

RESOLUTION NO. 128

A RESOLUTION CALLING A PUBLIC HEARING PURSUANT TO THE PROVISIONS OF SECTION 268 OF THE COUNTY LAW AND THE SECTION C-609 OF THE COUNTY CHARTER, FOR THE PURPOSE OF CONSIDERING THE PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ALBANY COUNTY WATER PURIFICATION DISTRICT IN THE COUNTY OF ALBANY, NEW YORK

Introduced: 4/13/26

By Cunningham:

Recitals

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the 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 of Albany (the “County”) has heretofore authorized the North and South Plant HVAC Upgrade Project (the “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, as part of the County’s 2025-2029 Capital Plan; and

WHEREAS, on September 8, 2025 the County Legislature adopted an amending bond resolution authorizing bonds in the principal amount of \$1,500,000 for the HVAC Upgrade Project; and

WHEREAS, it has been determined that the estimated cost of said HVAC Upgrade Project has increased from \$1,500,000 to \$2,000,000 and that it is necessary and in the public interest to include such increase of \$500,000 as part of the County’s 2027-2031 Capital Plan and to amend the bond resolution heretofore adopted for such project by a like amount; and

WHEREAS, following a determination that certain upgrades to the District’s treatment facilities are necessary and in the public interest, the County has determined to undertake the design and installation of (1) an odor control system for the North Plant’s sludge holding tanks (the “Odor Control System Project”), expected

to be completed in accordance with an engineering evaluation to be prepared for the District, at an estimated cost of \$2,000,000 and (ii) a gas monitoring and alarming system at various buildings at the North and South Treatment Plants (the “Gas Monitoring System Project”), expected to be completed in accordance with an engineering evaluation to be prepared for the District, at an estimated cost of \$750,000; and

WHEREAS, such Odor Control System Project and Gas Monitoring System Project have been included in the County’s 2027-2031 Capital Plan and are expected to be financed by the issuance of County bonds; however, the County is currently evaluating other funding options for the Odor Control System Project, including funding said project through the revolving loan fund program of the State of New York Environmental Facilities Corporation (EFC) or from other sources, including grants, and any such grants and/or other funds when received will be applied toward the cost of said Odor Control System Project or redemption of the County bonds or notes issued therefor; and

WHEREAS, in accordance with the provisions of Section 268 of the County Law and the Section C-609 of the County Charter, a public hearing shall be called and held to consider said increase and improvement of facilities of the District.

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ALBANY, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Albany, New York, shall be held in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:00 o’clock P.M. (Prevailing Time) on Tuesday, April 28, 2026, for the purpose of conducting a public hearing upon the proposed increase and improvement of facilities of the Albany County Water Purification District (the “District”), consisting of the (i) 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, at an estimated cost of \$2,000,000, (ii) design and installation of an odor control system for the North Plant’s sludge holding tanks, at an estimated cost of \$2,000,000, and (iii) design and installation of a gas monitoring and alarming system at various buildings at the North and South Treatment Plants, at an estimated cost of \$750,000, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially in the form set forth in **Exhibit A** hereof and the Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing to be published once in the “Times Union and “The Evangelist,” each newspaper having a general

circulation within the District, not less than ten (10) nor more than twenty (20) days before the date set herein for said public hearing.

Section 3. The Clerk of the County Legislature is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the respective Clerk 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, not less than ten (10) days before the date set herein for said public hearing.

Section 4. Detailed information and/or engineering reports for said projects shall be made available for public inspection on the County website and at the office of the Executive Director of the Albany County Water Purification District, 1 Canal Road, South, Albany, New York 12204, during normal business hours, not less than ten (10) days before the date set herein for said public hearing.

Section 5. This resolution shall take effect immediately.

Exhibit A
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Albany, New York, shall be held at William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York, in said County, on the 28th day of April, 2026, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the proposed increase and improvement of facilities of Albany County Water Purification District (the "District") in said County. Such public hearing is being held in accordance with the provisions of Section 268 of the County Law and the Section C-609 of the County Charter.

The increase and improvement of such facilities consists of (i) 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, at an estimated cost of \$2,000,000, (ii) design and installation of an odor control system for the North Plant's sludge holding tanks, at an estimated cost of \$2,000,000, and (iii) design and installation of a gas monitoring and alarming system at various buildings at the North and South Treatment Plants, at an estimated cost of \$750,000. Detailed information and/or engineering reports for the proposed projects will be made available on the County website and in the office of the Executive Director of the Albany County Water Purification District, 1 Canal Road, South, Albany, New York 12204, during regular business hours.

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 served by the District, as determined in accordance with the provisions of each municipalities' respective agreement with the Albany County Water Purification District, is available by contacting the Executive Director of the District at 518-447-1624.

Dated: April 13, 2026
Albany, New York

BY ORDER OF THE COUNTY
LEGISLATURE OF THE COUNTY
OF ALBANY, NEW YORK

By _____
Clerk of the County Legislature

Adopted by unanimous vote – 4/13/26