§ 1115-f. General powers of the water board. Except as otherwise limited by this title, the water board shall have power:

1. To sue and be sued;

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

3. To enter into contracts and to execute all instruments necessary or convenient or desirable for the purposes of the water board to carry out any powers expressly given it in this title, provided nothing herein contained shall authorize the water board to borrow money or otherwise contract indebtedness;

4. To enter into agreements pursuant to sections one thousand one hundred fifteen-g and one thousand one hundred fifteen-h of this title with the authority and the city to provide a means whereby the authority shall finance the cost of constructing projects, as described in the agreement, and the water board may agree to assume title to the water or sewerage system, or both, and to raise revenues from users through fees, rates, rents or other service charges necessary or appropriate to secure such financing and to pay the cost of the operation, management and repair of such water or sewerage system;

5. To acquire, by purchase, gift, grant, transfer, contract or lease or by condemnation pursuant to the eminent domain procedure law, lease as lessee, hold and use any property, real, personal or mixed or any interest therein, as the water board may deem necessary, convenient or desirable to carry out the purposes of this title; provided, however, that the water board may not condemn real property of the city, or of any municipal corporation or district corporation, as such terms are defined in section sixty-six of the general construction law, without the consent of the city, or any such municipal corporation or district corporation, as the case may be and, provided, further however, that the water board may not exercise the power of eminent domain with respect to real property outside the city which is owned by any individual, partnership, corporation (other than a municipal corporation or district corporation), association, trust, or legal entity without the consent

of: (a) the governing body of a city, other than the city of Albany, if such real property is wholly located within such city, or (b) the town board if such real property is wholly located within such town, or (c) the governing body of a city, other than the city of Albany, and the town board if such real property is partly located within such city and partly located within such town; and, subject to any limitations in any agreement with the city entered into pursuant to section one thousand one hundred fifteen-g or section one thousand one hundred fifteen-h of this title, to sell, lease as lessor, transfer or otherwise dispose of any such property or interest therein;

6. To acquire from the city title to the sewerage system, water system, or both the sewerage and water systems, as the case may be, of such city;

7. To make and amend by-laws for its organization and internal management, and rules and regulations for the sale of water or collection of sewage and the collection of rents and charges therefor and otherwise governing the exercise of its powers and duties and the fulfillment of its purposes under this title. A copy of such rules, regulations and by-laws, and all amendments thereto, duly certified by the secretary of the water board shall be filed in the office of the clerk of the city. In addition to the civil penalties described in section one thousand one hundred fifteen-g of this title, the common council, upon the written request of the water board, shall have power to prescribe that violation of specific by-laws, rules or regulations of the water board, published once in a newspaper having a general circulation in the city, shall be punishable by a fine, not exceeding fifty dollars, or by imprisonment for not longer than thirty days, or both;

8. To establish, fix, revise, charge and collect and enforce the payment of all fees, rates, rents and other service charges for the use of, or services rendered by, or any commodities furnished by the water system or the sewerage system, so as to provide revenues which, together with other revenues available to the water board, if any, shall be at least sufficient at all times so that such system or systems shall be

placed on a self-sustaining basis in accordance with section one thousand one hundred fifteen-i of this title;

9. To pledge its revenues and mortgage any or all of its properties to secure the obligations of the authority;

10. To construct, improve, maintain, develop, expand or rehabilitate water facilities or sewerage facilities;

11. To operate and manage and to contract for the operation and management of properties of the water board;

12. To enter into contracts, and carry out the terms thereof, for the wholesale provision of water produced by supply facilities constructed and operated by the water board, to municipalities and private water companies and to carry out the terms thereof, for the transmission of water from new or existing supply facilities;

13. To enter into contracts with municipalities for the collection, treatment and disposal of sewage;

14. To apply to the appropriate agencies and officials of the federal, state and local governments for such licenses, permits or approvals of its plans or projects as it may deem necessary or advisable, and upon such terms and conditions as it may deem appropriate, and to accept, in its discretion, such licenses, permits or approvals as may be tendered to it by such agencies and officials;

15. To appoint such officers and employees as it may require for the performance of its duties, and to fix and determine their qualifications, duties, and compensation, subject to the provisions of the civil service law and the rules of the civil service commission of the city, and to retain or employ counsel, auditors, engineers and private consultants on a contract basis or otherwise for rendering professional or technical services and advice;

16. To make plans and studies necessary, convenient or desirable for

the effectuation of the purposes and powers of the water board and to prepare recommendations in regard thereto;

17. To make use of existing studies, surveys, plans, data and other material in the possession of any state agency, any municipality or the authority in order to avoid duplication of effort;

18. To enter upon such lands, waters or premises as in the judgment of the water board shall be necessary for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this title, the water board being liable only for actual damage done;

19. To apply for and to accept any gifts or grants or loans of funds or property or financial or other aid in any form from the federal government or any agency or instrumentality thereof, or from the state or any agency or instrumentality thereof or from any other source, for any or all of the purposes specified in this title, and to comply, subject to the provisions of this title, with the terms and conditions thereof;

20. To supply and sell water for domestic, commercial and public purposes at retail to individual consumers within the city and to collect, treat and discharge sewage produced for such purposes by such generators;

21. To purchase water in bulk from any person, private corporation or municipality when necessary or convenient for the operation of the water system;

22. To produce, develop, distribute and sell water or sewerage services within or without the territorial limits of the city; and to purchase water from any municipal corporation, town water district, person, association or corporation; provided, however, that water and sewerage services may be sold at retail to individual consumers only within the city and further provided that in exercising the powers granted by this title, the water board shall not sell water or sewerage services in any area which is served by a water system or sewerage

system owned or operated by a municipality or special improvement district unless the governing body of such municipality or district shall adopt a resolution requesting the water board to sell water or sewerage services, as the case may be, in such served areas;

23. To enter into cooperative agreements with the authority, other authorities, the city, other municipalities, counties, towns, villages, water districts, utility companies, individuals, firms or corporations, within or without the territorial limits of the city, for the interconnection of facilities, the exchange or interchange of services and commodities, and within the territorial limits of the city to enter into a contract for the construction and operation and maintenance of a water or sewerage system by the water board for any municipality having power to construct and develop a water or sewerage system, upon such terms and conditions as shall be determined to be reasonable including but not limited to the reimbursement of all costs of such construction, or for any other lawful purposes necessary or desirable to effect the purposes of this title;

24. To enter into agreements with the authority and the city, as herein provided;

25. To invest moneys not required for immediate use or disbursement, subject to such restrictions as may be imposed by any agreement with the authority, in such obligations or deposits with such banks or trust companies as it may determine and designate, provided that any such deposit with a bank or trust company shall be continuously and fully secured by direct obligations of the city, the state or the United States of America, or obligations, the principal of and interest on which are guaranteed by the state or the United States of America, of a market value equal at all times to the amount of the deposit;

26. To establish and maintain such reserves, special funds and accounts, to be held in trust or otherwise, as may be required by any agreement with the authority and the city; and

27. To do all things necessary, convenient or desirable to carry out

its purposes and for the exercise of the powers granted in this title.