§ 2051-b. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Authority" shall mean the public benefit corporation created by section two thousand fifty-one-c of this title, known as the county of Franklin solid waste management authority.

2. "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.

3. "Construction" shall mean the acquisition, erection, building, alteration, improvement, increase, enlargement, extension, reconstruction, renovation or rehabilitation of a solid waste management 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 mean and include 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 relocating tenants or other occupants of the buildings or structures on such land, 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 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, the financing of the placing of any project in operation and reimbursement to the county, any municipality, and 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.

5. "County" shall mean the county of Franklin.

6. "Governing body" shall mean the members of the authority constituting and acting as the governing body of the authority.

7. "Municipality" shall mean any county, city, town, village or any combination thereof.

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

9. "Project" shall mean any solid waste management facility, the planning, development, financing, construction, operation or maintenance of which is authorized to be undertaken in whole or in part by the authority pursuant to this title.

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

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

13. "Solid waste" shall mean 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 or satisfies the characteristics of hazardous waste promulgated by the commissioner of environmental conservation pursuant to section 27-0903 of the environmental conservation law.

14. "Solid waste management 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 and transmission facilities, including auxiliary facilities to supplement or temporarily replace such generating facilities, steam distribution facilities, sanitary landfills, 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 source separation equipment and disposal equipment as defined in subdivisions four and five of section 51-0903 of the environmental conservation law.

15. "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.

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