§ 2053-c. Rockland county solid waste management authority. 1. Upon compliance with the requirements of subdivision seven of this section, a corporation known as the Rockland county solid waste management authority shall be deemed to have been created hereby 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. In order to be more consistent with the authority's goals, mission and objectives, the authority shall also be known as Rockland Green and/or RG Cares.

2. The authority shall consist of seventeen members. Eight members shall be members of the county legislature. Five of the eight legislative members shall be appointed by the chairman of the county legislature and three shall be appointed by the minority leader of the county legislature, subject in each case to confirmation by a majority of the county legislature. No such appointment shall be effective unless there shall be, among the legislative members of the authority, a resident of each of the five towns in the county. Residency shall be determined as of the effective date of appointment, and subsequent changes in residency shall not effect the validity of the appointment or the authority of the legislative member to serve in the authority. Each of the legislative members of the authority initially appointed and certified to the secretary of state shall serve for a term ending on January fifteen, nineteen hundred ninety-four. Subsequent appointments of legislative members of the authority shall be made in the same manner and for terms of two years. All legislative members shall continue to hold office until their successors are appointed and qualify. 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 board of supervisors that a vacancy exists.

3. Five members of the authority shall consist, ex officio, of the supervisors of the five towns in the county. The term of each town

supervisor serving ex officio as a member of the authority shall coincide with such member's term of elective office. No person shall be both an appointed member from the county legislature and a town supervisor serving ex officio as a member of the authority. Two members of the authority shall be appointed by and shall serve at the pleasure of the county executive of the county. Two members shall be mayors of villages contained within the county of Rockland and shall be appointed by the county legislature upon the recommendation of the Rockland county conference of mayors. The term of each mayor serving as a member of the authority shall coincide with such member's term of elective office, not to exceed two years. No such mayor shall be selected from a village that has failed to sign the intermunicipal recyclables management agreement. Such mayors are to be selected from different towns within Rockland county, and for the purposes of determining which town a mayor is determined to be from, if the jurisdiction of the municipality in which a mayor presides spans more than one town, that mayor shall not be restricted from appointment because one portion of his jurisdiction is coterminous with that of another mayor chosen as a member of the authority. Any member of the authority, whether appointed or serving ex officio, may be removed from office by a vote of ten members of the authority for gross neglect of duty, misconduct, maladministration or malfeasance in office, including the unexcused failure to attend three consecutive regular meetings of the authority.

4. 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 eight members is present. No action shall be taken except by the favorable vote of at least eight 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 such officers, the authority may appoint and at its 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.

5. 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. The members and employees of the authority shall be subject to all requirements of state and county law pertaining to ethics and financial disclosure to which members of the county legislature and employees of the county, respectively, are subject.

6. In addition to any powers granted to it by law, the county legislature may appropriate by resolution with the concurrence of the county executive 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 rights of bondholders, the county legislature with the concurrence of the county executive 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.

7. (a) The county shall file on or before the twelve month anniversary of the date on which this title shall have become a law, in the office

of the secretary of state, a resolution of the county legislature adopted following a public hearing approving the creation of the authority, together with a certificate approved by the county legislature and signed by the county executive setting forth: (1) the name of the authority; (2) the names of the initial members; and (3) the effective date of this title. The authority shall be perpetual in duration, except that if such resolution and certificate are not filed with the secretary of state on or before such date, then the power of the legislature of the county to approve the creation of the authority shall thereupon lapse, the authority shall not be deemed to have been created hereby and shall not exist or be deemed to have existed, and the provisions of this title shall no longer have any force or effect.

(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.

8. 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.

9. In exercising the powers conferred upon it by this title, the authority shall at all times act in accordance with, and be in compliance with, the provisions of the solid waste management plan.