



**Regular Session of the
Niagara Falls Water Board
June 25, 2018 5:00 PM at
Michael C. O’Laughlin Municipal Water Plant**

1. Call to Order & Pledge of Allegiance: *Meeting was called to order at 5:00 p.m.*

1. Roll Call:

Forster *P* Kimble *P* Larkin *P* Leffler *P* O’Callaghan *P*

2. (a) Letters and Communications

(b) Public Comment (All speakers must register with the Chairman prior to roll call and are limited to three minutes per person – total time for all speakers may not exceed one hour)

1. Jabril and Ellen Shareef spoke in front of the board regarding their May 2018 water bill, for the amount of \$11,799. Their existing vacant rental property is located at 411 Hyde Park Blvd. Ms. Shareef explains there was a meter reading that was completed on April 1, 2018 with no indication of outstanding water usage; even though she explains they did experience a pipe leak in their basement around the same time the meter reading was taken. Ms. Shareef spoke with customer service at the NFWB and was instructed to bring the matter in front of the board due to some restrictions regarding bill adjustments. Mr. and Ms. Shareef are

seeking a bill adjustment at this time. Ms. Walker recommends completing the bill adjustment application and submitting the completed application for review.

2. Ronald Cunningham spoke in front of the board regarding his \$2,745 water bill. He explains his property is a commercial building that is currently vacant. Mr. Cunningham's property is located at 559 19th St. The NFWB meter shop completed a meter read with no significant findings. Mr. Cunningham states he believes the issue is due to a meter malfunction, because he has not made any repairs since the high meter reading. He also raises concern with an additional property located at 551 19th St. This building is a residential, 3 unit apartment complex. There are tenants living in a 3 apartments at this property. Mr. Cunningham has also completed an adjustment application for this matter as well.

3. Niagara Falls Councilman Ezra Scott spoke in front of the board on behalf of Roswell Park Cancer Institute in hopes to making the NFWB a tobacco-free workplace. Mr. Scott mentioned signage will be supplied if we decide to move forward. He commended the Water Board on the great job it has been doing.

3. Approval of Minutes from May 21, 2018

Motion to approve by Mr. Forster and seconded by Ms. Larkin

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Abstain_O'Callaghan_Y_

Motion was carried 4-0

4. Executive Director

a. Questions or Comments on the Following Items Discussed During June 18 Work Session (if any):

- a. Consent Order – AECOM & GHD
 - i. AECOM Draft Report on Work Item 10
 - ii. GHD Draft Report on Various WWTP Projects
 - iii. Scrapers – Sed. Basin #5 – (See Resolution 2018-06-011)

Mr. Porter explains that sedimentation basin #5 will be taken offline on July 9th to be pumped out and cleaned. Mollenberg-Betz Inc. will be fabricating the necessary parts needed for the sedimentation basin repair. On July 17th, the NFWB employees will reassemble the basin.

Mr. Forster asks if spare scrapers for the basins will be fabricated.

Mr. Porter confirms.

- iv. Grit Screw - Sed. Basin #1 - \$30,000 - (See Resolution 2018-06-011)
- v. Gates - \$21,000 - (See Resolution 2018-06-011)
- vi. Sludge Building - 3 pumps are installed, 1 more needed. On schedule to be completed by June 2018.

b. WWTP

- i. Payments - GHD, AECOM, & Danforth
- ii. Electric - Second feed to be completed by 6/22/18
- iii. Backflow prevention - 2 mechanics have passed their courses in order to complete necessary repairs, in order to repair our backflows.

c. 5 Year Capital Projects

- i. Option 1 – Assumes NYS Funding
- ii. Option 2 – Assumes only NFWB Resources
- iii. Option 3 – Includes outfalls

d. Vanguard Report

b. New Items:

a. Update on Buffalo Ave. Water Main Replacement Project

b. Revised 5-year Capital Plan

Still working on refining the plan and evaluating potential impact on rates to fund these improvements. Mr. Forster requested that several problematic water mains be added to the draft plan.

c. Chlorine odor complaint – June 20, 2018

Mr. Porter noted that Water Board staff and consultants are working on improving the chlorine injection process, which may help to address that issue.

d. Draft Internal Controls Policy

5. Director of Operations

1. Call-in to security procedures – temporarily on hold

The board questions the “hold-up” regarding the implementation of this requested procedure.

Mr. Perry explains the Union has a right to request further information regarding this procedure prior to implementation.

Mr. O’Callaghan questions how long this process will take?

Mr. Perry states it will take an additional few weeks to finalize everything.

Mr. Forster states he would like Mr. Costello to gather job description information for the employees who have handled these calls in the past.

6. Superintendent

I. Questions or Comments on the Following Items Discussed During June 18 Work Session (if any):

a. Grant-Funded Lead Service Replacement Project

Mr. O’Callaghan asks Mr. Wright and Mr. Eagler if their crews involved with this work are full.

Mr. Wright states they are 1 man short.

7. Engineering

1. DOT ADA Compliance Program – (See Resolution 2018-06-006)

This project impacts the Water Board because it involves raising a few Water Board manhole covers.

8. Personnel Items

1. Review of Org Chart
2. Personnel Actions and Reports

The Board discussed with staff what criteria are involved in recommending a promotion from MW2 to MW3.

Motion to approve the personnel actions by Mr. Forster and seconded by Ms. Kimble

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_Motion was carried 5-0

9. Information Technology (IT) Dept.

Mr. Perry states the Ethernet cables have been installed for the time management system; effects bargaining with Union is moving ahead as well.

10. Financial Reports

- I. **Questions or Comments on the Following Items Discussed During June 18 Work Session (if any):**
 - a. June 2018 Department Overview Report
 - b. NFWB and Bank on Buffalo Transition
 - c. NFWB Bank Accounts
 - d. Budget Monitoring Expenses - April
 - e. Budget Monitoring Revenues - April
 - f. Overtime Hours #201812

Mr. O'Callaghan states he would like Mr. Costello and Ms. Walker to work together to review the how water suppliers in surrounding areas handle high water bills; possibly re-addressing our water bill adjustment procedure if a better process is identified.

Mr. Forster requests from Ms. Walker a report for anything on track to exceed 60% of the budget for 2018, and asked whether there have been any budget transfers. Noted that the 2019 budget process will begin in July.

11. Reports

- I. **Questions or Comments on the Following Items Discussed During June 18 Work Session (if any):**
 - a. O&M Report
 - b. Safety

No recordable/reportable injuries have been mentioned at this time.

12. Attorney/Legal

- I. **Questions or Comments on the Following Items Discussed During June 18 Work Session (if any):**
 - a. Legal Department Mission Statement and Needs Assessment
 - b. Recovery on Hydrant Claim
 - c. Annual Execution of Certain Governance Documents
 - d. Fiduciary Duty Acknowledgment
 - e. Certificate of Independent Director

II. New Items

- a. **American Water Resources Proposal**

Mr. Costello recommends that the board members allow him to proceed with negotiating a proposed agreement with AWR whereby the Water Board would help AWR offer water and sewer line protection programs to Water Board customers in exchange for a share of the revenue generated by AWR.

13. From the Chairman

Mr. O'Callaghan shared his gratitude in regards to the hard work of the employees at the NFWB. He states everyone is going a great job, building necessary up crew sizes as well as the completed of the WWTP gates.

14. Resolutions

- a. **RESOLUTION 2018-06-001 – PROHIBITING ALTERATION OF WATER BOARD PROPERTY WITHOUT AUTHORIZATION**

*Motion to approve by Mr. Forster and seconded by Ms. Kimble
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

b. RESOLUTION 2018-06-002 – HIRING PROCEDURES

*Motion to approve by Mr. Forster and seconded by Ms. Larkin
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

**c. RESOLUTION 2018-06-003- REVISING CREDIT CARD POLICY
TO PROHIBIT TRANSFER OF CREDIT CARDS OUTSIDE OF
DEPARTMENTS**

**1. Supporting Document: June 2018 Proposed Revised Credit Card
Policy**

*Motion to approve by Mr. Forster and seconded by Ms. Kimble
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

**d. RESOLUTION 2018-06-004 – AUTHORIZING INFORMATION
CAMPAIGN ADVERTISING**

Ms. Kimble questioned the money spent on the Martin Group and the cost of advertising. Ms. Walker noted that \$5,100 has been paid for ads in The Niagara Reporter. Ms. Larkin added that the Water Board paid the Martin Group an additional \$2,500 to create those ads. Mr. Porter explained that the resolution is for print ads to communicate relevant information to Water Board ratepayers (past ads have explained sewer surcharges, how the wastewater treatment plant works). Ms. Kimble said her concern was more with the Martin Group bills which do not really detail what work was performed, what specific services were provided, but will support the resolution to the extent it provides public information and notices. This is less expensive than the cost of mailing information to ratepayers. Ms. Larkin states that she feels this is a poor way to spend \$10,000 and that the \$5,100 to date was spent unwisely. The resolution for an additional \$10,000 is not limited to public notices required by law and she will not support the resolution unless it is limited to public notices required by law. Mr. O'Callaghan feels we have to communicate with and educate the public and that this is the least expensive way to do things.

*Motion to approve by Mr. Forster and seconded by Ms. Kimble
Forster_Y_Kimble_Y_Larkin_N_Leffler_N_O'Callaghan_Y_
Motion was carried 3-0*

e. **RESOLUTION 2018-06-005 – AUTHORIZING SETTLEMENT OF MARYANN TAIBI CLAIM FOR DAMAGE TO SHRUB AT 2948 WOODLAWN AVENUE**

1. **Supporting Document: Notice of Claim, Maryann Taibi**
2. **Supporting Document: Repair Estimates**

*Motion to approve by Ms. Kimble and seconded by Ms. Larkin
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

f. **RESOLUTION 2018-06-006- GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM AN ADJUSTMENT OF NIAGARA FALLS WATER BOARD FACILITIES AND AGREEMENT TO MAINTAIN FACILITIES ADJUSTED VIA THE STATE-LET CONTRACT**

1. **Supporting Document: Correspondence and Forms Related to Department of Transportation ADA Improvement Program (adjusts depth of Water Board manholes on Military Road)**

*Motion to approve by Mr. Forster and seconded by Ms. Kimble
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

g. **RESOLUTION 2018-06-007 – COMMITTING TO FUND OR BOND EXPENSES OF PROPOSED IMPROVEMENTS TO SEWER PLANT, WATER MAINS, AND BEECH AVE. WATER TANK**

*Motion to approve by Mr. Forster and seconded by Ms. Larkin
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

h. **RESOLUTION 2018-06-008 - FINANCE AND AUDIT COMMITTEE MEMBERSHIP AND MEETINGS**

*Motion to approve by Ms. Kimble and seconded by Ms. Larkin
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

i. **RESOLUTION 2018-06-009 - GOVERNANCE COMMITTEE MEMBERSHIP AND MEETINGS**

*Motion to approve by Mr. Forster and seconded by Ms. Larkin
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

j. **RESOLUTION 2016-06-010 - REQUIRING THAT COSTS OF COOPERATION WITH OTHER MUNICIPAL ENTITIES BE TRACKED**

1. **Supporting Document: Draft Cost of Cooperation Tracking Form**

Ms. Leffler asked what provisions are made if Water Board equipment loaned to other municipal entities is damaged? Mr. Drury will work with General Counsel to add some relevant language to the tracking form.

*Motion to approve by Ms. Kimble and seconded by Mr. Forster
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

k. **2018-06-011 - AUTHORIZING FUNDS TO COMPLETE REPAIRS TO WASTEWATER TREATMENT PLANT SEDIMENTATION BASIN SCRAPERS, GRIT SCREW, AND GATES**

Motion to amend resolution to state under the resolved section, "repair or replacement of the scraper blade assembly in Sedimentation Basin #5, with the scraper blade replaced with stainless steel in order to extend its service life, and procurement of a spare scraper blade and complete assembly to reduce the time required to make future repairs, at a total estimated cost of \$120,000."

Motion to amend by Mr. Forster and seconded by Ms. Larkin

*Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

*Motion to approve by Ms. Kimble and seconded by Ms. Larkin
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

l. **2018-06-012 - AUTHORIZING FUNDS TO RESTORE SCADA SYSTEM FUNCTIONALITY AND TO PREPARE A REPORT ON NEEDED IMPROVEMENTS**

*Motion by Mr. Forster and seconded by Ms. Kimble to approve.
Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_
Motion was carried 5-0*

Walk-on-Resolutions

Motion to consider walk on resolutions numbered 2018-06-013 and 2018-06-014 by Ms. Kimble and seconded by Mr. Forster

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y

Motion was carried 5-0

Resolution 2018-06-013 – Authorizing Agreement with Modern Corporation to Dispose of Approximately 600 Tons of Water Treatment Plant Residuals, Also Known as Alum Sludge

Motion to approve by Ms. Kimble and seconded by Ms. Larkin

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y

Motion was carried 5-0

Resolution 2018-06-014 – Authorizing Change Order for Gorge Pumping Station Roof Replacement Project

Motion to approve by Mr. Forster and seconded by Ms. Leffler

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y

Motion was carried 5-0

15. Unfinished Business

Nothing was discussed at this time.

16. New Business & Additional Items for Discussion

Mr. Forster states he would like there to be a daily checklist implemented where employees observe and track potential or existing problems with the sedimentation basins.

Mr. Porter states there is a shared primary performance comprehensive checklist to be completed on a routine basis.

17. Executive Session and/or Recess for Seeking Legal Advice

The Board voted to enter into an executive session to discuss two matters related to collective bargaining at 7:13 p.m., but before the public was cleared from the room it was noted that these matters (the time management system and call in procedures) already had been discussed in the open session. The Board determined that therefore

there was no need for executive session, voted to exit executive session, and at 7:15 p.m. voted to adjourn the meeting.

18. Adjournment of Meeting

DRAFT