



**Regular Session of the  
Niagara Falls Water Board  
October 28, 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.*

Forster   P   Kimble   P   Larkin    \*arrived at 5:10 p.m. Leffler   P    
O’Callaghan   P  

**a. Letters and Communications**

**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)**

*Nader Merhi spoke regarding a billing issue at his residential property on Elmwood Ave. The property was purchased on 5/20/2019 and there was no water meter at the property at the time of purchase. A water meter was not installed until September 2019 and the property had been vacant since January 2019. Mr. Merhi states his estimated water bill for the months of June, July and August is approximately \$600; he would like his water bill to reflect actual charges beginning at the time the water meter was installed. Ms. Walker states she will be sending Mr. Merhi an adjustment form and will also communicate to the Meter Shop to conduct a data log and freeze Mr. Merhi’s account during the investigation. Ms. Walker also states she will be sure to adjust any late fees accordingly.*

*Megan Vogt, Esq., spoke on behalf of Key Bank regarding a recently foreclosed property located on 92nd St. Ms. Vogt acknowledged an eviction proceeding (indicating someone was living in the house), but there was no water meter at the time the bank performed its winterization work. Ms. Vogt states that an average, quarterly water bill for this property is approximately \$185. However, by May 2019, the water bill had reached approximately \$11,000, now approximately \$12,000 with late fees. Ms. Vogt is unsure why the water bill had such an extreme increase, as the property was evaluated and there was no evidence of any water leaks. Ms. Walker states she will be sending Ms. Vogt an adjustment form for her to complete and send back to the NFWB.*

*Herbert Hull spoke regarding his property located on 28<sup>th</sup> St. Mr. Hull travels to Florida every winter and his water is turned off and back on in June. An average water bill for Mr. Hull is approximately \$106, however, his September 2019 bill is reflecting a large water leak, resulting in a \$456 water bill. Mr. Hull states his property was evaluated and there are no identified leaks, he also replaced all the*

*toilets in his home to ensure there were no hidden leaks. An adjustment form has already been completed and his water bill otherwise is paid up to date. The NFWB Meter Shop ran a test on the meter last week and will be sending Mr. Hull the results as soon as they are available.*

**c. Presentations**

*Drescher & Malecki presented on their financial projections and user rates for 2020. Their goal is to provide independent cash flow estimates sufficient to meet the debt-service coverage ratio (1.15). Their analysis of projected amounts was performed in accordance with historical trends and audited data from the prior years, along with the most current available information and year-to-date actual reports per the financial software. Their projections for needed rate increases do not reflect the 2020 budget or any expenses cut or revenue enhancements in that budget. Thus, Drescher & Malecki's recommended 2.75% rate increase is not necessary if revenue exceeds, or expenditures are less than, their forecast. The presenters noted that the Board must meet the debt-service coverage ratio every year with its operating budget and cannot use reserves to meet that debt-service coverage ratio in order to avoid a rate increase in a particular year.*

**d. Approval of Minutes from September 23, 2019 Regular Meeting**

*Motion by Ms. Kimble and seconded by Ms. Larkin to approve  
Forster Y Kimble Y Larkin Y Leffler Y O'Callaghan Y  
Motion carried 5-0*

**e. Approval of Minutes from September 30, 2019 Special Meeting**

*Motion by Ms. Leffler and seconded by Ms. Larkin to approve  
Forster abstain Kimble abstain Larkin Y Leffler Y  
O'Callaghan Y  
Motion carried 3-0 with 2 abstentions*

**2. From the Executive Director**

*Mr. Fama has formed a Strategic Leadership Team to focus on succession planning and strengthen leadership throughout the organization. The team consists of himself, Mr. Rowe, Mr. Wright, Mr. Dunn and Mr. Perry. Ms. Kimble questioned why the group is all male, and why Ms. Walker was not invited to participate in the Team as head of Financial Services. Mr. Fama explained that no slight was intended and that the team representatives were chosen as representatives of the WTP, WWTP, and outside maintenance plus Human Resources.*

**3. Superintendent**

*Nothing new to report.*

**4. Engineering**

**a. Status of Water Main Grant Projects**

**5. Director of Administrative Services – Personnel Items**

**a. Staff Requested:**

**i. Motion to Approve Personnel Actions and Report dated October 28, 2019.**

*Motion by Ms. Larkin and seconded by Ms. Leffler to approve.  
Forster \_\_N\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_  
Motion carried 4-1*

*Due to the projected impact on rates, Mr. Forster does not believe hiring an additional engineer with a salary of approximately \$90,000-\$100,000 to be necessary.*

*Mr. Perry noted that he is meeting with Civil Service again to continue to address outstanding items.*

**b. 2020 Holiday Schedule**

*Mr. Perry provided the 2020 Holiday Schedule for the Board's review.*

**6. Information Technology (IT)**

*In response to a Board member inquiry, Mr. Fama provided the board members with a copy of the preventative maintenance service agreement for the Dell equipment.*

**7. Director of Financial Services – Financial Reports**

*Ms. Walker and her department have continued to evaluate the pros and cons of a rate increase.*

*In terms of expenses, Ms. Walker states the IDIQ contracts are very costly. These contracts are up between January and February 2020 and will be reviewed for possible cost savings. Ms. Walker also requested to discuss elimination of funding for positions held by particular individuals in executive session.*

*Ms. Walker is working with Key Bank regarding their credit card payment options, in order to provide additional options to the rate payers and with the hope of reducing the NFWB's postage and printing costs.*

**8. Other Reports**

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

*Ms. Senia states there were no recordable/reportable injuries to report.*

*A plan for Gorge Pump Station access during work on the elevator will be developed.*

**9. General Counsel and Secretary**

- a. Water and Sewer Line Warranty Program Launch
  - i. Program Launch Postcard
  - ii. First Two Mailings

*Mr. Costello discussed the status of the warranty program. Terms are finalized and the initial mailings should be within weeks.*

**10. From the Chairman**

**11. Resolutions**

**2019-10-001 – AUTHORIZING EXTENSION OF BID FOR SEWER LINE CHEMICAL ROOT CONTROL**

- a. Offer to Extend Bid

*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*

**2019-10-002 – REPLACEMENT OF WWTP CONTROL ROOM AIR HANDLING UNIT'S EVAPORATOR COIL**

- a. Quackenbush Quote dated July 30, 2019 and Supporting Documents

*Motion by Ms. Kimble and seconded by Ms. Larkin to approve  
Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_  
Motion carried 5-0*

**2019-09-003 – SEQR LEAD AGENCY DESIGNATION AND DETERMINATION OF SIGNIFICANCE FOR THE NIAGARA FALLS WATER BOARD WASTEWATER TREATMENT PLANT PROTECTIVE MEASURES PROJECT**

**a. Full Environmental Assessment Form and Other Supporting Documents**

*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*

**2019-10-004 – ACCEPTING SAM GRANT FOR UPGRADES TO SEWER LINE FROM WWTP SEDIMENTATION BASIN NO. 5**

**a. Grant Award Letters**

*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*

**2019-10-005 – SEQR REVIEW AND CLASSIFICATION FOR UPGRADES TO SEWER LINE FROM WWTP SEDIMENTATION BASIN NO. 5**

*Motion by Ms. Kimble and seconded by Ms. Larkin to approve  
Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_  
Motion carried 5-0*

**2019-10-006 – AWARD BID FOR REPAIR OF 12" SEWER NEAR 813 VANDERBILT AVENUE**

**a. Bid Tabulation and Award Recommendation**

*Motion by Ms. Kimble and seconded by Ms. Leffler to approve  
Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_  
Motion carried 5-0*

**2019-10-007 – AUTHORIZING FERGUSON ELECTRIC TO PERFORM CERTAIN ELECTRICAL WORK AT THE WWTP TO BE PART OF LIGHTNING STRIKE INSURANCE CLAIM**

**1. Ferguson Quotes:**

- i. Main 115kV Substation Battery Rack Replacement**
- ii. Disposal of Power Center 3**
- iii. Replacement of Power Center 1 Transformer**

*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*

**2019-10-008 – AUTHORIZING FERGUSON ELECTRIC PROPOSAL FOR WWTP CAPITAL PROJECT NO. 5, PHASE 1 WORK**

- a. Ferguson Proposal for Project 5, Phase 1, October 18, 2019

*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*

**2019-10-009 – AUTHORIZING PROCUREMENT OF GEOTAB FLEET TELEMATICS SERVICES**

- a. Enterprise Quote  
b. Passenger Vehicle GPS List  
c. Heavy Equipment GPS List

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

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

*Motion carried 5-0*

**2019-10-010 – AUTHORIZING PAYMENT OF PREMIUM FOR PROPERTY AND CASUALTY INSURANCE**

*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*

**2019-10-011 – AUTHORIZING AECOM CONSTRUCTION PHASE SERVICES FOR PROJECT 4: GRANULATED ACTIVATED CARBON AND CARBON FILTER SUPPORT GRAVEL REPLACEMENT**

- a. AECOM Proposal dated July 30, 2019

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

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

*Motion carried 5-0*

**2019-10-012 – AUTHORIZING SETTLEMENT OF CLAIM BY ARTHUR SEARIGHT**

- a. Notice of Claim

*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*

**2019-10-013 – EXPLORATORY DIG TO INVESTIGATE SINKHOLE**

- a. Cerrone Cost Estimate

*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*

**2019-10-014 – ADOPTING 2020 BUDGET**

**a. Proposed 2020 Budget**

*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*

**12. Unfinished Business**

*Mr. O'Callaghan would like to be informed of the process when removing water meters from properties.*

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

*Nothing new to discuss.*

**14. Executive Session (if needed)**

*Motion by Ms. Larkin and seconded by Ms. Leffler to enter into executive session at 7:01 p.m. to discuss matters related to the promotion, demotion, discipline or firing of particular individuals.*

*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 exit executive session at 7:39 p.m.*

*Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_  
Motion carried 5-0*

**15. Adjournment of Meeting**

*Motion by Ms. Kimble and seconded by Ms. Larkin to adjourn at 7:46 p.m.*

*Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ O'Callaghan \_\_Y\_\_  
Motion carried 5-0*