§ 2046-b. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Agency" shall mean the public benefit corporation created by section two thousand forty-six-c of this title and shall be deemed a public authority.

2. "Bonds and notes" shall mean the bonds, notes or other obligations issued by the agency 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.

3. "Construction" shall mean the erection, building, acquisition, alteration, reconstruction, improvement, enlargement or extension of a solid waste management-resource recovery facility; the inspection and supervision thereof; and the engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures and other actions incidental thereto.

4. "Cost", as applied to any project, shall include the cost of acquisition of any project, the cost of construction of the project, the cost of acquisition of all property, including real property and other property, both real and personal and improved and unimproved, the cost of demolishing, removing or relocating any buildings or structures on land so acquired, including the cost of acquiring any land to which such buildings 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 consultants and legal services, the cost of lease guarantee or bond or note insurance, 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 agency providing for the issuance of bonds or notes to be paid into any reserve

or other special fund from the proceeds of such bonds or notes and the financing of the placing of any project in operation, including reimbursement to the town for expenditures made with the prior approval of the agency, that would be costs of the project hereunder had they been made directly by the agency.

5. "Governing body" shall mean the directors of the agency.

6. "Municipality" shall mean any county, city, town, village, school district, fire district or a county or town acting on behalf of an improvement district.

7. "Person" shall mean any natural person, partnership, association, joint venture or corporation, exclusive of a public corporation.

8. "Project" shall mean any solid waste management-resource recovery facility, the planning, financing, construction, operation or maintenance of which is authorized to be undertaken, in whole or in part, by the agency pursuant to this title, including any real property required in connection therewith.

9. "Real property" shall mean lands, structures, franchises and interests in land, 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.

10. "Revenues" shall mean all rates, fees, rents, charges and other income derived by the agency from its operations.

11. "Resource recovery" shall mean the separation, extraction and recovery of usable materials, energy or heat from solid waste through source separation, recycling centers or other programs, projects or facilities.

12. "Solid waste" shall mean all putrescible and non-putrescible solid wastes, including, but not limited to, materials or substances discarded or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, source, special nuclear or by-product material within the meaning of the Atomic Energy Act of nineteen hundred fifty-four, as amended, and waste which appears on the list of hazardous waste promulgated by the commissioner of environmental conservation pursuant to section 27-0903 of the environmental conservation law.

13. "Solid waste management-resource recovery facility" or "facility" shall mean any facility, plant, works, system, building, structure, improvement, machinery, equipment, fixture or other real or personal property which is to be used, occupied or employed beyond the initial solid waste collection process for the receiving, transporting, storage, processing or disposal of solid waste or the recovery by any means of any material or energy product or resource therefrom including but not limited to recycling centers, transfer stations, baling facilities, rail haul or maritime facilities, processing systems, resource recovery facilities, steam and electric generating facilities, including auxiliary facilities to supplement or temporarily replace such generating facilities, steam distribution facilities, sanitary landfills, plants and facilities for compacting, composting or pyrolyzation of solid wastes, incinerators, and other solid waste disposal, reduction or conversion facilities and resource recovery equipment and disposal equipment as defined in subdivisions four and five of section 51-0903 of the environmental conservation law.

14. "Source separation" shall mean the segregation of recyclable materials from the solid waste stream at the point of generation for separate collection, sale or other disposition.

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

16. "Town" shall mean the town of Islip.

17. "Town board" shall mean the town board of the town of Islip.