

NEW YORK STATE PUBLIC AUTHORITIES CONTROL BOARD

R E S O L U T I O N No. 20-EF-759A

APPROVING THE AMENDMENT OF THE FINANCING AUTHORIZED FOR A SPECIFIED PROJECT 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 to PACB for approval of short-term and long-term financings as authorized in an EFC resolution duly adopted by EFC's Board of Directors; and

WHEREAS, PACB duly received an application from EFC for approval of short-term interest-free, short-term market-rate, and long-term interest-free financings from available funding through the Clean Water State Revolving Fund (the "CWSRF") duly adopted by Resolution No. 2623 (the "EFC Resolution") at a meeting of EFC's Board of Directors held on February 14, 2019; and

WHEREAS, on February 20, 2019, PACB adopted PACB Resolution No. 19-EF-759 (the "PACB Resolution"), approving the financings in the EFC Resolution, which included a short-term interest-free financing

in the maximum principal amount not to exceed \$2,082,500 (the "Financing") to the City of Utica (the "Recipient"); and

WHEREAS, the project costs have decreased; and

WHEREAS, the original scope of the project associated with the City of Utica's financing was amended to include sealing the remaining foot of open area above the weir in Combined Sewer Overflow #142 and constructing an access manhole; and

WHEREAS, PACB has received an application (the "Application") from EFC seeking approval to amend the Financing authorized to the Recipient to provide for a funding decrease and to reflect a modified project scope as authorized in an EFC resolution duly adopted at a meeting of EFC Board of Directors held on August 13, 2020; and;

WHEREAS, this amendment of the PACB Resolution is specific to the Financing for the Recipient and all other authorizations, determinations, terms and conditions contained in the PACB Resolution, and any amendments relating thereto, shall remain in effect; and

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

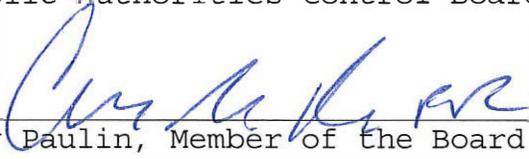
NOW THEREFORE BE IT RESOLVED, that the PACB approves (1) the funding decrease to the Financing provided to the Recipient, for an amended maximum principal amount of \$306,825, as more particularly described in Exhibit A and (2) the modified project scope associated with the financial assistance authorized to the Recipient, in accordance with section 51 of the Public Authorities Law:

* * * * *

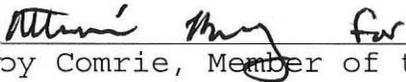
This resolution shall become effective immediately.



Robert F. Mujica, Jr., Chair
Public Authorities Control Board



Amy Paulin, Member of the Board



Leroy Comrie, Member of the Board

20-EF-759A

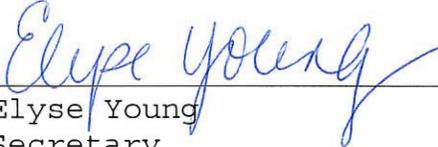
Date: September 16, 2020

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 September 16, 2020, 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.

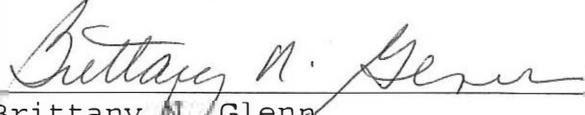
In witness thereof I have hereunto set my hand this 16th day of September 2020.



Elyse Young
Secretary

STATE OF NEW YORK
COUNTY OF ALBANY ss.

On this 16th day of September 2020, 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: 12/19/2023

Exhibit A

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Short-Term Financing Maximum Principal Amount</u>	<u>Interest Rate</u>
C6-6076-05-03	Utica (C)	Oneida	\$306,825	0%

Project Description

This project consists of planning, design and construction of modifications to the CSO Area 142 Outfall. The project is defined by the engineering report entitled "CSO Remote Treatment Unit - Revision 2" dated October 17, 2019 by OBG that was approved by the New York State Department of Environmental Conservation (NYSDEC) on January 9, 2020 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on May 7, 2020.