*** § 895-h. County of Chautauqua industrial development agency.** 1. For the benefit of the county of Chautauqua and the inhabitants thereof, an industrial development agency, to be known as the COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of this article. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of this article upon industrial development agencies and provided that the exercise of the powers by such agency with respect to the acquisition of real property whether by purchase, condemnation or otherwise, other than in furtherance of the power conferred by subdivision two of this section, shall be limited to the corporate limits of the county of Chautauqua and such agency shall take into consideration the local zoning and planning regulations as well as the regional and local comprehensive land use plans. It shall be organized in a manner prescribed by and be subject to the provisions of title one of this article. Its members shall consist of not less than three nor more than nine members as follows: the chairman of the committee of the governing body of the county of Chautauqua that has primary responsibility for dealing with the economic welfare of the county, who shall serve as an ex officio member with full voting powers; one member appointed by the governing body of the county of Chautauqua, subject to the approval or veto of the county executive and county legislative reconsideration as provided in the charter of such county; and up to seven members appointed by the county executive subject to confirmation by the governing body of the county of Chautauqua. The agency, its members, officers and employees and its operations and activities shall, except as provided specifically herein, be governed by the provisions of title one of this article.

2. In addition to the powers and duties now or hereafter conferred by title one of this article, the agency shall have the power (i) to acquire, construct, own, maintain, and lease or sell to a railroad or private business corporation any interest in railroads operated wholly or partially within Chautauqua county, including easements or rights-of-way, necessary switching apparatus, track, and other equipment necessary or convenient to the operation of such railroad, which will be

used in conjunction with industrial, manufacturing, commercial or warehousing operations and (ii) to finance such facilities through the issuance of its bonds and notes, when in the judgment of the agency, such facilities will serve to promote, develop and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, and research facilities including industrial pollution control facilities and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the state and improve their prosperity and standard of living. The powers conferred pursuant to this subdivision with respect to the acquisition of real property shall not include the acquisition of real property by condemnation. Notwithstanding the taxable status date set forth in section three hundred two of the real property tax law or any other provision of law to the contrary, if, prior to September fifteen, nineteen hundred ninety-five, the agency acquires ownership, jurisdiction, supervision or control of any portion of the railroad line known as the "Southern Tier Line," which is located between the New York-Pennsylvania state line in the county of Chautauqua and the city of Hornell, and complies with all other applicable provisions of law pertaining to the filing of an application for exemption, such property and the agency's activities with respect thereto shall be entitled to exemption from taxes or assessments as otherwise provided by law, except for nineteen hundred ninety-five--ninety-six school taxes levied prior to September fifteen, nineteen hundred ninety-five. The tax exemption conferred pursuant to this subdivision shall be subject to the prior consent of the affected tax jurisdictions that are located outside the county of Chautauqua, and shall not apply to special ad valorem levies and special assessments.

* NB Agency expires per §§ 856 and 882