§ 1226-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 with the authority, the board of water supply and any municipality 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 any such project, and to raise revenues from users through fees, rates or other service charges necessary or appropriate to secure such financing and to pay the cost of the operation, management and repair of any such project.

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, constituting or for use in connection with a project or otherwise, as the water board may deem necessary, convenient or desirable to carry out the purposes of this title. In connection with the acquisition of any property, the water board may assume and agree to perform covenants and observe the restrictions contained in any instrument to which any such property is subject; and furthermore the owner of any properties, which the water board is authorized to acquire, is hereby authorized to sell or otherwise transfer the same to the water board, whereupon the water board 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, subject to any limitations in any

agreement entered into pursuant to this title, to sell, lease as lessor, transfer or otherwise dispose of any such property or interest therein; provided, however, that any property determined by the water board to be no longer necessary by the water board for use in fulfilling the purposes of the water board pursuant to this title which was acquired by the water board from either the city or the board of water supply, except property identified at the time of transfer as being "southern reservoir property", shall be conveyed, immediately after such property has been so determined to be no longer necessary by the water board, at no cost, to the city and, provided, further, that any property so determined to be no longer necessary by the water board which was identified as "southern reservoir property" shall be conveyed, immediately after such property has been so determined to be no longer necessary by the water board, at no cost, to the city and the town of New Hartford whereupon such property shall vest jointly in the city and the town of New Hartford.

6. To acquire from any municipality, and/or the board of water supply, title to any water facility.

7. To make and amend by-laws for its organization and management and the regulation of its affairs and rules and regulations governing the exercise of its powers and the fulfillment of its purposes under this title including the sale of water and the collection of fees, rates and charges therefor. 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 each municipality within the service area.

8. To establish, fix, revise, charge and collect and enforce the payment of all fees, rates, and other service charges for the use of, or services rendered by, or any commodities furnished by any water facility 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 facility or facilities shall be placed on a self-sustaining basis in accordance with 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.

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 provision of water produced by supply, transmission and distribution facilities constructed and/or operated by the water board, to municipalities, private water companies or to any person and to carry out the terms thereof.

13. 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.

14. 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 county, 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.

15. 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.

16. 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.

17. 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.

18. 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, from the state or any agency or instrumentality thereof, from any municipality, the board of water supply, the authority 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.

19. To produce, develop, distribute, supply and sell water for domestic, commercial and public purposes at wholesale or retail to public authorities, municipalities, the board of water supply, utility companies, private corporations, and persons or individual consumers within or without the service area.

20. To purchase water in bulk from any person, private corporation, public authority, utility company, the board of water supply or municipality when necessary or convenient for the operation of any water facility.

21. To enter into cooperative agreements with the authority, other authorities, any municipality, the board of water supply, any utility company, private corporation or person within or without the service area for the interconnection of facilities, the exchange or interchange of services and commodities or for the construction and operation and maintenance of a water facility by the water board for any municipality having power to construct and develop a water facility, 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 into agreements with the authority and any municipality or the board of water supply, as herein provided.

23. To replace residential water service pipes containing lead and running from the curb box at a homeowner's property to the water meter in the residence and to accept an easement from the homeowner therefor.

24. 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 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 at least the amount of the deposit.

25. 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/or any municipality in the service area.

26. With the consent of the chief executive officer of a municipality within the service area, to use officers and employees of such municipality and to pay a proper portion of compensation or costs for the services of such officers or employees.

27. For the purposes of article fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used 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.

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