board of fire commissioners
16 shall give notice thereof by the publication of a notice once in one or
17 more newspapers having a general circulation in the district. The first
18 publication of such notice shall be not less than twenty-seven days and
19 not more than thirty-four days prior to the date of such election. Such
20 notice shall specify the time when and the place where such election
21 will be held, the officers to be elected thereat and their terms of
22 office, and the hours during which the polls will be open for the
23 receipt of ballots. The secretary of such fire district shall prepare
24 the ballots for all elections of fire district officers and the polls
25 shall remain open for the receipt thereof at all elections of fire

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

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1 district officers from six o'clock in the evening until nine o'clock in
2 the evening and such additional consecutive hours prior thereto as the
3 board of fire commissioners of such district may have determined and
4 specified in the notice thereof. The board of fire commissioners shall
5 designate a resident fire district elector, who shall be a registered
6 voter of the town, to act as chairman of any election of said district
7 and shall designate not less than two nor more than four resident fire
8 district electors, who shall be registered voters of the town to act as
9 election inspectors and ballot clerks at such elections. No elective
10 officer of the fire district shall serve as such chairman or as an
11 election inspector or ballot clerk. The board of fire commissioners may
12 adopt a resolution providing that such chairman, election inspectors and
13 ballot clerks shall be paid for their respective services at any such
14 annual election or at any special election of the fire district. Such
15 resolution, if adopted, shall fix the amount of such compensation, as
16 follows: if the hours during which the polls will be open for the
17 receipt of ballots are from six o'clock in the evening until nine
18 o'clock in the evening, a sum not to exceed [~~thirty-five~~] one hundred
19 dollars for each such official; if additional consecutive hours prior to
20 six o'clock in the evening are determined and specified in the notice of
21 election, a sum not to exceed [~~fifty~~] two hundred dollars for each such
22 official.

23 6. If in any fire district the number of voters is so great as to
24 render it inexpedient or impossible to conduct the election at one poll-
25 ing place, the board of fire commissioners may divide the fire district
26 into election districts and provide a polling place for each such
27 election district, provided, however, that the number of election
28 districts in any fire district shall not exceed one for each six hundred
29 electors plus one for a remaining fraction of six hundred. In such
30 event, the notice specified in subdivision one of this section shall
31 describe the election districts and state where the polling places will
32 be located, and the board of fire commissioners shall designate not less
33 than two nor more than four resident fire district electors, who shall
34 be registered voters of the town, to act as election inspectors and
35 ballot clerks at each such polling place. The board of fire district
36 commissioners may adopt a resolution providing that such election
37 inspectors and ballot clerks shall be paid for their respective services
38 at any such annual election or at any special election of the fire
39 district. Such resolution, if adopted, shall fix the amount of such
40 compensation as follows: if the hours during which the polls will be
41 open for the receipt of ballots are from six o'clock in the evening
42 until nine o'clock in the evening, a sum not to exceed [~~thirty-five~~] one
43 hundred dollars for each such official; if additional consecutive hours
44 prior to six o'clock in the evening are determined and specified in the
45 notice of election, a sum not to exceed [~~fifty~~] two hundred dollars for
46 each such official. No elective officer of the fire district shall serve
47 as an election inspector or ballot clerk.

48 § 2. This act shall take effect immediately.