

the use and benefit of the village, and when incurred by authority of the board of trustees, all expenses necessarily incurred and paid by any village officer in executing the duties of his office, including actual and necessary expenses for travel, office rent, janitor service, light, heat, telephone, postage, furniture, books, stationery and supplies. The board of trustees of any village in lieu of auditing and allowing the claim of a village officer or employee for actual and necessary expenses for travel, may determine by resolution to allow and pay such officer or employee an amount not to exceed eight cents per mile for use of his own automobile for each mile actually and necessarily traveled by him in the performance of the duties of his office or position, or in attending a convention of municipal officers pursuant to section seventy-seven-b of the general municipal law.

§ 2. This act shall take effect immediately.

## CHAPTER 401

AN ACT to amend the uniform support of dependents law, in relation to including possessions of the United States within the meaning of the term "state" for the purposes of such law

Became a law April 5, 1950, 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 (a) of section two of chapter eight hundred seven of the laws of nineteen hundred forty-nine, constituting the uniform support of dependents law, is hereby amended to read as follows:

(a) "State" shall mean and include any state, territory or possession<sup>1</sup> of the United States and the District of Columbia.

§ 2. This act shall take effect immediately.

## CHAPTER 402

AN ACT authorizing the establishment of a public parking district in the town of Greenburgh, in the county of Westchester, and providing for the operation thereof

Became a law April 5, 1950, 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. The town board of the town of Greenburgh, in the county of Westchester, upon its own motion and without a petition, and after a public hearing as hereinafter provided, may establish a public parking district in such town to be known as the Hartsdale

<sup>1</sup> Words "or possession" new matter inserted.

public parking district. Notice of such hearing shall be published and posted in the manner provided in section one hundred ninety-three of the town law, and shall contain a description of the boundaries of the proposed district, as the same shall be fixed by the town board, a description of the lands to be acquired as parking sites and a description of the improvements proposed to be constructed in connection therewith, shall state the maximum amount proposed to be expended therefor, and shall specify the time when and place where such board will meet to consider the matter and to hear all persons interested in the subject thereof, concerning the same. Such public hearing shall be held, and all subsequent proceedings shall be taken, in the manner provided in article twelve of the town law, in so far as the provisions thereof are not inconsistent with the provisions of this act. Such notices of hearing may describe as a part of the proposed improvement, parking facilities heretofore authorized to be acquired and constructed by the town board within the area of the proposed district and, in such case, shall include in the maximum amount proposed to be expended an amount equal to the original expense to the town of acquiring and making such improvements. Payment of such expense shall be made from the proceeds of obligations issued to finance the cost of establishing such district and of acquiring and constructing such improvements. In such event, upon the establishment of such district pursuant to the provisions of this act and the provisions of article twelve of the town law, title to such improvements shall be forthwith taken in the name of the district and shall thereafter be operated and managed by the commissioners of the district.

§ 2. Upon the establishment of such district, the town board shall, by written order, filed in the office of the town clerk and entered in the minutes, appoint three commissioners for such district. Each of such commissioners, at the time of his appointment and throughout his term of office, shall be a resident of the district and the owner of real property therein assessed to him upon the last completed assessment roll of the town. One of such commissioners shall be appointed for a term to expire on the thirty-first day of December of the year in which he is appointed and the other shall be appointed respectively for terms to expire on the thirty-first day of December in each of the two succeeding years. On the first day of January next succeeding such appointments, and annually thereafter, the town board shall appoint one commissioner for a term of three years commencing on the first day of January of such year. Whenever a vacancy shall occur in one of said offices, the vacancy shall be filled for the remainder of the unexpired term by appointment by the town board. The commissioners of the public parking district shall receive no compensation for their services.

§ 3. After such district shall have been established and the improvements described in the original resolution establishing the same shall have been constructed the commissioners may thereafter determine to increase and improve the facilities of such district by the establishment of additional parking facilities at the original

site or at such other site or sites as the commissioners shall determine. In such event the commissioners shall submit to the town board a resolution briefly describing the proposed improvements, including a description of the site or sites to be acquired and a statement of the maximum estimated cost thereof. The town board shall thereupon call a public hearing thereon and cause a notice thereof to be published at least once in the official paper, the first publication thereof to be not less than ten nor more than twenty days before the day set therein for such hearing, and shall also cause copies of such notice to be posted conspicuously in five public places within such district, not less than ten nor more than twenty days before the date designated for such hearing. Such notice shall describe in general terms the proposed improvement, the site or sites to be acquired, and shall state the maximum amount proposed to be expended therefor and the time when and place where the board will meet to hear all persons interested in the subject thereof. If the town board shall determine upon such hearing and the evidence given thereat that it is in the public interest to so increase and improve the facilities of such district, the town board shall adopt a resolution determining to make the same. If such improvements are to be financed by the issuance of obligations pursuant to the provisions of the local finance law, the town board, after the adoption of such resolution, shall apply for and obtain the permission of the state comptroller before issuing any such obligations and no expenditures or liabilities shall be incurred in such event until such approval has been obtained. The application for the permission of the state comptroller and his approval shall be made in the same manner as is provided in subdivision four of section 104.10 of the local finance law in the case of the town which, without first obtaining the permission of the state comptroller, shall have established or extended an improvement district. If the approval of the state comptroller is required, after the same has been obtained, the town board shall adopt another resolution finally determining to make the improvements.

§ 4. Such commissioners may acquire real property by purchase, condemnation or lease for the purposes of such district, purchase necessary equipment and otherwise improve such property for parking vehicles as the commissioners may determine in addition to the improvements described in the resolution of the town board forming the district. They shall have the power, with the approval of the majority of the town board, to sell, convey, lease and transfer any property acquired for public parking purposes at such an amount as they may determine but not less than the original cost thereof, and apply the proceeds of such sale, conveyance, lease or transfer to the purchase of other property for public parking and improve such property. They may employ such persons and expend such amount of money as may be necessary for the proper maintenance of such public parking places. They may fix a reasonable charge for the use of such parking places. They may adopt general rules and regulations for the government of such public parking place. They shall have all the powers and duties and be subject to all the limitations and restrictions prescribed for improvement dis-

trict commissioners generally under article thirteen of the town law, except powers and duties specially applicable only in water, sewer, drainage, park, refuse and garbage or public dock districts. The town board of such town shall also have the same powers and be subject to the same duties with respect to such district as provided for town boards by such article. In exercising the powers granted by this section, the commissioners shall not expend any moneys nor shall they incur any liabilities in connection with the acquisition of parking sites or the improvement thereof in excess of the maximum amount stated in the resolution of the town board originally creating the district, or in the case of an improvement made pursuant to section three of this act, the resolution of the town board authorizing such improvement.

§ 5. The powers herein conferred upon the town board shall be deemed to be in addition to any and all other powers now or hereafter conferred upon the town board by any general or special law.

§ 6. Any public parking district created pursuant to this act shall be deemed a parking district organized and created under the provisions of article twelve of the town law.

§ 7. This act shall take effect immediately.

## CHAPTER 403

AN ACT to authorize Ag-Tech Benevolent Assoc. of Alfred, Inc., a domestic membership corporation of the state of New York, to convey certain real property to the state of New York, without consideration, and authorizing the commissioner of education to accept such conveyance on behalf of the state for the uses and purposes of the New York state agricultural and technical institute at Alfred university

Became a law April 5, 1950, 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:*

Ag-Tech  
Benevolent  
Assoc.  
of  
Alfred,  
Inc.,  
lands,  
convey.

Section 1. The Ag-Tech Benevolent Assoc. of Alfred, Inc., a membership corporation organized and existing under the laws of the state of New York, and having its principal office and place of business in the village of Alfred, in the county of Allegany, New York, is hereby authorized and empowered, any other provision of law to the contrary notwithstanding, to convey to the people of the state of New York without consideration but free and clear of all liens and incumbrances, except as hereinafter specifically indicated, the following-described real property to wit: all that certain piece or parcel of land situats in the village of Alfred, in the town of Alfred, in the county of Allegany, and state of New York, more particularly bounded and described as follows: beginning at a point about three hundred seventy-two and two-tenths feet westerly from the west line of Elm Street, said point being in the south line, produced, of lands now or formerly owned by Mrs. E. E. Fenner, and shown on a map entitled "Map and Survey Showing Part of Saunders Farm,

or any charge of a misdemeanor or felony or any charge which may for reasons of public policy require the personal appearance of the accused, for such period of time as shall be deemed in the public interest; to fix the fine to be paid in each class of case within the minimum and maximum amount set by law, ordinance, rule or regulation; to designate the place or places where such fines may be paid; to prescribe the form of the summonses to be used and the manner in which the plea of guilty shall be made; and the manner in which the money shall be paid.

2. Such procedure may provide that any person pleading "guilty", or that a person pleading "not guilty" and asking that a day be set for trial, may do so through a representative or by mail and may further provide that the clerk of the court set such day for trial.

3. No resolution providing such procedure shall be effective until a certified copy thereof shall have been filed with the county clerk, whereupon, or upon such subsequent date prescribed in said resolution, any traffic violations bureau heretofore established by the board of judges pursuant to the general municipal law shall be deemed abolished and the powers of such bureau shall devolve upon the board of judges and matters pending in such traffic violations bureau shall be disposed of in accordance with the procedure provided pursuant to this section.

§ 2. This act shall take effect immediately.

## CHAPTER 277

AN ACT to amend chapter four hundred two of the laws of nineteen hundred fifty, entitled "An act authorizing the establishment of a public parking district in the town of Greenburgh, in the county of Westchester, and providing for the operation thereof," in relation to the method of repayment by the parking district to the town and the qualifications of the board of commissioners of the parking district

Became a law March 27, 1952, 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. Chapter four hundred two of the laws of nineteen hundred fifty, entitled "An act authorizing the establishment of a public parking district in the town of Greenburgh, in the county of Westchester, and providing for the operation thereof," is hereby amended by adding thereto a new section, to be section one-a, to read as follows:

L. 1950,  
ch. 402,  
now  
§ 1-a.  
addit.

§ 1-a. Notwithstanding the provisions of section one of this chapter providing that payment to the town for the improvements heretofore constructed in the area of the proposed parking district shall be made from the proceeds of obligations issued to finance the cost of establishing such district and of acquiring and constructing such improvements, when said parking district shall have been established, the parking district, in lieu of issuing bonds

to repay the town, shall assume liability for and shall pay the principal of and interest on the amount of such obligations remaining outstanding as of the date of the final establishment of such parking district. The same shall be paid in the first instance from net revenues received from the operation of such parking facilities of the parking district. If such net revenues are not sufficient, any additional amounts necessary to pay such principal and interest as the same become due and payable shall be assessed, levied and collected from the several lots and parcels of land within the district in the same manner and at the same time as other town charters. Title to such improvements shall be taken in the name of the district as provided in section one hereof.

§ 2.  
amended.

§ 2. Section two of such chapter is hereby amended to read as follows:

§ 2. Upon the establishment of such district, the town board shall, by written order, filed in the office of the town clerk and entered in the minutes, appoint three commissioners for such district.<sup>1</sup> One of such commissioners shall be appointed for a term to expire on the thirty-first day of December of the year in which he is appointed and the other shall be appointed respectively for terms to expire on the thirty-first day of December in each of the two succeeding years. On the first day of January next succeeding such appointments, and annually thereafter, the town board shall appoint one commissioner for a term of three years commencing on the first day of January of such year. Whenever a vacancy shall occur in one of said offices, the vacancy shall be filled for the remainder of the unexpired term by appointment by the town board. Each of such commissioners, at the time of his appointment and throughout his term of office, shall be a resident of the town and the owner of real property therein assessed to him upon the last completed assessment roll of the town, and at least two of such commissioners shall be residents of the district.<sup>2</sup> The commissioners of the public parking district shall receive no compensation for their services.

§ 3. This act shall take effect immediately.

## CHAPTER 278

AN ACT to amend the agriculture and markets law, in relation to the amount of indemnification for damage done by dogs to pure bred beef cattle

Became a law March 27, 1952, with the approval of the Governor. Passed, by a majority vote, three-fifths being present, in the Assembly and by a majority vote in the Senate

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

Section 1. Subdivision one of section one hundred eighteen of the agriculture and markets law, as last amended by chapter three

Agriculture  
and  
Markets  
Law,  
§ 118,  
subd. 1  
amended

<sup>1</sup> Words "Each of such commissioners, at the time of his appointment and throughout his term of office, shall be a resident of the district and the owner of real property therein assessed to him upon the last completed assessment roll of the town" omitted.

<sup>2</sup> Entire sentence new matter added.