



MINUTES OF MEETING
Public Hearing
June 6, 2022
6:55 PM

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)

PUBLIC HEARING – June 6, 2022

LEGISLATIVE CHAMBERS, 5TH FLOOR, HAZLETT BUILDING, ELMIRA, NY

6:57 P.M. - Public Hearing for the purpose of considering the increased cost of proposed improvements for the Chemung County Elmira Sewer District and the Chemung County Sewer District No. 1 (Wastewater Treatment Plant Consolidation Project)

Legislature was called to order by the Chairman of the Chemung County Legislature. The following members were present when the Clerk called roll:

Pastrick _x__	Manchester _x__	Sweet _x__	Brennan _x__
Margeson _x__	Hyland _x__	Sonsire _x__	Woodard _x__
Burin _x__	Chalk _x__	Briggs _x__	McCarthy _x__
Drake _x__	Smith _x__	Strange _x__	

A public hearing was held by the Chemung County Legislature relative to hearing any and all public comment for the above-referenced purpose. The hearing was held in the Legislative Chambers. The hearing was called to order by the Chair of the Legislature, who turned the hearing over to the Attorney for the Legislature who served as the Hearing Officer.

The Hearing Officer read the Notice of Public Hearing, and advised the public of the rules governing a public hearing. The Hearing Officer asked if there was anyone who wished to speak.

A Chemung County resident noted that she had previously proposed alternatives the Wastewater Treatment Plant Consolidation Project and asked if those ideas could be further explored.

Having determined that everyone who wished to be heard had there and then been heard, the public

hearing was adjourned at 7:00 p.m.

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:
CHEMUNG COUNTY (2-506) OCPH ELMIRA SEWER DIST (Consolidation Project) 4148-9098-0662 1.pdf	Chemung County OCPH Elmira Sewer District Project	Cover Memo
CHEMUNG COUNTY (2-506) OCPH SEWER DIST NO 1 (Consolidation Project) 4124-4072-0694 1.pdf	Chemung County (2-506) OCPH Sewer District Consolidation Project	Cover Memo
Notice of Public Hearing - WWTP Consolidation Project - increase in cost.pdf	Notice of Public Hearing	Cover Memo



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

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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)

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
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)

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

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.