S T A T E O F N E W Y O R K

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public authorities law is amended by adding a new title 34 to article 8 to read as follows:

TITLE 34

SYRACUSE REGIONAL AIRPORT AUTHORITY

SECTION 2799-AAA. SHORT TITLE.
2799-BBB. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE.
2799-CCC. DEFINITIONS.
2799-DDD. SYRACUSE REGIONAL AIRPORT AUTHORITY.
2799-EEE. ADVANCES ON BEHALF OF AUTHORITY, TRANSFER OF PROPERTY TO AUTHORITY, ACQUISITION OF PROPERTY BY CITY OR AUTHORITY.
2799-FFF. TRANSFER OF OFFICERS AND EMPLOYEES.
2799-GGG. GENERAL POWERS OF THE AUTHORITY.
2799-HHH. SPECIAL POWERS OF THE AUTHORITY.
2799-III. CITY APPROVAL REQUIRED.
2799-JJJ. BONDS OF THE AUTHORITY.
2799-KKK. REMEDIES OF BONDHOLDERS.
2799-LLL. STATE, COUNTY, AND CITY NOT LIABLE ON AUTHORITY BONDS.
2799-MMM. MONEYS OF THE AUTHORITY.
2799-NNN. BONDS LEGAL INVESTMENT FOR FIDUCIARIES.
2799-OOO. AGREEMENT WITH STATE.
2799-PPP. AGREEMENT WITH CITY.
2799-QQQ. EXEMPTION FROM TAXES, ASSESSMENTS AND CERTAIN FEES.
2799-RRR. ACTIONS AGAINST AUTHORITY.
2799-SSS. CONTRACT.
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

2799-UUU. AGREEMENTS RELATING TO PAYMENT IN LIEU OF TAXES.
2799-VVV. AUDIT AND ANNUAL REPORT.
2799-WWW. LIMITED LIABILITY.
2799-XXX. TRANSFER OF APPLICATIONS, PROCEEDINGS, APPROVALS AND PERMITS.
2799-YYY. SEVERABILITY.
2799-ZZZ. EFFECT OF INCONSISTENT PROVISIONS.

S 2799-AAA. SHORT TITLE. THIS TITLE MAY BE CITED AS THE "SYRACUSE REGIONAL AIRPORT AUTHORITY ACT".

S 2799-BBB. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE. THE LEGISLATURE HEREBY FINDS AND DECLARES AS FOLLOWS:

1. THE ECONOMIC WELL-BEING OF THE STATE AND THE GENERAL WELFARE OF ITS PEOPLE REQUIRE ADEQUATE, SAFE, SECURE AND EFFICIENT AVIATION AND TRANSPORTATION FACILITIES AT A REASONABLE COST TO THE PEOPLE.

2. THE STRENGTHENING AND IMPROVEMENT OF AVIATION FACILITIES AND RELATED SERVICES FOR THE CENTRAL PART OF THE STATE IS A MATTER OF VITAL IMPORTANCE NOT ONLY TO THE RESIDENTS OF CENTRAL NEW YORK BUT TO ALL THE STATE'S RESIDENTS AND IS THEREFORE A MATTER OF STATE CONCERN.

3. IN ORDER TO INSURE A HEALTHY ECONOMY FOR SUCH AREA AND TO PROMOTE THE GENERAL WELFARE OF ITS RESIDENTS, IT IS NECESSARY TO EXPAND AND IMPROVE THE EXISTING AVIATION FACILITIES AND SERVICES IN THE CENTRAL NEW YORK REGION IN SUCH A MANNER AS TO STIMULATE AND PROMOTE INCREASED LOCAL, STATE, NATIONAL AND INTERNATIONAL AIR TRAVEL AND COMMERCE THROUGHOUT CENTRAL NEW YORK.

4. THE HEALTH, WELFARE, SAFETY AND SECURITY OF THE STATE'S RESIDENTS AND OF THOSE PASSENGERS USING AIR TRANSPORTATION REQUIRES COORDINATED OPERATION OF AVIATION FACILITIES AND SERVICES IN THE CENTRAL NEW YORK REGION BY A PUBLIC BENEFIT AIRPORT AUTHORITY.

5. THE PURPOSES OF SUCH AUTHORITY SHALL BE:

(A) TO STIMULATE AND PROMOTE ECONOMIC DEVELOPMENT, TRADE AND TOURISM;

(B) TO ACQUIRE, CONSTRUCT, RECONSTRUCT, CONTINUE, DEVELOP, EQUIP, EXPAND, IMPROVE, MAINTAIN, FINANCE AND OPERATE AVIATION AND OTHER RELATED FACILITIES AND SERVICES WITHIN CENTRAL NEW YORK;

(C) TO PROMOTE SAFE, SECURE, EFFICIENT AND ECONOMICAL AIR TRANSPORTATION BY PRESERVING AND ENHANCING AIRPORT CAPACITY;

(D) TO FORM AN INTEGRAL PART OF A SAFE AND EFFECTIVE NATIONWIDE SYSTEM OF AIRPORTS TO MEET THE PRESENT AND FUTURE NEEDS OF CIVIL AERONAUTICS AND NATIONAL DEFENSE AND TO ASSURE INCLUSION OF THE AUTHORITY'S FACILITIES IN STATE, NATIONAL AND INTERNATIONAL PROGRAMS FOR AIR TRANSPORTATION AND FOR AIRPORT OR AIRWAY CAPITAL IMPROVEMENT, ALL IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE; AND

(E) TO INSURE THAT AVIATION FACILITIES AUTHORIZED PURSUANT TO THIS TITLE SHALL PROVIDE FOR THE PROTECTION AND ENHANCEMENT OF THE NATURAL RESOURCES AND THE QUALITY OF THE ENVIRONMENT OF THE STATE AND THE CENTRAL NEW YORK AREA.

6. SUCH PURPOSES ARE IN ALL RESPECTS PUBLIC PURPOSES FOR THE BENEFIT OF THE PEOPLE OF THE STATE OF NEW YORK AND FOR WHICH PUBLIC FUNDS MAY BE EXPENDED AND BOTH THE CITY OF SYRACUSE AND THE AUTHORITY IN CARRYING OUT THEIR RESPECTIVE POWERS AND DUTIES UNDER THIS TITLE SHALL BE DEEMED TO BE ACTING IN A GOVERNMENTAL CAPACITY. THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, DEVELOPMENT, EXPANSION, IMPROVEMENT, EQUIPPING, OPERATION AND MAINTENANCE OF ANY PROJECT FINANCED OR UNDERTAKEN BY THE AUTHORITY OR THE CITY SHALL BE DEEMED TO BE THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL FUNCTION BY THE AUTHORITY OR THE CITY ACTING IN ITS GOVERNMENTAL CAPACITY, WHETHER SUCH PROJECT SHALL BE OWNED OR OPERATED BY THE AUTHORITY OR BY ANY PERSON OR PUBLIC CORPORATION.

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

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

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

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

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

4. "AVIATION FACILITIES" SHALL MEAN ANY AIRPORT FACILITY OR TERMINAL INCLUDING BUT NOT LIMITED TO ANY FACILITY, PROPERTY OR EQUIPMENT NECESSARY, CONVENIENT OR DESIRABLE FOR THE LANDING, TAKING OFF, ACCOMMODATION OR SERVICING OF AIRCRAFT OF ALL TYPES, AND SHALL INCLUDE SUCH OTHER FACILITIES, EQUIPMENT, PROPERTY, STRUCTURES AND APPURTENANCES AS MAY BE NECESSARY OR CONVENIENT IN THE OPERATION, MAINTENANCE, DEVELOPMENT OR IMPROVEMENT OF AN AIRPORT INCLUDING FACILITIES, EQUIPMENT, PROPERTY, STRUCTURES, AND APPURTENANCES, LEASED BY THE AUTHORITY TO PERSONS, ENGAGED IN AIR TRANSPORTATION OR THE PRODUCTION OR DEVELOPMENT OF MATERIALS, GOODS OR EQUIPMENT FOR AN AIRPORT OR AIR TRANSPORTATION OR IN PROVIDING FACILITIES OR EQUIPMENT FOR THE ACCOMMODATION, SAFETY, SECURITY OR COMFORT OF THE TRAVELING PUBLIC AND FOR PURPOSES RELATED OR INCIDENTAL TO ONE OR MORE OF THE FOREGOING PURPOSES. IT SHALL INCLUDE, WITHOUT LIMITATION, RUNWAYS, APRONS, HANGARS, CONTROL TOWERS, RAMPS, TAXIWAYS, NAVIGATION AIDS, WAREHOUSES, OFFICE AND SERVICE BUILDINGS, STRUCTURES, PARKING FACILITIES, CONCESSION FACILITIES, RESTAURANTS LOCATED IN THE TERMINAL, MOTELS AND HOTELS LOCATED IN THE TERMINAL, RETAIL STORES, MAINTENANCE FACILITIES, FUEL FACILITIES, AND FACILITIES FOR THE LOADING, UNLOADING, HOLDING, INTERCHANGE OR TRANSFER OF SUCH PASSENGERS, FREIGHT, BAGGAGE OR CARGO. IT SHALL ALSO MEAN ANY PROPERTY NECESSARY TO REMOVE, MITIGATE, PREVENT OR LIMIT AIRPORT HAZARDS. IT SHALL ALSO MEAN FACILITIES AND EQUIPMENT PROVIDING ACCESS TO AN AIRPORT FACILITY OR TERMINAL, INCLUDING APPROPRIATE MASS TRANSPORTATION TERMINAL FACILITIES AT AND WITHIN THE AIRPORT FACILITY OR TERMINAL ITSELF. IT SHALL ALSO MEAN HIGHWAYS, ACCESS ROADS, DRIVEWAYS AND APPROACHES IN THE VICINITY OF AN AIRPORT FACILITY OR TERMINAL PROVIDING IMPROVED ACCESS TO SUCH AIRPORT FACILITY OR TERMINAL. NOTWITHSTANDING ANY CONTRARY

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

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

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

7. "CONSTRUCTION" SHALL MEAN THE ACQUISITION, ERECTION, BUILDING, ALTERATION, REPAIR, IMPROVEMENT, INCREASE, ENLARGEMENT, EXTENSION, INSTALLATION, RECONSTRUCTION, RENOVATION OR REHABILITATION OF A PROJECT INCLUDING ANY APPURTENANCES THERETO WHICH MAY BE NECESSARY OR DESIRABLE TO PROMOTE THE EFFICIENCY OR EFFECTIVENESS OF SUCH PROJECT; THE INSPECTION AND SUPERVISION THEREOF; AND THE ENGINEERING, CONSULTING, ARCHITECTURAL, LEGAL, FISCAL AND ECONOMIC AND ENVIRONMENTAL INVESTIGATIONS AND STUDIES, SURVEYS, DESIGNS, PLANS, WORKING DRAWINGS, SPECIFICATIONS, PROCEDURES AND OTHER ACTIONS INCIDENTAL THERETO AND CLAIMS ARISING THEREFROM.

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

9. "COUNTY" SHALL MEAN ONONDAGA COUNTY.

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

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

11. "FACILITY" SHALL MEAN, AMONG OTHER THINGS, SUCH PROPERTIES, STRUCTURES, APPURTENANCES, UTILITIES, TERMINALS, RAILROAD TRACKAGE, WAREHOUSES, ELEVATORS AND SUCH OTHER WORKS, PROPERTIES, BUILDINGS OR ALLIED ITEMS NECESSARY OR DESIRABLE IN CONNECTION WITH DEVELOPMENT, OPERATION, MAINTENANCE OR IMPROVEMENT OF AIRPORT AND PUBLIC TRANSPORTATION NEEDS AND FOR THE ACCOMMODATION, SAFETY, SECURITY OR COMFORT OF THE PUBLIC AND OF COMMERCIAL ENTERPRISE.

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

13. "JOINT SERVICE ARRANGEMENT" SHALL MEAN AGREEMENTS BETWEEN OR AMONG THE AUTHORITY AND ANY PERSON, THE STATE, THE CITY, ANY OTHER PUBLIC CORPORATION, THE FEDERAL GOVERNMENT, ANY OTHER STATE OR AGENCY OR INSTRUMENTALITY THEREOF, RELATING TO PROPERTY, BUILDINGS, STRUCTURES, FACILITIES, SERVICES, RATES, FARES, CLASSIFICATION, DIVISIONS, ALLOWANCES OR CHARGES (INCLUDING CHARGES BETWEEN OPERATORS OF RAILROAD, OMNIBUS AND AVIATION FACILITIES), OR RULES OR REGULATIONS PERTAINING THERETO, FOR OR IN CONNECTION WITH OR INCIDENTAL TO TRANSPORTATION IN PART IN OR UPON RAILROAD, OMNIBUS OR AVIATION FACILITIES LOCATED WITHIN THE COUNTY AND IN PART IN OR UPON RAILROAD, OMNIBUS OR AVIATION FACILITIES LOCATED OUTSIDE THE COUNTY.

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

15. "PERSON" SHALL MEAN ANY NATURAL PERSON, FIRM, PARTNERSHIP, ASSOCIATION, JOINT VENTURE OR CORPORATION, EXCLUSIVE OF A PUBLIC CORPORATION.

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

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

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

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

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

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

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

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

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

S 2799-DDD. SYRACUSE REGIONAL AIRPORT AUTHORITY. 1. THERE IS HEREBY CREATED THE SYRACUSE REGIONAL AIRPORT AUTHORITY. THE AUTHORITY SHALL BE A BODY CORPORATE AND POLITIC CONSTITUTING A PUBLIC BENEFIT CORPORATION. THE AUTHORITY SHALL CONSIST OF ELEVEN MEMBERS WHO SHALL BE APPOINTED AS FOLLOWS: SEVEN SHALL BE APPOINTED BY THE MAYOR OF THE CITY OF SYRACUSE, ONE SHALL BE APPOINTED BY THE COUNTY EXECUTIVE OF ONONDAGA COUNTY, ONE SHALL BE APPOINTED BY THE TOWN BOARD OF THE TOWN OF DEWITT, ONE SHALL BE APPOINTED BY THE BOARD OF EDUCATION OF THE EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT, AND ONE SHALL BE APPOINTED FOR A PERIOD OF ONE YEAR, ALTERNATELY, BY THE BOARD OF EDUCATION OF THE NORTH SYRACUSE CENTRAL SCHOOL DISTRICT OR THE TOWN BOARD OF THE TOWN OF SALINA, CICERO OR CLAY. THE MEMBER INITIALLY APPOINTED BY THE COUNTY EXECUTIVE AND TWO OF THE MEMBERS INITIALLY APPOINTED BY THE MAYOR SHALL SERVE FOR A TERM ENDING DECEMBER THIRTY-FIRST, TWO THOUSAND TWELVE. TWO OF THE MEMBERS INITIALLY APPOINTED BY THE MAYOR SHALL SERVE FOR A TERM ENDING DECEMBER THIRTY-FIRST, TWO THOUSAND THIRTEEN. THREE MEMBERS INITIALLY APPOINTED BY THE MAYOR, THE MEMBER APPOINTED BY THE TOWN BOARD OF THE TOWN OF DEWITT, AND THE MEMBER APPOINTED BY THE BOARD OF EDUCATION OF THE EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT, SHALL SERVE FOR A TERM ENDING DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN. THE FIRST MEMBER APPOINTED BY THE TOWN BOARD OF THE TOWN OF SALINA, CICERO OR CLAY, OR BY THE BOARD OF EDUCATION OF THE NORTH SYRACUSE CENTRAL SCHOOL DISTRICT, SHALL BE APPOINTED BY THE TOWN BOARD OF THE TOWN OF CICERO AND SHALL SERVE FOR A TERM ENDING DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN. FOLLOWING THE EXPIRATION OF SUCH MEMBER'S ONE YEAR TERM, THE SUBSEQUENTLY APPOINTED MEMBER SHALL BE APPOINTED BY THE TOWN BOARD OF THE TOWN OF SALINA. FOLLOWING THE EXPIRATION OF SUCH MEMBER'S ONE YEAR TERM, THE SUBSEQUENTLY APPOINTED MEMBER SHALL BE APPOINTED BY THE TOWN BOARD OF THE TOWN OF CLAY. FOLLOWING THE EXPIRATION OF SUCH MEMBER'S ONE YEAR TERM, THE SUBSEQUENTLY APPOINTED MEMBER SHALL BE APPOINTED BY THE BOARD OF EDUCATION OF THE NORTH SYRACUSE CENTRAL SCHOOL DISTRICT. THEREAFTER, EACH SUBSEQUENT MEMBER SHALL BE APPOINTED ALTERNATELY BY EACH TOWN OR THE BOARD OF EDUCATION IN THE SAME ORDER AS THE INITIAL APPOINTMENTS. THE MAYOR SHALL DESIGNATE ONE OF THE ELEVEN MEMBERS TO SERVE AS CHAIRPERSON OF THE AUTHORITY. WITH THE EXCEPTION OF THE MEMBER APPOINTED BY THE BOARD OF EDUCATION OF THE NORTH SYRACUSE CENTRAL SCHOOL DISTRICT OR BY

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

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

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

4. APPOINTMENTS TO THE AUTHORITY AND TO THE NON-VOTING ADVISORY BOARD SHALL BE GEOGRAPHICALLY DIVERSE AND INCLUDE REPRESENTATIVES FROM BUSINESS, FINANCE, AND LABOR.

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

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

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

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

2. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF ANY GENERAL, SPECIAL OR LOCAL LAW, ORDINANCE, RESOLUTION OR CHARTER, ANY PUBLIC CORPORATION MAY, BY A MAJORITY VOTE OF ITS GOVERNING BODY AND THE APPROVAL OF ITS CHIEF EXECUTIVE OFFICER, GIVE, GRANT, SELL, CONVEY, LOAN, LICENSE THE USE OF OR LEASE TO THE AUTHORITY ANY PROPERTY OR FACILITIES, INCLUDING AVIATION FACILITIES AND POLLUTION CONTROL FACILITIES, WHICH ARE USEFUL IN CONNECTION WITH THE EXERCISE BY THE AUTHORITY OF ITS POWERS UNDER THIS TITLE. ANY SUCH GIFT, GRANT, SALE, CONVEYANCE, LOAN, LICENSE OR LEASE SHALL BE UPON SUCH TERMS AND CONDITIONS, AND FOR SUCH TERM OR TERMS OF YEARS, SUBJECT TO THE RIGHTS OF THE HOLDERS OF ANY BONDS, AS THE AUTHORITY AND SUCH PUBLIC CORPORATION MAY AGREE. ANY SUCH GIFT, GRANT, SALE, CONVEYANCE, LEASE, LOAN OR LICENSE SHALL NOT BE SUBJECT TO REFERENDUM, PERMISSIVE OR MANDATORY. IN THE EVENT THAT ANY PUBLIC CORPORATION GIVES, GRANTS, SELLS, CONVEYS, LOANS, LICENSES OR LEASES ANY AVIATION FACILITIES, REAL PROPERTY, FACILITIES OR POLLUTION CONTROL FACILITIES TO THE AUTHORITY, SUCH PUBLIC CORPORATION MAY CONTRACT WITH THE AUTHORITY TO LEASE, BORROW, LICENSE, OPERATE, MAINTAIN, MANAGE AND PROVIDE SERVICES FOR SUCH REAL PROPERTY OR FACILITIES UPON SUCH TERMS AND CONDITIONS AND FOR SUCH TERM OR TERMS OF YEARS, SUBJECT TO THE RIGHTS OF HOLDERS OF BONDS, AS THE AUTHORITY AND SUCH PUBLIC CORPORATION MAY AGREE. THE AUTHORITY, IN FURTHERANCE OF ANY PURCHASE, CONVEYANCE OR LEASE OF ANY PROPERTY OR FACILITY FROM ANY PUBLIC CORPORATION, MAY ASSUME THE PRIMARY RESPONSIBILITY FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST ON ANY BONDS OR NOTES ISSUED BY SUCH PUBLIC CORPORATION FOR SUCH PROPERTY OR FACILITY. FOR PURPOSES OF SECTION 136.00 OF THE LOCAL FINANCE LAW, ANY AGREEMENT BY THE AUTHORITY TO ASSUME THE PRIMARY RESPONSIBILITY FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST ON ANY BONDS OR NOTES ISSUED BY ANY SUCH PUBLIC CORPORATION SHALL, SO LONG AS SUCH AGREEMENT SHALL CONTINUE TO BE HONORED BY THE AUTHORITY, CAUSE SUCH BONDS OR NOTES TO BE DEEMED TO HAVE BEEN REFUNDED AND ANY SUCH PUBLIC CORPORATION MAY DEDUCT FROM ITS GROSS INDEBTEDNESS ANY OUTSTANDING INDEBTEDNESS CONTRACTED FOR SUCH PROPERTY OR FACILITY TO BE ACQUIRED BY THE AUTHORITY.

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

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

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

2. A TRANSFERRED EMPLOYEE SHALL REMAIN IN THE SAME COLLECTIVE BARGAINING UNIT AS WAS THE CASE PRIOR TO HIS OR HER TRANSFER; SUCCESSOR EMPLOYEES TO THE POSITIONS HELD BY SUCH TRANSFERRED EMPLOYEES SHALL, CONSIST-

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

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

1. TO SUE AND BE SUED;

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

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

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

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

6. TO ACQUIRE, CONSTRUCT, RECONSTRUCT, LEASE, EXPAND, IMPROVE, MAINTAIN, EQUIP, FURNISH, OPERATE ONE OR MORE PROJECTS AND, IF NECESSARY, TO PAY OR FINANCE THE COST THEREOF;

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

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

9. TO DESIGNATE THE DEPOSITORIES OF ITS MONEY;

10. TO ESTABLISH ITS FISCAL YEAR;

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

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

13. WITH THE CONSENT OF THE MAYOR TO USE EMPLOYEES, AGENTS, CONSULTANTS AND FACILITIES OF THE CITY, PAYING THE CITY ITS AGREED PROPORTION OF THE COMPENSATION OR COSTS;

14. TO MAKE PLANS, SURVEYS, AND STUDIES NECESSARY, CONVENIENT OR DESIRABLE TO THE EFFECTUATION OF THE PURPOSES AND POWERS OF THE AUTHORITY AND TO PREPARE RECOMMENDATIONS IN REGARD THERETO;

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

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

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

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

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

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

2. THE AUTHORITY MAY, ON SUCH TERMS AND CONDITIONS AS THE AUTHORITY MAY DETERMINE NECESSARY, CONVENIENT OR DESIRABLE, ESTABLISH, CONSTRUCT, EFFECTUATE, OPERATE, MANAGE, MAINTAIN, RENOVATE, IMPROVE, EXTEND OR REPAIR ANY AVIATION FACILITIES OR POLLUTION CONTROL FACILITIES, OR MAY PROVIDE FOR SUCH ESTABLISHMENT, CONSTRUCTION, EFFECTUATION, OPERATION, MANAGEMENT, MAINTENANCE, RENOVATION, IMPROVEMENT, EXTENSION OR REPAIR BY CONTRACT, LEASE, OR OTHER ARRANGEMENT ON SUCH TERMS AS THE AUTHORITY MAY DEEM NECESSARY, CONVENIENT OR DESIRABLE WITH THE FEDERAL GOVERNMENT, ANY STATE OR AGENCY OR INSTRUMENTALITY THEREOF, OR ANY PERSON OR PUBLIC CORPORATION. IN CONNECTION WITH THE OPERATION OF ANY SUCH FACILITIES, THE AUTHORITY MAY ESTABLISH, CONSTRUCT, EFFECTUATE, OPERATE, MANAGE, MAINTAIN, RENOVATE, IMPROVE, EXTEND OR REPAIR OR MAY PROVIDE BY CONTRACT, LEASE OR OTHER ARRANGEMENT FOR THE ESTABLISHMENT, CONSTRUCTION, EFFECTUATION, OPERATION, MANAGEMENT, MAINTENANCE, RENOVATION, IMPROVEMENT, EXTENSION OR REPAIR OF ANY RELATED SERVICES AND ACTIVITIES IT DEEMS NECESSARY, CONVENIENT OR DESIRABLE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S 2799-JJJ. BONDS OF THE AUTHORITY. 1. THE AUTHORITY SHALL HAVE THE POWER AND IS HEREBY AUTHORIZED FROM TIME TO TIME TO ISSUE BONDS, NOTES OR OTHER OBLIGATIONS TO PAY THE COST OF ANY PROJECT OR FOR ANY OTHER CORPORATE PURPOSE, INCLUDING THE ESTABLISHMENT OF RESERVES TO SECURE THE BONDS, THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS AND THE PAYMENT OF INCIDENTAL EXPENSES IN CONNECTION THEREWITH. THE AGGREGATE PRINCIPAL AMOUNT OF SUCH BONDS, NOTES OR OTHER OBLIGATIONS SHALL NOT EXCEED TWO HUNDRED MILLION DOLLARS ($200,000,000), EXCLUDING BONDS, NOTES OR OTHER OBLIGATIONS ISSUED TO REFUND OR OTHERWISE REPAY BONDS, NOTES OR OTHER OBLIGATIONS THERETOFORE ISSUED FOR SUCH PURPOSES; PROVIDED, HOWEVER, THAT UPON ANY SUCH REFUNDING OR REPAYMENT THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS, NOTES OR OTHER OBLIGATIONS MAY BE GREATER THAN TWO HUNDRED MILLION DOLLARS ($200,000,000) ONLY IF THE PRESENT VALUE OF THE AGGREGATE DEBT SERVICE OF THEIR FUNDING OR REPAYMENT BONDS, NOTES OR OTHER OBLIGATIONS TO BE ISSUED SHALL NOT EXCEED THE PRESENT VALUE OF THE AGGREGATE DEBT SERVICE OF THE BONDS, NOTES OR OTHER OBLIGATIONS SO TO BE REFUNDED OR REPAID. FOR PURPOSES OF THIS SECTION, THE PRESENT VALUES OF THE AGGREGATE DEBT SERVICE OF THE REFUNDING OR REPAYMENT BONDS, NOTES OR OTHER OBLIGATIONS AND OF THE AGGREGATE DEBT SERVICE OF THE BONDS, NOTES OR OTHER OBLIGATIONS SO REFUNDED OR REPAID, SHALL BE CALCULATED BY UTILIZING THE EFFECTIVE INTEREST RATE OF THE REFUNDING OR REPAYMENT BONDS, NOTES OR OTHER OBLIGATIONS, WHICH SHALL BE THAT RATE ARRIVED AT BY DOUBLING THE SEMI-ANNUAL INTEREST RATE (COMPOUNDED SEMI-ANNUALLY) NECESSARY TO DISCOUNT THE DEBT SERVICE PAYMENTS ON THE REFUNDING OR REPAYMENT BONDS, NOTES OR OTHER OBLIGATIONS FROM THE PAYMENT DATES THEREOF TO THE DATE OF ISSUE OF THE

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

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

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

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

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

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

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

(D) NOTWITHSTANDING THE PROVISIONS OF THE PRECEDING PARAGRAPH, WHENEVER IN THE JUDGMENT OF THE AUTHORITY THE INTERESTS OF THE AUTHORITY WILL BE SERVED THEREBY, THE MEMBERS OF THE AUTHORITY, ON THE WRITTEN RECOMMENDATION OF THE CHAIRPERSON, MAY AUTHORIZE THE SALE OF SUCH BONDS AT PRIVATE OR PUBLIC SALE ON A NEGOTIATED BASIS OR ON EITHER A COMPETITIVE OR NEGOTIATED BASIS. THE AUTHORITY SHALL SET GUIDELINES GOVERNING THE TERMS AND CONDITIONS OF ANY SUCH PRIVATE OR PUBLIC SALES.

(E) THE PRIVATE OR PUBLIC BOND SALE GUIDELINES SET BY THE AUTHORITY SHALL INCLUDE, BUT NOT BE LIMITED TO A REQUIREMENT THAT WHERE THE INTERESTS OF THE AUTHORITY WILL BE SERVED BY A PRIVATE OR PUBLIC SALE OF BONDS, THE AUTHORITY SHALL SELECT UNDERWRITERS FOR PRIVATE OR PUBLIC BOND SALES CONDUCTED PURSUANT TO A REQUEST FOR PROPOSAL PROCESS UNDERTAKEN AT LEAST ONCE ANNUALLY AND CONSIDERATION OF PROPOSALS FROM QUALIFIED UNDERWRITERS TAKING INTO ACCOUNT, AMONG OTHER THINGS, QUALIFICATIONS OF UNDERWRITERS AS TO EXPERIENCE, THEIR ABILITY TO STRUCTURE AND SELL AUTHORITY BOND ISSUES, ANTICIPATED COSTS TO THE AUTHORITY, THE PRIOR EXPERIENCE OF THE AUTHORITY WITH THE FIRM, IF ANY, THE CAPITALIZATION OF SUCH FIRMS, PARTICIPATION OF QUALIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE FIRMS IN SUCH PRIVATE OR PUBLIC SALES OF BONDS OF THE AUTHORITY AND THE EXPERIENCE AND ABILITY OF FIRMS UNDER CONSIDERATION TO WORK WITH MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES SO AS TO PROMOTE AND ASSIST PARTICIPATION BY SUCH ENTERPRISES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(M) LIMITATIONS ON THE AMOUNT OF REVENUES AND OTHER MONEYS TO BE EXPENDED FOR OPERATING, ADMINISTRATIVE OR OTHER EXPENSES OF THE AUTHORITY;

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

(O) ANY OTHER MATTERS OF LIKE OR DIFFERENT CHARACTER WHICH IN ANY WAY AFFECT THE SECURITY OR PROTECTION OF THE BONDS OR THE RIGHTS AND REMEDIES OF BONDHOLDERS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. SUCH TRUSTEE SHALL IN ADDITION TO THE FOREGOING HAVE AND POSSESS ALL OF THE POWERS NECESSARY OR APPROPRIATE FOR THE EXERCISE OF ANY FUNCTIONS SPECIFICALLY SET FORTH IN THIS TITLE OR INCIDENT TO THE GENERAL REPRESENTATION OF BONDHOLDERS IN THE ENFORCEMENT AND PROTECTION OF THEIR RIGHTS.

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

5. BEFORE DECLARING THE PRINCIPAL OF BONDS DUE AND PAYABLE, THE TRUSTEE SHALL FIRST GIVE THIRTY DAYS NOTICE IN WRITING TO THE AUTHORITY.

6. ANY SUCH TRUSTEE WHETHER OR NOT THE ISSUE OF BONDS REPRESENTED BY SUCH TRUSTEE HAS BEEN DECLARED DUE AND PAYABLE, SHALL BE ENTITLED AS OF RIGHT TO THE APPOINTMENT OF A RECEIVER OF ANY PART OR PARTS OF THE PROJECT, THE REVENUES OF WHICH ARE PLEDGED FOR THE SECURITY OF THE BONDS OF SUCH ISSUE, AND SUCH RECEIVER MAY ENTER AND TAKE POSSESSION OF SUCH PART OR PARTS OF THE PROJECT AND, SUBJECT TO ANY PLEDGE OR AGREEMENT WITH THE HOLDERS OF SUCH BONDS, SHALL TAKE POSSESSION OF ALL MONEYS AND OTHER PROPERTY DERIVED FROM SUCH PART OR PARTS OF THE PROJECT AND PROCEED WITH ANY CONSTRUCTION THEREON OR THE ACQUISITION OF ANY PROPERTY, REAL OR PERSONAL, IN CONNECTION THEREWITH THAT THE AUTHORITY IS UNDER OBLIGATION TO DO, AND OPERATE, MAINTAIN AND RECONSTRUCT SUCH PART OR PARTS OF THE PROJECT AND COLLECT AND RECEIVE ALL REVENUES THEREAFTER ARISING THEREFROM SUBJECT TO ANY PLEDGE OR AGREEMENT WITH BONDHOLDERS RELATING THERETO AND PERFORM THE PUBLIC DUTIES AND CARRY OUT THE AGREEMENTS AND OBLIGATIONS OF THE AUTHORITY UNDER THE DIRECTION OF THE COURT. IN ANY SUIT, ACTION OR PROCEEDING BY THE TRUSTEE, THE FEES, COUNSEL FEES AND EXPENSES OF THE TRUSTEE AND OF THE RECEIVER, IF ANY, SHALL CONSTITUTE TAXABLE DISBURSEMENTS AND ALL COSTS AND DISBURSEMENTS ALLOWED BY THE COURT SHALL BE A FIRST CHARGE ON ANY REVENUES DERIVED FROM THE PROJECT.

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

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

THE CASH REQUIREMENTS OF THE AUTHORITY, ALL SUCH MONEYS SHALL BE DEPOSITED IN INTEREST BEARING ACCOUNTS. THE AUTHORITY SHALL HAVE POWER, NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, TO CONTRACT WITH THE HOLDERS OF ANY BONDS AS TO THE CUSTODY, COLLECTION, SECURITY, INVESTMENT AND PAYMENT OF ANY MONEYS OF THE AUTHORITY OR ANY MONEYS HELD IN TRUST OR OTHERWISE FOR THE PAYMENT OF BONDS OR IN ANY WAY TO SECURE BONDS, AND CARRY OUT ANY SUCH CONTRACT NOTWITHSTANDING THAT SUCH CONTRACT MAY BE INCONSISTENT WITH THE PROVISIONS OF THIS SECTION. MONEYS HELD IN TRUST OR OTHERWISE FOR THE PAYMENT OF BONDS OR IN ANY WAY TO SECURE BONDS AND DEPOSITS OF SUCH MONEYS MAY BE SECURED IN THE SAME MANNER AS MONEYS OF THE AUTHORITY AND ALL BANKS AND TRUST COMPANIES ARE AUTHORIZED TO GIVE SUCH SECURITY FOR SUCH DEPOSITS. ANY MONEYS OF THE AUTHORITY NOT REQUIRED FOR IMMEDIATE USE OR DISBURSEMENT MAY, AT THE DISCRETION OF THE AUTHORITY, BE INVESTED IN THOSE OBLIGATIONS SPECIFIED PURSUANT TO THE PROVISIONS OF SECTION NINETY-EIGHT-A OF THE STATE FINANCE LAW. SUBJECT TO THE PROVISIONS OF ANY CONTRACT WITH BONDHOLDERS AND WITH THE APPROVAL OF THE STATE COMPTROLLER, THE AUTHORITY SHALL PRESCRIBE A SYSTEM OF ACCOUNTS.

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

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

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

S 2799-QQQ. EXEMPTION FROM TAXES, ASSESSMENTS AND CERTAIN FEES. 1. THE AUTHORITY, NOTWITHSTANDING THE PROVISIONS OF THE REAL PROPERTY TAX LAW, ANY OTHER GENERAL, SPECIAL, OR LOCAL LAW, OR ORDINANCE, RULE OR REGULATION TO THE CONTRARY, WITH RESPECT TO THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, ANY REAL PROPERTY, AND ANY FACILITY SHALL BE EXEMPT FROM TAXATION AND SHALL NOT BE REQUIRED TO PAY ANY FEES, TAXES, SPECIAL AD VALOREM LEVIES OR SPECIAL ASSESSMENTS, WHETHER STATE OR LOCAL, INCLUDING BUT NOT LIMITED TO FEES, TAXES, SPECIAL AD VALOREM LEVIES OR ASSESSMENTS ON REAL PROPERTY, FRANCHISE TAXES, SALES TAXES OR OTHER EXCISE TAXES, UPON THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, ANY FACILITY OR ANY PROPERTY OWNED OR LEASED BY IT OR UNDER ITS JURISDICTION, CONTROL OR SUPERVISION, OR UPON THE USES THEREOF, OR UPON ITS ACTIVITIES IN THE OPERATION AND MAINTENANCE OF ITS FACILITIES OR ANY FARES, TOLLS, RENTALS, RATES, CHARGES, FEES, REVENUES OR OTHER INCOME RECEIVED BY THE AUTHORITY. NOTWITHSTANDING THE PREVIOUS SENTENCE; (1) THE AUTHORITY SHALL BE REQUIRED TO PAY (A) ONLY THOSE SPECIAL AD VALOREM LEVIES OR ASSESSMENTS PAYABLE BY THE CITY IMMEDIATELY PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND (B) SCHEDULED PAYMENTS IN LIEU OF TAXES PAYABLE BY THE CITY TO SCHOOL DISTRICTS AND TO TOWNS PURSUANT TO PILOT AGREEMENTS IN EFFECT IMMEDIATELY PRIOR TO THE EFFECTIVE DATE OF THIS ACT; AND (2) TAX PARCELS NOT OWNED BY THE CITY AND NOT TAX EXEMPT PRIOR TO THE EFFECTIVE DATE OF THIS ACT SHALL NOT BECOME TAX EXEMPT UPON THE EFFECTIVE DATE OF THIS ACT. TAX PARCELS ACQUIRED BY THE AUTHORITY SUBSEQUENT TO THE EFFECTIVE DATE OF THIS ACT SHALL BE EXEMPT FROM TAXES, ASSESSMENTS, SPECIAL AD VALOREM LEVIES, AND SPECIAL ASSESSMENTS FEES AS PROVIDED HEREIN, SUBJECT TO THE OBLIGATION TO MAKE PAYMENTS IN LIEU OF TAXES TO THE EXTENT PROVIDED IN SUBDIVISION THREE OF SECTION TWENTY-SEVEN HUNDRED NINETY-NINE-UUU OF THIS TITLE. THE AUTHORITY, NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL, OR LOCAL LAW, OR ORDINANCE, RESOLUTION, RULE, OR REGULATION TO THE CONTRARY, WITH RESPECT TO THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, REAL PROPERTY, AND OTHER FACILITIES USED FOR PUBLIC AVIATION PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, REAL PROPERTY OR OTHER FACILITIES, SHALL AT ALL TIMES BE EXEMPT FROM ANY FILING, MORTGAGE RECORDING OR TRANSFER FEES OR TAXES IN RELATION TO INSTRUMENTS FILED, RECORDED OR TRANSFERRED BY THEM OR ON THEIR BEHALF.

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

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

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

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

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

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

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

5. ANY ACTION OR PROCEEDING TO WHICH THE AUTHORITY OR THE PEOPLE OF THE STATE MAY BE PARTIES, IN WHICH ANY QUESTION ARISES AS TO THE VALIDITY OF THIS TITLE, SHALL BE PREFERRED OVER ALL OTHER CIVIL CAUSES OF ACTION OR CASES, EXCEPT ELECTION CAUSES OF ACTION OR CASES, IN ALL COURTS OF THE STATE AND SHALL BE HEARD AND DETERMINED IN PREFERENCE TO ALL OTHER CIVIL BUSINESS PENDING THEREIN EXCEPT ELECTION CAUSES, IRRESPECTIVE OF POSITION ON THE CALENDAR. THE SAME PREFERENCE SHALL BE GRANTED UPON APPLICATION OF THE AUTHORITY OR ITS COUNSEL IN ANY ACTION OR PROCEEDING QUESTIONING THE VALIDITY OF THIS TITLE IN WHICH THE AUTHORITY MAY BE ALLOWED TO INTERVENE. THE VENUE OF ANY SUCH ACTION OR PROCEEDING SHALL BE LAID IN THE SUPREME COURT OF ONONDAGA COUNTY.

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

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

S 2799-TTT. INTEREST IN CONTRACTS PROHIBITED. IT SHALL BE A MISDEMEANOR FOR ANY MEMBER, OFFICER OR EMPLOYEE OF THE AUTHORITY TO BE IN ANY WAY OR MANNER INTERESTED, DIRECTLY OR INDIRECTLY, IN THE FURNISHING OF WORK, MATERIALS, SUPPLIES OR LABOR, OR IN ANY CONTRACT THEREFORE WHICH THE AUTHORITY IS EMPOWERED BY THIS TITLE TO MAKE.

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

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

2. SUBJECT TO ANY AGREEMENT WITH BONDHOLDERS, THE AUTHORITY MAY, BUT IS NOT REQUIRED TO, INCREASE THE AMOUNT OF THE PAYMENTS IN LIEU OF TAXES TO ANY SUCH MUNICIPALITY IN RESPECT OF ANY REAL PROPERTY WHICH IS OWNED OR LEASED BY THE AUTHORITY IS LOCATED IN SUCH MUNICIPALITY AND IS USED FOR THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, AND OTHER FACILITIES USED FOR PUBLIC AVIATION PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION FACILITIES OR POLLUTION CONTROL FACILITIES. FOR THE PURPOSES OF THIS SECTION, SUCH PUBLIC AVIATION PURPOSES SHALL INCLUDE WITHOUT LIMITATION AIR TERMINAL FACILITIES, AVIATION FACILITIES, PARKING FACILITIES, FUEL FACILITIES, MAINTENANCE FACILITIES, AND FACILITIES FOR THE LOADING, UNLOADING, HOLDING, INTERCHANGE OR TRANSFER OF PASSENGERS, FREIGHT, BAGGAGE OR CARGO.

3. (A) IN THE EVENT THAT ANY REAL PROPERTY ACQUIRED BY THE AUTHORITY SUBSEQUENT TO THE EFFECTIVE DATE OF THIS ACT IS USED OR IS TO BE USED BY THE AUTHORITY, OR A LESSEE THEREOF, FOR PURPOSES OTHER THAN THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, AND OTHER FACILITIES USED FOR PUBLIC AVIATION PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION FACILITIES, OR POLLUTION CONTROL FACILITIES, THE AUTHORITY, OR A LESSEE THEREOF, AS THE CASE MAY BE, SHALL ENTER INTO AGREEMENTS WITH ANY MUNICIPALITY OF THE STATE TO PAY ANNUAL SUMS IN LIEU OF TAXES IN RESPECT OF SUCH REAL PROPERTY LOCATED IN SUCH MUNICIPALITY. FOR THE PURPOSES OF THIS SECTION, SUCH PURPOSES OTHER THAN THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, AND OTHER FACILITIES USED FOR PUBLIC AVIATION PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION FACILITIES, OR POLLUTION CONTROL FACILITIES, SHALL INCLUDE WITHOUT LIMITATION HOTELS, MOTELS, RESTAURANTS, RETAIL STORES AND CONCESSIONS THAT ARE NOT LOCATED WITHIN ANY AIR TERMINAL BUILDING, OFFICE BUILDINGS TO THE EXTENT NOT USED BY THE AUTHORITY OR ANY OTHER PUBLIC CORPORATION FOR ITS OWN CORPORATE PURPOSES, AND SUCH OTHER BUILDINGS AND IMPROVEMENTS AS DETERMINED BY THE AUTHORITY TO BE NOT EXCLUSIVELY FOR THE AIRPORT, AVIATION FACILITIES, POLLUTION CONTROL FACILITIES, AND OTHER FACILITIES USED FOR AVIATION PURPOSES OR FOR AIRPORT DEVELOPMENT OR TO SUPPORT OR IN CONNECTION WITH THE AIRPORT, AVIATION FACILITIES, OR POLLUTION CONTROL FACILITIES.

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

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

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

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

S 2799-XXX. TRANSFER OF APPLICATIONS, PROCEEDINGS, APPROVALS AND PERMITS. 1. ANY APPLICATION, REVIEW OR PROCESS IN RELATION TO OR IN FURTHERANCE OF THE PURPOSES OF OR CONTEMPLATED BY THIS TITLE HERETOFORE FILED OR UNDERTAKEN, OR ANY PROCEEDING HERETOFORE COMMENCED OR ANY DETERMINATION, FINDING OR AWARD MADE, BY THE CITY OR BY THE CITY WITH THE FEDERAL GOVERNMENT, THE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, THE STATE DEPARTMENT OF TRANSPORTATION OR ANY OTHER PUBLIC CORPORATION SHALL INURE TO AND FOR THE BENEFIT OF THE AUTHORITY TO THE SAME EXTENT AND IN THE SAME MANNER AS IF THE AUTHORITY HAD BEEN A PARTY TO SUCH APPLICATION, REVIEW, PROCESS OR PROCEEDING FROM ITS INCEPTION, AND THE AUTHORITY SHALL BE DEEMED A PARTY THERETO, TO THE EXTENT NOT PROHIBITED BY ANY FEDERAL LAW. ANY LICENSE, APPROVAL, PERMIT, DETERMINATION, FINDING, AWARD OR DECISION HERETOFORE OR HEREAFTER ISSUED OR GRANTED PURSUANT TO OR AS A RESULT OF ANY SUCH APPLICATION, REVIEW, PROCESS OR PROCEEDING SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE AUTHORITY AND SHALL BE ASSIGNED AND TRANSFERRED BY THE CITY TO THE AUTHORITY UNLESS SUCH ASSIGNMENT AND TRANSFER IS PROHIBITED BY FEDERAL LAW.

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

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

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

S 2. This act shall take effect immediately.