§ 2563. General powers of the corporation. In the exercise of the powers conferred and the performance of the duties imposed upon it by section twenty-five hundred sixty-four of this title, and subject to the limitations contained in other sections of this title, the corporation shall have the following general powers:

1. To sue and be sued;

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

3. To make by-laws for the management and regulation of its affairs;

4. To make and execute contracts and all other instruments including leases and subleases necessary or convenient to accomplish its corporate purposes, including, without limitation, the operation and maintenance of the convention center;

5. To purchase, receive, take by gift, grant, devise, bequest or otherwise, lease or otherwise acquire, own, hold, improve, employ, use and otherwise deal in and with, real or personal property, or any interest therein, including air and subsurface rights and lands under water at the site of the convention center or in the general vicinity thereof;

6. To accept grants, loans, contributions, subsidies or other forms of financial assistance from the United States, the state and the city, or any agency or instrumentality thereof, and from any other source, including gifts or transfers by bequest or otherwise, and to use same or expend the proceeds thereof for its corporate purposes;

7. To invest any funds held in reserve or any moneys not required for immediate use or disbursement, at the discretion of the corporation, 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 accordance with the provisions of section ninety-eight-a of the state finance law;

8. Subject to the approval of the director of the budget in such form as he shall specify, to appoint such officers, agents 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 other agents, including but not limited to architects, counsel, auditors, engineers and private consultants on a contract basis or otherwise for rendering professional or technical services and advice;

9. With the consent of the state, to use the agents, employees and facilities of the state, paying to the state its agreed proportion of the compensation or costs;

10. To fix and collect rents, rates, fees and other charges for the use of the convention center;

11. To enter into agreements with the city and the state and the United States, or any agency or instrumentality thereof, individuals, firms or corporations for any lawful purposes necessary or desirable to effectuate the purposes of this title; and

12. To do all things necessary or convenient to carry out the purposes and provisions of this title.

13. (a) Notwithstanding paragraph three of subdivision b of section six hundred of the retirement and social security law and subdivision four of section two hundred one of the civil service law, or any other general, special or local law, the corporation may provide to persons in its employ any retirement benefits provided or required pursuant to any agreement with a labor union of which its employees are members, and the corporation is hereby authorized retroactively or in the future to make such contributions as may be necessary to provide such benefits, and any and all payments heretofore made by the corporation in compliance with any such agreement shall be and hereby are ratified and confirmed.

(b) Notwithstanding paragraph three of subdivision b of section six hundred of the retirement and social security law, persons in the employ of the corporation on whose behalf the corporation has made or shall make payments pursuant to paragraph (a) of this subdivision shall

neither be required nor permitted to become members of the New York state and local employees' retirement system for so long as such payments continue; provided, however, that nothing in this paragraph shall be deemed to affect the rights and privileges of persons in the employ of the corporation who are enrolled members of the New York state and local employees' retirement system on the effective date of this subdivision, and further, that this paragraph shall not affect the membership of persons in the employ of the corporation who are enrolled members of the New York state and local employees' retirement system on the effective date of this subdivision.