



**Regular Session of the
Niagara Falls Water Board
July 30, 2018 5:00 PM at
Michael C. O’Laughlin Municipal Water Plant**

1. Attendance and Preliminary Matters

- a. Forster P Kimble P Larkin P Leffler P O’Callaghan P
- b. Letters and Communications
- c. 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)

John Koury, Lou Fratello & Vincenzo Velasco spoke on behalf of the NFWB outside water department.

John Koury would like to show his gratitude to the NFWB as a new employee.

Lou Fratello questioned whether there were plans for a pay increase. There has been ongoing dialogue about pay rates which are pursuant to the collective bargaining agreement, and Mr. Forster recommends that Mr. Fratello discuss this matter with his union.

Vincenzo Velasco also spoke, and is seeking higher pay. Mr. Velasco states he is convinced that employees will continue to quit if they do not receive an increase in their pay.

Public commenter Tim Heuther asked about approval of a \$10,000 expense that he understood was for advertising on the Niagara Falls Reporter, and believes this amount of money can be better spent somewhere else.

Mr. Forster explains that the Executive Director, Rolfe Porter, has been authorized to continue a public communications campaign using print ads, and is authorized to spend up to \$10,000 on any publication he deems necessary; not specifically the Niagara Reporter. More, appropriating the funds does not necessarily mean that they will be spent.

Dasmen Cary is seeking assistance with his high water bill. Mr. Cary states he owns over 20 properties in the city of Niagara Falls but is speaking today about his duplex property located at 923 Fairfield Ave. Mr. Cary states he was informed he has leaks in his home, causing his increase in water consumption. Mr. Cary explains he repaired the leaks and still experienced high water bills. Mr. Cary has completed a bill adjustment form, and it was recommended that an employee from the meter shop evaluate Mr. Cary's water meter.

Approval of Minutes from June 25, 2018

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

2. Executive Director

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. Consent order
 - i. Draft Q2 report
 - ii. GHD consent order support
 - iii. AECOM consent order support
- b. Outreach/PR
 - i. Media day Martin Group - Highlighting accomplishments

Mr. Porter believes the NFWB received fair and informative media coverage after inviting the press to the Wastewater Treatment Plant (WWTP).

- c. Vanguard Report

Mr. Forster states this was a very extensive report that helped highlight areas for improving. Mr. Porter agrees and explains we will discuss the safety portion at the September board meeting and the I.T. portion at the October board meeting.

Mr. Forster states he is pleased that the NFWB now meets Homeland Security guidelines that have not been met in quite some time; specifically the access gates and lighting at the WWTP that are now fully functional.

Mr. O'Callaghan shows gratitude to all of the employees for their hard work and dedication.

- d. Grants Update
 - i. Draft GHD Engineering Report – WWTP and GPS Rehabilitation
- e. SPAR 3D
- f. Request for Proposal for WWTP Projects
 - i. Scope of Work

g. Five-year Capital Plan and Bond Information

Mr. Porter states there have been no further changes made to the NFWB 5 year capital improvement plan. Mr. Porter also states that the NFWB had not received any further direction from NYS regarding State funds. Engineering reports regarding WWTP and GPS rehabilitation are not due until September 2018.

Ms. Kimble questions the new software for the camera truck and whether there will need to be additional upgrades. Mr. Drury explains upgrades will be needed approximately every 3 years. Ms. Kimble states she would like to see a better investigation of technology upgrade requirements moving forward.

Mr. O'Callaghan states he would like to have the I.T. department evaluate such purchases in the future to avoid equipment that will need frequent upgrades.

3. Director of Operations

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. Upgrade of camera truck software resolution \$20K
- b. NAASCO training
- c. Vanguard Security – Disposition Relative to Recommendations

II. Chemical Tank Removal at WWTP

Mr. Drury states there are currently 4 large chemical tanks located at the WWTP that have not been utilized in the past 25+ years.

Mr. Drury explains the cost to remove the tanks will be approximately \$45,000, with a demolition cost of approximately \$85,000, and a total cost not expected to exceed \$150,000.

Mr. Forster questions Mr. Porter as to why he thinks the tanks were not removed years ago.

Mr. Porter states he believes the issue was due to cost.

Mr. Drury states once the chemical tanks have been removed, they will begin the removal of the railroad tracks at the WWTP. The relocation of the drying beds will also be discussed.

Lastly, Mr. Drury states he will continue to be on top of inventory control. Knowing exactly what materials we have in any particular location.

4. Superintendent

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. Private Fire hydrant update.
- b. NFWB Fire Hydrant update.
- c. Valves GPS program.

Mr. Wright states 94 hydrants have been flushed for a total of 847, 101 have been flow tested for a total of 545 and 96 have been painted for a total of 925 since early spring.

Mr. Wright explains that all hydrants owned by the NFWB have been properly GPS'd.

Mr. Wright states the NFWB owned fire hydrants have now begun to be color coded; red and blue to indicate available gallons per minute.

Mr. Forster and Mr. O'Callaghan show their gratitude for all of the hard work that has been done.

Mr. Forster shows specific gratitude to Mr. Eagler, stating he was instrumental in this process by assisting with the purchase of the necessary equipment needed to complete these projects.

5. Engineering

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. National Grid Annual Savings Report

No further questions or concerns were asked at this time.

6. Personnel Items

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. Personnel Actions and Reports
 - i. General Merchandise and Material Control Specialist
 - ii. Records Retention Control Specialist
- b. Organization Chart

Motion by Mr. Forster and seconded by Ms. Larkin to approve the proposed position of general merchandise and material control specialist.

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

Motion by Mr. Forster and seconded by Ms. Kimble to approve the proposed position of records retention control specialist.

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

7. Information Technology (IT) Dept.

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. Verizon One Talk Presentation

No further questions or concerns were asked at this time.

8. Financial Reports

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. NFWB Bank Accounts
- b. Budget Monitoring Expenses – June
- c. July 20, 2018 Payment Listing
- d. Credit Card Report
- e. Bank on Buffalo Transition Update
- f. Finance Department Handout

The Director of Financial Services was not present for the meeting. Mr. Forster states he nonetheless would like to discuss the hiring of a forensic accountant for a limited assignment. This topic was brought up for discussion during the NFWB's in-house financial committee meeting. Mr. Forster would like to gain support from the board members in order to identify where certain money was deposited and to verify the restrictions on the use of certain funds. Because the NFWB did not have a Director of Finance for over six months back in 2016 and early 2017, some information has not been easy to locate.

9. Reports

- a. O&M Report
- b. Safety

Mr. Forster states he would like the safety of working conditions to be evaluated regarding the operators performing work in the basins at the WWTP.

Ms. Senia states the horizontal life lines have been evaluated.

10. General Counsel and Secretary

I. Questions or Comments on the Following Items Discussed during July 23 Work Session (if any):

- a. T-Mobile – Request for Expansion of Lease Space at 56th St. Water Tank

Environmental survey to be completed on August 2nd; Jay from CPL has been in touch with consultants and is developing further information to share with the board.

Mr. Costello explains that board approval will be needed for the lease of the space per resolution.

- b. *Janus v. ASFCME* – Impact on NFWB
 - i. Department of Labor Guidance
 - ii. Department of Labor FAQ
- c. American Water Resources Water and Sewer Line Protection Program Partnership

II. New Items

- a. NY Alerts Regarding Sewer Overflows
 - i. Sign up without a NY.gov Account
 - ii. Sign up with a NY.gov Account
- b. Twitter Page - https://twitter.com/NFWB_Official

No further questions or concerns were asked at this time.

11. From the Chairman

There is nothing new from the chairman at this time.

12. Resolutions

- a. **RESOLUTION 2018-07-001 -- AUTHORIZING PURCHASE OF HARDWARE AND SOFTWARE TO ENHANCE CAMERA TRUCK CAPABILITIES**
- i. **Supporting Document: Cyncon Pipelogix Quote**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

- b. **RESOLUTION 2018-07-002 -- AWARD BID FOR SEWER LINE CHEMICAL ROOT CONTROL**
- i. **Award Recommendation Memorandum**
- ii. **Bid Tally Sheet**

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

- c. **RESOLUTION 2018-07-003 -- AUTHORIZING PURCHASE OF HARDWARE AND SERVICES TO UPGRADE TO VERIZON ONE TALK PHONE SYSTEM**
- i. **Verizon One Talk Service Quote**
- ii. **Connected Solutions Hardware and Installation Quote**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

- d. **RESOLUTION 2018-07-004 -- AUTHORIZING FUNDS FOR GHD TO PERFORM WORK REQUIRED BY CONSENT ORDER**
- i. **GHD's June 27, 2018 Proposal**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

e. **RESOLUTION 2018-07-005 – SEQRA NOTICE LEAD AGENCY DESIGNATION AND DETERMINATION OF SIGNIFICANCE FOR THE NIAGARA FALLS WATER BOARD BEECH AVE WATER TANK IMPROVEMENTS**

- i. Full EAF Part 1
- ii. Full EAF Part 2
- iii. Full EAF Part 3
- iv. Copy of Resolution 2018-02-20
- v. Letters from Interested Agencies
- vi. Water Tank Study

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

f. **RESOLUTION 2018-07-006 -- ADOPTING FIVE YEAR CAPITAL PLAN**

- i. **Proposed Five Year Capital Plan**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

g. **RESOLUTION 2018-07-007 -- REQUIRING WEEKLY STAFF REPORTS TO BOARD MEMBERS**

Motion by Mr. O'Callaghan and seconded by Mr. Forster to table.

Forster_Y_Kimble_Y_Larkin_N_Leffler_N_O'Callaghan_Y_

Motion was tabled 3-0

h. **RESOLUTION 2018-07-008 -- DIRECTING STAFF TO REQUEST PROPOSALS FOR FORENSIC ACCOUNTING SERVICES**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was tabled 5-0

i. **RESOLUTION 2018-07-009 -- SETTING WILLIAM WRIGHT'S SALARY AFTER SIX-MONTH CONTRACTUAL REVIEW**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

j. **RESOLUTION 2018-07-010 -- PURCHASE OF HYDRAULIC GUILLOTINE CUTTER WITH SAFETY FUNDS**

i. **E.H. Wachs Quote**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

k. **RESOLUTION 2018-07-011 -- REQUIRING IT DEPARTMENT REVIEW OF PURCHASES FOR POSSIBLE INTEGRATION WITH WATER BOARD SYSTEMS**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

l. **RESOLUTION 2018-07-012 -- ADOPTING NYS DEPARTMENT OF LABOR GUIDANCE REGARDING JANUS CASE**

i. **Department of Labor Guidance**

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

m. **RESOLUTION 2018-07-013 -- AUTHORIZING SETTLEMENT AGREEMENT WITH JONI CIMINO**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

n. **RESOLUTION 2018-07-014 -- STRATUS SERVER MIGRATION SERVICES**

i. **Applied Sciences Group, Inc., Proposal**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

o. **RESOLUTION 2018-07-015 -- AWARDED CONTRACT FOR SANITARY SEWER MANHOLE REPLACEMENT PROJECT AT 66TH STREET AND GIRARD AVENUE**

i. **4th Generation Construction, Inc., Proposal**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

p. **RESOLUTION 2018-07-016 -- AUTHORIZING LIFT STATION SCADA CONTROL**

i. **Proposal and Estimates**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

q. **RESOLUTION 2018-07-017 -- AUTHORIZING FUNDS TO PROCURE TWO ADDITIONAL SETS OF SEDIMENTATION BASIN SCRAPER BLADES**

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

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

13. Unfinished Business

Basin #5 has been repaired; waiting on permission from the DEC to put basin #5 back online.

Mr. O'Callaghan states he would like to see a better procedure put in place for managing purchase orders.

Mr. Porter states the hydraulic study should be complete next year; due to the number of fire hydrants that still need to be flowed in the city. 20% of each zone is needed to be flowed.

14. New Business & Additional Items for Discussion

There was no new business discussed at this time.

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

i. Update regarding litigation

(Additional topics only if required and announced during the meeting.)

Motion by Ms. Larking and seconded by Ms. Leffler to enter into executive session at 7:36 p.m.

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0

[a short break was had prior to proceeding with the executive session]

16. Adjournment of Meeting

Motion by Ms. Larkin and seconded by Ms. Kimble to adjourn the meeting at 7:52 p.m.

Forster_Y_Kimble_Y_Larkin_Y_Leffler_Y_O'Callaghan_Y_

Motion was carried 5-0