§ 2778. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Airport" (a) shall mean any area of land or water which is used or intended for use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings, parking facilities or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon; and (b) includes any heliport.

2. "Airport hazard" shall mean any structure or object of natural growth located on or in the vicinity of an airport, or any use of land near such an airport, which obstructs the airspace required for the flight of aircraft in landing or taking off at such airport or is otherwise hazardous to such landing or taking off of aircraft.

3. "Authority" shall mean the corporation created by this title.

4. "Aviation facilities" shall mean any airport facility or terminal including but not limited to any facility, property or equipment necessary, convenient or desirable for the landing, taking off, accommodation or servicing of aircraft of all types, and shall include such other facilities, equipment, property, structures and appurtenances as may be necessary or convenient in the operation, maintenance, development or improvement of an airport including facilities, equipment, property, structures, and appurtenances, leased by the authority to persons, engaged in air transportation or the production or development of materials, goods or equipment for an airport or air transportation or in providing facilities or equipment for the accommodation, safety, security or comfort of the traveling public and for purposes related or incidental to one or more of the foregoing purposes. It shall include, without limitation, runways, aprons, hangars, control towers, ramps, taxiways, navigation aids, warehouses, office and service buildings, structures, parking facilities, concession facilities, maintenance facilities, fuel facilities, facilities for the overnight accommodation of passengers and carrier employees, including hotels and motels located at the authority's airport, and facilities for

the loading, unloading, holding, interchange or transfer of such passengers, freight, baggage or cargo. It shall also mean any property necessary to remove, mitigate, prevent or limit airports hazards. It shall also mean facilities and equipment providing access to an airport facility or terminal, including appropriate mass transportation terminal facilities at and within the airport facility or terminal itself. It shall also mean pollution control facilities, highways, bridges, access roads, driveways and approaches in the vicinity of an airport facility or terminal providing improved access to such airport facility or terminal.

5. "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 bond holders which shall apply with equal force and effect to notes and note holders unless the context otherwise clearly requires.

6. "Construction" shall mean the acquisition, erection, building, alteration, repair, improvement, increase, enlargement, extension, installation, reconstruction, renovation or rehabilitation of a project including any appurtenances thereto which may be necessary or desirable to promote the efficiency or effectiveness of such project; the inspection and supervision thereof; and the engineering, consulting, architectural, legal, fiscal and economic and environmental investigations and studies, surveys, designs, plans, working drawings, specifications, procedures and other actions incidental thereto and claims arising therefrom.

7. "Cost", as applied to any project, shall include the cost of construction, the cost of the acquisition of all property both real and personal, 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 and 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 consultants and legal services, the cost of lease, guarantees, 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 authority 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 any public corporation, the state, the federal government or any other person for expenditures, that would be costs of the project hereunder had they been made directly by the authority.

8. "County" shall mean Albany county.

9. "Equipment" shall mean snow removal vehicles, fire fighting and rescue vehicles, passenger and freight vehicles, aircraft, motors, boilers, engines, wires, ways, conduits and mechanisms, machinery, tools, implements, materials, supplies, instruments and devices of every nature whatsoever used or useful for aviation and transportation purposes or for the generation or transmission of motive power including but not limited to all power houses, and all apparatus and all devices for navigation, security, safety, signaling, communications and ventilation as may be necessary, convenient or desirable for the operation of aviation facilities and pollution control facilities.

10. "Facility" shall mean, among other things, such properties, structures, appurtenances, utilities, terminals, railroad trackage, warehouses, elevators and such other works, properties, buildings or allied items necessary or desirable in connection with development, operation, maintenance or improvement of airport and public transportation needs and for the accommodation, safety, security or comfort of the public and of commercial enterprise.

11. "Federal government" shall mean the United states of America, and any department, board, commission, bureau, division, corporation, agency or instrumentality thereof.

12. "Joint service arrangements" shall mean agreements between or among the authority and any person, the state, the county, any other public corporation, the federal government, any other state or agency or instrumentality thereof, relating to property, buildings, structures, facilities, services, rates, fares, classification, divisions, allowances or charges (including charges between operators of railroad, omnibus and aviation facilities), or rules or regulations pertaining thereto, for or in connection with or incidental to transportation in part in or upon railroad, omnibus or aviation facilities located within the county and in part in or upon railroad, omnibus or aviation facilities located outside the county.

13. "Municipality" shall mean a county, city, town, village or school district.

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

15. "Personal property" shall mean chattels and other tangible things of a moveable or removable nature.

16. "Pollution control facilities" shall mean any equipment, improvement, structure or facility or any land and any building, structure, facility or other improvement thereon, or any combination thereof, and all property deemed necessary therewith, having to do with or the end purpose of which is the control, abatement or prevention of land, sewer, water, air, noise or general environmental pollution deriving from the operation of aviation facilities, including, but not limited to, any air pollution control facility, noise abatement or suppression facility (including physical barriers, landscaping and sound proofing for the purpose of diminishing the effect of aircraft noise on any area adjacent to an airport), water management facility, waste water collecting systems, waste water treatment works, sewage treatment works system, or sewage treatment system or site.

17. "Property" shall mean both real and personal property.

18. "Project" shall mean any property or improvements located within the state of New York and within or outside or partially outside Albany county, including, but not limited to, machinery, equipment and other facilities deemed necessary or desirable in connection therewith, or incidental thereto, whether or not now in existence or under construction, which shall be necessary or suitable for aviation purposes and airport development and which may include or mean aviation facilities and pollution control facilities provided, however, the authority shall not use its funds in respect of any part of a project located wholly or partially outside the county without the prior consent thereto by the governing body of any other county in which a part or parts of the project is, or is to be located. It shall also mean any property necessary to remove, mitigate, prevent or limit airport noise or hazards.

19. "Public corporation" shall mean a county, city, town, village, school district or special district, any public benefit corporation, agency or instrumentality of the state or of any municipality, or two or more of any of the foregoing acting jointly.

20. "Real property" shall mean lands, structures, franchises and interests in land, airspace, waters, lands under water, riparian rights, air rights, any fixtures, equipment and articles of personal property affixed to or used in connection therewith, 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.

21. "Revenues" shall mean all rates, fees, rents, revenues, charges and other income derived by the authority from the operation, leasing, sale or other disposition of the airport or airport related facilities.

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