

# STATE OF NEW YORK

9966--B

## IN ASSEMBLY

April 26, 2022

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

1 Section 1. Subdivisions 1, 2 and 6 of section 2799-ddd of the public  
2 authorities law, as added by chapter 463 of the laws of 2011, are  
3 amended to read as follows:  
4 1. There is hereby created the Syracuse regional airport authority.  
5 The authority shall be a body corporate and politic constituting a  
6 public benefit corporation. The authority shall consist of eleven  
7 members who shall be appointed as follows: seven shall be appointed by  
8 the mayor of the city of Syracuse, one shall be appointed by the county  
9 executive of Onondaga county, one shall be appointed by the town board  
10 of the town of Dewitt, one shall be appointed by the board of education  
11 of the East Syracuse Minoa Central School District, and one shall be  
12 appointed for a period of one year, alternately, by the board of educa-  
13 tion of the North Syracuse Central School District and the town board of  
14 the town of Salina, Cicero or Clay. The member initially appointed by  
15 the county executive and two of the members initially appointed by the  
16 mayor shall serve for a term ending December thirty-first, two thousand  
17 fourteen. Two of the members initially appointed by the mayor shall  
18 serve for a term ending December thirty-first, two thousand fifteen.  
19 Three members initially appointed by the mayor, the member appointed by  
20 the town board of the town of Dewitt, and the member appointed by the  
21 board of education of the East Syracuse Minoa Central School District,  
22 shall serve for a term ending December thirty-first, two thousand  
23 sixteen. The first member appointed by the town board of the town of  
24 Salina, Cicero or Clay, or by the board of education of the North Syra-

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

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1 cuse Central School District, shall be appointed by the town board of  
2 the town of Cicero and shall serve for a term ending December thirty-  
3 first, two thousand thirteen. Following the expiration of such member's  
4 [~~one~~] two year term, the subsequently appointed member shall be  
5 appointed by the town board of the town of Salina. Following the expi-  
6 ration of such member's [~~one~~] two year term, the subsequently appointed  
7 member shall be appointed by the town board of the town of Clay. Follow-  
8 ing the expiration of such member's [~~one~~] two year term, the subsequent-  
9 ly appointed member shall be appointed by the board of education of the  
10 North Syracuse Central School District. Thereafter, each subsequent  
11 member shall be appointed alternately by each town or the board of  
12 education in the same order as the initial appointments. The mayor  
13 shall designate one of the eleven members to serve as chairperson of the  
14 authority. With the exception of the member appointed by the board of  
15 education of the North Syracuse Central School District or by the town  
16 board of the town of Salina, Cicero or Clay, who shall serve a [~~one~~] two  
17 year term, and those initial appointees whose terms are three years or  
18 less, each member shall serve a term of four years.

19 2. All members shall continue to hold office until their successors  
20 are appointed and qualify. Provided that upon a new mayor of the city  
21 taking office, the incoming mayor may replace the city appointee with  
22 the shortest remaining term with a new appointee. Vacancies shall be  
23 filled in the manner provided for original appointment. Vacancies,  
24 occurring otherwise than by expiration of term of office, shall be  
25 filled for the unexpired terms. Members may be removed from office for  
26 the same reasons and in the same manner as may be provided by [~~law for~~  
27 ~~the removal of officers of the city~~] section twenty-eight hundred twen-  
28 ty-seven of this chapter. The members of the authority shall receive no  
29 compensation for their services but shall be reimbursed for all their  
30 actual and necessary expenses incurred in connection with the carrying  
31 out of the purposes of this title. The powers of the authority shall be  
32 vested in and be exercised by the members of the authority at a meeting  
33 duly called and held and a majority of directors shall constitute a  
34 quorum. No action shall be taken except pursuant to the favorable vote  
35 of at least a majority of members. The members of the authority may  
36 delegate to one or more of its members, officers, agents or employees  
37 such powers and duties as it may deem proper.

38 6. All members of the authority will be required to comply with the  
39 [~~city of Syracuse code of ethics~~] provisions of this chapter and to  
40 complete all disclosure forms required by [~~said code of ethics~~] this  
41 chapter.

42 § 2. Section 2799-hhh of the public authorities law is amended by  
43 adding a new subdivision 8 to read as follows:

44 8. The authority may acquire, hold, own, lease, establish, construct,  
45 effectuate, operate, maintain, renovate, improve, extend or repair any  
46 of its facilities through, and cause any one or more of its powers,  
47 duties, functions or activities to be exercised or performed by, no  
48 more than two wholly owned subsidiary corporations of the authority  
49 for the purposes of operating parking and concessions including food,  
50 beverage, and retail services, and airline and aircraft services includ-  
51 ing ticketing, baggage and fueling services and other services for the  
52 operation of the airport. The authority may transfer to or from any  
53 such corporation, or between such corporations, any moneys, real proper-  
54 ty or other property or the services of any officers, employees  
55 or consultants for any of the purposes of this title. The directors  
56 or members of each such subsidiary corporation shall be the same persons

1 holding the offices of members of the authority. Each such subsidiary  
2 corporation and any of its property, functions and activities shall have  
3 all of the privileges, immunities, tax exemptions and other exemptions  
4 of the authority and of the authority's property, functions and activ-  
5 ities. Each such subsidiary corporation shall be subject to the  
6 restrictions and limitations to which the authority may be subject. Each  
7 such subsidiary corporation shall be subject to suit in accordance with  
8 section twenty-seven hundred ninety-nine-ww of this title. The employ-  
9 ees of any such subsidiary corporation, except those who are also  
10 employees of the authority, shall not be deemed employees of the author-  
11 ity.

12 § 3. Section 2799-iii of the public authorities law, as added by chap-  
13 ter 463 of the laws of 2011, is amended to read as follows:

14 § 2799-iii. City [~~approval~~] notice required. Notwithstanding any  
15 inconsistent provision of this title, no project having an aggregate  
16 cost exceeding ten million dollars, including but not limited to the  
17 acquisition of real property by the authority or the expansion of the  
18 authority's aviation facilities, may be undertaken by the authority  
19 unless the authority has provided notice of such project [~~is approved by~~  
20 ~~ordinance of~~] to the Syracuse common council [~~adopted by a majority vote~~  
21 ~~and approved by~~] and the mayor.

22 § 4. Subdivision 1 of section 2799-jjj of the public authorities law,  
23 as added by chapter 463 of the laws of 2011, is amended to read as  
24 follows:

25 1. The authority shall have the power and is hereby authorized from  
26 time to time to issue bonds, notes or other obligations to pay the cost  
27 of any project or for any other corporate purpose, including the estab-  
28 lishment of reserves to secure the bonds, the payment of principal of,  
29 premium, if any, and interest on the bonds and the payment of incidental  
30 expenses in connection therewith. The aggregate principal amount of  
31 such bonds, notes or other obligations shall not exceed [~~two~~] three  
32 hundred million dollars [~~(\$200,000,000)~~] (\$300,000,000), excluding  
33 bonds, notes or other obligations issued to refund or otherwise repay  
34 bonds, notes or other obligations theretofore issued for such purposes;  
35 provided, however, that upon any such refunding or repayment the total  
36 aggregate principal amount of outstanding bonds, notes or other obli-  
37 gations may be greater than [~~two~~] three hundred million dollars  
38 [~~(\$200,000,000)~~] (\$300,000,000) only if the present value of the aggre-  
39 gate debt service of their funding or repayment bonds, notes or other  
40 obligations to be issued shall not exceed the present value of the  
41 aggregate debt service of the bonds, notes or other obligations so to be  
42 refunded or repaid. For purposes of this section, the present values of  
43 the aggregate debt service of the refunding or repayment bonds, notes or  
44 other obligations and of the aggregate debt service of the bonds, notes  
45 or other obligations so refunded or repaid, shall be calculated by  
46 utilizing the effective interest rate of the refunding or repayment  
47 bonds, notes or other obligations, which shall be that rate arrived at  
48 by doubling the semi-annual interest rate (compounded semi-annually)  
49 necessary to discount the debt service payments on the refunding or  
50 repayment bonds, notes or other obligations from the payment dates ther-  
51 eof to the date of issue of the refunding or repayment bonds, notes or  
52 other obligations and to the price bid including estimated accrued  
53 interest or proceeds received by the authority including estimated  
54 accrued interest from the sale thereof. The authority shall have power  
55 and is hereby authorized to enter into such agreements and perform such

1 acts as may be required under any applicable federal legislation to  
2 secure a federal guarantee of any bonds.  
3 § 5. This act shall take effect immediately.