§ 1177. Buffalo Sewer Authority. 1. A board, to be known as "Buffalo Sewer Authority," is hereby created. Such board shall be a body corporate and politic constituting a public benefit corporation. Such board shall consist of five members, each of whom shall be a resident of the city of Buffalo and who shall be appointed by the mayor of the city. One shall be designated by him to serve until July first, nineteen hundred thirty-six, two shall be designated by him to serve until July first, nineteen hundred thirty-seven, and two shall be designated by him to serve until July first, nineteen hundred thirty-eight. Upon the expiration of the term of each member, a successor shall be appointed by the mayor for a term expiring three years after the expiration of the term of his predecessor. The mayor may remove any member of the board after giving to such member a copy of the charges against him and an opportunity to be heard in his defense. If a vacancy shall occur by reason of the death, disqualification, resignation or removal of a member, his successor shall be appointed by the mayor for the unexpired term. Every appointment to the board shall be subject to confirmation by the common council of the city. The powers of the board shall be vested in and exercised by a majority of the members thereof then in office. Such board and its corporate existence shall continue only for a period of five years 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. Upon its ceasing to exist all its rights and properties shall pass to the city of Buffalo. The members of the board shall be compensated at the rate of twenty-five hundred dollars per annum each for a full year's service and the chairman of the board shall be compensated at the rate of thirty-five hundred dollars per annum for a full year's service, and in addition thereto, they shall be entitled to reimbursement of their actual and necessary expenses incurred in the performance of their official duties. At the first meeting of the board and at the first meeting thereof in each fiscal year thereafter the members of the board shall choose from their number a chairman, a vice-chairman and a secretary. The board may appoint agents and employees with such powers and duties as it may determine and shall fix their compensation and pay the same out of funds of the authority. Except as otherwise provided herein or by the board, the corporation counsel of the city shall be the attorney for the authority and shall

prosecute and defend all actions and proceedings brought by or against the authority and shall institute and conduct all legal proceedings by the authority in the exercise of its powers of eminent domain. The authority may also use the agents, employees, records and equipment of the city with the consent of the city.

2. The purpose of this title, among other things, is to provide for the jurisdiction, control, possession, supervision and use of the facilities; authorization to make rules and regulations in furtherance of this title; the enforcement of this title, the rules, regulations, permits and orders of the authority in connection with the direct or indirect use of the facilities by persons within the city and the county of Erie and any other persons from whom the authority accepts, treats and disposes of sewage, industrial waste, and other waste, from whatever source derived; and to enable the authority to comply with all applicable laws of the United States and the state of New York, and the rules, regulations, permits and orders of their regulatory agencies.

3. 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 served by the facilities and the state, 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 by this title.