§ 1048-f. Water board. 1. A city water board may be created by a special act of the state legislature at the request of the city, as a body corporate and politic, constituting a corporate municipal instrumentality of the state and having the powers and duties as provided in this title.

2. The water board shall consist of seven members appointed by the mayor and confirmed by the common council of the city. Terms of office of the members shall be two years except that the terms of four of the board members first appointed shall be one year. At least one member shall have experience in the science of water resource development. No member shall be a director of the authority. The mayor shall appoint a chairman from among the members of the board. All members shall continue to hold office until their successors are appointed and qualified. Vacancies shall be filled in the manner provided for original appointments. Vacancies, occurring otherwise than by expiration of term of office, shall be filled in the same manner as original appointments for the unexpired terms.

3. Each member of the water board shall be entitled to reimbursement for his actual and necessary expenses incurred in the performance of his official duties and a per diem allowance of one hundred fifty dollars when rendering service as a member; provided that the aggregate of such per diem allowance to any one member in any one fiscal year of the board shall not exceed the sum of five thousand dollars.

4. Notwithstanding any inconsistent provision of law, general, special or local, or any city charter, no officer or employee of the city shall be deemed to have forfeited or shall forfeit his office or employment or any benefits provided under the retirement and social security law, by reason of his acceptance of membership on the water board, provided, however, that a member of the board who holds other public office or employment shall receive no additional compensation for services rendered pursuant to this title, but shall be entitled to reimbursement for his actual and necessary expenses incurred in the performance of such services.

5. The mayor may remove any member for inefficiency, neglect of duty or misconduct in office after giving such member a copy of the charges against such member and an opportunity to be heard and defended, in person or by counsel, upon not less than ten days' notice. If any member shall be so removed, the mayor shall file in the office of the clerk of the city a complete statement of charges against such member, and the mayor's findings thereon, together with a complete record of the proceedings.

6. Members of the water board, other than members holding other public office or employment, may engage in private employment, or in a profession or business, subject to the limitations contained in chapter eight section ninety-two of the Buffalo code of ordinances.

7. A majority of the members of the water board shall constitute a quorum for the transaction of any business or the exercise of any power of the board. The water board shall have power to act by the affirmative vote of not less than a majority of the members in office at any duly held meeting thereof. The water board may delegate to one or more of its members or its officers, agents and employees, such powers and duties as it may deem proper. Any member who is an officer of the city may, by written instrument, filed with and approved as to form by the board, designate another city officer to perform in his absence his duties under this title. The term "member" as used in this section shall include such persons so designated as provided herein. The designation of any such person shall be deemed temporary only and shall not affect the civil service or retirement rights of the person so designated.

8. The water board and its corporate existence shall continue so long as it shall have contractual duties or obligations outstanding and until its existence shall be terminated by law. Upon termination of the existence of the water board, all of the rights and assets of the water board then remaining shall pass to and vest in the city.

9. It is hereby determined and declared that the water board and the carrying out of its powers and duties are in all respects for the benefit of the people of the city and the state, for the improvement of

their health, welfare and prosperity and that such purposes are public purposes and that the water board is and will be performing an essential governmental function in the exercise of the powers conferred upon it by this title.