§ 1226-b. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Authority" means the corporation created by section one thousand two hundred twenty-six-c of this title.

2. "Board of water supply" means the board of water supply of the city.

3. "Bonds" means 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" means the city of Utica, Oneida county.

5. "Civil service commission" means the civil service commission of the county of Oneida.

6. "Comptroller" means the comptroller of the state.

7. "Construction" or "constructed" means the acquisition, erection, building, alteration, improvement, increase, enlargement, extension, reconstruction, renovation or rehabilitation of a water facility; the inspection and supervision thereof; and the engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedure and other actions preliminary or incidental thereto and claims arising therefrom.

8. "Cost", as applied to any project, includes the cost of construction, the cost of the acquisition of all property, including real property and other property, both real, personal and mixed, improved and unimproved, the cost of the 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 water 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 guarantee, bond insurance or other credit support devices and the cost of other expenses necessary or incidental to the construction of any 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 funds from the proceeds of such bonds and the financing of the placing of any project in operation, including reimbursement to any municipality, state agency, the state, the United States government, or any other person for expenditures that would be costs of the project hereunder had they been made directly by the authority.

9. "Council" means the common council of the city.

10. "County" means the county of Oneida, New York.

11. "County executive" means the county executive of the county.

12. "County legislature" means the county legislature of the county.

13. "Governing body" means 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.

14. "Mayor" means the mayor of the city.

15. "Municipality" means any county, city, town, village, special or improvement district under the town law or the county law, any other such instrumentality, including any agency, or public corporation of the state and the board of water supply, or any of the foregoing or any combination thereof located or operating within or partly within the service area.

16. "Person" means any natural person, firm, partnership, association, joint venture or corporation, exclusive of a public corporation as defined pursuant to article two-A of the general construction law.

17. "Project" means any water facility, including the planning, development, financing or construction thereof.

18. "Properties" means the water facility or facilities of the water board, whether situated within or without the territorial limits of the service area, including the plants, works, structures, instrumentalities or part thereof and appurtenances thereto, real property, or any other property incidental to and included in such facility or facilities or part thereof, and any improvements, extensions and betterments.

19. "Real property" means lands, structures, franchises, rights and interests in land, air space, waters, land underwater, 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.

20. "Revenues" means all rates, fees, charges, payments and other income and receipts derived from the operation of the properties of the water board including, without limiting the generality of the foregoing, investment proceeds and proceeds of insurance, condemnation, and sale or other disposition of assets, together with all federal, state or municipal aid, if any.

21. "Service area" means the area comprising the entirety of each municipality in which water was provided by the city or the board of water supply on the date on which this title becomes effective, as such area shall hereinafter be expanded or decreased, from time to time, by special act of the state legislature.

22. "State" means the state of New York.

23. "State agency" means any state officer, public benefit corporation, department, board, commission, bureau or division, or other agency or instrumentality of the state.

24. "Water board" means the corporation created by special act of the state legislature as provided in section one thousand two hundred twenty-six-e of this title.

25. "Water facility" or "water facilities" means any plants, structures and other property, real, personal or mixed, 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, aqueduct taps, 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, contract rights, franchises, approaches, connections, permits, 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.