§ 1269-a. Metropolitan transportation authority capital program review board. 1. The metropolitan transportation authority capital program review board is hereby created to exercise the powers, duties and prerogatives as hereinafter provided in sections twelve hundred sixty-nine-b and twelve hundred sixty-nine-c of this title.

2. The voting membership of the board shall consist of four persons appointed by the governor of which one shall be upon the recommendation of the temporary president of the senate, one upon the recommendation of the speaker of the assembly and one upon the recommendation of the mayor of the city of New York. The member appointed upon the recommendation of the mayor of the city of New York shall participate and be entitled to vote only with respect to bond resolutions and the capital program plans and any amendments or modifications thereof for transit facilities operated by the New York city transit authority, its subsidiaries and the Staten Island rapid transit operating authority. Upon recommendation of the nominating party, the governor may replace any member in accordance with the provision contained herein for the appointment of members. The governor shall designate one of the members to serve as chairman. Any determination of the board shall be evidenced by a certification thereof executed by all the members entitled to vote on the matter so certified. Each member of the board shall be entitled to designate a representative to attend meetings of the board in his place and to vote or otherwise act on his behalf in his absence. Notice of such designation shall be furnished in writing to the board by the designating member. A representative shall serve at the pleasure of the designating member during the member's term of office. A representative shall not be authorized to delegate any of his duties or functions to any other person.

3. The governor shall also appoint two non-voting members to the metropolitan transportation authority capital program review board of which one shall be upon the recommendation of the minority leader of the senate and one upon the recommendation of the minority leader of the assembly. Each non-voting member shall be entitled to designate a representative to attend meetings of the board in his place.

4. The members of the metropolitan transportation authority capital program review board, and their representatives shall be deemed employees within the meaning of such term as provided for in section seventeen of the public officers law.