

9446

I N A S S E M B L Y

(PREFILED)

January 6, 2010

Introduced by M. of A. CHRISTENSEN, BARCLAY, LIFTON -- Multi-Sponsored
by -- M. of A. TOWNSEND -- read once and referred to the Committee on
Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to creating the
Syracuse regional airport authority

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The public authorities law is amended by adding a new title
2 34 to article 8 to read as follows:
3 TITLE 34
4 SYRACUSE REGIONAL AIRPORT AUTHORITY
5 SECTION 2799-AAA. SHORT TITLE.
6 2799-BBB. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE.
7 2799-CCC. DEFINITIONS.
8 2799-DDD. SYRACUSE REGIONAL AIRPORT AUTHORITY.
9 2799-EEE. ADVANCES ON BEHALF OF AUTHORITY, TRANSFER OF PROPERTY
10 TO AUTHORITY, ACQUISITION OF PROPERTY BY CITY OR
11 AUTHORITY.
12 2799-FFF. TRANSFER OF OFFICERS AND EMPLOYEES.
13 2799-GGG. GENERAL POWERS OF THE AUTHORITY.
14 2799-HHH. SPECIAL POWERS OF THE AUTHORITY.
15 2799-III. CITY APPROVAL REQUIRED.
16 2799-JJJ. BONDS OF THE AUTHORITY.
17 2799-KKK. REMEDIES OF BONDHOLDERS.
18 2799-LLL. STATE, COUNTY, AND CITY NOT LIABLE ON AUTHORITY BONDS.
19 2799-MMM. MONEYS OF THE AUTHORITY.
20 2799-NNN. BONDS LEGAL INVESTMENT FOR FIDUCIARIES.
21 2799-OOO. AGREEMENT WITH STATE.
22 2799-PPP. AGREEMENT WITH CITY.
23 2799-QQQ. EXEMPTION FROM TAXES, ASSESSMENTS AND CERTAIN FEES.
24 2799-RRR. ACTIONS AGAINST AUTHORITY.
25 2799-SSS. CONTRACT.
26 2799-TTT. INTEREST IN CONTRACTS PROHIBITED.

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

LBD14968-02-9

1 2799-UUU. AGREEMENTS RELATING TO PAYMENT IN LIEU OF TAXES.
2 2799-VVV. AUDIT AND ANNUAL REPORT.
3 2799-WWW. LIMITED LIABILITY.
4 2799-XXX. TRANSFER OF APPLICATIONS, PROCEEDINGS, APPROVALS AND
5 PERMITS.
6 2799-YYY. SEVERABILITY.
7 2799-ZZZ. EFFECT OF INCONSISTENT PROVISIONS.
8 S 2799-AAA. SHORT TITLE. THIS TITLE MAY BE CITED AS THE "SYRACUSE
9 REGIONAL AIRPORT AUTHORITY ACT".
10 S 2799-BBB. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE. THE LEGIS-
11 LATURE HEREBY FINDS AND DECLARES AS FOLLOWS:
12 1. THE ECONOMIC WELL-BEING OF THE STATE AND THE GENERAL WELFARE OF ITS
13 PEOPLE REQUIRE ADEQUATE, SAFE, SECURE AND EFFICIENT AVIATION AND TRANS-
14 PORTATION FACILITIES AT A REASONABLE COST TO THE PEOPLE.
15 2. THE STRENGTHENING AND IMPROVEMENT OF AVIATION FACILITIES AND
16 RELATED SERVICES FOR THE CENTRAL PART OF THE STATE IS A MATTER OF VITAL
17 IMPORTANCE NOT ONLY TO THE RESIDENTS OF CENTRAL NEW YORK BUT TO ALL THE
18 STATE'S RESIDENTS AND IS THEREFORE A MATTER OF STATE CONCERN.
19 3. IN ORDER TO INSURE A HEALTHY ECONOMY FOR SUCH AREA AND TO PROMOTE
20 THE GENERAL WELFARE OF ITS RESIDENTS, IT IS NECESSARY TO EXPAND AND
21 IMPROVE THE EXISTING AVIATION FACILITIES AND SERVICES IN THE CENTRAL NEW
22 YORK REGION IN SUCH A MANNER AS TO STIMULATE AND PROMOTE INCREASED
23 LOCAL, STATE, NATIONAL AND INTERNATIONAL AIR TRAVEL AND COMMERCE
24 THROUGHOUT CENTRAL NEW YORK.
25 4. THE HEALTH, WELFARE, SAFETY AND SECURITY OF THE STATE'S RESIDENTS
26 AND OF THOSE PASSENGERS USING AIR TRANSPORTATION REQUIRES COORDINATED
27 OPERATION OF AVIATION FACILITIES AND SERVICES IN THE CENTRAL NEW YORK
28 REGION BY A PUBLIC BENEFIT AIRPORT AUTHORITY.
29 5. THE PURPOSES OF SUCH AUTHORITY SHALL BE:
30 (A) TO STIMULATE AND PROMOTE ECONOMIC DEVELOPMENT, TRADE AND TOURISM;
31 (B) TO ACQUIRE, CONSTRUCT, RECONSTRUCT, CONTINUE, DEVELOP, EQUIP,
32 EXPAND, IMPROVE, MAINTAIN, FINANCE AND OPERATE AVIATION AND OTHER
33 RELATED FACILITIES AND SERVICES WITHIN CENTRAL NEW YORK;
34 (C) TO PROMOTE SAFE, SECURE, EFFICIENT AND ECONOMICAL AIR TRANSPORTA-
35 TION BY PRESERVING AND ENHANCING AIRPORT CAPACITY;
36 (D) TO FORM AN INTEGRAL PART OF A SAFE AND EFFECTIVE NATIONWIDE SYSTEM
37 OF AIRPORTS TO MEET THE PRESENT AND FUTURE NEEDS OF CIVIL AERONAUTICS
38 AND NATIONAL DEFENSE AND TO ASSURE INCLUSION OF THE AUTHORITY'S FACILI-
39 TIES IN STATE, NATIONAL AND INTERNATIONAL PROGRAMS FOR AIR TRANSPORTA-
40 TION AND FOR AIRPORT OR AIRWAY CAPITAL IMPROVEMENT, ALL IN ACCORDANCE
41 WITH THE PROVISIONS OF THIS TITLE; AND
42 (E) TO INSURE THAT AVIATION FACILITIES AUTHORIZED PURSUANT TO THIS
43 TITLE SHALL PROVIDE FOR THE PROTECTION AND ENHANCEMENT OF THE NATURAL
44 RESOURCES AND THE QUALITY OF THE ENVIRONMENT OF THE STATE AND THE
45 CENTRAL NEW YORK AREA.
46 6. SUCH PURPOSES ARE IN ALL RESPECTS PUBLIC PURPOSES FOR THE BENEFIT
47 OF THE PEOPLE OF THE STATE OF NEW YORK AND FOR WHICH PUBLIC FUNDS MAY BE
48 EXPENDED AND BOTH THE CITY OF SYRACUSE AND THE AUTHORITY IN CARRYING OUT
49 THEIR RESPECTIVE POWERS AND DUTIES UNDER THIS TITLE SHALL BE DEEMED TO
50 BE ACTING IN A GOVERNMENTAL CAPACITY. THE ACQUISITION, CONSTRUCTION,
51 RECONSTRUCTION, DEVELOPMENT, EXPANSION, IMPROVEMENT, EQUIPPING, OPERA-
52 TION AND MAINTENANCE OF ANY PROJECT FINANCED OR UNDERTAKEN BY THE
53 AUTHORITY OR THE CITY SHALL BE DEEMED TO BE THE PERFORMANCE OF AN ESSEN-
54 TIAL GOVERNMENTAL FUNCTION BY THE AUTHORITY OR THE CITY ACTING IN ITS
55 GOVERNMENTAL CAPACITY, WHETHER SUCH PROJECT SHALL BE OWNED OR OPERATED
56 BY THE AUTHORITY OR BY ANY PERSON OR PUBLIC CORPORATION.

1 7. IT IS HEREBY FOUND AND DECLARED THAT IT HAS BEEN AND REMAINS THE
2 POLICY OF THE STATE OF NEW YORK TO PROMOTE EQUAL OPPORTUNITY IN EMPLOY-
3 MENT FOR ALL PERSONS, WITHOUT DISCRIMINATION ON ACCOUNT OF RACE, CREED,
4 COLOR, NATIONAL ORIGIN, SEX, SEXUAL PREFERENCE, AGE, DISABILITY OR MARI-
5 TAL STATUS, TO PROMOTE EQUALITY OF ECONOMIC OPPORTUNITY FOR MINORITY
6 GROUP MEMBERS AND WOMEN, AND BUSINESS ENTERPRISES OWNED BY THEM, AND TO
7 ERADICATE THE EFFECTS OF PRIVATE AND GOVERNMENTAL DISCRIMINATION WHICH
8 HAS ERECTED AND CONTINUES TO MAINTAIN BARRIERS THAT UNREASONABLY IMPAIR
9 ACCESS BY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES TO STATE
10 CONTRACT OPPORTUNITIES. FOR THE PURPOSE OF FURTHERING THE STATE'S
11 COMPELLING INTEREST IN ERADICATING THE EFFECTS OF RACIAL AND SEXUAL
12 DISCRIMINATION, THEREFORE, IT IS NECESSARY AND PROPER THAT ARTICLE
13 FIFTEEN-A OF THE EXECUTIVE LAW, CONCERNING PARTICIPATION BY MINORITY
14 GROUP MEMBERS AND WOMEN AND BUSINESS ENTERPRISES OWNED BY THEM, SHALL
15 APPLY TO THE SYRACUSE REGIONAL AIRPORT AUTHORITY.

16 S 2799-CCC. DEFINITIONS. AS USED OR REFERRED TO IN THIS TITLE, UNLESS
17 A DIFFERENT MEANING CLEARLY APPEARS FROM THE CONTEXT:

18 1. "AIRPORT" SHALL MEAN ANY AREA OF LAND OR WATER WHICH IS USED, OR
19 INTENDED FOR USE, FOR THE LANDING AND TAKEOFF OF AIRCRAFT, AND ANY
20 APPURTENANT AREAS WHICH ARE USED, OR INTENDED FOR USE, FOR AIRPORT
21 BUILDINGS OR OTHER AVIATION FACILITIES, AIRPORT FACILITY OR
22 RIGHTS-OF-WAY, TOGETHER WITH ALL AIRPORT BUILDINGS AND FACILITIES
23 LOCATED THEREON, INCLUDING ANY HELIPORT;

24 2. "AIRPORT HAZARD" SHALL MEAN ANY STRUCTURE OR OBJECT OF NATURAL
25 GROWTH LOCATED ON OR IN THE VICINITY OF AN AIRPORT, OR ANY USE OF LAND
26 NEAR SUCH AN AIRPORT, WHICH OBSTRUCTS THE AIRSPACE REQUIRED FOR THE
27 FLIGHT OF AIRCRAFT IN LANDING OR TAKING OFF AT SUCH AIRPORT OR IS OTHER-
28 WISE HAZARDOUS TO SUCH LANDING OR TAKING OFF OF AIRCRAFT;

29 3. "AUTHORITY" SHALL MEAN THE CORPORATION CREATED BY THIS TITLE;

30 4. "AVIATION FACILITIES" SHALL MEAN ANY AIRPORT FACILITY OR TERMINAL
31 INCLUDING BUT NOT LIMITED TO ANY FACILITY, PROPERTY OR EQUIPMENT NECES-
32 SARY, CONVENIENT OR DESIRABLE FOR THE LANDING, TAKING OFF, ACCOMMODATION
33 OR SERVICING OF AIRCRAFT OF ALL TYPES, AND SHALL INCLUDE SUCH OTHER
34 FACILITIES, EQUIPMENT, PROPERTY, STRUCTURES AND APPURTENANCES AS MAY BE
35 NECESSARY OR CONVENIENT IN THE OPERATION, MAINTENANCE, DEVELOPMENT OR
36 IMPROVEMENT OF AN AIRPORT INCLUDING FACILITIES, EQUIPMENT, PROPERTY,
37 STRUCTURES, AND APPURTENANCES, LEASED BY THE AUTHORITY TO PERSONS,
38 ENGAGED IN AIR TRANSPORTATION OR THE PRODUCTION OR DEVELOPMENT OF MATE-
39 RIALS, GOODS OR EQUIPMENT FOR AN AIRPORT OR AIR TRANSPORTATION OR IN
40 PROVIDING FACILITIES OR EQUIPMENT FOR THE ACCOMMODATION, SAFETY, SECURI-
41 TY OR COMFORT OF THE TRAVELING PUBLIC AND FOR PURPOSES RELATED OR INCI-
42 DENTAL TO ONE OR MORE OF THE FOREGOING PURPOSES. IT SHALL INCLUDE, WITH-
43 OUT LIMITATION, RUNWAYS, APRONS, HANGARS, CONTROL TOWERS, RAMPS,
44 TAXIWAYS, NAVIGATION AIDS, WAREHOUSES, OFFICE AND SERVICE BUILDINGS,
45 STRUCTURES, PARKING FACILITIES, CONCESSION FACILITIES, RESTAURANTS
46 LOCATED IN THE TERMINAL, MOTELS AND HOTELS LOCATED IN THE TERMINAL,
47 RETAIL STORES, MAINTENANCE FACILITIES, FUEL FACILITIES, AND FACILITIES
48 FOR THE LOADING, UNLOADING, HOLDING, INTERCHANGE OR TRANSFER OF SUCH
49 PASSENGERS, FREIGHT, BAGGAGE OR CARGO. IT SHALL ALSO MEAN ANY PROPERTY
50 NECESSARY TO REMOVE, MITIGATE, PREVENT OR LIMIT AIRPORT HAZARDS. IT
51 SHALL ALSO MEAN FACILITIES AND EQUIPMENT PROVIDING ACCESS TO AN AIRPORT
52 FACILITY OR TERMINAL, INCLUDING APPROPRIATE MASS TRANSPORTATION TERMINAL
53 FACILITIES AT AND WITHIN THE AIRPORT FACILITY OR TERMINAL ITSELF. IT
54 SHALL ALSO MEAN HIGHWAYS, ACCESS ROADS, DRIVEWAYS AND APPROACHES IN THE
55 VICINITY OF AN AIRPORT FACILITY OR TERMINAL PROVIDING IMPROVED ACCESS TO
56 SUCH AIRPORT FACILITY OR TERMINAL. NOTWITHSTANDING ANY CONTRARY

1 PROVISION OF LAW, GENERAL, SPECIAL OR LOCAL, IT SHALL ALSO MEAN RAILROAD
2 PROJECTS RELATED OR OF BENEFIT TO AN AIRPORT FACILITY OR TERMINAL
3 CONSISTING OF RAILROAD TRANSPORTATION FACILITIES; AND ANY EQUIPMENT,
4 IMPROVEMENT, STRUCTURE OR FACILITY OR ANY LAND, AND ANY BUILDING, STRUC-
5 TURE, FACILITY OR OTHER IMPROVEMENT THEREON, OR ANY COMBINATION THEREOF,
6 AND ALL PROPERTY IN CONNECTION THEREWITH OR INCIDENTAL THERETO, DEEMED
7 NECESSARY OR DESIRABLE IN THE OPINION OF THE AUTHORITY, WHETHER OR NOT
8 NOW IN EXISTENCE OR UNDER CONSTRUCTION, FOR THE UNDERTAKING OF SUCH
9 RAILROAD PROJECTS (EXCLUSIVE OF PRIVATELY OWNED, STAND ALONE RAILROAD
10 FACILITIES WHICH DO NOT PROVIDE A BENEFIT TO THE AIRPORT).

11 5. "BONDS" SHALL MEAN THE BONDS, NOTES OR OTHER EVIDENCES OF INDEBT-
12 EDNESS ISSUED BY THE AUTHORITY PURSUANT TO THIS TITLE AND THE PROVISIONS
13 OF THIS TITLE RELATING TO BONDS AND BONDHOLDERS WHICH SHALL APPLY WITH
14 EQUAL FORCE AND EFFECT TO NOTES AND NOTEHOLDERS, RESPECTIVELY, UNLESS
15 THE CONTEXT OTHERWISE CLEARLY REQUIRES.

16 6. "CITY" SHALL MEAN THE CITY OF SYRACUSE.

17 7. "CONSTRUCTION" SHALL MEAN THE ACQUISITION, ERECTION, BUILDING,
18 ALTERATION, REPAIR, IMPROVEMENT, INCREASE, ENLARGEMENT, EXTENSION,
19 INSTALLATION, RECONSTRUCTION, RENOVATION OR REHABILITATION OF A PROJECT
20 INCLUDING ANY APPURTENANCES THERETO WHICH MAY BE NECESSARY OR DESIRABLE
21 TO PROMOTE THE EFFICIENCY OR EFFECTIVENESS OF SUCH PROJECT; THE
22 INSPECTION AND SUPERVISION THEREOF; AND THE ENGINEERING, CONSULTING,
23 ARCHITECTURAL, LEGAL, FISCAL AND ECONOMIC AND ENVIRONMENTAL INVESTI-
24 GATIONS AND STUDIES, SURVEYS, DESIGNS, PLANS, WORKING DRAWINGS, SPECIFI-
25 CATIONS, PROCEDURES AND OTHER ACTIONS INCIDENTAL THERETO AND CLAIMS
26 ARISING THEREFROM.

27 8. "COST" AS APPLIED TO ANY PROJECT, SHALL INCLUDE THE COST OF
28 CONSTRUCTION, THE COST OF THE ACQUISITION OF ALL PROPERTY, BOTH REAL AND
29 PERSONAL, IMPROVED AND UNIMPROVED, THE COST OF DEMOLISHING, REMOVING OR
30 RELOCATING ANY BUILDINGS OR STRUCTURES ON LANDS SO ACQUIRED, INCLUDING
31 THE COST OF RELOCATING TENANTS OR OTHER OCCUPANTS OF THE BUILDINGS OR
32 STRUCTURES ON SUCH LAND AND THE COST OF ACQUIRING ANY LANDS TO WHICH
33 SUCH BUILDINGS OR STRUCTURES MAY BE MOVED OR RELOCATED, THE COST OF ALL
34 SYSTEMS, FACILITIES, MACHINERY, APPARATUS AND EQUIPMENT, FINANCING
35 CHARGES, INTEREST PRIOR TO, DURING AND AFTER CONSTRUCTION TO THE EXTENT
36 NOT PAID OR PROVIDED FOR FROM REVENUES OR OTHER SOURCES, THE COST OF
37 ENGINEERING AND ARCHITECTURAL SURVEYS, PLANS AND SPECIFICATIONS, THE
38 COST OF CONSULTANTS' AND LEGAL SERVICES, THE COST OF LEASE GUARANTEES,
39 CREDIT ENHANCEMENT OR BOND INSURANCE, OTHER EXPENSES NECESSARY OR INCI-
40 DENTAL TO THE CONSTRUCTION OF SUCH PROJECT AND THE FINANCING OF THE
41 CONSTRUCTION THEREOF, INCLUDING THE AMOUNT AUTHORIZED IN THE RESOLUTION
42 OF THE AUTHORITY PROVIDING FOR THE ISSUANCE OF BONDS TO BE PAID INTO ANY
43 RESERVE OR OTHER SPECIAL FUND FROM THE PROCEEDS OF SUCH BONDS AND THE
44 FINANCING OF THE PLACING OF ANY PROJECT IN OPERATION, INCLUDING
45 REIMBURSEMENT TO ANY PUBLIC CORPORATION, THE STATE, THE FEDERAL GOVERN-
46 MENT OR ANY OTHER PERSON FOR EXPENDITURES THAT WOULD BE COSTS OF THE
47 PROJECT HEREUNDER HAD THEY BEEN MADE DIRECTLY BY THE AUTHORITY.

48 9. "COUNTY" SHALL MEAN ONONDAGA COUNTY.

49 10. "EQUIPMENT" SHALL MEAN SNOW REMOVAL VEHICLES, FIRE FIGHTING AND
50 RESCUE VEHICLES, PASSENGER AND FREIGHT VEHICLES, AIRCRAFT, MOTORS, BOIL-
51 ERS, ENGINES, WIRES, WAYS, CONDUITS AND MECHANISMS, MACHINERY, TOOLS,
52 IMPLEMENTS, MATERIALS, SUPPLIES, INSTRUMENTS AND DEVICES OF EVERY NATURE
53 WHATSOEVER USED OR USEFUL FOR AVIATION AND TRANSPORTATION PURPOSES OR
54 FOR THE GENERATION OR TRANSMISSION OF MOTIVE POWER INCLUDING BUT NOT
55 LIMITED TO ALL POWER HOUSES, AND ALL APPARATUS AND ALL DEVICES FOR NAVI-
56 GATION, SECURITY, SAFETY, SIGNALING, COMMUNICATIONS AND VENTILATION AS

1 MAY BE NECESSARY, CONVENIENT OR DESIRABLE FOR THE OPERATION OF AVIATION
2 FACILITIES AND POLLUTION CONTROL FACILITIES.

3 11. "FACILITY" SHALL MEAN, AMONG OTHER THINGS, SUCH PROPERTIES, STRUC-
4 TURES, APPURTENANCES, UTILITIES, TERMINALS, RAILROAD TRACKAGE, WARE-
5 HOUSES, ELEVATORS AND SUCH OTHER WORKS, PROPERTIES, BUILDINGS OR ALLIED
6 ITEMS NECESSARY OR DESIRABLE IN CONNECTION WITH DEVELOPMENT, OPERATION,
7 MAINTENANCE OR IMPROVEMENT OF AIRPORT AND PUBLIC TRANSPORTATION NEEDS
8 AND FOR THE ACCOMMODATION, SAFETY, SECURITY OR COMFORT OF THE PUBLIC AND
9 OF COMMERCIAL ENTERPRISE.

10 12. "FEDERAL GOVERNMENT" SHALL MEAN THE UNITED STATES OF AMERICA, AND
11 ANY DEPARTMENT, BOARD, COMMISSION, BUREAU, DIVISION, CORPORATION, AGENCY
12 OR INSTRUMENTALITY THEREOF.

13 13. "JOINT SERVICE ARRANGEMENT" SHALL MEAN AGREEMENTS BETWEEN OR AMONG
14 THE AUTHORITY AND ANY PERSON, THE STATE, THE CITY, ANY OTHER PUBLIC
15 CORPORATION, THE FEDERAL GOVERNMENT, ANY OTHER STATE OR AGENCY OR
16 INSTRUMENTALITY THEREOF, RELATING TO PROPERTY, BUILDINGS, STRUCTURES,
17 FACILITIES, SERVICES, RATES, FARES, CLASSIFICATION, DIVISIONS, ALLOW-
18 ANCES OR CHARGES (INCLUDING CHARGES BETWEEN OPERATORS OF RAILROAD, OMNI-
19 BUS AND AVIATION FACILITIES), OR RULES OR REGULATIONS PERTAINING THERE-
20 TO, FOR OR IN CONNECTION WITH OR INCIDENTAL TO TRANSPORTATION IN PART IN
21 OR UPON RAILROAD, OMNIBUS OR AVIATION FACILITIES LOCATED WITHIN THE
22 COUNTY AND IN PART IN OR UPON RAILROAD, OMNIBUS OR AVIATION FACILITIES
23 LOCATED OUTSIDE THE COUNTY.

24 14. "MUNICIPALITY" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE OR SCHOOL
25 DISTRICT.

26 15. "PERSON" SHALL MEAN ANY NATURAL PERSON, FIRM, PARTNERSHIP, ASSOCI-
27 ATION, JOINT VENTURE OR CORPORATION, EXCLUSIVE OF A PUBLIC CORPORATION.

28 16. "PERSONAL PROPERTY" SHALL MEAN CHATTELS AND OTHER TANGIBLE THINGS
29 OF A MOVABLE OR REMOVABLE NATURE.

30 17. "POLLUTION CONTROL FACILITIES" SHALL MEAN ANY EQUIPMENT, IMPROVE-
31 MENT, STRUCTURE OR FACILITY OR ANY LAND AND ANY BUILDING, STRUCTURE,
32 FACILITY OR OTHER IMPROVEMENT THEREON, OR ANY COMBINATION THEREOF, AND
33 ALL PROPERTY DEEMED NECESSARY THEREWITH, HAVING TO DO WITH OR THE END
34 PURPOSE OF WHICH IS THE CONTROL, ABATEMENT OR PREVENTION OF LAND, SEWER,
35 WATER, AIR, NOISE OR GENERAL ENVIRONMENTAL POLLUTION DERIVING FROM THE
36 OPERATION OF AVIATION FACILITIES, INCLUDING, BUT NOT LIMITED TO ANY AIR
37 POLLUTION CONTROL FACILITY, NOISE ABATEMENT OR SUPPRESSION FACILITY
38 (INCLUDING PHYSICAL BARRIERS, LANDSCAPING AND SOUND PROOFING FOR THE
39 PURPOSE OF DIMINISHING THE EFFECT OF AIRCRAFT NOISE ON ANY AREA ADJACENT
40 TO AN AIRPORT), WATER MANAGEMENT FACILITY, WASTE WATER COLLECTING
41 SYSTEM, WASTE WATER TREATMENT WORKS, SEWAGE TREATMENT WORKS, DEICING
42 FACILITY, OR SEWAGE TREATMENT SYSTEM OR SITE.

43 18. "PROPERTY" SHALL MEAN BOTH REAL AND PERSONAL PROPERTY.

44 19. "PROJECT" SHALL MEAN ANY PROPERTY OR IMPROVEMENTS LOCATED WITHIN
45 THE STATE OF NEW YORK AND WITHIN OR OUTSIDE OR PARTIALLY WITHIN AND
46 PARTIALLY OUTSIDE ONONDAGA COUNTY, INCLUDING, BUT NOT LIMITED TO,
47 MACHINERY, EQUIPMENT AND OTHER FACILITIES DEEMED NECESSARY OR DESIRABLE
48 IN CONNECTION THEREWITH, OR INCIDENTAL THERETO, WHETHER OR NOT NOW IN
49 EXISTENCE OR UNDER CONSTRUCTION, WHICH SHALL BE NECESSARY OR SUITABLE
50 FOR AVIATION PURPOSES AND AIRPORT DEVELOPMENT AND WHICH MAY INCLUDE OR
51 MEAN AVIATION FACILITIES AND POLLUTION CONTROL FACILITIES; PROVIDED,
52 HOWEVER, THE AUTHORITY SHALL NOT USE ITS FUNDS IN RESPECT OF ANY PART OF
53 A PROJECT LOCATED WHOLLY OR PARTIALLY OUTSIDE THE COUNTY WITHOUT THE
54 PRIOR CONSENT THERETO BY THE GOVERNING BODY OF ANY OTHER COUNTY IN WHICH
55 A PART OR PARTS OF THE PROJECT IS, OR IS TO BE LOCATED. IT SHALL ALSO

1 MEAN ANY PROPERTY NECESSARY TO REMOVE, MITIGATE, PREVENT OR LIMIT
2 AIRPORT HAZARDS.

3 20. "PUBLIC CORPORATION" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE,
4 SCHOOL DISTRICT OR SPECIAL DISTRICT, ANY PUBLIC BENEFIT CORPORATION,
5 AGENCY OR INSTRUMENTALITY OF THE STATE OR OF ANY MUNICIPALITY, OR TWO OR
6 MORE OF ANY OF THE FOREGOING ACTING JOINTLY.

7 21. "REAL PROPERTY" SHALL MEAN LANDS, STRUCTURES, FRANCHISES AND
8 INTERESTS IN LAND, AIRSPACE, WATERS, LANDS UNDER WATER, RIPARIAN RIGHTS,
9 AIR RIGHTS, ANY FIXTURES, EQUIPMENT AND ARTICLES OF PERSONAL PROPERTY
10 AFFIXED TO OR USED IN CONNECTION THEREWITH, AND ANY AND ALL THINGS AND
11 RIGHTS INCLUDED WITHIN SAID TERM AND INCLUDES NOT ONLY FEES SIMPLE ABSO-
12 LUTE BUT ALSO ANY AND ALL LESSER INTERESTS INCLUDING BUT NOT LIMITED TO
13 EASEMENTS, RIGHTS-OF-WAY, USES, LEASES, LICENSES AND ALL OTHER INCORPO-
14 REAL HEREDITAMENTS AND EVERY ESTATE, INTEREST OR RIGHT, LEGAL OR EQUITA-
15 BLE, INCLUDING TERMS FOR YEARS AND LIENS THEREON BY WAY OF JUDGMENTS,
16 MORTGAGES, OR OTHERWISE.

17 22. "REVENUES" SHALL MEAN ALL RATES, FEES, RENTS, REVENUES, CHARGES
18 AND OTHER INCOME DERIVED BY THE AUTHORITY FROM THE OPERATION, LEASING,
19 SALE OR OTHER DISPOSITION OF A PROJECT OR PROJECTS.

20 23. "STATE" SHALL MEAN THE STATE OF NEW YORK.

21 S 2799-DDD. SYRACUSE REGIONAL AIRPORT AUTHORITY. 1. THERE IS HEREBY
22 CREATED THE SYRACUSE REGIONAL AIRPORT AUTHORITY. THE AUTHORITY SHALL BE
23 A BODY CORPORATE AND POLITIC CONSTITUTING A PUBLIC BENEFIT CORPORATION.
24 THE AUTHORITY SHALL CONSIST OF ELEVEN MEMBERS WHO SHALL BE APPOINTED AS
25 FOLLOWS: SEVEN SHALL BE APPOINTED BY THE MAYOR OF THE CITY OF SYRACUSE,
26 ONE SHALL BE APPOINTED BY THE COUNTY EXECUTIVE OF ONONDAGA COUNTY, ONE
27 SHALL BE APPOINTED BY THE TOWN BOARD OF THE TOWN OF DEWITT, ONE SHALL BE
28 APPOINTED BY THE BOARD OF EDUCATION OF THE EAST SYRACUSE MINOA CENTRAL
29 SCHOOL DISTRICT, AND ONE SHALL BE APPOINTED FOR A PERIOD OF ONE YEAR,
30 ALTERNATELY, BY THE BOARD OF EDUCATION OF THE NORTH SYRACUSE CENTRAL
31 SCHOOL DISTRICT OR THE TOWN BOARD OF THE TOWN OF SALINA, CICERO OR CLAY.
32 THE MEMBER INITIALLY APPOINTED BY THE COUNTY EXECUTIVE AND TWO OF THE
33 MEMBERS INITIALLY APPOINTED BY THE MAYOR SHALL SERVE FOR A TERM ENDING
34 DECEMBER THIRTY-FIRST, TWO THOUSAND TWELVE. TWO OF THE MEMBERS INITIALLY
35 APPOINTED BY THE MAYOR SHALL SERVE FOR A TERM ENDING DECEMBER
36 THIRTY-FIRST, TWO THOUSAND THIRTEEN. THREE MEMBERS INITIALLY APPOINTED
37 BY THE MAYOR, THE MEMBER APPOINTED BY THE TOWN BOARD OF THE TOWN OF
38 DEWITT, AND THE MEMBER APPOINTED BY THE BOARD OF EDUCATION OF THE EAST
39 SYRACUSE MINOA CENTRAL SCHOOL DISTRICT, SHALL SERVE FOR A TERM ENDING
40 DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN. THE FIRST MEMBER APPOINTED
41 BY THE TOWN BOARD OF THE TOWN OF SALINA, CICERO OR CLAY, OR BY THE BOARD
42 OF EDUCATION OF THE NORTH SYRACUSE CENTRAL SCHOOL DISTRICT, SHALL BE
43 APPOINTED BY THE TOWN BOARD OF THE TOWN OF CICERO AND SHALL SERVE FOR A
44 TERM ENDING DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN. FOLLOWING THE
45 EXPIRATION OF SUCH MEMBER'S ONE YEAR TERM, THE SUBSEQUENTLY APPOINTED
46 MEMBER SHALL BE APPOINTED BY THE TOWN BOARD OF THE TOWN OF SALINA.
47 FOLLOWING THE EXPIRATION OF SUCH MEMBER'S ONE YEAR TERM, THE SUBSEQUENT-
48 LY APPOINTED MEMBER SHALL BE APPOINTED BY THE TOWN BOARD OF THE TOWN OF
49 CLAY. FOLLOWING THE EXPIRATION OF SUCH MEMBER'S ONE YEAR TERM, THE
50 SUBSEQUENTLY APPOINTED MEMBER SHALL BE APPOINTED BY THE BOARD OF EDUCA-
51 TION OF THE NORTH SYRACUSE CENTRAL SCHOOL DISTRICT. THEREAFTER, EACH
52 SUBSEQUENT MEMBER SHALL BE APPOINTED ALTERNATELY BY EACH TOWN OR THE
53 BOARD OF EDUCATION IN THE SAME ORDER AS THE INITIAL APPOINTMENTS. THE
54 MAYOR SHALL DESIGNATE ONE OF THE ELEVEN MEMBERS TO SERVE AS CHAIRPERSON
55 OF THE AUTHORITY. WITH THE EXCEPTION OF THE MEMBER APPOINTED BY THE
56 BOARD OF EDUCATION OF THE NORTH SYRACUSE CENTRAL SCHOOL DISTRICT OR BY

1 THE TOWN BOARD OF THE TOWN OF SALINA, CICERO OR CLAY, WHO SHALL SERVE A
2 ONE YEAR TERM, AND THOSE INITIAL APPOINTEES WHOSE TERMS ARE THREE YEARS
3 OR LESS, EACH MEMBER SHALL SERVE A TERM OF FOUR YEARS.

4 2. ALL MEMBERS SHALL CONTINUE TO HOLD OFFICE UNTIL THEIR SUCCESSORS
5 ARE APPOINTED AND QUALIFY. VACANCIES SHALL BE FILLED IN THE MANNER
6 PROVIDED FOR ORIGINAL APPOINTMENT. VACANCIES, OCCURRING OTHERWISE THAN
7 BY EXPIRATION OF TERM OF OFFICE, SHALL BE FILLED FOR THE UNEXPIRED
8 TERMS. MEMBERS MAY BE REMOVED FROM OFFICE FOR THE SAME REASONS AND IN
9 THE SAME MANNER AS MAY BE PROVIDED BY LAW FOR THE REMOVAL OF OFFICERS OF
10 THE CITY. THE MEMBERS OF THE AUTHORITY SHALL RECEIVE NO COMPENSATION FOR
11 THEIR SERVICES BUT SHALL BE REIMBURSED FOR ALL THEIR ACTUAL AND NECES-
12 SARY EXPENSES INCURRED IN CONNECTION WITH THE CARRYING OUT OF THE
13 PURPOSES OF THIS TITLE. THE POWERS OF THE AUTHORITY SHALL BE VESTED IN
14 AND BE EXERCISED BY THE MEMBERS OF THE AUTHORITY AT A MEETING DULY
15 CALLED AND HELD AND A MAJORITY OF DIRECTORS SHALL CONSTITUTE A QUORUM.
16 NO ACTION SHALL BE TAKEN EXCEPT PURSUANT TO THE FAVORABLE VOTE OF AT
17 LEAST A MAJORITY OF MEMBERS. THE MEMBERS OF THE AUTHORITY MAY DELEGATE
18 TO ONE OR MORE OF ITS MEMBERS, OFFICERS, AGENTS OR EMPLOYEES SUCH POWERS
19 AND DUTIES AS IT MAY DEEM PROPER.

20 3. THE AUTHORITY SHALL HAVE A REGIONAL ADVISORY BOARD CONSISTING OF
21 EIGHT NON-VOTING MEMBERS. THE MEMBERSHIP SHALL INCLUDE ONE MEMBER
22 APPOINTED BY THE COUNTY EXECUTIVE OF ONEIDA COUNTY, ONE MEMBER EACH
23 APPOINTED BY THE CHAIRPERSONS OF THE COUNTY LEGISLATURES OF THE COUNTIES
24 OF ONONDAGA, OSWEGO, CORTLAND, CAYUGA, AND JEFFERSON COUNTIES, ONE
25 MEMBER APPOINTED BY THE CHAIRPERSON OF THE BOARD OF SUPERVISORS OF MADI-
26 SON COUNTY, AND ONE MEMBER APPOINTED BY THE COMMON COUNCIL OF THE CITY
27 OF SYRACUSE. MEMBERS WILL BE APPOINTED FOR TWO YEAR TERMS AND MAY BE
28 REAPPOINTED.

29 4. APPOINTMENTS TO THE AUTHORITY AND TO THE NON-VOTING ADVISORY BOARD
30 SHALL BE GEOGRAPHICALLY DIVERSE AND INCLUDE REPRESENTATIVES FROM BUSI-
31 NESS, FINANCE, AND LABOR.

32 5. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF ANY GENERAL, SPECIAL
33 OR LOCAL LAW, ORDINANCE, RESOLUTION OR CHARTER, NO OFFICER, MEMBER OR
34 EMPLOYEE OF THE STATE OR OF ANY PUBLIC CORPORATION SHALL FORFEIT HIS OR
35 HER OFFICE OR EMPLOYMENT BY REASON OF HIS OR HER ACCEPTANCE OF APPOINT-
36 MENT AS A MEMBER, OFFICER OR EMPLOYEE OF THE AUTHORITY, NOR SHALL
37 SERVICE AS SUCH MEMBER, OFFICER OR EMPLOYEE BE DEEMED INCOMPATIBLE OR IN
38 CONFLICT WITH SUCH OFFICE, MEMBERSHIP OR EMPLOYMENT.

39 6. ALL MEMBERS OF THE AUTHORITY WILL BE REQUIRED TO COMPLY WITH THE
40 CITY OF SYRACUSE CODE OF ETHICS AND TO COMPLETE ALL DISCLOSURE FORMS
41 REQUIRED BY SAID CODE OF ETHICS.

42 7. THE AUTHORITY SHALL CONTINUE FOR A TERM OF ONE YEAR AFTER ALL ITS
43 BONDS HAVE BEEN FULLY PAID AND DISCHARGED. UPON TERMINATION OF THE
44 EXISTENCE OF THE AUTHORITY, ALL OF ITS RIGHTS AND PROPERTY SHALL PASS TO
45 AND BE VESTED IN THE CITY.

46 S 2799-EEE. ADVANCES ON BEHALF OF AUTHORITY, TRANSFER OF PROPERTY TO
47 AUTHORITY, ACQUISITION OF PROPERTY BY CITY OR AUTHORITY. 1. IN ADDITION
48 TO ANY POWERS GRANTED TO IT BY LAW, THE CITY OR ANY OTHER PUBLIC CORPO-
49 RATION MAY, FROM TIME TO TIME, APPROPRIATE BY ORDINANCE OR RESOLUTION
50 SUMS OF MONEY TO DEFRAY PROJECT COSTS OR ANY OTHER COSTS AND EXPENSES OF
51 THE AUTHORITY INCLUDING OPERATING EXPENSES. SUBJECT TO THE RIGHTS OF
52 BONDHOLDERS, THE CITY OR SUCH OTHER PUBLIC CORPORATION MAY DETERMINE IF
53 THE MONEYS SO APPROPRIATED SHALL BE SUBJECT TO REPAYMENT BY THE AUTHORI-
54 TY TO THE CITY OR SUCH OTHER PUBLIC CORPORATION AND, IN SUCH EVENT, THE
55 MANNER AND TIME OR TIMES FOR SUCH REPAYMENT.

1 2. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF ANY GENERAL, SPECIAL
2 OR LOCAL LAW, ORDINANCE, RESOLUTION OR CHARTER, ANY PUBLIC CORPORATION
3 MAY, BY A MAJORITY VOTE OF ITS GOVERNING BODY AND THE APPROVAL OF ITS
4 CHIEF EXECUTIVE OFFICER, GIVE, GRANT, SELL, CONVEY, LOAN, LICENSE THE
5 USE OF OR LEASE TO THE AUTHORITY ANY PROPERTY OR FACILITIES, INCLUDING
6 AVIATION FACILITIES AND POLLUTION CONTROL FACILITIES, WHICH ARE USEFUL
7 IN CONNECTION WITH THE EXERCISE BY THE AUTHORITY OF ITS POWERS UNDER
8 THIS TITLE. ANY SUCH GIFT, GRANT, SALE, CONVEYANCE, LOAN, LICENSE OR
9 LEASE SHALL BE UPON SUCH TERMS AND CONDITIONS, AND FOR SUCH TERM OR
10 TERMS OF YEARS, SUBJECT TO THE RIGHTS OF THE HOLDERS OF ANY BONDS, AS
11 THE AUTHORITY AND SUCH PUBLIC CORPORATION MAY AGREE. ANY SUCH GIFT,
12 GRANT, SALE, CONVEYANCE, LEASE, LOAN OR LICENSE SHALL NOT BE SUBJECT TO
13 REFERENDUM, PERMISSIVE OR MANDATORY. IN THE EVENT THAT ANY PUBLIC CORPO-
14 RATION GIVES, GRANTS, SELLS, CONVEYS, LOANS, LICENSES OR LEASES ANY
15 AVIATION FACILITIES, REAL PROPERTY, FACILITIES OR POLLUTION CONTROL
16 FACILITIES TO THE AUTHORITY, SUCH PUBLIC CORPORATION MAY CONTRACT WITH
17 THE AUTHORITY TO LEASE, BORROW, LICENSE, OPERATE, MAINTAIN, MANAGE AND
18 PROVIDE SERVICES FOR SUCH REAL PROPERTY OR FACILITIES UPON SUCH TERMS
19 AND CONDITIONS AND FOR SUCH TERM OR TERMS OF YEARS, SUBJECT TO THE
20 RIGHTS OF HOLDERS OF BONDS, AS THE AUTHORITY AND SUCH PUBLIC CORPORATION
21 MAY AGREE. THE AUTHORITY, IN FURTHERANCE OF ANY PURCHASE, CONVEYANCE OR
22 LEASE OF ANY PROPERTY OR FACILITY FROM ANY PUBLIC CORPORATION, MAY
23 ASSUME THE PRIMARY RESPONSIBILITY FOR THE PAYMENT OF THE PRINCIPAL AND
24 INTEREST ON ANY BONDS OR NOTES ISSUED BY SUCH PUBLIC CORPORATION FOR
25 SUCH PROPERTY OR FACILITY. FOR PURPOSES OF SECTION 136.00 OF THE LOCAL
26 FINANCE LAW, ANY AGREEMENT BY THE AUTHORITY TO ASSUME THE PRIMARY
27 RESPONSIBILITY FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST ON ANY
28 BONDS OR NOTES ISSUED BY ANY SUCH PUBLIC CORPORATION SHALL, SO LONG AS
29 SUCH AGREEMENT SHALL CONTINUE TO BE HONORED BY THE AUTHORITY, CAUSE SUCH
30 BONDS OR NOTES TO BE DEEMED TO HAVE BEEN REFUNDED AND ANY SUCH PUBLIC
31 CORPORATION MAY DEDUCT FROM ITS GROSS INDEBTEDNESS ANY OUTSTANDING
32 INDEBTEDNESS CONTRACTED FOR SUCH PROPERTY OR FACILITY TO BE ACQUIRED BY
33 THE AUTHORITY.

34 3. THE CITY MAY ACQUIRE BY PURCHASE, GRANT, LEASE, GIFT OR CONDEMNA-
35 TION PURSUANT TO THE EMINENT DOMAIN PROCEDURE LAW REAL PROPERTY IN THE
36 NAME OF THE CITY FOR ANY CORPORATE PURPOSE OF THE AUTHORITY.

37 4. NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW, GENERAL, SPECIAL
38 OR LOCAL, REAL PROPERTY ACQUIRED BY THE AUTHORITY OR THE CITY FROM THE
39 STATE MAY BE USED FOR ANY CORPORATE PURPOSE OF THE AUTHORITY.

40 S 2799-FFF. TRANSFER OF OFFICERS AND EMPLOYEES. 1. IN ACCORDANCE WITH
41 THE PROVISIONS OF SECTION SEVENTY OF THE CIVIL SERVICE LAW, ANY OFFICER
42 OR EMPLOYEE OF THE CITY, SELECTED BY THE AUTHORITY MAY, WITH THE CONSENT
43 OF THE MAYOR, BE TRANSFERRED TO THE AUTHORITY AND SHALL BE ELIGIBLE FOR
44 SUCH TRANSFER AND APPOINTMENT, WITHOUT FURTHER EXAMINATION, TO APPLICA-
45 BLE OFFICES, POSITIONS AND EMPLOYMENT UNDER THE AUTHORITY. ANY SUCH
46 OFFICERS OR EMPLOYEES SO TRANSFERRED TO THE AUTHORITY PURSUANT TO THIS
47 SECTION, WHO ARE MEMBERS OF OR BENEFIT UNDER ANY EXISTING PENSION OR
48 RETIREMENT FUND OR SYSTEM, SHALL CONTINUE TO HAVE ALL RIGHTS, PRIVI-
49 LEGES, OBLIGATIONS AND STATUS WITH RESPECT TO SUCH FUND OR SYSTEM AS ARE
50 NOW PRESCRIBED BY LAW, BUT DURING THE PERIOD OF THEIR EMPLOYMENT BY THE
51 AUTHORITY, ALL CONTRIBUTIONS TO SUCH FUNDS OR SYSTEMS TO BE PAID BY THE
52 EMPLOYER ON ACCOUNT OF SUCH OFFICERS OR EMPLOYEES SHALL BE PAID BY THE
53 AUTHORITY.

54 2. A TRANSFERRED EMPLOYEE SHALL REMAIN IN THE SAME COLLECTIVE BARGAIN-
55 ING UNIT AS WAS THE CASE PRIOR TO HIS OR HER TRANSFER; SUCCESSOR EMPLOY-
56 EES TO THE POSITIONS HELD BY SUCH TRANSFERRED EMPLOYEES SHALL, CONSIST-

1 ENT WITH THE PROVISIONS OF ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, BE
2 INCLUDED IN THE SAME UNIT AS THEIR PREDECESSORS. EMPLOYEES SERVING IN
3 POSITIONS IN NEWLY CREATED TITLES SHALL BE ASSIGNED TO SUCH SAME COLLEC-
4 TIVE BARGAINING UNIT IF THEY WOULD HAVE BEEN ASSIGNED TO SUCH UNIT WERE
5 SUCH TITLES CREATED PRIOR TO THE ESTABLISHMENT OF THE AUTHORITY. NOTHING
6 CONTAINED IN THIS TITLE SHALL BE CONSTRUED (A) TO DIMINISH THE RIGHTS OF
7 EMPLOYEES PURSUANT TO A COLLECTIVE BARGAINING AGREEMENT OR (B) TO AFFECT
8 EXISTING LAW WITH RESPECT TO AN APPLICATION TO THE PUBLIC EMPLOYMENT
9 RELATIONS BOARD SEEKING A DESIGNATION BY THE BOARD THAT CERTAIN PERSONS
10 ARE MANAGERIAL OR CONFIDENTIAL.

11 S 2799-GGG. GENERAL POWERS OF THE AUTHORITY. EXCEPT AS OTHERWISE
12 LIMITED BY THIS TITLE, THE AUTHORITY SHALL HAVE POWER:

13 1. TO SUE AND BE SUED;

14 2. TO HAVE A SEAL AND ALTER THE SAME AT PLEASURE;

15 3. TO BORROW MONEY AND ISSUE BONDS FOR ANY OF ITS CORPORATE PURPOSES
16 OR ITS PROJECTS AND TO PROVIDE FOR THE RIGHTS OF THE HOLDERS THEREOF;

17 4. TO MAKE AND ALTER BY-LAWS FOR ITS ORGANIZATION AND MANAGEMENT, AND,
18 SUBJECT TO AGREEMENTS WITH ITS BONDHOLDERS, TO MAKE AND ALTER RULES AND
19 REGULATIONS GOVERNING THE EXERCISE OF ITS POWERS AND THE FULFILLMENT OF
20 ITS PURPOSES UNDER THIS TITLE;

21 5. TO ACQUIRE BY PURCHASE, GRANT, LEASE, GIFT, CONDEMNATION PURSUANT
22 TO THE PROVISIONS OF THE EMINENT DOMAIN PROCEDURE LAW WITH THE APPROVAL
23 OF THE CITY, OR OTHERWISE AND TO HOLD AND USE PROPERTY AND FACILITIES
24 NECESSARY, CONVENIENT OR DESIRABLE TO CARRY OUT ITS CORPORATE PURPOSES,
25 AND TO SELL, CONVEY, MORTGAGE, LEASE, PLEDGE, EXCHANGE OR OTHERWISE
26 DISPOSE OF ANY SUCH PROPERTY AND FACILITIES IN SUCH MANNER AS THE
27 AUTHORITY SHALL DETERMINE;

28 6. TO ACQUIRE, CONSTRUCT, RECONSTRUCT, LEASE, EXPAND, IMPROVE, MAIN-
29 TAIN, EQUIP, FURNISH, OPERATE ONE OR MORE PROJECTS AND, IF NECESSARY, TO
30 PAY OR FINANCE THE COST THEREOF;

31 7. TO APPLY FOR AND TO ACCEPT GIFTS, GRANTS, LOANS, OR CONTRIBUTIONS
32 OF FUNDS OR PROPERTY OR FINANCIAL OR OTHER AID IN ANY FORM FROM, AND
33 ENTER INTO CONTRACTS OR OTHER TRANSACTIONS WITH, THE FEDERAL GOVERNMENT,
34 THE STATE OR ANY PUBLIC CORPORATION OR ANY OTHER SOURCE, AND TO USE ANY
35 SUCH GIFTS, GRANTS, LOANS OR CONTRIBUTIONS FOR ANY OF ITS CORPORATE
36 PURPOSES;

37 8. TO GRANT OPTIONS TO RENEW ANY LEASE WITH RESPECT TO ANY PROJECT OR
38 PROJECTS AND TO GRANT OPTIONS TO BUY ANY PROJECT AT SUCH PRICE AS THE
39 AUTHORITY MAY DEEM DESIRABLE;

40 9. TO DESIGNATE THE DEPOSITORIES OF ITS MONEY;

41 10. TO ESTABLISH ITS FISCAL YEAR;

42 11. TO ENTER INTO CONTRACTS, AGREEMENTS AND LEASES WITH THE FEDERAL
43 GOVERNMENT, THE STATE, THE COUNTY, THE CITY, ANY PERSON OR OTHER PUBLIC
44 CORPORATION AND TO EXECUTE ALL INSTRUMENTS NECESSARY OR CONVENIENT TO
45 ACCOMPLISHING ITS CORPORATE PURPOSES;

46 12. TO APPOINT SUCH OFFICERS, EMPLOYEES AND AGENTS AS THE AUTHORITY
47 MAY REQUIRE FOR THE PERFORMANCE OF ITS DUTIES, AND TO FIX AND DETERMINE
48 THEIR QUALIFICATIONS, DUTIES, AND COMPENSATION SUBJECT TO THE PROVISIONS
49 OF THE CIVIL SERVICE LAW AND ANY APPLICABLE COLLECTIVE BARGAINING AGREE-
50 MENT, AND TO RETAIN OR EMPLOY COUNSEL, AUDITORS, ENGINEERS AND PRIVATE
51 CONSULTANTS ON A CONTRACT BASIS OR OTHERWISE FOR RENDERING PROFESSIONAL,
52 MANAGEMENT OR TECHNICAL SERVICES AND ADVICE;

53 13. WITH THE CONSENT OF THE MAYOR TO USE EMPLOYEES, AGENTS, CONSULT-
54 ANTS AND FACILITIES OF THE CITY, PAYING THE CITY ITS AGREED PROPORTION
55 OF THE COMPENSATION OR COSTS;

1 14. TO MAKE PLANS, SURVEYS, AND STUDIES NECESSARY, CONVENIENT OR
2 DESIRABLE TO THE EFFECTUATION OF THE PURPOSES AND POWERS OF THE AUTHORI-
3 TY AND TO PREPARE RECOMMENDATIONS IN REGARD THERETO;

4 15. TO ENTER UPON SUCH LANDS, WATERS OR PREMISES AS IN THE JUDGMENT OF
5 THE AUTHORITY MAY BE NECESSARY, CONVENIENT OR DESIRABLE FOR THE PURPOSE
6 OF MAKING SURVEYS, SOUNDINGS, BORINGS AND EXAMINATIONS TO ACCOMPLISH ANY
7 PURPOSE AUTHORIZED BY THIS TITLE, THE AUTHORITY BEING LIABLE FOR ACTUAL
8 DAMAGE DONE;

9 16. THE AUTHORITY MAY COVENANT AND CONSENT THAT THE INTEREST ON ANY OF
10 ITS BONDS OR NOTES ISSUED PURSUANT TO THIS TITLE SHALL BE INCLUDIBLE,
11 UNDER THE UNITED STATES INTERNAL REVENUE CODE OF 1986, OR ANY SUBSEQUENT
12 CORRESPONDING INTERNAL REVENUE LAW OF THE UNITED STATES, IN GROSS INCOME
13 OF THE HOLDERS OF THE BONDS OR NOTES TO THE SAME EXTENT AND IN THE SAME
14 MANNER THAT THE INTEREST ON BILLS, BONDS, NOTES OR OTHER OBLIGATIONS OF
15 THE UNITED STATES IS INCLUDIBLE IN THE GROSS INCOME OF THE HOLDERS THER-
16 EOF UNDER SAID INTERNAL REVENUE CODE OR ANY SUCH SUBSEQUENT LAW;

17 17. TO DO ALL THINGS NECESSARY, CONVENIENT OR DESIRABLE TO CARRY OUT
18 ITS PURPOSES AND FOR THE EXERCISE OF THE POWERS GRANTED IN THIS TITLE;
19 AND

20 18. TO INSURE OR PROVIDE FOR THE INSURANCE OF THE AUTHORITY'S PROPERTY
21 OR OPERATIONS AS REQUIRED BY LAW AND ALSO AGAINST SUCH OTHER RISKS AS
22 THE AUTHORITY MAY DEEM ADVISABLE.

23 S 2799-HHH. SPECIAL POWERS OF THE AUTHORITY. IN ORDER TO EFFECTUATE
24 THE PURPOSE OF THIS TITLE:

25 1. THE AUTHORITY MAY ENTER INTO ANY JOINT SERVICE ARRANGEMENTS AS
26 PROVIDED IN THIS SECTION.

27 2. THE AUTHORITY MAY, ON SUCH TERMS AND CONDITIONS AS THE AUTHORITY
28 MAY DETERMINE NECESSARY, CONVENIENT OR DESIRABLE, ESTABLISH, CONSTRUCT,
29 EFFECTUATE, OPERATE, MANAGE, MAINTAIN, RENOVATE, IMPROVE, EXTEND OR
30 REPAIR ANY AVIATION FACILITIES OR POLLUTION CONTROL FACILITIES, OR MAY
31 PROVIDE FOR SUCH ESTABLISHMENT, CONSTRUCTION, EFFECTUATION, OPERATION,
32 MANAGEMENT, MAINTENANCE, RENOVATION, IMPROVEMENT, EXTENSION OR REPAIR BY
33 CONTRACT, LEASE, OR OTHER ARRANGEMENT ON SUCH TERMS AS THE AUTHORITY MAY
34 DEEM NECESSARY, CONVENIENT OR DESIRABLE WITH THE FEDERAL GOVERNMENT, ANY
35 STATE OR AGENCY OR INSTRUMENTALITY THEREOF, OR ANY PERSON OR PUBLIC
36 CORPORATION. IN CONNECTION WITH THE OPERATION OF ANY SUCH FACILITIES,
37 THE AUTHORITY MAY ESTABLISH, CONSTRUCT, EFFECTUATE, OPERATE, MANAGE,
38 MAINTAIN, RENOVATE, IMPROVE, EXTEND OR REPAIR OR MAY PROVIDE BY
39 CONTRACT, LEASE OR OTHER ARRANGEMENT FOR THE ESTABLISHMENT,
40 CONSTRUCTION, EFFECTUATION, OPERATION, MANAGEMENT, MAINTENANCE, RENO-
41 VATION, IMPROVEMENT, EXTENSION OR REPAIR OF ANY RELATED SERVICES AND
42 ACTIVITIES IT DEEMS NECESSARY, CONVENIENT OR DESIRABLE.

43 3. THE AUTHORITY MAY ESTABLISH, FIX, REVISE, LEVY AND COLLECT OR CAUSE
44 TO BE ESTABLISHED, FIXED, REVISED, LEVIED AND COLLECTED AND, IN THE CASE
45 OF A JOINT SERVICE ARRANGEMENT, JOIN WITH OTHERS IN THE ESTABLISHMENT,
46 FIXING, REVISION, LEVY AND COLLECTION OF SUCH FARES, RENTALS, RATES,
47 CHARGES, LANDING AND FIELD USE FEES, CONCESSION FEES AND OTHER FEES AS
48 IT MAY DEEM NECESSARY, CONVENIENT OR DESIRABLE FOR THE USE AND OPERATION
49 OF ANY REAL PROPERTY, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES,
50 FACILITY AND RELATED SERVICES OPERATED OR MANAGED BY THE AUTHORITY OR
51 UNDER CONTRACT, LEASE OR OTHER ARRANGEMENT, INCLUDING JOINT SERVICE
52 ARRANGEMENTS, WITH THE AUTHORITY. SUCH FARES, RENTALS, RATES, CHARGES,
53 LANDING AND FIELD USE FEES, CONCESSION FEES OR OTHER FEES SHALL BE AT
54 LEAST SUFFICIENT AT ALL TIMES IN THE JUDGMENT OF THE AUTHORITY TO ESTAB-
55 LISH AND MAINTAIN THE COMBINED OPERATIONS OF THE AUTHORITY ON A SELF-
56 SELF-SUSTAINING BASIS. SUCH OPERATIONS SHALL BE DEEMED TO BE ON A SELF-

1 SUSTAINING BASIS AS REQUIRED BY THIS TITLE, WHEN THE AUTHORITY IS ABLE
2 TO PAY OR FUND OR CAUSE TO BE PAID OR FUNDED FROM REVENUES AND ANY OTHER
3 FUNDS ACTUALLY AVAILABLE TO THE AUTHORITY:

4 (A) THE PRINCIPAL OF, PREMIUM, IF ANY, AND THE INTEREST ON THE
5 OUTSTANDING BONDS OF THE AUTHORITY AS THE SAME SHALL BECOME DUE AND
6 PAYABLE AND ANY CAPITAL OR DEBT SERVICE RESERVE THEREFOR AND, TO THE
7 EXTENT REQUIRED BY ANY AGREEMENT BETWEEN THE CITY AND THE AUTHORITY, THE
8 PRINCIPAL OF AND INTEREST ON ANY GENERAL OBLIGATION BONDS, NOTES OR
9 OTHER EVIDENCE OF INDEBTEDNESS OF THE CITY ISSUED FOR OR ALLOCABLE TO
10 ANY PROJECT OF THE AUTHORITY AS THE SAME SHALL BECOME DUE AND PAYABLE
11 AND ANY RESERVES THEREFOR;

12 (B) THE COST OF ADMINISTERING, MAINTAINING, REPAIRING AND OPERATING
13 ANY PROJECT OF THE AUTHORITY;

14 (C) THE COST OF CONSTRUCTING CAPITAL IMPROVEMENTS THERETO PURSUANT TO
15 ANY AGREEMENT BETWEEN THE CITY AND THE AUTHORITY;

16 (D) ANY LIABILITIES INCURRED FOR OR ALLOCABLE TO ANY PROJECT OF THE
17 AUTHORITY INCLUDING ANY LIABILITIES OF THE CITY ASSUMED BY THE AUTHORITY
18 PURSUANT TO ANY AGREEMENT BETWEEN THE CITY AND THE AUTHORITY, AS THE
19 SAME BECOME DUE AND PAYABLE;

20 (E) ANY REQUIREMENTS OF ANY AGREEMENT INCLUDING THOSE RELATING TO THE
21 ESTABLISHMENT OF RESERVES FOR RENEWAL AND REPLACEMENT AND FOR UNCOL-
22 LECTED FARES, RENTALS, RATES, CHARGES AND FEES AND COVENANTS RESPECTING
23 RATES AND DEBT SERVICE AND EARNINGS COVERAGE RATIOS;

24 (F) ALL OTHER REASONABLE AND NECESSARY EXPENSES OF THE AUTHORITY; AND

25 (G) THE COST OF SUCH ADDITIONAL PROJECTS AS MAY BE NOW OR HEREAFTER
26 AUTHORIZED BY LAW AND AGREED TO BY THE AUTHORITY.

27 4. THE AUTHORITY MAY ESTABLISH AND, IN THE CASE OF JOINT SERVICE
28 ARRANGEMENTS, JOIN WITH OTHERS IN THE ESTABLISHMENT OF SUCH SCHEDULES
29 AND STANDARDS OF OPERATIONS AND SUCH OTHER RULES AND REGULATIONS INCLUD-
30 ING BUT NOT LIMITED TO RULES AND REGULATIONS GOVERNING THE CONDUCT,
31 SAFETY AND SECURITY OF THE PUBLIC AS IT MAY DEEM NECESSARY, CONVENIENT
32 OR DESIRABLE FOR THE USE, OPERATION AND MANAGEMENT OF ANY PROJECT AND
33 RELATED SERVICES OPERATED OR MANAGED BY THE AUTHORITY OR UNDER CONTRACT,
34 LEASE OR OTHER ARRANGEMENT, INCLUDING JOINT SERVICE ARRANGEMENTS, WITH
35 THE AUTHORITY. SUCH RULES AND REGULATIONS GOVERNING THE CONDUCT, SAFETY
36 AND SECURITY OF THE PUBLIC SHALL BE FILED WITH THE DEPARTMENT OF STATE
37 IN THE MANNER PROVIDED BY SECTION ONE HUNDRED TWO OF THE EXECUTIVE LAW.
38 IN THE CASE OF ANY CONFLICT BETWEEN ANY SUCH RULE OR REGULATION OF THE
39 AUTHORITY GOVERNING THE CONDUCT, SAFETY AND SECURITY OF THE PUBLIC AND
40 ANY LOCAL LAW, ORDINANCE, RULE OR REGULATION, SUCH RULE OR REGULATION OF
41 THE AUTHORITY SHALL PREVAIL.

42 5. THE AUTHORITY MAY DO ALL THINGS IT DEEMS NECESSARY, CONVENIENT OR
43 DESIRABLE TO MANAGE, CONTROL AND DIRECT THE MAINTENANCE AND OPERATION OF
44 AVIATION FACILITIES, EQUIPMENT OR PROPERTY OPERATED BY OR UNDER
45 CONTRACT, LEASE OR OTHER ARRANGEMENT WITH THE AUTHORITY. EXCEPT AS
46 AGREED TO PURSUANT TO ANY AGREEMENT BETWEEN THE AUTHORITY AND ANY PUBLIC
47 CORPORATION AND EXCEPT AS HEREINAFTER SPECIALLY PROVIDED, NO MUNICI-
48 PALITY EXCEPT FOR THE CITY, SHALL HAVE JURISDICTION OVER ANY FACILITIES
49 OF THE AUTHORITY OR ANY OF ITS ACTIVITIES OR OPERATIONS. THE CITY MAY
50 PROVIDE FOR SUCH FACILITIES' POLICE AND FIRE PROTECTION SERVICES.

51 6. THE AUTHORITY MAY ACCEPT UNCONDITIONAL GRANTS OF MONEY OR PROPERTY
52 FROM ANY MUNICIPALITY THE WHOLE OR ANY PART OF WHICH MUNICIPALITY SHALL
53 BE SERVED OR TO BE SERVED BY AN AVIATION FACILITY OPERATED BY THE
54 AUTHORITY. SUCH GRANTS OF MONEY OR PROPERTY WOULD BE FOR THE PURPOSE OF
55 ASSISTING THE AUTHORITY IN MEETING ITS CAPITAL OR OPERATING EXPENSES.

1 THE ACCEPTANCE OF ANY SUCH GRANT SHALL NOT OPERATE TO MAKE THE AUTHORITY
2 AN AGENCY OF THE MUNICIPALITY MAKING THE GRANT.

3 7. IN ANY INSTANCE WHERE THE CITY IS REQUIRED BY LAW, WITH RESPECT TO
4 AN AIRPORT OR ANY AVIATION FACILITIES, TO CONDUCT A PUBLIC HEARING IN
5 CONNECTION WITH A CONTRACT, LEASE, JOINT SERVICE ARRANGEMENT, CHARGE,
6 FARE, RENTAL OR FEE, THE AUTHORITY SHALL NOT ENTER INTO SUCH CONTRACT,
7 LEASE, JOINT SERVICE ARRANGEMENT, OR ESTABLISH, FIX, REVISE OR LEVY ANY
8 CHARGE, FARE, RENTAL, LANDING AND FIELD USE FEE, CONCESSION FEE OR OTHER
9 FEE UNLESS AND UNTIL THE AUTHORITY HAS HELD A PUBLIC HEARING AT WHICH
10 INTERESTED PERSONS HAVE HAD AN OPPORTUNITY TO BE HEARD CONCERNING THE
11 SAME, PROVIDED HOWEVER, IF THE CITY HAS CONDUCTED A PUBLIC HEARING IN
12 CONNECTION WITH SUCH CONTRACT, LEASE, JOINT SERVICE ARRANGEMENT, CHARGE,
13 FARE, RENTAL OR FEE, THE AUTHORITY SHALL NOT BE REQUIRED TO HOLD A
14 PUBLIC HEARING. NOTICE OF SUCH PUBLIC HEARING SHALL BE PUBLISHED BY THE
15 AUTHORITY AT LEAST TEN DAYS BEFORE THE DATE SET THEREFORE, IN AT LEAST
16 ONE NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY. SUCH NOTICE SHALL
17 SET FORTH THE DATE, TIME AND PLACE OF SUCH HEARING AND SHALL INCLUDE A
18 BRIEF DESCRIPTION OF THE MATTERS TO BE CONSIDERED AT SUCH MEETING. AT
19 ALL SUCH HEARINGS, ANY INTERESTED PERSONS SHALL HAVE AN OPPORTUNITY TO
20 BE HEARD CONCERNING THE MATTERS UNDER CONSIDERATION. ANY DECISION OF
21 THE AUTHORITY ON MATTERS CONSIDERED AT SUCH PUBLIC HEARING SHALL BE IN
22 WRITING AND BE MADE AVAILABLE IN THE OFFICE OF THE AUTHORITY FOR PUBLIC
23 INSPECTION DURING REGULAR OFFICE HOURS.

24 S 2799-III. CITY APPROVAL REQUIRED. NOTWITHSTANDING ANY INCONSISTENT
25 PROVISION OF THIS TITLE, NO PROJECT HAVING AN AGGREGATE COST EXCEEDING
26 TEN MILLION DOLLARS, INCLUDING BUT NOT LIMITED TO THE ACQUISITION OF
27 REAL PROPERTY BY THE AUTHORITY OR THE EXPANSION OF THE AUTHORITY'S
28 AVIATION FACILITIES, MAY BE UNDERTAKEN BY THE AUTHORITY UNLESS SUCH
29 PROJECT IS APPROVED BY ORDINANCE OF THE SYRACUSE COMMON COUNCIL ADOPTED
30 BY A MAJORITY VOTE AND APPROVED BY THE MAYOR.

31 S 2799-JJJ. BONDS OF THE AUTHORITY. 1. THE AUTHORITY SHALL HAVE THE
32 POWER AND IS HEREBY AUTHORIZED FROM TIME TO TIME TO ISSUE BONDS, NOTES
33 OR OTHER OBLIGATIONS TO PAY THE COST OF ANY PROJECT OR FOR ANY OTHER
34 CORPORATE PURPOSE, INCLUDING THE ESTABLISHMENT OF RESERVES TO SECURE THE
35 BONDS, THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE
36 BONDS AND THE PAYMENT OF INCIDENTAL EXPENSES IN CONNECTION THEREWITH.
37 THE AGGREGATE PRINCIPAL AMOUNT OF SUCH BONDS, NOTES OR OTHER OBLIGATIONS
38 SHALL NOT EXCEED TWO HUNDRED MILLION DOLLARS (\$200,000,000), EXCLUDING
39 BONDS, NOTES OR OTHER OBLIGATIONS ISSUED TO REFUND OR OTHERWISE REPAY
40 BONDS, NOTES OR OTHER OBLIGATIONS THEREFORE ISSUED FOR SUCH PURPOSES;
41 PROVIDED, HOWEVER, THAT UPON ANY SUCH REFUNDING OR REPAYMENT THE TOTAL
42 AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS, NOTES OR OTHER OBLI-
43 GATIONS MAY BE GREATER THAN TWO HUNDRED MILLION DOLLARS (\$200,000,000)
44 ONLY IF THE PRESENT VALUE OF THE AGGREGATE DEBT SERVICE OF THEIR FUNDING
45 OR REPAYMENT BONDS, NOTES OR OTHER OBLIGATIONS TO BE ISSUED SHALL NOT
46 EXCEED THE PRESENT VALUE OF THE AGGREGATE DEBT SERVICE OF THE BONDS,
47 NOTES OR OTHER OBLIGATIONS SO TO BE REFUNDED OR REPAYED. FOR PURPOSES OF
48 THIS SECTION, THE PRESENT VALUES OF THE AGGREGATE DEBT SERVICE OF THE
49 REFUNDING OR REPAYMENT BONDS, NOTES OR OTHER OBLIGATIONS AND OF THE
50 AGGREGATE DEBT SERVICE OF THE BONDS, NOTES OR OTHER OBLIGATIONS SO
51 REFUNDED OR REPAYED, SHALL BE CALCULATED BY UTILIZING THE EFFECTIVE
52 INTEREST RATE OF THE REFUNDING OR REPAYMENT BONDS, NOTES OR OTHER OBLI-
53 GATIONS, WHICH SHALL BE THAT RATE ARRIVED AT BY DOUBLING THE SEMI-ANNUAL
54 INTEREST RATE (COMPOUNDED SEMI-ANNUALLY) NECESSARY TO DISCOUNT THE DEBT
55 SERVICE PAYMENTS ON THE REFUNDING OR REPAYMENT BONDS, NOTES OR OTHER
56 OBLIGATIONS FROM THE PAYMENT DATES THEREOF TO THE DATE OF ISSUE OF THE

1 REFUNDING OR REPAYMENT BONDS, NOTES OR OTHER OBLIGATIONS AND TO THE
2 PRICE BID INCLUDING ESTIMATED ACCRUED INTEREST OR PROCEEDS RECEIVED BY
3 THE AUTHORITY INCLUDING ESTIMATED ACCRUED INTEREST FROM THE SALE THERE-
4 OF. THE AUTHORITY SHALL HAVE POWER AND IS HEREBY AUTHORIZED TO ENTER
5 INTO SUCH AGREEMENTS AND PERFORM SUCH ACTS AS MAY BE REQUIRED UNDER ANY
6 APPLICABLE FEDERAL LEGISLATION TO SECURE A FEDERAL GUARANTEE OF ANY
7 BONDS.

8 2. THE AUTHORITY SHALL HAVE POWER FROM TIME TO TIME TO RENEW BONDS OR
9 TO ISSUE RENEWAL BONDS FOR SUCH PURPOSE, TO ISSUE BONDS TO PAY BONDS,
10 AND, WHENEVER IT DEEMS REFUNDING EXPEDIENT, TO REFUND ANY BOND BY THE
11 ISSUANCE OF NEW BONDS, WHETHER THE BONDS TO BE REFUNDED HAVE OR HAVE NOT
12 MATURED, AND MAY ISSUE BONDS PARTLY TO REFUND BONDS THEN OUTSTANDING AND
13 PARTLY FOR ANY OTHER CORPORATE PURPOSE OF THE AUTHORITY. BONDS (OTHER
14 THAN NOTES OR OTHER EVIDENCE OF INDEBTEDNESS) ISSUED FOR REFUNDING
15 PURPOSES, WHICH HAVE A FINAL MATURITY DATE LONGER THAN THE MATURITY OF
16 THE BONDS BEING REFUNDED, SHALL BE APPROVED BY A RESOLUTION OF THE
17 COMMON COUNCIL ADOPTED BY A MAJORITY VOTE AND APPROVED BY THE MAYOR.
18 BONDS ISSUED FOR REFUNDING PURPOSES SHALL BE SOLD AND THE PROCEEDS
19 APPLIED TO THE PURCHASE, REDEMPTION OR PAYMENT OF THE BONDS OR NOTES TO
20 BE REFUNDED.

21 3. BONDS ISSUED BY THE AUTHORITY MAY BE GENERAL OBLIGATIONS SECURED BY
22 THE FAITH AND CREDIT OF THE AUTHORITY OR MAY BE SPECIAL OBLIGATIONS
23 PAYABLE SOLELY OUT OF PARTICULAR REVENUES OR OTHER MONEYS AS MAY BE
24 DESIGNATED IN THE PROCEEDINGS OF THE AUTHORITY UNDER WHICH THE BONDS
25 SHALL BE AUTHORIZED TO BE ISSUED, SUBJECT AS TO PRIORITY ONLY TO ANY
26 AGREEMENTS WITH THE HOLDERS OF OUTSTANDING BONDS PLEDGING ANY PARTICULAR
27 PROPERTY, REVENUES OR MONEYS. THE AUTHORITY MAY ALSO ENTER INTO LOAN
28 AGREEMENTS, LINES OF CREDIT AND OTHER SECURITY AGREEMENTS AND OBTAIN FOR
29 OR ON ITS BEHALF LETTERS OF CREDIT, INSURANCE, GUARANTEES OR OTHER CRED-
30 IT ENHANCEMENTS TO THE EXTENT NOW OR HEREAFTER AVAILABLE, IN EACH CASE
31 FOR SECURING ITS BONDS OR TO PROVIDE DIRECT PAYMENT OF ANY COSTS WHICH
32 THE AUTHORITY IS AUTHORIZED TO PAY.

33 4. (A) BONDS SHALL BE AUTHORIZED BY RESOLUTION OF THE AUTHORITY, BE IN
34 SUCH DENOMINATIONS AND BEAR SUCH DATE OR DATES AND MATURE AT SUCH TIME
35 OR TIMES, AS SUCH RESOLUTION MAY PROVIDE, PROVIDED THAT BONDS AND
36 RENEWALS THEREOF SHALL MATURE WITHIN FORTY YEARS FROM THE DATE OF
37 ORIGINAL ISSUANCE OF ANY SUCH BONDS.

38 (B) BONDS SHALL BE SUBJECT TO SUCH TERMS OF REDEMPTION, BEAR INTEREST
39 AT SUCH RATE OR RATES, BE PAYABLE AT SUCH TIMES, BE IN SUCH FORM, EITHER
40 COUPON OR REGISTERED, CARRY SUCH REGISTRATION PRIVILEGES, BE EXECUTED IN
41 SUCH MANNER, BE PAYABLE IN SUCH MEDIUM OF PAYMENT AT SUCH PLACE OR PLAC-
42 ES, AND BE SUBJECT TO SUCH TERMS AND CONDITIONS AS SUCH RESOLUTION MAY
43 PROVIDE.

44 (C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE BONDS OF THE
45 AUTHORITY ISSUED PURSUANT TO THIS SECTION SHALL BE SOLD TO THE BIDDER
46 OFFERING THE LOWEST TRUE INTEREST COST, TAKING INTO CONSIDERATION ANY
47 PREMIUM OR DISCOUNT NOT LESS THAN FOUR NOR MORE THAN FIFTEEN DAYS,
48 SUNDAYS EXCEPTED, AFTER A NOTICE OF SUCH SALE HAS BEEN PUBLISHED AT
49 LEAST ONCE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE AREA SERVED BY
50 THE AUTHORITY, WHICH SHALL STATE THE TERMS OF THE SALE. THE TERMS OF THE
51 SALE MAY NOT CHANGE UNLESS NOTICE OF SUCH CHANGE IS PUBLISHED IN SUCH
52 NEWSPAPER AT LEAST ONE DAY PRIOR TO THE DATE OF THE SALE AS SET FORTH IN
53 THE ORIGINAL NOTICE OF SALE. ADVERTISEMENTS SHALL CONTAIN A PROVISION TO
54 THE EFFECT THAT THE AUTHORITY, IN ITS DISCRETION, MAY REJECT ANY OR ALL
55 BIDS MADE IN PURSUANCE OF SUCH ADVERTISEMENTS, AND IN THE EVENT OF SUCH
56 REJECTION, THE AUTHORITY IS AUTHORIZED TO NEGOTIATE A PRIVATE OR PUBLIC

1 SALE OR RE-ADVERTISE FOR BIDS IN THE FORM AND MANNER ABOVE DESCRIBED AS
2 MANY TIMES AS, IN ITS JUDGMENT, MAY BE NECESSARY TO EFFECT A SATISFAC-
3 TORY SALE.

4 (D) NOTWITHSTANDING THE PROVISIONS OF THE PRECEDING PARAGRAPH, WHENEV-
5 ER IN THE JUDGMENT OF THE AUTHORITY THE INTERESTS OF THE AUTHORITY WILL
6 BE SERVED THEREBY, THE MEMBERS OF THE AUTHORITY, ON THE WRITTEN RECOM-
7 MENDATION OF THE CHAIRPERSON, MAY AUTHORIZE THE SALE OF SUCH BONDS AT
8 PRIVATE OR PUBLIC SALE ON A NEGOTIATED BASIS OR ON EITHER A COMPETITIVE
9 OR NEGOTIATED BASIS. THE AUTHORITY SHALL SET GUIDELINES GOVERNING THE
10 TERMS AND CONDITIONS OF ANY SUCH PRIVATE OR PUBLIC SALES.

11 (E) THE PRIVATE OR PUBLIC BOND SALE GUIDELINES SET BY THE AUTHORITY
12 SHALL INCLUDE, BUT NOT BE LIMITED TO A REQUIREMENT THAT WHERE THE INTER-
13 ESTS OF THE AUTHORITY WILL BE SERVED BY A PRIVATE OR PUBLIC SALE OF
14 BONDS, THE AUTHORITY SHALL SELECT UNDERWRITERS FOR PRIVATE OR PUBLIC
15 BOND SALES CONDUCTED PURSUANT TO A REQUEST FOR PROPOSAL PROCESS UNDER-
16 TAKEN AT LEAST ONCE ANNUALLY AND CONSIDERATION OF PROPOSALS FROM QUALI-
17 FIED UNDERWRITERS TAKING INTO ACCOUNT, AMONG OTHER THINGS, QUALIFICA-
18 TIONS OF UNDERWRITERS AS TO EXPERIENCE, THEIR ABILITY TO STRUCTURE AND
19 SELL AUTHORITY BOND ISSUES, ANTICIPATED COSTS TO THE AUTHORITY, THE
20 PRIOR EXPERIENCE OF THE AUTHORITY WITH THE FIRM, IF ANY, THE CAPITALIZA-
21 TION OF SUCH FIRMS, PARTICIPATION OF QUALIFIED MINORITY AND WOMEN-OWNED
22 BUSINESS ENTERPRISE FIRMS IN SUCH PRIVATE OR PUBLIC SALES OF BONDS OF
23 THE AUTHORITY AND THE EXPERIENCE AND ABILITY OF FIRMS UNDER CONSIDER-
24 ATION TO WORK WITH MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES SO AS
25 TO PROMOTE AND ASSIST PARTICIPATION BY SUCH ENTERPRISES.

26 (F) THE AUTHORITY SHALL HAVE THE POWER FROM TIME TO TIME TO AMEND SUCH
27 PRIVATE BOND SALE GUIDELINES IN ACCORDANCE WITH THE PROVISIONS OF THIS
28 SUBDIVISION.

29 (G) NO PRIVATE OR PUBLIC BOND SALE ON A NEGOTIATED BASIS SHALL BE
30 CONDUCTED BY THE AUTHORITY WITHOUT PRIOR APPROVAL OF THE STATE COMP-
31 TROLLER AND THE CITY COMPTROLLER.

32 (H) THE AUTHORITY SHALL ANNUALLY PREPARE AND APPROVE A BOND SALE
33 REPORT WHICH SHALL INCLUDE THE PRIVATE OR PUBLIC BOND SALE GUIDELINES AS
34 SPECIFIED IN THIS SUBDIVISION, AMENDMENTS TO SUCH GUIDELINES SINCE THE
35 LAST PRIVATE OR PUBLIC BOND SALE REPORT, AN EXPLANATION OF THE BOND SALE
36 GUIDELINES AND AMENDMENTS, AND THE RESULTS OF ANY SALE OF BONDS
37 CONDUCTED DURING THE FISCAL YEAR. SUCH BOND SALE REPORT MAY BE A PART OF
38 ANY OTHER ANNUAL REPORT THAT THE AUTHORITY IS REQUIRED TO MAKE.

39 (I) THE AUTHORITY SHALL ANNUALLY SUBMIT ITS BOND SALE REPORT TO THE
40 STATE COMPTROLLER AND COPIES THEREOF TO THE SENATE FINANCE COMMITTEE AND
41 THE ASSEMBLY WAYS AND MEANS COMMITTEE.

42 (J) THE AUTHORITY SHALL MAKE AVAILABLE TO THE PUBLIC COPIES OF ITS
43 BOND SALE REPORT UPON REASONABLE REQUEST THEREFORE.

44 (K) NOTHING CONTAINED IN THIS SUBDIVISION SHALL BE DEEMED TO ALTER,
45 AFFECT THE VALIDITY OF, MODIFY THE TERMS OF OR IMPAIR ANY CONTRACT OR
46 AGREEMENT MADE OR ENTERED INTO IN VIOLATION OF, OR WITHOUT COMPLIANCE
47 WITH, THE PROVISIONS OF THIS SUBDIVISION.

48 5. ANY RESOLUTION OR RESOLUTIONS AUTHORIZING BONDS OR ANY ISSUE OF
49 BONDS MAY CONTAIN PROVISIONS WHICH MAY BE A PART OF THE CONTRACT WITH
50 THE HOLDERS OF THE BONDS THEREBY AUTHORIZED AS TO:

51 (A) PLEDGING ALL OR ANY PART OF THE REVENUES, OTHER MONEYS OR PROPERTY
52 OF THE AUTHORITY TO SECURE THE PAYMENT OF THE BONDS, OR ANY COSTS OF
53 ISSUANCE THEREOF, INCLUDING BUT NOT LIMITED TO ANY CONTRACTS, EARNINGS
54 OR PROCEEDS OF ANY GRANT TO THE AUTHORITY RECEIVED FROM ANY PRIVATE OR
55 PUBLIC SOURCE SUBJECT TO SUCH AGREEMENTS WITH BONDHOLDERS AS MAY THEN
56 EXIST;

1 (B) THE SETTING ASIDE OF RESERVES AND THE CREATION OF SINKING FUNDS
2 AND THE REGULATION AND DISPOSITION THEREOF;

3 (C) LIMITATIONS ON THE PURPOSE TO WHICH THE PROCEEDS FROM THE SALE OF
4 BONDS MAY BE APPLIED;

5 (D) THE RATES, RENTS, FEES AND OTHER CHARGES TO BE FIXED AND COLLECTED
6 BY THE AUTHORITY AND THE AMOUNT TO BE RAISED IN EACH YEAR THEREBY AND
7 THE USE AND DISPOSITION OF REVENUES;

8 (E) LIMITATIONS ON THE RIGHT OF THE AUTHORITY TO RESTRICT AND REGULATE
9 THE USE OF THE PROJECT OR PART THEREOF IN CONNECTION WITH WHICH BONDS
10 ARE ISSUED;

11 (F) LIMITATIONS ON THE ISSUANCE OF ADDITIONAL BONDS, THE TERMS UPON
12 WHICH ADDITIONAL BONDS MAY BE ISSUED AND SECURED AND THE REFUNDING OF
13 OUTSTANDING OR OTHER BONDS;

14 (G) THE PROCEDURE, IF ANY, BY WHICH THE TERMS OF ANY CONTRACT WITH
15 BONDHOLDERS MAY BE AMENDED OR ABROGATED, THE AMOUNT OF BONDS THE HOLDERS
16 OF WHICH MUST CONSENT THERETO, AND THE MANNER IN WHICH SUCH CONSENT MAY
17 BE GIVEN;

18 (H) THE CREATION OF SPECIAL FUNDS INTO WHICH ANY REVENUES OR MONEYS
19 MAY BE DEPOSITED;

20 (I) THE TERMS AND PROVISIONS OF ANY TRUST, MORTGAGE, DEED OR INDENTURE
21 SECURING THE BONDS UNDER WHICH THE BONDS MAY BE ISSUED;

22 (J) VESTING IN A TRUSTEE OR TRUSTEES SUCH PROPERTIES, RIGHTS, POWERS
23 AND DUTIES IN TRUST AS THE AUTHORITY MAY DETERMINE WHICH MAY INCLUDE ANY
24 OR ALL OF THE RIGHTS, POWERS AND DUTIES OF THE TRUSTEES APPOINTED BY THE
25 BONDHOLDERS PURSUANT TO THIS TITLE AND LIMITING OR ABROGATING THE RIGHTS
26 OF THE BONDHOLDERS TO APPOINT A TRUSTEE UNDER SUCH SECTION OR LIMITING
27 THE RIGHTS, DUTIES AND POWERS OF SUCH TRUSTEE;

28 (K) DEFINING THE ACTS OR OMISSIONS TO ACT WHICH MAY CONSTITUTE A
29 DEFAULT IN THE OBLIGATIONS AND DUTIES OF THE AUTHORITY TO THE BONDHOLD-
30 ERS AND PROVIDING FOR THE RIGHTS AND REMEDIES OF THE BONDHOLDERS IN THE
31 EVENT OF SUCH DEFAULT, INCLUDING AS A MATTER OF RIGHT THE APPOINTMENT OF
32 A RECEIVER, PROVIDED, HOWEVER, THAT SUCH RIGHTS AND REMEDIES SHALL NOT
33 BE INCONSISTENT WITH THE GENERAL LAWS OF THE STATE AND OTHER PROVISIONS
34 OF THIS TITLE;

35 (L) LIMITATIONS ON THE POWER OF THE AUTHORITY TO SELL OR OTHERWISE
36 DISPOSE OF ANY PROJECT OR ANY PART THEREOF;

37 (M) LIMITATIONS ON THE AMOUNT OF REVENUES AND OTHER MONEYS TO BE
38 EXPENDED FOR OPERATING, ADMINISTRATIVE OR OTHER EXPENSES OF THE AUTHORI-
39 TY;

40 (N) THE PAYMENT OF THE PROCEEDS OF BONDS, REVENUES AND OTHER MONEYS TO
41 A TRUSTEE OR OTHER DEPOSITORY, AND FOR THE METHOD OF DISBURSEMENT THERE-
42 OF WITH SUCH SAFEGUARDS AND RESTRICTIONS AS THE AUTHORITY MAY DETERMINE;
43 AND

44 (O) ANY OTHER MATTERS OF LIKE OR DIFFERENT CHARACTER WHICH IN ANY WAY
45 AFFECT THE SECURITY OR PROTECTION OF THE BONDS OR THE RIGHTS AND REME-
46 DIES OF BONDHOLDERS.

47 6. IN ADDITION TO THE POWERS HEREIN CONFERRED UPON THE AUTHORITY TO
48 SECURE ITS BONDS, THE AUTHORITY SHALL HAVE POWER IN CONNECTION WITH THE
49 ISSUANCE OF BONDS TO ADOPT RESOLUTIONS AND ENTER INTO SUCH TRUST INDEN-
50 TURES, AGREEMENTS OR OTHER INSTRUMENTS AS THE AUTHORITY MAY DEEM NECES-
51 SARY, CONVENIENT OR DESIRABLE CONCERNING THE USE OR DISPOSITION OF ITS
52 REVENUES OR OTHER MONEYS OR PROPERTY, INCLUDING THE MORTGAGING OF ANY
53 PROPERTY AND THE ENTRUSTING, PLEDGING OR CREATION OF ANY OTHER SECURITY
54 INTEREST IN ANY SUCH REVENUES, MONEYS OR PROPERTY AND THE DOING OF ANY
55 ACT, INCLUDING REFRAINING FROM DOING ANY ACT WHICH THE AUTHORITY WOULD
56 HAVE THE RIGHT TO DO IN THE ABSENCE OF SUCH RESOLUTIONS, TRUST INDEN-

1 TURES, AGREEMENTS OR OTHER INSTRUMENTS. THE AUTHORITY SHALL HAVE POWER
2 TO ENTER INTO AMENDMENTS OF ANY SUCH RESOLUTIONS, TRUST INDENTURES,
3 AGREEMENTS OR OTHER INSTRUMENTS. THE PROVISIONS OF ANY SUCH RESOL-
4 UTIONS, TRUST INDENTURES, AGREEMENTS OR OTHER INSTRUMENTS MAY BE MADE A
5 PART OF THE CONTRACT WITH THE HOLDERS OF BONDS OF THE AUTHORITY.

6 7. ANY PROVISION OF THE UNIFORM COMMERCIAL CODE TO THE CONTRARY
7 NOTWITHSTANDING, ANY PLEDGE OF OR OTHER SECURITY INTEREST IN REVENUES,
8 MONEYS, ACCOUNTS, CONTRACT RIGHTS, GENERAL INTANGIBLES OR OTHER PERSONAL
9 PROPERTY MADE OR CREATED BY THE AUTHORITY SHALL BE VALID, BINDING AND
10 PERFECTED FROM THE TIME WHEN SUCH PLEDGE IS MADE OR OTHER SECURITY
11 INTEREST ATTACHES WITHOUT ANY PHYSICAL DELIVERY OF THE COLLATERAL OR
12 FURTHER ACT, AND THE LIEN OF ANY SUCH PLEDGE OR OTHER SECURITY INTEREST
13 SHALL BE VALID, BINDING AND PERFECTED AGAINST ALL PARTIES HAVING CLAIMS
14 OF ANY KIND IN TORT, CONTRACT OR OTHERWISE AGAINST THE AUTHORITY IRRE-
15 SPECTIVE OF WHETHER OR NOT SUCH PARTIES HAVE NOTICE THEREOF. NO INSTRU-
16 MENT BY WHICH SUCH A PLEDGE OR SECURITY INTEREST IS CREATED NOR ANY
17 FINANCING STATEMENT NEED BE RECORDED OR FILED.

18 8. WHETHER OR NOT THE BONDS ARE OF SUCH FORM AND CHARACTER AS TO BE
19 NEGOTIABLE INSTRUMENTS UNDER THE TERMS OF THE UNIFORM COMMERCIAL CODE,
20 THE BONDS ARE HEREBY MADE NEGOTIABLE INSTRUMENTS WITHIN THE MEANING OF
21 AND FOR ALL THE PURPOSES OF THE UNIFORM COMMERCIAL CODE, SUBJECT ONLY TO
22 THE PROVISIONS OF THE BONDS FOR REGISTRATION.

23 9. NEITHER THE MEMBERS OF THE AUTHORITY NOR ANY PERSON EXECUTING ITS
24 BONDS SHALL BE LIABLE PERSONALLY ON ITS BONDS OR BE SUBJECT TO ANY
25 PERSONAL LIABILITY OR ACCOUNTABILITY BY REASON OF THE ISSUANCE THEREOF.

26 10. SUBJECT TO SUCH AGREEMENTS WITH BONDHOLDERS AS MAY THEN EXIST, THE
27 AUTHORITY SHALL HAVE POWER OUT OF ANY FUNDS AVAILABLE THEREFORE TO
28 PURCHASE BONDS OF THE AUTHORITY, WHICH SHALL THEREUPON BE CANCELLED, AT
29 A PRICE NOT EXCEEDING (A) IF THE BONDS ARE THEN REDEEMABLE, THE REDEMP-
30 TION PRICE THEN APPLICABLE PLUS ACCRUED INTEREST TO THE NEXT INTEREST
31 PAYMENT DATE, OR (B) IF THE BONDS ARE NOT THEN REDEEMABLE, THE REDEMP-
32 TION PRICE APPLICABLE ON THE FIRST DATE AFTER SUCH PURCHASE UPON WHICH
33 THE BONDS BECOME SUBJECT TO REDEMPTION PLUS ACCRUED INTEREST TO THE NEXT
34 INTEREST PAYMENT DATE. BONDS SO PURCHASED SHALL THEREUPON BE CANCELLED.

35 S 2799-KKK. REMEDIES OF BONDHOLDERS. SUBJECT TO ANY RESOLUTION OR
36 RESOLUTIONS ADOPTED PURSUANT TO THIS TITLE:

37 1. IN THE EVENT THAT THE AUTHORITY SHALL DEFAULT IN THE PAYMENT OF
38 PRINCIPAL OR OF INTEREST ON ANY ISSUE OF BONDS AFTER THE SAME SHALL
39 BECOME DUE, WHETHER AT MATURITY OR UPON CALL FOR REDEMPTION, AND SUCH
40 DEFAULT SHALL CONTINUE FOR A PERIOD OF THIRTY DAYS, OR IN THE EVENT THAT
41 THE AUTHORITY SHALL FAIL OR REFUSE TO COMPLY WITH THE PROVISIONS OF THIS
42 TITLE OR SHALL DEFAULT IN ANY AGREEMENT MADE WITH THE HOLDERS OF ANY
43 ISSUE OF BONDS, THE HOLDERS OF TWENTY-FIVE PERCENT IN AGGREGATE PRINCI-
44 PAL AMOUNT OF THE BONDS OF SUCH ISSUE THEN OUTSTANDING, BY INSTRUMENT OR
45 INSTRUMENTS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY IN WHICH THE
46 PRINCIPAL OFFICE OF THE AUTHORITY IS LOCATED AND PROVED OR ACKNOWLEDGED
47 IN THE SAME MANNER AS A DEED TO BE RECORDED, MAY APPOINT A TRUSTEE TO
48 REPRESENT THE HOLDERS OF SUCH BONDS FOR THE PURPOSE HEREIN PROVIDED.

49 2. SUCH TRUSTEE MAY, AND UPON WRITTEN REQUEST OF THE HOLDERS OF TWEN-
50 TY-FIVE PER CENTUM IN PRINCIPAL AMOUNT OF SUCH BONDS OUTSTANDING, SHALL
51 IN ITS OWN NAME:

52 (A) BY ACTION OR PROCEEDING IN ACCORDANCE WITH THE CIVIL PRACTICE LAW
53 AND RULES, ENFORCE ALL RIGHTS OF THE BONDHOLDERS, INCLUDING THE RIGHT TO
54 REQUIRE THE AUTHORITY TO COLLECT RENTS, RATES, FEES AND CHARGES ADEQUATE
55 TO CARRY OUT ANY AGREEMENT AS TO, OR PLEDGE OF, SUCH RENTS, RATES, FEES
56 AND CHARGES AND TO REQUIRE THE AUTHORITY TO CARRY OUT ANY OTHER AGREE-

1 MENTS WITH THE HOLDERS OF SUCH BONDS TO PERFORM ITS DUTIES UNDER THIS
2 TITLE;

3 (B) BRING AN ACTION OR PROCEEDING UPON SUCH BONDS;

4 (C) BY ACTION OR PROCEEDING, REQUIRE THE AUTHORITY TO ACCOUNT AS IF IT
5 WERE THE TRUSTEE OF AN EXPRESS TRUST FOR THE HOLDERS OF SUCH BONDS;

6 (D) BY ACTION OR PROCEEDING, ENJOIN ANY ACTS OR THINGS WHICH MAY BE
7 UNLAWFUL OR IN VIOLATION OF THE RIGHTS OF THE HOLDERS OF SUCH BONDS; AND

8 (E) DECLARE ALL SUCH BONDS DUE AND PAYABLE, AND IF ALL DEFAULTS SHALL
9 BE MADE GOOD, THEN WITH THE CONSENT OF THE HOLDERS OF TWENTY-FIVE PER
10 CENTUM OF THE PRINCIPAL AMOUNT OF SUCH BONDS THEN OUTSTANDING, TO ANNUL
11 SUCH DECLARATION AND ITS CONSEQUENCES.

12 3. SUCH TRUSTEE SHALL IN ADDITION TO THE FOREGOING HAVE AND POSSESS
13 ALL OF THE POWERS NECESSARY OR APPROPRIATE FOR THE EXERCISE OF ANY FUNC-
14 TIONS SPECIFICALLY SET FORTH IN THIS TITLE OR INCIDENT TO THE GENERAL
15 REPRESENTATION OF BONDHOLDERS IN THE ENFORCEMENT AND PROTECTION OF THEIR
16 RIGHTS.

17 4. THE SUPREME COURT SHALL HAVE JURISDICTION OF ANY ACTION OR PROCEED-
18 ING BY THE TRUSTEE ON BEHALF OF SUCH BONDHOLDERS. THE VENUE OF ANY SUCH
19 ACTION OR PROCEEDING SHALL BE LAID IN THE COUNTY.

20 5. BEFORE DECLARING THE PRINCIPAL OF BONDS DUE AND PAYABLE, THE TRUS-
21 TEE SHALL FIRST GIVE THIRTY DAYS NOTICE IN WRITING TO THE AUTHORITY.

22 6. ANY SUCH TRUSTEE WHETHER OR NOT THE ISSUE OF BONDS REPRESENTED BY
23 SUCH TRUSTEE HAS BEEN DECLARED DUE AND PAYABLE, SHALL BE ENTITLED AS OF
24 RIGHT TO THE APPOINTMENT OF A RECEIVER OF ANY PART OR PARTS OF THE
25 PROJECT, THE REVENUES OF WHICH ARE PLEDGED FOR THE SECURITY OF THE BONDS
26 OF SUCH ISSUE, AND SUCH RECEIVER MAY ENTER AND TAKE POSSESSION OF SUCH
27 PART OR PARTS OF THE PROJECT AND, SUBJECT TO ANY PLEDGE OR AGREEMENT
28 WITH THE HOLDERS OF SUCH BONDS, SHALL TAKE POSSESSION OF ALL MONEYS AND
29 OTHER PROPERTY DERIVED FROM SUCH PART OR PARTS OF THE PROJECT AND
30 PROCEED WITH ANY CONSTRUCTION THEREON OR THE ACQUISITION OF ANY PROPER-
31 TY, REAL OR PERSONAL, IN CONNECTION THEREWITH THAT THE AUTHORITY IS
32 UNDER OBLIGATION TO DO, AND OPERATE, MAINTAIN AND RECONSTRUCT SUCH PART
33 OR PARTS OF THE PROJECT AND COLLECT AND RECEIVE ALL REVENUES THEREAFTER
34 ARISING THEREFROM SUBJECT TO ANY PLEDGE OR AGREEMENT WITH BONDHOLDERS
35 RELATING THERETO AND PERFORM THE PUBLIC DUTIES AND CARRY OUT THE AGREE-
36 MENTS AND OBLIGATIONS OF THE AUTHORITY UNDER THE DIRECTION OF THE COURT.
37 IN ANY SUIT, ACTION OR PROCEEDING BY THE TRUSTEE, THE FEES, COUNSEL FEES
38 AND EXPENSES OF THE TRUSTEE AND OF THE RECEIVER, IF ANY, SHALL CONSTI-
39 TUTE TAXABLE DISBURSEMENTS AND ALL COSTS AND DISBURSEMENTS ALLOWED BY
40 THE COURT SHALL BE A FIRST CHARGE ON ANY REVENUES DERIVED FROM THE
41 PROJECT.

42 S 2799-LLL. STATE, COUNTY, AND CITY NOT LIABLE ON AUTHORITY BONDS.
43 NEITHER THE STATE, THE COUNTY, NOR THE CITY SHALL BE LIABLE ON THE BONDS
44 OF THE AUTHORITY AND SUCH BONDS SHALL NOT BE A DEBT OF THE STATE, THE
45 COUNTY, OR THE CITY, AND SUCH BONDS SHALL CONTAIN ON THE FACE THEREOF A
46 STATEMENT TO SUCH EFFECT.

47 S 2799-MMM. MONEYS OF THE AUTHORITY. ALL MONEYS OF THE AUTHORITY FROM
48 WHATEVER SOURCE DERIVED SHALL BE PAID TO THE TREASURER OF THE AUTHORITY
49 AND SHALL BE DEPOSITED FORTHWITH IN A BANK OR BANKS DESIGNATED BY THE
50 AUTHORITY. THE MONEYS IN SUCH ACCOUNTS SHALL BE PAID OUT ON CHECK OF THE
51 TREASURER UPON REQUISITION BY SUCH PERSON OR PERSONS AS THE AUTHORITY
52 MAY AUTHORIZE TO MAKE SUCH REQUISITIONS. ALL DEPOSITS OF SUCH MONEYS
53 SHALL BE SECURED BY OBLIGATIONS OF THE UNITED STATES OR OF THE STATE OR
54 OF ANY MUNICIPALITY OF A MARKET VALUE EQUAL AT ALL TIMES TO THE AMOUNT
55 ON DEPOSIT AND ALL BANKS AND TRUST COMPANIES ARE AUTHORIZED TO GIVE SUCH
56 SECURITY FOR SUCH DEPOSITS. TO THE EXTENT PRACTICABLE, CONSISTENT WITH

1 THE CASH REQUIREMENTS OF THE AUTHORITY, ALL SUCH MONEYS SHALL BE DEPOS-
2 ITED IN INTEREST BEARING ACCOUNTS. THE AUTHORITY SHALL HAVE POWER,
3 NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, TO CONTRACT WITH THE
4 HOLDERS OF ANY BONDS AS TO THE CUSTODY, COLLECTION, SECURITY, INVESTMENT
5 AND PAYMENT OF ANY MONEYS OF THE AUTHORITY OR ANY MONEYS HELD IN TRUST
6 OR OTHERWISE FOR THE PAYMENT OF BONDS OR IN ANY WAY TO SECURE BONDS, AND
7 CARRY OUT ANY SUCH CONTRACT NOTWITHSTANDING THAT SUCH CONTRACT MAY BE
8 INCONSISTENT WITH THE PROVISIONS OF THIS SECTION. MONEYS HELD IN TRUST
9 OR OTHERWISE FOR THE PAYMENT OF BONDS OR IN ANY WAY TO SECURE BONDS AND
10 DEPOSITS OF SUCH MONEYS MAY BE SECURED IN THE SAME MANNER AS MONEYS OF
11 THE AUTHORITY AND ALL BANKS AND TRUST COMPANIES ARE AUTHORIZED TO GIVE
12 SUCH SECURITY FOR SUCH DEPOSITS. ANY MONEYS OF THE AUTHORITY NOT
13 REQUIRED FOR IMMEDIATE USE OR DISBURSEMENT MAY, AT THE DISCRETION OF THE
14 AUTHORITY, BE INVESTED IN THOSE OBLIGATIONS SPECIFIED PURSUANT TO THE
15 PROVISIONS OF SECTION NINETY-EIGHT-A OF THE STATE FINANCE LAW. SUBJECT
16 TO THE PROVISIONS OF ANY CONTRACT WITH BONDHOLDERS AND WITH THE APPROVAL
17 OF THE STATE COMPTROLLER, THE AUTHORITY SHALL PRESCRIBE A SYSTEM OF
18 ACCOUNTS.

19 S 2799-NNN. BONDS LEGAL INVESTMENT FOR FIDUCIARIES. THE BONDS OF THE
20 AUTHORITY ARE HEREBY MADE SECURITIES IN WHICH ALL PUBLIC OFFICERS AND
21 BODIES OF THE STATE AND ALL MUNICIPALITIES, ALL INSURANCE COMPANIES AND
22 ASSOCIATIONS AND OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS, ALL
23 BANKS, BANKERS, TRUST COMPANIES, SAVINGS BANKS AND SAVINGS ASSOCIATIONS,
24 INCLUDING SAVINGS AND LOAN ASSOCIATIONS, BUILDING AND LOAN ASSOCIATIONS,
25 INVESTMENT COMPANIES AND OTHER PERSONS CARRYING ON A BANKING BUSINESS,
26 AND ADMINISTRATORS, GUARDIANS, EXECUTORS, TRUSTEES AND OTHER FIDUCIARIES
27 AND ALL OTHER PERSONS WHATSOEVER, WHO ARE NOW OR MAY HEREAFTER BE
28 AUTHORIZED TO INVEST IN BONDS OR OTHER OBLIGATIONS OF THE STATE MAY
29 PROPERLY AND LEGALLY INVEST FUNDS INCLUDING CAPITAL IN THEIR CONTROL OR
30 BELONGING TO THEM. NOTWITHSTANDING OTHER PROVISIONS OF LAW, THE BONDS
31 ARE ALSO HEREBY MADE SECURITIES WHICH MAY BE DEPOSITED WITH AND MAY BE
32 RECEIVED BY ALL PUBLIC OFFICERS AND BODIES OF THE STATE AND ALL MUNICI-
33 PALITIES FOR ANY PURPOSES FOR WHICH THE DEPOSIT OF BONDS OR OTHER OBLI-
34 GATIONS OF THIS STATE IS NOW OR HEREAFTER MAY BE AUTHORIZED.

35 S 2799-000. AGREEMENT WITH STATE. THE STATE DOES HEREBY PLEDGE TO AND
36 AGREE WITH THE HOLDERS OF ANY BONDS ISSUED BY THE AUTHORITY PURSUANT TO
37 THIS TITLE AND WITH THOSE PERSONS OR PUBLIC CORPORATIONS WHO MAY ENTER
38 INTO CONTRACTS WITH THE AUTHORITY PURSUANT TO THE PROVISIONS OF THIS
39 TITLE THAT THE STATE WILL NOT ALTER, LIMIT OR IMPAIR THE RIGHTS HEREBY
40 VESTED IN THE AUTHORITY TO PURCHASE, CONSTRUCT, OWN AND OPERATE, MAIN-
41 TAIN, REPAIR, IMPROVE, RECONSTRUCT, RENOVATE, REHABILITATE, ENLARGE,
42 INCREASE AND EXTEND, OR DISPOSE OF ANY PROJECT, OR ANY PART OR PARTS
43 THEREOF, FOR WHICH BONDS OF THE AUTHORITY SHALL HAVE BEEN ISSUED, TO
44 ESTABLISH AND COLLECT RATES, RENTS, FEES AND OTHER CHARGES REFERRED TO
45 IN THIS TITLE, TO FULFILL THE TERMS OF ANY CONTRACTS OR AGREEMENTS MADE
46 WITH OR FOR THE BENEFIT OF THE HOLDERS OF BONDS OR WITH ANY PERSON OR
47 PUBLIC CORPORATION WITH REFERENCE TO SUCH PROJECT OR PART THEREOF, OR IN
48 ANY WAY TO IMPAIR THE RIGHTS AND REMEDIES OF THE HOLDERS OF BONDS, UNTIL
49 THE BONDS, TOGETHER WITH INTEREST THEREON, INCLUDING INTEREST ON ANY
50 UNPAID INSTALLMENTS OF INTEREST, AND ALL COSTS AND EXPENSES IN
51 CONNECTION WITH ANY ACTION OR PROCEEDING BY OR ON BEHALF OF THE HOLDERS
52 OF BONDS, ARE FULLY MET AND DISCHARGED AND SUCH CONTRACTS ARE FULLY
53 PERFORMED ON THE PART OF THE AUTHORITY. THE AUTHORITY IS AUTHORIZED TO
54 INCLUDE THIS PLEDGE AND AGREEMENT OF THE STATE IN ANY AGREEMENT WITH THE
55 HOLDERS OF BONDS.

1 S 2799-PPP. AGREEMENT WITH CITY. THE CITY IS AUTHORIZED TO PLEDGE TO
2 AND AGREE WITH THE HOLDERS OF ANY BONDS ISSUED BY THE AUTHORITY PURSUANT
3 TO THIS TITLE AND WITH THOSE PERSONS OR PUBLIC CORPORATIONS WHO MAY
4 ENTER INTO CONTRACTS WITH THE AUTHORITY PURSUANT TO THE PROVISIONS OF
5 THIS TITLE THAT THE CITY WILL NOT ALTER, LIMIT OR IMPAIR THE RIGHTS
6 HEREBY VESTED IN THE AUTHORITY TO PURCHASE, CONSTRUCT, OWN AND OPERATE,
7 MAINTAIN, REPAIR, IMPROVE, RECONSTRUCT, RENOVATE, REHABILITATE, ENLARGE,
8 INCREASE AND EXTEND, OR DISPOSE OF ANY PROJECT, OR ANY PART OR PARTS
9 THEREOF, FOR WHICH BONDS OF THE AUTHORITY SHALL HAVE BEEN ISSUED, TO
10 ESTABLISH AND COLLECT RATES, RENTS, FEES AND OTHER CHARGES REFERRED TO
11 IN THIS TITLE, TO FULFILL THE TERMS OF ANY AGREEMENTS MADE WITH THE
12 HOLDERS OF THE BONDS OR WITH ANY PUBLIC CORPORATION OR PERSON WITH
13 REFERENCE TO SUCH PROJECT OR PART THEREOF, OR IN ANY WAY IMPAIR THE
14 RIGHTS AND REMEDIES OF THE HOLDERS OF BONDS, UNTIL THE BONDS, TOGETHER
15 WITH INTEREST THEREON, INCLUDING INTEREST ON ANY UNPAID INSTALLMENTS OF
16 INTEREST, AND ALL COSTS AND EXPENSES IN CONNECTION WITH ANY ACTION OR
17 PROCEEDING BY OR ON BEHALF OF THE HOLDERS OF BONDS, ARE FULLY MET AND
18 DISCHARGED AND SUCH CONTRACTS ARE FULLY PERFORMED ON THE PART OF THE
19 AUTHORITY.

20 S 2799-QQQ. EXEMPTION FROM TAXES, ASSESSMENTS AND CERTAIN FEES. 1. THE
21 AUTHORITY, NOTWITHSTANDING THE PROVISIONS OF THE REAL PROPERTY TAX LAW,
22 ANY OTHER GENERAL, SPECIAL, OR LOCAL LAW, OR ORDINANCE, RULE OR REGU-
23 LATION TO THE CONTRARY, WITH RESPECT TO THE AIRPORT, AVIATION FACILI-
24 TIES, POLLUTION CONTROL FACILITIES, ANY REAL PROPERTY, AND ANY FACILITY
25 SHALL BE EXEMPT FROM TAXATION AND SHALL NOT BE REQUIRED TO PAY ANY FEES,
26 TAXES, SPECIAL AD VALOREM LEVIES OR SPECIAL ASSESSMENTS, WHETHER STATE
27 OR LOCAL, INCLUDING BUT NOT LIMITED TO FEES, TAXES, SPECIAL AD VALOREM
28 LEVIES OR ASSESSMENTS ON REAL PROPERTY, FRANCHISE TAXES, SALES TAXES OR
29 OTHER EXCISE TAXES, UPON THE AIRPORT, AVIATION FACILITIES, POLLUTION
30 CONTROL FACILITIES, ANY FACILITY OR ANY PROPERTY OWNED OR LEASED BY IT
31 OR UNDER ITS JURISDICTION, CONTROL OR SUPERVISION, OR UPON THE USES
32 THEREOF, OR UPON ITS ACTIVITIES IN THE OPERATION AND MAINTENANCE OF ITS
33 FACILITIES OR ANY FARES, TOLLS, RENTALS, RATES, CHARGES, FEES, REVENUES
34 OR OTHER INCOME RECEIVED BY THE AUTHORITY. NOTWITHSTANDING THE PREVIOUS
35 SENTENCE; (1) THE AUTHORITY SHALL BE REQUIRED TO PAY (A) ONLY THOSE
36 SPECIAL AD VALOREM LEVIES OR ASSESSMENTS PAYABLE BY THE CITY IMMEDIATELY
37 PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND (B) SCHEDULED PAYMENTS IN
38 LIEU OF TAXES PAYABLE BY THE CITY TO SCHOOL DISTRICTS AND TO TOWNS
39 PURSUANT TO PILOT AGREEMENTS IN EFFECT IMMEDIATELY PRIOR TO THE EFFEC-
40 TIVE DATE OF THIS ACT; AND (2) TAX PARCELS NOT OWNED BY THE CITY AND NOT
41 TAX EXEMPT PRIOR TO THE EFFECTIVE DATE OF THIS ACT SHALL NOT BECOME TAX
42 EXEMPT UPON THE EFFECTIVE DATE OF THIS ACT. TAX PARCELS ACQUIRED BY THE
43 AUTHORITY SUBSEQUENT TO THE EFFECTIVE DATE OF THIS ACT SHALL BE EXEMPT
44 FROM TAXES, ASSESSMENTS, SPECIAL AD VALOREM LEVIES, AND SPECIAL ASSESS-
45 MENTS FEES AS PROVIDED HEREIN, SUBJECT TO THE OBLIGATION TO MAKE
46 PAYMENTS IN LIEU OF TAXES TO THE EXTENT PROVIDED IN SUBDIVISION THREE OF
47 SECTION TWENTY-SEVEN HUNDRED NINETY-NINE-UUU OF THIS TITLE. THE AUTHORI-
48 TY, NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL, OR LOCAL
49 LAW, OR ORDINANCE, RESOLUTION, RULE, OR REGULATION TO THE CONTRARY, WITH
50 RESPECT TO THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILI-
51 TIES, REAL PROPERTY, AND OTHER FACILITIES USED FOR PUBLIC AVIATION
52 PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH
53 THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, REAL
54 PROPERTY OR OTHER FACILITIES, SHALL AT ALL TIMES BE EXEMPT FROM ANY
55 FILING, MORTGAGE RECORDING OR TRANSFER FEES OR TAXES IN RELATION TO
56 INSTRUMENTS FILED, RECORDED OR TRANSFERRED BY THEM OR ON THEIR BEHALF.

1 THE CONSTRUCTION, USE, OCCUPATION OR POSSESSION OF ANY PROPERTY OWNED BY
2 THE AUTHORITY, INCLUDING IMPROVEMENTS THEREON, BY ANY PERSON OR PUBLIC
3 CORPORATION UNDER A LEASE, LEASE AND SUBLEASE OR ANY OTHER AGREEMENT
4 SHALL NOT OPERATE TO ABROGATE OR LIMIT THE FOREGOING EXEMPTION, NOTWITH-
5 STANDING THAT THE LESSEE, USER, OCCUPANT OR PERSON IN POSSESSION SHALL
6 CLAIM OWNERSHIP FOR FEDERAL INCOME TAX PURPOSES.

7 2. ANY BONDS ISSUED PURSUANT TO THIS TITLE TOGETHER WITH THE INCOME
8 THEREFROM AS WELL AS THE PROPERTY OF THE AUTHORITY SHALL AT ALL TIMES BE
9 EXEMPT FROM TAXES, EXCEPT FOR TRANSFER AND ESTATE TAXES. THE STATE HERE-
10 BY COVENANTS WITH THE PURCHASERS AND WITH ALL SUBSEQUENT HOLDERS AND
11 TRANSFEREES OF BONDS ISSUED BY THE AUTHORITY PURSUANT TO THIS TITLE, IN
12 CONSIDERATION OF THE ACCEPTANCE OF AND PAYMENT FOR THE BONDS, THAT THE
13 BONDS OF THE AUTHORITY ISSUED PURSUANT TO THIS TITLE AND THE INCOME
14 THEREFROM AND ALL REVENUES, MONEYS, AND OTHER PROPERTY PLEDGED TO SECURE
15 THE PAYMENT OF SUCH BONDS SHALL AT ALL TIMES BE FREE FROM TAXATION,
16 EXCEPT FOR TRANSFER AND ESTATE TAXES.

17 S 2799-RRR. ACTIONS AGAINST AUTHORITY. 1. EXCEPT IN AN ACTION FOR
18 WRONGFUL DEATH, NO ACTION OR SPECIAL PROCEEDING SHALL BE PROSECUTED OR
19 MAINTAINED AGAINST THE AUTHORITY, ITS MEMBERS, OFFICERS, OR EMPLOYEES
20 FOR PERSONAL INJURY OR DAMAGE TO REAL OR PERSONAL PROPERTY ALLEGED TO
21 HAVE BEEN SUSTAINED BY REASON OF THE NEGLIGENCE, TORT OR WRONGFUL ACT OF
22 THE AUTHORITY OR OF ANY MEMBER, OFFICER, AGENT OR EMPLOYEE THEREOF,
23 UNLESS (A) A NOTICE OF CLAIM SHALL HAVE BEEN MADE AND SERVED UPON THE
24 AUTHORITY WITHIN THE TIME LIMIT SET BY AND IN COMPLIANCE WITH SECTION
25 FIFTY-E OF THE GENERAL MUNICIPAL LAW, (B) IT SHALL APPEAR BY AND AS AN
26 ALLEGATION IN THE COMPLAINT OR MOVING PAPERS THAT AT LEAST THIRTY DAYS
27 HAVE ELAPSED SINCE THE SERVICE OF SUCH NOTICE AND THAT ADJUSTMENT OR
28 PAYMENT THEREOF HAS BEEN NEGLECTED OR REFUSED, (C) THE ACTION OR SPECIAL
29 PROCEEDING SHALL BE COMMENCED WITHIN ONE YEAR AND NINETY DAYS AFTER THE
30 HAPPENING OF THE EVENT UPON WHICH THE CLAIM IS BASED, AND (D) AN ACTION
31 AGAINST THE AUTHORITY FOR WRONGFUL DEATH SHALL BE COMMENCED IN ACCORD-
32 ANCE WITH THE NOTICE OF CLAIM AND TIME LIMITATION PROVISIONS OF TITLE
33 ELEVEN OF ARTICLE NINE OF THIS CHAPTER.

34 2. NO ACTION OR SPECIAL PROCEEDING, FOR ANY CAUSE WHATEVER, EXCEPT AS
35 HEREINAFTER PROVIDED, RELATING TO AIRPORT PROPERTY, FACILITIES OR OPER-
36 ATIONS OR INVOLVING THE RIGHTS OR INTERESTS OF THE AIRPORT OR THE
37 AIRPORT AUTHORITY SHALL BE PROSECUTED OR MAINTAINED AGAINST THE AIRPORT
38 AUTHORITY UNLESS IT SHALL APPEAR BY AND AS AN ALLEGATION IN THE
39 COMPLAINT OR NECESSARY MOVING PAPERS THAT A WRITTEN VERIFIED CLAIM UPON
40 WHICH ACTION OR SPECIAL PROCEEDING IS FOUNDED WAS SERVED ON THE AIRPORT
41 AUTHORITY, IN THE SAME MANNER AS A SUMMONS UNDER THE CPLR, WITHIN THREE
42 (3) MONTHS AFTER THE ACCRUAL OF SUCH CLAIM. THE PROVISIONS OF THIS
43 SECTION SHALL NOT APPLY TO AN ACTION OR SPECIAL PROCEEDING FOUNDED UPON
44 TORT WHICH SHALL BE GOVERNED BY THE PROVISIONS OF SECTION FIFTY-E OF THE
45 GENERAL MUNICIPAL LAW, OR TO THE EXTENT DISALLOWED UNDER FEDERAL LAW,
46 REGULATIONS, OR BY AGREEMENT WITH THE FEDERAL GOVERNMENT.

47 3. WHENEVER A NOTICE OF CLAIM IS SERVED UPON THE AUTHORITY, IT SHALL
48 HAVE THE RIGHT TO DEMAND AN EXAMINATION OF THE CLAIMANT RELATIVE TO THE
49 OCCURRENCE AND EXTENT OF THE INJURIES OR DAMAGES FOR WHICH CLAIM IS
50 MADE, IN ACCORDANCE WITH THE PROVISIONS OF SECTION FIFTY-H OF THE GENER-
51 AL MUNICIPAL LAW.

52 4. THE AUTHORITY MAY REQUIRE ANY PERSON PRESENTING FOR SETTLEMENT AN
53 ACCOUNT OR CLAIM FOR ANY CAUSE WHATEVER AGAINST THE AUTHORITY TO BE
54 SWORN BEFORE A MEMBER, COUNSEL OR AN ATTORNEY, OFFICER OR EMPLOYEE OF
55 THE AUTHORITY DESIGNATED FOR SUCH PURPOSE, CONCERNING SUCH ACCOUNT OR
56 CLAIM AND, WHEN SO SWORN, TO ANSWER ORALLY AS TO ANY FACTS RELATIVE TO

1 SUCH ACCOUNT OR CLAIM. THE AUTHORITY SHALL HAVE POWER TO SETTLE OR
2 ADJUST ALL CLAIMS IN FAVOR OF OR AGAINST THE AUTHORITY.

3 5. ANY ACTION OR PROCEEDING TO WHICH THE AUTHORITY OR THE PEOPLE OF
4 THE STATE MAY BE PARTIES, IN WHICH ANY QUESTION ARISES AS TO THE VALIDI-
5 TY OF THIS TITLE, SHALL BE PREFERRED OVER ALL OTHER CIVIL CAUSES OF
6 ACTION OR CASES, EXCEPT ELECTION CAUSES OF ACTION OR CASES, IN ALL
7 COURTS OF THE STATE AND SHALL BE HEARD AND DETERMINED IN PREFERENCE TO
8 ALL OTHER CIVIL BUSINESS PENDING THEREIN EXCEPT ELECTION CAUSES, IRRE-
9 SPECTIVE OF POSITION ON THE CALENDAR. THE SAME PREFERENCE SHALL BE
10 GRANTED UPON APPLICATION OF THE AUTHORITY OR ITS COUNSEL IN ANY ACTION
11 OR PROCEEDING QUESTIONING THE VALIDITY OF THIS TITLE IN WHICH THE
12 AUTHORITY MAY BE ALLOWED TO INTERVENE. THE VENUE OF ANY SUCH ACTION OR
13 PROCEEDING SHALL BE LAID IN THE SUPREME COURT OF ONONDAGA COUNTY.

14 6. THE RATE OF INTEREST TO BE PAID BY THE AUTHORITY UPON ANY JUDGMENT
15 FOR WHICH IT IS LIABLE, OTHER THAN A JUDGMENT ON ITS BONDS, SHALL BE THE
16 RATE PRESCRIBED BY SECTION FIVE THOUSAND FOUR OF THE CIVIL PRACTICE LAW
17 AND RULES. INTEREST ON PAYMENTS OF PRINCIPAL OR INTEREST ON ANY BONDS IN
18 DEFAULT SHALL ACCRUE AT THE RATE BORNE BY SUCH BONDS FROM THE DUE DATE
19 THEREOF UNTIL PAID OR OTHERWISE SATISFIED.

20 S 2799-SSS. CONTRACT. ALL CONTRACTS FOR CONSTRUCTION SHALL BE LET BY
21 THE AUTHORITY IN CONFORMITY WITH THE APPLICABLE PROVISIONS OF SECTION
22 ONE HUNDRED THIRTY-FIVE OF THE STATE FINANCE LAW AND SHALL BE LET IN
23 ACCORDANCE WITH THE PROVISIONS OF STATE LAW PERTAINING TO PREVAILING
24 WAGES, LABOR STANDARDS AND WORKING HOURS. IN THE CASE OF INDUSTRIAL
25 PROJECTS, WHENEVER THE AUTHORITY DETERMINES THAT TRADE SECRETS OR OTHER
26 CONFIDENTIAL INFORMATION ABOUT THE PROSPECTIVE PROJECT OCCUPANT'S BUSI-
27 NESS OPERATIONS, PRODUCTS, PROCESSES OR DESIGNS WOULD BE REVEALED BY
28 PUBLIC BIDDING, THE REQUIREMENTS OF SECTION ONE HUNDRED THIRTY-FIVE OF
29 THE STATE FINANCE LAW WITH RESPECT TO PUBLIC BIDDING MAY BE WAIVED. IN
30 SUCH EVENT, SEPARATE SPECIFICATIONS SHALL BE PREPARED FOR, AND SEPARATE
31 AND INDEPENDENT CONTRACTS SHALL BE ENTERED INTO, FOR THE FOLLOWING THREE
32 SUBDIVISIONS OF WORK TO BE PERFORMED: (A) PLUMBING AND GAS FITTING; (B)
33 STEAM HEATING, HOT WATER HEATING, VENTILATING AND AIR CONDITIONING APPA-
34 RATUS; AND (C) ELECTRIC WIRING AND STANDARD ILLUMINATING FIXTURES. THE
35 AUTHORITY MAY, IN ITS DISCRETION, ASSIGN CONTRACTS FOR SUPERVISION AND
36 COORDINATION TO THE SUCCESSFUL BIDDER FOR ANY SUBDIVISION OF WORK FOR
37 WHICH THE AUTHORITY RECEIVES BIDS. THE AUTHORITY SHALL NOT AWARD ANY
38 CONSTRUCTION CONTRACT EXCEPT TO THE LOWEST BIDDER WHO, IN ITS OPINION,
39 IS QUALIFIED TO PERFORM THE WORK REQUIRED AND WHO IS RESPONSIBLE AND
40 RELIABLE. THE AUTHORITY MAY, HOWEVER, REJECT ANY OR ALL BIDS OR WAIVE
41 ANY INFORMALITY IN A BID IF IT BELIEVES THAT THE PUBLIC INTEREST WILL BE
42 PROMOTED THEREBY. THE AUTHORITY MAY REJECT ANY BID IF, IN ITS JUDGMENT,
43 THE BUSINESS AND TECHNICAL ORGANIZATION, PLANT, RESOURCES, FINANCIAL
44 STANDING, OR EXPERIENCE OF THE BIDDER JUSTIFIES SUCH REJECTION IN VIEW
45 OF THE WORK TO BE PERFORMED.

46 S 2799-TTT. INTEREST IN CONTRACTS PROHIBITED. IT SHALL BE A MISDEMEA-
47 NOR FOR ANY MEMBER, OFFICER OR EMPLOYEE OF THE AUTHORITY TO BE IN ANY
48 WAY OR MANNER INTERESTED, DIRECTLY OR INDIRECTLY, IN THE FURNISHING OF
49 WORK, MATERIALS, SUPPLIES OR LABOR, OR IN ANY CONTRACT THEREFORE WHICH
50 THE AUTHORITY IS EMPOWERED BY THIS TITLE TO MAKE.

51 S 2799-UUU. AGREEMENTS RELATING TO PAYMENT IN LIEU OF TAXES. 1. IN
52 ORDER TO ASSURE THAT MUNICIPALITIES MAY NOT SUFFER UNDUE LOSS PAYMENTS
53 IN LIEU OF TAXES, THE CITY HAS ENTERED INTO PAYMENT IN LIEU OF TAX
54 AGREEMENTS WITH THE EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT, THE
55 TOWN OF DEWITT, THE TOWN OF SALINA, THE TOWN OF CICERO AND THE NORTH

1 SYRACUSE CENTRAL SCHOOL DISTRICT. THE AUTHORITY IS OBLIGATED TO CONTINUE
2 TO MAKE ANY PILOT PAYMENTS AS SET FORTH IN THESE PILOT AGREEMENTS.

3 2. SUBJECT TO ANY AGREEMENT WITH BONDHOLDERS, THE AUTHORITY MAY, BUT
4 IS NOT REQUIRED TO, INCREASE THE AMOUNT OF THE PAYMENTS IN LIEU OF TAXES
5 TO ANY SUCH MUNICIPALITY IN RESPECT OF ANY REAL PROPERTY WHICH IS OWNED
6 OR LEASED BY THE AUTHORITY IS LOCATED IN SUCH MUNICIPALITY AND IS USED
7 FOR THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, AND
8 OTHER FACILITIES USED FOR PUBLIC AVIATION PURPOSES OR FOR AIRPORT DEVELOP-
9 OPMENT OR TO SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION FACILI-
10 TIES OR POLLUTION CONTROL FACILITIES. FOR THE PURPOSES OF THIS SECTION,
11 SUCH PUBLIC AVIATION PURPOSES SHALL INCLUDE WITHOUT LIMITATION AIR
12 TERMINAL FACILITIES, AVIATION FACILITIES, PARKING FACILITIES, FUEL
13 FACILITIES, MAINTENANCE FACILITIES, AND FACILITIES FOR THE LOADING,
14 UNLOADING, HOLDING, INTERCHANGE OR TRANSFER OF PASSENGERS, FREIGHT,
15 BAGGAGE OR CARGO.

16 3. (A) IN THE EVENT THAT ANY REAL PROPERTY ACQUIRED BY THE AUTHORITY
17 SUBSEQUENT TO THE EFFECTIVE DATE OF THIS ACT IS USED OR IS TO BE USED BY
18 THE AUTHORITY, OR A LESSEE THEREOF, FOR PURPOSES OTHER THAN THE AIRPORT,
19 AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, AND OTHER FACILITIES
20 USED FOR PUBLIC AVIATION PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO
21 SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION FACILITIES, OR
22 POLLUTION CONTROL FACILITIES, THE AUTHORITY, OR A LESSEE THEREOF, AS THE
23 CASE MAY BE, SHALL ENTER INTO AGREEMENTS WITH ANY MUNICIPALITY OF THE
24 STATE TO PAY ANNUAL SUMS IN LIEU OF TAXES IN RESPECT OF SUCH REAL PROP-
25 erty located in such municipality. FOR THE PURPOSES OF THIS SECTION,
26 SUCH PURPOSES OTHER THAN THE AIRPORT, AVIATION FACILITIES, POLLUTION
27 CONTROL FACILITIES, AND OTHER FACILITIES USED FOR PUBLIC AVIATION
28 PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH
29 THE AIRPORT, AVIATION FACILITIES, OR POLLUTION CONTROL FACILITIES, SHALL
30 INCLUDE WITHOUT LIMITATION HOTELS, MOTELS, RESTAURANTS, RETAIL STORES
31 AND CONCESSIONS THAT ARE NOT LOCATED WITHIN ANY AIR TERMINAL BUILDING,
32 OFFICE BUILDINGS TO THE EXTENT NOT USED BY THE AUTHORITY OR ANY OTHER
33 PUBLIC CORPORATION FOR ITS OWN CORPORATE PURPOSES, AND SUCH OTHER BUILD-
34 INGS AND IMPROVEMENTS AS DETERMINED BY THE AUTHORITY TO BE NOT EXCLU-
35 SIVELY FOR THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILI-
36 TIES, AND OTHER FACILITIES USED FOR AVIATION PURPOSES OR FOR AIRPORT
37 DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION
38 FACILITIES, OR POLLUTION CONTROL FACILITIES.

39 (B) THE AUTHORITY SHALL DETERMINE: (I) THE AMOUNT OF SUCH ANNUAL
40 PAYMENTS IN LIEU OF TAXES, (II) WHETHER THE USE OF SUCH PROPERTY IS FOR
41 PURPOSES OTHER THAN PUBLIC AVIATION PURPOSES AND (III) THE EXTENT TO
42 WHICH SUCH PROPERTY IS USED FOR PURPOSES OTHER THAN PUBLIC AVIATION
43 PURPOSES.

44 S 2799-VVV. AUDIT AND ANNUAL REPORT. IN CONFORMITY WITH THE PROVISIONS
45 OF SECTION FIVE OF ARTICLE TEN OF THE CONSTITUTION, THE ACCOUNTS OF THE
46 AUTHORITY SHALL BE SUBJECT TO THE SUPERVISION OF THE STATE COMPTROLLER
47 AND AN ANNUAL AUDIT SHALL BE PERFORMED BY AN INDEPENDENT CERTIFIED
48 ACCOUNTANT. THE AUTHORITY SHALL ANNUALLY SUBMIT TO THE GOVERNOR AND THE
49 STATE COMPTROLLER AND TO THE CHAIRPERSON OF THE SENATE FINANCE COMMITTEE
50 AND THE CHAIRPERSON OF THE ASSEMBLY WAYS AND MEANS COMMITTEE A DETAILED
51 REPORT PURSUANT TO THE PROVISIONS OF SECTION TWO THOUSAND EIGHT HUNDRED
52 OF TITLE ONE OF ARTICLE NINE OF THIS CHAPTER, AND A COPY OF SUCH REPORT
53 SHALL BE FILED WITH THE CLERK OF THE SYRACUSE COMMON COUNCIL AND THE
54 MAYOR.

55 S 2799-WWW. LIMITED LIABILITY. NEITHER MEMBERS, OFFICERS OR EMPLOYEES
56 OF THE AUTHORITY, NOR ANY MUNICIPALITY, OR AN OFFICER OR EMPLOYEE THERE-

1 OF ACTING ON BEHALF OF THE AUTHORITY, WHILE ACTING WITHIN THE SCOPE OF
2 THEIR AUTHORITY, SHALL BE SUBJECT TO ANY PERSONAL LIABILITY RESULTING
3 FROM THE CONSTRUCTION, MAINTENANCE OR OPERATION OF ANY OF THE PROPERTIES
4 OF THE AUTHORITY OR FROM CARRYING OUT ANY OF THE POWERS EXPRESSLY GIVEN
5 IN THIS TITLE PROVIDED, HOWEVER, THAT THIS SECTION SHALL NOT BE HELD TO
6 APPLY TO ANY INDEPENDENT CONTRACTOR.

7 S 2799-XXX. TRANSFER OF APPLICATIONS, PROCEEDINGS, APPROVALS AND
8 PERMITS. 1. ANY APPLICATION, REVIEW OR PROCESS IN RELATION TO OR IN
9 FURTHERANCE OF THE PURPOSES OF OR CONTEMPLATED BY THIS TITLE HERETOFORE
10 FILED OR UNDERTAKEN, OR ANY PROCEEDING HERETOFORE COMMENCED OR ANY
11 DETERMINATION, FINDING OR AWARD MADE, BY THE CITY OR BY THE CITY WITH
12 THE FEDERAL GOVERNMENT, THE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVA-
13 TION, THE STATE DEPARTMENT OF TRANSPORTATION OR ANY OTHER PUBLIC CORPO-
14 RATION SHALL INURE TO AND FOR THE BENEFIT OF THE AUTHORITY TO THE SAME
15 EXTENT AND IN THE SAME MANNER AS IF THE AUTHORITY HAD BEEN A PARTY TO
16 SUCH APPLICATION, REVIEW, PROCESS OR PROCEEDING FROM ITS INCEPTION, AND
17 THE AUTHORITY SHALL BE DEEMED A PARTY THERETO, TO THE EXTENT NOT PROHIB-
18 ITED BY ANY FEDERAL LAW. ANY LICENSE, APPROVAL, PERMIT, DETERMINATION,
19 FINDING, AWARD OR DECISION HERETOFORE OR HEREAFTER ISSUED OR GRANTED
20 PURSUANT TO OR AS A RESULT OF ANY SUCH APPLICATION, REVIEW, PROCESS OR
21 PROCEEDING SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE AUTHOR-
22 ITY AND SHALL BE ASSIGNED AND TRANSFERRED BY THE CITY TO THE AUTHORITY
23 UNLESS SUCH ASSIGNMENT AND TRANSFER IS PROHIBITED BY FEDERAL LAW.

24 2. ALL SUCH APPLICATIONS, PROCEEDINGS, LICENSES, APPROVALS, PERMITS,
25 DETERMINATIONS, FINDINGS, AWARDS AND DECISIONS SHALL FURTHER INURE TO
26 AND FOR THE BENEFIT OF AND BE BINDING UPON ANY PERSON LEASING, ACQUIR-
27 ING, FINANCING, CONSTRUCTING, MAINTAINING, OPERATING, USING OR OCCUPYING
28 ANY FACILITY FINANCED IN WHOLE OR IN PART BY THE AUTHORITY.

29 S 2799-YYY. SEVERABILITY. IF ANY CLAUSE, SENTENCE, PARAGRAPH, SECTION,
30 OR PART OF THIS TITLE SHALL BE ADJUDGED BY ANY COURT OF COMPETENT JURIS-
31 DICTION TO BE INVALID, SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR OR INVALID-
32 DATE THE REMAINDER THEREOF, BUT SHALL BE CONFINED IN ITS OPERATION TO
33 THE CLAUSE, SENTENCE, PARAGRAPH, SECTION, OR PART THEREOF INVOLVED IN
34 THE CONTROVERSY IN WHICH SUCH JUDGMENT SHALL HAVE BEEN RENDERED.

35 S 2799-ZZZ. EFFECT OF INCONSISTENT PROVISIONS. INSOFAR AS THE
36 PROVISIONS OF THIS TITLE ARE INCONSISTENT WITH THE PROVISIONS OF ANY
37 OTHER ACT, GENERAL OR SPECIAL, OR OF THE CITY CHARTER OR ANY LOCAL LAW,
38 CHARTER, ORDINANCE OR RESOLUTION OF THE COUNTY OR ANY OTHER MUNICI-
39 PALITY, THE PROVISIONS OF THIS TITLE SHALL BE CONTROLLING. NOTHING
40 CONTAINED IN THIS SECTION SHALL BE HELD TO SUPPLEMENT OR OTHERWISE
41 EXPAND THE POWERS OR DUTIES OF THE AUTHORITY OTHERWISE SET FORTH IN THIS
42 TITLE. EXCEPT AS SPECIFICALLY PROVIDED FOR IN THIS TITLE, IN THE
43 PERFORMANCE OF ANY OF ITS FUNCTIONS, POWERS AND DUTIES, THE AUTHORITY
44 SHALL BE SUBJECT TO ALL APPLICABLE GENERAL OR SPECIAL LAWS OF THE STATE,
45 THE CITY CHARTER, AND ANY LOCAL LAW, ORDINANCE OR RESOLUTION OF THE
46 CITY.

47 S 2. This act shall take effect immediately.