§ 54-0101. Definitions.

As used in this article, unless otherwise specified within any title of this article, the following terms shall mean and include:

1. "Commissioner" means the commissioner of environmental conservation; except that within and for the purposes of the projects undertaken by the office pursuant to title nine of this article, the term shall mean the commissioner of the office of parks, recreation and historic preservation.

2. "Cost" means the cost of an approved project, which shall include engineering and architectural services, plans and specifications, consultant and legal services, and other direct expenses incident to such project less any federal assistance received or to be received and any other assistance from other parties.

3. "Department" means the department of environmental conservation.

4. "Facility" means any structure or site improvement including paths, trails, roads, bridges, ramps and buildings.

5. "Federal assistance" means funds available, other than by loan, from the federal government, either directly or through allocation by the state for construction or program purposes pursuant to any federal law or program.

6. "Governing body" means:

a. in the case of a county outside of the city of New York, the county board of supervisors or other elective governing body;

b. in the case of a city or village, the local legislative body thereof, as the term is defined in the municipal home rule law;

c. in the case of a town, the town board;

d. in the case of a public benefit corporation, the board of directors, members or trustees thereof;

e. in the case of a public authority, the governing board of directors, members, or trustees thereof;

f. in the case of a not-for-profit corporation, the board of directors thereof or such other body designated in the certificate of incorporation to manage the corporation; and

g. in the case of an Indian tribe or nation, any governing body recognized by the United States or the state of New York.

7. "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, or Indian tribe or nation residing within New York state, or any combination thereof. For the purposes of title 5 and title 9 of this article, municipality shall also include state agencies, state public authorities and state public benefit corporations. For the purposes of title 7 and title 9 of this article, the term municipality shall also include a school district and a supervisory district.

8. "Not-for-profit corporation" means a corporation formed pursuant to the not-for-profit corporation law and qualified for tax-exempt status under the federal internal revenue code.

9. "Office" means the office of parks, recreation and historic preservation.

10. "Solid waste" shall have the definition set forth in title 5 of article 27 of this chapter but shall not include hazardous waste as defined in title 9 of article 27 of this chapter.

11. "State assistance payment" means the payment of monies by the state for projects authorized by the environmental protection fund, to preserve, enhance, restore and improve the quality of the state's environment.

12. "Secretary" means the secretary of state.