§ 1115-a. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Agreement" shall mean any agreement entered into by the city pursuant to section one thousand one hundred fifteen-g or section one thousand one hundred fifteen-h of this title.

2. "Authority" shall mean the corporation created by section one thousand one hundred fifteen-b of this title.

3. "Bonds" shall mean the bonds, notes or other evidences of indebtedness issued by the authority pursuant to this title, and the provisions of this title relating to bonds and bondholders shall apply with equal force and effect to notes and noteholders, respectively, unless the context otherwise clearly requires.

4. "City" shall mean the city of Albany.

5. "Common council" or "council" shall mean the common council of the city.

6. "Civil service commission" shall mean the civil service commission of the city.

7. "Comptroller" shall mean the comptroller of the state.

8. "Construction" shall mean the acquisition, erection, building, alteration, improvement, increase, enlargement, extension, reconstruction, renovation or rehabilitation of a water, sewerage or water, and sewerage system or project, as the case may be; the inspection and supervision thereof; and the engineering, architectural, legal, fiscal and economic and environmental investigations and studies, surveys, designs, plans, working drawings, specifications, procedures and other actions preliminary or incidental thereto and claims arising therefrom.

9. "Contracting agency" shall mean the authority or the water board,

as the case may be.

10. "Cost", as applied to any project, includes the cost of construction, the cost of the acquisition of all property, including both real, personal and mixed, the cost of demolishing, removing or relocating any buildings or structures on lands so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved or relocated, the cost of all systems, facilities, machinery, apparatus and equipment, financing charges, interest prior to, during and after construction to the extent not paid or provided for from revenues or other sources, the cost of engineering and architectural surveys, plans and specifications, the cost of consultant and legal services, the cost of lease guarantee or bond insurance and the cost of other expenses necessary or incidental to the construction of such project and the financing of the construction thereof, including the amount authorized in the resolution of the authority providing for the issuance of bonds to be paid into any reserve or other special fund from the proceeds of such bonds and the financing of the placing of any project in operation, including reimbursement to the city, or any municipality, state agency, the state, the United States government, or any other person for expenditures that would be costs of the project hereunder.

11. "Governing body" shall mean the members of the authority or the water board, as the case may be, constituting and acting as the governing body of the authority or the water board, as the case may be.

12. "Mayor" shall mean the mayor of the city.

13. "Municipality" shall mean any county, city, town, village, improvement district under the town law, any other such instrumentality, including any agency, or public corporation of the state, or any of the foregoing or any combination thereof.

14. "Person" shall mean any natural person or any firm, partnership, association, joint venture or corporation, exclusive of public corporations as defined pursuant to article two-A of the general

construction law.

15. "Project" shall mean any water facility, sewerage facility or water and sewerage facility, including the planning, development, financing or construction thereof.

16. "Properties" shall mean the water supply and distribution system or systems of the water board, and sewerage system or systems of the water board, whether situated within or without the territorial limits of the city, including the plants, works, structures, instrumentalities or part thereof and appurtenances thereto, real property, water facilities, sewerage facilities or any other property incidental to and included in such system or part thereof, and any improvements, extensions and betterments.

17. "Real property" shall mean lands, structures, franchises and interests in land, waters, lands underwater, ground water, riparian rights and air rights and any and all things and rights included within said term and includes not only fees simple absolute, but also any and all lesser interests including, but not limited to, easements, rights of way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages or otherwise.

18. "Revenues" shall mean rates, rents, fees, charges, payments and other income and receipts derived from users of a water system or sewerage system of the city or the water board including, without limiting the generality of the foregoing, investment proceeds and proceeds of insurance, condemnation, sale or other disposition of any part thereof, together with all federal, state or municipal aid therefor.

19. "Sewage" shall mean the water-carried human or animal wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration and surface water as may be present. The admixture with sewage of industrial or other waste also shall be considered "sewage" within the meaning of this title.

20. "Sewerage facility" or "sewerage facilities" shall mean any plants, structures and other real and personal property acquired, rehabilitated or constructed or planned for the purpose of collecting, treating and disposing of sewage, including but not limited to main, trunk, intercepting, connecting, lateral, outlet or other sewers, outfalls, pumping stations, treatment and disposal plants, groundwater recharge basins, back-flow prevention devices, sludge dewatering or disposal equipment and facilities, clarifiers, filters, phosphorus removal equipment, and other plants, structures, equipment, vehicles, conveyances, real or personal property or rights therein and appurtenances thereto necessary or useful and convenient for the collection, conveyance, pumping, neutralizing, storing and disposing of sewage.

21. "Sewerage system" shall mean the sewage collection, pumping, treatment, neutralizing, storage and disposal system or systems owned by, in the possession of, or under the jurisdiction and control of the city or the water board, including all additions, increases, enlargements, extensions or improvements thereto.

22. "State" shall mean the state of New York.

23. "State agency" shall mean any state office, department, board, commission, bureau or division, or other agency or instrumentality of the state.

24. "Water board" shall mean the corporation created by a special act of the state legislature at the request of the city as provided in section one thousand one hundred fifteen-e of this title.

25. "Water facility" or "water facilities" shall mean any plants, structures and other real and personal property acquired, rehabilitated, constructed or planned for the purpose of accumulating, supplying, transmitting, treating or distributing water, including but not limited to surface or groundwater reservoirs, basins, dams, canals, aqueducts, standpipes, conduits, pipelines, mains, pumping stations, pumps, water

distribution systems, compensating reservoirs, intake stations, waterworks or sources of water supply, wells, purification or filtration plants or other treatment plants and works, connections, water meters, rights of flowage or diversion and other plants, structures, equipment, vehicles, conveyances, real or personal property or rights therein and appurtenances thereto necessary or useful and convenient for the accumulation, supply, transmission, treatment or distribution of water.

26. "Water system" shall mean the water supply and distribution system or systems owned by, in the possession of, or under the jurisdiction, control and regulation of the city or the water board, including all additions, increases, enlargements, extensions or improvements thereto.