



**JUNE 6, 2022 - 6:55 PM**

**AGENDA  
PUBLIC HEARING  
PURSUANT TO RESOLUTION NO. 08-100, RULES I, II, AND III**

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**I. COMMUNICATIONS**

**II. RESOLUTIONS, MOTIONS, AND NOTICES**

1. Resolution calling for a public hearing for the purpose of considering the increased cost of proposed improvements for the Chemung County Elmira Sewer District and Chemung County Sewer District No. 1 (Wastewater Treatment Plant Consolidation Project)

**III. OLD BUSINESS**

**IV. NEW BUSINESS**

**V. ADJOURNMENT**



## CHEMUNG COUNTY ROUTE SLIP \* PERSONNEL REQUISITION

Resolution calling for a public hearing for the purpose of considering the increased cost of proposed improvements for the Chemung County Elmira Sewer District and Chemung County Sewer District No. 1 (Wastewater Treatment Plant Consolidation Project)

Resolution #:

Slip Type: OTHER

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Public hearing to be held on June 6th at 6:55 p.m. Project budget increase from \$160,000,000.00 to \$235,000,00.00.

### CREATION:

Date/Time:	Department:
6/2/2022 10:40:29 AM	

### APPROVALS:

Date/Time:	Approval:	Department:	
4/12/2022 9:54 AM	Approved	County Executive	
4/13/2022 11:07 AM	Approved	Budget and Research	
4/14/2022 11:15 AM	Approved	Legislature Chairman	

### ATTACHMENTS:

Name:	Description:	Type:
<a href="#">CHEMUNG COUNTY (2-506) OCPH_ELMIRA_SEWER_DIST_(Consolidation_Project)_4148-9098-0662_1.pdf</a>	Chemung County OCPH Elmira Sewer District Project	Cover Memo
<a href="#">CHEMUNG COUNTY (2-506) OCPH_SEWER_DIST_NO_1_(Consolidation_Project)_4124-4072-0694_1.pdf</a>	Chemung County (2-506) OCPH Sewer District Consolidation Project	Cover Memo
<a href="#">Notice_of_Public_Hearing_-_WWTP_Consolidation_Project_-_increase_in_cost.pdf</a>	Notice of Public Hearing	Cover Memo

STAMP\_ITEMNUMB



Orrick, Herrington & Sutcliffe LLP  
51 West 52nd Street  
New York, NY 10019-6142

+1 212 506 5000

orrick.com

April 6, 2022

**VIA E-MAIL (jfurman@co.chemung.ny.us)**

Ms. Jennifer Furman  
County Treasurer  
County of Chemung  
320 East Market Street  
Elmira, NY 14901

Thomas E. Myers

**E** tmyers@orrick.com

**D** +1 212 506 5212

**F** +1 212 506 5151

Re: County of Chemung, New York  
Elmira Sewer District – Consolidation Project-Increased Cost  
Orrick File: 42345-2-506

Dear Jennifer:

In accordance with the information provided to us, we have enclosed herewith a draft form of the resolution calling for the hearing in relation to the above matter.

Please note the need to insert the new cost to the District and the typical property owner.

Please see that the Notice of hearing is published 10 but no more than 20 days prior to the hearing date.

In due course, please furnish us with the following:

- (a) An originally certified of the enclosed resolution.
- (b) An original printer's affidavit of publication of the notice of the hearing.

With best wishes,

Very truly yours,

*Tom*

Thomas E. Myers

/es

Enclosure

cc: Ms. Cindy Kalweit (ckalweit@chemungcountyny.gov)  
Ms. Hannah Rockwell (Hannah.Rockwell@arcadis.com)  
Ms. Alexandra Rennie (abrennie@chemungcountyny.gov)  
Ms. Ann Overdorff (aloverdorff@chemungcountyny.gov)

At a regular meeting of the County Legislature of the County of Chemung, New York, held at the John H. Hazlett Office Building, in Elmira, New York, on the \_\_\_\_ day of April, 2022, at \_\_\_\_\_ o'clock P.M., Prevailing Time.

The meeting was called to order by Legislator \_\_\_\_\_, and upon roll being called, the following were:

PRESENT:

ABSENT:

The following resolution was offered by Legislator \_\_\_\_\_, who moved its adoption, seconded by Legislator \_\_\_\_\_, to-wit:

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF  
CONSIDERING THE INCREASED COST OF PROPOSED IMPROVEMENTS FOR THE  
ELMIRA SEWER DISTRICT.

WHEREAS, in 2021 the County approved an increase and improvement on behalf of the Elmira Sewer District, consisting of improvements to and expansion of the Milton Street Wastewater Treatment Plant and decommissioning of the Lake Street Wastewater Treatment Plant including a conveyance system, pump station and other improvements all in connection with a master consolidation plan for treatment of wastewater treatment system; and

WHEREAS, such improvements were approved at a total maximum estimated cost of \$160,000,000 of which \$90,694,596 was allocated to the District; and

WHEREAS, it is now necessary to increase the total maximum estimated cost of the improvements and the amount allocable to the District; and

WHEREAS, it is now desired to call a public hearing thereon; now therefore, BE IT

RESOLVED, by the County Legislature of the County of Chemung, New York, as follows:

Section 1. A meeting of the County Legislature, the County of Chemung, New York, to be held at the John H. Hazlett Office Building, in Elmira, New York, in said County, on the \_\_\_\_ day of May, 2022, at \_\_\_\_\_ o'clock P.M., prevailing time, for the purpose of conducting a Public Hearing upon the aforesaid matter. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published and posted in the manner provided by law.

Section 2. The Clerk of the Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper not less than ten, nor more than twenty days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Chemung, New York, will meet at the County Legislature, 5th Floor, Hazlett Building, 203 Lake Street, in Elmira, New York, on May \_\_, 2022, at \_\_\_\_\_ o'clock \_\_.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increased cost of various improvements on behalf of the Elmira Sewer District, consisting of improvements to and expansion of the Milton Street Wastewater Treatment Plant and decommissioning of the Lake Street Wastewater Treatment Plant including a conveyance system, pump station and other improvements all in connection with a master consolidation plan for treatment of wastewater. The improvements were originally approved at a maximum estimated cost of \$160,000,000 (of which \$90,694,596 was allocated to the District). The new maximum estimated cost is \$235,000,000 (of which \$\_\_\_\_\_ was allocated to the District). The revised estimated annual cost to the typical property owner in the District as a result thereof is \$\_\_\_\_\_.

The proposed improvements have been determined to constitute a Type I Action for purposes of the State Environmental Quality Review Act for which the County has determined will not have a significant adverse environmental impact.

Dated: Elmira, New York,  
\_\_\_\_\_, 2022.

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

---

Clerk, County Legislature

Section 4.      This resolution takes effect immediately.

RESOLUTION NO. 2022-\_\_\_\_\_ CARRIED BY THE FOLLOWING VOTE:

AYES:

NAYS:

EXCUSED:

This resolution was thereupon declared duly adopted.

\* \* \* \* \*

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF CHEMUNG        )

I, the undersigned Clerk of the County Legislature of the County of Chemung, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the \_\_\_\_\_ day of April, 2022.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication)

**POSTING** (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_\_ day of April, 2022.

(CORPORATE  
SEAL)

\_\_\_\_\_  
Clerk, County Legislature





Orrick, Herrington & Sutcliffe LLP  
51 West 52nd Street  
New York, NY 10019-6142

+1 212 506 5000

orrick.com

April 6, 2022

**VIA E-MAIL (jfurman@co.chemung.ny.us)**

Ms. Jennifer Furman  
County Treasurer  
County of Chemung  
320 East Market Street  
Elmira, NY 14901

Thomas E. Myers

**E** tmyers@orrick.com

**D** +1 212 506 5212

**F** +1 212 506 5151

Re: County of Chemung, New York  
Sewer District No. 1 – Consolidation Project-Increased Cost  
Orrick File: 42345-2-506

Dear Jennifer:

In accordance with the information provided to us, we have enclosed herewith a draft form of the resolution calling for the hearing in relation to the above matter.

Please note the need to insert the new cost to the District and the typical property owner.

Please see that the Notice of hearing is published 10 but no more than 20 days prior to the hearing date.

In due course, please furnish us with the following:

- (a) An originally certified of the enclosed resolution.
- (b) An original printer's affidavit of publication of the notice of the hearing.

With best wishes,

Very truly yours,

*Tom*

Thomas E. Myers

/es

Enclosure

cc: Ms. Cindy Kalweit (ckalweit@chemungcountyny.gov)  
Ms. Hannah Rockwell (Hannah.Rockwell@arcadis.com)  
Ms. Alexandra Rennie (abrennie@chemungcountyny.gov)  
Ms. Ann Overdorff (aloverdorff@chemungcountyny.gov)

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The meeting was called to order by Legislator \_\_\_\_\_, and upon roll being called, the following were:

PRESENT:

ABSENT:

The following resolution was offered by Legislator \_\_\_\_\_, who moved its adoption, seconded by Legislator \_\_\_\_\_, to-wit:

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF  
CONSIDERING THE INCREASED COST OF PROPOSED IMPROVEMENTS FOR  
SEWER DISTRICT NO. 1.

WHEREAS, in 2021 the County approved an increase and improvement on behalf of Sewer District No. 1, consisting of improvements to and expansion of the Milton Street Wastewater Treatment Plant and decommissioning of the Lake Street Wastewater Treatment Plant including a conveyance system, pump station and other improvements all in connection with a master consolidation plan for treatment of wastewater treatment system; and

WHEREAS, such improvements were approved at a total maximum estimated cost of \$160,000,000 of which \$69,305,404 was allocated to the District; and

WHEREAS, it is now necessary to increase the total maximum estimated cost of the improvements and the amount allocable to the District; and

WHEREAS, it is now desired to call a public hearing thereon; now therefore, BE IT

RESOLVED, by the County Legislature of the County of Chemung, New York, as follows:

Section 1. A meeting of the County Legislature, the County of Chemung, New York, to be held at the John H. Hazlett Office Building, in Elmira, New York, in said County, on the \_\_\_\_ day of May, 2022, at \_\_\_\_\_ o'clock P.M., prevailing time, for the purpose of conducting a Public Hearing upon the aforesaid matter. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published and posted in the manner provided by law.

Section 2. The Clerk of the Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper not less than ten, nor more than twenty days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Chemung, New York, will meet at the County Legislature, 5th Floor, Hazlett Building, 203 Lake Street, in Elmira, New York, on May \_\_, 2022, at \_\_\_\_\_ o'clock \_\_.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increased cost of various improvements on behalf of Sewer District No. 1, consisting of improvements to and expansion of the Milton Street Wastewater Treatment Plant and decommissioning of the Lake Street Wastewater Treatment Plant including a conveyance system, pump station and other improvements all in connection with a master consolidation plan for treatment of wastewater. The improvements were originally approved at a maximum estimated cost of \$160,000,000 (of which \$69,305,404 was allocated to the District). The new maximum estimated cost is \$235,000,000 (of which \$\_\_\_\_\_ is allocated to the District). The revised estimated annual cost to the typical property owner in the District as a result thereof is \$\_\_\_\_\_.

The proposed improvements have been determined to constitute a Type I Action for purposes of the State Environmental Quality Review Act for which the County has determined will not have a significant adverse environmental impact.

Dated: Elmira, New York,  
\_\_\_\_\_, 2022.

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

---

Clerk, County Legislature

Section 4.      This resolution takes effect immediately.

RESOLUTION NO. 2022-\_\_\_\_\_ CARRIED BY THE FOLLOWING VOTE:

AYES:

NAYS:

EXCUSED:

This resolution was thereupon declared duly adopted.

\* \* \* \* \*

STATE OF NEW YORK                 )  
  ) ss.:  
COUNTY OF CHEMUNG             )

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1. That a meeting of the Issuer was duly called, held and conducted on the \_\_\_\_\_ day of April, 2022.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication)

**POSTING** (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_\_ day of April, 2022.

(CORPORATE  
SEAL)

\_\_\_\_\_  
Clerk, County Legislature

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Chemung, New York, will meet at the County Legislature, 5th Floor, Hazlett Building, 203 Lake Street, in Elmira, New York, on June 6, 2022, at 6:55 o'clock P .M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increased cost of various improvements on behalf of the Chemung County Elmira Sewer District and the Chemung County Sewer District No. 1, consisting of improvements to and expansion of the Milton Street Wastewater Treatment Plant and decommissioning of the Lake Street Wastewater Treatment Plant including a conveyance system, pump station and other improvements all in connection with a master consolidation plan for treatment of wastewater. The improvements were originally approved at a maximum estimated cost of \$160,000,000 (of which \$90,694,596 was allocated to the Chemung County Elmira Sewer District and \$69,305,404 was allocated to the Chemung County Sewer District No. 1). The new maximum estimated cost is \$235,000,000 of which \$133,950,000 will be allocated to the Chemung County Elmira Sewer District and \$101,050,000 will be allocated to the Chemung County Sewer District No. 1. The revised estimated annual cost to the typical property owner in the Chemung County Elmira Sewer District as a result thereof is \$295.00. The revised estimated annual cost to the typical property owner in the Chemung County Sewer District No. 1 is \$295.00.

The proposed improvements have been determined to constitute a Type I Action for purposes of the State Environmental Quality Review Act for which the County has determined will not have a significant adverse environmental impact.