§ 2050-b. Definitions. As used or referred to in this title, unless a different meaning clearly appears in the context, the following terms shall have the following meanings:

1. "Agency" means the public benefit corporation created by section two thousand fifty-c of this title, known as the Ulster county resource recovery agency.

2. "Area of operation" means the county of Ulster.

3. "Bonds" means the bonds, notes or other evidences of indebtedness 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.

4. "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 and personal and improved and unimproved, 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 building 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 consultants and legal services, the cost of lease guarantee, credit enhancement or bond 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 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 county, 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 had they been made directly by the agency.

5. "County" means the county of Ulster.

6. "County legislature" means the legislative body of the county.

7. "Construction" means the acquisition, erection, building, alteration, improvement, increase, enlargement, extension, reconstruction, renovation or rehabilitation 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.

8. "Governing body" means the members of the agency constituting and acting as the governing body of the agency.

9. "Municipality" means any county, city, town, village, improvement district, or public corporation of the state, or any combination thereof.

10. "Person" means any natural person, partnership, association, joint venture or corporation, exclusive of a public corporation.

11. "Project" means any solid waste management-resource recovery facility, the planning, development, financing, construction, operation, or maintenance of which is authorized to be undertaken in whole or in part by the agency pursuant to this title.

12. "Real property" means lands, structures, franchises and interest in lands, 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 interest 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 judgment, mortgages or otherwise.

13. "Resources recovery" means 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.

14. "Revenues" means all rates, fees, rents, charges and other income derived by the agency from its operation.

15. "Solid waste" means all 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 1954, as amended, or 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.

16. "Solid waste management-resource recovery facility" or "facility" means 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 for or is incidental to the collecting, 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, collection vehicles, processing systems, resource recovery facilities, steam and electric generating and transmission facilities, including auxiliary facilities to supplement or temporarily replace such generating facilities, steam distribution and related plants and facilities, sanitary landfills, leachate treatment facilities, landspreading facilities, waste oil storage, reprocessing and recycling facilities, plants and facilities for compacting, composting or pyrolization 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. Any such facility producing either electricity or shaft horsepower and useful thermal energy shall constitute a co-generation facility as defined in subdivision two-a of section two of the public service law.

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

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