§ 3. Definitions. The following terms, whenever used or referred to in this chapter, shall have the following meaning, unless a different meaning clearly appears from the context:

1. The term "commissioner" means the state commissioner of housing and community renewal. Reference in this chapter or in any other general, special or local law to state commissioner of housing shall be deemed to mean and refer to the state commissioner of housing and community renewal which is hereby made the new title of such office.

2. The term "authority" means a public corporation which is a corporate governmental agency (except a county or municipal corporation) organized pursuant to law to accomplish any or all of the purposes specified in article eighteen of the constitution and includes the following municipal housing authorities established prior to the first day of January, nineteen hundred thirty-nine pursuant to chapter four of the laws of nineteen hundred thirty-four and amendments thereof, namely, Buffalo municipal housing authority, Lackawanna municipal housing authority, New York city housing authority, Peekskill housing authority, Port Jervis housing authority, Schenectady municipal housing authority, Syracuse municipal housing authority, Tarrytown municipal housing authority, Tuckahoe housing authority, municipal housing authority of the city of Utica, New York, and Yonkers housing authority.

3. The term "housing company" means a limited profit or limited dividend housing corporation organized pursuant to articles two or four of the private housing finance law.

4. The term "multiple dwelling" means an existing building accommodating three or more families living independently of each other.

5. The terms "municipal corporation" and "municipality" mean a city, town or village; and the term "municipal" shall be deemed to relate to a city, town or village.

6. The term "mayor" means the chief executive officer of a municipality.

7. The term "local legislative body" means: (a) in a city, the board of aldermen, common council, council, commission or other board or body now or hereafter vested by its charter or other law with jurisdiction to enact ordinances or local laws, except that in a city having a population of one million or more the term shall, as to such city, mean the officer or agency vested with power under the charter of such city, or by other law, to act pursuant to this chapter; (b) in a town, the town board; (c) in a village, the board of trustees.

7-a. The term "governing body of a district" means: (a) in a school district, the board of education or board of trustees; in the case of common school districts having one trustee, such trustee; (b) in a fire alarm district or a fire protection district, the town board; (c) in a fire district, the board of fire district commissioners; (d) in an improvement district, the town board, except that if there be a separate board of commissioners, the term shall mean the town board acting with the approval of the board of commissioners.

8. The term "state comptroller" means the comptroller of the state of New York.

9. The term "municipal comptroller" means the comptroller in a municipality having a comptroller; in a municipality having no comptroller, it means the chief financial officer of such municipality.

10. The term "state" means New York state.

11. The term "government" includes the state, a municipality and the federal government, and any agency or instrumentality, corporate or otherwise, of any of them acting for and on behalf of the state, a municipality or the federal government.

12. The term "area" means a section of the municipality wherein the commissioner or an authority or a municipality finds that insanitary or substandard housing conditions exist. An area may include land whether improved or unimproved, and buildings or improvements not in themselves

insanitary or substandard, the inclusion of which is deemed necessary by the authority or the municipality or the commissioner, or for projects of housing companies by the commissioner, for the effective clearance, replanning, reconstruction or rehabilitation of the area of which such land or property is a part.

13. The term "plan" means a plan or undertaking for the clearance, replanning and reconstruction or rehabilitation of a substandard and insanitary area or areas and for recreational and other facilities incidental or appurtenant thereto to effectuate the purposes of article eighteen of the constitution or any other provision of the constitution delegating any similar power or providing homes for persons of low income.

14. The term "project" means a specific work or improvement to effectuate all or any part of a plan. The term shall include the lands, buildings or any dwelling units therein, and improvements acquired, owned, constructed, managed or operated hereunder, to provide dwelling accommodations for persons of low income, and such stores, offices and other non-housing facilities as well as social, recreational or communal facilities, as may be deemed by the authority or municipality to be incidental or appurtenant to a project. Subject to the provisions of article eighteen of the constitution with respect to state projects, such dwelling accommodations may be provided in any section of the municipality, whether or not such section has insanitary or substandard housing conditions. A project may be a federal project, a state project, a municipal project or, subject to the limitations contained in section seventy-five of this chapter, any combination of these.

15. The term "federal project" means a project aided or financed in whole or in part, by the federal government.

16. The term "state project" means a project aided or financed in whole or in part by the state and not by the federal government, except as may be provided in section seventy-five of this chapter.

17. The term "municipal project" means a project other than a state

project or a federal project.

18. The terms "persons of low income" and "families of low income" mean persons or families who are in the low income groups and who cannot afford to pay enough to cause private enterprise in their municipality to build a sufficient supply of adequate, safe and sanitary dwellings.

19. The term "mortgage" means mortgages, deeds of trust, building and loan contracts or other instruments creating a lien.

20. The terms "real property" or "property" shall include lands and improvements, lands under water, waterfront property, the water of any lake, pond or stream, and any and all easements, franchises and hereditaments, corporeal or incorporeal, and every estate, interest and right therein, legal and equitable, in lands or water, and right, interest, privilege, easement and franchise relating to the same, including terms for years and liens by way of judgment, mortgage or otherwise.

21. The term "obligee" shall include any bondholder, trustee or trustees for any bondholders or any lessor demising property to an authority or municipality used in connection with a project or an assignee or assignees of such lessor's interest, and a government, which is a party to any contract with the authority or municipality.

22. The term "going state rate of interest" means, at any time, the annual rate of interest specified in the bonds of the state issued to provide funds for a loan to effectuate the provisions of this chapter, and if no such bonds have been issued, then the term means an annual interest rate of two and one-half per centum.

23. The term "low rent housing" means dwellings within the financial reach of families of low income and embraces recreational and other facilities incidental and appurtenant thereto.

24. The term "project cost" means the cost of any or all undertakings necessary for planning, financing (including payment of carrying

charges), land acquisition, demolition, construction, equipment, and site development of new buildings, reconstruction, rehabilitation, repair or remodeling of existing buildings, but, except as to existing housing company projects, or parts thereof, sold, leased or otherwise conveyed to an authority, not beyond the point of physical completion, and the cost of tenant placement service in connection with a project. In the case of new construction, the "project cost" shall be sufficient to encourage excellence of architectural design, variety and interest in building materials, and aesthetic objectives compatible with prudent budgeting. Where a housing company project, or a part thereof, is purchased by, leased or otherwise conveyed to an authority, the term "project cost" may include the cost of such purchase, lease or other conveyance as determined and certified by the commissioner.

25. The term "condemnation" means the acquisition of real property in the manner provided by the eminent domain procedure law by the municipality in which the real property is to be taken.

26. The term "planning commission" means any agency of a municipality authorized to prepare, adopt or amend the map of the municipality or empowered to prepare and adopt and from time to time modify a comprehensive or master plan of the municipality.

27. The term "tenant services" shall include but not be limited to counseling on household management, housekeeping, budgeting, money management, child care, and similar matters or services which are directly related to meeting tenant needs and providing a wholesome living environment; and referral to appropriate agencies when necessary for the provision of such services.