

New York State Environmental Facilities Corporation

Meeting of the Board of Directors

Thursday, January 13, 2022

Minutes

(Approved by the Board of Directors at their meeting held on February 10, 2022)

A meeting of the Board of Directors was held on January 13, 2022, by the use of videoconferencing, in accordance with the Corporation's Bylaws and Ch. 417, L. 2021, Part E §1 of the Laws of New York. A quorum of the Directors was present as indicated:

Ex Officio Member Designees:

Jeffrey Stefanko, Designated Representative of the Commissioner of Environmental Conservation
Roger Sokol, Designated Representative of the Commissioner of Health
James Leary, Designated Representative of the Secretary of State

Independent Members:

Francis T. Corcoran
Vita DeMarchi
Adam Zurofsky

Absent:

Charles Kruzansky

EFC Staff:

Maureen A. Coleman, President & CEO
George N. Cholakis, Acting General Counsel
Brian McClintock, Director of Public Finance
Michael P. Hale, Executive Vice President
Thomas E. Baines, Secretary to the Corporation and Senior Policy Advisor
William Brizzell, Director of Engineering and Program Management
Maureen L. McGrath, Director of Administration and Corporate Operations
Brian Hahn,
Albert Schnide, Controller
Michael Roizman, Assistant Director (IT)
Bernadette Futia, Information Technology Coordinator III
Kate S. Howard, Associate Counsel
Derek Sellman, Deputy General Counsel
Wileen Chick, Chief Risk Officer
Maire Cunningham, Project Manager

Other Attendees:

David Phillips, P.E., Chief, Design Section, NYSDOH

1. Roll call and declaration of quorum - The meeting was called to order by the Chair of the Board at 11:33 a.m. Roll call was taken by the Secretary, a quorum was declared present, and the Chair proceeded with the business of the meeting.

2. Approval of Continuation of Delegations of Authority (James Leary)- New Acting Secretary of State Robert J. Rodriguez, executed a Continuation of Designations and Delegations of Authority, dated December 16, 2021, which reaffirmed the continuing validity of all designations and delegations of authority issued by his predecessors Secretary Rossana Rosado and Acting Secretary of State Brendan C. Hughes.

Upon motion by Mr. Corcoran and seconded by Ms. DeMarchi, the Directors voted unanimously to approve Acting Secretary Rodriguez's continued designation of James Leary to serve as the Secretary of State's designee, at the Corporation's Board meetings. Mr. Leary abstained from voting. Following acceptance and approval of the delegation, Mr. Leary participated in his capacity as a designee for the remainder of the meeting.

3. Approval of the Draft Minutes from the December 9, 2021 Board Meeting - Upon motion by Mr. Sokol and seconded by Mr. Leary, the minutes from the December 9, 2021 meeting were unanimously approved.

4. Report of the Chair – No Chair's Report.

5. President's Report –

- i. Introductions – Michael Hale, Executive Vice President, Wileen Chick, Chief Risk Officer – Mr. Hale and Ms. Chick introduced themselves to the Board and gave a brief summary of their respective work experience.
- ii. Comptroller's CWSRF Audit – Ms. Coleman updated the Board on the audit report issued by the Comptroller on December 30, 2021.
- iii. MWBE – EFC received an A+ rating for MWBE program performance in accordance with our annual goal plan.
- iv. Asset Management RFQ – The Board previously received a copy of the RFQ for Engineering Advisor and Program Management Services for Phase 2 of the Asset Management Program. The chosen firm will oversee several engineering firms that will develop asset management programs for municipalities throughout New York State for wastewater infrastructure.
- v. Infrastructure Investment and Jobs Act – Mr. Hale provided updates on the federal Infrastructure Act and EFC's ongoing efforts to ensure readiness when funding is released.
- vi. Green Innovation Grant Program/Engineering Planning Grants – Brian Hahn gave an in-depth presentation on both programs.

6. Committee Reports – No Committee Reports.

7. Unfinished Business – No Unfinished business discussed.

8. Resolutions

Resolution No. 2884

Following its introduction by the Secretary, Ms. DeMarchi moved for adoption of the resolution and the motion was seconded by Mr. Corcoran. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AUTHORIZING THE PRESIDENT OF THE CORPORATION TO TAKE NECESSARY ACTIONS WITH RESPECT TO THE ADMINISTRATION OF THE GREEN INNOVATION GRANT PROGRAM

Resolution No. 2885

Following its introduction by the Secretary, Mr. Sokol moved for adoption of the resolution and the motion was seconded by Mr. Leary. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AUTHORIZING THE PRESIDENT OF THE CORPORATION TO TAKE NECESSARY ACTIONS WITH RESPECT TO THE ADMINISTRATION OF THE ENGINEERING PLANNING GRANT PROGRAM

Resolution No. 2886

Following its introduction by the Secretary, Mr. Corcoran moved for adoption of the resolution and the motion was seconded by Mr. Sokol. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION SELECTING FINANCIAL ADVISORS TO THE CORPORATION AND AUTHORIZING THE PRESIDENT OF THE CORPORATION OR DESIGNEE TO NEGOTIATE AND ENTER INTO CONTRACTS FOR FINANCIAL ADVISORY SERVICES

Resolution No. 2887

Following its introduction by the Secretary, Ms. DeMarchi moved for adoption of the resolution and the motion was seconded by Mr. Corcoran. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AMENDING THE PRIOR AUTHORIZATION FOR FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO CERTAIN RECIPIENTS IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND AND THE NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT

Resolution No. 2888

Following its introduction by the Secretary, Mr. Sokol moved for adoption of the resolution and the motion was seconded by Mr. Corcoran. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE

DRINKING WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS

Resolution No. 2889

Following its introduction by the Secretary, Mr. Sokol moved for adoption of the resolution and the motion was seconded by Mr. Leary. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO SELECTED MUNICIPALITIES TO FUND ELIGIBLE INTERMUNICIPAL WATER INFRASTRUCTURE PROJECTS DRINKING WATER PROJECTS FROM FUNDS APPROPRIATED FOR THE NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT

Resolution No. 2890

Following its introduction by the Secretary, Mr. Corcoran moved for adoption of the resolution and the motion was seconded by Mr. Sokol. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AMENDING THE PRIOR AUTHORIZATIONS FOR FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO CERTAIN RECIPIENTS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND

Resolution No. 2891

Following its introduction by the Secretary, Ms. DeMarchi moved for adoption of the resolution and the motion was seconded by Mr. Corcoran. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE CLEAN WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS

Resolution No. 2892

The By-laws require at least seven (7) days' notice of all resolutions or a majority vote for consideration at a Board meeting. In accordance with that requirement, Resolution No. 2892 required a majority vote of the Directors before it could be considered by the Board for adoption. The Chair called for a motion to introduce the resolution. Ms. DeMarchi so moved. The motion was seconded by Mr. Sokol, then unanimously adopted.

Following introduction of the resolution by the Secretary, Ms. DeMarchi then moved for adoption of the resolution and the motion was seconded by Mr. Corcoran. Discussion ensued and the following resolution was adopted unanimously on the condition that details of the program would be provided:

