§ 2051-c. County of Franklin solid waste management authority. 1. A corporation known as the County of Franklin solid waste management 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. It shall consist of seven members who shall be appointed by the county legislature.

2. The first members of the authority shall be appointed according to the following schedule for their terms of office; two for a one-year term ending on December thirty-first of the year following the year in which this title shall have become a law; two for a two-year term ending on December thirty-first of the second year following the year in which this title shall have become a law; and three for a three-year term ending on December thirty-first of the third year following the year in which this title shall have become a law. Subsequent appointments of members shall be made in the same manner and for terms of three years ending in each case on December thirty-first of the last year of each such term. No person who has served as a member for two consecutive terms shall be eligible for reappointment as a member for a third term except after an interval of at least three years. All members shall continue to hold office until their successors are appointed and qualify. Vacancies occurring at the end of a term shall each be filled and appointed for a three-year term. Vacancies occurring otherwise than by expiration of term shall be filled in the same manner, respectively, for the unexpired term. Members may be removed from office for the same reasons and in the same manner as provided by law for the removal of officers of the county. Appointments to fill expired and unexpired terms shall be made within sixty days upon receipt of notification by the chairman of the county legislature that a vacancy exists.

3. The members of the authority shall receive no compensation for their services but shall be reimbursed for all of their actual and necessary expenses incurred in connection with the carrying out of the purposes of this title. 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 four members are present. No action shall be taken

except by the favorable vote of at least four members. 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. The officers of the authority shall be selected by the authority and shall serve in such capacities at the pleasure of the authority. In addition to the position of secretary, the authority may appoint and at pleasure remove an executive director, attorney and engineer, which positions shall be in the exempt class of the civil service, and such additional officers and employees as it may deem necessary, and may determine and fix their qualifications, duties and compensation, subject to the provisions of the civil service law. The authority may delegate to one or more of its members, officers, agents or employees any such powers as it may deem proper. The authority may also contract for expert professional services. The treasurer shall execute a bond conditioned on 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 for which shall be paid by the authority.

4. 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 a member, officer, agent or employee of the authority be deemed incompatible or in conflict with such office, membership or employment.

5. In addition to any powers granted to it by law, the county legislature may appropriate by resolution sums of money to defray project costs or any other costs and expenses of the authority to be incurred prior to the first issuance of bonds. Subject to the rights of bondholders, the county legislature may determine if the moneys so appropriated shall be subject to repayment by the authority to the county and, in such eventuality, the manner and schedule for such repayment.

6. (a) The county 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 approved by the legislature and signed by the chairman of the county legislature setting forth: (1) the name of the agency; (2) the names of the members appointed by the county legislature 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 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.

7. It is hereby determined 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.