§ 1299-e. General powers of the authority. Except as otherwise limited by this title, the authority shall have power:

1. To sue and be sued;

2. To have a seal and alter the same at pleasure;

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

4. To invest any funds held in reserve or sinking funds, or any monies not required for immediate use or disbursement, at the discretion of the authority, in obligations of the state or the United States government or obligations the principal and interest of which are guaranteed by the state or the United States government; or in certificates of deposit of banks or trust companies; or in bank or trust accounts of banks in this state, secured by obligations of the United States or of the state of New York of a market value equal at all times to the amount of the deposit;

5. To make and alter by-laws for its organization and internal management, and rules and regulations governing the exercise of its powers and the fulfillment of its purposes under this title;

6. To enter into contracts and leases and to execute all instruments necessary or convenient;

7. To acquire, hold and dispose of real or personal property in the exercise of its powers;

8. 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 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; such counsel, auditors, engineers, and private consultants, officers and employees may not be a member of the authority;

9. (a) Notwithstanding section one hundred thirteen of the retirement and social security law or any other general or special law, the authority and any of its subsidiary corporations may continue or provide to its affected officers and employees any retirement, disability, death or other benefits provided or required for railroad personnel pursuant to federal or state law. Notwithstanding any provisions of the civil service law, no officer or employee of a subsidiary corporation, of the authority, other than a public benefit subsidiary corporation, shall be a public officer or a public employee;

(b) The authority and any of its public benefit subsidiary corporations may be a "participating employer" in the New York state employees' retirement system with respect to one or more classes of officers and employees of such authority or any such public benefit subsidiary corporation, as may be provided by resolution of such authority or any such public benefit subsidiary corporation, as the case may be, or any subsequent amendment thereof, filed with the comptroller and accepted by him pursuant to section thirty-one of the retirement and social security law. In taking any action pursuant to this paragraph (b), the authority and any of its public benefit subsidiary corporations shall consider the coverages and benefits continued or provided pursuant to paragraph (a) of this subdivision;

10. To make plans, surveys, and studies necessary, convenient or desirable to the effectuation of the purposes and powers of the authority and to prepare recommendations in regard thereto;

11. To enter upon such lands, waters or premises as in the judgment of the authority may be necessary, convenient or desirable for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this title, the authority being liable for actual damage done;

12. The authority may conduct investigations and hearings in the furtherance of its general purposes, and in aid thereof have access to any books, records or papers relevant thereto; and if any person whose testimony shall be required for the proper performance of the duties of

the authority shall fail or refuse to aid or assist the authority in the conduct of any investigation or hearing, or to produce any relevant books, records or other papers, the authority is authorized to apply for process of subpoena, to issue out of any court of general original jurisdiction whose process can reach such person, upon due cause shown;

12-a. By a certificate filed in its office, from time to time to delegate to any member, officer or employee of the authority the power to conduct any investigation or hold any hearing which the authority is authorized or required to conduct or to hold by any provision of this title; and the person so designated shall have all of the powers of the authority in the conduct of such investigation or the holding of such hearing;

13. To appoint or designate one or more persons for the purpose of enforcing rules and regulations established by the authority, and to compel the observance of law and order on the properties, facilities and improvements of the authority for the protection and administration of such property, facilities and improvements, and the traveling public using such facilities. Each person as and when so appointed or designated shall be known as (a) a "Niagara frontier transportation authority security officer or patrolman" and shall be a peace officer as set forth in subdivision forty-five of section 2.10 of the criminal procedure law, or a police officer within the purview of subdivision thirty-four of section 1.20 of the criminal procedure law or (b) a "ticket inspector" and shall not be a peace officer or a police officer but, when so designated or appointed, shall be authorized to issue and serve appearance tickets pursuant to section 150.20 of the criminal procedure law with respect to violations of rules and regulations so established.

13-a. To make application to the Foreign-Trade Zones Board established by the act of congress, approved June eighteenth, nineteen hundred thirty-four, entitled "An act to provide for the establishment, operation and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes", for a grant to such authority of the privilege of

establishing, operating and maintaining a foreign-trade zone on premises located within the transportation district of the authority, pursuant to the provisions of such act, and if such application be granted, to accept such grant and to establish, operate and maintain such zone in accordance with state and federal law; and to enter into contracts or leases covering all arrangements involving the establishment, operation and maintenance of such zones with and within the counties of Erie and Niagara which counties are hereby authorized to enter into contracts and leases with the authority subject to such rules and regulations as promulgated by federal authority.

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