§ 902. Long Island market authority. 1. A public corporation to be known as the "Long Island market authority" is hereby created for public purposes and charged with the duties and shall have the powers provided in this title. The authority shall be a body corporate and politic constituting a public benefit corporation.

2. The governing body of the authority shall consist of a total of seven members, to be appointed and serve as follows:

(a) The county executive, with the approval of the legislative body of the county, shall appoint seven members. Members appointed by the county executive shall be residents of the county. Any member shall forfeit his or her membership on the governing body upon such member's termination of residence in such area, which forfeiture shall create a vacancy. Three members appointed by the county executive shall be appointed for a term of office ending on December thirty-first of the third year following the year in which this title shall have become law. Two members appointed by the county executive shall be appointed for a term of office ending on December thirty-first of the second year following the year in which this title shall have become law. Two members appointed by the county executive shall be appointed for a term of office ending on December thirty-first of the first year following the year in which this title shall have become law. Subsequent appointments of members shall be made for a term of three years ending on December thirty-first of the last year of such term. All members shall continue to hold office until their successors are appointed and qualify.

(b) Four members of the board shall be persons engaged in farming, commercial fishing, the resale of farm produce or the resale of commercial fishing products and deriving a greater part of their income therefrom.

(c) Failure to appoint any member shall not invalidate the creation or establishment of the authority and shall result in the creation of a vacancy on the governing body of the authority which may be filled at any time by such party.

(d) Vacancies shall be filled in the same manner as provided for the original appointment. Vacancies, occurring otherwise than by expiration of term of office shall be filled by appointment for the unexpired terms.

(e) Members may be removed from office for inefficiency, neglect of duty or misconduct in office; provided, however, that such member shall be given a copy of the charges against him or her and an opportunity to be heard in person, or by counsel, in his or her defense upon not less than ten days notice.

3. The members of the authority shall receive no compensation for their services but shall be reimbursed for their actual and necessary expenses incurred in connection with the carrying out of the purposes of this title; provided, however, that no member shall be reimbursed for any expense exceeding one thousand dollars incurred with respect to any individual purpose unless the governing body at a meeting duly called and held when a quorum of four members are present shall have authorized the incurrence of such expense by such member. 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 pursuant to the favorable vote of at least four voting members. All votes must be made in person at a meeting and no vote may be made by proxy. The governing body may delegate to one or more of its members, officers, agents or employees such powers and duties as it may deem proper.

4. The officers of the authority shall consist of a chair, a vice-chair, a treasurer and a secretary, who need not be a member of the authority. Such officers shall be appointed by the governing body and shall serve in such capacities at the pleasure of the governing body. In addition to the secretary, the governing body may appoint and at pleasure remove such additional officers and employees as it may determine necessary for the performance of the powers and duties of the authority and fix and determine their qualifications, duties and compensation, subject to the provisions of the civil service law. The governing body may also from time to time contract for expert professional services. The treasurer shall execute a bond, conditioned upon 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 therefor 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 such member, officer, or employee be deemed incompatible or in conflict with such office, membership or employment.

6. (a) The county executive shall file on or before December thirty-first of the year in which this title shall have become a law, in the office of the secretary of state, a certificate signed by such county executive setting forth: (1) the name of the authority; (2) the names of the members appointed by the county executive and their terms of office; and (3) the effective date of this title.

(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 jointly in the cities, towns and villages in the service area in such a manner as prescribed by law.

7. It is hereby determined and declared that the authority and the carrying out of its powers and duties are in all respects for the benefit of the people of the service area 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.

8. Nothing in this title shall be construed to obligate the state in any way in connection with the operations or obligations of the authority.