

NEW YORK STATE PUBLIC AUTHORITIES CONTROL BOARD

R E S O L U T I O N No. 25-EF-937

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:

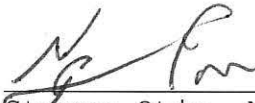
(Continued on next page)

* * * * *

This resolution shall become effective immediately.



Blake G. Washington, Chair
Public Authorities Control Board



Steven Otis, Member of the Board



Leroy Comrie, Member of the Board

25-EF-937

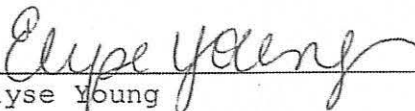
Date: July 23, 2025

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 July 23, 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.

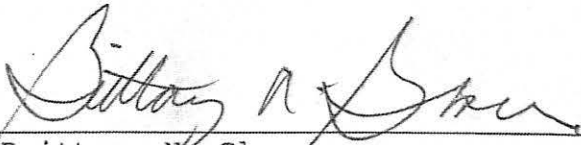
In witness thereof I have hereunto set my hand this 23rd day of July 2025.



Elyse Young
Secretary

STATE OF NEW YORK
COUNTY OF ALBANY ss.

On this 23rd day of July 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>
C6-6029-05-01	Village of Lowville	Lewis	\$9,308,801	6%

Project Description

This project consisted of planning, design, and construction of wastewater treatment plant (WWTP) improvements in the Village of Lowville. The project is defined by the engineering report entitled "Village of Lowville Wastewater Treatment Plant Improvements" dated June 10, 2019 revised June 14, 2023, by the engineering firm GYMO Architecture, Engineering, & Land Surveying, D.P.C. that was approved by the New York State Department of Environmental Conservation on June 26, 2019 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on March 15, 2021 (initial report) and approved and made eligible on November 1, 2024 (revision). The project is further defined by the plans and specifications entitled "Wastewater Treatment Plant Phase II Improvements" dated May 10, 2021 (original bid), August 16, 2021 (rebid), and April 28, 2022 (additional aeration and diffuser scope) by the engineering firm GYMO Architecture, Engineering, & Land Surveying, D.P.C. that were approved and made eligible by the NYSEFC on July 16, 2021, September 22, 2021, November 1, 2024, respectively..

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C4-5472-05-00	Village of Middleburgh	Schoharie	\$2,531,308	6%

Project Description

This project consisted of planning, design, and construction of upgrades to the Village of Middleburgh's wastewater treatment plant (WWTP). The project is defined by the engineering report entitled "Wastewater System Evaluation" dated October 2017, revised December 2017, and the engineering report amendment entitled "Wastewater System Evaluation Amendment No. 1" dated February 5, 2020. These reports were prepared by the engineering firm Delaware Engineering, D.P.C., approved by the New York State Department of Environmental Conservation (NYSDEC) on February 19, 2020, and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on February 24, 2020. The project is further defined by an engineering report

amendment entitled "Wastewater System Evaluation Amendment No. 2" dated October 21, 2020, prepared by the engineering firm Delaware Engineering, D.P.C., approved by the NYSDEC on October 26, 2020, and made eligible by the NYSEFC on October 27, 2020.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C2-5234-28-03	New York City Municipal Water Finance Authority	New York	\$42,368,106	6%

Project Description

This project consists of design and construction of new engine generators to utilize digester gas and natural gas to cogenerate power and heat for on-site use at the North River Water Resource Recovery Facility (WRRF). The project is defined by the engineering report entitled "North River WWTP Cogeneration & Electrification Project" dated September 5, 2012 by the engineering firm joint venture Black and Veatch/Savin Engineers, P.C., and approved by the New York State Environmental Facilities Corporation (NYSEFC) on February 21, 2014. The project is further defined by the plans and specifications entitled "North River WWTP Cogeneration and Electrification" dated August 2016 (NR-38), May 2017 (NR-39), March 2016 NR-42), and March 2014 (NR-43) by the engineering firm Black and Veatch/Savin Engineers, P.C.

<u>Project Number</u>	<u>Applicant</u>	<u>County</u>	<u>Maximum Principal Amount</u>	<u>Interest Rate (not to exceed)</u>
C2-5243-08-01	New York City Municipal Water Finance Authority	New York	\$25,000,000	6%

Project Description

This project consists of planning, design, and construction of the Gowanus Canal combined sewer overflow abatement facilities. The project is defined by the engineering report entitled "Construction of CSO Facilities for Gowanus Canal Basis of Design Report - RH-3" dated October 1, 2017 by the engineering firm Hazen and Sawyer and Brown and Caldwell Joint Venture, 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)
C6-6070-08-15	County of Oneida	Oneida	\$77,027,215	6%

Project Description

This project consists of planning, design and construction of upgrades to Oneida County's Water Pollution Control Plant, Sauquoit Creek Pump Station, and Barnes Avenue Pump Station. The project is defined by:

- The engineering report entitled "Water Pollution Control Plant and Sauquoit Creek Pump Station Evaluation" dated August 2012 and "Addendum 1" dated November 2012, by the engineering firms Shumaker Consulting Engineering, GHD Consulting Engineers, and Brown & Caldwell.
- The engineering report and Addendum 1 were approved by the New York State Department of Environmental Conservation (NYSDEC) on November 28, 2012 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on January 2, 2014.

The project is further defined by the Basis of Design Report "Barnes Avenue Pump Station and Force Main Upgrades" dated September 2021 by the engineering firm GHD. The project is further defined by the following plans and specifications:

- "Contract 2 - WPCP Solids Handling Upgrades" dated April 4, 2016 by the engineering firms GHD, Brown and Caldwell, O'Brien Gere, and Lynstaar Engineering that were approved and made eligible by the NYSEFC on April 22, 2016;
- "Contract 3A - Digester Complex 15kV Unit Substation Equipment Procurement" dated April 12, 2017 by the engineering firms GHD, Brown and Caldwell, O'Brien & Gere, and Lynstaar Engineering that were approved and made eligible by the NYSEFC on October 23, 2017;
- "Contract 4 - Sauquoit Creek Force Main Upgrades" dated June 2017 by the engineering firms GHD, Brown and Caldwell, O'Brien Gere, and Lynstaar Engineering that were approved and made eligible by the NYSEFC on July 26, 2017;
- "Contract 5 - Sauquoit Creek Pumping Station Upgrades" dated October 17, 2016 by the engineering firms GHD, Brown and Caldwell, O'Brien Gere, and Lynstaar Engineering that were approved and made eligible by the NYSEFC on January 30, 2017;
- "Contract 6 - WPCP Headworks Upgrades" dated October 5, 2016 by the engineering firms GHD, Brown and Caldwell, O'Brien Gere, and Lynstaar Engineering that were approved and made eligible by the NYSEFC on January 30, 2017;
- "Contract 7 - WPCP Primary Settling Tanks and Disinfection Improvements" dated August 8, 2017 by the engineering firms GHD, Brown and Caldwell, O'Brien Gere, and Lynstaar Engineering that were approved and made eligible by the NYSEFC on October 4, 2017;

- Contract 8 - "WPCP Secondary Treatment Upgrades" dated September 2020 and approved and made eligible on April 5, 2021 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>
C3-7348-06-00	City of Poughkeepsie	Dutchess	\$5,009,750	6%

Project Description

This project consists of the rehabilitation of the Fallkill Trunk Sewer portion of the City of Poughkeepsie's (City) sanitary sewer collection system. The project is defined by the engineering report entitled "City of Poughkeepsie Inflow & Infiltration Investigation" dated June 2022 by the engineering firm Barton and 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>
C9-6708-02-00	Town of Randolph	Cattaraugus	\$2,458,433	6%

Project Description

This project consists of planning, design, and construction of wastewater treatment plant (WWTP) improvements in the Town of Randolph. The project is defined by the engineering report entitled "Wastewater Treatment Facility Evaluation" dated June 1, 2022 by the engineering firm Barton & Loguidice, D.P.C., engineering report amendment entitled "Wastewater Treatment Facility Evaluation Addendum No. 1" dated May 2024 by the engineering firm Barton & Loguidice, D.P.C, and engineering report amendment entitled "Addendum No. 2 to the Preliminary Engineering Report Wastewater Treatment Facility Evaluation" dated December 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>
C5-5516-09-00	Village of Saranac Lake	Franklin	\$7,348,332	6%

Project Description

This project consists of planning, design, and construction of wastewater treatment plant (WWTP) upgrades. The project is defined by the engineering report entitled "Wastewater Treatment Plant, Secondary Process and Disinfection Evaluation" dated June 20, 2017 by the engineering firm AES Northeast, 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)
C4-5485-04-00	Village of Sharon Springs	Schoharie	\$1,278,659	6%

Project Description

This project consists of planning, design and construction of wastewater collection and treatment facilities improvements. The project is defined by the engineering report entitled "Comprehensive Performance Evaluation of the WWTP" dated December 15, 2015 and revised May 2, 2017 by the engineering firm C.T. Male, 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</u> (not to exceed)
C9-6629-04-00	Village of Westfield	Chautauqua	\$7,147,500	6%

Project Description

This project consists of design and construction of wastewater treatment plant and collection system improvements in the Village of Westfield. The project is defined by the engineering report entitled "WWTP and I/I Improvement Project" dated May 2023 by the engineering firm MRB Group Engineering, Architecture, Surveying, PC, as may be updated, amended, supplemented, and approved by the New York State Environmental Facilities Corporation.