

RESOLUTION NO. 360

A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF FACILITIES OF THE ALBANY COUNTY WATER PURIFICATION DISTRICT IN THE COUNTY OF ALBANY, NEW YORK

Introduced: 9/8/25

By Audit and Finance Committee:

Recitals

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the New York County Law, including approving orders of the State Comptroller, the Albany County Sewer District, has heretofore been established, and

WHEREAS, in October 2017, the name of the Albany County Sewer District was changed to the Albany County Water Purification District (the “District”); and

WHEREAS, the County has heretofore authorized the (i) Sludge Processing Improvement Project; (ii) North Plant Treatment Process Improvement Project; (iii) South Plant Treatment Process Improvement Project and (iv) North and South Plant HVAC Upgrade Project, as part of the County’s 2025-2029 Capital Plan; and

WHEREAS, pursuant to the Order on Consent No. R4-2014-0902-145 with the New York State Department of Environmental Conservation, the County is undertaking the Sludge Processing Improvement Project which includes the study, design and construction of improvements to the existing North and South Plant sludge processing systems, consisting of improvements to the North and South Plant incinerators and sludge mixing and dewatering systems, installation of a new incinerator emission system at the North Plant, and the construction of a new Septage and FOG receiving station at the North Plant, all as further described in the engineering report entitled “Sludge Processing Improvements Study” prepared for the District by Barton & Loguidice DPC, Albany, New York, as the estimated total cost of \$65,000,000; and

WHEREAS, following a determination that certain upgrades to the County’s treatment facilities are necessary and in the public interest, the County has determined to undertake the North Plant Treatment Process Improvement Project, which includes improvements to the unit treatment process associated with the North Plant and consists of the replacement of the mechanical screens, grit system, primary and secondary clarifiers, plant water pumps and upgrades to the high voltage electrical system, all as further described and identified as Phase 1 work in

the Capital Improvements Plan Engineering Report, dated May 2024 and prepared for the District by Arcadis of New York, Inc., Albany, New York, at the estimated maximum cost of \$72,594,000; and

WHEREAS, following a determination that certain upgrades to the County's treatment facilities are necessary and in the public interest, the County has determined to undertake South Plant Treatment Process Improvement Project, which includes improvements to the unit treatment process associated with the South Plant and consists of the replacement of the grit system, primary and secondary clarifiers, plant water pumps and upgrades to the high voltage electrical system, all as further described and identified as Phase 1 work in the Capital Improvements Plan Engineering Report, dated May 2024 and prepared for the District by Arcadis of New York, Inc., Albany, New York, at the estimated maximum cost of \$41,042,000; and

WHEREAS, following a determination that certain upgrades to the County's treatment facilities are necessary and in the public interest, the County has determined to undertake the North and South Plant HVAC Upgrade Project, which includes the study, design, and construction of improvements to existing HVAC systems at both the North and South Treatment Plants, expected to be completed in accordance with the engineering evaluation being prepared for the District by CHA Consulting Inc., Albany, New York, at the estimated maximum cost of \$1,500,000; and

WHEREAS, the County expects that a substantial part of the cost of the projects will be financed through the State of New York Environmental Facilities Corporation (EFC) or funded from other sources, including grants, and that such grants and/or other funds when received will be applied toward the cost of said projects or redemption of the County bonds or notes issued therefor; and

WHEREAS, the County has previously considered the projects described herein as part of a public hearing held in connection with the adoption of the County's 2025-2029 Capital Plan; however, EFC has requested that the County conduct a separate public hearing for the such projects; and

WHEREAS, said County Legislature duly adopted Resolution No. 290 on August 11, 2025, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid increase and improvement of facilities in accordance with said reports and estimates of cost; and

WHEREAS, such Resolution authorized and directed the Clerk of said County Legislature to publish the notice of public hearing and to file a certified copy of the Notice of Public Hearing with the respective Clerks of the City of Albany, City

of Cohoes, City of Watervliet, Village of Green Island, Village of Menands, Village of Colonie and the Town of Colonie and Town of Guilderland, together with a detailed summary of the projected debt service costs of the proposed projects and an estimate of the annual debt service charge for each municipality as determined in accordance with the provisions of each municipalities' respective intermunicipal agreement from 1970 with the Albany County Sewer District; and

WHEREAS, said public hearing was duly held at the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:00 o'clock P.M. (Prevailing Time) on Tuesday, August 26, 2025; and

WHEREAS, notice of said public hearing was duly published and filed in the manner provided herein and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ALBANY, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to proceed with the expenditure for the increase and improvement of the facilities of the District, all as more fully described in the recitals hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$180,136,000.

Section 2. The improvements described in the respective reports referred to herein are authorized to be constructed and the cost thereof shall be allocated in accordance with the provisions of the respective intermunicipal agreements from 1970 between the Albany County Water Purification District (formerly the Albany County Sewer District) and the City of Albany, City of Cohoes, City of Watervliet, Village of Green Island, Village of Menands, Village of Colonie and the Town of Colonie and Town of Guilderland. The allocation of the annual expense of operation and maintenance shall also be determined in accordance with the provisions of the aforesaid respective agreements.

Section 3. This resolution shall take effect immediately.