

Proposed Amendment of New York State Town Law § 174

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[Proposed Amended Language Underscored]

§ 174. Fire district officers....

2. The first election of fire district officers shall be held on the second Tuesday in December next succeeding the establishment or consolidation of such fire district; provided, however, that if such district be established at a time subsequent to the first day of October in any year, the first election of fire district officers shall be held on the second Tuesday in the month of December of the next succeeding calendar year. At the first annual election of fire district officers, five district commissioners shall be elected and a treasurer. In this first annual election of fire district officers, each eligible voter shall be permitted to cast one vote each for each of as many individual candidates for fire commissioner as positions exist to be filled in said election, but in no instance more than one vote for any individual candidate. The person receiving the greatest number of votes for the office of fire commissioner shall be elected for a term of five years; the person receiving the second highest number of votes shall be elected for a term of four years; the person receiving the third highest number of votes shall be elected for a term of three years; the person receiving the fourth highest number of votes shall be elected for a term of two years and the person receiving the fifth highest number of votes shall be elected for a term of one year. In the event that two persons shall receive the same number of votes the terms of office shall be decided by lot. At each subsequent election of fire district officers a commissioner shall be elected for the full term of five years. In the event that two or more persons receive the same number of votes thereat, a special election between the tying parties receiving the highest number of votes to fill the vacancy shall be held within forty-five days after such election. The fire district treasurer shall be elected for a term of three years. The fire district secretary shall be appointed by the fire district commissioners and shall serve for a period of one year. The fire district secretary in office at the time such election is held shall immediately notify the officers elected of their election and that an organization meeting will be held on the day specified in said notice, which shall not be later than the fifteenth day of January next ensuing. At such organization meeting, the treasurer shall preside until such time as a chairman of the board of fire commissioners shall be chosen, but such treasurer shall not be entitled to a vote at such meeting.

[Paragraphs 2-a through 7 of § 174 of New York State Town Law remain unchanged as enacted]