NEW YORK STATE PUBLIC AUTHORITIES CONTROL BOARD

R E S O L U T I O N No. 24-EF-912

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**, in accordance with section 51 of the Public Authorities Law:

This resolution shall become effective immediately.

Blake G. Washington, Chair Public Authorities Control Board

Zebrowski, Member of the Board

Leroy Comrie, Member of the Board

24-EF-912

Date: June 26, 2024

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 June 26, 2024, 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 $\underline{26th}$ day of June 2024.

Elyse Young

STATE OF NEW YORK COUNTY OF ALBANY ss.

On this <u>26th</u> day of <u>June 2024</u>, 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

			Maximum Principal	Interest Rate
Project Numbers	Applicant	County	Amount	(not to exceed)
C7-6240-13-00 & C7-6240-13-01	Auburn (C)	Cayuga	\$57,982,205	6%

Project Description

This project consists of planning, design, and construction of biosolids and wastewater process improvements at the City of Auburn Wastewater Treatment Plant. The project is defined by the engineering report entitled "Auburn Wastewater Treatment Plant Biosolids Process Improvements" dated June 2023 by the engineering firm Brown and Caldwell, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

Project			Maximum Principal	Interest Rate
Number	Applicant	County	Amount	(not to exceed)
C5-5533-03-00	Broadalbin (V)	Fulton	\$441,250	6%

Project Description

This project consists of planning, design, and construction of wastewater treatment plant effluent disinfection. The project is defined by the engineering report entitled "Wastewater Treatment Plant Effluent Disinfection Final Design Report" dated March 2019, and revised February 2024 by the engineering firm Prime AE, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

Project			Maximum Principal	Interest Rate
Number	Applicant	County	Amount	(not to exceed)
C8-6667-03-00	Canisteo (V)	Steuben	\$4,302,250	6%

This project consists of planning, design, and construction of wastewater treatment plant improvements in the Village of Canisteo. The project is defined by the engineering report entitled "Engineering Study of Improvements to Municipal Wastewater Treatment Plant" dated June 1, 2023 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.

Project			Maximum Principal	Interest Rate
Number	Applicant	County	Amount	(not to exceed)
C8-6368-01-00	Clyde (V)	Wayne	\$4,735,755	6%

Project Description

This project consisted of planning, design, and construction of improvements to the Village of Clyde's Wastewater Treatment Plant ("WWTP"). The project is defined by the engineering report entitled "Wastewater Treatment Plant Evaluation" dated August 2018 by the engineering firm LaBella Associates that was approved by the New York State Department of Environmental Conservation ("NYSDEC") on June 3, 2019 and made eligible by the New York State Environmental Facilities Corporation ("NYSEFC") on June 4, 2019 and the Engineering Report Amendment entitled "Village of Clyde Wastewater Treatment Plant Evaluation", dated July 15, 2021 by the engineering firm LaBella Associates that was approved by the NYSDEC on December 28, 2021 and made eligible by the NYSEFC on January 18, 2022.

The project is further defined by the plans and specifications entitled "Village of Clyde WWTP Improvements" dated April 2021 by the engineering firm LaBella Associates that were approved by the NYSDEC on December 16, 2021 and made eligible by the NYSEFC on May 17, 2022.

Project Maximum Principal Interest Rate
Number Applicant County Amount (not to exceed)

C7-6212-03-00 Endicott (V) Broome \$6,512,500 6%

Project Description

This project consisted of planning, design, and construction of solids handling and flood mitigation improvements at the Village of Endicott Wastewater Treatment Plant. The project is defined by the engineering report entitled "Wastewater Treatment Plant Flood Mitigation Project Basis of Design Report" dated March 2018, by the engineering firm Arcadis that was approved by the New York State Department of Environmental Conservation ("NYSDEC") on March 23, 2018, and made eligible by the New York State Environmental Facilities Corporation ("NYSEFC") on March 26, 2018; the engineering report entitled "Village of Endicott Wastewater Treatment Plant Solids Handling Upgrades" dated February 2018 by the engineering firm Wendel that was approved by the NYSDEC on March 27, 2018, and made eligible by the NYSEFC on March 27, 2018; the engineering report amendment 1 entitled "Wastewater Treatment Plant Solids Handling Improvements" dated April 8, 2022, that was approved and made eligible by the NYSEFC on September 6, 2022; and by the engineering report amendment 2 entitled "Wastewater Treatment Plant Solids Handling Improvements" dated December 15, 2023, by the engineering firm Wendel that was approved by the NYSDEC on January 12, 2024, and made eligible by the NYSEFC on January 24, 2024.

The project is further defined by the plans and specifications entitled "Thermal Drying System - Equipment Procurement" dated March 2019 by the engineering firm Wendel that were approved and made eligible by the NYSEFC on April 15, 2019; "Solids Handling Upgrades" dated March 2020 by the engineering firm Wendel that were approved and made eligible by the NYSEFC on March 11, 2020; and "Wastewater Treatment Plant Flood Mitigation Project" dated March 2020 by the engineering firm Arcadis that were approved and made eligible by the NYSEFC on May 19, 2020.

Project Numbers	Applicant	County	<u>Maximum</u> Principal Amount	Interest Rate (not to exceed)
C6-6058-09-00 & C6-6058-09-01	Gouverneur (V)	St. Lawrence	\$443,551	6%

This project consisted of planning, design, and construction of the second phase of collection system improvements on Dorwin Street. The project is defined by the engineering report entitled "Dorwin Street Sewer - Phase II" dated January 2022 by the engineering firm "Bernier, Carr & Associates, Engineers, Architects and Land Surveyors, P.C." that was approved by the New York State Department of Environmental Conservation ("NYSDEC") and made eligible by the New York State Environmental Facilities Corporation ("NYSEFC") on March 30, 2022. The project is further defined by the plans dated March 27, 2022 and specifications dated April 2022 entitled "Village of Gouverneur Dorwin Street Sewer - Phase II" by the engineering firm "Bernier, Carr & Associates, Engineers, Architects and Land Surveyors, P.C." that were approved by the NYSDEC and made eligible by the NYSEFC on May 3, 2022.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C8-6406-04-00	Jasper (T)	Steuben	\$93,055	6%

Project Description

This project consisted of planning, design, and construction of upgrades to the Town of Jasper's wastewater treatment plant ("WWTP") and collection system. The project is defined by the engineering report entitled "Sanitary Sewer System Infiltration and Inflow Study" dated December 2019, by the engineering firm Hunt Engineers, Architects & Surveyors, D.P.C. that was approved by the New York State Department of Environmental Conservation ("NYSDEC") on February 20, 2020 and made eligible by the New York State Environmental Facilities Corporation ("NYSEFC") on April 7, 2020. The project is further defined by the plans and specifications entitled "Town of Jasper WWTP Improvements" dated March 2021 by the engineering firm Hunt Engineers, Architects & Surveyors, D.P.C. that were approved and made eligible by the NYSEFC on April 1, 2021.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C6-6002-02-00	Little Falls (C)	Herkimer	\$3,069,000	6%

This project consists of planning design, and construction of wastewater treatment plant ("WWTP") upgrades. The project is defined by the engineering report entitled "WWTP Ultra-Violet Disinfection Project, Basis of Design Report, City of Little Falls, New York" dated October 25, 2021 by the engineering firm GHD Consulting Services, Inc., as may be updated, amended, supplemented, and approved by the Corporation.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C5-5579-02-00	Malone (V)	Franklin	\$7,072,852	6%

Project Description

This project consisted of planning, design, and construction of wastewater treatment plant and collection system improvements. The project is defined by the engineering reports entitled "Wastewater Treatment Plant Improvements" dated September 2012, "Inflow and Infiltration Evaluation and Collection System Improvements" dated May 2016 and revised in August 2016, and a technical memorandum entitled "Wastewater Treatment Plant Improvements" dated September 2016. All three reports were prepared by the engineering firm Barton and Loguidice, P.C. and approved by the New York State Environmental Facilities Corporation ("NYSEFC") on April 30, 2014, August 23, 2016, and November 7, 2016, respectively.

The project is further defined by the plans and specifications entitled "Wastewater Treatment Plant Improvements" dated February 2015 by the engineering firm Barton and Loguidice, P.C. that were approved and made eligible by the NYSEFC on February 13, 2015, plans and specifications entitled "Treatment Plant Improvements UV Disinfection" by the engineering firm Barton and Loguidice, P.C. that were approved by New York State Department of Conservation ("NYSDEC") on July 13, 2017 and made eligible by NYSEFC on March 20, 2018, and plans and specifications entitled "Sanitary Sewer Rehabilitation" dated July 2018 by the engineering firm Barton and Loguidice, P.C. that were approved by the NYSDEC on October 19, 2018 and made eligible by the NYSEFC on October 30, 2018.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C6-6027-04-00	Orleans (T)	Jefferson	\$2,183,030	6%

This project consisted of planning, design, and construction of wastewater collection and treatment system upgrades. The project is defined by the engineering report entitled "Thousand Island Park Wastewater Collection and Treatment Upgrades Engineering Report" dated June 2013, revised April 2014 and July 2014 by the engineering firm St. Lawrence Engineering, D.P.C. The revised engineering report was approved by the New York State Department of Conservation ("NYSDEC") on August 4, 2014 and made eligible by the New York State Environmental Facilities Corporation ("NYSEFC") on October 6, 2014. The project is further defined by the engineering report Amendment 1 dated May 23, 2018 and Amendment 2 dated May 27, 2021, both by the engineering firm St. Lawrence Engineering, which were approved and made eligible by the NYSEFC on October 6, 2021.

The project is further defined by the plans and specifications by the engineering firm St. Lawrence Engineering entitled,

- "Thousand Island Park Sewer Upgrade Phase 1" dated September 22, 2017, that were approved and made eligible by the NYSEFC on April 18, 2018;
- "Thousand Island Park Sewer Upgrade Phase 2" dated October 2017 that were approved by the NYSDEC on October 23, 2017 and made eligible by the NYSEFC on April 18, 2018;
- "Thousand Island Park Sewer Upgrades Phase 3" dated February 5, 2019 that were approved and made eligible by the NYSEFC on September 27, 2021;
- "Thousand Island Park Blasting Work for Collection Upgrades Phase 4" dated September 2020 that were approved and made eligible by the NYSEFC on September 29, 2021;
- "Thousand Island Park 2020-2021 Collection System Upgrades" dated January 2021 that were approved and made eligible by the NYSEFC on September 29, 2021; and
- "Thousand Island Park Wastewater Treatment Plant Upgrades" dated April 2023 that were approved and made eligible by the NYSEFC on July 6, 2023.
- "Thousand Island Park Blasting Work for Collection Upgrades Phase 5" dated June 2022 and Addendum 1 dated June 30, 2022, that were approved and made eligible by the NYSEFC on May 16, 2024.
- "Thousand Island Park Collection System Upgrades Phase 5" dated March 2024 that were approved and made eligible by the NYSEFC on May 16, 2024.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C8-6418-03-00	Painted Post (V)	Steuben	\$1,892,083	6%

This project consists of planning, design, and construction of improvements to the Village of Painted Post Wastewater Treatment Plant. The project is defined by the engineering report entitled "Wastewater Treatment Plant Disinfection Study" dated July 2021 and "Wastewater Treatment Plant Disinfection Study Amendment 1" dated April 2023, by the engineering firm Hunt Engineers, Architects & Surveyors, D.P.C., as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

#8			Maximum	Interest Rate
Project Numbers	Applicant	County	Principal Amount	(not to exceed)
C6-6126-02-00 & C6-6126-02-01	Port Leyden (V)	Lewis	\$378,250	6%

Project Description

This project consists of planning, design, and construction of wastewater collection and treatment system improvements. The project is defined by the engineering report entitled "Wastewater Collection and Treatment Facilities Improvements" dated September 2020 by the engineering firm Barton and Loguidice, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

*			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C3-7298-01-00	Rosendale (T)	Ulster	\$5,025,900	6%

This project consisted of design and construction of upgrades to the Town of Rosendale's Wastewater Treatment Plant. The project is defined by the engineering report entitled "Preliminary Engineering Report" dated July 2017 (last revision) and letter amendments dated July 17, 2017 & November 10, 2017 by the engineering firm Barton & Loguidice, D.P.C. that were approved and made eligible by the New York State Environmental Facilities Corporation ("NYSEFC") on November 27, 2017. The project is further defined by the plans and specifications entitled "Town of Rosendale Generator Improvement" dated September 2019 by the engineering firm Barton and Loguidice, D.P.C. that were approved and made eligible by the NYSEFC on September 28, 2020, and the plans and specifications entitled "Town of Rosendale Wastewater Treatment Plant Improvements" dated April 2021 by the engineering firm Barton and Loguidice, D.P.C. that were approved and made eligible by the NYSEFC on September 20, 2021.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C6-6296-03-00	Sylvan Beach (V)	Oneida	\$3,271,100	6%

Project Description

This project consisted of planning, design, and construction of improvements to sewers on Marina Drive and Birch Lane. The project is defined by the engineering report entitled "Engineering Report for Inflow and Infiltration (I/I) Study" dated February 2019, Amendment No. 1 dated September 2020, and Amendment No. 2 dated June 2021, by the engineering firm Dodson and Associate Consulting Engineers, PLLC that were approved by the New York State Environmental Facilities Corporation ("NYSEFC") on October 12, 2021. The project is further defined by the plans and specifications entitled "Sewer Collection System Improvements" dated May 2021 and April 2021 respectively by the engineering firm Dodson and Associate Consulting Engineers, PLLC and approved by the NYSEFC on July 27, 2022.

			Maximum	Interest Rate
Project Numbers	Applicant	County	Principal Amount	(not to exceed)
C3-5378-06-00 &	Thompson (T)	Sullivan	\$15,358,967	C 0.
C3 - 5378 - 06 - 01	Thompson (1)	Sullivan	713,330,901	6%

This project consists of planning design, and construction of the Kiamesha Lake Wastewater Treatment Plant upgrade project. The project is defined by the engineering report entitled "Kiamesha Lake Wastewater Treatment Plant Upgrade Preliminary Engineering Report (including Amendments No. 1&2)" dated August 30, 2019, revised January 18, 2024 by the engineering firm Delaware Engineering, D.P.C., as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C6-6077-04-00	Vernon (V)	Oneida	\$10,420,000	6%

Project Description

This project consists of planning design, and construction of wastewater treatment plant upgrades. The project is defined by the engineering report entitled "Vernon Wastewater Treatment Plant Phase 2 Improvements" dated April 30, 2022 by the engineering firm Timothy P. O'Hara, P.E., PLLC, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

	Ð		Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C3-5381-33-03	Westchester County	Westchester	\$20,747,789	6%

This project consists of financing costs associated with construction of phase IV heating, ventilating and air conditioning ("HVAC") equipment replacement & odor control improvements at the Yonkers Joint Wastewater Treatment Plant. The project is defined in the Basis of Design Report entitled "HVAC Equipment Rehabilitation", dated March 2006 by the engineering firm Dvirka & Bartilucci and the engineering report "Odor Control Review as Part of Capital Project SY009 - Technical Memorandum Odor Sampling, Study, and Model Update" dated March 14, 2018 and supporting report titled "Phase IV - Yonkers Joint WRRF HVAC Equipment Upgrade and Odor Control Improvements Project - Scope of Work Description" dated June 14, 2022, both by the engineering firm CDMSmith, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

			Maximum	Interest Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C3-5381-37-00	Westchester County	Westchester	\$7,333,750	6%

Project Description

This project consists of construction of repairs and upgrades to the Yonkers Joint Wastewater Treatment Plant secondary system. The project is defined by the engineering report entitled "Secondary System Rehabilitation, Yonkers Joint Wastewater Treatment Plant" dated July 2016 by the engineering firm H2M, and further defined by Addendum 1, dated June 15, 2022, by the engineering firm H2M Architects + Engineers, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

			Maximum	Interest-Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C3-5381-44-01	Westchester County	Westchester	\$27,006,000	6%

This project consists of planning, design and construction of engine and blower replacements at the Yonkers Joint Waste Water Treatment Plant ("JWWTP"). The project is defined by the engineering reports prepared by the engineering firm CDM Smith entitled, "Yonkers JWWTP Engine Replacement/Natural Gas Feasibility Study" dated September 10, 2014, and "Westchester County DPW Yonkers JWWTP Engine Replacement Program Phase IV - Engine Upgrades" dated February 2021 that includes a Technical Memo dated March 15, 2022, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.

			Maximum	Interest-Rate
Project Number	Applicant	County	Principal Amount	(not to exceed)
C3-7396-05-00	Westchester Countv	Westchester	\$7,518,329	6%

Project Description

This project consists of planning, design, and construction of sewer system repairs in the Peekskill, Ossining, Yonkers Joint, Blind Brook, Mamaroneck, and New Rochelle Sanitary Sewer Districts in Westchester County. The project is defined by the engineering report entitled "Sewer System Rehabilitation Schematic Design Report" dated February 2013 by the engineering firm Arcadis, and Technical Memo subject "Westchester 7396-05 Countywide CMOM (SMO-85)" dated November 16, 2021 by the engineering firm Arcadis, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.