



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

August 18, 2009

**DAVID A. PATERSON**  
GOVERNOR

Lisa Jackson, Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave NW  
Washington, DC 20460

Dear Administrator Jackson:

Pursuant to Title XV, Subtitle A, section 1511 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) ("ARRA"), and the April 2, 2009 Grant Agreement from the U.S. Environmental Protection Agency to the New York State Department of Environmental Conservation (the "Grant Agreement"), I hereby certify that the infrastructure investments involving the Town of Greenport, County of Onondaga, County of Nassau, Town of Oyster Bay, City of Hudson and the Niagara Falls Public Water Authority listed in the Attachment to this certification, which will be funded with amounts made available by ARRA under the heading "Clean Water State Revolving Fund" to the Environmental Protection Agency, have received the full review and vetting required by law. I accept responsibility that such investments are appropriate uses of taxpayer dollars. I further certify that the specific information required by ARRA § 1511 and the Grant Agreement concerning such investments (a description of the investments, the estimated total cost, and the amount of ARRA funds to be used) is summarized within the Clean Water State Revolving Fund link to be posted on the public website at <http://www.recovery.ny.gov>, and linked to [www.Recovery.gov](http://www.Recovery.gov).

Sincerely,

A handwritten signature in black ink that reads "David A. Paterson".

David A. Paterson  
Governor

Attachment  
c: Commissioner Alexander B. Grannis

## ATTACHMENT

- **Town of Greenport, Columbia County** – Total project cost of \$9,391,083, all of which is being financed through the Clean Water SRF program. The Town is eligible for up to \$4,295,624 in ARRA principal forgiveness. This financing will support the design and refurbishment of the Town's wastewater treatment plant, which was built in 1977 and is reaching the end of its useful life. The refurbished plant will provide better and more consistent treatment of wastewater, improving water quality into a tributary of the Hudson River. The Town will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

### Contract No.: 08-1, General Construction

- |                                   |                   |
|-----------------------------------|-------------------|
| - Submit Plans and Specifications | March 3, 2008     |
| - Advertise for Bids              | December 11, 2008 |
| - Open Bids                       | January 28, 2009  |
| - Award Bids                      | February 20, 2009 |
| - Execute Contracts               | March 6, 2009     |
| <br>                              |                   |
| - Construction Completion         | March 6, 2010     |

### Contract No.: 08-2, Plumbing Construction

- |                                   |                   |
|-----------------------------------|-------------------|
| - Submit Plans and Specifications | March 3, 2008     |
| - Advertise for Bids              | December 11, 2008 |
| - Open Bids                       | January 28, 2009  |
| - Award Bids                      | February 20, 2009 |
| - Execute Contracts               | March 6, 2009     |
| <br>                              |                   |
| - Construction Completion         | March 6, 2010     |

### Contract No.: 08-3, Heating, Ventilating and Air Conditioning (HVAC) Construction

- |                                   |                   |
|-----------------------------------|-------------------|
| - Submit Plans and Specifications | March 3, 2008     |
| - Advertise for Bids              | February 27, 2009 |
| - Open Bids                       | March 13, 2009    |
| - Award Bids                      | April 1, 2009     |
| - Execute Contracts               | April 28, 2009    |
| <br>                              |                   |
| - Construction Completion         | April 29, 2010    |

### Contract No.: 08-4, Electrical Construction

- |                                   |               |
|-----------------------------------|---------------|
| - Submit Plans and Specifications | March 3, 2008 |
|-----------------------------------|---------------|

- |                           |                   |
|---------------------------|-------------------|
| - Advertise for Bids      | December 11, 2008 |
| - Open Bids               | January 28, 2009  |
| - Award Bids              | February 20, 2009 |
| - Execute Contracts       | March 6, 2009     |
| <br>                      |                   |
| - Construction Completion | March 6, 2010     |

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that this action will finance a project which constitutes “...a particular course of action specifically required to be undertaken pursuant to a judgment or order...”, which is a Type II action under SEQR, pursuant to 6 NYCRR Part 617.5(c)(29). The Town is subject to DEC Order on Consent No. R4-2001-0206-27. The Project is subject to DEC SPDES Permit # 0030988, which expires on April 30, 2014.

Resolutions/ Agreements – The project was authorized pursuant to bond resolutions passed by the Town Board of the Town of Greenport on March 5, 2008 and February 20, 2009, authorizing the aggregate issuance of \$9,391,083 in bonds for the purpose of the construction of improvements to the upgrade and expansion of the Town’s wastewater treatment plant. Additionally, financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the Town of Greenport.

Disadvantaged Business Enterprises/Minority/Women’s Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

- |           |                              |
|-----------|------------------------------|
| MBE goal: | construction contracts – 6%; |
|           | service contracts- 8.8%      |
| WBE goal: | construction contracts – 6%; |
|           | service contracts – 8.8%     |

- **County of Onondaga** – Total project cost of \$21,398,149 of which \$20,000,000 is being financed through the Clean Water SRF program. The remaining balance of \$1,398,149 in project costs will also be financed through the Clean Water SRF program when the short-term financing is converted to a long-term Clean Water SRF financing. The County is eligible for up to \$10,000,000 in ARRA principal forgiveness. This project consists of the replacement of approximately 9,600 linear feet of the existing concrete U-shaped Harbor Brook Interceptor Sewer with PVC pipe ranging in size from 8-inch to 36-inch in diameter to transmit sanitary and storm flow to the Metropolitan Wastewater Treatment Plant (METRO). The project will also include the evaluation and implementation of green infrastructure

technologies to reduce stormwater runoff to the sewers along the interceptor and the related ten combined sewer overflows in the project area. The County of Onondaga will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- |                                   |                    |
|-----------------------------------|--------------------|
| - Submit Plans and Specifications | August 14, 2009    |
| - Advertise for Bids              | September 15, 2009 |
| - Open Bids                       | October 20, 2009   |
| - Award Bids                      | November 30, 2009  |
| - Execute Contracts               | December 31, 2009  |
| <br>                              |                    |
| - Construction Completion         | December 31, 2012  |

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that this action will finance a project which will not have a significant impact on the environment: (1) the Department of Environmental Conservation has certified that this project is in compliance with the SERP; (2) no potentially large impacts have been identified; and (3) the County of Onondaga, acting as lead agency, has issued a negative declaration. The Project is subject to DEC SPDES Permit # 0027081. The permit is currently in the renewal process and remains valid during such renewal process.

Resolutions/ Agreements – The project was authorized pursuant to bond resolutions passed by the County Legislature of the County of Onondaga dated July 6, 1999 and June 2, 2009 authorizing the issuance of \$5,500,000 and \$26,000,000 in bonds for the purpose of the construction of improvements to related to the combined sewer overflows in and for the County. Additionally, financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the County of Onondaga.

Disadvantaged Business Enterprises/Minority/Women’s Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

- |           |                              |
|-----------|------------------------------|
| MBE goal: | construction contracts – 6%; |
|           | service contracts- 8.8%      |
| WBE goal: | construction contracts – 6%; |
|           | service contracts – 8.8%     |

- County of Nassau** - Total project cost of \$6,573,000 allocable to the County, of which \$5,957,891 is being financed through the Clean Water SRF program. The County is eligible for up to \$2,978,945 in ARRA principal forgiveness. This joint project, between the Town of Oyster Bay and Nassau County, will correct a longstanding issue of failed septic systems whose discharges have been identified as the primary cause of beach closures in the Mill Creek area. ARRA funding will support the planning, design, and construction of the collection system, pump station, and force main for the Locust Valley section of Oyster Bay in Nassau County.  
 The County of Nassau will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- Submit Plans and Specifications	Contract #S33990G	August 3, 2009
- Advertise for Bids	Contract #S33990G	August 3, 2009
- Open Bids	Contract #S33991G	August 26, 2008 (Actual)
	Contract #S33990G	September 15, 2009 (Tentative)
- Award Bids	Contract #S33991G	October 22, 2008 (A)
	Contract #S33990G	October 23, 2009 (T)
- Execute Contracts	Contract #S33991G	December 9, 2008 (A)
	Contract #S33990G	December 1, 2009 (T)
- Construction Completion	Contract #S33991G	December 9, 2009 (T)
	Contract #S33990G	December 15, 2010 (T)

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that the project will finance a project which constitutes an “extension of...sewer connections to render service in approved subdivisions...” which is a Type II action under SEQR pursuant to 6 NYCRR 617.5(c) (11). The Project is subject to DEC SPDES Permit #0026620, which expires on December 31, 2012.

Resolutions/Ordinances/Agreements – The project was authorized pursuant to bond ordinances passed by the County Legislature of the County of Nassau dated March 21, 2005, May 3, 2006, April 25, 2007, January 26, 2009 and April 20, 2009 for the purpose of constructing a sewage collection system in and for the Birches subdivision in the Locust Valley section of the Town of Oyster Bay. These bond ordinances authorized the issuance of bonds totaling \$6,573,000 for this purpose. Financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the County of Nassau.

Disadvantaged Business Enterprises/Minority/Women's Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

MBE goal:            construction contracts – 21.5%;  
                          service contracts- 18.8%

WBE goal:            construction contracts – 13.7%;  
                          service contracts – 20.5%

- **Town of Oyster Bay, Nassau County** – Total project cost of \$6,400,000 allocable to the Town of Oyster Bay, all of which is being financed through the Clean Water SRF program. The Town is eligible for up to \$3,129,053 in ARRA principal forgiveness. This joint project, between the Town of Oyster Bay and Nassau County, will correct a longstanding issue of failed septic systems whose discharges have been identified as the primary cause of beach closures in the Mill Creek area. ARRA funding will support the planning, design, and construction of the collection system, pump station, and force main for the Locust Valley section of Oyster Bay in Nassau County. The County of Nassau will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- Submit Plans and Specifications	Contract #S33990G	August 3, 2009
- Advertise for Bids	Contract #S33990G	August 3, 2009
- Open Bids	Contract #S33991G	August 26, 2008 (A)
	Contract #S33990G	September 15, 2009 (T)
- Award Bids	Contract #S33991G	October 22, 2008 (A)
	Contract #S33990G	October 23, 2009 (T)
- Execute Contracts	Contract #S33991G	December 9, 2008 (A)
	Contract #S33990G	December 1, 2009 (T)
- Construction Completion	Contract #S33991G	December 9, 2009 (T)
	Contract #S33990G	December 15, 2010 (T)

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that the project will finance a project which constitutes an “extension of...sewer connections to render service in approved subdivisions...” which is a Type II action under SEQR pursuant to 6 NYCRR 617.5(c) (11).

The Project is subject to DEC SPDES Permit #0026620, which expires on December 31, 2012.

Resolutions/ Agreements – The project was authorized pursuant to bond resolutions passed by the Town Board of the Town of Oyster Bay dated October 21, 2008, March 10, 2009 and April 7, 2009 for the purpose of improvements to the area known as the Birches, Locust Valley, New York in the Town of Oyster Bay. These bond resolutions authorized the issuance of bonds totaling \$6,400,000 for this purpose. Financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the Town of Oyster Bay.

Disadvantaged Business Enterprises/Minority/Women’s Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

- MBE goal:            construction contracts – 21.5%;  
                          service contracts- 18.8%
- WBE goal:            construction contracts – 13.7%;  
                          service contracts – 20.5%

- **City of Hudson, Columbia County** - Total project cost of \$9,664,400, of which \$8,843,357 is being financed through the Clean Water SRF program. The City is eligible for up to \$4,421,679 in ARRA principal forgiveness. This project will support planning, design, and improvement of the City’s wastewater treatment plant and pump station that will greatly reduce the potential for discharge of high wet weather flows into the Hudson River, as well as replacing treatment equipment to be more effective and energy efficient. The City of Hudson will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- |                                   |                   |
|-----------------------------------|-------------------|
| - Submit Plans and Specifications | October 1, 2009   |
| - Advertise for Bids              | November 16, 2009 |
| - Open Bids                       | December 16, 2009 |
| - Award Bids                      | December 18, 2009 |
| - Execute Contracts               | December 30, 2009 |
| <br>                              |                   |
| - Construction Completion         | December 31, 2011 |

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that the project will finance a

project which constitutes “a particular course of action specifically required to be undertaken pursuant to a judgment or order” which is a Type II action under SEQR pursuant to 6 NYCRR 617.5 (29). The Project is subject to DEC SPDES Permit # 0022039, which expires on March 31, 2011.

Resolutions/ Agreements – The project was authorized pursuant to bond resolutions passed by the Common Council of the City of Hudson dated March 17, 2009, amended April 21, 2009, for the purpose of reconstruction and rehabilitation of the collection system and sewer treatment plant in and for the City of Hudson. The bond resolution authorized the issuance of bonds totaling \$8,994,000 for this purpose. Financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the City of Hudson.

Disadvantaged Business Enterprises/Minority/Women’s Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

- MBE goal:            construction contracts – 6%;  
                          service contracts- 8.8%
- WBE goal:            construction contracts – 6%;  
                          service contracts – 8.8%

- **Niagara Falls Public Water Authority, Niagara County** – Total project cost of \$11,000,000, all of which is being financed through the Clean Water SRF program. The Authority is eligible for up to \$5,470,952 in ARRA principal forgiveness. This project will finance the costs of planning, design and construction of the Niagara Falls Public Water Authority North Gorge Interceptor Capacity Restoration. The project site is owned by the Niagara Falls Public Water Board by virtue of an Acquisition Agreement with the City of Niagara Falls.

The contract execution schedule for this project is as follows:

- |                                   |                   |
|-----------------------------------|-------------------|
| - Submit Plans and Specifications | July 2, 2009      |
| - Advertise for Bids              | July 27, 2009     |
| - Open Bids                       | August 26, 2009   |
| - Award Bids                      | October 15, 2009  |
| - Execute Contracts               | November 13, 2009 |
| <br>                              |                   |
| - Construction Completion         | November 19, 2010 |

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each

action or project financed. The Corporation has determined that the project will finance a project which constitutes the “replacement, rehabilitation or reconstruction of a structure or facility, in kind” which is a Type II action under SEQR pursuant to 6 NYCRR 617.5 (c) (2). The Project is subject to DEC SPDES Permit # - 0026336 which expired on June 1, 2008 but remains in effect pending renewal.

Resolutions/Agreements – The project was authorized pursuant to a General Revenue Note Resolution passed by Authority on May 1, 2003, a Note Resolution on March 19, 2009 and a Supplemental Resolution on April 1, 2009. These resolutions authorized the issuance of notes totaling \$11,000,000 for this project. Financial assistance will be provided pursuant to a Project Finance Agreement executed among the New York State Environmental Facilities Corporation, the Niagara Falls Public Water Authority and the Niagara Falls Public Water Board.

Disadvantaged Business Enterprises/Minority/Women’s Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

- MBE goal:            construction contracts – 6%;
- service contracts- 8.8%
- WBE goal:            construction contracts – 6%;
- service contracts – 8.8%