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**Regular Session of the
Niagara Falls Water Board
December 17, 2018 5:00 PM at
Michael C. O’Laughlin Municipal Water Plant**

1. Attendance and Preliminary Matters

- a. Forster ___Kimble ___ Larkin___ Leffler___ O’Callaghan___
- b. Letters and Communications
- c. Public Comment (All speakers must register with the Chairperson prior to roll call and are limited to three minutes per person – total time for all speakers may not exceed one hour)
- d. Approval of Minutes from November 26, 2018

2. Executive Director

3. Director of Operations

4. Superintendent

5. Engineering

6. Personnel Items/Director of Administrative Services

7. Information Technology (IT) Dept.

8. Financial Reports – Director of Financial Services

9. Reports

- a. Questions Regarding O&M Report for November (if any)
- b. Safety

10. General Counsel and Secretary

11. From the Chairman

12. Resolutions

**A-1-2018-12-001 -- BUDGET MODIFICATION TO ADDRESS
CALCULATION ERROR WITH RESPECT TO PERSONNEL COSTS**

**A-2-2018-12-001 -- BUDGET MODIFICATION TEMPORARY
PART-TIME DOCUMENT COORDINATOR**

**A-3-2018-12-001 – BUDGET MODIFICATION PART-TIME
ASSOCIATE COUNSEL**

2018-12-001 -- ADOPTING 2019 BUDGET

**2018-12-002 – ESTABLISHING RATES, FEES, AND OTHER CHARGES
EFFECTIVE JANUARY 1, 2019**

- a) Schedule A – Revised Rates, Fees, and Other Charges

**2018-12-003 – ESTABLISHING HAULED WASTE CHARGES
EFFECTIVE JANUARY 1, 2019**

**2018-12-004 – TOWN OF NIAGARA CHARGES EFFECTIVE
JANUARY 1, 2019**

- a) December 3, 2014 Agreement between NFWB and Town

**2018-12-005 – EXERCISING SECOND YEAR OPTION FOR
EFPR GROUP LLP TO PERFORM ANNUAL EXTERNAL AUDIT FOR
YEAR ENDING DECEMBER 31, 2018**

- a) February 13, 2018 Proposal

**2018-12-006 -- 2019 CLARK PATTERSON LEE PROFESSIONAL
SERVICES AGREEMENT**

- a) November 29, 2018 Proposal

**2018-12-007 -- AWARD BID FOR DEMOLITION OF CHEMICAL TANKS
AT WASTEWATER TREATMENT PLANT**

2018-12-008 -- EXPANDING BILL PAYMENT OPTIONS

**2018-12-009 -- AUTHORIZING SETTLEMENT AGREEMENT WITH
JAMIL AHMED**

13. Unfinished Business

14. New Business & Additional Items for Discussion

15. Executive Session (if needed)

16. Adjournment of Meeting



**Regular Session of the
Niagara Falls Water Board
November 26, 2018 5:00 PM at
Michael C. O’Laughlin Municipal Water Plant**

1. Attendance and Preliminary Matters

The meeting was called to order at 5:00 p.m.

a. Forster *P* Kimble *P* Larkin **P* Leffler *absent*
O’Callaghan *P*

**Board member Colleen Larkin arrived at 5:08 p.m.*

b. Letters and Communications

There were no letters and/or communications to discuss at this time.

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

Jamil Ahmed spoke regarding his water bill that was obtained at his rental property located at 1162 North Ave. Niagara Falls, NY 14304. Mr. Ahmed stated that he paid his water bill in full, for the amount of \$481.42 in order to avoid any further penalties, but did not feel the bill was fair because there was no meter in the property when he purchased it. Mr. Ahmed explained that he contacted the NFWB regarding this matter and was advised to speak in front of the board members in order to obtain a possible reimbursement.

Terri Kline spoke regarding the potential 2.0% rate increase for 2019. Ms. Kline explained that she is a concerned Niagara Falls resident who believes the rate payers already pay too much money yearly for their water supply.

Kenny Tompkins, Councilman in the City of Niagara Falls also spoke on the potential 2.0% rate increase. Mr. Tompkins suggested exploring areas where additional costs can possibly be reduced in order to try and reduce the 2.0% increase.

d. Approval of Minutes from October 29, 2018

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2. Executive Director

Mr. Forster is seeking further clarification regarding the anticipated cost for chemicals in 2019.

Mr. Porter explains that the total amount spent on chemicals (polymer and ferric chloride) is expected to double in that fiscal year, because prices increased and more chemicals are being used to improve treatment.

Mr. Forster would like to show his appreciation to the NFWB staff that has played a role in the turnaround regarding the NFWB wastewater treatment plant. Mr. Forster would like to express his gratitude for the tremendous job the staff has done in ensuring that the plant is fully operational for the first time in over 20 years.

3. Director of Operations

There was nothing new to discuss from the Director of Operations at this time.

4. Superintendent

a. Third Meter Data Collector

Mr. Wright would like to clarify the purpose of obtaining a third data collector for the NFWB meter shop is for efficiency and back-up purposes, not for billing purposes at this time, because more review is needed prior to being in a position to change billing practices.

There were no further questions from the board at this time.

5. Engineering

a. WWTP FEMA Project Funding Update

Mr. Williamson provided an update on the WWTP FEMA project funding.

Mr. Williamson states he is currently waiting on design completion.

Mr. Forster questions if the suggested work will be sent out as a request for proposal.

Mr. Williamson confirms.

Mr. O'Callaghan tasks Mr. Williamson with obtaining all of the updated information regarding the WWTP FEMA project funding.

There were no further questions from the board at this time.

6. Personnel Items/Director of Administrative Services

a. Staff Requested:

**Motion to Approve Personnel Actions and Report dated
November 26, 2018.**

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

7. Information Technology (IT) Dept.

There was nothing new from information technology to discuss at this time.

8. Financial Reports – Director of Financial Services

- a. Draft Leadership Recommended 2019 Budget
- b. Draft Leadership Recommended 2019 Rates, Fees, and Other Charges

The Board discussed the leadership recommended budget, rates, and fees. The proposed 2.0% rate increase would translate to an additional \$1.97 per quarter or \$7.88 per year for the average household that receives a minimum bill.

Per Ms. Walker, driving the need for an increase is chemical cost increases, increases in sludge disposal costs, increase in wages per collective bargaining agreement and in order to retain workers in competitive environment. In addition, increases in health insurance, retiree benefits, and updates to IT platform including phones.

Ms. Kimble notes NFWB must have funds to pay for mandatory upgrades to wastewater treatment plant pursuant to consent order with DEC.

Mr. Forster requested reevaluation of reduction in budgeted funds for training. Ms. Kimble and Ms. Larkin note that the Director of Administrative Services is preparing an internal training program that will not cost the Water Board extra money.

Ms. Walker provided information regarding some of the “undesigned” budget lines and the types of expenses that would be charged to these lines.

Motion to advance the 2019 leadership proposed budget as the Board’s proposed budget and to schedule a hearing on the 2019 rates, fees, and other charges for December 10, 2018 by Mr. Forster and seconded by Ms. Larkin.

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O’Callaghan __Y__

Motion was carried 4-0

Per Ms. Kimble’s request, copies of the proposed budget, rates, and fees will be placed in the public libraries. The Board further directed that these be uploaded to the website.

9. Reports

- a. Questions Regarding O&M Report for October (if any)
- b. Safety

Ms. Senia spoke regarding the recent routine maintenance that was completed at the Falls St. tunnel. Ms. Senia explains the safety aspect of that process was well thought out with a lot of pre-planning; could not be more pleased with the outcome.

10. General Counsel and Secretary

There was nothing new to be discussed from General Counsel at this time.

11. From the Chairman

There was nothing new to be discussed from the Chairman at this time.

12. Resolutions

2018-11-001 – AWARDING BID FOR CHEMICALS FOR WATER AND WASTEWATER TREATMENT PLANTS

a. November 5, 2018 Memorandum and Bid Tally

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-002 – AUTHORIZING SETTLEMENT OF LITIGATION WITH NATIONAL GRID OVER DAMAGE TO SWITCHGEAR LOCATED NEAR 300 – 3RD STREET

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-003 – REPAIRS TO CHEMICAL STORAGE TANK 216

a. An-Cor DKG Quote No. 180489, November 12, 2018

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-11-004 – REPAIR OF WASTEWATER TREATMENT PLANT
18 INCH WET WELL VALVE**

a. Mollenberg-Betz Quote No. HJ2018-140, October 31, 2018

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-10-005 – ADDING ADDITIONAL LIFT STATION SCADA
FUNCTIONALITY**

a. Zeller AC&E Proposal No. 181338, November 6, 2018

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-006 – 2019 MEETINGS

a. Working Session and Regular Meeting Schedule

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-10-007 – AWARDING BID FOR GRANULATED ACTIVE CARBON
SUPPLY AND REMOVAL**

b. November 16, 2018 Memorandum and Bid Tally

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-11-008 -- ACCEPTING \$2,760,000 NYS WATER INFRASTRUCTURE
IMPROVEMENT ACT GRANT**

a. Grant Acknowledgement and Acceptance Letter

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-11-009 – AUTHORIZING CONTRACTUAL ASSISTANCE –
GRADE 4 LICENSE**

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-11-010 -- AUTHORIZING PROCUREMENT OF MOBILE
METER DATA COLLECTOR APPARATUS**

a. Equipment and Installation Quotes

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-011 – 2019 COMMUNICATIONS SERVICES

Motion by Ms. Larkin and seconded by Mr. O'Callaghan to approve.

Forster __N__ Kimble __N__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion failed, 2-2.

**2018-11-012 – AUTHORIZING SETTLEMENT AGREEMENT WITH
RONALD CUNNINGHAM**

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-11-013 -- AUTHORIZING SETTLEMENT AGREEMENT WITH
JABRIL SHAREEF**

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

**2018-11-014 -- AUTHORIZING SETTLEMENT AGREEMENT WITH
TAMAR SKRLIN**

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-015 – AWARD BID FOR PICKUP, HAULING, AND DISPOSAL OF ALUMINUM-BASED RESIDUALS FROM WATER TREATMENT PLANT

a. November 21, 2018 Award Recommendation Letter and Bid Tally

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-016 -- VEHICLE MARKING AND GPS TRACKING

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

Forster __N__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 3-1

2018-11-017 -- MOTOR VEHICLE USE POLICY

a. Draft of Board Adopted Motor Vehicle Use Policy

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

Forster __N__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 3-1

WALK-ON RESOLUTIONS (Prepared after resolution deadline):

Motion by Ms. Kimble and seconded by Ms. Larkin to consider walk-on resolutions 2018-11-018 and 2018-11-019.

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-018 – AUTHORIZING EXECUTION OF DOCUMENTS NECESSARY TO PROCEED WITH \$13,500,000 STATE AND MUNICIPAL FACILITIES PROGRAM GRANT: PHASE I – UPGRADE AND IMPROVE THE NIAGARA FALLS WASTEWATER TREATMENT PLANT

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O'Callaghan __Y__

Motion was carried 4-0

2018-11-019 – AUTHORIZING EXECUTION OF DOCUMENTS NECESSARY TO PROCEED WITH \$6,500,000 STATE AND MUNICIPAL

**FACILITIES PROGRAM GRANT: PHASE II – UPGRADE AND
IMPROVE THE NIAAGRA FALLS WASTEWATER TREATMENT
PLANT**

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

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O’Callaghan __Y__

Motion was carried 4-0

13. Unfinished Business

*Mr. Forster questions the metering of the fire loops throughout the City of
Niagara Falls.*

*Mr. Wright states an inspection is needed in order to determine the status of backflow
preventers at each property with a fire service; we will also need to determine what we
currently have in place. Mr. Wright explains this is an expensive, yet simple device.*

*Mr. O’Callaghan states he would like to see monthly meetings, with all department
heads, be conducted on a routine basis.*

14. New Business & Additional Items for Discussion

There was no new business to discuss at this time.

15. Executive Session

None.

16. Adjournment of Meeting

A motion by Ms. Kimble and seconded by Ms. Larkin to adjourn at 6:40 p.m.

Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__ O’Callaghan __Y__

Motion was carried 4-0

NIAGARA FALLS WATER BOARD RESOLUTION # A-1-2018-12-001

**BUDGET MODIFICATION
TO ADDRESS CALCULATION ERROR WITH RESPECT TO PERSONNEL COSTS**

WHEREAS, the Niagara Falls Water Board's Proposed 2019 Budget figures were calculated based on data that omitted the personnel cost of a Union employee with the job title "administrative assistant;" and

WHEREAS, Water Board leadership did not intend to recommend that the Board eliminate funds for that position from the 2019 budget, and recommend that the Proposed 2019 Budget be amended as set forth below to correct these calculations, with a corresponding reduction in the unallocated Water and Sewer Fund revenues;

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board 2019 Budget is amended as follows:

INCREASE APPROPRIATIONS:

8310.0001.0110.000 Water Admin. Biweekly Payroll: \$23,400.59

8110.0001.0110.000 Wastewater Admin. Biweekly Payroll: \$23,400.59

AND IT IS FURTHER RESOLVED, that the Director of Financial Services is hereby authorized to make such minor adjustments to the 2019 Proposed Budget as are required to properly adjust for any benefits or other costs associated with this position at the above payroll amount, with said adjustments reducing the unallocated Water and Sewer Fund revenues by a corresponding amount.

Water Board Staff Responsible for Implementation of this Resolution:
Director of Financial Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board

**BUDGET MODIFICATION
TEMPORARY PART-TIME DOCUMENT COORDINATOR**

WHEREAS, the Niagara Falls Water Board has engaged an individual in the temporary position of Document Coordinator to address the proper classification, retention, digitization, and as applicable disposal of over two hundred thousand pages of documents, accumulated over decades (including records transferred from the City of Niagara Falls) that now occupy substantial space in the Water Board's water and wastewater treatment plants; and

WHEREAS, this temporary position is needed in order to address records transferred from the City of Niagara Falls on formation of the Water Board and because the Water Board previously failed to implement and adhere to appropriate document control, retention, and disposal practices; and

WHEREAS, the Director of Administrative Services previously estimated that this work could be completed by December 31, 2018, but the scale, scope, and complexity of the project exceed initial estimates and the temporary position of Document Coordinator remains necessary in 2019; and

WHEREAS, the Director of Administrative Services has proposed that this temporary position be filled on a part time basis at a maximum of 20 hours per week, without benefits; and

WHEREAS, a review of 2018 overtime figures indicates that the 2019 overtime budget is expected still to be sufficient if decreased to fund the part-time Document Coordinator position;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board Proposed 2019 Budget is amended as follows in order to include an appropriation for the part time position of Document Coordinator:

INCREASE APPROPRIATIONS:

8310.0001.0130.000 Water Admin. Temp. Payroll: \$10,920

8110.0001.0130.000 Wastewater Admin. Temp. Payroll: \$10,920

DECREASE APPROPRIATIONS:

8330.0100.0140.000 Purification Ops. Overtime: \$10,920

8130.0100.0140.000 Sewage Trtmt/Disposal Ops. Overtime: \$10,920

Water Board Staff Responsible for Implementation of this Resolution:

Director of Financial Services

Director of Administrative Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board

**BUDGET MODIFICATION
PART-TIME ASSOCIATE COUNSEL**

WHEREAS, to improve Niagara Falls Water Board operations and compliance and to handle a wide variety of the legal matters involving the Water Board, it followed the precedent of many municipal entities and public authorities and created an in-house legal department in 2018; and

WHEREAS, the Legal Department consists of a General Counsel who has been supplemented by a single temporary part-time Associate Counsel to assist with pending matters and to provide backup or coverage where needed, as a backlog of matters are addressed and forms and processes are developed in order to improve Legal Department efficiency; and

WHEREAS, Associate Counsel is familiar with Water Board operations and legal needs, and services rendered by the Associate Counsel, part time and without benefits, are less costly than retaining an outside law firm; and

WHEREAS, the proposed 2019 budget does not include funds for a temporary Associate Counsel to continue work, but budgeted funds for attorney services may be reduced by the appropriation under temporary payroll required for an Associate Counsel;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board's Proposed 2019 Budget is amended as follows in order to include an appropriation for the temporary part time position of Associate Counsel:

INCREASE APPROPRIATIONS:

8310.0001.0130.000 Water Admin. Temp. Payroll: \$30,000

8110.0001.0130.000 Wastewater Admin. Temp. Payroll: \$30,000

DECREASE APPROPRIATIONS:

8310.0001.0454.000 Attorney Services: \$30,000

8110.0001.0454.000 Attorney Services: \$30,000

Water Board Staff Responsible for Implementation of this Resolution:

Director of Financial Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board

NIAGARA FALLS WATER BOARD RESOLUTION # 2018-12-001

ADOPTING 2019 BUDGET

WHEREAS, the Niagara Falls Water Board has prepared and carefully considered a Proposed 2019 Budget that endeavors accurately to reflect its anticipated revenues, the allocations of its reserves and fund balances, its anticipated appropriations, and its liabilities and expenses of all types; and

WHEREAS, the Water Board budgets separately for its Water Fund and Sewer Fund;

NOW THEREFORE BE IT

RESOLVED, that that the Niagara Falls Water Board's Proposed 2019 Budget, as amended by any resolution heretofore duly adopted on December 17, 2018, is hereby adopted; and

IT IS FURTHER RESOLVED, that the Niagara Falls Water Board's 2019 Water Fund Budget sets forth the Water Board's appropriations for operating the Water Treatment and Distribution System;

AND IT IS FURTHER RESOLVED, that the Niagara Falls Water Board's 2019 Sewer Fund Budget sets forth the Water Board's appropriations for operating the Water Board's Wastewater Treatment and Collection System.

Water Board Staff Responsible for Implementation of this Resolution:
Director of Financial Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board

NIAGARA FALLS WATER BOARD RESOLUTION # 2018-12-002

ESTABLISHING RATES, FEES, AND OTHER CHARGES EFFECTIVE JANUARY 1, 2019

WHEREAS, the Niagara Falls Water Board (“Water Board”) is authorized pursuant to the Public Authorities Law of the State of New York, Section 1230-j, after holding a public hearing, to set rates, fees, and other charges for all persons served by the water, wastewater, and storm water facilities of the Water Board; and

WHEREAS, the Water Board published a Notice of Public Hearing on November 30, 2018, and conducted a public hearing on December 10, 2018, whereby interested persons were provided with an opportunity to review and comment on the Board’s proposals for such rates, fees and other charges; and

WHEREAS, the Water Board has considered the comments of the persons appearing at the public hearing, and upon due consideration thereof and of other relevant factors in the calculation of fees, rates, and other charges applicable to all users of the System, the Water Board is prepared to adopt the Schedule of Rates, Fees and Charges attached hereto as Schedule A; and

WHEREAS, the attached Schedule of Rates, Fees and Charges has been calculated, in part, based upon a budget that the Water Board has considered for the anticipated revenue and expenses to operate, maintain, and keep in repair the System for the calendar year 2019;

NOW, THEREFORE, be it resolved as follows:

1. The Water Board does hereby establish, approve, and adopt the attached Schedule of Rates, Fees, and Charges for all persons, commercial, and industrial users served by the System on or after January 1, 2019, and for all billings thereafter attributable to such service and use of the System; and

2. The Chairman is authorized to prepare, file, and publish such Notice of Proposed Adoption, Notice of Adoption, Certification, and any other instrument required to amend the New York Code of Rules and Regulations with respect to the schedule of rates, fees, and charges adopted by the Board.

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O’Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O’Callaghan, Chairperson

Sean W. Costello, Secretary to Board

STATE OF NEW YORK)
COUNTY OF NIAGARA) SS.:

I, the undersigned Secretary of the Niagara Falls Water Board (the "Board"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Board, including the resolution contained therein, held the 17th day of December, 2018 with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of said board had due notice of said meeting, (B) said meeting was duly held, (C) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7 and (d) there was a quorum of the members of the Board present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of December, 2018.

Sean W. Costello
Secretary of the Board

Sworn to before me this
18th day of December, 2018.

Notary Public

SCHEDULE A

21 NYCRR 1950.15

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 21. MISCELLANEOUS CHAPTER XXX. NIAGARA FALLS WATER BOARD PART 1950. WATER REGULATIONS

Section 1950.15. Charges for fire protection.

(a) Except where fire flows are metered together with normal water service to a water customer, no charge shall be made for the actual use of water for fire protection purposes. Availability charges for fire protection shall be as hereinafter set forth.

(b) The availability charge for each public fire hydrant inside the city boundary shall be \$103.00 per year, payable by the city fire department to the water board.

(c) the availability charge for each public fire hydrant located outside the city boundary shall be \$150 per year, payable in advance to the water board.

(d) The availability charge for service to private fire protection services inside the city boundary shall be the annual amounts as identified in the board schedule of rates, payable in advance, based on the nominal diameter of each service at its point of connection to the water board main.

(e) The availability charge for service to private fire protection services located outside the city boundary shall be 200 percent of the fee chargeable for similar service inside the city boundary.

(f) The requirement that meters shall be installed on all service branches shall be waived in the case of service branches intended for fire protection only. However, a detector check valve is required on fire protection lines.

(g) Water may not be used from service that has a detector check valve, except for fire protection.

(h) A detector check valve to indicate when water has been used shall be installed on all fire services in a building with 10 or more rooms rented or hired out to be occupied for sleeping purposes.

(i) Plans for fire protection installations in multiple dwellings must be approved by the city building inspector and the city fire department before approval by the director.

(j) All fire protection branches must be provided with a valve between the street main and the building or private fire line supplied with water.

(k) The water board shall place its seal upon any opening or valve connected with or to any fire protection service branch to seal such valve either open or closed.

(l) When a water board seal is broken, either accidentally or in order to obtain water for fire protection, the director must be notified immediately by the person breaking the seal or by any employee of the water board having knowledge thereof. A new seal will then be set and so recorded.

TITLE 21. MISCELLANEOUS
CHAPTER XXX. NIAGARA FALLS WATER BOARD
PART 1950. WATER REGULATIONS

Section 1950.20. Schedule of rates, fees and charges.

(a) This schedule sets forth the rates, fees and other charges applicable to the provision of water supply, wastewater and related services by the Niagara Falls Water Board to all property owners, users and other persons as of January 1, 2018. All property owners, users and other persons who receive services from the water board shall pay to the water board the rates, fees and charges set forth in this schedule.

(b) the following rates shall be charged and collected for the use of water within the city, supplied by the water board as hereby fixed and established:

First 20,000 cu. ft. per quarter, ~~[\$3.35]~~ \$3.42 per 100 cu. ft.
Next succeeding 60,000 cu. ft. per quarter, ~~[\$2.90]~~ \$2.96 per 100 cu. ft.
Next succeeding 120,000 cu. ft. per quarter, ~~[\$2.46]~~ \$2.51 per 100 cu. ft.
Over 200,000 cu. ft. per quarter, ~~[\$2.04]~~ \$2.08 per 100 cu. ft.

The minimum charge for water consumed in any premises within the city for any quarter or portion thereof shall not be less than ~~[\$43.53]~~ \$44.40.

(c) The following rates shall be charged and collected for the use of water outside the city for residential and commercial purposes supplied by the water board as hereby fixed and established:

First 20,000 cu. ft. per quarter, ~~[\$8.95]~~ \$9.13 per 100 cu. ft.
Next 60,000 cu. ft. per quarter, ~~[\$7.81]~~ \$7.97 per 100 cu. ft.
Next succeeding 120,000 cu. ft. per quarter, ~~[\$6.51]~~ \$6.64 per 100 cu. ft.
Over 200,000 cu. ft. per quarter, ~~[\$5.48]~~ \$5.59 per 100 cu. ft.

The minimum charge for water consumed in any premises located outside the city for domestic purposes for any quarter or portion thereof shall not be less than ~~[\$116.35]~~ \$118.68.

(d) Water used for testing fire hoses, filling tanks, swimming pools, testing sprinkler systems, and like use shall be billed at the highest residential unit rate enumerated in subdivision (b) of this section. The amount used may be either estimated in accordance with the size of the pipe through which taken at the pressure furnished, or determined by the use of a temporary meter rented to the user by the water board. The use of the latter method shall be at the discretion of the director and may require a refundable deposit.

(e) Use of hydrant for any purpose whatsoever shall be subject to a rental charge of \$1.50 per day or partial day.

(f) The cost of hydrant use will include a fee of \$35.00 for backflow device certification, payable at the time of hydrant use application. In addition, daily hydrant and meter rental rates and security deposit amounts shall be established by the director based upon the real cost to the water board.

(g) In addition to the above schedule rates for water consumed there shall be assessed a demand charge for each user's meter as set forth below.

Size and Type	Charge Per quarter
Under 1" Disc	\$3.70
1" Disc	\$25.00
1½" Disc	\$30.00
2" Disc	\$40.00
2" Compound	\$40.00
3" Compound	\$50.00
4" Compound	\$100.00
6" Compound	\$220.00
8" Compound	\$250.00
10" Compound	\$275.00
12" Compound	\$400.00

(h) The rates set forth in this section, however, shall not apply to any user of water with whom there is now outstanding a valid and binding contract with the city and/or water board to supply water at a rate different than the rates stated in this schedule, or to users obtaining water service from the Village of LaSalle prior to May 4, 1927.

(i) In the event the water board or the director terminates water supply service to any property owner or user, such property owner, user or users located at such property shall pay a reactivation fee in the amount of \$75.00 to the water board prior to the supply of water.

(j) There shall be small meter testing charge of \$100.00 for the bench testing of any meter less than two inches in size.

(k) An account reactivation charge of \$100.00 shall be applied whenever a meter is re-installed and an account reactivated.

(l) The water board shall charge a \$25.00 final read fee for all owner requested meter reads.

(m) A hydrant flow test charge shall be applied whenever an owner, user or his agent requests a hydrant flow test.

(n) The annual availability charge for private fire protection service shall be:

Diameter of Service Connection	Annual Fee
2" or less	\$66.00
3"	\$95.00
4"	\$168.00
6"	\$380.00
8"	\$670.00
10"	\$1,050.00
12"	\$1,510.00

(o) A backflow submittal fee of \$25.00 shall be charged for all backflow plans submitted to the water board for approval and forwarding to the State Health Department.

(p) There shall be a \$120.00 inspection fee for each request for a cross-connection inspection.

(q) In addition to the above rates, fees and charges, the following rates shall apply to all users with respect to sewer or wastewater services prescribed in the water board's wastewater regulations in Part 1960 of this Title. There shall be two user classes as provided in Part 1960 of this title, to wit: commercial/small industrial/residential users (CSIRU) and significant industrial users (SIU).

(1) CSIRU. Sewer rates for the CSIRU class are determined by total metered water consumption in each quarter. The schedule of quarterly charges for the CSIRU class shall be as follows:

SCHEDULE I

Minimum charge per quarter: ~~[\$57.64]~~ \$58.79 with a usage allowance of up to 1,300 cubic feet

Additional usage in excess of 1,300: ~~[\$4.43]~~ \$7.97 per 100 cubic feet

The following rates shall be charged and collected for the use of sewer outside the city for residential and commercial purposes as determined by total metered water consumption per quarter. The schedule of quarterly charges for the users outside the city shall be as follows:

Minimum charge per quarter: ~~[\$154.42]~~ \$157.51 with a usage allowance of up to 1,300 cubic feet

Additional usage in excess of 1,300: ~~[\$11.87]~~ \$12.11 per 100 cubic feet

(2) SIU.

(i) Conventional pollutant parameter charges. Sewer rates for the SIU class each quarter are based on measured quantities of the actual discharge parameters: flow, suspended solids and soluble organic carbon. Such determination shall be made by the water board and shall be based upon five representative 24-hour composite samples taken quarterly, at such locations as are adequate to provide proper representation. The schedule of charges for conventional pollutant parameters shall be as follows:

SCHEDULE II

Pollutant Parameters	Rate
Flow	[\$3,117.56] <u>\$3,179.91</u> per million gallons
Suspended Solids	[\$1.00] <u>\$1.02</u> per pound
Soluble Organic Carbon	[\$1.73] <u>\$1.76</u> per pound

(ii) Substances of concern parameter charges. SIU's, who have wastewater discharge permits which limit any substance of concern listed in Schedule III contained in this subparagraph, will be billed for discharge of these substances based on the unit rates shown in Schedule III. Discharge loading for billing purposes shall be determined by arithmetic average of the last six acceptable self-monitoring results. At the option of the SIU, increased self-monitoring can be performed. For billing purposes, when six or more acceptable results are obtained over the three month billing period, all such results shall be used in the computation of the arithmetic average, with a requirement that there be at least two sample results for each month. Average discharge loadings will then be multiplied by the corresponding unit rates in Schedule III to obtain total charges per

quarter for each substance of concern listed in the SIU's wastewater discharge permit. All substances of concern charges will be added to the charges for conventional parameters, as specified in subparagraph (i) of this paragraph, to compute the total quarterly sewer rate.

SCHEDULE III

SUBSTANCES OF CONCERN UNIT CHARGES

Parameters	Unit Rate
Benzene	[\$344.04] <u>\$350.92</u> per pound
Chloroform	[\$61.26] <u>\$62.49</u> per pound
Dichloroethylenes	[\$374.33] <u>\$381.82</u> per pound
Toluene	[\$16.59] <u>\$16.92</u> per pound
Trichloroethanes	[\$77.79] <u>\$79.35</u> per pound
Trichloroethylene	[\$99.28] <u>\$101.27</u> per pound
Vinyl Chloride	[\$49.70] <u>\$50.69</u> per pound
Monochlorotoluenes	[\$3.36] <u>\$3.43</u> per pound
Tetrachloroethylene	[\$46.35] <u>\$47.28</u> per pound
Total Phenols	[\$7.57] <u>\$7.72</u> per pound

(iii) Billing. SIU charges shall be billed on a monthly basis by the water board. The first and second monthly billings in each quarter shall be estimated and shall be one-third of the total billing in the immediately preceding quarter. The third monthly bill in each quarter shall be based upon actual discharge quantities for that quarter and shall reflect adjustments for the estimated billings in that quarter.

(r) Unless the context specifically indicates otherwise, all terms contained herein shall have the meanings set forth in the regulations adopted by the water board in this Part and Part 1960 of this Title, as applicable.

NIAGARA FALLS WATER BOARD RESOLUTION # 2018-12-003

ESTABLISHING HAULED WASTE CHARGES EFFECTIVE JANUARY 1, 2019

WHEREAS, the Niagara Falls Water Board from time to time has accepted hauled waste for treatment at its wastewater treatment facility; and

WHEREAS, customer charges for acceptance and treatment are periodically reviewed and adjusted; and

WHEREAS, a moratorium on the acceptance of hauled waste remains in effect for the foreseeable future, but the Water Board deems it prudent to keep its schedule of hauled waste charges current; and

WHEREAS, the staff recommends a 2% increase to the current rates for any liquid wastes and sludges that are accepted in 2019,

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board authorizes increasing the rates in effect in 2018 by 2% for accepting and treating liquid wastes and sludges, commencing January 1, 2019, unless such an increase is inconsistent with the terms of an existing contract between the Water Board and a hauled-waste customer.

Water Board Staff Responsible for Implementation of this Resolution:
Director of Financial Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board

NIAGARA FALLS WATER BOARD RESOLUTION # 2018-12-004

TOWN OF NIAGARA CHARGES EFFECTIVE JANUARY 1, 2019

WHEREAS, the Niagara Falls Water Board (“Water Board”) and the Town of Niagara entered into a Shared Services Agreement for Sanitary Sewers on December 3, 2014; and

WHEREAS, the agreement allows the Water Board to periodically adjust the charge rate (on a percentage basis) in an amount not to exceed the rate change (on a percentage basis) for the Commercial, Small Industrial and Residential (CSIRU) rate class; and

WHEREAS, on December 17, 2018 the NFWB adopted a rate increase for the CSIRU class effective January 1, 2019 of 2.0%; and

WHEREAS, in accordance with the above referenced agreement an increase in the rate for Town of Niagara sanitary sewer services effective January 1, 2019 of 2.0% should be adopted

NOW THEREFORE BE IT

RESOLVED, that that rates for Town of Niagara sanitary sewer services shall be increased by 2.0% commencing January 1, 2019.

Water Board Staff Responsible for Implementation of this Resolution:
Director of Financial Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O’Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O’Callaghan, Chairperson

Sean W. Costello, Secretary to Board

**SHARED SERVICES AGREEMENT
FOR SANITARY SEWERS**

This AGREEMENT, made and entered into as of December 3, 2014 by and between the Niagara Falls Water Board, a public benefit corporation having its principal office at 5815 Buffalo Avenue, Niagara Falls, New York ("Water Board") and the Town of Niagara, a municipal corporation having its principal office at 7105 Lockport Road, Niagara Falls, New York ("Town"), acting for and on behalf of itself and the Town of Niagara Sewer Improvement Area, which area has been established pursuant to the provisions of Article 12-C of the Town Law of the State of New York.

WITNESSETH

WHEREAS, certain areas of the Town of Niagara, known as areas "A", "C", and "T", as set out in the map attached as Exhibit A to this Agreement, discharge into the sanitary sewer system now operated by the Water Board (the "NFWB System"); and

WHEREAS, the Water Board acquired the NFWB System from the City of Niagara Falls on or about September 25, 2003, and has since that time continued to accept into the NFWB System for treatment and disposal the effluent from certain areas of the Town, subject to the terms and conditions set forth in one or more agreements by and between the Water Board and the Town; and

WHEREAS, the Shared Services Agreement for Sanitary Sewers by and between the Water Board and the Town dated December 14, 2010 has, per its terms and timely notice from the Water Board to the Town of its decision not to renew said agreement, expired as of December 15, 2011; and

WHEREAS, certain properties in the Town now have or may in the future have a direct connection to the NFWB system, ("Direct Dischargers"), including but not limited

to properties in areas known as "A", "C", and "I", which are directly billed by the NFWB; and

WHEREAS, any significant Industrial Users ("SIUs") located in the Town and which ultimately discharge to the NFWB's system are required by Federal and State law to have an agreement with the Water Board and be billed directly by the Water Board; and

WHEREAS, the Water Board and Town desire to enter into this Agreement with an effective date of January 1, 2015 and to provide payment by the Town for services provided by the Water Board from that time pursuant to the terms of this Agreement; and

WHEREAS, the parties hereto, pursuant to the relevant provisions of the General Municipal Law, desire to enter into this Agreement so as to provide to the respective public corporations the provision by the Water Board of sewage conveyance, treatment, and disposal, the use by the Town of the NFWB System, the establishment of provisions for flow monitoring, charges for conveyances, treatment and disposal of sewage, and the prompt and efficient adjudication of any disputes which may hereafter arise.

NOW THEREFORE, in consideration of the premises and mutual covenants and agreements herein contained, it is covenanted and agreed as follows:

1. Any and all agreements by and between the Water Board and Town related to sanitary sewers are hereby rescinded and superseded by this Agreement.
2. The Water Board and the Town hereby agree that as to any SIU Agreements which are in effect during the term of this Agreement, neither party will, unless required to do so by Federal or State law, invoke any termination provisions thereof unless or until this Agreement is no longer in force and effect, or unless delivery of a notice of termination pursuant to the terms of any SIU Agreement will not result in the termination of the SIU Agreement prior to the expiration or termination of this Agreement.
3. The Water Board will accept into the NFWB System for treatment and disposal the effluent of the Town, subject to the terms of this Agreement, from sanitary sewer users

located within those areas of the Town identified as areas "A", "C", and "T", as set out in the map attached as Exhibit A.

4. Except for Direct Dischargers and SIUs, any sanitary sewer users within areas "A", "C", or "T", shall be subject to this Agreement, and effluent from said new users shall be treated by the Water Board pursuant to this Agreement. It shall be the responsibility and right of the Town to determine if any new user should be permitted to connect to the system, based on applicable laws and regulations of New York State and the Town. The Town shall be responsible for the connection of any such new sanitary sewer users to the NFWB System, including but not limited to the installation of any connection and conveyance systems and all costs associated therewith.

5. Except for Direct Dischargers and SIUs, for the areas within the Town designated as areas "A", "C", and "T", the rate the Town shall pay the Water Board for all services provided pursuant to this Agreement (the "Rate") shall be the initial rate of \$2,413.52 per million gallons. The Rate for each year shall be established pursuant to the relevant provisions of the Water Board's rules and regulations and applicable law. Any change in the Rate (on a percentage basis) shall not exceed the rate change (on a percentage basis) for the Water Board Commercial, Small Industrial and Residential (CSIRU) (or then equivalent) rate class. Direct Dischargers and SIUs shall be billed by and pay directly the Water Board at the then applicable rates established by the Water Board for such users.

6. The amount the Town shall pay the Water Board for all services provided by the Water Board pursuant to this Agreement shall be based on an average monthly flow calculated by semi-annual (Spring and Fall) flow monitoring periods each of a minimum of 14 (fourteen) days duration at the locations A3, C1, C2, I1, I2 and I3 set forth on Exhibit B. The Water Board shall cause the flow monitoring to be performed, the Town shall be provided 30 days written notice of the commencement of such monitoring, and the cost of such monitoring shall be shared equally by the Water Board and the Town. Because these monitoring locations do not reflect all the points of interconnection between the Town and the NFWB System, ten (10) percent will be added to the average of total measured flow (the "Monthly Billing Flow"). The Rate will be applied to the Monthly Billing Flow to calculate the Town's payment for all services hereunder (the "Calculated Charge").

7. The Water Board shall bill the Town equal quarterly installments of the Calculated Charge, to be paid to the Water Board by the Town within 45 days of receipt.

8. In the event that the infrastructure, both within the Town and the NFWB System, connecting area "A", area "C", or area "I" to the NFWB System falls into disrepair, or is otherwise not functioning properly, and it is economically impractical for either the Water Board or the Town to repair said infrastructure, the Town may alter its system to provide for the most economical disposal of effluent, so long as the revised infrastructure does not impact any industry delivering sewage for treatment pursuant to an SIU agreement.

9. The Town will use its best efforts to minimize infiltration into sanitary sewer infrastructure and eliminate inflow of stormwater into sanitary sewer infrastructure in the Town. The Town will take all reasonable measures to assure that new development in areas "A", "C" and "I" is designed and constructed to minimize any infiltration and exclude storm water inflow from entering the NFWB System. The Water Board shall, together with the Town, be allowed to conduct investigations of suspected illegal and/or improper discharges which enter the NFWB System. These investigations may include identifying illegal discharges from sources within the Town. Upon notification, the Town shall promptly address any illegal discharges. If it is determined that wet weather flow received from the Town in Area "I" is contributing to sanitary sewer overflows in the NFWB System, the Town shall investigate, develop and use its best efforts to implement corrective actions.

10. The Water Board will maintain its sewage treatment plant, pumping stations, and all facilities and pipes for the transmission of effluent from the Town in good condition and working order, so as to seek to assure uninterrupted service to the Town. The Town shall be responsible for the upkeep and maintenance of all facilities that transport effluent to the NFWB System that are located within the Town.

11. The effluent which is discharged into the NFWB System shall meet the applicable requirements established by Federal and State law as well as NFWB's rules and regulations.

12. Upon reasonable request by the Town, the Water Board shall provide full and complete information concerning its costs of operation, its maintenance schedules, and

such other information as shall be reasonably necessary to allow the Town to adequately assess the Water Board's performance of its obligations under this Agreement.

13. The parties covenant and agree that they shall provide one another with mutual assistance in the operation and maintenance of all sanitary and storm sewers covered by this Agreement, to the full extent allowed by law. This assistance and cooperation shall include the temporary lending of equipment, consultation on common issues of concern, temporary assignment of employees and such other activities which the parties agree will lead to the effective and efficient provision of said services.

15. The employees of each party, when carrying out duties assigned by supervisors pursuant to the shared services provisions of this Agreement, shall not, for any purpose, be considered an employee, agent, or representative of the other party.

16. In the event the Town fails to make any payments required by this Agreement in a timely manner, the Water Board shall, by first-class registered or certified mail, receipt requested, inform the Town of this failure by notifying the following:

- a. Supervisor of the Town of Niagara
7105 Lockport Road
Niagara Falls, New York 14305
- b. Water Superintendent of the Town of Niagara
7105 Lockport Road
Niagara Falls, New York 14305
- c. Account Clerk of the Town of Niagara
7105 Lockport Road
Niagara Falls, New York 14305

Upon receipt of such notice, the Town shall immediately pay any amounts owing, or, if the amount claimed is in dispute, inform the Water Board in writing, by registered mail sent to the individual who sent the notice to the Town, of the nature of the dispute, including the amount in dispute. If only a portion of the amount is in dispute, the Town shall immediately pay those amounts which are not in dispute.

17. The term of this Agreement shall be for ten (10) years, subject to renewal for periods of five (5) years. The first renewal shall be automatic, unless at least six months

prior to the expiration of the ten year term, a party serves notice to the Executive Director of the NFWB and the Supervisor of the Town of its intent to terminate or renegotiate the Agreement. The parties may agree to subsequent renewals, following the first renewal, but such agreement must be in writing, at least six months prior to expiration.

18. Each individual executing this Agreement represents and warrants (i) that all actions necessary to enter into the Agreement have been undertaken, and (ii) that said individual has been duly authorized to execute the Agreement on behalf of said party.

19. The quarterly portion of the Calculated Charge calculated pursuant to paragraph 6 shall be billed to and paid by the Town on an initial phased basis as follows:

2015:	sixty-two percent (62%) of the Calculated Charge
2016:	seventy-five percent (75%) of the Calculated Charge
2017:	eighty-eight percent (88%) of the Calculated Charge

Starting in 2018 and for all years beyond, the Town will be billed and pay one hundred percent (100%) of the Calculated Charge.

20. This Agreement shall bind the parties hereto and their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed by their duly authorized officers and their corporate seals to be hereto affixed the day and year first above written.

NIAGARA FALLS WATER BOARD

Date 12-11-2014

By Ted W Janese III

Name: Ted Janese III

Title: NFWB Chairman

Date: 12-11-2014

TOWN OF NIAGARA, on behalf of itself and the Town of Niagara Sewer Improvement Area

Date 12/3/14

By John J. Ottaviano

Name: John J. Ottaviano

Title: Deputy Supervisor

Date: 12/3/14

STATE OF NEW YORK)

: ss.

COUNTY OF NIAGARA)

On this 11 day of December 2014, before me, the subscriber, personally appeared Ted Janese III, to me known, who being by me duly sworn, did dispose and say that he resided in Lewiston, New York; that he is the Chairman of the Niagara Falls Water Board, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the seal affixed to the foregoing instrument is such corporate seal; that it was thereto affixed by direction of the Board of said corporation, that he signed his name thereto as Executive Director by like direction of said Board.

John J. Ottaviano
Notary Public

JOHN J. OTTAVIANO, #4876211
Notary Public, State of New York
Qualified in Niagara County
My Commission Expires Oct. 20, 2015

STATE OF NEW YORK

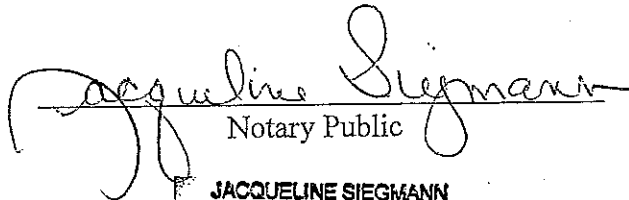
)

: ss.

COUNTY OF NIAGARA

)

On this 3rd day of December, 2014, before me, the subscriber, personally appeared Sylvia Virtuoso, to me known, who being by me duly sworn, did dispose and say that she resides in the Town of Niagara, New York; that she is the Deputy Supervisor of the Town of Niagara, the municipal corporation described in and which executed the foregoing instrument; that she knows the corporate seal of said corporation; that the seal affixed to the foregoing instrument is such corporate seal; that it was thereto affixed by direction of the Town Board of the Town of Niagara; that she signed her name thereto as Deputy Supervisor by like direction of said Town Board.


Notary Public

JACQUELINE SIEGMANN
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN NIAGARA COUNTY
NO. 01616171343
MY COMMISSION EXPIRES JULY 23, 20 15

Exhibit A

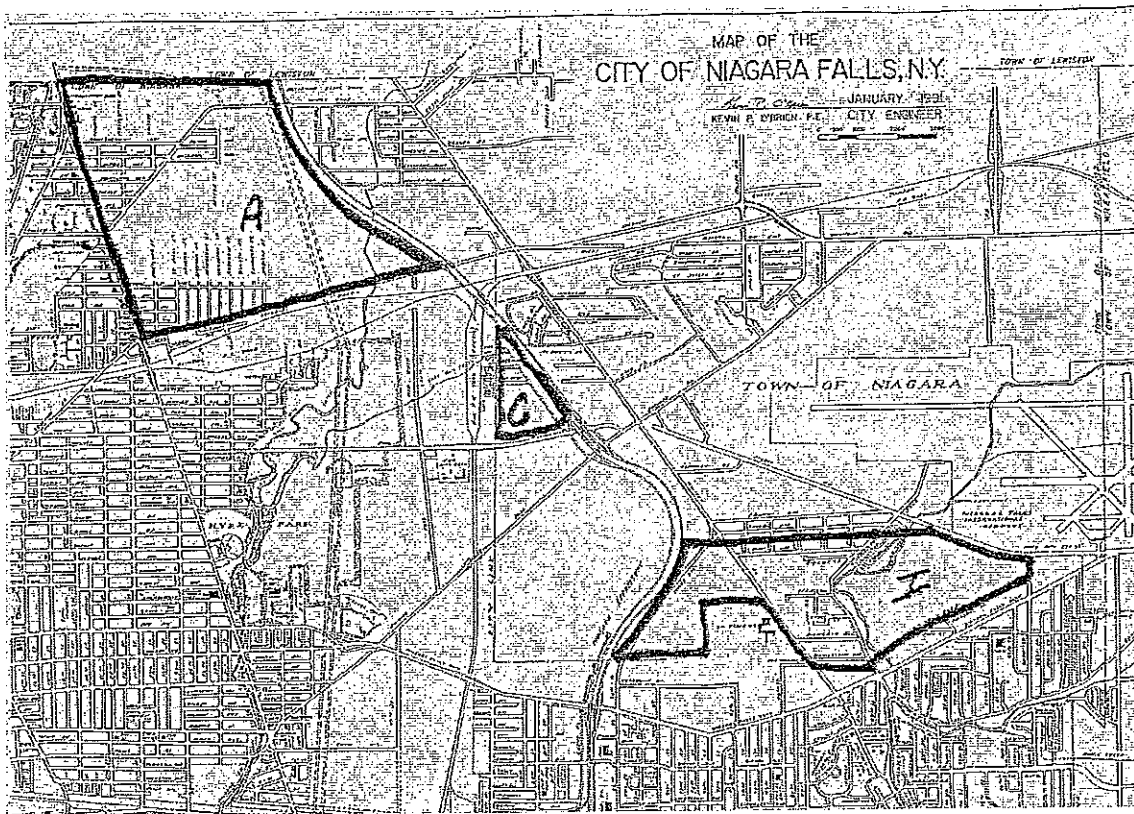


Exhibit B

Monitoring Point	Sewer Size	Location
A3	12"	Hyde Park Blvd. & Rhode Island Avenue
C1	12"	MH in field northwest of Forest Glen
C2	10"	Porter Road opposite from Sam's Club
I1	15"	Military Road & Rick Manning Drive
I2	10"	Anthony Street near Zito Street
I3	12"	Factory Outlet Blvd. north of Mooradian Drive

**EXERCISING SECOND YEAR OPTION FOR EFPR GROUP LLP
TO PERFORM ANNUAL EXTERNAL AUDIT
FOR YEAR ENDING DECEMBER 31, 2018**

WHEREAS, the Niagara Falls Water Board requires annual external audit services; and

WHEREAS, early in 2018 the Water Board issued a request for proposals for annual audit services; and

WHEREAS, the Water Board accepted the February 13, 2018 proposal of EFPR Group LLP (“EFPR”), pursuant to which EFPR performed the Water Board’s annual audit for the year ending December 31, 2017; and

WHEREAS, EFPR’s proposal dated February 13, 2018 provided for two option years for EFPR to perform the Water Board’s annual external audits for the years ending December 31, 2018 and December 31, 2019; and

WHEREAS, the Water Board desires to exercise its option to have EFPR perform an external audit for the year ending December 31, 2018;

NOW THEREFORE BE IT

RESOLVED, that the Water Board’s Director of Financial Services hereby is authorized to enter into an agreement with EFPR Group LLP to perform annual audit services for the year ending December 31, 2018 at a total cost not to exceed \$19,500.

Water Board Personnel Responsible for Implementation of this Resolution:
Director of Financial Services

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
FGB Budget Line- Audit

On November 26, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O’Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O’Callaghan, Chairperson

Sean W. Costello, Secretary to Board



6390 Main Street, Suite 200
Williamsville, NY 14221

P 716.634.0700
TF 800.546.7556
F 716.634.0764
W EFPRgroup.com

February 13, 2018

Ms. Kendra Walker
Director of Financial Services
Niagara Falls Water Board
5815 Buffalo Avenue
Niagara Falls, New York 14304

Dear Ms. Walker:

Enclosed are three copies of our proposal to provide continuing audit and related services to the Niagara Falls Water Board for the year ending December 31, 2017, and two option years ending December 31, 2018 and 2019.

Please call me if you have any questions with regard to this proposal.

Very truly yours,

EFPR GROUP, CPAs, PLLC

A handwritten signature in black ink, appearing to read 'Douglas E. Zimmerman'.

Douglas E. Zimmerman, CPA
Partner
Chief Operating Officer

DEZ:kms

Enclosures

NIAGARA FALLS WATER BOARD
Proposal to Provide Continuing
Audit and Related Services
Year ending December 31, 2017, and
Option years ending December 31, 2018 and 2019



EFPR Group, CPAs, PLLC
Douglas E. Zimmerman, CPA
Partner, Chief Operating Officer
dzimmerman@efprgroup.com

February 13, 2018

February 13, 2018

Ms. Kendra Walker
Director of Financial Services
Niagara Falls Water Board
5815 Buffalo Avenue
Niagara Falls, New York 14304

Dear Ms. Walker:

We are pleased to present our proposal to provide continuing audit and related services to the Niagara Falls Water Board (the Board) for the year ending December 31, 2017, and two option years ending December 31, 2018 and 2019. We believe the EFPR Group, CPAs, PLLC is highly qualified to continue to provide professional external audit services to the Board based on the following:

- Our previous experience providing audit and related services to the Board.
- Our substantial experience with regard to providing audit and related services for over 175 governmental organizations annually.
- Our firm's ability to bring a wealth of New York State Public Authority audit experience having audited some of the largest public authorities in New York State, including Empire State Development, New York Thruway Authority, New York State Bridge Authority, and Lower Manhattan Development Corporation.
- Our substantial experience with regard to providing audit and related services for organizations required to have audits which are performed in accordance with Government Auditing Standards. We audit over 400 organizations annually in accordance with Government Auditing Standards.
- Our substantial experience in providing annual financial statement audit and related services to Public Authorities and Public Benefit Corporations, including the following:
 - Niagara Falls Water Board
 - Empire State Development
 - Cayuga Tobacco Asset Securitization Corporation
 - Chemung Tobacco Asset Securitization Corporation
 - City of Glen Cove Industrial Development Agency
 - Harlem Community Development Corporation
 - Hudson River Park Trust
 - Islip Resource Recovery Agency
 - Livingston County Industrial Development Agency
 - Lower Manhattan Development Corporation
 - New York City Tax Lien Trust (4 Trusts)
 - New York Convention Center Development Corporation
 - New York Job Development Authority
 - New York State Bridge Authority

Ms. Kendra Walker
February 13, 2018

- New York State Homeless Housing Assistance Corporation
- Ogdensburg Bridge and Port Authority
- Orleans County Industrial Development Agency
- Roosevelt Island Operating Corporation
- Sales Tax Asset Receivable Corporation
- Wayne County Industrial Development Agency
- Our experience with various State agencies, including the following:
 - New York State Affordable Housing Corporation
 - New York State Assembly
 - New York State Bridge Authority
 - New York State Department of Agriculture and Markets / State Fair
 - New York State Department of Transportation
 - New York State Division of the Budget
 - New York State Energy Research Development Agency
 - New York State Executive Chamber
 - New York State Homeless Housing Assistance Corporation
 - New York State Insurance Fund
 - New York State Office for People With Developmental Disabilities
 - New York State Office of Alcoholism and Substance Abuse Services
 - New York State Office of Children and Family Services
 - New York State Office of General Services
 - New York State Office of the State Comptroller
 - New York State Office of Temporary Disability Assistance
 - New York State Senate
 - New York State Thoroughbred Breeding and Development Fund
 - New York State Unified Court System
 - New York State Urban Development Corporation
- Our ability to provide quality services on a timely basis for reasonable fees

Our depth of experience working with many governmental entities across New York State should provide peace of mind that the Board and Authority would be served by a highly competent team of professionals committed to assist in whatever capacity you require. We understand that for our services to be valuable to the Board and Authority, we need to provide more than just financial reporting. At the EFPR Group, CPAs, PLLC, we take a proactive approach to our client relationships in order to ensure we are anticipating our client's needs before they call on us for assistance. We are available throughout the year to answer questions and address concerns that may arise.

We would consider it a distinct privilege to provide professional services as outlined in this letter or any additional services you desire. Simply put, we want to continue to be your auditors and business consultants. Please contact us if there are any questions regarding this proposal.

Very truly yours,

EFPR GROUP, CPAs, PLLC



Douglas E. Zimmerman, CPA
Partner
Chief Operating Officer

FIRM PHILOSOPHY

The EFPR Group, CPAs, PLLC was founded on the principle of providing our clients with the same high quality level of service expected from a national firm yet with the dedicated involvement that can only be developed by personal attention. The primary mission of our Firm has always been helping our clients succeed. We are committed to delivering services targeted to each client's critical needs and industry niche.

KEY CONSIDERATIONS REGARDING THE EFPR GROUP

Our Firm has achieved its present position in the accounting profession by providing quality services on a timely basis, for reasonable fees. Accounting firms should be evaluated in light of several important conditions:

- The firm's qualifications, experience and its ability to provide auditing, accounting and consulting services for a reasonable fee.
- The firm's ability to assemble and commit a team of professionals experienced in providing audit, accounting and consulting services for governmental organizations, specifically public benefit corporations.
- The firm's involvement of client personnel and active participation and coordination on a year-round basis.
- The firm's commitment to provide services which will contribute to the success of our clients.

In the following paragraphs, we shall demonstrate that the EFPR Group, CPAs, PLLC is the accounting firm best qualified to serve the Niagara Falls Water Board.

INDEPENDENCE

The EFPR Group, CPAs, PLLC is independent of the Niagara Falls Water Board as defined by generally accepted auditing standards and U.S. Government Accountability Office (GAO)'s Government Auditing Standards. Accordingly, no relationship exists between the EFPR Group, CPAs, PLLC and the Board or any of its employees, Board members or with any person or agency that constitutes a conflict of interest with respect to the Board.

FIRM QUALIFICATIONS AND EXPERIENCE

The EFPR Group, CPAs, PLLC provides audit, accounting and consulting services to over 175 governmental organizations on an annual basis. We also serve more than 400 organizations which require an audit performed in accordance with Government Auditing Standards. Our Firm employs 200 professionals with 35 partners and directors. The Firm's Government Audit Practice Group consists of 40 highly trained professionals who provide audit and related services to governmental organizations on a year round basis.

Our Firm has offices located in Williamsville, Rochester, Albany, and Corning, New York. The fieldwork associated with the engagement will be performed at the Board's office located in Niagara Falls, New York by the professionals from the Firm's Government Audit Practice Group. Please see Appendix A for detailed resumes of the Firm's key Government Audit Practice Group members and Appendix B for a partial listing of governmental organizations which are our clients.

Our Firm has substantial experience providing audit, accounting and consulting services to various governmental organizations. We are very familiar with generally accepted Government Auditing Standards (GAGAS), issued by the Comptroller General of the United States. We perform approximately 400 GAGAS audits annually. Our team of professionals from our Government Audit Practice Group is well versed and keeps up-to-date on all standards affecting the government environment.

Our Firm provides audit services to the New York State Urban Development Corporation d/b/a Empire State Development. We perform the annual audit of the general purpose financial statements of the Corporation (a component unit of the State of New York) in accordance with auditing standards generally accepted in the United States of America, the provisions of Government Auditing Standards, issued by the Comptroller General of the United States, and Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (formerly OMB Circular A-133). The Corporation's goal is to create and retain jobs and to reinvigorate economically distressed areas of the State. The Corporation administers various economic development programs which provides tax incentives designed to attract new businesses to New York State and to enable existing businesses to expand and create more jobs. The Corporation has over 150 subsidiaries which are consolidated for financial reporting purposes. Our firm provides audit and related services to various subsidiaries of Empire State Development. Empire State Development has annual revenues in excess of \$1.8 billion and assets of more than \$17 billion.

Our Firm provides audit services to Ogdensburg Bridge and Port Authority. We perform the annual audit of the financial statements of the Authority in accordance with auditing standards generally accepted in the United States of America, the provisions of Government Auditing Standards, issued by the Comptroller General of the United States, and Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (formerly OMB Circular A-133).

Our Firm provides audit services to the New York State Bridge Authority. We perform the annual audit of the general purpose financial statements of the Authority (a component unit of the State of New York) in accordance with auditing standards generally accepted in the United States of America and the provisions of Government Auditing Standards, issued by the Comptroller General of the United States.

Our Firm provides audit services to Hudson River Park Trust. We perform the annual financial statement of the Trust in accordance with auditing standards generally accepted in the United States of America, the provisions of Government Auditing Standards, issued by the Comptroller General of the United States, and Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (formerly OMB Circular A-133). Hudson River Park Trust is a public benefit corporation created to oversee the planning, construction and operation of the Hudson River Park which is located from Battery Place to 59th Street in New York City. The Trust is responsible for the \$262 million of State and City funds which have been allocated to reconstruct the piers and related infrastructure improvements in the Park.

Our Firm provides audit services to the New York State Office of the State Comptroller. We recently performed the audit of the system of internal controls of the New York State Office of the State Comptroller. Our examination was conducted in accordance with Government Auditing Standards, issued by the Comptroller General of the United States and the standards established by the American Institute of Certified Public Accountants and, accordingly, included obtaining an understanding of internal controls, testing and evaluating the design and operating effectiveness of the internal controls, and performing such other procedures as we considered necessary under the circumstances. The Office of the State Comptroller is responsible for paying New York State's bills and payrolls, verifying all financial transactions of the State, reviewing the financial and management practices of State agencies, supervising the fiscal affairs of local governments, investing State funds and issuing bonds and notes and administering the retirement program for the State and most local government employees.

In addition to our audit of the system of internal controls of the New York State Office of the State Comptroller, our Firm performs audits in accordance with the "New York State Governmental Accountability Audit and Internal Control Act" of the following New York State Agencies and Departments:

- New York State Executive Chamber
- New York State Division of the Budget
- New York State Unified Court System
- New York State Assembly
- New York State Senate

Our Firm has substantial experience in providing annual financial statement audit and related services to Public Authorities. These organizations are different from other governmental organizations; therefore, our previous experience with these organizations is a benefit for your organization. We have experience providing services to the following:

- Niagara Falls Water Board
- Empire State Development
- New York Convention Center Development Corporation
- New York Empowerment Zone Corporation
- New York Job Development Authority
- New York State Bridge Authority
- New York State Fair
- New York State Homeless Housing Assistance Corporation
- Cayuga Tobacco Asset Securitization Corporation
- Chemung Tobacco Asset Securitization Corporation
- Genesee Tobacco Asset Securitization Corporation
- City of Glen Cove Industrial Development Agency
- Glen Cove Community Development Agency
- Harlem Community Development Corporation
- Hudson River Park Trust
- Livingston County Industrial Development Agency
- Islip Resource Recovery Agency
- Lower Manhattan Development Corporation
- New York City Tax Lien Trust (4 Trusts)
- Ogdensburg Bridge and Port Authority
- Ontario County Industrial Development Agency
- Orleans County Industrial Development Agency
- Roosevelt Island Operating Corporation
- Steuben County Industrial Development Agency
- Wayne County Industrial Development Agency

Additional Services Provided to Governmental Clients

Our Firm has assisted our governmental clients in obtaining a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. We are committed to providing the highest quality services and assisting governmental entities in meeting regulatory deadlines.

We have provided consulting services to our clients with regard to implementation of Governmental Accounting Standards Board (GASB) Statement No. 33 - "Accounting and Financial Reporting for Nonexchange Transactions," and GASB Statement No. 34 - "Basic Financial Statements and Management's Discussion and Analysis." We have worked extensively with our government clients in ensuring that they have complied with the reporting requirements of GASB Statement No. 34. Consulting services offered to our clients with regard to implementation of GASB Standards include, but are not limited to, the following:

- Implementation of infrastructure reporting
- Implementation of fixed asset policies and procedures
- Reporting of infrastructure costs and assistance and guidance in preparing the Management Discussion and Analysis (MD&A)

Additionally, we keep our clients abreast of changes in the governmental accounting environment. We are assisting our clients with the implementation of the requirements of GASB Statements No. 68 - "Accounting and Financial reporting for Pensions - an amendment of GASB Statement No. 27" and GASB Statement No. 71 - "Pension Transition for Contributions Made Subsequent to the Measurement Date - an amendment of GASB Statement No. 68." Together these statements require employers participating in a multiple employer pension plan record their proportionate share of the net underfunding/overfunding of the plan. These statements also make provision for the treatment of contributions made between the measurement date of the plan and the reporting date of the entity as deferred outflows of resources.

Experience with Tax-Exempt Debt Financing

Our Firm has experience with regard to providing audit services to governmental organizations which issue substantial debt financing. We provide annual audit services to Empire State Development, New York Local Government Assistance Corporation, and the New York State Thruway Authority, which have a combined total of more than \$35 billion in tax exempt bonds outstanding. The following is a listing of recent bond financing for which our Firm has issued consent or comfort letters:

- Niagara Falls Water Board issued a Water and Sewer System Revenue Refunding Bonds, Series 2016A in the amount of \$20,130,000 on November 22, 2016.
- New York State Thruway Authority issued General Revenue Bonds, Series K in the amount of \$743,865,000 on December 4, 2014.
- New York State Thruway Authority issued General Revenue Bonds, Series J in the amount of \$677,460,000 on March 15, 2013.
- New York State Thruway Authority issued General Revenue Bonds, Series I in the amount of \$1,101,345,000 on June 27, 2012.
- Ulster County Resource Recovery Agency issued Solid Waste System Revenue Refunding Bonds, Series 2012 in the amount of \$9,410,000 on May 25, 2012.
- Ulster County Resource Recovery Agency issued Solid Waste System Revenue Refunding Bonds, Series 2012 in the amount of \$6,435,000 on May 18, 2012.
- New York State Bridge Authority issued General Revenue Bonds, Series 2012 in the amount of \$90,325,000 on April 23, 2012.

Quality Assurance

Peer Review

The EFPR Group, CPAs, PLLC retains an independent accounting firm to conduct a review of its system of quality control every three years in accordance with the rigorous standards of the American Institute of Certified Public Accountants. In May 2017, our Firm successfully completed the most recent peer review of its accounting and auditing practice. The review determined that the Firm complies with the stringent quality control standards set by the American Institute of Certified Public Accountants. Our Firm has received the highest rating possible (pass) with no letter of comments being required in each of its last nine peer reviews. According to the peer review team, less than one percent of the firms in the nation achieve this level of excellence. We believe that this attests to our commitment to quality. Peer reviews, which are performed every three years, are required of all CPA firms and are conducted in accordance with rules issued by the American Institute of Certified Public Accountants. (See Appendix C for a copy of the report issued in connection with our most recent peer review.)

BDO Alliance USA

We are an independent member of the BDO Alliance USA, a nationwide association of independently owned local and regional accounting, consulting and service firms with similar client service goals. By supplementing our services, the BDO Alliance USA allows us to:

- Enhance our client services and broaden our capabilities overall
- Expand our domestic and international coverage
- Gain greater technical knowledge in specialty areas
- Utilize professionals with experience in a wide range of industries
- Access the most up-to-date technical information
- Participate in the latest training programs
- Utilize state-of-the-art, customized computer systems
- Provide our clients with key contacts and sophisticated professionals throughout the U.S.

The BDO Alliance USA brings us the necessary tools to help us better serve our clients with greater flexibility, efficiency and cost effectiveness.

Government Audit Quality Center

We are also a member of the American Institute of Certified Public Accountants Government Audit Quality Control Center (GAQC). The GAQC promotes the importance of quality governmental audits and the value of such audits to purchasers of governmental audit services. As members, we have access to the latest developments in accounting, auditing, and the various rules and regulations that affect governmental audits. We also receive periodic updates on current issues through news alerts and Webcasts. We are proud of the quality of our work and in order to ensure that this high level of quality is maintained, we have established a comprehensive quality assurance program. The program starts with hiring the best people available and continues with extensive continuing education, an annual minimum of 40 hours per staff member. Our involvement in the GAQC is optional, but indicates a level of commitment above non-member Certified Public Accounting firms. Our participation requires that our firm and personnel attain additional continuing professional education on an annual basis.

PARTNER, SUPERVISORY AND STAFF QUALIFICATIONS AND EXPERIENCE

Achieving our present position in the profession has come as a result of being responsive to the needs of our clients. A combination of a coordinated team approach and up-to-date knowledge allows for the most efficient approach to providing comprehensive professional services. Accordingly, we will assemble an engagement team that will include audit personnel with extensive public benefit corporation and governmental audit experience. The key individuals available to be assigned to these engagements and their roles are as follows:

Douglas E. Zimmerman, CPA will serve as the engagement quality control review partner. Doug will provide a secondary review of all deliverables and critical engagement decisions and will be available throughout the engagement to consult and review on any auditing and accounting questions that may arise. He has over 31 years of public accounting experience and currently functions as a partner and Chief Operating Officer in the Firm. He has extensive experience in providing audit, accounting and consulting services for numerous public benefit corporations and governmental organizations. Doug is licensed in New York State as a Certified Public Accountant.

Joseph J. Kehm, CPA, CGMA will serve as the engagement partner in charge of our relationship with the Niagara Falls Water Board. Joe will oversee all services provided and ensure that they are delivered in a timely and efficient manner. He will be responsible for

all matters concerning accounting policy, participate in the planning phases of our engagement, review all working papers and reports prepared, and attend meetings with management and the Board. He has over 37 years of public accounting experience. He currently functions as a partner in the Firm and has extensive experience in providing audit, accounting and consulting services for numerous public benefit corporations and governmental organizations. Joe is licensed in New York State as a Certified Public Accountant.

Thomas E. Smith, CPA will serve as the engagement manager, overseeing the day-to-day performance of the audit. Tom has over six years of public accounting experience. He has extensive experience in providing audit, accounting and consulting services for numerous public benefit corporations and governmental organizations. Tom is licensed in New York State as a Certified Public Accountant.

Cindy O. Chamnichanh, CPA will be a senior accountant assigned to this engagement. She has extensive experience in providing audit, accounting and consulting services for numerous public benefit corporations and governmental organizations. Cindy is licensed in New York State as a Certified Public Accountant.

Staff Accountant: Your account will also be assigned an additional staff accountant from the Firm's Governmental Audit Practice Group, who will work as part of the engagement team in performing your audit.

Continuing Professional Education

With regard to continuing professional education (CPE), each of our staff members is required to complete an annual minimum of 40 hours of CPE programs approved by the American Institute of Certified Public Accountants. Additionally, since we perform audits in accordance with generally accepted Government Auditing Standards (GAGAS) (over 400 each year), our staff members must complete at least 24 of the 80 hours (over a two-year period) of CPE in subjects directly related to the government environment and government auditing. Due to the substantial volume of governmental audits performed, our Firm continually monitors staff CPE compliance with the GAGAS requirements. All of the individuals listed above are in compliance with the CPE requirements.

AUDIT APPROACH

Our audits are made in accordance with auditing standards generally accepted in the United States of America and, accordingly, include such tests of the accounting records and other auditing procedures as we consider necessary and appropriate in order to express an opinion on the financial statements.

Although audits conducted by different firms should all comply with certain professional requirements and thus might appear identical in nature, you should distinguish individual firms by at least two key factors:

1. The extent to which the firm understands or expands its understanding of your organization in advance of the audit and tailors its auditing procedures to the conditions and needs of the Board.
2. The pertinent skills and processes the auditor can bring to bear upon the engagement to ensure an effective and efficient audit.

Financial Statement Audit

Audit examinations performed by our Firm are conducted from a risk-based approach. This approach yields two major benefits:

- Maximization of understanding of the Board's operating environment, and
- Minimization of audit time by starting with broad considerations and narrowing to specific audit objectives in critical areas.

The audit of the financial statements of the Niagara Falls Water Board will consist of the following four phases:

- Planning
- Systems evaluation
- Testing
- Reporting

- Planning is the first step in the audit engagement and provides the foundation for the direction of the audit. This phase of the audit involves meeting with the Audit Committee and management of the Board to clearly identify the lines of communication, perform the risk analysis, discuss the audit scope and concerns and set expectations. While facilitating an understanding between our firm and the Board, we highlight areas, which will receive emphasis during our audit. This type of analytical review process permits identification of critical areas. As a result, appropriate audit procedures are focused therein.
- Systems Evaluation consists of the following steps:
 - A review of internal control systems of the Board;
 - A review of the information technology systems utilized by the Board to prepare its accounting records and monitor compliance with regulatory requirements;
 - An identification of control strengths and weaknesses in management and accounting controls; and
 - The development of a tailored audit program to be responsive to the Board's concerns and reflective of the internal control system.
- Testing is the largest part of the audit process and includes both compliance test of internal controls and regulatory requirements and substantive test of the Board's financial data.

The EFPR Group, CPAs, PLLC uses sampling in selecting items for examination by compliance and/or substantive tests where it is determined to be cost beneficial to sample the population. Our Firm has an Audit and Accounting Manual which contains procedures for the control and evaluation of sampling risk, selection of samples, and evaluation of sample results.

Audit sampling will normally be used to perform the following tests:

- Substantive tests as part of the audit of the Board's basic financial statements;
- Compliance tests to provide reasonable assurance that internal control (accounting and administrative) procedures used are being applied as prescribed; and
- Substantive tests of compliance with laws and regulations as part of the audit of the basic financial statements.

- Reporting is completed at the conclusion of the audit process. This phase will include the preparation of the draft financial statements and management letter. Management of the Board will be provided drafts of all reports. These drafts will be reviewed in detail and any questions or concerns of management will be appropriately addressed. Reports will only be finalized after approval of management and the Audit Committee of the Board.

Our management letter will discuss internal control recommendations and suggestions for procedural improvements we identified as part of the audit. The letter will also include observations about accounting methods and procedures, business and industry practices or issues, operational ideas, and suggestions to further enhance the Board's operations. We will advise you of any new accounting pronouncements that have been or may be issued and indicate their potential impact.

As part of our risk assessment procedures of the Board, we review and document the five components of internal control. A description of the components of internal control is as follows:

- Control environment sets the tone of an organization, influencing the control consciousness of its people. It is the foundation for all other components of internal control, providing discipline and structure.
- Risk assessment is the entity's identification and analysis of relevant risks to the achievement of its objectives. This forms a basis for determining how the risks should be managed.
- Control activities are the policies and procedures that help to ensure that management's directives are carried out.
- Information and communication are the means to identify, capture, and exchange information in a form and time frame that enable people to carry out their responsibilities.
- Monitoring is the process that assesses the quality of internal control performance over time.

Reporting to the Board

As required by professional standards, we will ensure that the Board of Directors will be informed of the following:

- The Auditors' responsibility under auditing standards generally accepted in the United States of America
- The Auditors' responsibility under Government Auditing Standards
- Significant accounting policies.
- Management judgments and accounting estimates.
- Significant audit adjustments.
- Other information in documents containing audited financial statements.
- Disagreements with management.
- Management consultation with other accountants.
- Major issues discussed with management prior to retention.
- Difficulties encountered in performing the audit.
- Any other matter which may be important to the fair presentation of the Board's financial statements.

VALUE ADDED SERVICES

Public Authorities Reform Act of 2009

For each of our public authority audit clients, we review their policies and procedures for compliance with the Public Authorities Reform Act of 2009 (the Act). One aspect of the Act's requirements is that the agencies submit various reports to the New York State Authorities Budget Office through the Public Authority Reporting Information System (PARIS). For several of our clients, we provide assistance in preparing and submitting the required annual reports within the required deadlines.

Management Consulting Services

Understanding our client's operations and being involved throughout the year provides us with a unique opportunity to make recommendations and provide consulting services relating to operations which contributes to the success of your organization. The types of consulting services provided include, but are not limited to, the following areas:

- Review of leases and other legal agreements and interpretations of such provisions of leases and agreements.
- Ability to provide better internal control recommendations as a result of our extensive internal control audit experience with regard to governmental organizations.
- Budget reviews.
- Exempt bond financing assistance.
- Risk assessment and analysis.
- Computer needs assessments, conversion phase and implementation.
- Internal financial reporting systems.
- Assessment of Employee Benefits alternatives.
- Cash management analysis and budgeting.
- Assistance in implementing a business plan and long-range planning.
- Tax planning, consulting and preparation.
- Acquisition or valuation studies.

IT Consulting & Risk Management

EFPR Group's Information Technology (IT) Consulting division enables our clients to reach their business goals by leveraging IT efficiently and effectively while implementing the proper processes, procedures, controls, security, and technology to ensure data privacy, integrity, and compliance. We help our clients to maximize operational efficiency while enhancing decision making abilities.

In every audit, EFPR Group obtains an understanding of your internal controls relating to information technology sufficient to determine whether they have been effectively placed in operation. In obtaining this understanding, we consider how an entity's use of information technology and manual procedures may affect controls relevant to the audit.

When our IT Consulting division performs IT Audits and Compliance Reviews, we evaluate an organization's information technology infrastructure, policies, and operations. Our IT Audit includes evaluating an organization's systems and processes, data protection, risks to information assets, risk mitigation, and compliance of information management processes. We offer various options for IT Auditing and Engagement services tailored to your industry and your specific needs. Our experienced consulting staff can help you prepare for SOC 1 and SOC 2 Engagements and for Audits such as ISO, NIST, HITRUST, and others.

We perform IT Assessments and Systems Reviews to examine and organization's current use of technology and identify opportunities to improve the effectiveness and efficiency of the organization's operations to enable it to reach its goals. Our assessments are conducted in a three step process:

- Gain an understanding of the current state of the system,
- Identify strengths, weaknesses, opportunities and the risks to the current system,
- Develop a roadmap to strengthen weaknesses, reduce risks and leverage strengths.

EFPR IT Consulting offers a comprehensive approach to Cyber Security that addresses technology, process, and people based on IST, ISO, and other standards. We provide Cyber Security services such as developing and implementing Cyber/Information Security and Cyber Security Incident Response (CSIRT) programs, plans, playbooks, risk and impact assessments and table top test. We assist you with setting up your Security Information and Event Management (SIEM) Program, choosing providers and software, implementing SIEM, creating SIEM training, developing procedures and ensuring that all contracted for services have been implemented.

Fraud Detection and Prevention

Stonebridge Business Partners (SBP), an EFPR Group Company, provides a full suite of business valuation, forensic accounting and litigation support services to an array of business clients across the United States. In addition, they now provide a state-of-the-art confidential, nationwide ethics hotline and on-line portal. Powered by Red Flag Reporting, the SBP ethics hotline and on-line portal system is recognized as the number one method of identifying and reporting unethical or unsafe conditions so you can prevent any threat to your firm's long-term sustainability. The Association of Certified Fraud Examiners recognizes this service as the most effective method of fraud detection and prevention saving clients thousands of dollars in losses and litigation exposure.

The Stonebridge system provides:

- 24-hour-a-day access for employees, strategic partners and suppliers
- An easy to use and completely confidential telephone and on-line reporting system
- The ability to make reports in English and Spanish
- Certified Fraud Examiners to review each report
- Posters and wallet cards to create employee awareness and facilitate quick response
- Quarterly emails to employees and newsletters to management
- A live fraud awareness seminar and pre-recorded issue awareness webinars
- Detained reports to pre-designated members of your organization
- "Reduced Risk" and increased "Peace of Mind"

SCOPE OF SERVICES

The following is an outline of services to be provided to the Niagara Falls Water Board for the year ending December 31, 2017, and two option years ending December 31, 2018 and 2019:

- Audit the financial statements in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. The primary purpose of this audit is the expression of an opinion as to the fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America.
- Issue a report on internal control over financial reporting and a report on compliance and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards.

- Prepare a letter to management detailing comments and suggestions for improvements in internal controls, general management techniques or changes in accounting principles that come to our attention during the audit. We will review and explain all observations and recommendations so that appropriate changes may be implemented.
- Prepare a report as required by Title Two of the Official Compilation of Codes, Rules and Regulations of the State of New York to ensure compliance with investment guidelines including New York State Office of the Comptroller Investment Guidelines for Public Authorities and Section 2925 (3)(F) of the State of New York Public Authorities Law - Investments of Public Authorities. We will prepare a separate compliance report on investment practices and the Investment Guidelines of the Office of the State Comptroller, as well as any other applicable laws, regulations, or other guidelines.
- Attend a meeting with the Board of Directors at a regularly scheduled meeting to review the results of our audit of the financial statements.
- Maintain contact throughout the year to discuss: (a) changes in accounting which could affect the Board and (b) the progress toward fulfilling current needs and future objectives.

TIMING AND COST

Upon receiving notice of appointment as auditors, we will meet with you and establish a definite time program for the performance of services. The time program will be established in such a way to insure that work is efficient and structured in such a way as to avoid disrupting the day-to-day routine duties of your staff. The following is an estimated timetable related to performance of our services on an annual basis:

<u>Service</u>	<u>Deadline</u>
Complete interim fieldwork	By December 31 st
Commencement of final fieldwork	By February 1 st
Complete final fieldwork	By February 28 th
Issue draft reports	By March 15 th
Issue final reports	Upon approval

Our fee quote is based upon the estimated time we will spend on the engagement and the qualifications of personnel that will be assigned. On the basis of our extensive experience with your organization, we have determined the fees that we will charge for the aforementioned services for the year ending December 31, 2017, and two option years ending December 31, 2018 and 2019 to be as follows:

December 31, 2017	\$ 19,000
December 31, 2018	19,500
December 31, 2019	<u>20,000</u>

These are the ALL-INCLUSIVE FEES to be charged to the Board and include all costs, including report reproduction and similar expenses (travel, phone clerical, postage, etc.).

OTHER SIGNIFICANT INFORMATION

- Experience - Since the EFPR Group, CPAs, PLLC "specializes" in providing audit and related services to governmental organizations, our field staff is experienced in providing such services.
- Technology - All of our field staff are equipped with laptop computers and have access to various software packages and databases (e.g. data extraction software, flowchart software, Microsoft Office, etc.) and other electronic means to ensure that the audit is performed in the most efficient manner.

- Affirmative Action - The EFPR Group, CPAs, PLLC is an equal opportunity employer and as such possesses a firm commitment to affirmative action and to hiring only the best-qualified candidates regardless of gender or ethnic origin. Our Firm does not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status.
- Continuing Education - With regard to continuing professional education, each of our staff members is required to complete an annual minimum of 40 hours of continuing education programs approved by the American Institute of Certified Public Accountants. Additionally, since we perform audits in accordance with Government Auditing Standards (over 400 each year), our staff members must complete at least 24 of the 80 hours (over a two-year period) of continuing education in subjects directly related to the government environment and government auditing.

* * * * *

We would consider it a distinct privilege to provide professional services as outlined in this letter or any additional services you may desire. Please contact us if you have any questions regarding this letter.

A copy of this letter is enclosed; if the terms of this proposal are satisfactory to you please sign the copy and return it to me at your convenience.

ACCEPTED:

EFPR GROUP, CPAs, PLLC

NIAGARA FALLS WATER BOARD

By:



Douglas E. Zimmerman, CPA
Partner
Chief Operating Officer

By: _____

Date: February 13, 2018

Date: _____

**Note: Appendices Omitted
From EFPR Proposal**

2019 CLARK PATTERSON LEE PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Niagara Falls Water Board is engaged in various ongoing projects requiring engineering and related professional services for which it does not have sufficient internal staff or requires an outside engineering firm; and

WHEREAS, the Water Board previously entered into an agreement with Clark Patterson Lee (“CPL”) to provide consulting engineering and other professional services; and

WHEREAS, the Water Board will continue to need the services provided by CPL in 2019; and

WHEREAS, CPL has presented a proposal for services dated November 29, 2018, setting forth estimated costs for various tasks and proposing a 2019 not-to-exceed fee of \$835,000 for all of those tasks;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that on behalf of the Niagara Falls Water Board, the Executive Director is hereby authorized to enter into a professional services agreement with Clark Patterson Lee consistent with the proposal dated November 29, 2018, authorizing payment for fees on a not-to-exceed basis as follows:

Task 1 – Weekly Assistance: Not to exceed \$640,000;

Task 2 – Grant Assistance: Not to exceed \$75,000;

Task 3 – Miscellaneous Services: Not to exceed \$120,000;

Total: Not to exceed \$835,000.

AND IT IS FURTHER RESOLVED, that this resolution supersedes all prior resolutions authorizing expenditure of funds for CPL services, and to the extent that previously authorized funds remain, they are to be applied to the not-to-exceed figure above.

Water Board Personnel Responsible for Implementation of this Resolution:
Executive Director

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board

November 29, 2018

Chairman Dan O'Callaghan
Niagara Falls Water Board
5815 Buffalo Avenue
Niagara Falls, NY 14304

Dear Chairman O'Callaghan:

We have appreciated the opportunity to work with you over this couple of years. As you are aware, we continue to be involved in the planning and development of several projects and initiatives. To date, we have provided you with a not-to-exceed fee for the past two years, with services provided on an as-needed basis. The specific services and proper mix of personnel has been determined based on a request for assistance, and we have provided periodic accounting of the services rendered, and will bill on a monthly basis. There may be periods of time where no assistance by our staff is required. We intend for this next year to be in the same format.

We suggest extending the current term agreement approach with a few specific work items. We propose to supply support services as follows:

Task 1 – Weekly Assistance: Supply a professional engineer to assist the NFWB in all facets of engineering activities including, but not limited to design, inspection, planning, estimating, budgeting, and maintaining project schedules. We propose to supply Jay Meyers for on site needs and daily interaction with staff. Then we will mix in Seth Krull for 8 hours per week, along with Steve Tanner, Dave Jaros and Rick Henry as needed for the duration of the contract. We have assumed that under this task we will manage the contracts that were recently awarded for design of the \$27 million of work at the wastewater plant to keep it running for the next several years.

Task 2 – Grant assistance: We also anticipate assisting GW & R Services with grant writing. GW & R Services of 1649 Fillmore Avenue, Buffalo New York will be contracted to perform grant writing and related services including assistance on various publications to be produced by the NFWB. He has averaged approximately \$5,400 per month plus expenses over the last year.

Task 3 – Miscellaneous Services: Based on the last year, we anticipate approximately \$10,000 per month of miscellaneous services. These will be for on demand projects that we will submit proposals for each.

We have prepared the following rate schedule for your review. I suggest a not-to-exceed fee of \$835,000 broken down as follows:

Task 1.....	\$640,000
Task 2.....	\$75,000
Task 3.....	\$120,000
Total.....	\$835,000

We suggest an extension to our existing agreement. We will create a new number so that we can be transparent on the billings.



Thank you for the opportunity to submit our qualifications. I am deeply proud of our ability to provide you with quality service at a fair rate. This is what we do, and we do it well. If you have any questions or require any additional information, please feel free to contact me via email at richenry@clarkpatterson.com or by phone at 716.852.2100, extension 1048.

Very truly yours,
Clark Patterson Lee

Richard B. Henry III, P.E.
Senior Vice President

**AWARD BID FOR DEMOLITION OF CHEMICAL TANKS
AT WASTEWATER TREATMENT PLANT**

WHEREAS, the Niagara Falls Water Board (“Water Board”) wastewater treatment plant (“WWTP”) has four chemical tanks that have not been used in more than 20 years because of changes in how chemicals are delivered to and used at the WWTP; and

WHEREAS, these chemical tanks are deteriorating but still contain a quantity of potentially hazardous chemicals; and

WHEREAS, Water Board staff have determined that these defunct chemical tanks should be decommissioned and demolished; and

WHEREAS, an invitation to bid for project no. 2018002, Chemical Tank Demolition, was issued on behalf of the Water Board by Clark Patterson Lee engineers; and

WHEREAS, the bid specifications require the bidder to handle all aspects of the decommissioning and disposal, including proper disposal of any hazardous waste;

WHEREAS, the bids received have been reviewed and tabulated; and

WHEREAS, Clark Patterson Lee recommends awarding the bid to Mark Cerrone, Inc., as the lowest responsible bidder with a total base bid plus contingency of \$123,650;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that on behalf of the Niagara Falls Water Board, its Executive Director hereby is authorized to contract with Mark Cerrone, Inc., for decommissioning and demolition of the four defunct chemical storage tanks at the wastewater treatment plant, for a total amount not to exceed the total bid of \$123,650.

Water Board Personnel Responsible for Implementation of this Resolution:
Executive Director

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board



December 12, 2018

Rolfe Porter, Executive Director
Michel C. O'Laughlin Water Treatment Plant
5825 Buffalo Ave
Niagara Falls NY 4304

RE: Niagara Falls Water Board – Project 2018002
Award Recommendation
Chemical Tank demolition
CPL PROJECT NO. 14143.00

Dear Mr. Porter,

The bids for the Niagara Falls Water Board Waste Water Treatment Plant – Chemical Tank demolition were opened on Tuesday, December 11, 2018. A copy of our bid tabulation is enclosed for your information and review.

Two Bid proposals were received.

Mark Cerrone, Inc.

Base Bid: \$103,650.00

Contingency \$ 20,000.00

Total Bid \$123,650.00

Tank demolition

Discretionary Allowance

Sessler Environmental Services

Base Bid: \$132,200.06

Contingency \$ 20,000.00

Total Bid \$152,200.06

Tank Demolition

Discretionary Allowance

Clark Patterson Lee recommends awarding to Mark Cerrone, Inc. as the lowest responsible bidder for the total base bid of \$123,650.00.

Very truly yours,

Clark Patterson Lee

A handwritten signature in blue ink, appearing to read 'Jay Meyers'.

Jay Meyers, P.E.

Enclosure

c: S. Costello
File



REBID TABULATION SHEET										
PROJECT NAME:	Chemical Tank Demolition					CONTRACT FOR:	NIAGARA FALLS WATER BOARD			
CPL PROJECT NO.:	14143.00					DATE:	2:00 pm TUESDAY DECEMBER 11. 2018			
CONTRACTOR	BID FORM SIGNED	M/W/SDVBE	NON- COLLUSIVE	BID BOND	Quals Statement	BASE BID WITH ALLOWANCE	ADDENDA RECEIVED		ALTERNATES	TOTAL COST
							1	2		
Allied Environmental Services										
Empire Development										
Mark Cerrone, Inc.	x	x	x	x	x	\$123,650.00	x	x		\$123,650.00
Metro Contracting & Environmental										
Regional Evnironmental										
Sessler Environmental Services	x	x	x	x	x	\$152,200.06	x	x		\$152,200.06
Wargo Enterprises										

NIAGARA FALLS WATER BOARD RESOLUTION # 2018-12-008

EXPANDING BILL PAYMENT OPTIONS

WHEREAS, the Niagara Falls Water Board's banking relationship with Bank on Buffalo affords residential ratepayers the option to pay their bills in person at the Bank on Buffalo branch, in addition to the regular availability of payment at Niagara Falls City Hall and by mail; and

WHEREAS, for years, Water Board ratepayers have requested the ability to make electronic payments; and

WHEREAS, the Water Board desires to make this convenient method of bill payment available to residential ratepayers; and

WHEREAS, Bank on Buffalo has offered to facilitate these payments through a third-party vendor; and

WHEREAS, preliminary discussions with Bank on Buffalo indicate that a "bill pay" link could be added to the Water Board's website which would take customers to a secure Bank on Buffalo branded website (hosted by a Bank on Buffalo vendor) that will allow ratepayers to pay their Water Board bills; and

WHEREAS, the option to pay electronically using a check ("eCheck") will be offered to the ratepayer at no cost to the Water Board or to the ratepayer; and

WHEREAS, Bank on Buffalo's vendor will process credit card payments of Water Board bills for a convenience fee that will be paid by the ratepayer; and

WHEREAS, in light of the foregoing, these services will be at no expense to the Water Board and are anticipated to be a great convenience to ratepayers; and

WHEREAS, eCheck and credit card payments are anticipated to be available by the end of January 2019;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that the Director of Financial Services hereby is authorized to take all steps necessary to facilitate eCheck and credit card payments of Water Board bills, using the services offered to the Water Board at no cost to the Water Board by Bank on Buffalo.

Water Board Staff Responsible for Implementation of this Resolution:
Director of Financial Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board

NIAGARA FALLS WATER BOARD RESOLUTION # 2018-12-009

AUTHORIZING SETTLEMENT AGREEMENT WITH JAMIL AHMED

WHEREAS, Jamil Ahmed disputed certain Niagara Falls Water Board (“Water Board”) charges for service at 1162 North Avenue; and

WHEREAS, Mr. Ahmed purchased that property at City Auction, the terms of which provide in part that “All property is sold subject to the liens of all taxes and water bills levied after the Auction date;” and

WHEREAS, this term shifts the obligation to pay Water Board bills on a subject property from the City of Niagara Falls to the winning bidder, even before the bidder acquires actual title to the property; and

WHEREAS, Water Board records indicate that Mr. Ahmed acquired title to the property no later than June 2018, but the Water Board was not asked to update the billing information for the property until November 19, 2018; and

WHEREAS, in accordance with applicable Water Board regulations, bills for service continued to be issued after the City Auction date; and

WHEREAS, Mr. Ahmed did not request termination of water service to the property until November 2018; and

WHEREAS, in November 2018 Mr. Ahmed informed the Water Board that he disputed the bills issued after the City Auction date because the water meter was removed from the property, which occurred on a date not known to the Water Board; and

WHEREAS, in addition to quarterly bills, the Water Board has issued a billing item charge in the amount of \$170 for the missing meter; and

WHEREAS, the City Auction terms of sale require that “the successful bidder shall be required to accept the real property in "AS IS" CONDITION ON THE DATE OF THE AUCTION. The risk of loss or damage by fire, vandalism or other cause (except by taking under the power of eminent domain) between the time of sale and delivery of the deed, is assumed by purchaser;” and

WHEREAS, the Water Board believes all charges for the property are proper and correct, but nonetheless recognizes that Mr. Ahmed has been billed both for water service and for a missing meter; and

WHEREAS, the Water Board cannot determine when the meter was removed; and

WHEREAS, Section 1230-f, Title 10-B, Article 5 of the Public Authorities Law authorizes the Water Board to negotiate, compromise and settle claims when there is sufficient consideration for the compromise of a claim and if the parties in good faith advance opposing contentions;

NOW THEREFORE BE IT

RESOLVED, that the Water Board's Director of Financial Services hereby is authorized to adjust the bill for 1162 North Avenue by \$170, the amount billed for the missing meter at that location.

Water Board Personnel Responsible for Implementation of this Resolution:

Director of Financial Services

On December 17, 2018, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Forster	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman O'Callaghan	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Daniel T. O'Callaghan, Chairperson

Sean W. Costello, Secretary to Board



2019 PROPOSED BUDGET

Niagara Falls Water Board

**2019 Proposed
Budget**

Account Number	Account Description	
Fund: FA - Water Board - Water		
REVENUES		
Department:	0000 - Revenue	
<i>RE25-Department - Departmental Income</i>		
2122.001	Visual Inspections	33,141.00
2140.001	District 1	1,722,570.00
2140.002	District 2	1,853,359.00
2140.003	District 3	1,411,257.00
2140.004	Non-Resident	88,000.00
2140.005	Industrial	2,435,455.00
2140.006	Industrial SIU	2,492,301.00
2140.008	Hydrant Usage	5,029.00
2140.599	Miscellaneous Departmental Incom	30,000.00
2141.000	Allowance for Unpaid Trfd	(226,685.00)
2144.003	Fire Service	88,899.00
2144.005	Service Charge	462,329.00
2144.006	Lab Analysis	35,358.00
2144.008	Missing Meter Charge	40,242.00
2144.009	Mtr Install/Reinstall/Reactivate	20,000.00
2144.010	Final Meter Read/Inspect	14,500.00
2144.011	Hydrant Testing	66.00
2144.012	Backflow Certification	7,500.00
2144.599	Undesignated Water Charge	62,006.00
2148.001	District 1	74,000.00
2148.002	District 2	42,300.00
2148.003	District 3	57,500.00
2148.004	Non-Resident	34,000.00
2148.005	Industrial	7,426.00
2148.006	Industrial SIU	5,000.00
2148.599	Penalty - Miscellaneous	500.00
<i>Account Classification Total: RE25-Department - Departmental Income</i>		10,796,053.00
<i>RE30-Intergover - Intergovernmental Charges</i>		
2230.A	City of Niag Falls-Generl	245,963.00
<i>Account Classification Total: RE30-Intergover - Intergovernmental Charges</i>		245,963.00
<i>RE35-Use Of Mon - Use Of Money & Property</i>		
2401.000	Interest Earnings	105,600.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
<i>Account Classification Total: RE35-Use Of Mon - Use Of Money & Property</i>		105,600.00
<i>RE40-Licenses A - Licenses And Permits</i>		
2550.006	Cellular Towers	205,000.00
2590.004	Hydrant Permits & Rentals	16,800.00
<i>Account Classification Total: RE40-Licenses A - Licenses And Permits</i>		221,800.00
<i>RE50-Sale Of Pr - Sale Of Prop/Cmp For Loss</i>		
2650.000	Sale Of Scrap	15,000.00
2665.000	Sale-Equipment	4,000.00
2690.001	Damages to WB Property	5,000.00
<i>Account Classification Total: RE50-Sale Of Pr - Sale Of Prop/Cmp For Loss</i>		24,000.00
<i>RE55-Misc Local - Misc Local Sources</i>		
2770.001	NSF Check Charge	3,000.00
2770.599	Undesignated	4,500.00
<i>Account Classification Total: RE55-Misc Local - Misc Local Sources</i>		7,500.00
<i>RE60-Interfund - Interfund Revenues</i>		
2801.GA	Interfd Rev WtrBd-Sewr	275,000.00
<i>Account Classification Total: RE60-Interfund - Interfund Revenues</i>		275,000.00
<i>RE75-Operating - Operating Transfers In</i>		
5031.GA	Transfer Fr Sewer Divisn.	826,923.00
<i>Account Classification Total: RE75-Operating - Operating Transfers In</i>		826,923.00
Department Total: 0000 - Revenue		12,502,839.00
REVENUES Total		12,502,839.00
EXPENSES		
Department: 1930 - Judgements & Claims		
<i>EX40-Contractua - Contractual Expenses</i>		
0449.599	Undesignated Services	15,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		15,000.00
Department Total: 1930 - Judgements & Claims		15,000.00
Department: 1950 - Tax/Assess-Municipal Prop		
<i>EX40-Contractua - Contractual Expenses</i>		
0449.599	Undesignated Services	700,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		700,000.00
Department Total: 1950 - Tax/Assess-Municipal Prop		700,000.00
Department: 1990 - Contingency Account		
<i>EX40-Contractua - Contractual Expenses</i>		
0449.599	Undesignated Services	10,000.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		10,000.00
Department Total: 1990 - Contingency Account		10,000.00
Department: 8145 - Laboratory		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	151,670.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		151,670.00
<i>EX10-Personnel - Personnel Services</i>		
0140.000	Overtime	4,000.00
0155.000	Holiday Pay	3,781.00
0170.000	Overtime Meals	100.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		7,881.00
<i>EX20-Capital Ou - Capital Outlays</i>		
0250.000	Other Equipment	10,000.00
<i>Account Classification Total: EX20-Capital Ou - Capital Outlays</i>		10,000.00
<i>EX40-Contractua - Contractual Expenses</i>		
0413.000	Safety Shoes	600.00
0419.009	Misc Chemicals	28,000.00
0419.010	Laboratory	28,000.00
0419.599	Undesignated Supplies	500.00
0442.599	Undesignated Rentals	2,300.00
0444.000	Repair Of Equipment	1,000.00
0449.599	Undesignated Services	30,000.00
0451.000	Consultants	10,000.00
0463.000	Travel & Training Expense	2,500.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		102,900.00
<i>EX80-Employee B - Employee Benefits</i>		
0830.000	Life Insurance	420.00
0860.000	Medical Insurance	44,000.00
0861.000	Dental Insurance	1,260.00
0863.000	Vision Care Insurance	100.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		45,780.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	11,603.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		11,603.00
Department Total: 8145 - Laboratory		329,834.00

Department: 8150 - Information Technology

Niagara Falls Water Board

2019 Proposed Budget

Account Number	Account Description	
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	246,548.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		246,548.00
<i>EX10-Personnel - Personnel Services</i>		
0140.000	Overtime	8,000.00
0155.000	Holiday Pay	5,134.00
0170.000	Overtime Meals	175.00
0186.000	Call-In Time	800.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		14,109.00
<i>EX20-Capital Ou - Capital Outlays</i>		
0250.007	Computer Equipment	20,000.00
0270.000	Communication Equipment	2,500.00
<i>Account Classification Total: EX20-Capital Ou - Capital Outlays</i>		22,500.00
<i>EX40-Contractua - Contractual Expenses</i>		
0413.000	Safety Shoes	1,000.00
0419.599	Undesignated Supplies	2,500.00
0444.000	Repair Of Equipment	2,000.00
0446.007	Software	13,000.00
0446.008	Software Maint/Licenses	172,000.00
0449.599	Undesignated Services	40,000.00
0463.000	Travel & Training Expense	4,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		234,500.00
<i>EX80-Employee B - Employee Benefits</i>		
0830.000	Life Insurance	593.00
0860.000	Medical Insurance	44,000.00
0861.000	Dental Insurance	3,000.00
0863.000	Vision Care Insurance	230.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		47,823.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	18,861.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		18,861.00
Department Total: 8150 - Information Technology		584,341.00
Department: 8310 - Water		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	763,486.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		763,486.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
<i>EX10-Personnel - Personnel Services</i>		
0125.000	Insurance OPT Out	6,600.00
0130.000	Temporary Payroll	20,000.00
0135.000	Car Allowance	822.00
0140.000	Overtime	12,162.00
0155.000	Holiday Pay	7,686.00
0170.000	Overtime Meals	100.00
0190.000	Vacation Cash Conversion	3,378.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		50,748.00
<i>EX20-Capital Ou - Capital Outlays</i>		
0210.000	Furniture & Furnishings	2,550.00
0220.000	Office Equipment	12,500.00
0250.000	Other Equipment	5,000.00
0250.007	Computer Equipment	20,000.00
0270.000	Communication Equipment	600.00
<i>Account Classification Total: EX20-Capital Ou - Capital Outlays</i>		40,650.00
<i>EX40-Contractua - Contractual Expenses</i>		
0411.000	Office Supplies	15,000.00
0413.000	Safety Shoes	600.00
0416.000	Consumable Printed Forms	600.00
0419.599	Undesignated Supplies	3,500.00
0421.001	Phone Extension Chgs	5,000.00
0421.002	Wireless Services	16,156.00
0432.000	Property Insurance	155,000.00
0433.000	Liability Insurance	75,000.00
0440.599	Undesignated Leases	2,187.00
0442.001	Photocopy/Printing Chg	300.00
0442.599	Undesignated Rentals	2,000.00
0444.000	Repair Of Equipment	1,513.00
0446.000	Computer Services	2,000.00
0446.007	Software	1,500.00
0449.500	Safety-Contractual	7,500.00
0449.599	Undesignated Services	15,500.00
0451.000	Consultants	50,000.00
0454.000	Attorney Services	120,000.00
0461.000	Postage	25,000.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
0463.000	Travel & Training Expense	8,000.00
0464.000	Local Mtng Cost/Mileage	720.00
0466.000	Books,Mags. & Memberships	5,600.00
0467.000	Advertising	15,000.00
0471.000	Recruitment Expenditures	5,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		532,676.00
<i>EX80-Employee B - Employee Benefits</i>		
0820.000	Worker's Compensation	226,113.00
0830.000	Life Insurance	1,972.00
0840.000	Unemployment Ins. NYS	5,500.00
0860.000	Medical Insurance	187,000.00
0861.000	Dental Insurance	7,280.00
0863.000	Vision Care Insurance	367.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		428,232.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	58,407.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		58,407.00
Department Total: 8310 - Water		1,874,199.00
Department: 8330 - Purification		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	553,232.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		553,232.00
<i>EX10-Personnel - Personnel Services</i>		
0130.000	Temporary Payroll	12,500.00
0140.000	Overtime	65,000.00
0151.A	Sunday Contractual Pay	12,000.00
0155.A	Holiday Contractual Pay	4,000.00
0170.000	Overtime Meals	1,600.00
0186.000	Call-In Time	8,600.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		103,700.00
<i>EX20-Capital Ou - Capital Outlays</i>		
0250.000	Other Equipment	41,000.00
<i>Account Classification Total: EX20-Capital Ou - Capital Outlays</i>		41,000.00
<i>EX40-Contractua - Contractual Expenses</i>		
0412.000	Uniforms	629.00
0413.000	Safety Shoes	2,400.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
0415.000	Fuel Oil	30,000.00
0417.000	Tool Allowance	150.00
0419.003	Cleaning/Sanitary	1,500.00
0419.005	Tools & Machine Parts	35,000.00
0419.009	Misc Chemicals	380,000.00
0419.599	Undesignated Supplies	8,500.00
0422.000	Light & Power	500,000.00
0423.000	Water/Sewer	3,058.00
0424.000	Gas	15,000.00
0444.000	Repair Of Equipment	25,000.00
0449.001	Sludge Removal	45,000.00
0449.599	Undesignated Services	40,000.00
0463.000	Travel & Training Expense	5,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		1,091,237.00
<i>EX80-Employee B - Employee Benefits</i>		
0830.000	Life Insurance	2,190.00
0860.000	Medical Insurance	144,300.00
0861.000	Dental Insurance	6,000.00
0863.000	Vision Care Insurance	394.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		152,884.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	42,322.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		42,322.00
Department Total: 8330 - Purification		1,984,375.00
Department: 8340 - Transmissn/Distribution		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	634,028.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		634,028.00
<i>EX10-Personnel - Personnel Services</i>		
0130.000	Temporary Payroll	13,000.00
0140.000	Overtime	158,500.00
0150.000	Acting Next-In-Rank Pay	210.00
0152.000	Shift Premium Pay	700.00
0170.000	Overtime Meals	3,250.00
0190.000	Vacation Cash Conversion	2,332.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		177,992.00

Niagara Falls Water Board

2019 Proposed Budget

Account Number	Account Description	
<i>EX40-Contractua - Contractual Expenses</i>		
0411.000	Office Supplies	500.00
0412.000	Uniforms	420.00
0413.000	Safety Shoes	3,200.00
0414.000	Automotive-Gas,Oil,Grease	40,000.00
0419.001	Automotive Parts	20,000.00
0419.005	Tools & Machine Parts	27,000.00
0419.006	Construction/Repair	174,000.00
0419.599	Undesignated Supplies	4,000.00
0441.000	Rental Of Real Property	5,000.00
0444.000	Repair Of Equipment	2,500.00
0449.599	Undesignated Services	20,000.00
0451.000	Consultants	25,000.00
0463.000	Travel & Training Expense	4,600.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		326,220.00
<i>EX80-Employee B - Employee Benefits</i>		
0830.000	Life Insurance	1,850.00
0860.000	Medical Insurance	357,500.00
0861.000	Dental Insurance	7,000.00
0863.000	Vision Care Insurance	900.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		367,250.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	48,806.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		48,806.00
Department Total: 8340 - Transmissn/Distribution		1,554,296.00
Department: 9010 - Nys Employees' Retirement		
<i>EX80-Employee B - Employee Benefits</i>		
0801.000	NYS E.R.S. Retirement	230,000.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		230,000.00
Department Total: 9010 - Nys Employees' Retirement		230,000.00
Department: 9060 - Retiree Benefits		
<i>EX80-Employee B - Employee Benefits</i>		
0860.000	Medical Insurance	560,000.00
0861.000	Dental Insurance	26,000.00
0863.000	Vision Care Insurance	1,300.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		587,300.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
Department Total: 9060 - Retiree Benefits		587,300.00
Department: 9901 - Interfund Transfers		
<i>EX90-Interfund - Interfund Transfers</i>		
0900.FGA	Transfer To Authority Bd	25,000.00
0900.FGB	Transfer To Water Board	80,000.00
0900.O&M	Transfer to Capital - Coverage	2,000,000.00
0900.VFG	Transfer To Debt Service	2,727,626.00
<i>Account Classification Total: EX90-Interfund - Interfund Transfers</i>		4,832,626.00
Department Total: 9901 - Interfund Transfers		4,832,626.00
EXPENSES Total		12,701,971.00
Fund REVENUE	Total: FA - Water Board - Water	12,502,839.00
Fund EXPENSE	Total: FA - Water Board - Water	12,701,971.00
Fund Total: FA - Water Board - Water		(199,132.00)
Fund: FGA - Water Authority		
REVENUES		
Department: 0000 - Revenue		
<i>RE75-Operating - Operating Transfers In</i>		
5031.FA	Transfer Fr Water Divisn.	25,000.00
5031.GA	Transfer Fr Sewer Divisn.	25,000.00
<i>Account Classification Total: RE75-Operating - Operating Transfers In</i>		50,000.00
Department Total: 0000 - Revenue		50,000.00
REVENUES Total		50,000.00
EXPENSES		
Department: 8005 - NF Water Authority		
<i>EX40-Contractua - Contractual Expenses</i>		
0451.000	Consultants	25,000.00
0454.000	Attorney Services	25,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		50,000.00
Department Total: 8005 - NF Water Authority		50,000.00
EXPENSES Total		50,000.00
Fund REVENUE	Total: FGA - Water Authority	50,000.00
Fund EXPENSE	Total: FGA - Water Authority	50,000.00
Fund Total: FGA - Water Authority		0.00

Fund: FGB - Water Board

REVENUES

Niagara Falls Water Board

**2019 Proposed
Budget**

Account Number	Account Description	
Department: 0000 - Revenue		
<i>RE75-Operating - Operating Transfers In</i>		
5031.FA	Transfer Fr Water Divisn.	80,000.00
5031.GA	Transfer Fr Sewer Divisn.	113,006.00
<i>Account Classification Total: RE75-Operating - Operating Transfers In</i>		193,006.00
Department Total: 0000 - Revenue		193,006.00
<i>REVENUES Total</i>		193,006.00
EXPENSES		
Department: 8000 - Niagara Falls Water Board		
<i>EX10-Personnel - Personnel Services</i>		
0140.000	Overtime	4,000.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		4,000.00
<i>EX40-Contractua - Contractual Expenses</i>		
0419.599	Undesignated Supplies	2,000.00
0449.000	Service Peculiar / Dept.	24,000.00
0449.599	Undesignated Services	7,200.00
0451.000	Consultants	45,000.00
0454.000	Attorney Services	80,000.00
0459.000	Auditors	27,500.00
0466.000	Books,Mags. & Memberships	3,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		188,700.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	306.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		306.00
Department Total: 8000 - Niagara Falls Water Board		193,006.00
<i>EXPENSES Total</i>		193,006.00
<i>Fund REVENUE Total: FGB - Water Board</i>		193,006.00
<i>Fund EXPENSE Total: FGB - Water Board</i>		193,006.00
Fund Total: FGB - Water Board		0.00

Fund: GA - Water Board - Sewer

REVENUES

Department: 0000 - Revenue

RE25-Department - Departmental Income

2120.001	District 1	2,184,840.00
2120.002	District 2	2,463,018.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
2120.003	District 3	1,873,340.00
2120.005	Industrial CSIRU	3,876,656.00
2120.006	Industrial SIU	8,332,214.00
2120.007	Waste Hauler Fees	125,000.00
2120.008	Hydrant Usage	5,000.00
2120.102	Town Of Niagara	714,016.00
2122.002	Dye Tests	33,141.00
2128.001	District 1	70,000.00
2128.002	District 2	55,000.00
2128.003	District 3	71,125.00
2128.005	Industrial	7,500.00
2128.006	Industrial SIU	13,448.00
2128.599	Penalty - Miscellaneous	1,000.00
2141.000	Allowance for Unpaid Trfd	(235,000.00)
<i>Account Classification Total: RE25-Department - Departmental Income</i>		19,590,298.00
<i>RE35-Use Of Mon - Use Of Money & Property</i>		
2401.000	Interest Earnings	158,400.00
<i>Account Classification Total: RE35-Use Of Mon - Use Of Money & Property</i>		158,400.00
<i>RE40-Licenses A - Licenses And Permits</i>		
2590.006	SIU 5-Yr Permits	993.00
<i>Account Classification Total: RE40-Licenses A - Licenses And Permits</i>		993.00
<i>RE45-Fines And - Fines And Forfeits</i>		
2620.000	Forfeitures Of Deposits	596.00
<i>Account Classification Total: RE45-Fines And - Fines And Forfeits</i>		596.00
<i>RE50-Sale Of Pr - Sale Of Prop/Cmp For Loss</i>		
2650.000	Sale Of Scrap	10,000.00
2690.001	Damages to WB Property	5,000.00
<i>Account Classification Total: RE50-Sale Of Pr - Sale Of Prop/Cmp For Loss</i>		15,000.00
<i>RE55-Misc Local - Misc Local Sources</i>		
2770.599	Undesignated	507,000.00
<i>Account Classification Total: RE55-Misc Local - Misc Local Sources</i>		507,000.00
Department Total: 0000 - Revenue		20,272,287.00
REVENUES Total		20,272,287.00

EXPENSES

Department: 1930 - Judgements & Claims

EX40-Contractua - Contractual Expenses

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
0449.599	Undesignated Services	5,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		5,000.00
Department Total: 1930 - Judgements & Claims		5,000.00
Department: 1990 - Contingency Account		
<i>EX40-Contractua - Contractual Expenses</i>		
0449.599	Undesignated Services	15,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		15,000.00
Department Total: 1990 - Contingency Account		15,000.00
Department: 8110 - W.W.T.P.		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	799,195.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		799,195.00
<i>EX10-Personnel - Personnel Services</i>		
0125.000	Insurance OPT Out	8,200.00
0130.000	Temporary Payroll	75,555.00
0140.000	Overtime	16,882.00
0155.000	Holiday Pay	12,106.00
0170.000	Overtime Meals	600.00
0181.000	Vacation Pay	34,226.00
0182.000	Personal Time	2,367.00
0183.000	Compensatory Time Off	1,501.00
0189.000	Sick Leave	6,000.00
0190.000	Vacation Cash Conversion	1,880.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		159,317.00
<i>EX20-Capital Ou - Capital Outlays</i>		
0220.000	Office Equipment	1,741.00
0250.000	Other Equipment	8,000.00
0250.500	Safety Equipment	20,000.00
<i>Account Classification Total: EX20-Capital Ou - Capital Outlays</i>		29,741.00
<i>EX40-Contractua - Contractual Expenses</i>		
0411.000	Office Supplies	5,000.00
0413.000	Safety Shoes	800.00
0419.005	Tools & Machine Parts	100.00
0419.599	Undesignated Supplies	2,450.00
0421.001	Phone Extension Chgs	6,884.00
0421.002	Wireless Services	6,899.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
0432.000	Property Insurance	205,000.00
0433.000	Liability Insurance	89,000.00
0440.599	Undesignated Leases	410.00
0446.000	Computer Services	552.00
0449.004	Special Security	50,000.00
0449.500	Safety-Contractual	942.00
0449.599	Undesignated Services	186,912.00
0451.000	Consultants	80,000.00
0453.000	Engineers & Architects	8,471.00
0454.000	Attorney Services	81,658.00
0461.000	Postage	10,000.00
0463.000	Travel & Training Expense	3,250.00
0466.000	Books,Mags. & Memberships	1,654.00
0467.000	Advertising	526.00
0471.000	Recruitment Expenditures	2,542.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		743,050.00
<i>EX80-Employee B - Employee Benefits</i>		
0820.000	Worker's Compensation	275,915.00
0830.000	Life Insurance	1,295.00
0840.000	Unemployment Ins. NYS	10,002.00
0860.000	Medical Insurance	156,173.00
0861.000	Dental Insurance	5,428.00
0863.000	Vision Care Insurance	330.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		449,143.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	61,139.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		61,139.00
Department Total: 8110 - W.W.T.P.		2,241,585.00
Department: 8120 - Sewers		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	363,158.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		363,158.00
<i>EX10-Personnel - Personnel Services</i>		
0140.000	Overtime	120,000.00
0170.000	Overtime Meals	4,000.00
0186.000	Call-In Time	5,000.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		129,000.00
<i>EX40-Contractua - Contractual Expenses</i>		
0411.000	Office Supplies	1,000.00
0413.000	Safety Shoes	2,200.00
0414.000	Automotive-Gas,Oil,Grease	40,000.00
0419.001	Automotive Parts	45,000.00
0419.004	Agricultural/Botanical	40,000.00
0419.005	Tools & Machine Parts	6,000.00
0419.006	Construction/Repair	140,000.00
0419.008	Signals/Communication	10,000.00
0419.599	Undesignated Supplies	21,000.00
0421.001	Phone Extension Chgs	12,300.00
0422.000	Light & Power	157,902.00
0423.000	Water/Sewer	72,000.00
0442.599	Undesignated Rentals	5,000.00
0443.000	Repair Of Real Property	30,000.00
0444.000	Repair Of Equipment	50,000.00
0449.003	Waste Disposal	11,000.00
0449.599	Undesignated Services	50,000.00
0451.000	Consultants	50,000.00
0463.000	Travel & Training Expense	15,000.00
0467.000	Advertising	2,000.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		760,402.00
<i>EX80-Employee B - Employee Benefits</i>		
0830.000	Life Insurance	1,200.00
0860.000	Medical Insurance	117,000.00
0861.000	Dental Insurance	5,000.00
0863.000	Vision Care Insurance	500.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		123,700.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	27,782.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		27,782.00
Department Total: 8120 - Sewers		1,404,042.00
Department: 8130 - Sewage Trtmt/Disposal		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	1,443,346.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		1,443,346.00
<i>EX10-Personnel - Personnel Services</i>		
0140.000	Overtime	220,000.00
0151.A	Sunday Contractual Pay	34,200.00
0155.A	Holiday Contractual Pay	16,300.00
0170.000	Overtime Meals	7,500.00
0186.000	Call-In Time	9,000.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		287,000.00
<i>EX40-Contractua - Contractual Expenses</i>		
0412.000	Uniforms	5,000.00
0413.000	Safety Shoes	6,200.00
0417.000	Tool Allowance	300.00
0419.003	Cleaning/Sanitary	5,000.00
0419.005	Tools & Machine Parts	200,000.00
0419.009	Misc Chemicals	4,000.00
0419.012	Carbon	420,000.00
0419.014	Ferric Chloride	385,000.00
0419.016	Primary Polymer	190,000.00
0419.018	Pebble Lime	185,000.00
0419.024	Hypochlorite Solution	1,500,000.00
0419.028	Hydrogen Peroxide	550,000.00
0419.599	Undesignated Supplies	14,000.00
0422.000	Light & Power	470,000.00
0423.000	Water/Sewer	200,000.00
0443.000	Repair Of Real Property	2,500.00
0444.000	Repair Of Equipment	89,000.00
0449.002	Sludge Disposal	1,200,000.00
0449.599	Undesignated Services	20,000.00
0463.000	Travel & Training Expense	12,000.00
0466.000	Books,Mags. & Memberships	100.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		5,458,100.00
<i>EX80-Employee B - Employee Benefits</i>		
0830.000	Life Insurance	4,000.00
0860.000	Medical Insurance	324,500.00
0861.000	Dental Insurance	17,000.00
0863.000	Vision Care Insurance	1,150.00

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		346,650.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	110,416.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		110,416.00
Department Total: 8130 - Sewage Trtmt/Disposal		7,645,512.00
Department: 8145 - Laboratory		
<i>EX09-PosControl - Personnel - Position Control</i>		
0110.000	Biweekly Payroll	226,597.00
<i>Account Classification Total: EX09-PosControl - Personnel - Position Control</i>		226,597.00
<i>EX10-Personnel - Personnel Services</i>		
0140.000	Overtime	1,500.00
<i>Account Classification Total: EX10-Personnel - Personnel Services</i>		1,500.00
<i>EX40-Contractua - Contractual Expenses</i>		
0411.000	Office Supplies	500.00
0413.000	Safety Shoes	1,000.00
0419.005	Tools & Machine Parts	1,800.00
0419.009	Misc Chemicals	15,000.00
0419.010	Laboratory	23,000.00
0419.599	Undesignated Supplies	1,500.00
0442.599	Undesignated Rentals	1,000.00
0444.000	Repair Of Equipment	30,000.00
0449.008	Hazardous Waste Displ.	2,000.00
0449.599	Undesignated Services	40,000.00
0465.000	Laundry & Cleaning	400.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>		116,200.00
<i>EX80-Employee B - Employee Benefits</i>		
0830.000	Life Insurance	1,100.00
0860.000	Medical Insurance	49,500.00
0861.000	Dental Insurance	2,500.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		53,100.00
<i>EX81-FICA - Employee Benefit - FICA</i>		
0810.000	Social Security	17,335.00
<i>Account Classification Total: EX81-FICA - Employee Benefit - FICA</i>		17,335.00
Department Total: 8145 - Laboratory		414,732.00

Department: 9010 - Nys Employees' Retirement

EX80-Employee B - Employee Benefits

Niagara Falls Water Board

Account Number	Account Description	2019 Proposed Budget
0801.000	NYS E.R.S. Retirement	452,000.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		452,000.00
Department Total: 9010 - Nys Employees' Retirement		452,000.00
Department: 9060 - Retiree Benefits		
<i>EX80-Employee B - Employee Benefits</i>		
0860.000	Medical Insurance	1,515,267.00
0861.000	Dental Insurance	52,500.00
0863.000	Vision Care Insurance	2,250.00
<i>Account Classification Total: EX80-Employee B - Employee Benefits</i>		1,570,017.00
Department Total: 9060 - Retiree Benefits		1,570,017.00
Department: 9901 - Interfund Transfers		
<i>EX90-Interfund - Interfund Transfers</i>		
0900.FA	Transfer To Water Divisn.	826,923.00
0900.FGA	Transfer To Authority Bd	25,000.00
0900.FGB	Transfer To Water Board	113,006.00
0900.O&M	Transfer to Capital - Coverage	700,000.00
0900.VFG	Transfer To Debt Service	4,090,164.00
<i>Account Classification Total: EX90-Interfund - Interfund Transfers</i>		5,755,093.00
Department Total: 9901 - Interfund Transfers		5,755,093.00
EXPENSES Total		19,502,981.00
Fund REVENUE	Total: GA - Water Board - Sewer	20,272,287.00
Fund EXPENSE	Total: GA - Water Board - Sewer	19,502,981.00
Fund Total: GA - Water Board - Sewer		769,306.00
Fund: VFG - Plant Fund		
REVENUES		
Department: 0000 - Revenue		
<i>RE35-Use Of Mon - Use Of Money & Property</i>		
2401.000	Interest Earnings	400,000.00
<i>Account Classification Total: RE35-Use Of Mon - Use Of Money & Property</i>		400,000.00
<i>RE75-Operating - Operating Transfers In</i>		
5031.FA	Transfer Fr Water Divisn.	2,727,626.00
5031.GA	Transfer Fr Sewer Divisn.	4,090,164.00
<i>Account Classification Total: RE75-Operating - Operating Transfers In</i>		6,817,790.00
Department Total: 0000 - Revenue		7,217,790.00
REVENUES Total		7,217,790.00

Niagara Falls Water Board

Account Number		Account Description	2019 Proposed Budget
EXPENSES			
Department: 9710 - Serial Bonds			
<i>EX40-Contractua - Contractual Expenses</i>			
0449.599		Undesignated Services	62,593.00
<i>Account Classification Total: EX40-Contractua - Contractual Expenses</i>			62,593.00
<i>EX60-Principal - Principal On Indebtedness</i>			
0600.000		Principal On Debt	4,055,000.00
<i>Account Classification Total: EX60-Principal - Principal On Indebtedness</i>			4,055,000.00
<i>EX70-Interest O - Interest On Indebtedness</i>			
0700.000		Interest On Debt	3,100,197.00
<i>Account Classification Total: EX70-Interest O - Interest On Indebtedness</i>			3,100,197.00
Department Total: 9710 - Serial Bonds			7,217,790.00
EXPENSES Total			7,217,790.00
Fund REVENUE Total: VFG - Plant Fund			7,217,790.00
Fund EXPENSE Total: VFG - Plant Fund			7,217,790.00
Fund Total: VFG - Plant Fund			0.00
REVENUE GRAND Totals:			40,235,922.00
EXPENSE GRAND Totals:			39,665,748.00
Grand Totals:			570,174.00



0.02

WATER & SEWER RATES 2019

PROPOSED
2% Increase

RESIDENTIAL		Cons.	Water	Svc. Chg	Total Water	Sewer	Total Bill
				5/8"			
WATER		13**	\$ 44.42	3.70	\$ 48.12	\$ 58.74	\$ 106.86
		14	\$ 47.84	3.70	\$ 51.54	\$ 63.26	\$ 114.80
Rates per 100 c.f.		15	\$ 51.26	3.70	\$ 54.96	\$ 67.78	\$ 122.73
First 200 @	3.42	16	\$ 54.67	3.70	\$ 58.37	\$ 72.30	\$ 130.67
Next 600 @	2.96	17	\$ 58.09	3.70	\$ 61.79	\$ 76.82	\$ 138.61
Next 1200 @	2.51	18	\$ 61.51	3.70	\$ 65.21	\$ 81.33	\$ 146.54
Over 2000 @	2.08	19	\$ 64.92	3.70	\$ 68.62	\$ 85.85	\$ 154.48
		20	\$ 68.34	3.70	\$ 72.04	\$ 90.37	\$ 162.41
		21	\$ 71.76	3.70	\$ 75.46	\$ 94.89	\$ 170.35
		22	\$ 75.17	3.70	\$ 78.87	\$ 99.41	\$ 178.28
		23	\$ 78.59	3.70	\$ 82.29	\$ 103.93	\$ 186.22
Minimum Bill = \$ 106.86		24	\$ 82.01	3.70	\$ 85.71	\$ 108.45	\$ 194.15
Water = 44.42		25	\$ 85.43	3.70	\$ 89.13	\$ 112.97	\$ 202.09
Sewer = 58.74		26	\$ 88.84	3.70	\$ 92.54	\$ 117.48	\$ 210.03
Svc Chg = 3.70		27	\$ 92.26	3.70	\$ 95.96	\$ 122.00	\$ 217.96
Note: Service Charge is demand charge for the user's water meter, which is owned and installed by NFWB.		28	\$ 95.68	3.70	\$ 99.38	\$ 126.52	\$ 225.90
		29	\$ 99.09	3.70	\$ 102.79	\$ 131.04	\$ 233.83
		30	\$ 102.51	3.70	\$ 106.21	\$ 135.56	\$ 241.77
SEWER		31	\$ 105.93	3.70	\$ 109.63	\$ 140.08	\$ 249.70
		32	\$ 109.34	3.70	\$ 113.04	\$ 144.60	\$ 257.64
Per 100 c.f. 4.52		33	\$ 112.76	3.70	\$ 116.46	\$ 149.11	\$ 265.57
		34	\$ 116.18	3.70	\$ 119.88	\$ 153.63	\$ 273.51
		35	\$ 119.60	3.70	\$ 123.30	\$ 158.15	\$ 281.45
		36	\$ 123.01	3.70	\$ 126.71	\$ 162.67	\$ 289.38
		37	\$ 126.43	3.70	\$ 130.13	\$ 167.19	\$ 297.32
		38	\$ 129.85	3.70	\$ 133.55	\$ 171.71	\$ 305.25
NR Rates		39	\$ 133.26	3.70	\$ 136.96	\$ 176.23	\$ 313.19
Rates per 100 c.f. water		40	\$ 136.68	3.70	\$ 140.38	\$ 180.74	\$ 321.12
First 200 @ 9.13		41	\$ 140.10	3.70	\$ 143.80	\$ 185.26	\$ 329.06
Next 600 @ 7.97		42	\$ 143.51	3.70	\$ 147.21	\$ 189.78	\$ 337.00
Next 1200 @ 6.64		43	\$ 146.93	3.70	\$ 150.63	\$ 194.30	\$ 344.93
Over 2000 @ 5.59		44	\$ 150.35	3.70	\$ 154.05	\$ 198.82	\$ 352.87
		45	\$ 153.77	3.70	\$ 157.47	\$ 203.34	\$ 360.80
Sewer - NR		46	\$ 157.18	3.70	\$ 160.88	\$ 207.86	\$ 368.74
Per 100 c.f. 12.13		47	\$ 160.60	3.70	\$ 164.30	\$ 212.37	\$ 376.67
		48	\$ 164.02	3.70	\$ 167.72	\$ 216.89	\$ 384.61
		49	\$ 167.43	3.70	\$ 171.13	\$ 221.41	\$ 392.54
		50	\$ 170.85	3.70	\$ 174.55	\$ 225.93	\$ 400.48
		51	\$ 174.27	3.70	\$ 177.97	\$ 230.45	\$ 408.42
		52	\$ 177.68	3.70	\$ 181.38	\$ 234.97	\$ 416.35
		53	\$ 181.10	3.70	\$ 184.80	\$ 239.49	\$ 424.29
		54	\$ 184.52	3.70	\$ 188.22	\$ 244.00	\$ 432.22
		55	\$ 187.94	3.70	\$ 191.64	\$ 248.52	\$ 440.16
		56	\$ 191.35	3.70	\$ 195.05	\$ 253.04	\$ 448.09
		57	\$ 194.77	3.70	\$ 198.47	\$ 257.56	\$ 456.03
		58	\$ 198.19	3.70	\$ 201.89	\$ 262.08	\$ 463.96
		59	\$ 201.60	3.70	\$ 205.30	\$ 266.60	\$ 471.90
		60	\$ 205.02	3.70	\$ 208.72	\$ 271.12	\$ 479.84
		61	\$ 208.44	3.70	\$ 212.14	\$ 275.63	\$ 487.77
		62	\$ 211.85	3.70	\$ 215.55	\$ 280.15	\$ 495.71

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63	\$	215.27	3.70	\$	218.97	\$	284.67	\$	503.64
64	\$	218.69	3.70	\$	222.39	\$	289.19	\$	511.58
65	\$	222.11	3.70	\$	225.81	\$	293.71	\$	519.51
66	\$	225.52	3.70	\$	229.22	\$	298.23	\$	527.45
67	\$	228.94	3.70	\$	232.64	\$	302.75	\$	535.39
68	\$	232.36	3.70	\$	236.06	\$	307.26	\$	543.32
69	\$	235.77	3.70	\$	239.47	\$	311.78	\$	551.26
70	\$	239.19	3.70	\$	242.89	\$	316.30	\$	559.19
71	\$	242.61	3.70	\$	246.31	\$	320.82	\$	567.13
72	\$	246.02	3.70	\$	249.72	\$	325.34	\$	575.06
73	\$	249.44	3.70	\$	253.14	\$	329.86	\$	583.00
74	\$	252.86	3.70	\$	256.56	\$	334.38	\$	590.93
75	\$	256.28	3.70	\$	259.98	\$	338.90	\$	598.87
76	\$	259.69	3.70	\$	263.39	\$	343.41	\$	606.81
77	\$	263.11	3.70	\$	266.81	\$	347.93	\$	614.74
78	\$	266.53	3.70	\$	270.23	\$	352.45	\$	622.68
79	\$	269.94	3.70	\$	273.64	\$	356.97	\$	630.61
80	\$	273.36	3.70	\$	277.06	\$	361.49	\$	638.55
81	\$	276.78	3.70	\$	280.48	\$	366.01	\$	646.48
82	\$	280.19	3.70	\$	283.89	\$	370.53	\$	654.42
83	\$	283.61	3.70	\$	287.31	\$	375.04	\$	662.35
84	\$	287.03	3.70	\$	290.73	\$	379.56	\$	670.29
85	\$	290.45	3.70	\$	294.15	\$	384.08	\$	678.23
86	\$	293.86	3.70	\$	297.56	\$	388.60	\$	686.16
87	\$	297.28	3.70	\$	300.98	\$	393.12	\$	694.10
88	\$	300.70	3.70	\$	304.40	\$	397.64	\$	702.03
89	\$	304.11	3.70	\$	307.81	\$	402.16	\$	709.97
90	\$	307.53	3.70	\$	311.23	\$	406.67	\$	717.90
91	\$	310.95	3.70	\$	314.65	\$	411.19	\$	725.84
92	\$	314.36	3.70	\$	318.06	\$	415.71	\$	733.78
93	\$	317.78	3.70	\$	321.48	\$	420.23	\$	741.71
94	\$	321.20	3.70	\$	324.90	\$	424.75	\$	749.65
95	\$	324.62	3.70	\$	328.32	\$	429.27	\$	757.58
96	\$	328.03	3.70	\$	331.73	\$	433.79	\$	765.52
97	\$	331.45	3.70	\$	335.15	\$	438.30	\$	773.45
98	\$	334.87	3.70	\$	338.57	\$	442.82	\$	781.39
99	\$	338.28	3.70	\$	341.98	\$	447.34	\$	789.32
100	\$	341.70	3.70	\$	345.40	\$	451.86	\$	797.26

Proposed 2019 - Not Final

TITLE 21. MISCELLANEOUS
CHAPTER XXX. NIAGARA FALLS WATER BOARD
PART 1950. WATER REGULATIONS

Section 1950.15. Charges for fire protection.

(a) Except where fire flows are metered together with normal water service to a water customer, no charge shall be made for the actual use of water for fire protection purposes.

Availability charges for fire protection shall be as hereinafter set forth.

(b) The availability charge for each public fire hydrant inside the city boundary shall be \$103.00 per year, payable by the city fire department to the water board.

(c) the availability charge for each public fire hydrant located outside the city boundary shall be \$150 per year, payable in advance to the water board.

(d) The availability charge for service to private fire protection services inside the city boundary shall be the annual amounts as identified in the board schedule of rates, payable in advance, based on the nominal diameter of each service at its point of connection to the water board main.

(e) The availability charge for service to private fire protection services located outside the city boundary shall be 200 percent of the fee chargeable for similar service inside the city boundary.

(f) The requirement that meters shall be installed on all service branches shall be waived in the case of service branches intended for fire protection only. However, a detector check valve is required on fire protection lines.

(g) Water may not be used from service that has a detector check valve, except for fire protection.

(h) A detector check valve to indicate when water has been used shall be installed on all fire services in a building with 10 or more rooms rented or hired out to be occupied for sleeping purposes.

(i) Plans for fire protection installations in multiple dwellings must be approved by the city building inspector and the city fire department before approval by the director.

(j) All fire protection branches must be provided with a valve between the street main and the building or private fire line supplied with water.

(k) The water board shall place its seal upon any opening or valve connected with or to any fire protection service branch to seal such valve either open or closed.

(l) When a water board seal is broken, either accidentally or in order to obtain water for fire protection, the director must be notified immediately by the person breaking the seal or by any employee of the water board having knowledge thereof. A new seal will then be set and so recorded.

TITLE 21. MISCELLANEOUS
CHAPTER XXX. NIAGARA FALLS WATER BOARD
PART 1950. WATER REGULATIONS

Section 1950.20. Schedule of rates, fees and charges.

(a) This schedule sets forth the rates, fees and other charges applicable to the provision of water supply, wastewater and related services by the Niagara Falls Water Board to all property owners, users and other persons as of January 1, 2018. All property owners, users and other persons who receive services from the water board shall pay to the water board the rates, fees and charges set forth in this schedule.

(b) the following rates shall be charged and collected for the use of water within the city, supplied by the water board as hereby fixed and established:

First 20,000 cu. ft. per quarter, ~~[\$3.35]~~ \$3.42 per 100 cu. ft.
Next succeeding 60,000 cu. ft. per quarter, ~~[\$2.90]~~ \$2.96 per 100 cu. ft.
Next succeeding 120,000 cu. ft. per quarter, ~~[\$2.46]~~ \$2.51 per 100 cu. ft.
Over 200,000 cu. ft. per quarter, ~~[\$2.04]~~ \$2.08 per 100 cu. ft.

The minimum charge for water consumed in any premises within the city for any quarter or portion thereof shall not be less than ~~[\$43.53]~~ \$44.40.

(c) The following rates shall be charged and collected for the use of water outside the city for residential and commercial purposes supplied by the water board as hereby fixed and established:

First 20,000 cu. ft. per quarter, ~~[\$8.95]~~ \$9.13 per 100 cu. ft.
Next 60,000 cu. ft. per quarter, ~~[\$7.84]~~ \$7.97 per 100 cu. ft.
Next succeeding 120,000 cu. ft. per quarter, ~~[\$6.54]~~ \$6.64 per 100 cu. ft.
Over 200,000 cu. ft. per quarter, ~~[\$5.48]~~ \$5.59 per 100 cu. ft.

The minimum charge for water consumed in any premises located outside the city for domestic purposes for any quarter or portion thereof shall not be less than ~~[\$116.35]~~ \$118.68.

(d) Water used for testing fire hoses, filling tanks, swimming pools, testing sprinkler systems, and like use shall be billed at the highest residential unit rate enumerated in subdivision (b) of this section. The amount used may be either estimated in accordance with the size of the pipe through which taken at the pressure furnished, or determined by the use of a temporary meter rented to the user by the water board. The use of the latter method shall be at the discretion of the director and may require a refundable deposit.

(e) Use of hydrant for any purpose whatsoever shall be subject to a rental charge of \$1.50 per day or partial day.

(f) The cost of hydrant use will include a fee of \$35.00 for backflow device certification, payable at the time of hydrant use application. In addition, daily hydrant and meter rental rates and

security deposit amounts shall be established by the director based upon the real cost to the water board.

(g) In addition to the above schedule rates for water consumed there shall be assessed a demand charge for each user's meter as set forth below.

Size and Type	Charge Per quarter
Under 1" Disc	\$3.70
1" Disc	\$25.00
1½" Disc	\$30.00
2" Disc	\$40.00
2" Compound	\$40.00
3" Compound	\$50.00
4" Compound	\$100.00
6" Compound	\$220.00
8" Compound	\$250.00
10" Compound	\$275.00
12" Compound	\$400.00

(h) The rates set forth in this section, however, shall not apply to any user of water with whom there is now outstanding a valid and binding contract with the city and/or water board to supply water at a rate different than the rates stated in this schedule, or to users obtaining water service from the Village of LaSalle prior to May 4, 1927.

(i) In the event the water board or the director terminates water supply service to any property owner or user, such property owner, user or users located at such property shall pay a reactivation fee in the amount of \$75.00 to the water board prior to the supply of water.

(j) There shall be small meter testing charge of \$100.00 for the bench testing of any meter less than two inches in size.

(k) An account reactivation charge of \$100.00 shall be applied whenever a meter is re-installed and an account reactivated.

(l) The water board shall charge a \$25.00 final read fee for all owner requested meter reads.

(m) A hydrant flow test charge shall be applied whenever an owner, user or his agent requests a hydrant flow test.

(n) The annual availability charge for private fire protection service shall be:

Diameter of Service Connection	Annual Fee
2" or less	\$66.00
3"	\$95.00
4"	\$168.00
6"	\$380.00
8"	\$670.00
10"	\$1,050.00
12"	\$1,510.00

(o) A backflow submittal fee of \$25.00 shall be charged for all backflow plans submitted to the water board for approval and forwarding to the State Health Department.

(p) There shall be a \$120.00 inspection fee for each request for a cross-connection inspection.

(q) In addition to the above rates, fees and charges, the following rates shall apply to all users with respect to sewer or wastewater services prescribed in the water board's wastewater regulations in Part 1960 of this Title. There shall be two user classes as provided in Part 1960 of this title, to wit: commercial/small industrial/residential users (CSIRU) and significant industrial users (SIU).

(1) CSIRU. Sewer rates for the CSIRU class are determined by total metered water consumption in each quarter. The schedule of quarterly charges for the CSIRU class shall be as follows:

SCHEDULE I

Minimum charge per quarter: ~~[\$57.64]~~ \$58.79 with a usage allowance of up to 1,300 cubic feet

Additional usage in excess of 1,300: ~~[\$4.43]~~ \$7.97 per 100 cubic feet

The following rates shall be charged and collected for the use of sewer outside the city for residential and commercial purposes as determined by total metered water consumption per quarter. The schedule of quarterly charges for the users outside the city shall be as follows:

Minimum charge per quarter: ~~[\$154.42]~~ \$157.51 with a usage allowance of up to 1,300 cubic feet

Additional usage in excess of 1,300: ~~[\$11.87]~~ \$12.11 per 100 cubic feet

(2) SIU.

(i) Conventional pollutant parameter charges. Sewer rates for the SIU class each quarter are based on measured quantities of the actual discharge parameters: flow, suspended solids and soluble organic carbon. Such determination shall be made by the water board and shall be based upon five representative 24-hour composite samples taken quarterly, at such locations as are adequate to provide proper representation. The schedule of charges for conventional pollutant parameters shall be as follows:

SCHEDULE II

Pollutant Parameters	Rate
Flow	[\$3,117.56] <u>\$3,179.91</u> per million gallons
Suspended Solids	[\$1.00] <u>\$1.02</u> per pound
Soluble Organic Carbon	[\$1.73] <u>\$1.76</u> per pound

(ii) Substances of concern parameter charges. SIU's, who have wastewater discharge permits which limit any substance of concern listed in Schedule III contained in this subparagraph, will be billed for discharge of these substances based on the unit rates shown in Schedule III. Discharge loading for billing purposes shall be determined by arithmetic average of the last six

acceptable self-monitoring results. At the option of the SIU, increased self-monitoring can be performed. For billing purposes, when six or more acceptable results are obtained over the three month billing period, all such results shall be used in the computation of the arithmetic average, with a requirement that there be at least two sample results for each month. Average discharge loadings will then be multiplied by the corresponding unit rates from Schedule III to obtain total charges per quarter for each substance of concern listed in the SIU's wastewater discharge permit. All substances of concern charges will be added to the charges for conventional parameters, as specified in subparagraph (i) of this paragraph, to compute the total quarterly sewer rate.

SCHEDULE III

SUBSTANCES OF CONCERN UNIT CHARGES

Parameters	Unit Rate
Benzene	{ \$344.04 } <u>\$350.92</u> per pound
Chloroform	{ \$61.26 } <u>\$62.49</u> per pound
Dichloroethylenes	{ \$374.33 } <u>\$381.82</u> per pound
Toluene	{ \$16.59 } <u>\$16.92</u> per pound
Trichloroethanes	{ \$77.79 } <u>\$79.35</u> per pound
Trichloroethylene	{ \$99.28 } <u>\$101.27</u> per pound
Vinyl Chloride	{ \$49.70 } <u>\$50.69</u> per pound
Monochlorotoluenes	{ \$3.36 } <u>\$3.43</u> per pound
Tetrachloroethylene	{ \$46.35 } <u>\$47.28</u> per pound
Total Phenols	{ \$7.57 } <u>\$7.72</u> per pound

(iii) Billing. SIU charges shall be billed on a monthly basis by the water board. The first and second monthly billings in each quarter shall be estimated and shall be one-third of the total billing in the immediately preceding quarter. The third monthly bill in each quarter shall be based upon actual discharge quantities for that quarter and shall reflect adjustments for the estimated billings in that quarter.

(r) Unless the context specifically indicates otherwise, all terms contained herein shall have the meanings set forth in the regulations adopted by the water board in this Part and Part 1960 of this Title, as applicable.

NIAGARA GAZETTE
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**NIAGARA FALLS WATER BOARD
NOTICE OF PUBLIC HEARING**

The Niagara Falls Water Board will conduct a public hearing pursuant to Public Authorities Law § 1230-j(4) on Monday, December 10, 2018 commencing at 5:00 p.m. at the Water Board's offices at the Michael C. O'Laughlin Municipal Water Plant, 5815 Buffalo Avenue, Niagara Falls, New York. The public is invited to submit oral or written comments on the proposed 2019 fees, rates, and other charges for all persons and users served by the water, wastewater, and stormwater facilities of the Niagara Falls Water Board. The proposed fees, rates, and other charges as well as the Water Board's proposed 2019 budget are available for review at the Water Board offices Monday-Friday (8:30 a.m.-12:00 p.m. and 1:00 p.m.-4:00 p.m.) from November 28, 2018 through December 10, 2018. A budget meeting will follow the public hearing.

Dated: November 28, 2018

Daniel T. O'Callaghan
Chairman, Niagara Falls Water Board

For further information contact:
Kendra Walker
Director of Financial Services
Michael C. O'Laughlin Water Plant
5815 Buffalo Avenue
Niagara Falls, NY 14304
#N239122

11/30/2018