



**Regular Session of the  
Niagara Falls Water Board  
February 25, 2019 5:00 PM at  
Michael C. O’Laughlin Municipal Water Plant**

**1. Attendance and Preliminary Matters:**

*Chairman O’Callaghan called the meeting to order at 5:00 p.m.*

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

b. Letters and Communications

*There were no letters and 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)

*There were no public speakers.*

d. Approval of Minutes from January 14, 2019

*Motion by Ms. Leffler and seconded by Ms. Larkin to approve the meeting minutes*

*Forster absent Kimble Y Larkin Y Leffler Y O’Callaghan Y*

*Motion was carried 4-0*

**2. Executive Director**

a. Online O&M Manual Status Update

*Mr. Fama states the online O&M manual is approximately 90% complete and will be ready to report to the DEC on March 13, 2019.*

**b. Update on Kickoff Meeting – Seven WWTP Engineering Projects**

*Mr. O’Callaghan questions if all MWBE requirements are being met in regards to these ongoing projects at the wastewater treatment plant. Because MWBE utilization plan proposals were based on all five tasks being awarded, this is requiring some additional review in order to meet goals for work on the three tasks that were awarded.*

**c. Update on Revisions to Capital Improvement Plan**

*Ms. Walker and Mr. Williamson have been working together regarding the revisions to the capital improvement plan.*

**d. Generators at Lift Stations – Authorization for Bids**

*Mr. Fama states that there are currently 4 lift stations in total, 3 of which have no back up power. Clark Patterson Lee will be soliciting bids for the remaining 3 generators. Mr. O’Callaghan states that ideally he would like to see all necessary work completed at the same time.*

**e. Other Ongoing Project Updates**

*Mr. Fama states he has given instruction to hold off on the wastewater treatment plant laboratory renovation at this time, pending further review of needed improvements.*

*Mr. Fama explains that an additional study may be required with respect to the Beach Ave. water tank project, to make sure the water lines and plant capacity align with the project.*

**3. Director of Operations**

**a. Caulking Project – Authorization for Bids**

*The Board members agreed that bids should be solicited for this project, which will be based on the amount of work authorized, not a fixed-rate contract.*

**b. Chlorine Tank Removal Update**

*Mr. Drury states acid removal will need to take place before the removal of the tank. Mr. Meyers from Clark Patterson and Lee will be overseeing the contractors. Mr. Drury states, the weather has been a hindrance with this project, causing the delays.*

**4. Superintendent**

**a. Bollier Avenue Project Update**

*Mr. Wright states some members of the NFWB staff and the Environmental Facilities Corporation had a conference call on February 14, 2019. The City of Niagara Falls will be beginning the bid process. It was stated that the grant funds received for this project will be secure for four years.*

**b. Valves at 2nd and Walnut, Whirlpool and Ashland**

*Mr. Wright states he is looking for Board approval for moving forward with the necessary repairs to valves at the corners of Walnut Ave. and Second St., Whirlpool St. and Ashland Ave. Mr. Wright explains that the Niagara Falls City Engineering*

*Department is aware that there is no grant funding available for this project. The Board members agreed that it was necessary to solicit bids.*

## **5. Engineering**

### **a. Discussion of WWTP Project SCADA Implementation Plan**

*Mr. Williamson explains that GHD has put together a proposal for this work, in hopes to transitioning from our current software using GE to a Rockwell system that will be a more appropriate system for both the water treatment plant as well as the wastewater treatment plant. Jeff Gee from GHD spoke on behalf of the SCADA implementation and the analysis of the existing system. Mr. Gee explains the main issue is in regards to connectivity and with the transition to the Rockwell system, there will be a much easier interpretation for the operators. The Board directed Clark Patterson Lee to work with Mr. Fama and Mr. Williamson to develop a scope of work and to issue a RFP for the work, so that there will be competitive proposals.*

### **b. LaSalle Flow Monitoring Discussion**

*A lengthy discussion was had regarding the proposal from GHD to complete flow metering and an engineering evaluation. John Kolaga, Esq., explained that the work is required under the LaSalle SSO Consent Order. The Board questioned why only one proposal, from GHD, had been received. The cost of this evaluation is more than double the cost of similar work in 2012. The scope of work has changed somewhat due to additional flow meters recommended by DEC, as well as implementation of a new method of analysis recommended by GHD. Ms. Kimble and Ms. Larkin requested the use of RFPs for all professional services agreements.*

## **6. Personnel Items/Director of Administrative Services**

### **a. Personnel Actions and Reports**

*Motion by Ms. Larkin and seconded by Ms. Leffler to approve the recommended personnel actions and report dated February 25, 2019.*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

### **b. Executive Director position description/recruitment**

## **7. Information Technology (IT) Dept.**

*Mr. Perry states John Monell from Barron & Associates will be showcasing the Niagara Falls Water Board and the advancements that have been made in regards to three dimensional imagining at the SPAR 3-Dexpo and conference on May 21-23, 2019.*

## 8. Financial Reports – Director of Financial Services

- a. CIP & feasibility study
- b. Bank Account Balances
- c. Treasury Investments
- d. 2018 Audit & PARIS filings
- e. Budget
- f. Capital invoice/requisition tracking

*Ms. Walker reported that the 2018 Audit should be ready for discussion at the March meeting.*

## 9. Reports

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

*Ms. Senia states there were no recordable injuries at this time.*

## 10. General Counsel and Secretary

- a. Update on proposals received Water and Sewer Service Line Protection Program Provider

*Mr. Costello states the proposals for the water and sewer service line protection program provider were opened on February 22, 2019 at 2:00 p.m. Two proposals were received. A review committee will examine the proposals in detail and expects to report to the Board in March.*

- b. 56th Street Water Tank – T-Mobile Request to expand lease space for generator.

*T-Mobile's contractor has advised that they do not have access to a generator meeting the requirements for supplying backup power to both T-Mobile's facilities and the water tank. A meeting with T-Mobile (not just its contractor) will be requested.*

## 11. From the Chairman

- a. Lobbying for State/Federal Funds

*Mr. O'Callaghan states the time has come to begin seeking federal funding, also encourages reaching out to local politicians.*

*Ms. Kimble advised that the Water Board does not need a lobbying firm at this time. She will engage with her connections and work with Mr. Costello to develop letters to*

*elected officials. Ms. Larkin noted that all member of the Board are appointed by a political entity and have connections that should be approached regarding funding.*

## **12. Resolutions**

### **2019-02-001 – RESOLUTION OF LIEN FOR UNPAID CHARGES AT 5380 FRONTIER AVENUE**

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

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O’Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

### **2019-02-002 – AUTHORIZING RATE CONSULTANT AND CONSULTING ENGINEER AGREEMENT**

*Motion by Ms. Larkin and seconded by Ms. Leffler to approve AECOM’s*

*January 21, 2019 proposal*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O’Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

### **2019-02-003 -- REVISING MOTOR VEHICLE USE POLICY TO ADDRESS USE OF PERSONAL VEHICLES ON WATER BOARD BUSINESS**

#### **a. Proposed Revised Motor Vehicle Use Policy**

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

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O’Callaghan \_\_N\_\_*

*Motion was carried 3-1*

### **2019-02-004 – APPROVING ZERO COST CHANGE ORDER FOR EMERGENCY REPAIR CONTRACT**

#### **a. City Engineering Memorandum Regarding Change Order**

*Motion by Ms. Kimble and seconded by Ms. Leffler to approve*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O’Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

### **2019-02-005 -- LIFT STATION HOISTS AND TROLLEYS**

#### **a. Konecranes Proposal dated February 10, 2019**

*Motion by Ms. Leffler and seconded by Ms. Larkin to approve*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O’Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

**2019-02-006 -- APPROVING EASEMENT AGREEMENT FOR PROPERTY COMMONLY KNOWN AS 3622 HYDE PARK BOULEVARD, NIAGARA FALLS, NEW YORK BETWEEN NIAGARA FALLS BTS RETAIL, LLC, AND THE NIAGARA FALLS WATER BOARD**

**a. Draft Easement**

**a. Deed for Description of Grantor's Property**

**b. Legal Description of Easement**

*Motion by Ms. Kimble and seconded by Ms. Leffler to approve*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

**2019-02-007 -- ACCEPTING ENGINEERING PROPOSAL BY GHD FOR SEWER FLOW MONITORING AND ANALYSIS WITHIN LASALLE SEWER SYSTEM**

**a. GHD Proposal dated February 11, 2019**

**b. Flow Monitoring Plan Map**

*In addition to the points summarized above, Ms. Larkin stated that the proposal is for a lot of money and she would have preferred an RFP, but will vote for the proposal in order to move forward with what is required under the Consent Order. Ms. Leffler agreed that moving forward with the project without delay would be in the best interests of the Water Board's relationship with the DEC.*

*Motion by Ms. Leffler and seconded by Ms. Larkin to approve*

*Forster \_\_absent\_\_ Kimble \_\_N\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_N\_\_*

*Motion was not carried 2-2*

**2019-02-008 -- ACCEPTING PROPOSAL BY AECOM TO PERFORM EFFLUENT DISINFECTION SYSTEM DESIGN REQUIRED BY CONSENT ORDER**

**a. AECOM February 1, 2019 Proposal**

**b. NYSDEC Conditional Approval Letter dated January 9, 2019**

*Motion by Ms. Leffler and seconded by Ms. Larkin to approve*

*Forster \_\_absent\_\_ Kimble \_\_N\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 3-1*

**Walk-On Resolutions**

*Motion by Ms. Kimble and seconded by Ms. Larkin to walk-on resolutions 2019-02-009 and 2019-02-010.*

**2019-02-009 – AUTHORIZING SETTLEMENT AGREEMENT WITH KEVIN KRITZSCH**

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

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

**2019-02-010 – PROCUREMENT OF STANDARDIZED SUPERNATANT RETURN PUMP**

*Motion by Ms. Kimble and seconded by Ms. Leffler to approve*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

**13. Unfinished Business**

*Mr. O'Callaghan questions the status of the GPS on the NFWB fleet.*

*Mr. Drury explains that the remaining vehicles that currently do not have GPS, will be installed on Thursday February 28, 2019.*

**14. New Business & Additional Items for Discussion**

*There was no new business to discuss at this time.*

**15. Executive Session**

*The board entered into executive session to discuss a matter in relation to a personnel matter regarding discipline of a particular individual.*

*Motion by Ms. Larkin and seconded by Ms. Leffler to enter into executive session at 7:33 p.m.*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

*Motion by Ms. Leffler and seconded by Ms. Kimble to return to open session at 9:43 p.m.*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

*Motion by Mr. O'Callaghan and seconded by Ms. Larkin to terminate the employment contract of the Director of Operations, for cause.*

*Forster \_\_absent\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_*

*Motion was carried 4-0*

**16. Adjournment of Meeting**

*Motion by Ms. Leffler and seconded by Ms. Kimble to adjourn at 10:29 p.m.*

*Forster absent Kimble Y Larkin Y Leffler Y O'Callaghan Y*

*Motion was carried 4-0*

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