§ 1941. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Auditorium" means the auditorium commonly known as the Utica memorial auditorium located in the city of Utica, as well as surrounding lands, including all structures appurtenant thereto, located in the vicinity of Oriskany street west and Charles street, as the same may be reconstructed, enlarged or modified from time to time.

2. "Authority" means the corporation created by section one thousand nine hundred forty-two of this title.

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 the auditorium; 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 the auditorium, 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 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 the auditorium and the acquisition of property therefor and the financing of the construction and acquisition of property, 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 the auditorium 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 auditorium 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, constituting and acting as the governing body of the authority.

14. "Municipality" means the county and any city, town, village or school district located within or partly within the service area.

15. "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.

16. "Real property" means lands, structures, franchise, rights and interests in land, air space, waters, lands under 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.

17. "Revenues" means all fees, charges and other income and receipts derived from the operation of the auditorium 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.

18. "Service area" means the area comprising the entirety of the city and of the towns of Deerfield, Kirkland, Marcy, New Hartford, Trenton and Whitestown, including all villages located entirely or partly therein.

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

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