§ 1147-e. Powers of the authority. The authority shall have power:

1. To prepare or cause to be prepared plans, designs and estimates of costs for the construction of the project, and from time to time modify such plans, designs or estimates.

2. To construct the project and any additions, betterments and extensions to the facilities of the authority by contract or contracts, or through or by means of its own officers, agents and employees.

3. To have jurisdiction, control, possession and supervision of any existing sewer system acquired by the authority and the project; to maintain, operate, reconstruct and improve the same as a comprehensive sewerage system and to make additions, betterments and extensions thereto, and to have all the rights, privileges and jurisdiction necessary or proper for carrying such power into execution. No enumeration of powers in this or any other general, special or local law shall operate to restrict the meaning of this general grant of power or to exclude other powers comprehended within this general grant.

4. To sue and be sued.

5. To have a seal and alter the same at pleasure.

6. To borrow money and issue negotiable notes, bonds or other obligations and provide for the rights of the holders thereof.

7. To enter into contracts and 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.

8. 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 and to sell, lease as lessor, transfer or otherwise dispose of, any real or personal property or any interest therein, within or without the district, as the authority may deem necessary, convenient or desirable to carry out the purposes of this

title; provided, however, that the authority may not condemn real property of a municipality without the consent of the governing body of such municipality.

9. To purchase in the name of the authority, any sewer system, including but not limited to trunk, intercepting and connecting, lateral and outlet sewers, pumping and ventilating stations, disposal or treatment plants or works, and other appliances and structures, which in the judgment of the authority will provide an effective and advantageous means of relieving the area within the bounds of the authority, including surface and ground waters from inadequate sanitary drainage and for the sanitary disposal or treatment of the sewage thereof, or such sections or parts of such system as the authority may from time to time deem it proper or convenient.

10. To construct, improve or rehabilitate sewage disposal facilities and appurtenances required for the maintenance, development or expansion of the sewage disposal system within the bounds of the authority.

11. To operate and manage and to contract for the operation and management of facilities of the authority.

12. To enter into contracts, and carry out the terms thereof, for the wholesale provision of sewerage disposal with municipalities and private individuals or corporations.

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

14. To take all necessary and reasonable actions within the bounds of the authority to protect from pollution surface and ground waters within the district, including the making of plans and studies, the adoption of rules and regulations relating to the disposal of sewage, the enforcing

of compliance with all current and future rules and regulations of the state sanitary code with regard to sewage disposal, and the providing of educational materials and programs to the public relating to sewage disposal.

15. 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 authority and to prepare recommendations in regard thereto.

17. To make by-laws for the management and regulation of its affairs and rules and regulations for the conservation, preservation and protection of the authority's property, facilities and personnel and, subject to agreements with bondholders, rules, regulations and by-laws relating to the use of the facilities of the authority, including use of the sewer system including the imposition and collection of rents and charges therefor. A copy of each rule or regulation and each by-law and all amendments thereto, duly certified by the secretary of the authority, shall be filed in the office of the municipalities within the district and thereafter a summary thereof shall be published once in a newspaper having general circulation in the district. Such notice shall state that a copy of such rule or regulation, by-law or amendment is on file in the office of each municipality in the district and available for public review. Violations of such rules and regulations shall be punishable by fine, not exceeding fifty dollars.

18. To fix rates and collect charges for the use of the facilities of, or 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 maintenance reserves, capital reserves, repair

reserves, and other contingency reserves, and all other obligations and indebtedness of the authority; however, no such rates or charges shall be changed until a public hearing on such changes shall have been held upon not less than fourteen days notice thereof to each customer, either by mail or by publication once in a newspaper having general circulation within the bounds of the authority.

19. To accept gifts, grants, loans or contributions from the United States, the state or any agency or instrumentality of either of them, or any municipality or from any person or corporation, by bequest or otherwise, and to expend the proceeds for the purposes of the authority.

20. To contract with any town or village wholly or partially within the bounds of the authority for the purpose of undertaking or paying for any capital improvements made by the authority or its agents and such contract may provide, among other things consistent with the purposes of this title, (a) that any town, acting on behalf of any sewer district within the bounds of the authority, shall pay the districts agreed share of the cost of such capital improvements and such town shall have the authority to levy and collect special assessments upon real property within that area of the town which is benefited by such sewer facilities and pay such assessments to the authority as provided in such contract, and (b) that any village within the bounds of the authority shall pay its agreed share of the cost of such capital improvements and such village shall have the authority to levy and collect special assessments upon real property within the village which is benefited by such sewer facilities and pay such special assessments to the authority as provided in such contract. In order to carry out the terms of any such contract each town board shall have the authority to levy special assessments upon the lands benefited in the same manner as special assessments are levied for district improvements within a town and each board of trustees shall have the authority to levy special assessments upon the lands benefited in the manner provided in article fourteen of the village law.

21. To enter into cooperative agreements with other authorities, municipalities, sewer districts and other public corporations for the

interconnection of facilities, the exchange or interchange of services and commodities and, within the territorial limits of the authority, enter into contracts for the construction and operation and maintenance of all or a portion of the sewer 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.

22. 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 damages done.

23. For the purposes of article fifteen-A of the executive law only the authority shall be deemed a state agency as that term is defined in such article and its contracts for procurement, design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

24. To do all things necessary or convenient to carry out the powers expressly given in this title.