§ 1053. Erie county water authority. 1. A corporation known as "Erie county water authority" is hereby created for the purposes and charged with the duties and having the powers provided in this title. The authority shall be a body corporate and politic constituting a public benefit corporation. It shall consist of three members, all of whom shall be residents of the county. Not more than two members of the said authority in office at any time shall belong to the same political party. The appointment, pursuant to the provisions of chapter eight hundred forty-five of the laws of nineteen hundred forty-nine, of the first members, Richard F. Ball, Jerome D. Van De Water, and John Horner, for the terms, respectively, of one year, two years and three years from the twenty-seventh day of April, nineteen hundred forty-nine, is hereby ratified and confirmed. Any subsequent appointment shall be made for a term of three years and shall be made by the chairman of the board of supervisors of the county of Erie, pursuant to nominations in writing by the majority, respectively, of the supervisors of each political party represented on such board of supervisors, subject to confirmation by a majority of such board of supervisors. All members shall continue to hold office until their successors are appointed and qualify. The appointment of the first chairman, John Horner, pursuant to the provisions of chapter eight hundred forty-five of the laws of nineteen hundred forty-nine, for a term of one year from the twenty-seventh day of April, nineteen hundred forty-nine, is hereby ratified and confirmed. Subsequent chairmen shall be elected annually by the members of the authority. Vacancies, occurring otherwise than by expiration of term of office, shall be filled by appointments by the board of supervisors for the unexpired terms. Members of the authority may be removed from office for the same reasons and in the same manner as may be provided by law for the removal of officers of the county. The members of the authority shall receive such compensation for their services as shall be fixed by the board of supervisors and be reimbursed for all expenses incurred in connection with the carrying out of the purposes of this title. The powers of the authority shall be vested in and be exercised by the members at a meeting duly called and held and two members shall constitute a quorum. No action shall be taken except pursuant to the favorable vote of at least two members. The authority may delegate to one or more of its members, officers, agents or employees such powers

and duties as it may deem proper.

2. The authority and its corporate existence shall continue for a period of twelve years from the twenty-seventh day of April, nineteen hundred forty-nine, and thereafter until all its liabilities have been met and its bonds have been paid in full or such liabilities or bonds have otherwise been discharged and thereupon all rights and properties of the authority shall pass to and be vested in the county of Erie.

3. The officers of the authority shall consist of a chairman, a vice-chairman and a treasurer who shall be members of the authority, and a secretary, who need not be a member of the authority. The vice-chairman, treasurer and secretary shall be appointed by the authority and shall serve at the pleasure of the authority. The authority may appoint an attorney and an engineer and such additional officers and employees as it may require for the performance of its duties, fix and determine their qualifications, duties, and compensation, subject to the provisions of the civil service law of the state of New York and such rules as the personnel officer of the county of Erie may adopt and make applicable to such authority. The authority may also from time to time contract for expert professional services. The treasurer shall execute a bond, conditioned upon the faithful performance of the duties of his office, the amount and sufficiency of which shall be approved by the authority and the premium therefor shall be paid by the authority.

4. It is hereby determined and declared that the authority and the carrying out of its powers, purposes and duties are in all respects for the benefit of the people of the county of Erie and the state of New York, for the improvement of their health, welfare and prosperity and that the said purposes are public purposes and that the authority is and will be performing an essential governmental function in the exercise of the powers conferred upon it by this title.

5. Upon the creation of the authority and thereafter, the board of supervisors may, by resolution, from time to time appropriate sums of money to defray the preliminary expenses of the authority incurred in

the exercise of the powers conferred upon it by this title and shall include among other costs, the costs incurred by the authority for administrative, engineering, accounting and legal services. Upon the issuance of bonds for any of the purposes authorized by this title the authority shall repay to the county of Erie that portion of the moneys appropriated by the county and expended by the authority in connection with and attributed to the purpose or purposes for which the bonds were issued. Any such allocation shall be subject to the approval of the comptroller of the county of Erie.