§ 2642-c. Chautauqua, Cattaraugus, Allegany and Steuben southern tier extension railroad authority. 1. There is hereby created the "Chautauqua, Cattaraugus, Allegany and Steuben southern tier extension railroad authority" which shall be a body corporate and politic constituting a public benefit corporation.

2. The authority shall continue for thirty years from the effective date of this title, or so long as it shall have bonds or other obligations outstanding or until its existence shall otherwise be terminated by law. Upon the termination of the existence of the authority, all its rights and properties shall pass to and be vested in the participating counties pursuant to any agreements among the participating counties and the authority.

3. The authority shall adopt by-laws governing its operation and keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

4. The authority shall consist of the following fourteen members:

(a) The county legislative bodies of Chautauqua, Cattaraugus, Allegany and Steuben counties each shall appoint three voting members of the authority who shall be residents of such county, upon the recommendation of the chief executive (county executive or chair of the county legislative body) of each such county; and

(b) The southern tier west regional planning and development board, upon the recommendation of the chairperson of such board, shall appoint one member of the authority, who shall be a resident of one of the counties of Chautauqua, Cattaraugus, Allegany or Steuben.

(c) The Seneca Nation of Indians may appoint a member of such Nation to serve in an advisory non-voting capacity.

5. The term of office of members of the authority shall be three years. Four of the initial members of the authority shall serve a one year term, four shall serve a two year term and six, including the members appointed by the southern tier west regional planning and development board, and the Seneca Nation of Indians shall serve a three year term, provided that at the inception of the authority, each county

shall appoint one member to hold office for three years, one for two years and one for one year.

6. All members shall continue to hold office until their successors are appointed and qualified. The resignation of any member shall be filed with the appointing authority and shall be effective when so filed. Vacancies occurring otherwise than by expiration of term of office shall be filled for the unexpired term in the same manner as provided for the original appointment.

7. The chairperson, vice-chairperson, secretary, and other necessary officers shall be named by a majority vote of all the voting members to serve for such period as the members shall decide. The chairperson shall preside over the meetings of the authority and shall appoint members of the authority to committees established by the authority to assist the authority in carrying out its duties.

8. Any member of the authority may be removed by resolution of the entity which appointed such member either for cause or for non-compliance with minimum requirements relating to meeting attendance and other criteria as may be established by resolution of such entity.

9. No person shall be precluded from serving as a member of the authority as appointed by a county legislative body, the southern tier west regional planning and development board or the Seneca Nation of Indians pursuant to this section because such member is an elected or appointed official of a municipality, except that no member of the authority shall vote on any matter before the authority which has been the subject of a proposal, application or vote before the municipality where he or she serves in such elected or appointed capacity.

10. The members of the authority shall receive no salary or compensation for their services, but may be reimbursed for authorized, actual and necessary travel and expenditures.

11. A majority of the whole number of voting members of the authority then in office shall constitute a quorum for the transaction of any

business or the exercise of any power of the authority. Notwithstanding any provision of statute or law to the contrary and except as otherwise specified in this title, for the transaction of any business or the exercise of any power of the authority, the authority shall have power to act by a majority of the whole number of voting members of the authority.

12. The authority shall be deemed a state agency for purposes of section seventy-four of the public officers law, provided, however, that no non-voting member of the authority shall be deemed an officer or employee of a state agency.