

8476

I N S E N A T E

August 23, 2010

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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.

27 2799-UUU. AGREEMENTS RELATING TO PAYMENT IN LIEU OF TAXES.

28 2799-VVV. AUDIT AND ANNUAL REPORT.

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

LBD14968-02-9

1 2799-WWW. LIMITED LIABILITY.

2 2799-XXX. TRANSFER OF APPLICATIONS, PROCEEDINGS, APPROVALS AND
3 PERMITS.

4 2799-YYY. SEVERABILITY.

5 2799-ZZZ. EFFECT OF INCONSISTENT PROVISIONS.

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

8 S 2799-BBB. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE. THE LEGIS-
9 LATURE HEREBY FINDS AND DECLARES AS FOLLOWS:

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

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

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

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

27 5. THE PURPOSES OF SUCH AUTHORITY SHALL BE:

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

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

32 (C) TO PROMOTE SAFE, SECURE, EFFICIENT AND ECONOMICAL AIR TRANSPORTA-
33 TION BY PRESERVING AND ENHANCING AIRPORT CAPACITY;

34 (D) TO FORM AN INTEGRAL PART OF A SAFE AND EFFECTIVE NATIONWIDE SYSTEM
35 OF AIRPORTS TO MEET THE PRESENT AND FUTURE NEEDS OF CIVIL AERONAUTICS
36 AND NATIONAL DEFENSE AND TO ASSURE INCLUSION OF THE AUTHORITY'S FACILI-
37 TIES IN STATE, NATIONAL AND INTERNATIONAL PROGRAMS FOR AIR TRANSPORTA-
38 TION AND FOR AIRPORT OR AIRWAY CAPITAL IMPROVEMENT, ALL IN ACCORDANCE
39 WITH THE PROVISIONS OF THIS TITLE; AND

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

44 6. SUCH PURPOSES ARE IN ALL RESPECTS PUBLIC PURPOSES FOR THE BENEFIT
45 OF THE PEOPLE OF THE STATE OF NEW YORK AND FOR WHICH PUBLIC FUNDS MAY BE
46 EXPENDED AND BOTH THE CITY OF SYRACUSE AND THE AUTHORITY IN CARRYING OUT
47 THEIR RESPECTIVE POWERS AND DUTIES UNDER THIS TITLE SHALL BE DEEMED TO
48 BE ACTING IN A GOVERNMENTAL CAPACITY. THE ACQUISITION, CONSTRUCTION,
49 RECONSTRUCTION, DEVELOPMENT, EXPANSION, IMPROVEMENT, EQUIPPING, OPERA-
50 TION AND MAINTENANCE OF ANY PROJECT FINANCED OR UNDERTAKEN BY THE
51 AUTHORITY OR THE CITY SHALL BE DEEMED TO BE THE PERFORMANCE OF AN ESSEN-
52 TIAL GOVERNMENTAL FUNCTION BY THE AUTHORITY OR THE CITY ACTING IN ITS
53 GOVERNMENTAL CAPACITY, WHETHER SUCH PROJECT SHALL BE OWNED OR OPERATED
54 BY THE AUTHORITY OR BY ANY PERSON OR PUBLIC CORPORATION.

55 7. IT IS HEREBY FOUND AND DECLARED THAT IT HAS BEEN AND REMAINS THE
56 POLICY OF THE STATE OF NEW YORK TO PROMOTE EQUAL OPPORTUNITY IN EMPLOY-

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

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

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

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

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

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

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

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

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

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

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

46 9. "COUNTY" SHALL MEAN ONONDAGA COUNTY.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ONE YEAR TERM, AND THOSE INITIAL APPOINTEES WHOSE TERMS ARE THREE YEARS
2 OR LESS, EACH MEMBER SHALL SERVE A TERM OF FOUR YEARS.

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

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

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

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

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

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

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

55 2. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF ANY GENERAL, SPECIAL
56 OR LOCAL LAW, ORDINANCE, RESOLUTION OR CHARTER, ANY PUBLIC CORPORATION

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

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

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

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

52 2. A TRANSFERRED EMPLOYEE SHALL REMAIN IN THE SAME COLLECTIVE BARGAIN-
53 ING UNIT AS WAS THE CASE PRIOR TO HIS OR HER TRANSFER; SUCCESSOR EMPLOY-
54 EES TO THE POSITIONS HELD BY SUCH TRANSFERRED EMPLOYEES SHALL, CONSIST-
55 ENT WITH THE PROVISIONS OF ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, BE
56 INCLUDED IN THE SAME UNIT AS THEIR PREDECESSORS. EMPLOYEES SERVING IN

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

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

11 1. TO SUE AND BE SUED;

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

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

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

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

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

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

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

38 9. TO DESIGNATE THE DEPOSITORIES OF ITS MONEY;

39 10. TO ESTABLISH ITS FISCAL YEAR;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48 6. THE AUTHORITY MAY ACCEPT UNCONDITIONAL GRANTS OF MONEY OR PROPERTY
49 FROM ANY MUNICIPALITY THE WHOLE OR ANY PART OF WHICH MUNICIPALITY SHALL
50 BE SERVED OR TO BE SERVED BY AN AVIATION FACILITY OPERATED BY THE
51 AUTHORITY. SUCH GRANTS OF MONEY OR PROPERTY WOULD BE FOR THE PURPOSE OF
52 ASSISTING THE AUTHORITY IN MEETING ITS CAPITAL OR OPERATING EXPENSES.
53 THE ACCEPTANCE OF ANY SUCH GRANT SHALL NOT OPERATE TO MAKE THE AUTHORITY
54 AN AGENCY OF THE MUNICIPALITY MAKING THE GRANT.

55 7. IN ANY INSTANCE WHERE THE CITY IS REQUIRED BY LAW, WITH RESPECT TO
56 AN AIRPORT OR ANY AVIATION FACILITIES, TO CONDUCT A PUBLIC HEARING IN

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

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

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

1 INTO SUCH AGREEMENTS AND PERFORM SUCH ACTS AS MAY BE REQUIRED UNDER ANY
2 APPLICABLE FEDERAL LEGISLATION TO SECURE A FEDERAL GUARANTEE OF ANY
3 BONDS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 AGREEMENTS OR OTHER INSTRUMENTS. THE PROVISIONS OF ANY SUCH RESOL-
2 UTIONS, TRUST INDENTURES, AGREEMENTS OR OTHER INSTRUMENTS MAY BE MADE A
3 PART OF THE CONTRACT WITH THE HOLDERS OF BONDS OF THE AUTHORITY.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

54 S 2799-PPP. AGREEMENT WITH CITY. THE CITY IS AUTHORIZED TO PLEDGE TO
55 AND AGREE WITH THE HOLDERS OF ANY BONDS ISSUED BY THE AUTHORITY PURSUANT
56 TO THIS TITLE AND WITH THOSE PERSONS OR PUBLIC CORPORATIONS WHO MAY

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

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

1 SHALL NOT OPERATE TO ABROGATE OR LIMIT THE FOREGOING EXEMPTION, NOTWITH-
2 STANDING THAT THE LESSEE, USER, OCCUPANT OR PERSON IN POSSESSION SHALL
3 CLAIM OWNERSHIP FOR FEDERAL INCOME TAX PURPOSES.

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

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

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

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

49 4. THE AUTHORITY MAY REQUIRE ANY PERSON PRESENTING FOR SETTLEMENT AN
50 ACCOUNT OR CLAIM FOR ANY CAUSE WHATEVER AGAINST THE AUTHORITY TO BE
51 SWORN BEFORE A MEMBER, COUNSEL OR AN ATTORNEY, OFFICER OR EMPLOYEE OF
52 THE AUTHORITY DESIGNATED FOR SUCH PURPOSE, CONCERNING SUCH ACCOUNT OR
53 CLAIM AND, WHEN SO SWORN, TO ANSWER ORALLY AS TO ANY FACTS RELATIVE TO
54 SUCH ACCOUNT OR CLAIM. THE AUTHORITY SHALL HAVE POWER TO SETTLE OR
55 ADJUST ALL CLAIMS IN FAVOR OF OR AGAINST THE AUTHORITY.

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

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

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

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

49 S 2799-UUU. AGREEMENTS RELATING TO PAYMENT IN LIEU OF TAXES. 1. IN
50 ORDER TO ASSURE THAT MUNICIPALITIES MAY NOT SUFFER UNDUE LOSS PAYMENTS
51 IN LIEU OF TAXES, THE CITY HAS ENTERED INTO PAYMENT IN LIEU OF TAX
52 AGREEMENTS WITH THE EAST SYRACUSE MINOIA CENTRAL SCHOOL DISTRICT, THE
53 TOWN OF DEWITT, THE TOWN OF SALINA, THE TOWN OF CICERO AND THE NORTH
54 SYRACUSE CENTRAL SCHOOL DISTRICT. THE AUTHORITY IS OBLIGATED TO CONTINUE
55 TO MAKE ANY PILOT PAYMENTS AS SET FORTH IN THESE PILOT AGREEMENTS.

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

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

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

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

53 S 2799-WWW. LIMITED LIABILITY. NEITHER MEMBERS, OFFICERS OR EMPLOYEES
54 OF THE AUTHORITY, NOR ANY MUNICIPALITY, OR AN OFFICER OR EMPLOYEE THERE-
55 OF ACTING ON BEHALF OF THE AUTHORITY, WHILE ACTING WITHIN THE SCOPE OF
56 THEIR AUTHORITY, SHALL BE SUBJECT TO ANY PERSONAL LIABILITY RESULTING

1 FROM THE CONSTRUCTION, MAINTENANCE OR OPERATION OF ANY OF THE PROPERTIES
2 OF THE AUTHORITY OR FROM CARRYING OUT ANY OF THE POWERS EXPRESSLY GIVEN
3 IN THIS TITLE PROVIDED, HOWEVER, THAT THIS SECTION SHALL NOT BE HELD TO
4 APPLY TO ANY INDEPENDENT CONTRACTOR.

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

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

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

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

45 S 2. This act shall take effect immediately.