§ 1199-c. Rensselaer county water and sewer authority. 1. A public corporation, to be known as the "Rensselaer county water and sewer authority" is hereby created for the public 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, the objects of which in the judgment of the legislature cannot be attained under general laws. It shall consist of five members, who shall be residents of the county and be appointed by the county executive; one upon recommendation of the chairman of the county legislature and one upon recommendation of the minority leader, no more than three members shall be members of the same political party. The first members appointed by the county executive shall be appointed for the following terms of office: one for a term ending on December thirty-first of the second year following the year in which this title shall have become law, two for a term ending on December thirty-first of the third year following the year in which this title shall have become law; and two for a term ending on December thirty-first of the fourth year following the year in which this title shall have become law. Subsequent appointments of members shall be made for a term of three years ending in each case on December thirty-first of the last year of such term. All members shall continue to hold office until their successors are appointed and qualify. Vacancies shall be filled in the manner provided for original appointment. Vacancies, occurring otherwise than by expiration of term of office, shall be filled by appointment for the unexpired terms. Members 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 salary as shall be determined by local law. They shall receive no reimbursement for the ordinary expenses of attending meetings, but may by resolution by the authority be allowed their expenses of a special or extraordinary nature. A member may receive additional compensation to be fixed by the county, if appointed an officer of the authority. The powers of the authority shall be vested in and be exercised by the governing body at a meeting duly called and held where a quorum of three members are present. No action shall be taken except pursuant to the favorable vote of at least three members. The governing body may delegate to one or more of its members, officers, agents or employees

such powers and duties as it may deem proper.

2. 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. Such officers shall be appointed by the governing body and shall serve in such capacities at the pleasure of the governing body. In addition to the secretary, the governing body may appoint and at pleasure remove such additional officers and employees as it may determine necessary for the performance of the powers and duties of the authority which position shall be in the exempt class of civil service, and fix and determine their qualifications, duties and compensation, subject to the provisions of the civil service law. The governing body 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 or her office, the amount and sufficiency of which shall be approved by the governing body and the premium therefor shall be paid by the authority.

3. Notwithstanding any inconsistent provision of any general, special or local law, ordinance, resolution or charter, no officer, member or employee of the state, any municipality, or any public benefit corporation, shall forfeit his or her office or employment by reason of his or her acceptance of appointment as a member, officer, agent or employee of the authority, nor shall service as such member, officer, agent or employee be deemed incompatible or in conflict with such office, membership or employment.

4. (a) The county executive shall file on or before March thirty-first of the year following the year in which this title shall have become a law, in the office of the secretary of state, a certificate signed by the county executive setting forth: (1) the name of the authority; (2) the names of the members appointed by the county executive and their terms of office; and (3) the effective date of this title. The authority shall be perpetual in duration, except that if such certificate is not filed with the secretary of state on or before such date, then the corporate existence of the authority shall thereupon terminate and it shall thereupon be deemed to be and shall be dissolved.

(b) Except as provided in paragraph (a) of this subdivision, the authority and its corporate existence shall continue until terminated by law, provided, however, that no such law shall take effect so long as the authority shall have bonds or other obligations outstanding unless adequate provision has been made for the payment or satisfaction thereof. Upon termination of the existence of the authority, all of the rights and properties of the authority then remaining shall pass to and vest in the county.

5. It is hereby determined and declared, that the authority and the carrying out of its powers and duties are in all respects for the benefit of the people of the county and the state for the improvement of their health, welfare and prosperity and that such 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.