

NEW YORK STATE PUBLIC AUTHORITIES CONTROL BOARD

R E S O L U T I O N No. 25-EF-930

APPROVING SPECIFIED PROJECTS OF THE ENVIRONMENTAL FACILITIES CORPORATION (Clean Water State Revolving Fund - Direct and Market-Rate Financing Projects)

WHEREAS, the New York State Public Authorities Control Board ("PACB"), created pursuant to Chapter 38, Laws of 1976, as amended, is empowered by section 51 of the Public Authorities Law to receive applications from designated public benefit corporations, including the Environmental Facilities Corporation ("EFC"), for approval of the acquisition, construction or financing of any project by any such public benefit corporation; and

WHEREAS, EFC submits from time to time applications (the "Applications") to PACB for approval of financings (the "Financings") as authorized in an EFC resolution duly adopted by EFC's Board of Directors; and

WHEREAS, pursuant to Chapter 565 of the Laws of 1989, as amended (the "CWSRF Act"), the Clean Water State Revolving Fund ("CWSRF") was established in the custody of EFC; and

WHEREAS, the CWSRF Act authorizes EFC to provide financial assistance to recipients for the purpose of financing or refinancing certain eligible water pollution control projects; and

WHEREAS, such financial assistance may include financings to recipients from monies on deposit in the CWSRF, which financings will be made at interest rates at or below "market rates" as defined in

regulations promulgated pursuant to the CWSRF Act (including at a zero percent rate of interest); and

WHEREAS, with respect to market-rate financings, such financial assistance may include financings to recipients for which EFC will guarantee the payment of each market-rate financing from monies and assets held in the CWSRF, and which shall bear interest at the rate or rates as determined by EFC; and

WHEREAS, EFC has received an application from each applicant listed in **Exhibit A** for financial assistance under the CWSRF Act, for the purpose of financing or refinancing the planning, design, construction and/or installation of a municipal water pollution control project undertaken, or to be undertaken, by the applicant; and

WHEREAS, each project proposed to be financed or refinanced (the "Project") constitutes an "eligible project" within the meaning of the Act; and

WHEREAS, each Financing will be made pursuant to a financing agreement to be entered into between EFC and the respective applicant (the "Finance Agreement") to evidence certain covenants and agreements of each applicant relating to its Financing; and

WHEREAS, each applicant's obligation to repay its Financing will be evidenced by general obligation or revenue bonds or notes of the applicant (the "Recipient Bonds or Notes") issued to EFC to secure payment of principal (and interest, as applicable) on such Financing

in a manner consistent with this resolution and in compliance with applicable law, including but not limited to the Local Finance Law; and

WHEREAS, the Recipient Bonds or Notes will be secured by an irrevocable pledge of the faith and credit, or revenue, of the applicant issuing such Recipient Bonds or Notes; and

WHEREAS, the obligation of EFC to make each Financing under the respective Finance Agreement is not a general obligation of, does not constitute an indebtedness of or a charge against the general credit of, and does not give rise to any pecuniary liability of EFC, other than with respect to amounts available for such purpose within the CWSRF; nor does such obligation to advance the Financing give rise to any liability or obligation of the State of New York; and

WHEREAS, each Financing will be funded (a) with Federal grant money available under the Federal Water Quality Act of 1987 through Federal capitalization grant agreements, the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (2021) and related State matching funds to the extent State appropriations are available for the Federal grant money and State matching funds, (b) if such State appropriations are not available, with monies available for such purpose in the CWSRF; and (c) monies derived from the Corporation's bond proceeds; and

WHEREAS, each Financing shall be made subject to the following conditions: (i) the cumulative term of any Financing for a project

shall not exceed the period of probable usefulness, as defined by applicable law; (ii) each Financing shall bear interest at a rate determined by EFC in accordance with the CWSRF Act and the regulations promulgated thereunder; (iii) there shall be funds available for the Financing in the CWSRF; and (iv) there shall be funds available for the Financings in the CWSRF; and

WHEREAS, pursuant to the related Finance Agreement, each applicant shall not be entitled to reimbursement of project costs that may be in excess of available monies in the CWSRF (or available through the Corporation's bond proceeds); and in the event no such monies are available, the applicant shall be obligated to complete its project in accordance with the Finance Agreement between EFC and such applicant; and

WHEREAS, a copy of each Application has been filed with the Comptroller, and the Comptroller has had the opportunity to comment.

NOW THEREFORE BE IT RESOLVED, that PACB approves financing by EFC for each project identified in **Exhibit A**, and that this resolution amends, restates, and supersedes all prior resolutions, solely with respect to the projects referenced herein, in accordance with section 51 of the Public Authorities Law:

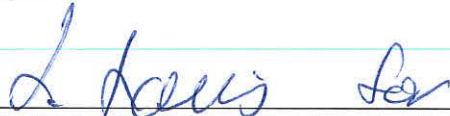
(Continued on next page)

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This resolution shall become effective immediately.

  
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Blake G. Washington, Chair  
Public Authorities Control Board

  
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Steven Otis, Member of the Board

  
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Leroy Comrie, Member of the Board

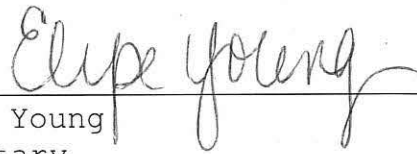
25-EF-930  
Date: March 19, 2025

CERTIFICATION

STATE OF NEW YORK  
COUNTY OF ALBANY ss.

I, Elyse Young, Secretary of the New York State Public Authorities Control Board, do hereby certify that at a meeting of such Board, held on March 19, 2025, the attached resolution was duly adopted by the unanimous vote of the Members of the Board. The resolution attached is a true copy of the resolution and the certification of the determination made by such resolution and of the signatures thereto of each of the Members of the Board or their duly appointed representatives, the original of which is on file in my office. As of the date of this certification, such resolution has not been modified, superseded, amended or repealed and remains in full force and effect.

In witness thereof I have hereunto set my hand this 19th day of March 2025.



Elyse Young  
Secretary

STATE OF NEW YORK  
COUNTY OF ALBANY ss.

On this 19th day of March 2025, before me personally came Elyse Young to me known, who, being by me duly sworn, did depose and say that she is the Secretary of the New York State Public Authorities Control Board, that she executed the foregoing certification and that the contents thereof are true.



Brittany N. Glenn  
Notary Public, State of New York  
No. 01GL6253075  
Qualified in Rensselaer County  
Commission Expires: 12/19/2027

**Exhibit A**  
CWSRF Financings

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C4-5402-14-01 & C4-5402-14-03	Albany Municipal Water Finance Authority	Albany	\$4,791,975	6%

Project Description

This project consisted of planning, design, and construction of combined sewer overflow (CSO) abatement projects constructed in the Cities of Troy, Albany, and Cohoes in support of the Albany Pool Combined Sewer Overflow Long Term Control Plan (LTCP). The project is defined by the engineering report entitled "Albany Pool CSO Long Term Control Plan" dated October 2013 by the Albany Pool Joint Venture Team that was approved by the New York State Department of Environmental Conservation (NYSDEC) on January 15, 2014 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on November 9, 2015. The project is further defined by the following plans and specifications:

- BMP-10 entitled "Outside Community Sewer Meter Project" originally dated September 29, 2017, revised February 2018 and further revised January 2019 by the engineering firm CDM Smith. The original documents were approved by the NYSDEC on November 20, 2017 and the revised documents were approved by the NYSDEC on February 8, 2019 and made eligible by the NYSEFC on June 10, 2019.
- SSS-07 entitled "Hoosick Street Stormwater Separation Project Phase II" originally dated September 29, 2017 and revised February 2018 by the engineering firm CDM Smith. The NYSDEC approved the original version on November 1, 2017. The revised set was made eligible by the NYSEFC on October 15, 2019.
- SSS-08 entitled "124th Street Stream Separation Project" dated February 2019 by the engineering firm CDM Smith that were approved by the NYSDEC on February 21, 2019 and made eligible by the NYSEFC on June 10, 2019.
- SSS-09 entitled "Mereline Avenue Sewer Separation and Stormwater Storage Project" dated February 2018 by the engineering firm Barton & Loguidice that were approved by the NYSDEC on March 6, 2019 and made eligible by the NYSEFC on June 19, 2019.
- SSS-10 entitled "Columbia Street Phase II Sewer Separation and Green Infrastructure" dated August 2021 by the engineering firm Arcadis that were approved by the NYSDEC on August 3, 2021 and made eligible by the NYSEFC on March 21, 2022.

- SSS-11 entitled "Polk Street Stream Separation Project" dated February 2022 by the engineering firm CHA that were approved and made eligible by the NYSEFC on June 22, 2023.
- SSS-12 entitled "Mohawk-Hudson Bike Trail Green Infrastructure Corridor Project" (Vliet Street) dated January 2022 by the engineering firm CHA that were approved and made eligible by the NYSEFC on February 10, 2022. Co-funding is provided through the Green Innovation Grant Program (C4-5404-04-02/GIGP No. 1878).
- TCF-01/02 entitled "Floatables Control Project" originally dated September 28, 2017 and revised January 2018 by the engineering firm CHA. The NYSDEC approved the original version on November 1, 2017. The revised set was made eligible by the NYSEFC on September 21, 2018.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C6-6064-05-00	Village of Canton	St. Lawrence	\$10,125,000	6%

Project Description

This project consists of planning, design, and construction of wastewater treatment plant (WWTP) improvements. The project is defined by the engineering report entitled "Village of Canton WWTP Improvements Project" dated July 2023 (revised August 2024) by the engineering firm Barton & Loguidice as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C9-6633-04-00	Chautauqua County	Chautauqua	\$809,750	6%

Project Description

This project consists of design and construction of collection system improvements in the Chautauqua County Portland Pomfret Dunkirk Sewer District. The project is defined by the engineering report entitled "Portland-Pomfret-Dunkirk Sewer District Inflow & Infiltration Reduction Study" dated January 2023 and "Addendum No. 1 to the Preliminary Engineering Report Portland-Pomfret-Dunkirk Sewer District Inflow & Infiltration Reduction Study" dated August 2024 by the engineering firm Barton & Loguidice, D.P.C., as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C9-6679-02-00	Town of Chautauqua	Chautauqua	\$2,640,038	6%



Project Description

This project consists of design and construction of the Town of Chautauqua Sewer District No. 1 sewer extension to the Shorelands area. The project is defined by the engineering report entitled "SD1 E1N Extension (Shorelands Sewers)" dated November 2021 by the engineering firm Ramboll Americas Engineering Solutions, Inc, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate</u> (not to exceed)
C6-6099-02-00	Town of Clifton	St. Lawrence	\$585,400	6%

Project Description

This project consists of planning, design, and construction of wastewater treatment plant (WWTP) improvements to the Town of Clifton's Newton Falls WWTP. The project is defined by the engineering report entitled "Wastewater Treatment Plant Disinfection and Improvements" dated August 2020 (Revised January 2021) by the engineering firm Barton & Loguidice, D.P.C., as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate</u> (not to exceed)
C9-6707-01-00	Town of Concord	Erie	\$4,957,000	6%

Project Description

This project consists of planning, design, and construction for the consolidation of the Kissing Bridge and Craneridge Wastewater Treatment Plants (WWTP) in the Town of Concord. The project is defined by the engineering report entitled "Sewer District Improvements for Craneridge and Kissing Bridge" dated June 2022, Engineering Report Amendments 1 and 2 dated June 2024 and September 27, 2024, respectively, all by the engineering firm MDA Consulting Engineers PLLC, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate</u> (not to exceed)
C5-5562-02-00	Town of Crown Point	Essex	\$1,975,892	6%

Project Description

This project consists of planning, design and construction of a replacement

wastewater treatment plant (WWTP) and sanitary sewer rehabilitation. The project is defined by the engineering reports:

1. "Wastewater Treatment Plant Engineering Evaluation of Disinfection Implementation, Version 3", dated February 9, 2018 by the engineering firm AES Northeast that was approved by the New York State Department of Environmental Conservation (NYSDEC) on July 24, 2018 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on December 18, 2018.
2. "Wastewater Treatment Plant Engineering Evaluation of Disinfection Implementation Version 3 - Addendum 1", dated August 1, 2018 by the engineering firm AES Northeast that was approved and made eligible by the NYSEFC on December 18, 2018.
3. "Collection System Evaluation", dated July 31, 2018 by the engineering firm AES Northeast that was approved by the NYSDEC on November 2, 2018 and made eligible by the NYSEFC on December 18, 2018.
4. "Wastewater Treatment Plant Engineering Evaluation of Disinfection Implementation, Version 4" Addendum 1 and Addendum 2, dated August 10, 2020, October 7, 2020, December 11, 2020, respectively, prepared by the engineering firm AES Northeast that was approved by the NYSDEC December 21, 2020 and made eligible by the EFC on January 19, 2021.
5. "Town of Crown Point Wastewater Treatment Plant Engineering Evaluation of Effluent Disinfection Implementation Version 4 Addendum 6", dated May 26, 2022, prepared by the engineering firm AES Northeast that was approved by the NYSDEC on November 16, 2022 and made eligible by the NYSEFC on February 10, 2023.

The project is further defined by the plans and specifications entitled "Wastewater Pump Stations & Disinfection" dated January 23, 2023 by the engineering firm AES Northeast that were approved and made eligible by the NYSEFC on February 10, 2023.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate</u> (not to exceed)
C8-6494-04-00	Village of LeRoy	Genessee	\$7,082,500	6%

Project Description

This project consisted of planning, design, and construction of improvements to and rehabilitation of the Village of LeRoy's wastewater treatment plant (WWTP). The project is defined by the engineering reports entitled "Village of LeRoy Wastewater Treatment Evaluation" dated June 2016 by the engineering

firm CPL Architecture, Engineering, Planning that was approved by the New York State Department of Environmental Conservation (NYSDEC) on January 23, 2018 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on January 23, 2018 and "LeRoy Wastewater Treatment Facility Disinfection Study" dated May 2022 by the engineering firm CPL Architecture, Engineering, Planning that was approved by the NYSDEC on May 23, 2022 and made eligible by the NYSEFC on January 24, 2023. The project is further defined by the specifications entitled "Solids Handling Upgrades" dated June 28, 2016 by the engineering firm CPL Architecture, Engineering, Planning that were approved and made eligible by the NYSEFC on May 24, 2018; plans and specifications entitled "WWTF Improvements (Phase 1)" dated September 2020 by the engineering firm CPL Architecture, Engineering, Planning that were approved by the NYSDEC on October 7, 2020 and made eligible by the NYSEFC on October 15, 2020; plans and specifications entitled "Wastewater Treatment Facility Improvements Phase 2 - UV Disinfection Upgrades" dated March 2022 by the engineering firm CPL Architecture, Engineering, Planning that were approved by the NYSDEC on May 23, 2022 and made eligible by the NYSEFC on April 6, 2023; and plans and specifications entitled "WWTF Improvements (Phase 3) Aeration, Blower, and Miscellaneous Improvements" dated January 2024 by the engineering firm CPL Architecture, Engineering, Planning that were approved by the NYSDEC on March 7, 2024 and made eligible by the NYSEFC on May 17, 2024.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate</u> (not to exceed)
C7-6344-22-01	City of Oswego	Oswego	\$4,420,000	6%

Project Description

The proposed project consists of upgrading the aeration system and other minor improvements at the City of Oswego Eastside Wastewater Treatment Plant (WWTP). The project is defined by the engineering report entitled "Oswego Eastside WWTP Aeration Improvements" dated February 1, 2021 by the engineering firm Jacobs Associates, and the engineering report amendment entitled "Oswego Eastside WWTP Blower Improvements Engineering Report Amendment" dated January 6, 2025 as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C8-6472-02-00	Town of Pavilion	Genesee	\$871,750	6%

Project Description

This project consists of planning, design, and construction of a new disinfection system at the Town of Pavilion's wastewater treatment plant (WWTP). The project is defined by the engineering report entitled "WWTP Disinfection Improvements" dated June 1, 2020, and revised October 25, 2021, and Amendment No. 1 dated May 14, 2024, by the engineering firm MRB Group, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C8-6888-01-00	Town of Romulus	Seneca	\$535,447	6%

Project Description

This project consists of design and construction of sanitary sewer inflow and infiltration improvements in the Town of Romulus sewer district that serves the Hamlet of Romulus. The project is defined by the engineering report entitled "Inflow and Infiltration Study" dated August 1, 2023 by the engineering firm Hunt Engineers, D.P.C., as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C6-6011-02-00	Village of Theresa	Jefferson	\$4,653,450	6%

Project Description

This project consists of planning design, and construction of collection system and wastewater treatment plant (WWTP) improvements. The project is defined by the engineering report entitled "Wastewater Treatment Systems and Pumping Station Improvements Project", dated December 2021 by the engineering firm EDR Landscape Architecture, Engineering, and Environmental Services, D.P.C. as may be updated, amended, supplemented, and approved by the Corporation.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C9-6694-01-00	Village of Wellsville	Allegany	\$16,154,750	6%

Project Description

This project consisted of design and construction of wastewater treatment plant and sewer collection system improvements in the Village of Wellsville. The project is defined by the engineering report entitled "Preliminary Engineering Report for the Village of Wellsville Wastewater Treatment Plant" dated January 2017 by the engineering firm MRB Group Engineering, Architecture, Surveying, D.P.C. (MRB Group) that was approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on January 22, 2018; engineering report amendment entitled "Preliminary Engineering Report for the Village of Wellsville Wastewater Treatment Plant Amendment #1" dated January 31, 2020 by the engineering firm MRB Group that was approved and made eligible by the NYSEFC on November 12, 2020; and the engineering report amendment entitled "Preliminary Engineering Report for the Village of Wellsville Wastewater Treatment Plant Amendment #2" dated April 23, 2021 by MRB Group that was approved by the New York State Department of Environmental Conservation (NYSDEC) on June 1, 2021 and made eligible by the NYSEFC on June 9, 2021. The project is further defined by the plans and specifications entitled "Wastewater Treatment Plant Improvements" dated June 2021 by the engineering firm MRB Group that were approved by the NYSDEC on June 1, 2021 and made eligible by the NYSEFC on July 15, 2021.