§ 2779. Albany county airport authority. 1. (a) There is hereby created the Albany county airport authority. The authority shall be a body corporate and politic constituting a public benefit corporation. The authority shall consist of seven members who shall be residents of Albany county. The members shall be appointed in the following manner: three shall be appointed by the county executive and four shall be appointed by the majority leader of the county legislature. All appointments must be confirmed by the county legislature within thirty days of the appointment. No more than four members may be enrolled members of the same political party. Of the members initially appointed by the county executive two each shall serve for a term ending December thirty-first, nineteen hundred ninety-six and one shall serve for a term ending December thirty-first, nineteen hundred ninety-seven. Of the members initially appointed by the majority leader of the county legislature, one shall serve for a term ending December thirty-first, nineteen hundred ninety-five; two each shall serve for a term ending December thirty-first, nineteen hundred ninety-six and one shall serve for a term ending December thirty-first, nineteen hundred ninety-seven. Each member shall serve a term of four years. The majority leader and county executive shall jointly designate one of the seven members to serve as the chairperson of the authority. The authority may provide for such officers as may be determined necessary and the same need not be members of the authority.

(b) Notwithstanding the provisions of paragraph (a) of this subdivision the majority leader and county executive shall jointly submit to the county legislature the initial seven members of the authority. Within thirty days, the county legislature must approve or disapprove the appointment of the entire group of nominees but may not reject an individual member nor may it modify in any way the proposed group of members.

2. All members shall continue to hold office until their successors are appointed and qualify. Except as otherwise provided in subdivision three of this section, vacancies shall be filled in the manner provided for original appointment. Vacancies, occurring otherwise than by expiration of term of office, shall be filled for the unexpired terms. Members may be removed from office for the same reasons and in the same

manner as may be provided by law for the removal of officers of the county. The members of the authority shall receive no compensation for their services but shall be reimbursed for all their actual and necessary expenses incurred in connection with the carrying out of the purposes of this title. The powers as set forth in the by-laws of the authority shall be established and vested in and be exercised by the members of the authority at an initial meeting duly called and held and five members shall constitute a quorum. No action shall be taken at the aforementioned initial meeting or any adjournment thereof except pursuant to the favorable vote of at least five members of the authority. Any amendment to the aforementioned powers as set forth in the by-laws shall only become effective upon the favorable vote of at least five members of the authority.

3. The authority shall have a regional advisory board consisting of not less than six non-voting members. The membership shall include, but not be limited to, the chairperson of the airline affairs committee of the Albany county airport and other members, one of whom shall be appointed by the legislative body of the county of Schenectady, one of whom shall be appointed by the legislative body of the county of Saratoga, one of whom shall be appointed by the legislative body of the county of Rensselaer and two of whom shall be appointed by the legislative body of the town of Colonie.

4. Notwithstanding any inconsistent provision of any general, special or local law, ordinance, resolution or charter, no officer, member or employee of the state or of any public corporation shall forfeit his or her office or employment by reason of his or her acceptance of appointment as a member, officer or employee of the authority, nor shall service as such member, officer or employee be deemed incompatible or in conflict with such office, membership or employment.

5. Notwithstanding any inconsistent provision of any general, special or local law, ordinance, resolution or charter, no officer, member, elected official or employee of the county of Albany shall be eligible to serve as a member of the authority.

6. All members of the authority will be required to comply with the Albany county code of ethics and to complete all disclosure forms required by said code of ethics.

7. The authority and its corporate existence shall continue until terminated by law, provided, however, that no such termination 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 of Albany in such a manner as prescribed by law.

8. Within thirty days from the establishment of the authority, the county and authority shall undertake an environmental audit ("the audit") of the airport and its facilities. The audit shall be prepared pursuant to an agreed upon scope of work between the county and the authority prior to its undertaking and shall be used to establish the existing environmental conditions of the airport and its facilities. As a minimum the audit shall include, but not be limited to, the examination and inspection of all property identified on the currently approved airport layout plan; all property adjacent to the airport layout plan or otherwise used directly by the county in support of airport operations which will continue to be made available to the authority for the same purposes in the future; all structures and facilities on said properties including facilities used for the storage and handling of aviation, jet, automotive, heating or other fuel, oil, petroleum products or solvents; all storm water drainage systems including oil/water separators and systems for the collection or diversion of airport and aircraft deicing agents. The results of the audit shall serve as a disclosure statement and will be taken into consideration in any negotiations for any agreement between the county and the authority regarding the future operation of the airport.