*** § 1124. Powers of the authority.** The authority shall have the power:

1. To sue and be sued;

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

3. To borrow money and issue bonds or other obligations and to provide for the rights of the holders thereof;

4. To enter into contracts and to execute all instruments necessary or convenient or desirable for the purposes of the authority to carry out any powers expressly given it in this title;

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 real or personal property or any interest therein, as the authority may deem necessary, convenient or desirable to carry out the purpose of this title. In connection with the acquisition of such properties, the authority may assume any obligations of the owner of such properties and, to the extent required by the terms of any indentures or other instruments under which such obligations were issued, the authority may assume and agree to perform covenants and observe the restrictions contained in such instruments; and furthermore the owner or any properties which the authority is authorized to acquire, is hereby authorized to sell or otherwise transfer the same to the authority, whereupon the authority shall become charged with the performance of all public duties with respect to such properties with which such owner was charged and such owner shall become discharged from the performance thereof, and as a means of so acquiring for such purpose, the authority may purchase all of the stock of any existing privately owned water or sewage corporation or company and in the case of a sale or other transfer of properties of a public utility corporation pursuant to this provision, upon the purchase of the stock of such corporation or company it shall be lawful to dissolve such corporation within a reasonable time, and in the case of an acquisition of properties from a municipality pursuant to this provision, it may assume the primary responsibility for the payment of any bonds or notes

issued by such municipality for such properties;

6. To develop, construct or maintain a project; provided, however, that the authority shall not enter into any contract for the construction of a project without having first submitted such project, following completion of compliance with the requirements of the state environmental quality review act and the regulations promulgated in connection therewith in connection with such project, to the county legislature for county legislative review, as herein described. For purposes of such county legislative review, construction shall not include such engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, procedures and other actions necessary or reasonably required to develop a project or to present a project to the county legislature for county legislative review. County legislative review shall encompass a process by which the county legislature shall have the opportunity to review and deny a project proposed to be constructed by the authority. County legislative review shall commence with the authority's delivering, by mail or personally, to the clerk of the county legislature a notification that the authority proposes to construct a project. Such notification shall include a description of the project, the proposed cost and the proposed plan for the financing of such cost and such engineering, architectural, fiscal and economic investigations and studies, surveys, designs and plans prepared by the authority in connection with the project. Following receipt of such notification, the county legislature shall take such action as it may determine in its discretion to be appropriate in connection with its review of the project, which action may include adoption of a resolution, by the affirmative vote of at least two-thirds of the entire voting strength of the county legislature, to deny to the authority the right to construct the project, which vote, to be effective, shall be cast at a meeting held no later than the second consecutive regular meeting of the county legislature following delivery to the clerk of the county legislature of the notification herein described. The date of delivery of notification shall be the date on which such notification shall be actually received by the clerk of the county legislature. If the then current rules and regulations of the county legislature require the filing of a resolution with the clerk of

the county legislature to be a specified number of days prior to a meeting of the county legislature for introduction of such resolution at such meeting, such notification shall be deemed to be a resolution and shall be subject to such filing requirement. If the county legislature shall so vote to deny to the authority the right to construct a project, the resolution to so deny shall be submitted to the county executive in such manner and at such time as is provided in the county charter for resolutions subject to approval or disapproval by the county executive. If the county executive shall, within the time permitted for such action, disapprove such resolution, such resolution shall be of no force and effect unless the county legislature shall override such disapproval in such manner and at such time as is provided in the county charter for such action. Nothing in this section shall prohibit the resubmission by the authority to the county legislature at any time of a proposed project which has been previously disapproved;

7. To operate and manage and to contract for the operation and management of properties of the authority;

8. To lease properties of the authority to the county or any other municipality in the county, or any instrumentality thereof, upon such terms and conditions as shall be determined by the authority, the county, the municipality or such instrumentality, as the case may be;

9. 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;

10. To appoint such officers and employees as are required for the performance of its duties, to fix and determine their qualifications, duties and compensation, 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;

11. To make plans and studies necessary, convenient or desirable for the effectuation of the purposes and powers of the authority and to prepare recommendations in regard thereto;

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

13. 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;

14. To supply and sell water for domestic, commercial and public purposes at retail to individual consumers within the county or wholesale to municipalities, water districts or district corporations within the county and to collect, treat and discharge sewage produced for such purposes by such generators; provided, however, that the authority shall not sell water at retail to individual consumers or contract with individual consumers for the collection or treatment of sewage where such individual consumers are located in a municipality, water district, sewer district or district corporation which is empowered to provide water or sewer services, as the case may be, unless the authority shall have first notified, in writing, by certified mail, such municipality, water district, sewer district or district corporation that it intends to sell water at retail to individual consumers located therein or collect or treat sewage from individual consumers located therein, as the case may be, identified either by name or location or by the area to be served, and such municipality, water district, sewer district or district corporation does not notify the authority, within sixty days of receipt of such notice, that it objects to the authority selling water or collecting or treating sewage, as the case may be, to such individual consumers;

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

16. To enter into cooperative agreements with other authorities, municipalities, water districts, sewer districts, district corporations, utility companies, individuals, or corporations, within or without the county, for any lawful purposes necessary or desirable to effect the purposes of this title upon such terms and conditions as shall be determined to be reasonable;

17. To make by-laws for the management and regulation of its affairs and subject to agreements with bondholders, rules for the sale of water or the collection of sewage and the collection of rates, rents and charges therefor. A copy of such rules and by-laws, and all amendments thereto, duly certified by the secretary of the authority shall be filed in the office of the county clerk of the county and shall be published thereafter once in each of two newspapers having a general circulation in the county. Violations of such rules shall be punishable by fine, not exceeding fifty dollars, or by imprisonment for not longer than thirty days, or both;

18. To fix rates and collect charges for the use of the facilities of, any services rendered by or any commodities furnished by the authority such as to provide revenues sufficient at all times to pay, as the same shall become due, the principal and interest on the bonds or other obligations of the authority together with the maintenance of proper reserves therefor, in addition to paying as the same shall become due the expense of operating and maintaining the properties of the authority together with proper reserves for maintenance, contingencies and all other obligations and indebtedness of the authority; provided, however, that nothing contained in this subdivision, or in this title, shall empower the authority to collect rentals, charges, rates or fees from the owners of real estate, or the occupants of real estate (other than the occupants of premises owned or occupied by the authority or by the state or any civil division thereof) located in any city unless the

electors of such city shall approve the granting to the authority of such powers by a majority vote at a general or special election in such city;

19. To utilize the service of officers and employees of the county and to pay a proper portion of compensation or costs for the services of such officers or employees with the consent of the county executive, and upon notice to the chair of the county legislature;

20. To provide for the discontinuance or disconnection of the supply of water or the provision of sewerage service, or both, as the case may be, for non-payment of fees, rates, rents or other charges therefor imposed by the authority, provided such discontinuance or disconnection of any supply of water or the provision of sewerage service, or both, as the case may be, shall not be carried out except in the manner and upon notice as is required of a waterworks corporation pursuant to subdivisions three-a, three-b and three-c of section eighty-nine-b and section one hundred sixteen of the public service law; and

21. To do all things necessary, convenient or desirable to carry out its purposes and for the exercise of the powers granted in this title.

* NB There are 2 § 1124's