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## **AGENDA**

### **Meeting of the Niagara Falls Water Board**

**November 23, 2020 at 5:00 p.m.**

**\*\*\*Meeting to be held via conference call pursuant to Executive Order 202.1 as extended by 202.72 – visit NFWB.org for call-in details.\*\*\***

#### **1. Attendance and Preliminary Matters**

- a. Brown \_\_\_\_ Forster \_\_\_\_ Larkin \_\_\_\_ Leffler \_\_\_\_ Kimble \_\_\_\_
- b. Letters and Communications
- c. Public Comment (Public comments may be submitted in writing to be read by the Secretary and must be received by 12:00 p.m. on November 23, 2020. Comments may be summarized when read. Email comments to [scostello@NFWB.org](mailto:scostello@NFWB.org) or mail c/o Sean W. Costello, 5815 Buffalo Ave., Niagara Falls, NY 14304)
- d. Approval of Minutes from October 26, 2020 Meeting

#### **2. Executive Director**

- a. WWTP Project Budget Tracker (CPL)
- b. WWTP Construction Schedule Tracker (CPL)
- c. Financial Award Summary (CPL)

#### **3. Superintendent**

#### **4. Engineering**

#### **5. Personnel Items**

- a. November 23, 2020 Personnel Actions and Reports

**6. Information Technology (IT)**

**7. Finance**

**a. 2021 Budget**

**8. Questions Regarding October 2020 Operations and Maintenance Report**

**9. Safety**

**10. General Counsel and Secretary**

**a. April 14, 2019 Lightning Strike Insurance Claim Update**

**11. From the Chairman**

**12. Resolutions**

**2020-11-001 – MEMBERSHIP IN WNY STORMWATER COALITION**

**a. Memorandum of Agreement**

**2020-11-002 – 2021 CLARK PATTERSON LEE PROFESSIONAL SERVICES  
EXTENSION**

**a. October 27, 2020 Proposal**

**2020-11-003 – AWARDING 2021 COOPERATIVE CHEMICAL BID**

**a. November 9, 2020 Memorandum Recommending Awards**

**2020-11-004 – DIRECTING PREPARATION OF 2021 BUDGET AND FINANCIAL  
REPORT CALENDAR**

**13. Unfinished/Old Business**

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

**15. Executive Session (anticipated)**

- a. Public Officers Law § 105 (f), “matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.”**

**16. Adjournment of Meeting**



## MINUTES

### Meeting of the Niagara Falls Water Board

October 26, 2020 at 5:00 p.m.

Note: This Meeting was held via conference call pursuant to Executive Order 202.1 as extended by 202.67.

#### 1. Attendance and Preliminary Matters

a. Brown   P   Forster   P   Larkin   P   Leffler   P   Kimble   P  

*Chairman Brown called the meeting to order at 5:00 p.m.*

#### b. Letters and Communications

*Mr. Costello noted that there were no letters or communications to discuss at this time.*

#### c. Public Comment (Public comments were to be submitted in writing to be read by the Secretary by 12:00 p.m. on October 26, 2020)

*Mr. Costello noted that Andrew Slack submitted a public comment relative to 1953 Lockport Street, seeking a \$3,200.80 adjustment on the account which currently reflects \$3,678.38 due. He is the executor for the deceased property owner who had passed away and the tenant was in hospice care during the period when the water bills were issued. The leaking toilet inside of the residence was not discovered until after the water bills were issued; it has since been repaired. Mr. Slack submitted invoices indicating the repair. Mr. Costello has forwarded Mr. Slack's correspondence and adjustment request to Ms. Walker.*

#### d. Approval of Minutes from September 28, 2020 Meeting

*Motion by Ms. Larkin and seconded by Ms. Leffler to approve the September 28, 2020 special meeting minutes.*

*Brown   Y   Forster   Y   Larkin   Y   Leffler   Y   Kimble   Y*

*Motion carried, 5-0.*

**e. Approval of Minutes from October 2, 2020 Special Meeting**

*Motion by Mr. Forster and seconded by Ms. Larkin to approve the October 2, 2020 special meeting minutes.*

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Abstain\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 4-0 with one abstention.*

**f. Approval of Minutes from October 14, 2020 Special Meeting**

*Motion by Ms. Larkin and seconded by Mr. Brown to approve the October 14, 2020 special meeting minutes.*

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0.*

**2. Executive Director**

- a. WWTP Project Budget Tracker (CPL)**
- b. WWTP Construction Schedule Tracker (CPL)**
- c. 2021 Holidays Per CBA**

*Ted Donner from CPL reviewed the status of the ongoing capital projects at the WWTP, having provided written project status updates that were included in the Board's agenda packets.*

*CPL negotiated the Project 3 construction inspection proposal with Arcadis, which was able to reduce the number of hours and the rate for its subcontractor resulting in a savings of approximately \$35,000 for the NFWB. This proposal is before the Board tonight and CPL recommends approval.*

*The Project 1 electrical work was rebid and CPL recommends approval of the bid that is before the Board.*

*CPL was unable to secure a timely response to its request for a Project 1 construction administration services proposal from AECOM that would be updated as to rates and to make sure the project meets MWBE participation goals. CPL was asked to provide a proposal for it to provide the necessary Project 1 construction administration and inspection and has provided a proposal that is before the Board that is \$35,000 less than AECOM's proposal with more MWBE utilization. Mr. Fama noted that after Board packets were distributed AECOM did provide a proposal for that work but CPL's proposal remains less expensive with more MWBE and recommends approval of CPL's proposal.*

*Mr. Forster expressed appreciation for CPL's efforts to save NFWB money on these projects.*

*Mr. Forster inquired about the status of the FEMA grant project, having understood that GHD was preparing different options for that project because the cost of the original design was too high. He asked who was paying GHD for that work. Mr. Fama stated GHD is working on a new design proposal and is doing this work at no cost to the NFWB.*

### **3. Superintendent**

#### **a. Update on Private Hydrants**

*Mr. Wright states the original private hydrant inquiry letter was distributed on July 1, 2020 and he has received a response from every entity that received a letter and almost all entities now have provided the requested information.*

### **4. Engineering**

*Mr. Williamson states he received flow data from TechSmith for the Town of Niagara fall flow monitoring period. Mr. Williamson has been reviewing the data to come up with billing for 2021 based on the average flows for the spring and fall monitoring periods. Based on these flows the bills to Town of Niagara will be somewhat reduced from this year.*

*Mr. Forster asked about work that Urban Engineering is performing in connection with a Military Road paving project by the City, and their role in the Water Board's planned Military Road water main replacement. Mr. Forster asked for clarification on whether the Water Board will be responsible for any of the cost of Urban Engineering's work. Mr. Williamson and Mr. Costello will obtain clarification on the cost of the water main replacement engineering work.*

*Mr. Forster questions the status of the generator installation project; Jay Meyers states that all of the generators are up and running. He also asked about an RFP for sludge handling improvements at the WWTP and Mr. Meyers will be providing a draft to Mr. Costello and Mr. Fama this week.*

### **5. Personnel Items**

- a. October 26, 2020 Personnel Actions and Reports**
- b. Employment Contract Renewals**

*Mr. Fama states he would like the Board's approval to advertise to hire an employee with a Grade 4 WWTP operator license. The position would be subject to Board approval. The Board did not object to this plan and Mr. Fama advised that the position would be advertised.*

## **6. Information Technology (IT)**

*Mr. Fama states that the kick-off meeting for the New World migration took place on October 19, 2020 and the meeting went well. Mr. Morock has completed all the necessary paperwork. The goal for rolling out the new version of New World will be the end of November, beginning of December 2020.*

## **7. Finance**

- a. Financial Services Update Report
- b. Accounts Payable Payment Listings
  - i. September 2, 2020
  - ii. September 17, 2020
- c. Budget Performance Report through October 8, 2020
- d. Bank Balances Report
- e. Capital Improvement Plan Tracking Spreadsheet
- f. September 2020 Budget Transfers
- g. Payroll-Based Overtime Log

*Ms. Walker reviewed the September 2020 financial update with the Board.*

*Ms. Walker states she has almost completed the draft 2020 NFWB budget; seeking a few additional items before providing the draft budget to the board members for review.*

*Ms. Walker states the revenues are down slightly due to the pandemic.*

*Ms. Walker asked if the Board still wants to receive bi-weekly payroll-based overtime reports; Mr. Forster and Ms. Leffler both advised that they review these and would like them to continue.*

*Mr. Brown refers to the budget performance report and identifies a few areas of concern regarding the year-to-date versus prior-year figures. Mr. Brown will further review this information and present any questions or concerns at another time.*

## **8. Questions Regarding September 2020 Operations and Maintenance Report**

*No questions were asked.*

## **9. Safety**

*Ms. Senia states that this month she has been focusing on safe bulk chemical unloading for operations employees. Several training classes have been held with various groups.*



*Workplace violence training has been completed for WTP employees and will be completed for WWTP employees by the end of this week.*

*The outside crews received a demonstration and training from the manufacturer on new hydraulic shoring during a dig on Ontario Street.*

*Mr. Forster referred to the unfortunate circumstance of an employee falling into a confined space in Erie County. Mr. Forster wants to ensure that the proper training is taking place for NFWB employees and would like to know what procedures are in place for when there are contractors entering into confined spaces.*

*Ms. Senia states that our employees receive confined-space training. For contractors, we have not had many doing work involving confined space entry and do not control their work though we review their safety plan and ensure that they have received confined space entry training.*

*Mr. Forster questions if there is a need to modify the policy and/or procedures regarding contractors entering confined spaces. Ms. Senia states she does not believe there is a need to do so currently.*

#### **10. General Counsel and Secretary**

*Mr. Costello states he has nothing at present.*

#### **11. From the Chairman**

*Mr. Brown states he has nothing new to add.*

#### **12. Resolutions**

##### **2020-10-003 – INSTALLATION OF ELECTRICAL SERVICE FOR TEMPORARY CONSTRUCTION TRAILERS**

###### **a. Ferguson Quote, May 11, 2020, No. PD21077**

*[Renumbered: Previously presented as Resolution 2020-05-005]*

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

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

**2020-10-004 – AUTHORIZING EXTENSION OF BID FOR SEWER LINE CHEMICAL ROOT CONTROL**

**a. Root Control Bid Extension Supporting Documents**

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

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

**2020-10-005 – AWARD BID FOR ELECTRICAL CONTRACTOR WORK WWTP PROJECT 1: SEDIMENTATION BASINS AND SCUM COLLECTION SYSTEM MODIFICATIONS**

**a. Project 1 Electrical Contractor Bid Award Recommendation and Tabulation**

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

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

**2020-10-006 – AWARD BID FOR GRANULATED ACTIVATED CARBON SUPPLY AND REMOVAL**

**a. Official Bid Tabulation**

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

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

**2020-10-007 – AUTHORIZING CPL TO PERFORM PROJECT 1 CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES**

**a. CPL Proposal Dated October 21, 2020**

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

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

**2020-10-008 – AUTHORIZING ARCADIS TO PERFORM PROJECT 3  
CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION  
SERVICES**

**a. Arcadis Proposal Dated October 20, 2020**

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

*Brown\_\_Y\_\_Forster\_\_Y\_\_Larkin\_\_Y\_\_Leffler\_\_Y\_\_Kimble\_\_Y\_\_*

*Motion carried, 5-0*

**2020-10-009 – TERMS OF COMPENSATION ON RENEWAL OF CERTAIN  
EMPLOYMENT CONTRACTS**

*Motion by Mr. Forster and seconded by Ms. Leffler to table Resolution 2020-10-009*

*Brown\_\_N\_\_Forster\_\_Y\_\_Larkin\_\_N\_\_Leffler\_\_Y\_\_Kimble\_\_Y\_\_*

*Motion to table carried, 3-2*

**13. Unfinished/Old Business**

*Mr. Forster references the tank study for the Beech Ave. water tower that has been empty for approximately 20+ years. Mr. Forster would like an update on the status of that study.*

*Mr. Fama believes a design for a new water tank was prepared. At the time, the cost estimate was \$6.9 million and did not include the transport of water from “a” to “b,” the transmission line that needed to be slip-lined was unavailable for use at the time. Mr. Fama states that it is his understanding that most, if not all, of this slip-lining project is outlined in the capital improvement plan. Mr. Fama states the project itself was put on hold in order to gain a better understanding of the total project cost.*

*Mr. Forster references the hydraulic study that was completed and questions whether there was a tank study that was also completed. Mr. Fama states he will contact CPL for clarification and report any findings to the Board at the November meeting.*

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

##### **WALK-ON RESOLUTION 2020-10-010 – USE OF NYPA RELICENSING SETTLEMENT AGREEMENT FUNDS FOR CAPITAL PROJECTS**

*Motion by Ms. Leffler and seconded by Ms. Larkin to waive the agenda deadline in order to consider Resolution 2020-10-010*

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

*Mr. Brown asked if this resolution was to pay for specific projects. Ms. Walker replied that it is not for specific projects; this is partly for “float” pending grant reimbursements and partly to make up for reduced transfer to capital resulting from a 0% rate increase in 2019.*

*Mr. Forster noted he was not pleased to receive this resolution related to \$4 million in funds with limited time for review; Ms. Walker began working on the resolution after she was advised by DASNY of a delay in getting grant reimbursements approved.*

*Motion by Ms. Leffler and seconded by Mr. Brown to approve*

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

#### 15. Executive Session (anticipated)

- a. Public Officers Law § 105 (f), “matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.”

*Motion by Ms. Larkin and seconded by Mr. Brown to enter executive session at 6:11 p.m. to discuss matters possibly leading to the employment or discipline of particular persons.*

*Brown \_\_Y\_\_ Forster \_\_Y\_\_ Larkin \_\_Y\_\_ Leffler \_\_Y\_\_ Kimble \_\_Y\_\_*

*Motion carried, 5-0*

*Mr. Costello explained for the public that was present on the call that when the Board enters executive session, they will be exited out of the call but can dial right back in to be present when the Board returns from executive session.*

*Whereupon, a five-minute break was taken prior to beginning the executive session.*

*Motion by Ms. Kimble and seconded by Ms. Leffler to exit executive session and enter back into the open meeting at 7:07 p.m.*

*Brown\_\_Y\_\_Forster\_\_absent [audio issues] \_\_Larkin\_\_Y\_\_Leffler\_\_absent\_\_Kimble\_\_Y\_\_*

*Motion carried, 4-0, with one absence.*

#### **16. Adjournment of Meeting**

*Motion by Ms. Kimble and seconded by Ms. Larkin to adjourn at 7:08 p.m.*

*Brown\_\_Y\_\_Forster\_\_absent [audio issues] \_\_Larkin\_\_Y\_\_Leffler\_\_absent\_\_Kimble\_\_Y\_\_*

*Motion carried, 4-0, with one absence.*



# Niagara Falls Water Board (NFWB) Overall Capital Project Budget Summary (Phase 1 Overall Budget = \$27M)

Last Updated: 11/9/2020

Key	
Proposal currently under review, but not approved	
Preliminary Construction Cost per Engineers Estimate	

Project	Scope of Work	Original Budget	Scope/Vendor	Estimated Task	% of Total Project Budget	Recent Work Update
1	Sedimentation Basin Upgrades	\$10,390,000	Design and Bidding (AECOM - Approved)	\$409,000	4%	Construction contracts currently being finalized with NFWB. CPL in communication with Electrical and General contractors to coordinate construction.
			CA/CI (CPL - Approved)	\$470,000	5%	
			GEN Construction (Hohl - Per Bid - Approved)	\$7,422,010	71%	
			ELEC Construction (CIR - Per Bid - Approved)	\$894,100	9%	
			Project Total	\$9,195,110	88%	
			Remaining Budget	\$1,194,890	12%	
2	GPS	\$3,800,000	Design, Bidding, and CA/CI (GHD - Approved)	\$414,930	11%	Construction continues at GPS. GHD continues CA work with MWBE subcontractor CI support.
			GEN Construction (STC - Per Bid - Approved	\$3,215,000	85%	
			ELEC Construction (CIR - Per Bid - Approved)	\$418,300	11%	
			HVAC Construction (Danforth - Per Bid - Approved)	\$864,400	23%	
			Project Total (Minus Outfall Relocation Share of \$1,666,265)	\$3,246,365	85%	
			Remaining Budget	\$553,635	15%	
3	Screens and Grit Transportation Equipment Improvements	\$1,920,000	Design, Bidding, and CA/CI (Arcadis - Approved)	\$314,315	16%	Construction contracts approved. Contracts currenting being finalized with NFWB. Arcadis begins construction services.
			GEN Construction (Hohl - Per Bid - Approved)	\$1,527,000	80%	
			ELEC Construction (CIR - Per Bid - Approved)	\$140,800	7%	
			Project Total	\$1,982,115	103%	
			Remaining Budget	(\$62,115)	-3%	
4	Granular Activated Carbon and Filter Support Gravel Replacement	\$2,000,000	Design, Bidding, and CA/CI (AECOM - Approved)	\$201,160	10%	Construction Complete, project closeout underway.
			GEN Construction (Carbon Activated - Per Bid - Approved)	\$1,798,840	90%	
			Project Total	\$2,000,000	100%	
			Remaining Budget	\$0	0%	
5	Electrical System Improvements	\$2,610,000	Design/E.I. Team - Approved	\$226,000	9%	Initial electrical improvements completed by Ferguson. El Team continues with design of improvements.
			Phase 2 Design - Approved	\$133,566	5%	
			CA/CI/TBD - Approved	\$65,374	3%	
			Const. - Per original project Budget (El Team Estimates \$6M)	\$1,845,112	71%	
			Task 1 Construction - Ferguson - Approved	\$339,947	13%	
			Project Total	\$2,610,000	100%	
			Remaining Budget	\$0	0%	
6	Effluent Disinfection	\$3,650,000	Design and Bid/AECOM - Approved	\$116,000	3%	Construction continues. Per original design proposal, construction work is being completed through IDIQ contractors representing cost savings to NFWB. Construction completion anticipated by end of year.
			GEN Construction (M&B - Per Bid - Approved)	\$1,366,000	37%	
			ELEC Construction (Ferguson - Per Bid - Approved)	\$108,000	3%	
			ELEC Construction (Ferguson - Approved Proposal - Network Improvements)	\$400,000	11%	
			CA/In-House - CPL (Included in current CPL term contract)	~ 5% or \$185,000 if by capital project engineer		
			CI (AECOM - Approved)	\$74,000	2%	
			Project Total	\$2,064,000	57%	
			Remaining Budget	\$1,586,000	43%	

7	Replacement of Critical Heating and Ventilation Equipment	\$1,160,000	Design, Bidding, and CA/CI (E.I. Team - Approved)	\$140,320	12%	EI Team currently negotiating with contractor to revise construction fee to meet project budget. If not, project will be re-bid as unit price contract.
			Construction - (Per Engineers 75% Estimate with 10% contingency)	\$1,019,680	88%	
			Running Total	\$1,160,000	100%	
			Remaining Budget	\$0	0%	
8	Replacement of Blower Equipment	\$300,000	Design/In-House AECOM/ CPL (Included in current CPL term contract)	N/A	N/A	Construction Complete.
			Const./Various Contractors - Per IDIQ Contract	\$90,118	30%	
			CA/CI/In-House - CPL (Included in current CPL term contract)	N/A	N/A	
			Running Total	\$90,118	30%	
			Remaining Budget	\$209,882	70%	
9	Replacement of Process Piping	\$640,000	Piping Assessment Report (Ramboll - Approved)	\$58,656	9%	JMD continues design of process piping improvements.
			Design, Bidding, and CA/CI (JMD - Approved)	\$114,560	18%	
			Construction - (Per Engineers Preliminary Estimate with 15% contingency)	\$466,784	73%	
			Running Total	\$640,000	100%	
			Remaining Budget	\$0	0%	
10	SCADA Improvements	\$455,000	Phase 1 Design/ Construction/Kaman - Approved	\$352,450	77%	Kaman continues coordination with Capital Project Engineers.
			Phase 2 Design/ Construction - Approved (For Project #6)	\$146,200	32%	
			Running Total	\$498,650	110%	
			Remaining Budget	(\$43,650)	-10%	
Phase 1 Budget Total =		\$26,925,000	Anticipated Total Cost (Percentage of Total Budget)	\$23,486,358	87%	
		Overall Phase 1 Remaining Budget to Date	\$3,438,642	13%		

Key	
Proposal currently under review, but not approved	
Preliminary Construction Cost per Engineers Estimate	

Niagara Falls Water Board (NFWB) Overall Capital Project Budget Summary (Phase 2 Overall Budget = \$7M)

Project	Scope of Work	Budget	Scope/Vendor	Estimated Task Cost	Percentage of Total Project	Recent Work Update	
2B	Outfall	\$1,700,000	Design, Bidding, and CA/CI (GHD - Approved)	\$37,400	2%	(See Project #2 Update)	
			Construction Share with Project #2 GPS (Budget - Design Fee) - Approved	\$1,662,600	98%		
			ELEC Construction (CIR - Per Bid - Approved)	Included above	Included above		
			HVAC Construction (Danforth - Per Bid - Approved)	Included above	Included above		
			Running Total	\$1,700,000	100%		
			Remaining Budget	\$0	0%		
11	WWTP Misc. Piping	\$1,200,000	Design, Bidding, and CA/CI (JMD - Approved)	\$68,855	6%	(See Project #9 Summary Above)	
			Const./ Estimated Cost - Not Approved	\$1,131,145	94%		
			Running Total	\$1,200,000	100%		
			Remaining Budget	\$0	0%		
99	FEMA (Final Design, Bidding, and construction)	\$5,509,900	(FEMA Phase 1) Preliminary Design - GHD - Previously Approved	\$208,000	4%	On hold, waiting for guidance from NFWB on how to proceed.	
			(FEMA Phase 2) Final Design, Bidding, and CA/CI - GHD - Approved	\$325,700	6%		
			(FEMA Phase 2) Construction Cost - Per GHD Estimate w/10% Contingency	\$5,184,200	91%		
			Running Total (Not including preliminary design)	\$5,509,900	96%		
			Total FEMA Funding (\$156,053 for Design and \$2,853,778 for Construction)	\$2,853,778	52%		
			NYS Funding Portion (50% of Remaining)	\$1,328,061	23%		
			NFWB Funding Portion (50% of Remaining)	\$1,328,061	23%		
			Total	\$5,717,900	100%		
Phase 2 Budget Total =		\$7,000,000	Anticipated Total Cost (Percentage of Total Budget)		\$5,556,122	79%	
			Overall Phase 2 Remaining Budget to Date		\$1,443,878	21%	



## ESTIMATED CONSTRUCTION SCHEDULE

## NFWB CAPITAL IMPROVEMENT PROJECTS

Updated: (11-9-20)

[illegible]

**NFWB Financial Award Summary**  
**Last Updated: 11/9/20**



Description	Amount	Source	Status
<b>AWARDED</b>			
Bollier Avenue Watermain Improvements 2017	\$400,000 total \$240,000 grant	NYS EFC DWSRF 18435	Funding Agreement Signed. Construction completed October 2020. NFWB with assistance from City to submit for reimbursement with EFC.
Various Watermain Improvements 2018	\$5,495,000 total \$3,000,000 grant \$2,495,000 loan	NYS EFC DWSRF 18588	EFC conf call 9/18/20. Agreement not signed. NFWB provided EFC with remaining documents. EFC will then process internally. Anticipated reimbursements can occur spring 2021. City Engineer started design on two streets. NFWB/CPL provided EFC with updated schedule 10/29/20.
Sewer Plant Phase 1 Improvements	\$13,500,000 grant	NYS DASNY ID #15688	Awarded. Reimbursement requests underway with DASNY and money received.
Sewer Plant Phase 1 Improvements	\$13,500,000 loan long term \$27,000,000 loan short term	NYS EFC #C9-6603-12-00	NFWB/CPL sent EFC amended engineering agreements 11/3/20. EFC finance closing process underway. Anticipated reimbursements can occur spring 2021.
Sewer Plant Consent Order Items 11 & 14	\$500,000 grant	NYS DEC & EFC R9-20170906-129	Paperwork submitted. NFWB provided remaining invoice documents 10/20/20, awaiting response. EFC/DEC will then process internally and disburse grant.
LaSalle Sewer Area Phase 1 system report update & flow monitoring	\$100,000 grant	NYSDEC Engineering Planning Grant EPG #93794	EFC & DEC conf call 9/21/20. EFC accepted Arcadis agreement 10/16/20 and will process internally. Anticipated reimbursements can occur spring 2021.
<b>FUTURE</b>			
2020 Various Watermain & System Improvements	\$5,300,000 total \$3,000,000 grant \$2,300,000 loan	NYS EFC	Submission paperwork prepared. Waiting on State to announce grant sessions. Financial assistance submission to IUP made in Sept 2020.
LaSalle Sewer Area Phase 2 system report update & flow monitoring	\$100,000	NYSDEC Engineering Planning Grant	Applications items being prepared in anticipated for submission when State announces next grant session.
LaSalle Sewer Area Phase 2 Construction	\$1,000,000 total \$750,000 grant \$250,000 NFWB match	NYSDEC WQIP	Waiting on State to announce grant sessions. Financial assistance submission to IUP made in Sept 2020.
Local Government Records Management Improvement	Grant, varies. Up to \$150,000 if submit with City	NYS Archives	Next application period ends early 2021. Recommended NFWB partner with City to maximize grant award.

**Niagara Falls Water Board**

**Personnel Actions and Report**

**Monday, November 23, 2020**

<b>Personnel Actions Sheet &amp; Requested of the Board.</b> <b>All appointments are subject to the appointee meeting the minimum qualifications and all applicable civil service conditions.</b>
--

<b>A. PERSONNEL ACTIONS RECOMMEND TO HIRE</b>				
<b>Line Item Number</b>	<b>Position</b>	<b>Department/Location</b>	<b>Pay Rate or Grade</b>	<b>ADDITIONAL INFORMATION</b>
No new recommendations.				

<b>B. RECOMMENDED PROMOTION / MOVE / APPOINTMENT</b>				
<b>Line Item Number</b>	<b>Name and Position</b>	<b>Type of labor move</b>	<b>Change in pay rate or grade</b>	<b>ADDITIONAL INFORMATION</b>
None.				

<b>C. PREVIOUSLY TABLED PERSONNEL ACTIONS (From 2020)</b>				
<b>Line Item Number</b>	<b>Position</b>	<b>Department/Location</b>	<b>Pay Rate or Grade</b>	<b>ADDITIONAL INFORMATION</b>
1	MW2 (Maintenance Worker 2)	WWTP/Inside Maintenance	\$32,379.98	Group supervisor requested that the Board authorize hiring two MW2's to restore group strength and for succession planning as other group members near retirement. One hired. Second position tabled May 2020.
2	Inventory Control Agent	Administration	\$51,500.00	Authorized by Resolution 2020-01-009. No job specification has been created/submitted for Civil Service approval. No individual has been hired for this position.
3	Project Engineer	Administration	Not set.	Tabled in May 2020.

<b>D. OTHER PERSONNEL ACTIVITY FOR BOARD NOTIFICATION</b>				
1	Gina Senia	Safety Specialist	Resignation	Last work date is November 27.

<b>E. PERSONNEL ON LONG TERM LEAVE OF ABSENCE</b>				
<b>Name</b>	<b>Last Day Worked</b>	<b>Dept.</b>	<b>Return Status</b>	<b>Comments</b>
None.				



## **Monthly O&M Report** **For the Month of October 2020**

### **1. Treatment & Plant Maintenance**

#### **1.1. Water – Robert Rowe, updated 11/06/2020**

### **OPERATIONS AND MAINTENANCE**

Total water production for the month of October was 673 million gallons. The average daily water production was 21.7 million gallons. The plant data summary table is included below for your reference.

### **2020 TOTALS AND AVERAGES**

	F/W	PRE CL2	PACL	H2SiF6	PO4	POST CL2	F/W 1000 GAL/ DAY
	PUMPAGE	LBS	LBS	LBS	LBS	LBS	
JAN	691945	7205	131000	16189	1891	4034	22321
FEB	666612	6664	122800	15907	1846	4169	22987
MAR	731884	7609	131400	17442	2053	4478	23609
APR	725504	8039	135500	17675	2121	4428	24183
MAY	738265	8462	130200	18122	2099	4565	23815
JUN	657717	8481	129100	16749	1755	4280	21924
JUL	689194	9709	158000	17736	1912	4492	22232
AUG	689025	10707	156100	18731	1949	3798	22227
SEP	656138	9352	139100	16674	1883	3643	21871
OCT	673130	8665	140100	17134	1910	3389	21714
NOV							
DEC							
TOTAL	6919414	84893	1373300	172359	19419	41276	226883



## 2020 ANALYTICAL RESULTS

	RAW TURB NTU	RAW pH	PRE Cl2 RES.mg/l	POST Cl2 RES.mg/l	EFF TURB NTU	EFF pH	F. RES mg/l
JAN	13.8	8.1	0.58	1.21	0.022	7.6	0.68
FEB	8.5	8.1	0.55	1.21	0.015	7.6	0.69
MAR	10.5	8.1	0.55	1.22	0.022	7.6	0.69
APR	6.7	8.1	0.55	1.22	0.019	7.7	0.68
MAY	2.4	8.1	0.56	1.23	0.023	7.7	0.67
JUN	1.3	8.0	0.54	1.23	0.019	7.6	0.68
JUL	4.2	8.1	0.51	1.24	0.017	7.6	0.66
AUG	1.5	8.1	0.64	1.24	0.023	7.6	0.68
SEP	0.9	8.1	0.63	1.23	0.026	7.6	0.67
OCT	1.8	8.1	0.66	1.22	0.020	7.7	0.67
NOV							
DEC							
AVG	5.2	8.1	0.58	1.23	0.021	7.6	0.68

### Operations and Maintenance Highlights

Freeze Thaw Bed #2 has been emptied with the help of outside crews. My estimates show over 760 tons of solids were loaded by our backhoe operators during three days of hauling. The exact scale numbers will be available soon.

We are replacing the outdated Chlorine Detection System in our chlorine area due to lack of support and parts. The unit is currently working but becoming problematic. New units have been ordered and will be installed once on site. New Unit has been received and we are working on scheduling the install.



## **1.2. Wastewater – Bob Dunn, Chief Operator- updated 11/6/2020**

**Non-Compliance Violations: NONE**

**Sampling notes: NONE**

### **OPERATIONAL and MAINTENANCE- Highlights**

Project #6 (Disinfection) continues, and it is hoped that cleaning the contact tank will proceed just as smoothly.

Project #2 (Gorge Pumping Station Rehab) Both the By-Pass channels have been cleaned. The bubbler system bugs were worked out with assistance from Mr. Godlewski and Mr. Hotchkiss. The elevator has malfunctioned several times and is slated for investigative care. GHD and the onsite inspector are still doing a good job at staying on task and keeping us informed as to progress.

The SOS's and Operators at Wastewater should be completing the new SCADA training given by Kamen in early October. A decision has yet to be reached on the new screen placement in the control room. SOS's will be working to reinforce the new training with the Operators until everything is operational.

Mr. Argona will be onsite to facilitate work while Mr. Smith is gone. He has already begun checking the air handlers and heaters in preparation for cold weather. Maintenance bid farewell to John McNaughton and we wish him the best with his retirement.

A slight hiccup with the Travelling Bridge on Sediment Basin Number 3 fortuitously led to an inspection that identified a problem with the bridge breakers. The bridges all had their breakers checked as a safeguard. All basins are slated for inspection and winterization in the coming weeks.

Plant conditions are well, with excellent work being done by all departments.



WASTEWATER TREATMENT PLANT OPERATING DATA														
2020	FLOWS			Chlorine	Rainfall	SLUDGE		Polymer		FeCl3	LIME	H2O2	NaOCl	Grit
	INF/EFF	CBE	GPS	Residual		NET	LANDFILL	BFP	PRIM					
MONTH	MGD	MGD	MGD	PPM	inches	(Tons)		(Lbs)		(gals.)	(Tons)	(gals.)	(gals.)	(Tons)
January	988.96	1280.77	418.58	2.2	0.0	2421.0	643.0	3664.0	4398.0	27380	121.8	0	367350	88.5
February	819.89	1187.62	387.49	2.2	2.2	2407.0	645.0	3502.0	4453.0	25990	110.3	0	382270	63.6
March	940.59	1369.46	439.96	2.2	2.3	2241.0	603.0	3007.0	4577.0	28140	83.2	0	576380	28.3
April	865.22	1294.50	404.40	2.1	2.6	1869.0	520.0	2985.0	4566.0	28647	90.6	0	415530	23.5
May	802.53	1193.30	393.25	2.0	2.3	1520.0	408.0	2758.0	4382.0	26220	75.1	0	445580	15.5
June	660.30	1186.66	439.42	1.9	2.3	1967.0	524.0	3305.0	4115.0	24120	108.4	0	478980	74.6
July	639.88	1142.70	430.00	2.1	1.7	1673.0	457.0	3371.0	3725.0	21800	88.1	0	588800	26.4
August	596.63	1077.83	369.06	2.2	1.5	1753.0	473.0	3920.0	3846.0	23000	113.2	0	692042	6.2
September	569.50	983.64	343.94	2.2	0.0	1426.7	430.6	2768.0	3806.4	21020	122.4	0	508210	16.1
October	0.00	0.00	0.00	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0	0	0.0
November	0.00	0.00	0.00	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0	0	0.0
December	0.00	0.00	0.00	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0	0	0.0
<b>Totals</b>	<b>6883.50</b>	<b>10716.48</b>	<b>3626.10</b>	<b>1.6</b>	<b>14.8</b>	<b>17277.7</b>	<b>4703.6</b>	<b>29280.0</b>	<b>37868.4</b>	<b>226317</b>	<b>913.1</b>	<b>0</b>	<b>4455142</b>	<b>342.7</b>

#### Explanation of data abbreviations:

INF: Influent

EFF: Effluent

CBE Carbon Bed Effluent

GPS: Gorge Pump Station

MGD: Millions of Gallons per Day

PPM: Parts Per Million

BFP: Belt Filter Press

PRIM: Primary

FeCl3: Ferric Chloride

H2O2: Peroxide

NaOCl: Sodium Hypochlorite



## **2. Pipes:**

### **2.1. Sewer Collection – Michael Eagler, updated 11/6/2020**

<b>Sewer Collections System</b>										
<b>2020</b>	<b>Service Calls</b>	<b>Flushing (Feet)</b>	<b>UFPO Responses</b>	<b>Receivers Cleaned</b>	<b>Bypass Pumping (Hours)</b>	<b>Catch Basins</b>	<b>Man Holes</b>	<b>Main</b>	<b>Connections</b>	<b>Lateral</b>
<b>January</b>	92	22860	165	128	112.30	2	1	0	0	0
<b>February</b>	39	11760	185	103	0.00	0	3	0	0	0
<b>March</b>	72	644	181	38	17.99	6	3	0	0	1
<b>April</b>	60	433	199	0	9.73	0	0	0	1	0
<b>May</b>	81	13810	373	326	0.00	1	4	0	0	0
<b>June</b>	100	21195	370	270	5.01	8	5	2	2	2
<b>July</b>	99	23513	423	177	0.00	3	2	5	5	5
<b>August</b>	104	47458	981	205	3.60	3	8	1	7	2
<b>September</b>	139	51416	881	238	6.50	4	1	8	4	0
<b>October</b>	96	54573	852	188	0.00	6	6	1	0	0
<b>November</b>										
<b>December</b>										
<b>Totals</b>	882	247662	4610	1673	155.13	33	33	17	19	10





**2.2 Water Distribution – Michael Eagler, updated 11/6/2020**

Water Distribution															
2020	Main Breaks	Service Leaks	Curb Box Reset	Valve Repaired	Valve Replaced	Hydrant Replaced	Hydrant Repaired	Hydrant Flow	Hydrant Flush-Winterized	Hydrant Leaks	Hydrants out of Service	Misc. Service Calls	Concrete	Landscape	UFPO
January	4	10	2	0	0	10	4	0	258	0	1	92	6	0	165
February	2	8	3	0	1	16	0	0	264	0	0	39	0	0	185
March	2	11	3	2	1	12	4	0	230	0	0	72	12	1	181
April	2	3	9	0	0	8	1	0	0	0	0	60	0	0	199
May	4	10	7	0	0	13	1	0	64	0	0	81	3	17	373
June	5	12	46	3	1	5	0	58	260	0	0	100	15	42	370
July	10	10	9	5	4	7	1	136	158	0	0	99	10	10	423
August	4	16	3	1	0	5	1	102	148	0	0	104	12	1	981
September	9	9	5	0	2	4	1	159	175	0	0	139	5	9	881
October	2	6	6	0	0	12	3	118	218	0	0	96	19	17	852
November															
December															
Totals	44	95	93	11	9	92	16	573	1775	0	1	882	82	97	4610



### **3. Analytical Services**

#### **3.1 Water Laboratory –Larry Sklarski, updated 11/05/2020**

##### **1. New York State Sanitary Code Part V Monitoring/Reporting**

- October samples have been collected & analyzed in-house for TOC, DOC & UV<sub>254</sub> on both finished and source water, all samples were in compliance.
- Monthly collection and reporting for the Distribution System was conducted (60 Samples for Free Chlorine, Turbidity, Phosphate, Fluoride, Standard Plate Count & Mf Coliform). All samples were within reporting limits.
- We have been in contact with the LPHD during the shutdown due to the Coronavirus. Alternate sampling sites were approved for routine monitoring. Only one site remains closed as of this date.
- NYSDOH has decided to add three new compounds to their list of Organic Chemicals, 1,4-Dioxane, Perfluorooctanesulfonicacid (PFOS) and Perfluorooctanoic acid (PFOA). These compounds will need to be monitored once per quarter for one year and if not detected will go on to a 18 month sampling rotation with the other organics. The first round of sampling tested all non-detected.

##### **2. In-house/DEC/LPHD Monitoring**

- All in-house monitoring for bacteriology and water chemistry have been within normal limits.
- The monthly SPDES sample collected from the freeze thaw bed was within normal limits.
- Samples analyzed for 2020: 14,156.
- No water main breaks were sampled in October. One community complaint was sampled due to high turbidity, three complaints were able to be resolved without sampling.
- Third Qtr. UCMR4 samples were collected in August but have not been posted on CDX for approval. The final round of sampling for this program will occur in November.
- Third Qtr. reporting to the LPHD was completed and included THM's, HAA's, TOC Removal, yearly POC results and UCMR4 results. No excursions were observed in any of the tests.

##### **3. Laboratory Concerns**

- The Laboratory analyzed a total of 57 samples for Niagara & Erie County Water Plants and the Aquarium, of which 21 samples were analyzed by the microbiology lab.
- 2020 Revenue created is ~\$37,257.50, the unknown is due to overlapping billing in months.
- Lead and Copper samples from Niagara and Orleans County have been reported. The Starpoint School District has delivered 361 samples for Lead analysis of which ~50% have been analyzed to date.
- Sampling has been completed for Distribution Lead & Copper Monitoring throughout the city. Results indicate we are within the 90<sup>th</sup> percentile limit, the report still needs to be compiled and filed.
- Proficiency testing has restarted by NYS Environmental Laboratory Approval Program. Bacteriology samples were tested and submitted; all thirteen samples passed. Potable Water Wet Chemistry samples were analyzed and submitted, results will be received in November.



### **3.2 Wastewater Laboratory - Brian Eldridge 11/6/2020**

1. The data for October's State Pollutant Discharge Elimination System (SPDES) report is currently being compiled with no anticipated violations.
2. Third quarter BHC sampling was completed.

### **4. Customers & Compliance**

#### **4.1. Meter Shop – Bob Reid Updated 11/10/20**

MONTH:	WORK ORDERS	STOPPED METERS	Registers Replaced	SCRAPPED METERS	INDUSTRIAL METERS READ	RESIDENTIAL METERS READ
JANUARY	105	0	4	0	0	7185
FEBRUARY	86	0	7	0	0	5261
MARCH	76	0	6	0	565	5484
APRIL	68	0	3	0	0	7191
MAY	76	0	8	0	0	5256
JUNE	91	2	5	0	565	5480
JULY	98	4	8	0	0	7191
AUGUST	94	12	6	0	0	5255
SEPTEMBER	134	5	11	0	565	5486
OCTOBER	132	7	13	0	0	7192
NOVEMBER						
DECEMBER						
TOTAL	960	30	71	0	1695	60981

#### **METER READINGS:**

DISTRICT 2	B.REID	M.MACRI	V.Virtuoso	J.PAUL	F.DERUBEIS	TOTAL
10/1/20	951			976		1927
10/2/20	2119			1547		3666
10/5/20	792	784				1576
10/6/20					23	23
<b>TOTAL</b>	3862	784		2523	23	7192



Shop read 7192 residential meters for the month.

#### **4.2. Industrial Monitoring / Enforcement – Joel Paradise updated 11/03/20**

- a.) **Hauled Waste Program** – The Hauled waste moratorium imposed on August 16<sup>th</sup>, 2017 is still in effect.
- b.) **Investigations/Enforcement** – All inspections have been conducted and Notices of Violation have been issued as required.
- c.) **SIU Updates.**
  - 1. All SIU (Significant Industrial User) whose discharge permits nearing expiration in the next several months have been sent their renewal applications for our review and eventual reissuance of their NFWB wastewater discharge permit. This is an ongoing and continuing process.  
The Cross Connection Inspectors work of conducting his inspections as a function of building sales, monitoring the annual tests results of all back flow prevention devices , along with updating our database and filing/archiving the hard copies has also been impacted by the Covid-19 situation but they are being conducted and nearly back on schedule.
  - 2. SIU discharge permits are being continually updated using the most recent data generated by Steve Stewart to verify / adjust discharge limits. The format is being updated simultaneously.
  - 4. Administrative Order on Consent June 26<sup>th</sup>, 202 issued to SIU #50- Cascades Containerboard Packaging as a result of a major pretreatment operational upset earlier this year has not been officially lifted. They are in compliance with their discharge permit for the most part, but they are working out some fairly minor operational kinks. Continuous discharge permit compliance notwithstanding, all other terms and conditions listed in the Administrative Order were met.  
Update 11/3/2020: An offshoot of this situation was a meeting with Cascades officials to discuss their proposed request for an increase in their allocation for TSS and SOC. Their justification for the proposal is a steady increase in the rate of production that has occurred during the past several years. Once the official request is received, Steve Stewart and I will determine if the increase is justified and if it would adversely impact (it likely will not) our MAIL / RAIL. Cascades' proposal would be a modification of their discharge permit and therefore requires a formal request to modify their discharge permit.
  - 5. The RFP for the Local Limits re-evaluation is, I assume, still nearing completion.
  - 6. Issued renewed discharge permits for SIU # 37 Washington Mills Electro Minerals Corporation, SIU #17 Niacet Corporation and SIU #56 Durez Corporation . Reviewing the renewal application from SIU #4 CECOS International, Inc. and awaiting the return of discharge permit renewal applications from SIU #46 DS Rose Inc. and SIU #55 Sherwood Forest Properties, renewal applications for SIU #47, Saint Gobain Advanced Ceramics and ICU #80 Plastic2Oil were sent out, both are due to expire in early 2021.
  - 7. BHC sampling in the collection system was completed on Tuesday, September 8<sup>th</sup>, 2020.



8. October's round of Mercury sampling in the collection system was postponed and has been rescheduled to be collected in conjunction with the next round of BHC collection system sampling on Monday November 9<sup>th</sup>, 2020.

## **5. Support Services**

### **5.1. Safety – Gina Senia, updated 11/5/20**

#### **Safety Performance (October 2020):**

The NFWB reported **zero** OSHA/PESH recordable injuries and **zero** first aid incidents during the month of October. Our Injury Frequency Rate is 2.3 for Total Recordable Injuries and 0 for Lost Workday Cases:

<b>MONTHLY SAFETY PERFORMANCE:</b>	<b>October</b>	<b>YEAR TO DATE SAFETY PERFORMANCE:</b>	<b>YEAR TO DATE INJURY FREQUENCY RATE:</b>
OSHA/PESH Recordable LWDC	0	0	0
OSHA/PESH Recordable Injuries	0	2	2.3
Man Hours Worked (est.)	16,575	171,510	-
First Aid Cases	0	-	-

<b>2020 GOALS</b>	
OSHA/PESH LWDC	0
TOTAL OSHA/PESH Recordables	0
INJURY FREQUENCY RATE	0

**Summary of Recordable and Recordable LWDC Injuries (October 2020): 0**

**Summary of First Aid Incidents (October 2020): 0**

**Summary of Other Incidents (October 2020): 0**

#### **Safety Activities and Updates (October 2020):**

**COVID Safety** – our COVID Safety Plan was updated to reflect our current health screening protocol for employees and contractors/visitors. We also provided guidelines and instructions on how to proceed during various exposure scenarios and included the updated CDC definition of “exposure.” We continue to maintain our stock of PPE, sanitizers and cleaning agents, and continue to monitor developments from the CDC, State and local NCDOH.



**Workplace Violence Prevention** – Approximately 75% of NFWB employees received WPV Prevention training in October; due to COVID restrictions much of the training is being conducted in small groups and the remaining employees are expected to complete the training by the end of November. All employees were provided the employee survey results. Additionally, a representative from Northpointe Council (employee assistance provider) was available during some of the training classes and provided information regarding their services to employees and their families.

A total of 13 NFWB Operations employees attended Bulk Chemical Offloading Safety training in October that included function-specific DOT training. The training included proper chemical identification, proper shipping name (for bill of lading), placarding, PPE and spill prevention. Employees reviewed the checklist for safe offloading including ensuring delivery to the proper tank, available tank capacity, proper hose hookup, and general communication with the driver. We also reviewed the chemical incompatibilities chart. Additional training for the remaining Operations employees will occur in November.

**Shoring Equipment Demonstration** – a hands-on demonstration using our new shoring equipment occurred during a “hydrant dig” on October 14. The C&D team had favorable comments regarding the equipment and potentially may order additional shores.

It has been my extreme pleasure serving as the NFWB Safety Specialist during the past 4.5 years. I wish all good health and continued success!

## **6. Technical Services – Doug Williamson, updated 11/4/20**

1. **Hazard Mitigation Grant Program HMGP Project No.4204-0003:**  
The quarter 4 progress report for HMGP Project No.4204-0003, Phase II WWTP Protective Measures contract 68 was submitted on October 15th. In October, GHD continued investigating WWTP flood control projects of a smaller magnitude that may have a better benefit to cost ratio than the current scope of work and may still be fundable through the FEMA grant.
2. **Schoellkopf Tunnel Surcharge:**  
Ongoing measurements and review of data at shaft #1 and #2 reveal no unusual behavior.
3. **LaSalle SSO Abatement Program and Consent Order (R9-20080528-32):**  
The final **Sanitary Sewer System Management Plan Year 12 Progress Evaluation** engineering report was submitted to the NYSDEC on September 11<sup>th</sup> and continues to be reviewed. In October, we continued discussions regarding potential revisions to the LaSalle consent order, potential 2020 WQIP and EPG grant applications and the projects in the engineering report to be submitted.





4. **NYSDEC Consent Order (R9-20170906-129) WWTP Phase I and II Projects:**  
In October, we continued to support CPL and the design consultants on the WWTP Phase I and II projects. **Project 1** Sedimentation Basins and Scum Collection System Modification electrical bid opening was held on October 1st, **Project 2** GPS Rehabilitation and **Project 6** Effluent Disinfection work are ongoing. **Project 5** Electrical Phase II meeting was held on October 27<sup>th</sup>, **Project 7** Replacement of Critical Heating and Ventilation Equipment and **Project 7** HVAC Electrical Renovations bid openings were held on October 29<sup>th</sup>. **Project 9** Process Piping Improvements kick-off meeting was held on October 13<sup>th</sup>.
5. **NYSDEC WWTP SPDES Permit NY0026336 and Consent Order (R9-20170906-129) Items:**  
In October, we continued to address the WWTP SPDES Permit NY0026336 and Consent Order (R9-20170906-129) items. The WWTP chlorine dioxide study was approved by the NYSDEC on August 27<sup>th</sup> and AECOM's pilot operations and testing is planned to start in the summer of 2021.
6. **WWTP and Chemical Bulk Storage Tanks:**  
We received a Notice of Violation from the NYSDEC for the WWTP Chemical Bulk Storage (CBS) Program on March 6<sup>th</sup>. The corrective actions provided to the Region 9 office on April 6<sup>th</sup> and are still being addressed.
7. **Town of Niagara Sewer Flow Monitoring**  
The Fall of 2020 Town of Niagara sewer flow monitoring (4-week period) began on September 21<sup>st</sup> and was completed on October 19<sup>th</sup>, 2020. The 2021 Town of Niagara sanitary sewer services charges were drafted based on the average of the 2020 Spring and Fall flow data.
8. **Engineering Support**  
In October, the engineering department continued to provide engineering and GIS support to NFWB departments, engineering consultants and developers as needed.
9. **Capital Improvement Projects:**  
In October, the **5 Year Capital Improvement Plan** and projects continue to be evaluated, updated, and reviewed as needed with NFWB staff.



#### 2020 OXIDIZER BUDGET

**BUDGET = \$2,050,000.00** for year

**COST = \$2,000,925.01** to date

**% USED = 97.61%** to date

**BUDGET = \$5,616.44** per day avg. **\$170,833.33** per month avg.

**COST = \$7,302.65** per day avg. **\$222,325.00** per month avg.  
**25.0** Flow (MGD) **274** total days



WWTP DATA		OXIDIZER USEAGE				SLUDGE REMOVAL			
MONTH	FLOW (MG)	H2O2 (GAL)	NaOCI (GAL)	GAL PER MG FLOW	TOTAL COST	LANDFILL SLUDGE (TONS)	SOLIDS THROUGH PUT (%)	FERRIC CHLORIDE (TONS)	LIME (TONS)
Jan-2020	996.3	0	362,710	387	\$164,307.63	608.7	99.5	51.4	106.1
Feb-2020	790.4	0	351,310	447	\$159,143.43	613.6	99.1	45.1	105.3
Mar-2020	940.5	0	580,170	623	\$262,817.01	573.4	92.2	52.9	80.8
Apr-2020	862.6	0	408,380	477	\$184,402.71	508.0	106.9	51.7	90.2
May-2020	798.2	0	445,470	566	\$203,175.03	395.5	106.8	49.1	76.2
Jun-2020	638.4	0	470,810	748	\$213,276.93	503.2	113.2	43.9	102.6
Jul-2020	640.1	0	588,800	923	\$266,726.40	389.3	92.8	40.9	88.3
Aug-2020	604.9	0	693,873	1159	\$314,324.47	441.7	86.9	43.8	101.3
Sep-2020	567.8	0	513,800	921	\$232,751.40	432.9	131.9	39.0	76.8
Oct-2020									
Nov-2020									
Dec-2020									
TOTALS	6,839.1	0	4,415,323	695	\$2,000,925.01	4,466.4	101.5	417.6	827.6

Low value for year

High value for year

#### 7. SECURITY REPORT-- Gina Senia 11/5/20

No security incidents were reported in October; the guards continue to screen contractors and visitors regarding COVID-19 and to restrict plant access.





## **8. INFORMATION TECHNOLOGY (I.T.) Joe Morock 11/02/2020**

**VMWARE** – Sean F & Joe M. We are working on the VM migration, Version 5 to 7 we expect this to wrap up around the (End of November).

**Network** Final Phase – Sean F & Joe M - WTP/WWTP Switches & Routers (25 total) are being firmware updated and secured with local admin accounts, configured, and backed up. We expect this phase to be completed by the 3<sup>rd</sup> week of November.

We will then begin configuring the IP/Sub/GW and VLANs of every network device, when completed and tested we will schedule an afterhours deployment as this will bring down the existing network for as we swap out the old equipment, The same strategy will be followed for at WWTP.

**Network** – Wi-Fi – Sean F & Dino - When the wtp/wwtp network is complete, we will be adding Wi-Fi to both plants in the form of a secured production and secured Guest Wi-Fi. Utilizing plant blueprints, we will install the AP's in the most optimal locations to maximize Wi-Fi coverage. We will begin this in December.

**New World** – Joe M - We are waiting for a Pre-Configured Cisco ASA VPN to arrive, we will then Integrate it onto our existing Firewall, this device will create an encrypted tunnel between us and the NW Cloud Hosted environment.

GPS – Carl/Bill - All units have been working as intended since installed, There have been a few minor We've experienced a few lost connection issue's that have occurred or devices causing electrical issues, replacement units have been ordered and installed.

Security Card system – Gina/Carl reached out to Fox Fence to Install/Reuse Access Control Equipment at Wastewater and Water Treatment Plants. Being a security project, this should be headed by Gina S we will assist in any way.

# April 14, 2020 Lightning Strike Insurance Claim Summary

Niagara Falls Water Board  
1201 Buffalo Ave., Niagara Falls  
DOL: 4/14/19, Claim No.: DHE5848  
Claim Analysis

Line No.	Vendor	For	Proposed Amount	Invoice Amount
<b>Recognized Expenses</b>				
1	NOCO Energy	1,317.2 Gallons Generator Fuel		\$ 3,693
2	NOCO Energy	220.1 Gallons Generator Fuel		\$ 622
3	NOCO Energy	300.1 Gallons Generator Fuel		\$ 838
4	R.B. U'Ren Equip.	Rental of 45KVA Generator 4/15 to 4/16		\$ 288
5	NOCO Energy	558.8 Gallons Generator Fuel		\$ 1,562
6	NOCO Energy	744.8 Gallons Generator Fuel		\$ 2,082
7	R.B. U'Ren Equip.	Purchase Generator Cables		\$ 5,184
8	NOCO Energy	640 Gallons Generator Fuel		\$ 1,840
9	NOCO Energy	301 Gallons Generator Fuel		\$ 859
10	NOCO Energy	650 Gallons Generator Fuel		\$ 1,925
11	NOCO Energy	568.8 Gallons Generator Fuel		\$ 1,590
12	R.B. U'Ren Equip.	3 Day Generator Rental		\$ 5,188
13	NOCO Energy	575.3 Gallons Generator Fuel		\$ 1,623
14	NOCO Energy	300.4 Gallons Generator Fuel		\$ 853
15	NOCO Energy	628.8 Gallons Generator Fuel		\$ 1,779
16	NOCO Energy	551.9 Gallons Generator Fuel		\$ 1,561
17	NOCO Energy	450.1 Gallons Generator Fuel		\$ 1,255
18	NOCO Energy	355.6 Gallons Generator Fuel		\$ 998
19	NOCO Energy	633 Gallons Generator Fuel		\$ 1,882
20	NOCO Energy	415.7 Gallons Generator Fuel		\$ 1,165
21	NOCO Energy	790.1 Gallons Generator Fuel		\$ 2,217
22	NOCO Energy	280.3 Gallons Generator Fuel		\$ 795
23	NOCO Energy	557.8 Gallons Generator Fuel		\$ 1,693
24	NOCO Energy	546.9 Gallons Generator Fuel		\$ 1,554
25	NOCO Energy	585.5 Gallons Generator Fuel		\$ 1,651
26	NOCO Energy	270.8 Gallons Generator Fuel		\$ 753
27	NOCO Energy	563.2 Gallons Generator Fuel		\$ 1,632
28	NOCO Energy	918.9 Gallons Generator Fuel		\$ 2,487
29	NOCO Energy	238.3 Gallons Generator Fuel		\$ 650
30	NOCO Energy	275.4 Gallons Generator Fuel		\$ 745
31	NOCO Energy	542 Gallons Generator Fuel		\$ 1,667
32	NOCO Energy	548.2 Gallons Generator Fuel		\$ 1,413
33	NOCO Energy	234 Gallons Generator Fuel		\$ 599
34	NOCO Energy	177.1 Gallons Generator Fuel		\$ 454
35	NOCO Energy	348.1 Gallons Generator Fuel		\$ 874
36	Ferguson	Emergency Call Out		\$ 6,842
37	Ferguson	Replacement of PC6 Dual Source Switch	\$ -	\$ 72,276
38	Ferguson	Power Center 3 - New 480 Volt Feed	\$ -	\$ 120,630
39	Ferguson	Remove Feeder 'B' from Power Center 3	\$ -	\$ 5,737
40	Ferguson	Remove Feeder A from PC3	\$ -	\$ 8,569
41	Ferguson	Retrofit a 480 volt 800 amp breaker with a new electronic trip unit	\$ -	\$ 3,240
42	Rexel	SCADA Control Communication Modules	\$ 5,996	
43	Ferguson	Emergency Electrical Investigation and Testing		\$ 21,140
		Emergency Electrical Investigation and Testing	\$ 165,000	\$ 142,325
44	Ferguson	Removal and disposal of PC-3	\$ 16,782	\$ 8,143
45	Ferguson	Replace PC-1 transformer	\$ 87,950	\$ 87,950
46	Ferguson	Replace DC (battery) system in 115kV substation	\$ 40,910	\$ 33,189
53	NFWB	PH sensor.	\$ 179	\$ 179
54	GHD	Operations assistance.		\$ 1,373
48	Ferguson	Replace shunt trip units in the 115kV circuit switcher	\$ 43,312	\$ 26,979
50	NFWB	In house labor		\$ 33,370
53	Ferguson	Clean and cap 12-conduits		\$ 1,383

<- Remaining Outstanding Item

Current total accepted by Travelers: **\$ 629,292**

Add for SCADA Controls: \$6,000

Total Claim Approx.: **\$635,292**

Payments received to date: (\$381,580.10)

Deductible: (\$50,000)

Anticipated Final Claim Payment: Approx. \$203,000

<- Anticipated add \$6,000 for SCADA Controls

*NIAGARA FALLS WATER BOARD RESOLUTION # 2020-11-001*

**MEMBERSHIP IN WNY STORMWATER COALITION**

**WHEREAS**, the Western New York Stormwater Coalition (“WNYSC”) was formed by and among the owners and operators of Municipal Separate Storm Sewer Systems (“MS4s”) in order develop and implement Stormwater Management Programs to fulfill US Environmental Protection Agency stormwater discharge permit requirements and to satisfy appropriate clean water requirements under the NYS Environmental Conservation Law and the Clean Water Act; and

**WHEREAS**, owners and operators of small MS4s, like the Water Board, are able to cooperate when implementing their Stormwater Management Programs; and

**WHEREAS**, the WNYSC was created to facilitate cost-effective cooperation between the Coalition Members to achieve improved water quality and flood control and to pool resources to meet administrative and reporting requirements, prepare grant applications, deliver public education and outreach, and other related activities; and

**WHEREAS**, the Water Board has been a WNYSC member since 2005; and

**WHEREAS**, the WNYSC was created pursuant to a Memorandum of Agreement between its small MS4 members and the current agreement expires on December 31, 2020; and

**WHEREAS**, the WNYSC has prepared a new Memorandum of Agreement for its members to establish the WNYSC for a new five-year period beginning December 31, 2020; and

**WHEREAS**, the Water Board will pay an annual membership fee to cover WNYSC expenses pursuant to the Memorandum of Agreement, with the current annual membership fee set at \$1,800 per WNYSC member; and

**WHEREAS**, Water Board staff recommend continued WNYSC membership as a cost-effective way to help to improve water quality and flood control and to meet certain statutory and regulatory requirements;

\* 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 execute the Memorandum of Agreement to create the Western New York Stormwater Coalition as of December 31, 2020.

*Water Board Personnel Responsible for Implementation of this Resolution:*

Executive Director

Director of Technical and Regulatory Services

*Water Board Budget Line or Capital Plan Item with Funds for this Resolution:*

FGB 8000.0000.0466.000

Budget Line Supplied by: K. Walker

Available Funds Confirmed by: K. Walker

On November 23, 2020, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Forster	[   ]	[   ]	[   ]	[   ]
Board Member Kimble	[   ]	[   ]	[   ]	[   ]
Board Member Larkin	[   ]	[   ]	[   ]	[   ]
Board Member Leffler	[   ]	[   ]	[   ]	[   ]
Chairperson Brown	[   ]	[   ]	[   ]	[   ]

Signed By:

Vote Witnessed By:

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Patrick D. Brown, Chairperson

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Sean W. Costello, Secretary to Board

**MEMORANDUM OF AGREEMENT  
WESTERN NEW YORK STORMWATER COALITION**

This MEMORANDUM OF AGREEMENT, by and among owners and operators of small Municipal Separate Storm Sewer Systems (“MS4s”), as follows: Town of Alden, Village of Alden, Town of Amherst, Village of Angola, Town of Aurora, Village of Blasdell, Town of Boston, Buffalo Sewer Authority, Town of Cambria, Town of Cheektowaga, Town of Clarence, Village of Depew, Village of East Aurora, Town of Eden, Town of Elma, Town of Evans, Town of Grand Island, Town of Hamburg, Village of Hamburg, Village of Kenmore, City of Lackawanna, Town of Lancaster, Village of Lancaster, Town of Lewiston, Village of Lewiston, Town of Lockport, Niagara Falls Water Board, City of North Tonawanda, Town of Orchard Park, Village of Orchard Park, Town of Pendleton, Town of Porter, Village of Sloan, City of Tonawanda, Town of Tonawanda, Town of West Seneca, Town of Wheatfield, Village of Williamsville, Village of Youngstown, County of Erie, County of Erie - Sewer District #6, County of Niagara, State University of New York at Buffalo, Niagara Frontier Transportation Authority, hereinafter referred to as “Coalition Members,” hereby creates the Western New York Stormwater Coalition, as of December 31, 2020.

WHEREAS, the U.S. Environmental Protection Agency’s Phase II stormwater regulations (40 C.F.R. Sections 9, 122, 123, and 124) require owners and operators of small MS4s in New York State to obtain/maintain permit coverage under the New York State Department of Environmental Conservation’s SPDES General Permit for Stormwater Discharges from MS4s (GP-0-15-003 and subsequent renewals for the term of this Agreement); and

WHEREAS, the U.S. EPA Phase II Stormwater regulations require owners and operators of small MS4s who obtain general permit coverage to develop and enforce a stormwater management program designed to reduce the discharge of pollutants to the maximum extent practicable in order to protect water quality and to satisfy the appropriate water quality requirements of New York State’s Environmental Conservation Law and the Clean Water Act; and

WHEREAS, the U.S. EPA Phase II Stormwater regulations, as administered by the New York State Department of Environmental Conservation, encourages owners and operators of small MS4s to cooperate when implementing their Stormwater Management Programs; and

WHEREAS, the owners and operators of small MS4s recognize that, because watersheds and separate storm sewer systems cross municipal boundaries and there are opportunities to save time, money, and energy by working collaboratively, the Coalition members should work together to meet the requirements of the U.S. EPA Phase II Stormwater regulations; and

WHEREAS, the Coalition members recognize the benefits of cooperation to achieve improved water quality and flood control, and;

WHEREAS, the Coalition members have met on a monthly basis beginning in February of 2001 to collaborate on a shared Stormwater Management Program and pool resources to meet the requirements of the U.S. EPA Phase II Stormwater regulations.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto mutually agree as follows:

**1. TERM.**

The term of this agreement shall be for five years and shall commence on December 31, 2020 and terminate on December 31, 2025, unless extended or renewed.

**2. PURPOSE.**

To authorize the work of the Western New York Stormwater Coalition whose purpose it is to work collectively to:

- A. Facilitate the use of existing or future resources, organizations, and programs for the provision of services necessary to comply with the requirements of the U.S. EPA Phase II Stormwater regulations and the permit conditions of GP-0-15-003 (and subsequent renewals for the term of this Agreement) issued by the New York State Department of Environmental Conservation for all of the Coalition members; and,
- B. Protect and/or improve the water quality of local surface water bodies (i.e., streams, rivers, lakes) in accordance with State, County, and local water quality regulations, planning documents and policies; and,
- C. Research and implement appropriate funding mechanisms to meet the financial needs of compliance with the Phase II Stormwater regulations and GP-0-15-003 (and subsequent renewals for the term of this Agreement); and,
- D. Cooperatively prepare a template for submission of the Annual Report to the New York State Department of Environmental Conservation on behalf of all Coalition members according to GP-0-15-003 (and subsequent renewals for the term of this Agreement).

**3. MEMBERSHIP.**

- A. The Chief Executive Officer of each Coalition Member shall designate a permanent representative and one or more alternates (as it shall see fit) to serve on the Coalition. In the event no permanent representative or alternate has been designated, or no designated permanent representative or alternate is able to act, the supervisor of the town, or mayor of

the village or city, or the Chief Executive Officer, as the case may be, or their designee shall serve as the representative on the Coalition.

- B. Each member of the Coalition shall have one (1) vote at all meetings. Designated representatives attending on behalf of one or more Coalition member municipalities may have one (1) vote per client subject to and in conformance with their respective agreements with the Coalition member municipality they are representing.
- C. In order to take action the Coalition shall utilize the following quorum requirements:
  - 1. 51% of the voting membership constitutes a quorum for all meetings. For approval of meeting minutes, treasurer's reports, voucher payments, annual reports, annual account designation, budgets, grant applications, plans, programs and related items, approval of 51% of those in attendance shall be required.
  - 2. For actions requiring a supermajority, voting may be permitted by proxy, email, video or teleconferencing.
  - 3. A supermajority of 75% of the coalition membership shall be required for approval of capital budgets, adoption of by-laws and future amendments thereto, including amendments to the annual membership fee.
  - 4. For entering into contracts, there must be 75% approval by the Coalition members, indicated by execution of a signature page.
- D. The Coalition shall elect a Chairperson, Vice Chairperson, Treasurer, and Secretary and such other officers as it shall deem appropriate, and for such terms as it shall establish, and shall assign to such officers such responsibility and authority, consistent with this Agreement, as it shall deem appropriate. No member of the Coalition shall receive compensation for services as a member or officer of the Coalition, but members may be reimbursed for expenses previously authorized by the Coalition.
- E. The Coalition shall adopt by-laws relating to the conduct of its proceedings and such other administrative matters as it may deem appropriate.
- F. The Coalition may admit additional members upon execution of this Agreement to undertake all rights and responsibilities included in this Agreement, and further conditioned upon payment of the full annual membership fee for that calendar year.
- G. This Memorandum of Agreement and By-Laws shall be reviewed annually by Coalition Members at the annual meeting of the Coalition.

#### **4. FINANCIAL OBLIGATION.**

- A. Each Coalition Member shall pay an annual membership fee. Membership fees shall be used to fund activities required to fulfill the purposes of the Stormwater Coalition and shall serve as local match funds for federal and state grants awarded to the Coalition. The fee schedule is attached as Appendix A. Future fee schedules shall be established by the Coalition pursuant to Section 3.C.3 above.
- B. The Coalition Treasurer shall submit invoices for the annual fee to the designated representative of each Coalition Member no later than January 30 of each calendar year. If, after receipt of such invoice, any Coalition Member shall fail to pay such fee within 60 days (or, for fiscal years that begin later than January 1, within 60 days of the beginning of its next fiscal year), it shall thereupon cease to be a Coalition Member.
- C. The Coalition Executive Board will review the annual membership fee and projected expenses for the Coalition each year. Should the Coalition determine an increase is necessary, the Coalition membership will receive notice 6 months in advance of the increase taking effect.
- D. The Coalition shall designate and authorize a qualified municipality to hold and manage a separate Account on behalf of the Coalition, where the annual fees shall be deposited. This account shall be identified as the “Western New York Stormwater Coalition.” Such designation shall be reviewed and re-authorized on an annual basis at the Annual Meeting of the Coalition.
- E. The Coalition shall not incur any financial obligations in excess of the funds on deposit in the Coalition's account.
- F. The Coalition may not be dissolved until all accounts payable/receivable, grants or applications, works in progress, existing claims or liabilities by or against the Coalition be fully closed, completed, and/or settled and that upon such dissolution any existing Coalition funds shall be held in escrow for one year pending final settlement of any known existing Coalition obligations, accounts, or debts by the Treasurer who shall be authorized to pay and settle all such obligations, accounts, or debts. To the extent that any Coalition funds are then remaining, the Treasurer shall distribute such funds equally (or on a pro-rata basis depending on whether annual membership fees are equal or not) to the Coalition Members having representatives on the Coalition at the time of dissolution.
- G. Any Coalition Member may withdraw from this Agreement upon 60 days written notice to the Chairman of the Coalition. A Coalition Member which elects to withdraw shall be liable for its full annual contribution as provided in Section 4 of this Agreement of the calendar year in which withdrawal occurs.

## **5. TERMS AND CONDITIONS.**

- A. Staff from the Erie County Department of Environment and Planning (ECDEP) may act as contractors for providing administrative services to the Western New York Stormwater



Coalition. Administrative services may include preparation of meeting notices, agendas and minutes; research and application for grant funding; contract oversight; and development of annual report templates and other guidance information to assist the individual MS4s in satisfying the requirements of GP-0-15-003 (and subsequent renewals for the term of this Agreement). Additional services provided by ECDEP may include, but are not limited to, public education and outreach, public involvement initiatives, assistance with illicit discharge detection and elimination, assistance with construction site compliance oversight, and assistance with employee training. If ECDEP will act as a consultant to the Coalition, it must submit a proposed annual budget and work plan, including administrative services, to the Coalition on an annual basis for approval, beginning in January 2021. ECDEP staff time charges may be reimbursed by funds obtained through federal and state grants, unless otherwise approved by the Coalition. The Coalition shall not incur financial obligations to ECDEP for any services outside of the workplan approved by the Coalition.

- B. This Agreement may be modified or amended only in writing duly executed by all Coalition Members, which shall be attached to and become a part of this Agreement.
- C. Each Coalition Member shall be solely responsible and liable for its own activities under this Agreement, for obtaining its permit coverage under the SPDES General Permit for Stormwater Discharges from MS4s (GP-0-15-003 and subsequent renewals for the term of this Agreement ) and for the preparation, implementation, operation and maintenance of its own stormwater management program including, but not limited to, the required minimum control measures.

## **6. MISCELLANEOUS.**

- A. This Agreement constitutes the entire Agreement among and between the Coalition members and supersedes any and all prior Agreements between the parties hereto for the services herein to be provided. The Agreement shall be governed by and construed in accordance with the laws of New York State without regard or reference to its conflict of laws and principles.
- B. If any provision, paragraph, sentence, or clause of this agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such shall not affect the remainder of this Agreement and this Agreement shall be construed and enforced, consistent with its expressed purposes, as if such invalid and unenforceable provision, paragraph, sentence, or clause had not been contained herein.
- C. Each Coalition Member represents and warrants to the Coalition, and to the other Coalition Members, that it has been fully authorized to execute and to perform this Agreement, and that its execution and performance of this Agreement will not violate any legal duty or restriction.

## **7. EXECUTION.**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their duly authorized representatives on the date first written above.

**APPENDIX A  
TO  
MEMORANDUM OF AGREEMENT**

**WESTERN NEW YORK STORMWATER COALITION**

The Fee Schedule commencing January 1, 2021 and ending on December 31, 2025 shall be **\$1,800** per Coalition Member.

# **WESTERN NEW YORK STORMWATER COALITION**

## **BY-LAWS**

### **ARTICLE I**

#### **ESTABLISHMENT AND PURPOSES**

##### **Section 1.1 Establishment.**

The Western New York Stormwater Coalition (the "Coalition") was created by a Memorandum of Agreement dated December 31, 2005, and renewed December 31, 2020, referred to as the ("Agreement").

##### **Section 1.2 Purpose.**

The Coalition shall coordinate and cooperate in efforts to meet the requirements of the Phase II Stormwater regulations (40 C.F.R. Sections 9, 122, 123 and 124 (1999), as amended) and the New York State Department of Environmental Conservation ("NYS DEC") SPDES General Permit for Stormwater Discharges from MS4s (GP-0-15-003 and subsequent renewals for the term of this Agreement) by those signatories to the Agreement ("Coalition Member(s)").

### **ARTICLE II**

#### **GOVERNANCE OF THE COALITION**

##### **Section 2.1 Representation.**

The Chief Executive Officer of each Coalition Member shall designate a permanent representative and one or more alternates (as it shall see fit) to serve on the Coalition. In the event no permanent representative or alternate has been designated, or no designated permanent representative or alternate is able to act, the supervisor of the town, or mayor of the village or city, or the Chief Executive Officer, as the case may be, or their designee shall serve as the representative on the Coalition. Unless otherwise indicated by the context, as used in these By-Laws the term "representative" or "representatives" shall include representatives or alternates.

##### **Section 2.2 Duties.**

Coalition Members shall carry out the purposes of the Coalition described in the Agreement and any activities deemed necessary to carry out the purposes as may arise from time to time.

##### **Section 2.3 Compensation.**

A representative to the Coalition shall not receive compensation from the Coalition but may be reimbursed for reasonable expenses incurred in connection with the performance of his or her duties, upon approval of reimbursement by the Coalition.

## ARTICLE III

### MEETINGS

#### Section 3.1 Annual Meetings.

Annual meetings of the Coalition shall be held during the months of January or February on such date and at such time and place as shall be specified by the Coalition, or if no date is agreed to by the Coalition, at such other date, time and place within those months as the Chair may determine.

#### Section 3.2 Regular Meetings.

Regular meetings of the Coalition may be held each month on such date, and at such place and time as the Coalition shall determine. The Coalition shall adopt a schedule of regular meetings for the calendar year at the annual meeting, by motion of the Chair, and may amend such schedules during the course of the year.

#### Section 3.3 Special Meetings.

Special meetings of the Coalition may be held at the call of the Chair or upon written request of five members of the Coalition to the Secretary.

#### Section 3.4 Roberts Rules of Order.

The proceedings of meetings at the Coalition shall be governed by Roberts Rules of Order.

#### Section 3.5 Order of Business.

A. The usual order of business for Coalition meetings shall be as follows:

1. Roll Call (pass sign-in sheet)
2. Call to Order
3. Approval of Minutes
4. Treasurer's Report
5. Correspondence/Report of Secretary
6. Report of Chair
7. Report of Committees
8. New Business
9. Unfinished Business
10. Payment of Vouchers
11. Comments from Public
12. Adjournment

B. The above order may be amended on motion of any voting representative or the, Chair, subject to objection by any voting representative of the Chair. If objection be raised, suspension of the above order of business shall be determined by vote of the majority of the representatives present without regard to the provisions of Section 3.8.

### Section 3.6. Open Meetings.

All meetings of the Coalition shall be open to the public, except as permitted to be closed by the New York Public Officers Law.

### Section 3.7 Notice of Meetings.

The Secretary shall cause to be delivered by e-mail or sent by regular mail, to each participating Coalition Member, written notice of monthly meetings on an annual basis, and if special meetings are called, notice of such meetings shall be e-mailed or mailed to the Coalition Members at the addresses provided by the Members' representatives, no less than seven (7) days prior to the date of the meeting. Prior notification of each meeting may also be given to The Buffalo News, and to such local newspapers as may request such prior notification.

### Section 3.8 Voting.

Each member of the Coalition shall have one (1) vote at all meetings. Designated representatives attending on behalf of one or more Coalition member municipalities may have one (1) vote per client subject to and in conformance with their respective agreements with the Coalition member municipality they are representing.

In order to take action the Coalition shall utilize the following quorum requirements:

1. 51% of the voting membership constitutes a quorum for all meetings. For approval of meeting minutes, treasurer's reports, voucher payments, annual reports, annual account designation, budgets, grant applications, plans, programs and related items, approval of 51% of those in attendance shall be required.
2. For actions requiring a supermajority, voting may be permitted by proxy, email, video or teleconferencing.
3. A supermajority of 75% of the Coalition membership shall be required for approval of capital budgets, adoption of by-laws and future amendments thereto, and establishment of an annual fee.
4. For entering into contracts, there must be 75% approval by the Coalition members, indicated by execution of a signature page.

### Section 3.9 Additional Alternates.

The governing body of any participating Coalition Member may authorize the town supervisor or village or city mayor, as the case may be, to designate an alternate other than one previously designated, to represent the participating Coalition Member at any Coalition meeting or meetings in such kinds of contingency situations as the governing body may deem appropriate, and subject to such voting limitations, if any, as it may specify. Such alternate may be a representative or alternate for another participating Coalition Member. The designation of such alternate shall be communicated in writing or by facsimile transmission to the Secretary of the Coalition prior to the transaction of business by the Coalition at any meeting or meetings to be attended by the alternate.

## ARTICLE IV

### OFFICERS

#### Section 4.1 Officers.

The officers of the Coalition shall be a Chair, Vice Chair, Secretary and Treasurer.

#### Section 4.2 Qualification for Office.

An officer shall be an official or employee of his or her respective Coalition Member. Only one officer can be elected from any one Coalition Member.

#### Section 4.3 Elections.

All officers shall be elected by the Coalition at the annual meeting.

#### Section 4.4 Term.

Each officer shall serve a term of one year or until the next annual meeting of the Coalition and the election and qualification of their successors. Officers may serve consecutive terms.

#### Section 4.5 Duties of Officers.

- A. Chair. The Chair shall preside at all meetings of the Coalition, convene special meetings of the Coalition in accordance with these By-Laws; appoint the members, and the chair of each Coalition Committee; represent the Coalition in its relations with elected officials and other official bodies, groups and organizations; and carry out any additional duties as may be assigned by the Coalition.
- B. Vice Chair. The Vice-Chair shall, in the event of absence or disability of the Chair, perform the duties and exercise the responsibilities of the Chair; assist the Chair in disseminating information to the public concerning activities and proceedings of the Coalition; sign checks in the event of the absence or disability of the Treasurer; and carry out any additional duties as may be assigned by the Chair or the Coalition.
- C. Secretary. The Secretary shall attend all meetings of the Coalition and distribute a summary report of each Coalition meeting; give and serve all notices as required by these By-Laws; assist the Chair in attending to all official correspondence of the Coalition, keep a written record of attendance; maintain the records of the Coalition and serve as the Coalition's records management officer; distribute approved minutes to the clerk of each participating Coalition Member; and carry out any additional duties as may be assigned by the Chair or the Coalition.
- D. Treasurer. In conjunction with the chief fiscal officer of the Coalition Member designated to hold the "Western New York Stormwater Coalition" account, the Treasurer shall have care

and custody of the funds of the Coalition; process all payments; keep full and accurate books and records of all financial matters; invoice Coalition Members for the annual fee, and carry out such other duties as may be assigned by the Chair of the Coalition.

Section 4.6. Vacancies.

In the event of a vacancy in the office of the Chair, the Vice-Chair shall automatically become the successor and serve the balance of the term. Vacancies occurring in the offices of Vice Chair, Secretary or Treasurer shall be filled for the balance of the term by the Coalition at the next meeting of the Coalition.

ARTICLE V

COMMITTEES

Section 5.1 Executive Committee.

The Stormwater Coalition Executive Committee shall consist of seven Coalition Members including the Chair, Vice Chair, Secretary and Treasurer, one Village member, one Town member, and one agency or special district member. Members of the Executive Committee shall be elected at a regularly scheduled Stormwater Coalition meeting or the Annual Meeting. Members of the Executive Committee shall serve one year terms.

The Executive Committee shall meet a minimum of two times per year at a date and time established by the Chair. The meetings shall be open for attendance by any interested Stormwater Coalition Member. The Executive Committee shall act on behalf of the Coalition between scheduled meetings based upon decisions by the full Coalition; act on tasks delegated by the full Coalition; make recommendations to the full Coalition regarding the work plan, projects, fees and disbursement of funds toward the purposes of the Coalition. Recommendations of the Executive Committee shall be based upon a majority of those members present at the meeting.

Section 5.2. Ad Hoc Committees.

The Chair shall establish such ad hoc committees or subcommittees as the Coalition deems necessary to promote the purpose and carry on the work of the Coalition.

Section 5.3 Appointment of Committee Members.

The members of each committee or subcommittee and the chair thereof shall be designated by the Chair.

Section 5.4 Ex Officio Membership.

The Chair shall be an ex officio non-voting member of all committees or subcommittees created pursuant to these By-Laws.

ARTICLE VI

Section 6.1 Audit.



The payment of all bills and claims shall be subject to prior approval by the Coalition. Audits may be conducted as determined by the Coalition at the Annual Meeting.

Section 6.2 Administrative Services.

Staff from the Erie County Department of Environment and Planning (ECDEP) may act as contractors for providing administrative services to the Western New York Stormwater Coalition. Administrative services may include preparation of meeting notices, agendas and minutes; research and application for grant funding; contract oversight; and development of annual reports and other documentation required by NYS DEC to satisfy the requirements of GP-0-15-003 and subsequent renewals for the term of this Agreement. Additional services provided by ECDEP may include, but are not limited to, public education and outreach, public involvement initiatives, assistance with illicit discharge detection and elimination, assistance with construction site compliance oversight, and assistance with employee training. If ECDEP will act as a consultant to the Coalition, it must submit a proposed annual budget and work plan, including administrative services, to the Coalition on an annual basis for approval, beginning in January 2021. ECDEP staff time charges shall be reimbursed by funds obtained through federal and state grants, unless otherwise approved by the Coalition. The Coalition shall not incur financial obligations to ECDEP for any services outside of the workplan approved by the Coalition.

ARTICLE VII

ADOPTION AND AMENDMENT

Section 7.1 Adoption of By-Laws.

These By-Laws shall be adopted by affirmative vote as provided by Section 3.8 of these By-Laws, and may be amended in the same manner.

Section 7.2 Adoption of Amendments.

The wording of any proposed amendment to these By-Laws shall be included in the notice of the regular or special meeting at which the amendment is to be considered. Any proposed amendment shall be tabled at the meeting at which it is introduced, and may not be voted upon sooner than the next regular meeting.

NIAGARA FALLS WATER BOARD

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

*NIAGARA FALLS WATER BOARD RESOLUTION # 2020-11-002*

**2021 CLARK PATTERSON LEE PROFESSIONAL SERVICES EXTENSION**

**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 services provided by CPL in 2021; and

**WHEREAS**, CPL has presented a proposal for 2021 services dated October 27, 2020, proposing a not-to-exceed fee totaling \$250,000 broken down as follows: General Engineering – Weekly Assistance (\$70,000) and Capital Projects Management and Assistance (\$180,000);

**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 October 27, 2020, authorizing payment for fees on a time-and-material basis as follows:

General Engineering – Weekly Assistance: Not to exceed \$70,000;

Capital Projects Management and Assistance: Not to exceed \$180,000;

Total: Not to exceed \$250,000.

**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;

**AND IT IS FURTHER RESOLVED**, that CPL’s services shall be performed on an as-needed and non-exclusive basis and that CPL shall obtain the Executive Director’s approval prior to proceeding with any project;

\* CONTINUED ON NEXT PAGE \*

**AND IT IS FURTHER RESOLVED**, that the funds authorized by this resolution shall be for services in 2021, and any extension of the duration of the agreement with CPL shall be the subject of a further Board resolution.

*Water Board Personnel Responsible for Implementation of this Resolution:*

Executive Director

*Water Board Budget Line or Capital Plan Item with Funds for this Resolution:*

Capital Costs: As per the respective capital project number listed on the CIP

O&M Costs: GA.8110.0001.0451.000

Budget Line Supplied by: D. Williamson

Available Funds Confirmed by: K. Walker

On November 23, 2020, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Forster	[   ]	[   ]	[   ]	[   ]
Board Member Kimble	[   ]	[   ]	[   ]	[   ]
Board Member Larkin	[   ]	[   ]	[   ]	[   ]
Board Member Leffler	[   ]	[   ]	[   ]	[   ]
Chairperson Brown	[   ]	[   ]	[   ]	[   ]

Signed By:

Vote Witnessed By:

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Patrick D. Brown, Chairperson

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Sean W. Costello, Secretary to Board

October 27, 2020

Chairman Pat Brown  
Niagara Falls Water Board  
5815 Buffalo Avenue  
Niagara Falls, NY 14304

Dear Chairman Brown:

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 three 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. We were extended in May of this year by an additional \$200,000, which we project will be depleted by the end December 2020.

We suggest extending the current term agreement approach with a few specific work items, that would be broken out between capital projects and general engineering assistance. We propose to supply support services as follows:

**General Engineering - Weekly Assistance:** Supply a professional engineer and project engineers to assist the NFWB in all facets of engineering activities including, but not limited to design, inspection, planning, estimating, budgeting, hydraulic modeling, assistance with repairs and other as needed items not related to capital projects.

**Capital Projects -** Supply professional engineers 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 and possibly another junior level staff member for onsite needs and daily interaction with staff. Then we will mix in Theodore Donner, 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 continue to manage the contracts that were awarded for design and construction of the \$27 million of capital work at the wastewater plant to keep it running for the next several years as well as any other capital work that may occur.

We have prepared the following rate schedule for your review. I suggest an approval of an additional \$250,000 to our current agreement which broken down as follows:

General Engineering – Weekly Assistance	\$70,000
Capital Projects Management and Assistance	\$180,000
<b>Total.....</b>	<b>\$250,000</b>

We suggest an extension to our existing agreement. We will continue to bill two (2) separate job numbers 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@cplteam.com](mailto:richenry@cplteam.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

NIAGARA FALLS WATER BOARD RESOLUTION # 2020-11-003

**AWARDING 2021 COOPERATIVE CHEMICAL BID**

**WHEREAS**, the Niagara Falls Water Board (“Water Board”) was assisted by the City of Niagara Falls Purchasing Department in soliciting bids for chemicals necessary for the operation of the Water Board’s Water and Wastewater Treatment Plants, with said procurement in cooperation with the Niagara County Water District, the Cities of Lockport and North Tonawanda, and the Towns of Grand Island, Lewiston, and Newfane under Bid No. W2020-05; and

**WHEREAS**, City of Niagara Falls Purchasing has tabulated the results and highlighted the lowest responsible bidder meeting the specifications for each of the necessary chemicals as set forth on the attached November 9, 2020 Memorandum from the Executive Director to the Board;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Niagara Falls Water Board hereby awards the 2021 Cooperative Chemical Bid No. W2020-05 to the low bidders meeting the specifications for each of the necessary chemicals as set forth in the November 9, 2020 Memorandum from the Executive Director to the Board, which hereby is incorporated into and made part of this Resolution.

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

*Water Board Budget Line or Capital Plan Item with Funds for this Resolution:*

WTP Misc. Chemicals FA.8330.0100.0419.009,  
Ferric Chloride GA.8130.0100.0419.014, High Calcium Quicklime  
GA.8130.0100.0419.018, Sodium Hypochlorite GA.8130.0100.0419.024, and  
Hydrogen Peroxide GA.8130.0100.0419.028  
Budget Lines Supplied by: R. Dunn, R. Rowe  
Available Funds Confirmed by: K. Walker

On November 23, 2020, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Forster	[   ]	[   ]	[   ]	[   ]
Board Member Kimble	[   ]	[   ]	[   ]	[   ]
Board Member Larkin	[   ]	[   ]	[   ]	[   ]
Board Member Leffler	[   ]	[   ]	[   ]	[   ]
Chairperson Brown	[   ]	[   ]	[   ]	[   ]

Signed By:

Vote Witnessed By:

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Patrick D. Brown, Chairperson

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Sean W. Costello, Secretary to Board



Bid #W2020-05 Page 1 of 3

TO: The Board

FROM: Patrick Fama, Executive Director

DATE: November 9, 2020

SUBJECT: Bid #W2020-05 Cooperative Purchase of Chemicals for Municipal Water and Wastewater Treatment Facilities

We respectfully request you award the above referenced bid as follows:

TO: **Jones Chemical, Incorporated (JCI)**  
Attn: Deborah Stella  
100 Sunny Sol Boulevard.  
Caledonia, New York 14423

FOR: **Item #1:** Chlorine, one-ton cylinders (approximately 392 Cylinders)  
(Niagara Falls estimated usage – 80 Cylinders) **\$ 875.00/Ton**

**Item #2:** Chlorine, 150# cylinders (approximately 159 Cylinders) **\$ 400.00/Cylinder**

**Item #6:** Sodium Hypochlorite in tank trucks (approximately 5,050,600 Gallons)  
(Niagara Falls estimated. usage – 5,000,000 Gallons) **\$ 0.3954/Gallon**

TO: **PVS Technologies, Incorporated (Tech Bid)**  
Attn: Craig Mikkelson  
10900 Harper Avenue  
Detroit, Michigan 48213

FOR: **Item #3:** Ferric Chloride in tank trucks (approximately 1923 tons)  
(Niagara Falls estimated usage – 1700 tons) **\$ 623.00/Dry Ton**

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[www.nfwb.org](http://www.nfwb.org)





Bid #W2020-05 Page 2 of 3

TO: **PVS Technologies, Incorporated (Nolwood)**

Attn: Sherry Jones  
10900 Harper Avenue  
Detroit, Michigan 48213

FOR: **Item #4:** Hydrofluorosilicic Acid minimum 23% solution (approximately 140 tons)  
(Niagara Falls estimated usage – 100 tons) **\$ 508.50/Ton**

**Item #5:** Purified Hydrofluorosilicic Acid minimum 25% solution (approximately 13 tons)  
**\$ 508.50/Ton**

TO: **Carmeuse Lime**  
11 Stanwix Street  
21<sup>st</sup> Floor

Pittsburgh, Pennsylvania 15222

FOR: **Item #8:** High Calcium Quicklime (approximately 900 tons)  
(Niagara Falls estimated usage – 900 tons) **\$ 179.79/Ton**

TO: **Carus Chemical Corporation**  
315 Fifth Street/P.O. Box 599  
Peru, Illinois 61354-0599

FOR: **Item #9:** Poly-Orthophosphate (approximately 20 tons)  
(Niagara Falls estimated usage – 20 tons) **\$ 898.00/Ton**

TO: **USALCO, LLC**  
Attn: Melanie Rock or Brett McCoy  
2601 Cannery Avenue  
Baltimore, Maryland 21226

FOR: **Item #10:** Polyaluminum Chloride 50% in tank trucks (approximately 954 tons)  
(Niagara Falls estimated usage – 750 tons) **\$ 265.20/Ton**

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Bid #W2020-05 Page 3 of 3

Please be advised that no bids were received for Item #7 Hydrogen Peroxide (H<sub>2</sub>O<sub>2</sub>). Additionally, be advised that Item #8, High Calcium Quicklime, was awarded to the lowest bidder that met the specifications required.

The Purchasing Agent certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.


Notice that bids were to be received was advertised in the Niagara Gazette and bid requests were sent to Thirty-five (35) companies. Seventeen (17) bid and two (2) "No Bid" responses were received. The above referenced companies submitted the lowest bid prices for each respective item.

This bid was solicited by the Board not only for our water and wastewater plants, but also for the Niagara County Water District, the Cities of Lockport and North Tonawanda, and the Towns of Grand Island, Lewiston and Newfane. The Board will be awarding this bid on behalf of all seven public entities.

Funds for this expenditure are budgeted in the following codes: FA.8330.0100.0419.009, GA.8130.0100.0419.014, GA.8130.0100.0419.018, GA.8130.0100.0419.024 and GA.8130.0100.0419.028.

Respectfully submitted,

\_\_\_\_\_  
Patrick Fama  
Executive Director

  
\_\_\_\_\_  
Douglas A. Janese, Jr.  
Purchasing Agent

DAJ: lkh  
Enc.

**FORSTER** \_\_\_\_\_ **KIMBLE** \_\_\_\_\_ **LARKIN** \_\_\_\_\_ **LEFFLER** \_\_\_\_\_ **BROWN** \_\_\_\_\_

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**OFFICIAL TALLY SHEET  
CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #WV2020-05: Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021  
 BID OPENING: October 21, 2020 at 11:00 am

PAGE 1 OF 2  
 SET 1 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION					
TEN (10)				Pencco, Inc. PO Box 600 San Felipe, TX 77473	SAL Chemical 3036 Birch Drive Weirton, WV 26062	Gulbrandsen Technologies, Inc. 1 Riverside Way Phillipsburg, NJ 08865	Shannon Chemical Corporation P.O. Box 376 Malvern, PA 19355	USALCO, LLC 2601 Cannery Ave. Baltimore, MD 21226
1	392	ONE TON CYLINDERS	CHLORINE	NO BID	NO BID	NO BID	NO BID	NO BID
2	159	150 POUND CYLINDERS	CHLORINE	NO BID	NO BID	NO BID	NO BID	NO BID
3	1,923	TONS	FERRIC CHLORIDE	NO BID	NO BID	NO BID	NO BID	NO BID
4	140	TONS	HYDROFLUOROSILICIC ACID (minimum 23% solution)	NO BID	NO BID	NO BID	NO BID	NO BID
5	13	TONS	HYDROFLUOROSILICIC ACID (minimum 25% solution)	NO BID	NO BID	NO BID	NO BID	NO BID
6	5,050,600	GALLONS	SODIUM HYPOCHLORITE	NO BID	NO BID	NO BID	NO BID	NO BID

SET 1 OF 4

**OFFICIAL TALLY SHEET**  
**CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #WV2020-05: Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021  
 BID OPENING: October 21, 2020 at 11:00 am

PAGE 2 OF 2  
 SET 1 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION					
TEN (10)				Pencco, Inc. PO Box 600 San Felipe, TX 77473	SAL Chemical 3036 Birch Drive Weirton, WV 26062	Gulbrandsen Technologies, Inc. 1 Riverside Way Phillipsburg, NJ 08865	Shannon Chemical Corporation P.O. Box 376 Malvern, PA 19355	USALCO, LLC 2601 Cannery Ave. Baltimore, MD 21226
7	60	TONS	HYDROGEN PEROXIDE (H <sub>2</sub> O <sub>2</sub> )	NO BID	NO BID	NO BID	NO BID	NO BID
8	900	TONS	HIGH CALCIUM QUICKLIME	NO BID	NO BID	NO BID	NO BID	NO BID
9	20	TONS	POLY-ORTHOPHOSPHATE	NO BID	NO BID	NO BID	\$933.33	NO BID
10	954	TONS	POLYALUMINUM CHLORIDE	NO BID	NO BID	\$540.00/ton or \$0.27/lb.	NO BID	\$265.20
			Signed Addendum I included with bid response	N/A	N/A	Not included w/bid package	✓	✓
			Completed Certifications included with bid response	N/A	N/A	✓	✓	✓
			NOTES:		SAL Chemical has rescinded its original "No Bid" submission and has elected to submit a bid. See Set 4 of 4, Page 2 of 2.			

SET 1 OF 4



**OFFICIAL TALLY SHEET  
CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #WV2020-05: Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021  
 BID OPENING: October 21, 2020 at 11:00 am

PAGE 1 OF 2  
 SET 2 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION					
TEN (10)				Carmeuse Lime 11 Stanwix St. 21 <sup>st</sup> Floor Pittsburgh, PA 15222	Kemira 4321 W 6 <sup>th</sup> Street Lawrence, KS 66049	Kuehne Chemical Co. 86 North Hackensack Ave Kearny, NJ 07032	Holland Company 153 Howland Ave Adams, MA 01220	JCI – Jones Chemicals, Inc. 100 Sunny Sol Blvd Caledonia, NY 14423
1	392	ONE TON CYLINDERS	CHLORINE	NO BID	NO BID	\$2500.00	NO BID	\$875.00 Delivery 3 – 4 days
2	159	150 POUND CYLINDERS	CHLORINE	NO BID	NO BID	NO BID	NO BID	\$400.00 Delivery 3 – 4 days
3	1,923	TONS	FERRIC CHLORIDE	NO BID	\$656.00 per dry ton (Kemira PN-311)	NO BID	NO BID	NO BID
4	140	TONS	HYDROFLUOROSILICIC ACID (minimum 23% solution)	NO BID	NO BID	NO BID	NO BID	NO BID
5	13	TONS	HYDROFLUOROSILICIC ACID (minimum 25% solution)	NO BID	NO BID	NO BID	NO BID	NO BID
6	5,050,600	GALLONS	SODIUM HYPOCHLORITE	NO BID	NO BID	\$2.00	NO BID	\$0.3954 Delivery 1 – 3 days

**OFFICIAL TALLY SHEET  
CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #WV2020-05:

Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021

BID OPENING:

October 21, 2020 at 11:00 am

SET 2 OF 4

PAGE 2 OF 2  
SET 2 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION					
TEN (10)				Carmeuse Lime 11 Stanwix St. 21 <sup>st</sup> Floor Pittsburgh, PA 15222	Kemira 4321 W 6 <sup>th</sup> Street Lawrence, KS 66049	Kuehne Chemical Co. 86 North Hackensack Ave South Kearny, NJ	Holland Company 153 Howland Ave Adams, MA 01220	JCI – Jones Chemicals, Inc. 100 Sunny Sol Blvd Caledonia, NY 14423
7	60	TONS	HYDROGEN PEROXIDE (H <sub>2</sub> O <sub>2</sub> )	NO BID	NO BID	NO BID	NO BID	NO BID
8	900	TONS	HIGH CALCIUM QUICKLIME	<b>\$179.79</b>	NO BID	NO BID	NO BID	NO BID
9	20	TONS	POLY-ORTHOPHOSPHATE	NO BID	NO BID	NO BID	NO BID	NO BID
10	954	TONS	POLYALUMINUM CHLORIDE	NO BID	<b>\$290.00 per wet ton</b> (Kemira Stern PAC)	NO BID	<b>\$434.00</b>	NO BID
			Signed Addendum I included with bid response	Not included w/bid package	✓	Not included w/bid package	✓	✓
			Completed Certifications included with bid response	✓	✓	✓	✓	✓

NOTES:



**OFFICIAL TALLY SHEET**  
**CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #WV2020-05: Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021  
 BID OPENING: October 21, 2020 at 11:00 am

SET 2 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION					
TEN (10)				Slack Chemical Co. 465 So. Clinton St. Carthage, NY 13619	PVS Technologies 10900 Harper Ave. Detroit, MI 48213 1 of 2 – Tech Bid	PVS Technologies 10900 Harper Ave. Detroit, MI 48213 2 of 2 - Nolwood	Carus Chemical 315 5 <sup>th</sup> Street Peru, IL 61354	Graymont 194 Match Factory Place Bellefonte, PA 16823
1	392	ONE TON CYLINDERS	CHLORINE	NO BID	NO BID	NO BID	NO BID	NO BID
2	159	150 POUND CYLINDERS	CHLORINE	NO BID	NO BID	NO BID	NO BID	NO BID
3	1,923	TONS	FERRIC CHLORIDE	NO BID	\$623.00	NO BID	NO BID	NO BID
4	140	TONS	HYDROFLUOROSILICIC ACID (minimum 23% solution)	\$1398.42	NO BID	\$508.50	NO BID	NO BID
5	13	TONS	HYDROFLUOROSILICIC ACID (minimum 25% solution)	NO BID	NO BID	\$508.50	NO BID	NO BID
6	5,050,600	GALLONS	SODIUM HYPOCHLORITE	\$1.149	NO BID	NO BID	NO BID	NO BID

PAGE 1 OF 2  
 SET 3 OF 4

SET 3 OF 4

**OFFICIAL TALLY SHEET  
CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #WW2020-05: Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021  
 BID OPENING: October 21, 2020 at 11:00 am

PAGE 2 OF 2  
SET 3 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION					
TEN (10)				Slack Chemical Co. 465 So. Clinton St. Carthage, NY 13619				
7	60	TONS	HYDROGEN PEROXIDE (H <sub>2</sub> O <sub>2</sub> )	NO BID	NO BID	NO BID	NO BID	NO BID
8	900	TONS	HIGH CALCIUM QUICKLIME	NO BID	NO BID	NO BID	NO BID	\$151.92
9	20	TONS	POLY-ORTHOPHOSPHATE	NO BID	NO BID	NO BID	\$898.00	NO BID
10	954	TONS	POLYALUMINUM CHLORIDE	NO BID	NO BID	NO BID	NO BID	NO BID
			Signed Addendum I included with bid response	Not included w/bid package	✓	✓	✓	Not included w/bid package
			Completed Certifications included with bid response	✓	✓	✓	✓	✓



**OFFICIAL TALLY SHEET**  
**CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #WV2020-05: Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021  
 BID OPENING: October 21, 2020 at 11:00 am

PAGE 1 OF 2  
 SET 4 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION					
TEN (10)				SAL Chemical 3036 Birch Drive Weirton, WV 26062	UNIVAR SOLUTIONS USA INC. 200 Dean Sievers Pl. Morrisville, PA 19067	Olin Chlor Alkali Products & Vinyls 1001 31 <sup>st</sup> St., Ste 200 Downers Grove, IL 60515	Bison Laboratories, 100 Leslie Street Buffalo, NY 14211-1621	XXX
1	392	ONE TON CYLINDERS	CHLORINE	NO BID	NO BID	NO BID	NO BID	XXX
2	159	150 POUND CYLINDERS	CHLORINE	NO BID	NO BID	NO BID	NO BID	XXX
3	1,923	TONS	FERRIC CHLORIDE	NO BID	NO BID	NO BID	NO BID	XXX
4	140	TONS	HYDROFLUOROSILICIC ACID (minimum 23% solution)	NO BID	\$625.00 per wet ton	NO BID	NO BID	XXX
5	13	TONS	HYDROFLUOROSILICIC ACID (minimum 25% solution)	NO BID	\$875.00 per wet ton	NO BID	NO BID	XXX
6	5,050,600	GALLONS	SODIUM HYPOCHLORITE	NO BID	\$0.95	\$0.403 Delivery 1-3 days after receipt of order	\$0.577	XXX
			Notes:			Payment Terms: Net 30 days		

**OFFICIAL TALLY SHEET  
CITY OF NIAGARA FALLS ON BEHALF OF THE NIAGARA FALLS WATER BOARD**

BID #W2020-05:

Cooperative Purchase Of Chemicals For Municipal Water And Waste Water Treatment Facilities for 2021

BID OPENING:

October 21, 2020 at 11:00 am

SET 4 OF 4

PAGE 2 OF 2  
SET 4 OF 4

ITEM #	QUANTITY	SIZE/ UNIT	DESCRIPTION				
TEN (10)				SAL Chemical 3036 Birch Drive Weirton, WV 26062	UNIVAR SOLUTIONS USA INC. 200 Dean Sievers Pl. Morrisville, PA 19067	Olin Chlor Alkali Products & Vinyls 1001 31 <sup>st</sup> St., Ste 200 Downers Grove, IL 60515	Bison Laboratories 100 Leslie Street Buffalo, NY 14211-1621
7	60	TONS	HYDROGEN PEROXIDE (H <sub>2</sub> O <sub>2</sub> )	NO BID	NO BID	NO BID	NO BID
8	900	TONS	HIGH CALCIUM QUICKLIME	NO BID	NO BID	NO BID	NO BID
9	20	TONS	POLY-ORTHOPHOSPHATE	\$982.00	NO BID	NO BID	NO BID
10	954	TONS	POLYALUMINUM CHLORIDE	NO BID	NO BID	NO BID	NO BID
			Signed Addendum I included with bid response	Not included w/bid package	✓	✓	✓
			Completed Certifications included with bid response	✓	✓	✓	✓

SET 4 OF 4

**DIRECTING PREPARATION OF  
2021 BUDGET AND FINANCIAL REPORT CALENDAR**

**WHEREAS**, the Members of the Niagara Falls Water Board are charged with adopting a budget and setting rates and fees as necessary to provide for the continued operation of the water and wastewater systems and to meet the Water Board's obligations to its bondholders and other interested parties; and

**WHEREAS**, Board Members desire to establish a timeline for budget preparation and review in order to meet their fiduciary obligations, increase transparency, allow for public input, and to provide ample time for deliberation; and

**WHEREAS**, the Water Board is required to conduct an annual audit and to file certain reports required by statute with the Public Authorities Reporting Information System ("PARIS") and desires to review these reports in their entirety prior to their being filed;

**NOW THEREFORE BE IT**

**RESOLVED**, that on or before November 30, 2020 the Director of Financial Services shall deliver to the Secretary for inclusion in the Water Board's December 2020 meeting agenda packets a proposed 2021 budget and financial report calendar that establishes firm dates for the various steps required to prepare and adopt the budget, to set rates and fees, to conduct the annual audit, and setting forth deadlines for presentation of the reports that will be filed with PARIS to the Board of Directors;

**AND IT IS FURTHER RESOLVED**, that the 2021 budget and financial calendar shall include at a minimum proposed dates for the following activities and shall be in a format similar to the following:

**Budget and Financial Report Calendar – Subject to Change with Board Approval**

**Preliminary Budget**

- Budget worksheets distributed to division heads.
- Budget worksheets due.
- Budget meetings with division heads complete.
- Preliminary budget created and provided to rate consultant.
- Preliminary budget and rate consultant analysis provided to Executive Director, Board Chairperson, and Finance and Audit Committee Chairperson.
- Final revisions to preliminary budget made and preliminary budget and proposed changes in rates/fees distributed to Board.

**Due Date:**

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<ul style="list-style-type: none"> <li>Review of preliminary budget. Any adjustments to preliminary budget following work session to be summarized in memorandum to Board submitted along with draft budget as part of September 2021 Board meeting agenda packet.</li> </ul>	September 2021 Work Session
<b>Draft Budget</b>	
<ul style="list-style-type: none"> <li>Review of draft budget. Schedule public hearing for draft budget. Director of Financial Services to distribute final draft budget to Board and Secretary with memorandum summarizing any changes within 36 hours after the September 2021 Board meeting. This draft shall be made available for public inspection online, at Water Board's administrative offices, and at City libraries.</li> </ul>	September 2021 Business Meeting
<ul style="list-style-type: none"> <li>Public hearing on draft budget. Any further amendments to be by resolution.</li> </ul>	October 2021 Work Session
<ul style="list-style-type: none"> <li>Resolutions for amendments, if any. Adoption of 2022 budget, rates, and fees.</li> </ul>	October 2021 Business Meeting
<b>Adopted Budget</b>	
<ul style="list-style-type: none"> <li>Posted to Website</li> </ul>	Within three days after adoption.
<ul style="list-style-type: none"> <li>Regulatory filing for rates to be effective January 1, 2022.</li> </ul>	December 31, 2021
<b>Annual Audit – Deadline for Distribution to Board of Directors</b>	One Week Prior to March 2021 Work Session
<b>PARIS Reports – Drafts or Information to be Included in Reports Submitted for Board Approval</b>	
<ul style="list-style-type: none"> <li>Audit Report (Filing Deadline April 1)</li> </ul>	March 2021 Business Meeting
<ul style="list-style-type: none"> <li>Procurement Report (Filing Deadline April 1)</li> </ul>	March 2021 Business Meeting
<ul style="list-style-type: none"> <li>Investment Report (Filing Deadline April 1)</li> </ul>	March 2021 Business Meeting
<ul style="list-style-type: none"> <li>Budget Report (Filing Deadline November 1)</li> </ul>	October 2021 Work Session
<ul style="list-style-type: none"> <li>Annual Report (Filing Deadline November 1)</li> </ul>	October 2021 Work Session

**AND IT IS FURTHER RESOLVED**, that the Director of Financial Services shall provide a monthly report on progress in meeting the deadlines set forth in the 2021 Budget and Financial Report Calendar.

*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:*  
Not applicable.

On November 23, 2020 the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Forster	[   ]	[   ]	[   ]	[   ]
Board Member Kimble	[   ]	[   ]	[   ]	[   ]
Board Member Larkin	[   ]	[   ]	[   ]	[   ]
Board Member Leffler	[   ]	[   ]	[   ]	[   ]
Chairperson Brown	[   ]	[   ]	[   ]	[   ]

Signed By:

Vote Witnessed By:

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Patrick D. Brown, Chairperson

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Sean W. Costello, Secretary to Board