§ 2.00 Definitions. As used in this chapter:

1. The term "municipality" shall mean a county, city, town or village.

2. The term "school district" shall mean any school district, except the school districts of the cities of New York, Buffalo, Rochester, Syracuse and Yonkers.

2-a. The term "city school district" shall mean the city school district of a city having less than one hundred twenty-five thousand inhabitants, according to the latest federal census.

2-b. The term "school district in a city" shall mean any school district which is coterminous with, or partly within, or wholly within, a city having less than one hundred twenty-five thousand inhabitants, according to the latest federal census.

2-c. The term "board of cooperative educational services" shall mean any board of cooperative educational services, as defined in section nineteen hundred fifty of the education law, and such board shall, solely for the purpose of contracting indebtedness pursuant to section 25.00 of this chapter, be deemed to be a school district.

3. The term "district corporation" shall mean

(a) A fire district

(b) A river improvement, river regulating or drainage district established by or under the supervision of the department of conservation, or

(c) Any other territorial division of the state, other than a municipality or a school district, which as of December thirty-first, nineteen hundred thirty-eight, possessed the power to

(1) Contract indebtedness in its own name, and

(2) Levy taxes or benefit assessments upon real estate or require the levy of such taxes or assessments.

4. The term "finance board" shall mean

(a) In the case of counties, the board of supervisors.

(b) In the case of cities:

(1) The board of estimate, board of estimate and apportionment or board of estimate and contract in any city in which, as of the effective date of this chapter, such body had the power to authorize the issuance of bonds or notes without the approval, in any case, of the council, common council or board of aldermen.

(2) The council, common council or board of aldermen in any city in which, as of the effective date of this chapter, such body had the power to authorize the issuance of bonds or notes without the approval, in any case, of the board of estimate or board of estimate and apportionment or board of estimate and contract.

(3) The council, common council or board of aldermen and the board of estimate, board of estimate and apportionment or board of estimate and contract, in any city in which, as of the effective date of this chapter, the council, common council or board of aldermen had the power to authorize the issuance of all bonds or notes or bonds or notes for certain objects or purposes only with the approval of the board of estimate, board of estimate and apportionment or board of estimate and contract. In such a city, action by the finance board shall be initiated by the council, common council or board of aldermen.

(c) In the case of towns, the town board.

(d) In the case of villages, the village board.

(e) In the case of school districts, the board of education or board of trustees; in the case of common school districts having one trustee, such trustee.

(f) In the case of district corporations, the governing board or body, except that in the case of river regulating districts the action of the governing board or body thereof shall be subject to the approval of the water power and control commission in relation to the authorization, term, form and contents of bonds and capital notes.

Nothing contained in this subdivision shall be construed to affect the power of (a) the executive of a county to veto the acts of the board of supervisors or (b) the executive of a city to veto the acts of the council, common council or board of aldermen, or of the board of estimate, board of estimate and apportionment or board of estimate and contract, when such bodies are acting alone or jointly or (c) the executive of a village to veto the acts of the board of trustees.

5. The term "chief fiscal officer" shall mean:

(a) (1) In the case of counties operating under (1) an alternative form of county government or charter enacted as a state statute or adopted under the alternative county government law or by local law, or (2) the optional county government law, the official designated in such statute, consolidated law or local law as the chief fiscal officer, or, if no such designation is made therein, the official possessing powers and duties similar to those of a county treasurer under the county law as shall be designated by local law.

(2) In the case of counties not included in subparagraph (1) of this paragraph, the treasurer, except that, in the case of such counties having a comptroller, it shall mean the comptroller.

(b) In the case of cities, the comptroller; if a city does not have a comptroller, the treasurer; if a city has neither a comptroller nor a treasurer, such official possessing powers and duties similar to those of a city treasurer as the finance board shall, by resolution, designate. A certified copy of such designation shall be filed with the state comptroller and shall be a public record.

(c) In the case of towns, the town supervisor; if a town has more than one supervisor, the presiding supervisor.

(d) In the case of villages, the village treasurer.

(e) In the case of school districts, the chairman or president of the school board; in the case of common school districts having a sole trustee, such trustee.

(f) In the case of fire districts, the district treasurer; in the case of other district corporations, such official as the finance board shall, by resolution, designate. A certified copy of such designation shall be filed with the state comptroller and shall be a public record.

5-a. The term "chief executive officer" shall mean:

(a) In the case of counties, the chairman of the board of supervisors, except that in those counties having a county administrator, director, executive, manager or president, it shall mean such latter officer.

(b) In the case of cities, the mayor, except that in those cities having a city manager, it shall mean such city manager.

(c) In the case of towns, the supervisor or presiding supervisor.

(d) In the case of villages, the mayor, except that in those villages having a president or manager, it shall mean such latter officer.

(e) In the case of school districts, the chairman or president of the school board; in the case of common school districts having a sole trustee, such trustee.

(f) In the case of fire districts, the chairman of the board of commissioners; in the case of other district corporations, the chairman of the board of commissioners or other comparable officer of the finance board of such district corporation.

6. The term "obligations" shall mean bonds or notes.

7. The term "average assessed valuation" shall mean the average assessed valuation of the real property within a municipality, school district or fire district subject to taxation for any purpose by such municipality, school district or fire district as determined by averaging the assessed valuation of such real property in the last completed assessment roll and the four preceding assessment rolls of such municipality, school district or fire district. If less than five assessment rolls have been prepared for a municipality, school district or fire district, the average assessed valuation shall be determined by averaging the assessed valuation in the last completed assessment roll and all the preceding assessment rolls of such municipality, school district or fire district. For the purpose of contracting indebtedness or for the purpose of preparing debt statements, the assessment rolls referred to in this subdivision shall mean such assessment rolls as completed, verified and filed by the assessors.

7-a. The term "average full valuation" shall mean the valuation of taxable real estate of a municipality or of a school district in a city which is derived by dividing the assessed valuations of taxable real estate on the last completed and the four preceding assessment rolls by the equalization rates established by the authorized state officer or agency for such rolls or, in the case of school districts, by the city and town rates so established for the rolls on which the school district rolls were based. In a county the average full valuation of taxable real estate thereof shall be derived by dividing the assessed valuations of

taxable real estate on the last completed and four preceding assessment rolls of the cities and towns therein by the equalization rates established for such rolls; provided, however, in a county having a county department of assessment the state equalization rates established for the cities and towns therein on the basis of the county roll shall be applied to the appropriate portions of the county roll. The sum of the quotients thus obtained shall be divided by five. In such computations the last completed assessment roll shall be the latest roll for which a state equalization rate shall have been established, or in the case of school districts the last completed assessment roll thereof shall be the latest school district roll for all parts of which the equalization rates to be applied thereto shall have been established. In addition to the foregoing, where real estate on the assessment roll is partially exempt under the provisions of title two-a of article four of the real property tax law, an assessment roll shall not be deemed to be completed until a railroad ceiling, or, if a railroad ceiling has not been certificated, an estimated railroad ceiling established in accordance with the provisions of such title shall have been applied thereto.

Where, after the creation of a new municipality or school district in a city, or after a consolidated school district shall have been created by the consolidation of a school district in a city and one or more other school districts.

1. There is no completed assessment roll or rolls of the municipality or school district as so created, the average full valuation of taxable real estate thereof shall be determined from the last completed assessment roll or rolls upon which the real estate included in the municipality or school district was assessed for city, town or school district purposes, as the case may be, or

2. There are assessment rolls of the municipality or school district as so created which have been completed for at least one year but less than five years, the average full valuation of the taxable real estate of the municipality or school district shall be determined from the last completed assessment roll or rolls and the preceding assessment roll or

rolls, if any, of the municipality or district, which were completed after such creation.

Where, after the boundaries of a municipality or school district in a city shall have been altered so that real estate subject to taxation for municipal or school district purposes, as the case may be, shall have been thereby added to or subtracted from the area of the municipality or school district,

1. There is no completed assessment roll of the municipality or school district as so altered, the average full valuation of the taxable real estate of the municipality or school district shall be determined from the last completed assessment roll or rolls and the four preceding assessment rolls upon which the real estate included in the municipality or school district after such alteration was assessed prior to such alteration for city, town or school district purposes, as the case may be, or

2. There are assessment rolls of the municipality or school district as so altered which have been completed for at least one year but less than five years, the average full valuation of taxable real estate of the municipality or school district shall be determined from the last completed assessment roll or rolls and the four preceding assessment rolls upon which the real estate included in the municipality or school district after such alteration was assessed prior to such alteration for city, town or school district purposes, as the case may be.

For the purpose of contracting indebtedness or for the purpose of preparing debt statements, the assessment rolls referred to in this subdivision shall mean such assessment rolls as completed, verified and filed by the assessors.

8. The terms "real property" or "real estate" shall mean such terms as defined in section two of the tax law, as amended from time to time.

9. The term "capital improvement" shall mean:

(a) Any physical public betterment or improvement or any preliminary

studies and surveys relative thereto, or

(b) Land or rights in land, or

(c) Any furnishings, machinery, apparatus or equipment for any physical betterment or improvement when such betterment or improvement is first constructed or acquired, or

(d) Any combination of items (a), (b) and (c).

10. The term "annual budget" shall mean the annual budget or estimate, as finally adopted, of a municipality, school district or district corporation which is required by law to adopt an annual budget or estimate of the expenditures to be made during a current or ensuing fiscal year for the general support or for the expenses of the government of such municipality, school district or district corporation during such fiscal year.

11. The term "budgetary appropriation" shall mean an appropriation for a specific object or purpose in the annual budget as finally adopted or in the annual ordinance, resolution or local law of a municipality, school district or district corporation making appropriations for the general support or expenses of the government thereof, which appropriation is to be paid from taxes or assessments or from other current revenues or from the proceeds of notes issued in anticipation of the collection of such taxes, assessments or other current revenues.

12. The term "voting strength" shall mean the aggregate number of votes which all the members of the finance board are entitled to cast. If the finance board consists of more than one body, the term shall mean, in relation to each body, the aggregate number of votes which all the members of such body are entitled to cast.

13. The term "housing authority" shall mean an "authority" as that term is defined in section three of the public housing law, as amended from time to time.

14. The term "local share of safety net assistance" shall mean that term as defined in section ninety-three of the social services law, as amended from time to time.

15. The terms "solvent fund or system" or "solvent," in referring to a pension or retirement system or fund, shall mean a pension or retirement system or fund which is on an actuarial reserve basis with current payments to the reserve adequate to provide for all current accruing liabilities.

16. The term "assessment" shall mean any charge based in whole or in part on benefits (other than real estate taxes, water or sewer charges, rents or rates) against a parcel of real property for any capital improvement, for any work or service, for operation and maintenance, or for debt service.

17. The term "resolution" shall mean resolution, act or ordinance.

18. The term "renewal" as applied to a note, shall mean a note the date of payment of which has been extended or a note issued for the purpose of securing money for the redemption of an outstanding note. The proceeds of such renewal note shall be applied only to the redemption of the note for the renewal of which it was issued.

19. The term "fiscal year" shall mean the fiscal year provided by law for a municipality, school district or district corporation, or if no fiscal year is so provided, such fiscal year as shall be determined by resolution of the finance board of such municipality, school district or district corporation. A statement of such determination shall be filed with the state comptroller and shall be a public record.

20. The term "class," as applied to the terms "objects or purposes", "capital improvements" or "equipment", shall mean an unspecified number of items, the description of which is contained in a single subdivision, other than subdivision thirty-five of paragraph a of section 11.00 of this chapter, notwithstanding the fact that such subdivision may be drafted in the singular number.

21. The term "full valuation", when used in relation to real property subject to taxation by a school district, shall mean the valuation which

is derived by dividing the appropriate portions of the assessed valuation of the real property concerned, as shown by the last completed assessment roll of the school district, by the city and town equalization rates established by the authorized state officer or agency for the rolls on which such school district roll was based. Where, in the case of a newly created school district, there is no completed assessment roll of such school district in existence, full valuation shall be determined from the last completed assessment roll or rolls upon which the real property included within the district was assessed for school purposes prior to such creation. In such computations the last completed assessment roll shall be the latest roll for all parts of which the equalization rates to be applied thereto shall have been established. In addition to the foregoing, where real estate on the assessment roll is partially exempt under the provisions of title two-a of article four of the real property tax law, an assessment roll shall not be deemed to be completed until a railroad ceiling, or, if a railroad ceiling has not been certificated, an estimated railroad ceiling established in accordance with the provisions of such title shall have been applied thereto.

21-a. The term "full valuation", when used in relation to real property subject to taxation by a fire district, shall mean the valuation which is derived by dividing the assessed valuation of the real property concerned, as shown by the last completed assessment roll for the fire district, by the town equalization rate established by the authorized state officer or agency for such roll. Where, in the case of a newly-created fire district, there is no completed assessment roll for such fire district, full valuation shall be determined from the last completed assessment roll upon which the real property included within the district was assessed for town purposes prior to such creation. Where, after the boundaries of a fire district shall have been changed so that real property subject to taxation for fire district purposes shall have been thereby added to or subtracted from the area of the fire district, there is no completed assessment roll for the fire district as so changed, full valuation shall be determined from the last completed assessment roll upon which the real property included in the fire district after such change was assessed prior to such change for town or

fire district purposes, as the case may be. For the purpose of contracting indebtedness or for the purpose of preparing debt statements, the assessment rolls referred to in this subdivision shall mean such assessment rolls as completed, verified and filed by the assessors. Where two or more fire districts consolidate to form one fire district the consolidated fire district, for the purpose of this subdivision, shall not be deemed a newly-created fire district, but shall be deemed an existing fire district and its full valuation shall be determined accordingly.

22. The term "specific" as applied to the terms "object or purpose", "capital improvement" or "equipment" shall mean a single item, or a specified number of items, the description of which is contained in a single subdivision of paragraph a of section 11.00 of this chapter.

23. Urban renewal. The term "urban renewal" shall mean that term as defined in the general municipal law.

24. The term "financially responsible party" shall mean a person or persons other than the issuer, as determined by the finance board, or in the case of the city of New York, the mayor and the comptroller, to have sufficient net worth and liquidity to (a) purchase and pay for on a timely basis, under the terms of an agreement with the issuer, all of the bonds and notes which may be tendered for repurchase or redemption pursuant to the terms of the bonds or notes by the holders thereof, or (b) advance funds on a timely basis on behalf of a municipality, school district or district corporation to pay bonds, notes or other evidences of indebtedness of such public body on their date or dates of maturity or redemption.

25. The term "governing body" of a municipality or school district shall mean the finance board or its duly authorized designee pursuant to section 56.00 of this chapter.

26. The term "interest" shall mean any payments, however designated, for the use of borrowed money. Interest shall include, but not be limited to, accretions to the value of bonds, notes or other obligations

in amounts projected as of their dates of issuance, capital appreciation to bonds, notes or other obligations in amounts projected as of their dates of issuance and any similar payments whether scheduled to be made periodically or at the maturity or prior redemption of bonds, notes or other obligations.

27. The term "face value at maturity" shall mean all interest, principal and other payments due to the holders of bonds, notes or other obligations at their maturity or prior redemption, provided however, that current interest on bonds, notes or other obligations on which interest is payable at least annually shall be excluded.