§ 2046-f. Powers. The agency shall have the power:

1. To sue and be sued;

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

3. To acquire, hold or lease, in the name of the agency or to sell, mortgage, lease, or otherwise dispose of property, real, personal, mixed, or any interest therein, without limitation for its corporate purposes, provided that the agency may not acquire any real property without the town except with the consent of the town board of the town in which such property is located or, if located within the boundaries of a village, with the consent of the board of trustees of such village;

4. To receive, collect, transport, process, dispose of, sell, store, convey, recycle and deal with, in any lawful manner and way, solid waste and any by-products thereof now or hereafter developed or discovered, including energy generated by the operation of any facility;

5. To condemn with consent of town board and the supervisor in the name of the agency, pursuant to the eminent domain procedure law, any real property within the town required by the agency to carry out the powers granted by this title;

6. To plan, construct and develop projects and to have the right to contract in relation thereto with the town and with other municipalities or persons within or without the town and to own, acquire and purchase real property in connection therewith and to own and operate, maintain, repair, improve, reconstruct, enlarge and extend, subject to the provisions of this title, any of its properties acquired or constructed under this title, and to sell, lease, mortgage or otherwise dispose of any project or part thereof to any persons or municipality, subject to such conditions and limitations as the agency may determine to be in the public interest;

7. To assist in the planning, construction and development of and the financing of the cost of any solid waste management-resource recovery

facility to be located in the town whether or not such facility is to be owned or operated by the agency, which assistance may include loans to any person or public corporation. Any such solid waste management-resource recovery facility producing either electricity or shaft horsepower and useful thermal energy shall constitute a co-generation facility as defined in subdivision two-a of section two of the public service law;

8. To receive from the United States, the state, the town, any other municipality or public corporation or person, or from such other sources as the agency may deem proper, solid waste for the purpose of treatment or disposal thereof, with the right of the agency to sell and dispose of any products or by-products of such process of treatment or disposal, as the agency may deem proper;

9. To contract with the town, other municipalities, state agencies or authorities, or persons for the purpose of receiving, treating and disposing of solid waste by the agency;

10. To adopt by-laws for the management and regulation of its affairs, subject to agreements with bondholders and noteholders, rules for the receiving and disposing of solid waste and charges therefor. A copy of such rules and by-laws, and all amendments thereto, duly certified by the secretary of the agency shall be filed in the office of the agency;

11. To use officers or employees of the town, subject to the payment to the town by the agency of a proper portion of the compensation or costs for the services of such officers or employees;

12. To make contracts and to execute all necessary or convenient instruments, including evidences of indebtedness, negotiable or non-negotiable;

13. To enter with consent of the town supervisor on any lands, waterways and premises for the purpose of making surveys, soundings and examinations, and liability therefor shall not exceed actual damages;

14. To borrow money and to issue negotiable bonds or notes or other obligations and to fund or refund the same, and to provide for the rights of the holders of its bonds or notes;

15. To fix and collect rates, rentals, fees and other charges for the use of the facilities of, or services rendered by, or any commodities furnished by the agency so as to provide revenues sufficient at all times to pay, as the same shall become due, the principal and interest on the bonds, notes or other obligations of the agency together with the maintenance of proper reserves therefor, in addition to paying, as the same shall become due, the expenses of operating and maintaining the properties of the agency, together with proper reserves for debt service, depreciation, maintenance and contingencies and all other obligations and indebtedness of the agency;

16. To accept grants, loans or contributions from the United States, the state or any agency or instrumentality of either of them, or any municipality or individual, by bequest or otherwise, and to expend the proceeds for any purposes of the agency, providing however, that any resource recovery facility or project constructed with state assistance shall be designed and constructed using proven technology acceptable to the commissioner of environmental conservation;

17. To do all things necessary or convenient to carry out the powers expressly given in this title.