



**Regular Session of the
Niagara Falls Water Board
September 23, 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 5:02 p.m.

Forster P Kimble P Larkin *Arrived 5:06 p.m. Leffler P O’Callaghan P

a. Letters and Communications

There were no letters and communications to discuss.

b. 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 was no public comment.

c. Presentation by Ruby Pulliam, Secretary to the Municipal Civil Service Commission

Ms. Pulliam presented a civil service exam status report to all board members and provided some background on the Municipal Civil Service Commission (“MCSC”) as well as the exam process. Eleven exams have been ordered by MCSC for the Water Board, but as of September 23, 2019, the only exam that has been ordered by the State is the Secretary I position, scheduled for March 28, 2020.

In order to move forward with ordering eight other exams, Ms. Pulliam needs certain documentation from Human Resources at the NFWB, for example, a job specification, a job analysis questionnaire, the number of positions, and/or who is eligible for the position. Ms. Pulliam explains that the Foreman title at the NFWB has been changed three or four times and further clarification is needed before moving forward with the examination process. Ms. Pulliam states there is a fee that is paid for each examination that is ordered and she will not move forward with the ordering of examinations until all necessary information is provided by the NFWB.

New York State Civil Service is aware that MCSC does not include NFWB titles in its payroll certification because of issues with NFWB appointments, and that problems between NFWB and MCSC date at least to 2016. She explained that where a position has not been approved by MCSC prior to an appointment, the appointment is illegal. She used as an example the Jr. Human Resource Specialist position, which has not been approved by MCSC. An illegal appointment means that the employee holding the position has no permanent or civil service rights, and MCSC will not certify the payroll

for that individual. However, MCSC does not tell appointing authorities to dismiss persons whose status is not MCSC approved. Ms. Pulliam believes communication needs to improve between the NFWB and MCSC, and MCSC now is going to copy all Board members on its minutes. The NFWB recently submitted a large batch of personnel actions and needs to submit backup for some of these to show that the individual meets minimum qualifications. MCSC no longer will hold personnel action sheets moving forward; it will rule on the actions and give a reason if denied.

d. Presentation by Clifford Scott, Executive Director of the Niagara Falls Housing Authority

Mr. Scott is the new Executive Director of the NFHA. His last post was in Yonkers. He wants to encourage an open line of communication between the NFWB and the NFHA, and for all public entities in the City to work together given the community's financial challenges.

Mr. Forster noted that the fire loop in Packard Court is owned by NFHA.

Mr. Scott has discussed this matter with the Water Board's General Counsel, and understands that NFHA agreed to have a third-party contractor maintain and make repairs to the fire hydrants in question. He requested a list of all fire hydrants NFHA needs annually to evaluate and service and would like to further discuss the possibility of a shared service agreement with the Water Board to maintain the hydrants in order to avoid the need for third-party involvement in the future.

e. Approval of Minutes from July 22, 2019 Meeting

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

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

Motion carried 5-0.

2. From the Executive Director

Mr. Fama had nothing new to discuss at this time.

3. Superintendent

Mr. Wright states on-going training is taking place regarding the SCADA system at the lift stations.

4. Engineering

Mr. Williamson noted a meeting has been scheduled with Arcadis regarding the LaSalle flow monitoring analysis. The WWTP FEMA project is getting close to the bidding phase, subject to receiving DEC approval.

5. Director of Administrative Services – Personnel Items

a. Staff Requested:

i. Motion to Approve Personnel Actions and Report dated September 16, 2019.

Mr. Forster requests that the annual long-term cost of the hiring and/or promoting of NFWB employees be outlined on the personnel actions report moving forward.

Motion by Ms. Larkin and seconded by Ms. Leffler to approve the Personnel Actions and Report dated September 16, 2019.

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

Motion carried 5-0.

6. Information Technology (IT)

Mr. Perry states that Office 365 has been implemented. He has tasked Mr. Vlahopoulos (Network Technician) with putting together necessary training for the staff in order to familiarize themselves with the new technology.

7. Director of Financial Services – Financial Reports

Ms. Walker states that the Continuing Disclosure Report will be complete and filed by the September 28, 2019 deadline.

The deadline for the 2019 budget submission to the ABO is November 1. She will provide Mr. Fama and Ms. Leffler with a copy of the draft budget as soon as it is complete.

Ms. Walker has explored additional online payment options for the Niagara Falls ratepayers through Key Bank. These should not require extensive work for NFWB IT.

8. Other Reports

a. Questions Regarding Monthly O&M Reports (if any)

b. Safety

Ms. Senia states there were no recordable or reportable injuries to discuss. No employees currently are out on worker’s compensation.

9. General Counsel and Secretary

Mr. Costello noted that there will be several proposals next month for Ferguson Electric to make repairs necessitated by the April lightning strike, that projects at the WWTP are progressing toward bidding, and that next month root foaming will be the subject of a resolution.

10. From the Chairman

Mr. O'Callaghan has nothing new to report.

11. Resolutions

2019-09-001 – AUTHORIZING SETTLEMENT OF PERSONAL-INJURY LITIGATION WITH STEVEN WALOS, JR.

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

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

Motion carried 5-0.

2019-09-002 – REPLACEMENT OF WWTP CONTROL ROOM AIR HANDLING UNIT'S EVAPORATOR COIL

a. Quackenbush Quote dated July 30, 2019

Board Members Forster and O'Callaghan expressed a desire for additional details and backup documentation before approving the proposal.

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

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

Motion carried 5-0.

2019-09-003 – AWARD BID FOR REPAIR OF COMBINED SEWER MANHOLE AT GRAND AVENUE AND 22ND STREET

a. Bid Tabulation and Award Recommendation

The Board discussed why asphalt work is included in the bid. Mr. Wright explained that the Water Board pays a third party (usually the City) to install asphalt in most cases, so it makes sense to include that work in the scope of the bid.

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

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

Motion carried 5-0.

2019-09-004 – ESTABLISHING AD-HOC COMMITTEE TO STUDY FIRE HYDRANT REPLACEMENT

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

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

Motion carried 5-0.

2019-09-005 – AUTHORIZING ENGINEERING SERVICES AGREEMENT FOR OUTFALL 003 REDIRECTION PROJECT

- a. Award Recommendation Memorandum**
- b. Proposal and Cost Scoring Matrix**
- c. Proposal Summaries**
- d. GHD Proposal dated September 6, 2019**

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

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

Motion carried 4-1.

2019-09-006 – AUTHORIZING CONTRACTUAL ASSISTANCE – GRADE 4 LICENSE

a. GHD Proposal dated September 9, 2019

Mr. Forster stated he would vote “no” and wants a plan for reducing this expense moving forward.

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

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

Motion carried 4-1.

2019-09-007 – VMWARE STORAGE SYSTEM HARDWARE UPGRADE

a. Dell Quote No. 3000046456341.1

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

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

Motion carried 4-1.

2019-09-008 – DESIGNATING INSURANCE BROKER FOR WORKERS COMPENSATION, PROPERTY, AND LIABILITY INSURANCE

Motion by Ms. Kimble and seconded by Mr. Forster to approve, designating USI as the broker of record.

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

Motion carried 3-2.

2019-09-009 – REPLACEMENT OF SHUNT TRIP UNITS IN 115kV CIRCUIT SWITCHER AT WASTEWATER TREATMENT PLANT SUBSTATION

a. Ferguson Quote FES#PL20380, September 10, 2019

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

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

Motion carried 4-1.

2019-09-010 – RELINING OF WOOD STAVE BULK CHEMICAL STORAGE TANKS AT WTP

a. Mollenberg-Betz Quote and Invoice

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

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

Motion carried 4-1.

2019-09-011 – AUTHORIZING PROCUREMENT OF FLEET TELEMATICS SERVICES FROM ENTERPRISE FLEET MANAGEMENT

a. Enterprise Quote

The Board questioned whether the proposal would result in increased cost and the precise number of units required. Motion by Ms. Kimble and seconded by Ms. Leffler to table.

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

Motion carried 5-0.

12. Unfinished Business

13. New Business & Additional Items for Discussion

14. Executive Session

Motion by Ms. Larkin and seconded by Ms. Leffler to enter into executive session at 7:02 p.m. to discuss matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

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

Motion carried 5-0.

(A break of approximately 15 minutes was taken prior to beginning executive session.)

Motion by Ms. Leffler and seconded by Ms. Kimble to exit executive session at 9:12 p.m.

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

Motion carried 5-0.

Motion by Ms. Kimble and seconded by Ms. Leffler to appoint Joseph Morock Acting Director for Information Technology, answering directly to the Board of Directors in that capacity, with the Board offering no additional pay or stipend for his voluntary acceptance of that title, and directing General Counsel to provide Mr. Morock and the Board with a letter reflecting this decision.

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

Motion carried 3-2.

Motion by Ms. Leffler and seconded by Ms. Kimble to adjourn the meeting at 9:18 p.m.

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

Motion carried 5-0.

15. Adjournment of Meeting