§ 39.09 Powers and duties of the commission. The commission shall have the following powers:

1. To sue and be sued;

2. To have a seal and alter the same at its pleasure;

3. To acquire, hold and dispose of personal property for its corporate purposes;

4. To make by-laws for the management and regulation of its affairs;

5. To appoint an executive officer, officers, agents and employees, to prescribe their qualifications and to fix their compensation and to pay the same out of funds of the commission;

6. To enter into contracts and leases, and to execute all instruments necessary or convenient with any person, firm, partnership or corporation, either public or private;

7. To accept gifts, grants, loans, or contributions from, and enter into contracts or other transactions with, the United States and the state or any commission of either of them, any municipality, any public or private corporation, individual or other legal entity, and to use any such gifts, grants, loans or contributions to advance any of its corporate purposes;

8. To designate the depositories of its money;

9. To establish and re-establish its fiscal year;

10. To prepare an annual report on the conduct of its activities which shall include a financial statement for that year and a work plan for the next year which may include an estimate of the resources required to complete the commission's activities to be sent to the governor, the temporary president of the senate, the speaker of the assembly and the chief elected official of each municipality adjacent to the Niagara

river;

11. To contract with the state as an independent body corporate;

12. To organize and meet with a committee of planners for municipalities adjacent to the Niagara river regarding regional projects and the provision of planning services;

13. To designate districts and routes for planning and project purposes;

14. To create advisory committees to advise on matters of interest; provided, however, there shall be created at a minimum a local government advisory committee consisting of the chief elected official of each municipality adjacent to the Niagara river, or their designee, and a citizens' advisory committee consisting of representatives of local civic, commercial, educational, recreational, and conservation organizations; and

15. To do all things necessary or convenient to carry out its purposes and exercise the powers expressly given in this article; provided, however, that no power is provided to the commission to operate any portion of the greenway, to impose operating standards upon any component of the system, or to take property by eminent domain.