§ 234. General powers. Every savings bank shall have, subject to the restrictions and limitations contained in this chapter, the following powers:

1. To receive and repay deposits, including demand deposits; invest its funds; pay interest on deposits; and exercise all such incidental powers as shall be necessary to conduct the business of a savings bank, including, subject to regulation by the superintendent of financial services, the power to charge for maintaining a demand deposit account or for honoring checks drawn on or accepting deposits made to such an account.

1-a. Subject to such regulations and restrictions as the superintendent of financial services finds to be necessary and proper, to contract to receive time deposits, including deposits upon which the savings bank contracts to pay interest at a fixed rate.

2. To issue transferable certificates showing the amounts contributed to the surplus fund by any incorporator or trustee. Each such certificate shall contain a statement that the amount represented by it does not constitute a liability of such savings bank, except as provided in this article.

3. To acquire, hold, lease and convey real property.

4. To improve real property acquired by it when such improvements are necessary to protect the interest of the savings bank therein and to facilitate the sale thereof.

5. To borrow money for the purpose of repaying depositors and to pledge or hypothecate its assets as collateral for any such loans.

5-a. Subject to such regulations and restrictions as the superintendent of financial services finds to be necessary and proper, to borrow money for purposes other than that of repaying depositors and to pledge or hypothecate its assets as collateral for any such loans.

5-b. Subject to such regulations and restrictions as the superintendent of financial services finds to be necessary and proper and notwithstanding any other provisions of law, to issue notes, bonds, debentures, or other obligations or other securities subordinated to deposits in such savings bank; provided that, unless the superintendent has given prior approval otherwise, the aggregate principal amount thereof at the time of issuance shall not exceed twenty-five per cent of the net worth of such savings bank, exclusive of all such notes, bonds, debentures, or other obligations or other securities. The proceeds or other consideration derived by a savings bank from the issuance pursuant to this subdivision of any such notes, bonds, debentures, or other obligations or other securities shall be deemed for purposes of this chapter to constitute a part of the net worth of such savings bank.

5-c. To accept moneys deposited by the comptroller or the commissioner of taxation and finance as linked deposits pursuant to article fifteen of the state finance law and to enter into agreements, pledge assets or furnish other security, including, but not limited to, an irrevocable letter of credit issued by a federal home loan bank, satisfactory in form and amount to such authorized depositor, for the repayment of such moneys.

5-d. To accept moneys deposited by the comptroller or the commissioner of taxation and finance in a branch located in a banking development district established pursuant to section ninety-six-d of this chapter and to enter into agreements, pledge assets or furnish other security, including, but not limited to an irrevocable letter of credit issued by a federal home loan bank, satisfactory in form and amount to such authorized depositor, for the repayment of such moneys.

5-e. To accept moneys deposited by the New York state environmental facilities corporation as linked deposits pursuant to article sixteen of the state finance law and to enter into agreements, pledge assets or furnish other security, satisfactory in form and amount to the New York state environmental facilities corporation, for the repayment of such moneys.

6. To collect promissory notes or bills of exchange.

7. To receive as depositary, or as bailee for safekeeping, obligations of the United States government.

8. To receive money for transmission and to transmit the same.

9. To engage in the safe deposit business by renting safe deposit boxes in which to keep personal property and papers of any kind.

10. To act as agent in the sale of travelers' checks.

11. To assume and discharge such obligations to Federal Deposit Insurance Corporation as may be necessary or required for the purpose of maintaining deposit insurance in such corporation.

12. To become a member of a federal reserve bank and to have and exercise all powers, not in conflict with the laws of this state, which are conferred upon any such member by the federal reserve act. Such savings bank and its trustees and officers shall continue to be subject, however, to all liabilities and duties imposed upon them by any law of this state and to all the provisions of this chapter relating to savings banks.

13. To become a member of a federal home loan bank and to have and to exercise all powers, not in conflict with the laws of this state, which are conferred upon any such member by the federal home loan bank act. Such savings bank and its trustees and officers shall continue to be subject, however, to all liabilities and duties imposed upon them by any law of this state and to all provisions of this chapter relating to savings banks.

15. To perform services for the Federal National Mortgage Association created under the housing act of nineteen hundred fifty-four, as amended from time to time, and to sell or assign mortgages to such association and in connection therewith to make capital contributions thereto, purchase stock thereof, and do any and all other acts which under the

laws and regulations applicable to such sales may be required to enable such sales to be effected.

16. To service mortgages for others, and to render investment advice incidental to the purchase of and investment in mortgages by others, provided, however, that the superintendent of financial services shall have power to prescribe, by specific or general regulation, the extent to which and the conditions upon which such mortgages may be serviced and such investment advice may be rendered.

17. To sue and to be sued in all courts and to participate in actions and proceedings, whether judicial, arbitrative or otherwise, in like cases as natural persons.

18. To have a corporate seal, and to alter such seal at pleasure, and to use it by causing it or a facsimile to be affixed or impressed or reproduced in any other manner.

19. To make donations, irrespective of corporate benefit, for the public welfare or for community fund, hospital, charitable, educational, scientific, civic or similar purposes, and in time of war or other national emergency in aid thereof.

20. To elect or appoint officers, employees, and other agents of the savings bank, define their duties, fix their compensation, and to indemnify corporate personnel.

21. To execute and deliver such guaranties as may be incidental or usual in the transfer of investment securities.

22. To have perpetual existence.

23. To have and exercise all other powers necessary or appropriate in conducting the business of the savings bank.

24. Subject to such regulations as the superintendent of financial services finds to be necessary and proper, and notwithstanding any other

provision of law, to accept federal tax and loan accounts, the balances of which are payable on demand without previous notice of intended withdrawal and to pledge collateral to secure such accounts.

25. Subject to any limitations or other specific provisions contained in this chapter or any other statute of this state or its organization certificate, and as shall be appropriate in conducting the business of the corporation, and only for such activities which are authorized by this chapter for savings banks: to be a promoter, partner, member, associate or manager of other business enterprises or ventures, or to the extent permitted in any other jurisdiction to be an incorporator of other corporations of any type or kind.

26. To engage in a "savings promotion" in accordance with section nine-v of this chapter and subject to any regulations promulgated by the superintendent. The superintendent shall consult with the state gaming commission before proposing any such regulations or any amendments thereto. Such regulations shall ensure that:

a. no participant in a savings promotion is charged any fee that would constitute, directly or indirectly, consideration for participation in such savings promotion; and

b. no participant in a savings promotion foregoes, directly or indirectly, any interest that would constitute consideration for participation in such savings promotion.