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AGENDA

Meeting of the Niagara Falls Water Board

May 24, 2021 at 5:00 p.m.

*****Meeting to be held via conference call pursuant to Executive Order 202.1 as extended by 202.107 – visit NFWB.org for call-in details.*****

1. Attendance and Preliminary Matters

a. Asklar (Board Member/Chairman of Finance) _____

Forster (Chairman) _____

Kimble (Board Member) _____

Larkin (Board Member/Vice Chairwoman/Governance Chairwoman) _____

Leffler (Board Member) _____

b. Comments from Chairman Forster

c. Letters and Communications

d. Public Comments on Draft Annual Stormwater Report

e. Other Public Comment (Public comments other than those on the Draft Annual Stormwater Report may be submitted in writing to be read by the Secretary and must be received by 12:00 p.m. on May 24, 2021. Comments may be summarized when read. Email comments to scostello@NFWB.org or mail c/o Sean W. Costello, 5815 Buffalo Ave., Niagara Falls, NY 14304)

- Page 2 of 6 NFWB May 24, 2021 Meeting Agenda Packet - Page 3

12. Resolutions

2021-05-001 – REQUIRING USE OF SAFETY SHOES

2021-05-002 – EXTENSION OF AGREEMENT WITH BROKER FOR WORKERS COMPENSATION, PROPERTY, AND LIABILITY INSURANCE

2021-05-003 – APPROVING DEDUCTION OF SEWER CHARGES FOR WATER USED FOR IRRIGATION – NIAGARA GOLF PARTNERS LLC

- a. Niagara Golf Partners Cover Letter and Engineering Report
- b. 2017-2020 Usage on Golf Course Irrigation Meter

2021-05-004 – BANK ON BUFFALO DEPOSITORY ACCOUNT AND AUTHORIZED SIGNERS RESOLUTIONS

- a. Separate Resolutions for Seven Accounts

2021-05-005 – AWARD BID FOR WWTP PROJECT 11, EXTERIOR PROCESS PIPING IMPROVEMENTS

- b. Bid Tabulation and Award Recommendation Letter

2021-05-006 – USE OF NYPA RELICENSING SETTLEMENT AGREEMENT FUNDS FOR CAPITAL PROJECTS

13. Unfinished/Old Business

- a. 18th Street Slip Line
 - Walk-through completed from Whitney Ave. to Ontario Ave. with City Engineering – discussed at board meeting held on 4/26/21.
- b. Roof Study
 - Jay Meyers from CPL stated this project is approximately 96% complete.
 - Further review is needed in some areas – will be sure to report all findings to the board as soon as they are made available -- discussed at board meeting held on 4/26/21.
- c. Beech Ave. Water Tower
 - Jay Meyers explains some modeling work is needed along with finalizing ideas for an ideal location (possibly Buffalo Ave.)
 - Beech Ave. is not an ideal location due to the need for a pump station.
 - Cost to complete the study – approximately \$9,800 – discussed at board meeting held on 4/26/21.

d. Caulking Project WTP

- Exterior caulking of the WTP was completed in 2020.
- Interior caulking of the WTP is now needed
- Mr. Costello was tasked to solicit bids – requesting CPL to prepare the specifications.
- - discussed at board meeting held on 4/26/21.

e. 56th Street Water Tower

- CPL was tasked to explore ways to improve the functionality and eliminate the need for WTP operators to have to drain the water lower levels on a daily basis in order to recirculate the water; due to the lack of a recirculating pump and valve at the bottom of the tank - discussed at board meeting held on 4/26/21.

f. Lift Station Roofs

- Mr. Costello has been in contact with the maintenance department regarding the work that is needed; would prefer to keep the work in-house if possible - discussed at board meeting held on 4/26/21.

g. Program Logic Controller (PLC)

- (1) showing a processor error, (2) showing error - discussed at board meeting held on 4/26/21.

h. Chlorine System

- Adding a booster pump to the raw water chlorine feed would prevent loss of chlorine feed during a low-pressure scenario (i.e. Goodyear break).
- Will also provide backup to chlorine dosage during backflow testing/repairs
- WTP Chief Operator (Rob Rowe) met with Fluid Kinetics to discuss options.
- CPL to provide drawings (April 2021) for submittal to DOH - discussed at board meeting held on 4/26/21.

i. Emergency Backup Generators

- In need of repair – multiple issues with transfer gear and controls.
- 1 unit has been determined to need radiator parts/replacements.
- Work continues with Zenith – determined TS-2 and TS-3 need cleaning and lubrication, which involves removing power and running a separate generator to make the necessary repair.
- Quotes have been received for auto switching main plant power feeds to lessen the risks involved with a generator failure (unknown).

j. WTP Roofing

- Area over front main entrance vestibule is leaking – creating issues with drywall mold and cracking.
- Area over filter gallery with floating foam pieces – no leaks detected. Nearby roof drains have been cleaned to help with the issue - discussed at board meeting held on 4/26/21.

k. Replacement of the outdated CO2 detection system.

- Units are in house for installation and work is progressing (unknown).
- - discussed at board meeting held on 4/26/21.

l. Backflow Preventers

- Need to be tested/repaired/replaced yearly or as necessary.
- Larger units may cause the plant to lose chlorine capabilities – will now be tied in with chlorine system – experiencing pressure related issues on the Plant Water line.
- Work may need to be subcontracted if in-house staff is unable to complete the necessary repairs.
- - discussed at board meeting held on 4/26/21.

m. Interior Lighting

- High lift room has been updated by Ferguson Electric.
- Low lift room to be completed next – will likely be completed by Ferguson Electric due to the safety concerns of completing the work in-house.
- - discussed at board meeting held on 4/26/21.

n. HVAC Rooftop & Make Up Air

- Outdated units – need replacements – 4 out of the 5 units are inoperable.
- AC-1 – rooftop unit over Operations Control Room is now replaced and awaiting final installation items. Startup to be completed shortly (10/16/2018).
- Still in need of additional units – the pandemic has brought this to the forefront, as makeup air is potentially regulated in certain environments as well as air filtration ratings.

o. PACL System Upgrades

- Need SCADA professionals to finish updating our program to match the 4 PACL pumps so that all 4 pumps can be utilized with SCADA control.
- In-house work completed regarding the necessary pipes and valves. SOP's have also been created for the new completed system.
- PACL liners have been replaced (unknown).
- - discussed at board meeting held on 4/26/21.

p. Bulk Chemical Storage Liners

- PACL liners complete – contractor has concerns about Fluoride toxicity. Maintenance department to follow up.
- - discussed at board meeting held on 4/26/21.

14. New Business & Additional Items for Discussion

- a. Complimentary Automated Meter Infrastructure (“AMI”) Propagation Study by Neptune**
- b. Board Member Asklar – WWTP Break Room, Bathroom, and Shower Area Improvements**

15. Executive Session (if needed)

16. Adjournment of Meeting

DRAFT STORMWATER ANNUAL REPORT

2020 – 2021

Niagara Falls Water Board



NYSDEC SPDES Permit NYR20A094
May 7th, 2021

MS4 Annual Report Cover PageMCC form for period ending March 9,

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This cover page must be completed by the report preparer.
Joint reports require only one cover page.

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☒ **This report is being submitted on behalf of an individual MS4.**

Fill in SPDES ID in upper right hand corner.

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OR

☐ **This report is being submitted on behalf of a Single Entity**

(Per Part II.E of GP-0-10-002)

Name of Single Entity

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OR

☐ **This is a joint report being submitted on behalf of a coalition.**

Provide SPDES ID of each permitted MS4 included in this report. Use page 2 if needed.

Name of Coalition

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MS4 Annual Report Cover Page**MCC form for period ending March 9, 2021**

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Niagara Falls Water Board

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Important Instructions - Please Read

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

- ☒ Principal Executive Officer/Chief Elected Official
- ☐ Duly Authorized Representative
- ☐ Local Stormwater Public Contact
- ☐ Stormwater Management Program (SWMP) Coordinator
- ☐ Report Preparer

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Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for *each* of the following positions as indicated below:

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- ☒ Local Stormwater Public Contact
- ☒ Stormwater Management Program (SWMP) Coordinator
- ☐ Report Preparer

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Name of MS4 | Niagara Falls Water Board

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For each contact, select all that apply:

- ☐ Principal Executive Officer/Chief Elected Official
- ☐ Duly Authorized Representative
- ☒ Local Stormwater Public Contact
- ☐ Stormwater Management Program (SWMP) Coordinator
- ☒ Report Preparer

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MS4 Municipal Compliance Certification (MCC) Form

MCC form for period ending March 9, 2 0 2 1

Name of MS4 Niagara Falls Water Board

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Section 3 - Partner Information

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period?

☒ Yes ☐ No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name

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Partner/Coalition Name (con't.)

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Legally Binding Agreement in accordance
with GP-0-08-002 Part IV.G.?

☒ Yes ☐ No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

● MM1 M u l t i p l e T a s k s

● MM2 M u l t i p l e T a s k s

● MM3 M u l t i p l e T a s k s - T r a i n i n g & E d

● MM4 T r a i n i n g & E d u c a t i o n

● MM5 T r a i n i n g & E d u c a t i o n

● MM6 T r a i n i n g & E d u c a t i o n

Additional tasks/responsibilities

- ☐ Watershed Improvement Strategy Best Management Practices required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9,

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Name of MS4

Niagara Falls Water Board

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Section 4 - Certification Statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-08-002 Part VI.J.

First Name

S e a n

MI

Last Name

C o s t e l l o

Title (Clearly print title of individual signing report)

A c t i n g E x e c u t i v e D i r e c t o r

Signature

Date

/ /

Send completed form and any attachments to the DEC Central Office at:

MS4 Permit Coordinator
Division of Water
4th Floor
625 Broadway
Albany, New York 12233-3505

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Niagara Falls Water Board

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The information in this section is being reported (check one):

- How many MS4s contributed to this report?

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Check all topics that were included in Education and Outreach during this reporting period:

- Other:

U	s	e		o	f		G	I	S	-	S	t	o	r	m	w	a	t	e	r		C	o	m	p	l	i	a	n	c	e
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Other

☒ Public Employees ☒ Contractors
☒ Residential ☒ Developers
☐ Businesses ☒ General Public
☐ Restaurants ☐ Industries
☐ Other: ☐ Agricultural

[illegible]

NFWB May 24, 2021 Meeting Agenda Packet - Page 18

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition	Niagara Falls Water Board
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SPDES ID

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3. What strategies did your MS4/Coalition use to achieve education and outreach goals during this reporting period? Check all that apply:

- ☒ Construction Site Operators Trained
- ☐ Direct Mailings
- ☒ Kiosks or Other Displays
- ☐ List-Serves
- ☐ Mailing List
- ☒ Newspaper Ads or Articles
- ☒ Public Events/Presentations
- ☐ School Program
- ☐ TV Spot/Program
- ☐ DIY Videos

# Trained				7	6
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# Mailings					
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# Locations					1
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# In List					
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# Days Run					1
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# Attendees	1	0	2	4
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# Attendees					
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# Days Run					
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Total # Distributed		4	2	3
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● Printed Materials:

Locations (e.g. libraries, town offices, kiosks)

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● Other:

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● Web Page: Provide specific web addresses - not home page. Continue on next page if additional space is needed.

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

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3. Web Page con't.: Provide specific web addresses - not home page.

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MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

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SPDES ID

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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Identification of Pollutants of Concern; Waterbodies of Concern; Geographic Areas of Concern; Target Audiences

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Pollutants of Concern: sediment/silt; pathogens; floatables; phosphorous
 Waterbodies of Concern: Cayuga, Bergholtz, Gill Creeks, Little Niagara and Niagara River
 Geographic Areas of Concern: The Lasalle Sewer System Area
 Target Audiences: households; developers; contractors; small businesses

C. How many times was this observation measured or evaluated in this reporting period?

			4
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

☐ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

As needed, update POCs, waterbodies of concern, geographic areas of concern and target audiences. Continue to address via public education and outreach.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Develop additional/update existing public education materials addressing stormwater pollution prevention for general public, target businesses/activities and schools. Prepare posters that can be placed within municipal buildings, libraries, and schools. Maintain a webpage to educate the public on stormwater pollution prevention, the MS4 SWMPP and involvement opportunities. Display/distribute public education materials and posters in municipal buildings and libraries.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Maintained records of number of educational materials distributed.
Rain barrel display at Niagara County DMV site - Niagara Falls.

C. How many times was this observation measured or evaluated in this reporting period?

	4	2	3
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Develop additional public education brochures - as needed.
Continue to display public education materials in municipal buildings and libraries.
Update webpage as needed with new educational materials.
Continue to reinforce the messages conveyed with printed materials & displays with use of additional media when funding is available.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Distribute Grades K-12 education packages.
Participate in educational programming.
Conduct annual Rain Barrel Painting Contest for schools/community groups in Erie/Niagara Counties.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Due to COVID-19 pandemic, all school-based education and involvement initiatives were canceled.

C. How many times was this observation measured or evaluated in this reporting period?

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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

Teacher education packages are a bi-ennial BMP.

☐ Yes ☒ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Education packages will be updated & distributed March 2021 - March 2022 reporting cycle to resume biennial implementation.
Participate in all scheduled school science fairs/events, Niagara County's Environmental Field Days.
Conduct annual Rain Barrel Painting Contest for K-12 schools/groups in Erie and Niagara County in Fall 2021.



MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Utilize public education display for outreach & education for at least two local community events or set up public education display in a prominent location in a municipal building. Mount a permanent wall plaque in a municipal building frequented by the public.
Utilize public education display for outreach & education at regional community events.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Set up/maintain public education display and mounted wall plaque in prominent locations in a municipal building frequented by the public.
Maintain the permanent, wall-mounted plaque and stormwater display at the NFWB offices.
Due to COVID-19 pandemic, all public education display/activities at regional/ community events were canceled.

**C. How many times was this observation measured or evaluated in this reporting period?**

1			
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Plan to use public education display at two local community events/locations by March 9, 2022 and/or continue use of public education display and permanently mounted wall plaque in prominent locations in a municipal building frequented by the public.
Plan to use public education display at up to 25 regional community events by March 9, 2022.

MS4 Annual Report Form

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Niagara Falls Water Board

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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Post PSAs on WNY Stormwater Coalition webpage.

Use PSAs at public meetings, in school programs and at community events as appropriate.

DIY videos on rain barrel use/home composting; building a rain barrel; winterizing a rain barrel; and, pop bottle rain garden demonstration.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

PSAs on webpage (www.erie.gov/stormwater).

DIY videos on rain barrel use/home composting (647): https://fb.watch/4ty_vNXRLf/

building a rain barrel (1200): https://fb.watch/4ty_vNXRLf/

winterizing a rain barrel (155): https://fb.watch/4tz63_piOH/

pop bottle rain garden demonstration (222): virtual event

C. How many times was this observation measured or evaluated in this reporting period?

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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to promote PSAs addressing stormwater pollution and water quality protection in WNY.

Use videos and/or PSAs at public education venues. Continue to pursue funding opportunities to use local media outlets to educate the public.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

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2. URL(s) con't.:

Please provide specific address(es) where notice(s) can be accessed - not home page.

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MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

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3. Where can the public access copies of this annual report, Stormwater Management Program SWMP) Plan and submit comments on those documents?

Enter address/contact info and select radio button to indicate which document is available and whether comments may be submitted at that location. Submit additional pages as needed.

☒ MS4/Coalition Office

☒ Annual Report ☒ SWMP Plan ☒ Comments

Department

W	a	t	e	r	T	r	e	a	t	m	e	n	t	F	a	c	i	l	i	t	y
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☐ Library

☐ Annual Report ☐ SWMP Plan ☐ Comments

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City

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☒ Other

☐ Annual Report ☒ SWMP Plan ☒ Comments

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☐ Annual Report ☒ SWMP Plan ☐ Comments

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☒ eMail

☐ Comments

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MS4 Annual Report Form


This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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SPDES ID

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4.a. If this report was made available on the internet, what date was it posted?

Leave blank if this report was not posted on the internet.

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4.b. For how many days was/will this report be posted?

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If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

5.a. Was an Annual Report public meeting held in this reporting period?

☐ Yes ☐ No

If Yes, what was the date of the meeting?

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If No, is one planned?

☐ Yes ☐ No

5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period? WNY Stormwater Coalition - April 2021

☒ Yes ☐ No

If No, is one planned for each?

☐ Yes ☐ No

6. Were comments received during this reporting period?

☐ Yes ☐ No

If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

MS4 Annual Report Form

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Identify key individuals and groups who are interested in/or affected by the permitting program. Groups identified include: Erie County Environmental Management Council; Niagara County Environmental Management Council; municipal Conservation Advisory Committees; Buffalo Niagara Waterkeeper; Erie and Niagara County's Soil & Water Conservation Districts; Erie County Water Quality Committee.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Periodic reports to Erie/Niagara County Environmental Management Councils; MS4 Conservation Advisory Committees; Erie County Water Quality Committee. Participation of Erie and Niagara County Soil & Water Conservation Districts (4); Buffalo Niagara Waterkeeper (1); PUSH Buffalo (0) in WNYSC monthly meetings, SWMP and Annual Report review, trainings and activities.

C. How many times was this observation measured or evaluated in this reporting period?

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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue periodic reports to Erie/Niagara County Environmental Management Councils; MS4 Conservation Advisory Committees; Erie County Water Quality Committee. Continue to encourage participation of Buffalo Niagara Waterkeeper; Erie County Soil & Water Conservation District; Niagara County Soil & Water Conservation District, PUSH Buffalo and MS4 Conservation Advisory Committee members in WNYSC monthly meetings, trainings & activities.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Provide public with an ongoing opportunity to inspect Stormwater Management Program Plan (SWMPP) and review/comment. Present the draft Annual Report at a meeting that is open to the public and/or on the internet to solicit public review and comment.
Provide public notice about the presentation in accordance with State Open Meetings Law or other local public notice requirements.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Number of known SWMPP reviews/comments (39 DIY video viewers evaluated the DIY Rain Barrel demonstration as a Public Engagement strategy).
Number of attendees at public meeting (WNYSC: 27; MS4: TBD).
Number of known Annual Report reviews/comments (0)
Number of known webpage reviews (0).

C. How many times was this observation measured or evaluated in this reporting period?

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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to provide public with an ongoing opportunity to inspect SWMPP and review/comment. Continue to present the draft Annual Report at a meeting that is open to the public and/or on the internet to solicit public review and comment.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Inform and encourage residents about opportunities to participate in stormwater pollution prevention programming including: community clean up initiatives such as Household Hazardous Waste collections, Great American Clean Ups; Buffalo Niagara Waterkeeper Spring/Fall Shoreline Clean Up and Keep America Beautiful Fall Beach Sweep; and, annual Erie-Niagara County Rain Barrel and Compost Bin Sales.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Number of Household Hazardous Waste collections (3 events plus continuous "by-voucher" collection); number of participants (2,581)
 Number of clean up events (107); number of participants (578)
 Number of Rain Barrels/Composters sold (380); number of participants (245)

C. How many times was this observation measured or evaluated in this reporting period?

Number of participants:

3	4	0	4
---	---	---	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Erie County: Publish a notice in local paper & Erie County Household Hazardous Waste webpage to notify residents of the Collection events. Niagara County: Educate residents on options for disposal of household hazardous waste, location, schedule and guidelines for facilities accepting the waste (year-round;ongoing). Annual rain barrel/composter sale.
 Continue to track community clean up events and other stormwater related community involvement.

MS4 Annual Report Form

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Niagara Falls Water Board

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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

There is a feedback mechanism on the Niagara Falls Water Board webpage that provides the public the opportunity to contact us regarding stormwater management concerns.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Number of responses received.

C. How many times was this observation measured or evaluated in this reporting period?

			0
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to provide feedback option on webpage in the form of a name/contact number and public comment forms.

MS4 Annual Report Form

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Niagara Falls Water Board

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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Identify Contact Person for Stormwater Program.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Stormwater Management Officer is currently Douglas S. Williamson.
Stormwater Management Officer listed in MS4 Reference Guide on WNY Stormwater Coalition webpage.

C. How many times was this observation measured or evaluated in this reporting period?

	N/A	
--	-----	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Identify Stormwater Management Officer in SWMPP, update as needed.
Identify Stormwater Management Officer in MS4 Reference Guide on WNY Stormwater Coalition webpage, update as needed.

MS4 Annual Report Form

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Name of MS4/Coalition

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SPDES ID

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Minimum Control Measure 3. Illicit Discharge Detection and Elimination

The information in this section is being reported (check one):

☒ On behalf of an individual MS4

☐ On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

1. Enter the number and approx. percent of outfalls mapped:

9	6			
---	---	--	--	--

 #

1	0	0
---	---	---

 %

2. How many of these outfalls have been screened for dry weather discharges during this reporting period (outfall reconnaissance inventory)?

9	6	
---	---	--

3.a. What types of generating sites/sewersheds were targeted for inspection during this reporting period?

☐ Auto Recyclers

☐ Landscaping (Irrigation)

☐ Building Maintenance

☐ Marinas

☐ Churches

☐ Metal Plateing Operations

☐ Commercial Carwashes

☒ Outdoor Fluid Storage

☐ Commercial Laundry/Dry Cleaners

☒ Parking Lot Maintenance

☒ Construction Vehicle Washouts

☐ Printing

☒ Cross-Connections

☒ Residential Carwashing

☐ Distribution Centers

☒ Restaurants

☐ Food Processing Facilities

☐ Schools and Universities

☐ Garbage Truck Washouts

☐ Septic Maintenance

☐ Hospitals

☐ Swimming Pools

☐ Improper RV Waste Disposal

☐ Vehicle Fueling

☐ Industrial Process Water

☐ Vehicle Maint./Repair Shops

☒ Other:

☐ None

P	r	i	o	r	i	t	y		1	,	2		a	n	d		3		o	u	t	f	a	l	l	s				
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☐ Sewersheds:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2021

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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8. URL(s) con't.:

Please provide specific address of page where map(s) can be accessed - not home page

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

9. Has an IDDE law been adopted for each traditional MS4 and/or have IDDE procedures been approved for all non-traditional MS4s contributing to this report? ☒ Yes ☐ No

10. If Yes, has every traditional MS4 contributing to this report certified that this law is equivalent to the NYS Model IDDE Law? ☐ Yes ☐ No ☒ NT

11. What percent of staff in relevant positions and departments has received IDDE training?

2	0	
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MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Update outfall data and map as needed.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Outfall inspections continued under a prioritized system. In 2020, 96 outfalls were inspected for priority 1,2 and 3 (48" & greater, SSO's).
GIS outfall map is current.

C. How many times was this observation measured or evaluated in this reporting period?

96			
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?
☒ Yes ☐ No
E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?
☐ Yes ☐ No
F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue outfall inspections according to schedule.
Continue to update existing information/add new outfalls as needed.
Continue to maintain and update GIS outfall map.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Outfall Reconnaissance Inventory (ORI) - routine dry weather visual inspections of outfalls.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Outfall inspections continued under a prioritized system. In 2020, 96 outfalls were inspected for priority 1,2 and 3 (48" & greater, SSO's).
GIS outfall map is current.

C. How many times was this observation measured or evaluated in this reporting period?

9	6		
---	---	--	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Priority 1 (18%) of the 96 total outfalls are planned for inspection in the next reporting period that ends in early March of 2022. Plan to continue outfall inspections according to prioritized schedule.

MS4 Annual Report Form

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12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Pollutant source tracking procedures to detect and address non-stormwater discharges, including illegal dumping, as needed in response to public complaints or by scheduled inspection of outfalls.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Niagara Falls Water Board inspects outfalls on a yearly basis under a prioritized system. Based on public complaints received or visual inspection of the outfall, the NFWB plans to sample these outfalls for pollutants as needed.

C. How many times was this observation measured or evaluated in this reporting period?

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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Plan to sample outfalls discharging during dry weather to determine presence of pollutants. Plan to conduct trackdown sampling/investigation as needed. An illicit Discharge Track Down Protocol and Sampling Procedures have been developed and will be followed. Testing equipment is available and additional training for sampling and analysis will continue in 2021.

MS4 Annual Report Form

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Niagara Falls Water Board

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Minimum Control Measures 4 and 5.
Construction Site and Post-Construction Control

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4
☐ On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

- 1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities?** ☒ Yes ☐ No
- 1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook?** ☐ Yes ☐ No ☒ NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.

☐ 09/2004 ☐ 03/2006 ☒ NT

- 2. Does your MS4/Coalition have a SWPPP review procedure in place?** ☐ Yes ☐ No
- 3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?**

0		
---	--	--
- 4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs?** ☐ Yes ☐ No ☐ NT

If Yes, how many public comments were received during this reporting period?

--	--	--

- 5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process?** ☒ Yes ☐ No
- Via NYS 4 Hour Erosion & Sediment Control Training

6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:

<input type="radio"/> Notices of Violation	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority
<input type="radio"/> Stop Work Orders	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority
<input type="radio"/> Criminal Actions	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority
<input type="radio"/> Termination of Contracts	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority
<input type="radio"/> Administrative Fines	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority
<input type="radio"/> Civil Penalties	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority
<input type="radio"/> Administrative Orders	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority
<input type="radio"/> Enforcement Actions or Sanctions	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							
<input type="radio"/> Other	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							<input checked="" type="radio"/> No Authority

MS4 Annual Report Form

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Name of MS4/Coalition

N	Y	R	2	0	A	0	9	4
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SPDES ID

N	Y	R	2	0	A	0	9	4
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Minimum Control Measure 4. Construction Site Stormwater Runoff Control

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4
☐ On behalf of a coalition

How many MS4s contributed to this report?

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1. How many construction projects have been authorized for disturbances of one acre or more during this reporting period?

0		
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2. How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period?

0		
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3. What percent of active construction sites were inspected during this reporting period? ☒ NT

--	--	--

 %

4. What percent of active construction sites were inspected more than once? ☒ NT

--	--	--

 %

5. Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual? ☐ Yes ☐ No ☒ NT

6. Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval? ☐ Yes ☐ No ☒ NT

If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review? ☐ Yes ☒ No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

MS4 Annual Report Form

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Conduct SWPPP review for all permitted construction sites to ensure consistency with State and local erosion and sediment control requirements and NYS Design Standards.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

C. How many times was this observation measured or evaluated in this reporting period?

0			
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?
☐ Yes ☐ No
E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?
☐ Yes ☐ No
F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Conduct inspections of permitted construction sites that discharge stormwater to the MS4 as often as needed to ensure compliance with GP-0-20-001 (or previous permits for projects approved prior to January 29, 2020).

Issue enforcement actions to owners/operators of construction sites that are not in compliance with GP-0-20-001 (or previous permits for projects approved prior to January 29, 2020).

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

C. How many times was this observation measured or evaluated in this reporting period?

0			
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☐ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☐ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

MS4 Annual Report Form

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

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7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Provide the public with an opportunity to review and comment on proposed design plans and construction projects.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

C. How many times was this observation measured or evaluated in this reporting period?

0			
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☐ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☐ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

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MS4 Annual Report Form

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Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?

☐ Yes ☒ No

4b. Does the MS4 have a banking and credit system for stormwater management practices?

☐ Yes ☐ No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?

☐ Yes ☐ No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period?

--	--	--

5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period?

--	--	--

 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Develop an inventory and inspection program for post-construction stormwater management practices.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

C. How many times was this observation measured or evaluated in this reporting period?

0			
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☐ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☐ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID6

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6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Conduct maintenance on post-construction stormwater management practices as needed.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

C. How many times was this observation measured or evaluated in this reporting period?

0			
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☐ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☐ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

The Niagara Falls Water Board is a non-traditional MS-4 without legal authority for this MCM.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	2	1
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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Minimum Control Measure 6. Stormwater Management for Municipal Operations

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4
☐ On behalf of a coalition

How many MS4s contributed to this report?

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1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.

<u>Operation/Activity/Facility</u>	<u>Addressed in SWMP?</u>	<u>Self-Assessment Operation/Activity/Facility performed within the past 3 years?</u>
Street Maintenance.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Bridge Maintenance.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Winter Road Maintenance.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Salt Storage.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Solid Waste Management.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
New Municipal Construction and Land Disturbance..	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Right of Way Maintenance.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Marine Operations.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Hydrologic Habitat Modification.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Parks and Open Space.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Municipal Building.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Stormwater System Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Vehicle and Fleet Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Other.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	2	1
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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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2. Provide the following information about municipal operations good housekeeping programs:

- Parking Lots Swept (Number of acres X Number of times swept) # Acres

--	--	--	--	--
- Streets Swept (Number of miles X Number of times swept) # Miles

--	--	--	--	--
- Catch Basins Inspected and Cleaned Where Necessary #

1	9	9	9	
---	---	---	---	--
- Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary #

--	--	--	--	--
- Phosphorus Applied In Chemical Fertilizer # Lbs.

--	--	--	--	--
- Nitrogen Applied In Chemical Fertilizer # Lbs.

--	--	--	--	--
- Pesticide/Herbicide Applied # Acres

					.	
--	--	--	--	--	---	--

(Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.)

3. How many stormwater management trainings have been provided to municipal employees during this reporting period?

			1	4
--	--	--	---	---

4. What was the date of the last training?

03/08/2021

5. How many municipal employees have been trained in this reporting period?

1		
---	--	--

6. What percent of municipal employees in relevant positions and departments receive stormwater management training?

4		
---	--	--

 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	2	1
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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Inspect catch basins and clean as needed.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

In 2020:
Number of catch basins inspected/Cleaned: 1999

C. How many times was this observation measured or evaluated in this reporting period?

1	9	9	9
---	---	---	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to inspect catch basins and clean as needed.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	2	1
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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Conduct Storm sewer pipe cleaning.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

In 2020, there were 60.4 miles of Sanitary sewer and storm sewer pipe cleaned.

C. How many times was this observation measured or evaluated in this reporting period?

6	0	.	4
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 m

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to clean storm sewer pipes on a prioritized basis.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	2	1
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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Create an inventory of operations/activities/facilities that are subject to environmental assessment requirement.
Conduct environmental assessment of each operation/activity/facility every three years.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Number of environmental assessments performed.

C. How many times was this observation measured or evaluated in this reporting period?

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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

☒ Yes ☐ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes ☐ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Conduct environmental assessment of each operation/activity/facility every three years.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	2	1
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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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Additional Watershed Improvement Strategy Best Management Practices

N/A

The information in this section is being reported (check one):

- ☐ On behalf of an individual MS4
☐ On behalf of a coalition

How many MS4s contributed to this report?

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MS4s must answer the questions or check NA as indicated in the table below.

MS4 Description	Answer	Check NA	(POC)
NYC EOH Watershed	-	-	-
Traditional Land Use	1,2,3,4,5,6,7a-d,8a,8b,9	10,11,12	Phosphorus
Traditional Non-Land Use	1,2,3,4,7a-d,8a,8b,9	5,10,11,12	Phosphorus
Non-Traditional	1,2,77a-d,8a,8b,9	3,4,5,10,11,12	Phosphorus
Onondaga Lake Watershed	-	-	-
Traditional Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Non-Traditional	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Greenwood Lake Watershed	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Oyster Bay	-	-	-
Traditional Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Non-Traditional	1,4,7a-d,9	2,3,4,5,8a,8b,10,11,12	Pathogens
Peconic Estuary	-	-	-
Traditional Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Traditional Non-Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Non-Traditional	1,4,7a-d,8a,9	2,3,4,5,8b,10,11,12	Pathogens and Nitrogen
Oscawana Lake Watershed	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
LI 27 Embayments	-	-	-
Traditional Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Non-Traditional	1,2,3,4,7a-d,9	5,6,8a,8b,10,11,12	Pathogens

1. Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies?

☐ Yes ☐ No ☒ N/A

2. Has 100% of the MS4/Coalition conveyance system been mapped in GIS?

☐ Yes ☐ No ☒ N/A

If N/A, go to question 3.

If No, estimate what percentage of the conveyance system has been mapped so far.

--	--	--

 %

Estimate what percentage was mapped in this reporting period.

--	--	--

 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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3. Does your MS4/Coalition have a Stormwater Conveyance System (infrastructure) Inspection and Maintenance Plan Program? ☐ Yes ☐ No ☒ N/A
4. Estimate the percentage of on-site wastewater treatment systems that have been inspected and maintained or rehabilitated as necessary in this reporting period?

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 %
5. Has your MS4/Coalition developed a program that provides protection equivalent to the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001) to reduce pollutants in stormwater runoff from construction activities that disturb five thousand square feet or more? ☐ Yes ☐ No ☒ N/A
6. Has your MS4/Coalition developed a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre that provides equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001), including the New York State Stormwater Design Manual Enhanced Phosphorus Removal Standards? ☐ Yes ☐ No ☒ N/A
- 7a. Does your MS4/Coalition have a retrofitting program to reduce erosion or phosphorus/nitrogen/pathogen loading? ☐ Yes ☐ No ☒ N/A
- 7b. How many projects have been sited in this reporting period?

--	--	--
- 7c. What percent of the projects included in 7b have been completed in this reporting period?

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 %
- 7d. What percent of projects planned in previous years have been completed?

--	--	--

 %
- ☐ No Projects Planned
- 8a. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper fertilizer application on municipally owned lands? ☐ Yes ☐ No ☒ N/A
- 8b. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper disposal of grass clippings and leaves from municipally owned lands? ☐ Yes ☐ No ☒ N/A

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	2	1
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Name of MS4/Coalition

Niagara Falls Water Board

SPDES ID

N	Y	R	2	0	A	0	9	4
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9. Has your MS4/Coalition developed and implemented a program of native planting?

☐ Yes ☐ No ☒ N/A

10. Has your MS4/Coalition enacted a local law prohibiting pet waste on municipal properties and prohibiting goose feeding?

☐ Yes ☐ No ☒ N/A

11. Does your MS4/Coalition have a pet waste bag program?

☐ Yes ☐ No ☒ N/A

12. Does your MS4/Coalition have a program to manage goose populations?

☐ Yes ☐ No ☒ N/A



**MINUTES
Special Meeting
of the Niagara Falls Water Board**

April 22, 2021 6:30 PM

Note: This meeting was held via conference call pursuant to Governor Cuomo's Executive Order 202.1 as extended by Executive Order 202.101, as extended through May 6, 2021 by Executive Order 202.101.

AGENDA

1. Attendance

Chairman Forster called the special meeting to order at 6:33 p.m.

a. Asklar P Forster P Kimble P Larkin P Leffler P

2. Interviews of Executive Director Candidates: Motion to enter into executive session for the purpose of considering matters leading to the appointment or employment of a particular person (Public Officers Law § 105(f)).

Motion by Board Member Asklar and seconded by Board Member Larkin to enter executive session at 6:34 p.m.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

3. Adjournment of Meeting

[Note: The Board returned to the open meeting session at 9:47 p.m.]

Motion by Board Member Leffler and seconded by Board Member Larkin to exit executive session and return to the open meeting at 9:48 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

Motion by Board Member Asklar and seconded by Board Member Leffler to adjourn at 9:49 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

DRAFT



MINUTES
Meeting of the Niagara Falls Water Board
April 26, 2021 at 5:00 p.m.

Note: This meeting was held via conference call pursuant to Governor Cuomo's Executive Order 202.1 as extended by Executive Order 202.101. as extended through May 6, 2021 by Executive Order 202.101.

1. Attendance and Preliminary Matters

Chairman Forster called the meeting to order at 5:02 p.m.

a. Asklar P Forster P Kimble P Larkin P Leffler P

b. Letters and Communications

There were no letters/communications to discuss.

c. **Public Comment** (The meeting notice provided that public comments were to be submitted in writing to be read by the Secretary and to be received by 12:00 p.m. on April 26, 2021).

There were no public comments received for the April 26, 2021 board meeting.

d. Approval of Minutes

i. March 22, 2021 Meeting

Motion by Board Member Larkin and seconded by Board Member Leffler to approve the March 22, 2021 meeting minutes.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

ii. April 13, 2021 Special Meeting

Motion by Board Member Larkin and seconded by Board Member Asklar to approve the April 13, 2021 special meeting minutes.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0

2. Executive Director

Mr. Costello gave the Board an update regarding health insurance rates. Mr. Costello explains that the renewal rate will remain the same as the prior policy year. Mr. Costello notes Resolution 2021-04-006, authorizing acceptance of the rates, has been included in the Board's agenda packets for review and approval.

Mr. Costello states he was notified early this morning of a motor vehicle accident involving a utility pole located at the corner of Buffalo Ave. and 56th St. (the accident occurred at approximately 1:30 a.m. on 4/26/21), causing a power outage at the WTP. The generators at the WTP kicked on and functioned properly powering the plant processes. The power from the generators only supplies power to the plant process areas, excluding the office areas, computers, heat, etc. National Grid estimated that the time to complete the necessary repairs would be approximately 8 hours – National Grid postponed beginning the repairs in order to allow the NFWB to “switch over” to our secondary feed line. Mr. Costello explains that this feed line is a separate line from National Grid, however, it is equal to the regular feed. Mr. Costello states that we have never had cause to switch over to that feed in the past; given the lengthy period that power would be off, it made sense to “switch over.” This was successfully completed around 7:45 a.m. with support from Ferguson Electric, due to the unfamiliarity our internal staff had with this type of work. Since the work was completed, the plant has experienced no further power issues. Mr. Costello notes, between the 1:30 a.m. collision and the 7:45 a.m. “switch over,” there were periods where the plant did experience electrical service for the entire plant – the significance of that is the generators powered the plant as intended but did not “switch off” as they should. Out of the three separate feeds that should have successfully “opened” and “closed” only one of the three was properly turning off when the power was restored. NFWB staff was able to successfully “cut” the power to the necessary feeds and turn off the generators. Mr. Costello explains that this process identified two things, the first being the generators worked successfully and demonstrates the value in the investment that the Board has made with the generators over the recent years. The second being the attention needed to address the controls of the generators. This is currently being addressed and quotes are being obtained. In closing, Mr. Costello shows his appreciation to the staff for how exceptionally well this issue was handled and their response to the incident in the middle of the night. In particular, Mr. Costello expressed appreciation for the operator on duty Dave Roeser, WTP Chief Operator Rob Rowe, Supervisor of Maintenance Joe Argona, Electrician Neil Zysk, & Mechanic Dan McGovern.

3. Superintendent

a. Large Meter Information

Mr. Wright states he met with Deputy Director of Financial Services (Brian Majchrowicz) and Supervisor of Meters (Robert Reid) to gather the necessary information to respond to Mr. Forster's request for information about large meters. This information was distributed to all Board Members. Mr. Wright asks if any of the Board Members have any questions regarding the information they received. No questions were asked. Mr. Wright states the meter

shop will begin calibrating the large meters (approximately 20) and checking their accuracy, however, the tool needed for the calibration of the 8-inch compound meters broke. The broken meter has been packaged and is prepared to be sent out for repair, however, this repair could take upwards of a few months. Mr. Wright is requesting permission to purchase a new calibrator in order to maintain two on site in case another situation such as this arises in the future (see Resolution 2021-04-008).

b. Planned Demonstration of Movable and Remote Readable Leak Spy Data Logger

The supplier of this device is scheduling a demonstration for Water Board staff to evaluate its effectiveness.

c. Fleet Vehicle Update

Mr. Wright states the NFWB had its annual meeting with Enterprise which recommended to trade in nine Ford F-150's (most of which are 2019, two are 2018) in order to lower the monthly payments for each vehicle due to the current state of the used car market. The previous Director of Financial Services approved the transfer of the nine leased Ford F-150's and the NFWB will be receiving nine new leased vehicles (approximately \$31,000/year cost savings).

Mr. Forster questions whether the NFWB will be obtaining any additional electric vehicles, other than the two the NFWB currently has. Mr. Wright states he spoke with our representative from Enterprise and electric trucks are not yet available but it was mentioned that GM will begin the fabrication of the "smart" pick-up trucks next year. These pick-up trucks will be electric, combined with gas.

4. Engineering

Mr. Williamson states he has nothing new to add.

5. Personnel Items

a. April 26, 2021 Personnel Actions Sheet

Motion by Board Member Asklar and seconded by Board Member Larkin to table "section B" of the Personnel Action Sheet (recommended promotion) from MW2 position to MW3 position.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

Motion by Board Member Larkin and seconded by Board Member Leffler to un-table the previously tabled “section C” of the Personnel Action Sheet (to hire an electrician).

Board Member Kimble questions the total cost of re-hiring an electrician, including the cost of benefits. Ms. Kimble also questions if there is a proper budget line to cover the cost of the hire. Mr. Costello states the total cost, including benefits, is approximately \$78,000. Mr. Costello states he spoke with the Deputy Director of Financial Services (Brian Majchrowicz) regarding the savings of the personnel budget lines, this year’s budget reflected personnel budget lines for the Director of Administrative Services (\$90,000/year) along with the Executive Director position (\$120,000/year) for the first few months of the 2021 that have not been utilized due to the vacancy of those positions. The totals of those budgeted salaries are in excess of the salary/benefits amount needed to fill the electrician position (\$78,000/year). Board Member Kimble shows concern regarding the cost of the electrician position with the unknown salary of the potential new hire for the Executive Director position.

Board Member Leffler questions whether an “in-house” electrician would have changed the outcome of the power outage/generator issue versus having Ferguson on site. Mr. Costello explains that the NFWB’s electrician (Neil Zysk) responded and the only reason Ferguson Electric was needed was due to the fact that in the last 20+ years, the NFWB had never completed a “switch” such as the one that was needed this morning. This situation could have been potentially hazardous due to the high levels of voltage involved. Mr. Costello states that without a second electrician at the WWTP, in order to produce the work needed, the NFWB will either need to hire temporarily out of the union hall or potentially contract out work that we may have otherwise have been able to perform in-house. Mr. Costello emphasizes the importance of an in-house electrician in order to continue the daily preventative maintenance work that is needed, along with the consistent repairs that are needed due to the corrosion of the electrical wires that takes place due to the nature of the WWTP.

Board Member Kimble explains that she does not discount the need to hire an additional electrician, her main concern is the financial aspect.

Chairman Forster states during his most recent tour of the WWTP, the need for an additional electrician was brought to his attention by the Chief Operator of the WWTP (Bob Dunn). It was also brought to the Chairman’s attention the need for some lighting repairs at the WTP.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion to un-table “section C” of the Personnel Action Sheet (to hire an electrician) carried, 5-0.

Motion by Board Member Larkin and seconded by Board Member Asklar to approve “section C” of the personnel action sheet (to hire an electrician).

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0

6. Information Technology (IT)

Mr. Costello states he has no new IT developments to report.

7. Finance

In connection with an inquiry raised at the work session regarding a budget amendment to cover a bulldozer rental, Mr. Majchrowicz states he was not a part of the budget amendments completed in March; therefore, he is unsure why the more funds than were needed for the rental of the bulldozer equipment were moved from the “temporary payroll” budget line in order to cover the cost.

Chairman Forster seeks confirmation that the figure that appeared on the invoice was the amount that was paid. Mr. Majchrowicz states that is correct. Mr. Majchrowicz states the invoice reflects \$8,413.20 and additional funds may have been moved in order to cover any future work/rentals that may be needed.

8. Questions Regarding March 2021 Operations and Maintenance Report

No questions were asked.

9. Safety

Nothing new to report.

Chairman Forster states that the individual that was hired for the Safety position has not held a safety meeting.

Mr. Costello states he is currently working to reinstate safety training and expects to see that take place in May.

No further questions were asked.

10. General Counsel and Secretary

Nothing new to report.

11. From the Chairman

Chairman Forster thanked his fellow Board Members for all of the time and effort that has been put forth over the last month, including all scheduled and special meetings along with any of their own time they have spent while they continue their search for the new Executive Director.

12. Resolutions

2021-04-001 – ESRI SOFTWARE LICENSE RENEWAL AGREEMENT

a. Esri Renewal Agreement for 2021-2024

Motion by Board Member Larkin and seconded by Board Member Leffler to approve.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2021-04-002 WWTP SPDES PERMIT RENEWAL ENGINEERING AND SCIENTIFIC SUPPORT SERVICES

a. AECOM Proposal dated March 31, 2021

Motion by Board Member Kimble and seconded by Board Member Asklar to approve.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2021-04-003 – AUTHORIZING OUTSIDE PIPES CREW LEADERS TO TAKE HOME WORK TRUCKS TO SPEED EMERGENCY RESPONSES

Motion by Board Member Leffler and seconded by Board Member Larkin to approve.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

**2021-04-004 – REJECTING ALL BIDS FOR WWTP PROJECT 9,
INTERIOR PROCESS PIPING IMPROVEMENTS, AND DIRECTING REBID**

Motion by Board Member Kimble and seconded by Board Member Asklar to approve.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

**2021-04-005 – TRANSFER STATION COATING FOR WWTP CHEMICAL BULK
STORAGE TANKS 211-A, 216, AND 217**

a. Niagara Coatings Estimate dated March 22, 2021

Motion by Board Member Asklar and seconded by Board Member Larkin to approve.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2021-04-006 – ACCEPTING BLUE CROSS HEALTH INSURANCE RENEWAL RATES

a. Renewal Executive Summary

Motion by Board Member Leffler and seconded by Board Member Kimble to approve.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

WALK-ON RESOLUTIONS

2021-04-007 – STIPEND FOR THE DEPUTY DIRECTOR OF FINANCIAL SERVICES

Motion by Board Member Kimble and seconded by Board Member Larkin to waive the agenda deadline policy in order to “walk-on” Resolution 2021-04-007.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

Motion by Board Member Kimble and seconded by Board Member Larkin to approve Resolution 2021-04-007.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0

2021-04-008 – LARGE METER TESTER

Motion by Board Member Larkin and seconded by Board Member Kimble to waive the agenda deadline policy in order to “walk-on” Resolution 2021-04-008.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0

Motion by Board Member Larkin and seconded by Board Member Kimble to approve Resolution 2021-04-008.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0

13. Unfinished/Old Business

a. 18th Street Slip Line

Mr. Wright states a walk-through was completed from Whitney Ave. to Seneca St. with City Engineering on Discussion regarding the work that is needed took place and a check to the County Health Department for plan review was provided to City Engineering.

b. Roof Study

Mr. Meyers from CPL states the roof study is in the final stages of completion (approximately 96% complete).

Chairman Forster questions the work that is still needed.

Mr. Meyers explains further review is needed in a few areas and then sent to the manufacturer who provided the warranty on the roofs for a final review. Mr. Meyers states he will report all findings to the board as soon as they are made available.

Board Member Kimble questions the cost to complete the roof study.

Mr. Meyers states approximately \$500.

No further questions were asked and there was no objection from the Board to finish the roof study.

c. Beech Ave. Water Tower

Mr. Meyers states there is some modeling work left to complete and finalizing some ideas for an ideal location still is needed (possibly on Buffalo Ave.)

Mr. Meyers states Beech Ave. is not an ideal location since a pump station is needed. If the water tower is located on Buffalo Ave. the tower could be filled directly from the WTP, negating the need for a pump station.

Chairman Forster questions the additional cost for completion.

Mr. Meyers states the cost to complete the study would be approximately \$9,800.

No further questions were asked and there was no objection from the Board to finish the study.

d. Caulking Project WTP

Chairman Forster states the caulking project was brought to his attention during his tour of the WTP with Chief Operator (Rob Rowe). Last year the Board approved the caulking project for the exterior of the WTP, however, the inside needs to be caulked as well.

No objection from the board.

Mr. Costello was tasked to solicit bids while leaning on CPL to prepare the specifications for this project.

14. New Business & Additional Items for Discussion

a. 56th Street Water Tower

Following discussion from the work session, Chairman Forster explains WTP operations must drain the water tower levels down on a daily basis in order to recirculate the water, due to the lack of a recirculating pump along with the lack of valve at the bottom of the tank. He would ask that CPL review whether this can be improved.

No objection from the board.

b. Lift Stations

Mr. Costello has been in contact with the maintenance employees regarding some of the work that is needed for the lift station roofs. Mr. Costello states he is still working through the numbers but would prefer to keep the work in house if possible.

Chairman Forster agrees that he would like to keep the work needed at the lift stations in house. He also discussed driveway dealing as a potential area for work to be performed in house.

c. Sanitary Flow Regulators

Chairman Forster closed by stating his appreciation for all of the time that Board Members have been putting in over the past month in connection with the Executive Director search.

15. Executive Session (if needed)

The board did not enter executive session.

16. Adjournment of Meeting

Motion by Board Member Leffler and seconded by Board Member Larkin to adjourn at 5:47 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.



**MINUTES
Special Meeting
of the Niagara Falls Water Board**

May 3, 2021 6:30 PM

AGENDA

1. Attendance

Chairman Forster called the special meeting to order at 6:47 p.m.

a. Asklar P Forster P Kimble P *[by phone]* Larkin P Leffler P

2. Interviews of Executive Director Candidates: Motion to enter into executive session for the purpose of considering matters leading to the appointment or employment of a particular person (Public Officers Law § 105(f)).

Motion by Board Member Larkin and seconded by Board Member Leffler to enter executive session at 6:49 p.m.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

3. Adjournment of Meeting

[Note: The Board returned to the open meeting session at approx. 9:00 p.m.]

Motion by Board Member Leffler and seconded by Board Member Larkin to exit executive session and return to the open meeting at 9:01 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

Motion by Board Member Larkin and seconded by Board Member Asklar to adjourn at 9:02 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

DRAFT



**MINUTES
Special Meeting
of the Niagara Falls Water Board**

May 4, 2021 6:30 PM

AGENDA

1. Attendance

Chairman Forster called the special meeting to order at 6:31 p.m.

a. Asklar P Forster P Kimble P [by phone] Larkin P Leffler P

2. Interviews of Executive Director Candidates: Motion to enter into executive session for the purpose of considering matters leading to the appointment or employment of a particular person (Public Officers Law § 105(f)).

Motion by Board Member Leffler and seconded by Board Member Asklar to enter executive session at 6:32 p.m.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

3. Adjournment of Meeting

[Note: The Board returned to the open meeting session at approx. 8:16 p.m.]

Motion by Board Member Leffler and seconded by Board Member Larkin to exit executive session and return to the open meeting at 8:17 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

Motion by Board Member Leffler and seconded by Board Member Larkin to adjourn at 9:18 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

DRAFT



**MINUTES
Special Meeting
of the Niagara Falls Water Board**

May 5, 2021 8:00 PM

Note: This meeting was held via conference call pursuant to Governor Cuomo's Executive Order 202.1 as extended by Executive Order 202.101. as extended through May 6, 2021 by Executive Order 202.101.

AGENDA

1. Attendance

Chairman Forster called the special meeting to order at 8:01 p.m.

a. Asklar P Forster P Kimble P Larkin P Leffler P

2. Interviews of Executive Director Candidates: Motion to enter into executive session for the purpose of considering matters leading to the appointment or employment of a particular person (Public Officers Law § 105(f)).

Motion by Board Member Larkin and seconded by Board Member Leffler to enter executive session at 8:03 p.m.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

3. Adjournment of Meeting

[Note: The Board returned to the open meeting session at approx. 8:42 p.m.]

Motion by Board Member Larkin and seconded by Board Member Asklar to exit executive session and return to the open meeting at 8:42 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

Motion by Board Member Kimble and seconded by Board Member Leffler to adjourn at 8:43 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

DRAFT

Niagara Falls Water Board

Personnel Actions and Report

Monday, May 24, 2021

Personnel Actions Sheet & Requested of the Board. All appointments are subject to the appointee meeting the minimum qualifications and all applicable civil service conditions.
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A. PERSONNEL ACTIONS RECOMMEND TO HIRE				
Line Item Number	Position	Department/Location	Pay Rate or Grade	ADDITIONAL INFORMATION

B. RECOMMENDED PROMOTION / MOVE / APPOINTMENT				
Line Item Number	Name and Position	Type of labor move	Change in pay rate or grade	ADDITIONAL INFORMATION

C. PREVIOUSLY TABLED PERSONNEL ACTIONS (From 2021)				
Line Item Number	Action and Position	Department/Location	Pay Rate or Grade	ADDITIONAL INFORMATION
1	Mark Richmond - MW2	Promotion to MW3	From Grade 9 (\$15.88/hr) To 12 (\$16.61/hr)	\$.73 hourly increase equals approx. \$1,510 annually. Tabled April 26.

D. OTHER PERSONNEL ACTIVITY FOR BOARD NOTIFICATION				
Name	Position	Department/Location	Pay Rate	ADDITIONAL INFORMATION

E. PERSONNEL ON LONG TERM LEAVE OF ABSENCE				
Name	Last Day Worked	Dept.	Return Status	Comments
Bradberry Sr, Cortez	4/13/2021	OSM	TBD	Workers Comp
James Joyce	1/5/2021	WWTP Maint	TBD	Workers Comp
Houston, Artez	5/3/2021	WWTP Ops	TBD	Workers Comp

REQUIRING USE OF SAFETY SHOES

WHEREAS, the Water Board's safety consultant, AFI Environmental, has reported multiple observations of employees not wearing proper personal protective equipment ("PPE") because they are not wearing proper foot protection based upon their job functions; and

WHEREAS, relevant OSHA regulations require that the employer ensure employees use protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and whenever necessary to protect against hazards of processes or environment, including chemicals and wet surfaces; and

WHEREAS, OSHA does not require the employer to pay for non-specialty safety-toe protective footwear (including steel-toe shoes or boots) but for most employees covered by collective bargaining agreements the Water Board does provide reimbursement of up to \$200 per year for the purchase of safety shoes that meet the ANSI or ASTM requirements for those employees whose work requires protection against foot injuries; and

WHEREAS, to protect the health and safety of its employees, to meet its obligations as an employer, and to emphasize the importance it places on its issue, the Water Board desires formally by Resolution to require the use of appropriate safety shoes for all employees who work in any operations, production, process, inside or outside maintenance, meter shop, laboratory, or other area that may present hazardous conditions for which safety shoes are appropriate;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that all Niagara Falls Water Board employees who work in any operations, production, process, inside or outside maintenance, meter shop, laboratory, or other area that may present hazardous conditions for which safety shoes are appropriate shall wear ANSI or ASTM approved safety shoes while on Water Board property; and

IT IS FURTHER RESOLVED, that all supervisors shall instruct employees regarding proper PPE and that failure to comply with or enforce PPE rules may result in disciplinary action; and

IT IS FURTHER RESOLVED, that questions about PPE requirements shall be directed to the Deputy Director of Administrative Services who may seek guidance on specific situations from the Safety Consultant, as appropriate.

Water Board Personnel Responsible for Implementation of this Resolution:

Acting Executive Director
Deputy Director of Administrative Services
All Supervisors

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

Not applicable.

On May 24, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Asklar	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman Forster	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Nicholas J. Forster, Chairman

Sean W. Costello, Secretary to Board

NIAGARA FALLS WATER BOARD RESOLUTION # 2021-05-002

**EXTENSION OF AGREEMENT WITH BROKER FOR
WORKERS COMPENSATION, PROPERTY, AND LIABILITY INSURANCE**

WHEREAS, in 2019 the Water Board conducted a Request for Proposals (“RFP”) for an insurance broker for its workers compensation, liability, and property insurance coverages; and

WHEREAS, the RFP provided that the broker would serve for a two-year term with up to three one-year extensions; and

WHEREAS, USI was selected as the Water Board’s broker and is compensated through commission paid by the insurance companies providing coverage to the Water Board; and

WHEREAS, the Water Board would like to have USI begin the process for seeking competitive quotes for its various insurance coverages renewing in 2021;

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board hereby exercises its option for a one-year extension and for USI to serve as broker for its workers compensation, liability, and property insurance coverages with expiration or renewal dates in 2021.

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

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
Not applicable.

On May 24, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Asklar	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman Forster	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Nicholas J. Forster, Chairman

Sean W. Costello, Secretary to Board

**APPROVING DEDUCTION OF SEWER CHARGES FOR
WATER USED FOR IRRIGATION – NIAGARA GOLF PARTNERS LLC**

WHEREAS, Niagara Golf Partners LLC (“NGP”) has contracted with the City of Niagara Falls to manage the Hyde Park Golf Course; and

WHEREAS, NGP has made a written request for elimination of sewer charges for the water used to irrigate the golf course which has not previously been voted upon by the Water Board; and

WHEREAS, the water used for irrigating the golf course is metered separately from the office, restaurant, and driving range that also are managed by NGP, and NGP does not seek relief from sewer charges for the consumption reflected by the rest of its operations; and

WHEREAS, NGP has submitted an engineering report stating that no water used for irrigation burdens the Water Board’s stormwater or sanitary sewer systems; and

WHEREAS, most stormwater drainage from the golf course flows directly into Gill Creek, which flows through the golf course property; and

WHEREAS, Water Board staff have reviewed NGP’s submissions and confirmed that the only Water Board facilities that are impacted by drainage from the golf course are stormwater catch basins on or near Porter Road, which discharge directly to Gill Creek; and

WHEREAS, deducting the sewer charges from the bill for meter No. 301149, the meter through which water used to irrigate the golf course passes, will not eliminate all sewer charges associated with the property because sewer charges will continue unabated on the other water consumed by the course restaurant, office, and driving range; and

WHEREAS, the Water Board’s Wastewater Regulations at 21 NYCRR 1960.8 provide that “In the event that consumptive use precludes the use of water meter readings for determination of user charges, alternate metering may be substituted on a case-by-case basis pursuant to Water Board review and approval”; and

WHEREAS, requests for alternate metering must be carefully scrutinized because sewer charges support the cost of maintaining not only sanitary sewer infrastructure and treatment of wastewater, but also the stormwater collection system, and approval to deduct sewer charges from bills for metered consumption is appropriate only when it is possible to verify the consumptive use of metered water and that the metered water will not enter the sewer system, either through drains or as runoff; and

WHEREAS, the Water Board has determined that based on the specific facts and circumstances presented in this case, the deduction of sewer charges may be acceptable; and

WHEREAS, the Water Board desires to condition its approval of the deduct meter on reasonable conditions; and

WHEREAS, NGP has requested that the sewer charges be removed from the irrigation meter “for the past year and henceforth” but the Water Board will not retroactively approve the deduction of sewer charges from bills previously issued;

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board hereby approves the deduction of sewer charges for Niagara Golf Partners LLC (“NGP”) for meter No. 301149, the meter through which water used to irrigate the golf course passes, subject to the following conditions, to be agreed to in writing by NGP:

- (1) The agreement shall permit deduction of sewer charges from meter No. 301149 for bills issued after the date of this Resolution and through December 31, 2023. On expiration of the agreement, the Water Board may but is not obligated to consider a renewal application with any conditions that it deems appropriate and subject to an appropriate fee;
- (2) The deduction agreement is personal to NGP and any successor operator must receive separate Water Board approval for deduction of sewer charges;
- (3) NGP will pay all costs associated with maintaining meter No. 301149 in a condition that is remotely-readable by the Water Board and any required backflow devices and other appurtenances that meet the requirements of Water Board staff;
- (4) No changes to meter No. 301149, or any pipes connected to that meter, may be made without the written approval of Water Board’s Executive Director;
- (5) NGP must permit inspections of records, plans, drawings, logs, or any other documents that may be used to verify that the water passing through meter No. 301149 is used for no purpose other than irrigation;
- (6) NGP must agree to allow the Water Board to inspect its facilities at any time to verify that the meter and associated piping is used only for irrigation of the golf course;
- (7) NGP must pay a one-time fee of \$500 to cover the Water Board’s costs associated with processing this request and inspecting the meter and associated pipes;
- (8) NGP must pay a quarterly charge of \$150 to cover the cost of reading and processing the deduct meter, inspections, and any other administrative costs; and

* CONTINUED ON NEXT PAGE *

IT IS FURTHER RESOLVED, that after meter No. 301149 and the associated piping has been reviewed and approved by Water Board staff as in compliance with the terms of this Resolution and any other reasonable conditions imposed by the Executive Director, and so long as said meter and its remote reader are functioning properly, the Water Board will read the meter at the same time as it reads the property's other water meters. The sewer charges associated with the water consumed through meter No. 301149 shall be removed from the bill; and

IT IS FURTHER RESOLVED, that no deduction of sewer charges for any previously-issued bills shall be allowed, and the agreement to deduct sewer charges will terminate immediately if Water Board staff determine that the water passing through meter No. 301149 is used for any purpose other than irrigation.

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

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
Not applicable.

On May 24, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Asklar	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman Forster	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Nicholas J. Forster, Chairman

Sean W. Costello, Secretary to Board

Niagara Golf Partners LLC
4343 Porter Road
Niagara Falls, New York 14305
(716) 990-0125

April 18, 2020

TO: Niagara Falls Water Board
FROM: Richard L. Horn, President, Niagara Golf Partners LLC (NGP LLC)

Dear Water Board Members:

We are submitting another request to the Water Board in an attempt to eliminate the sewer taxes on water being distributed through our sprinkler system at the Hyde Park Golf Course. We have submitted other requests over the past year for the same purpose, however, it was indicated that we needed to provide a more detailed packet of information for the board to consider. We appreciated and heeded that sound advice.

We contracted with Engineer, Robert Curtis of RAC Engineering, who submitted his report with our earlier submissions. (Copy Attached) In support of his report we have now attached formal aerial photos, provided by the Water Board, that confirm his conclusions and support this request 100%.

We have attached three aerial views of the entire golf course property for your perusal. On Exhibit 1, it is clear to see the golf course property, homes and structures, as well as the Storm Sewer and Sanitary lines providing drainage to all of the above. We have highlighted the area where the clubhouse is located in a red circle and where the Sanitary and Storm Sewers are located. This area is metered separately from the water irrigation system and we agree that sewer charges are proper for this section.

On Exhibit 2, we have shown the same aerial view but with the perimeter of the golf course property outlined in black. In using the Water Board's aerial photos, it is a safe conclusion to have total confidence in the following determinations. There is **ZERO** amount of Storm Sewer or Sanitary lines running to the Board's filtration system. In fact, it is displayed in the North West section of the picture, that there are two Storm Sewer lines flowing from the City homes, through the golf course and into Gill Creek. On Exhibit 3, it is even more clearly depicted with the golf course displayed in a light green shade.

In light of the facts outlined above, supported by the Board's photos and our Engineer, we kindly respectfully request that the water pumped through our sprinkler system, via a separate meter, be exonerated of sewer taxes for the past year and henceforth. Once again, there is a **ZERO** amount of water from the sprinkler system that enters the Water Boards system, therefore, we trust that it is clear that no Sewer taxes should be levied on this metered water flow.

In conjunction with this request, we are aware that similar requests have been made and APPROVED, from companies within Niagara Falls. However, in the situation described above, the board approved a percentage of relief of Sewer taxes as their property was located in area that may have permitted Storm Sewer water to be sent to the filtration system. In our case, we have proven that there is **ZERO** possibility of that happening at the Hyde Park Golf Course, while using the Board's documents.

In closing, I would be delighted to appear before the board to further explain our position of this matter and to describe in greater detail our submitted packet if needed. Please feel free to contact me at any time at 716-990-0125 for any reason.

Sincerely,

A handwritten signature in blue ink that reads "Rick Horn". The signature is written in a cursive, flowing style.

Richard (Rick) L. Horn, President, NGP LLC

FILE COPY



Structural Engineering

Steel
Concrete
Masonry
Wood
Light Gage Framing

Foundation Engineering

Spread / Strip Footing
Drilled / Driven
Piles / Piers
Caisson

Building Inspection

NYS Home Inspection
Commercial Building Inspection
"Sinking Home Syndrome"
Evaluation

Expert Witness

Deposition / Testimony

Custom Home Design

New Design
Renovations
Remediation
Evaluations
Additions

Niagara Golf Partners
4343 Porter Road
Niagara Falls, NY 14305

Re: Drainage Evaluation

Attached you will find my drainage evaluation of the **Golf Course** at the address identified above.

If you have any questions, please contact me at your earliest convenience.

Very truly yours,

RAC Engineering, P.C.

Robert A. Curtis, P.E.
President

Cc: File



National Society of
Professional Engineers



THERE'S ALWAYS A SOLUTION IN
STEEL
Professional Member



This study was prepared to assist in evaluating the existing conditions and to provide structural information and considerations to assist with performance of this structure and its sustainability. The study has been prepared for the exclusive use of the property owner and related parties, for specific application to this site and project only.

This study is based on observations and measurements made during a single site visit, and recommendations were completed based on generally accepted structural engineering practices. The observations made are based on the condition observed during a finite time and may or may not reflect conditions prior to or after the time spent at the property indicated. No warranties, expressed or inferred, are made by the conclusions, opinions, recommendations or services provided.

DRAINAGE EVALUATION

Review:

The following evaluation is based upon my personal observation of the site, being consistent with existing Digital Elevation Models (DEM) with 10-meter spacing (developed in partnership between USGS and NYSDEC) using contour lines compiled for USGS 7.5-minute quadrangle maps; the New York State Stormwater Management Design Manual and generally accepted stormwater management practices; the 1990 Hyde Park Golf Course irrigation system "as built" drawings, and my direct familiarity with the property developed during my former tenure as the City of Niagara Falls City Engineer.

Evaluation Limitations:

This property is uniquely situated within the geographical boundaries and operations of the Niagara Falls Water Board operations, and as such, this evaluation is:

1. Limited to, and specific to, the Hyde Park Golf Course, and
2. Should not in any way be interpreted as applicable to lands not specifically referred to herein.

Observations:

The Hyde Park Golf Course is located on Porter Road in the City of Niagara Falls and is presently being operated by a private entity under license from the City of Niagara Falls, New York. This course is comprised of 36 golf holes, of which 27 are in use, driving range, putting green, a club house with restaurant and locker rooms, a service building, and a small concession stand. The golf facility is part of a larger park known as Hyde Park.

Gill Creek runs from North to South through the golf course and into the park proper.

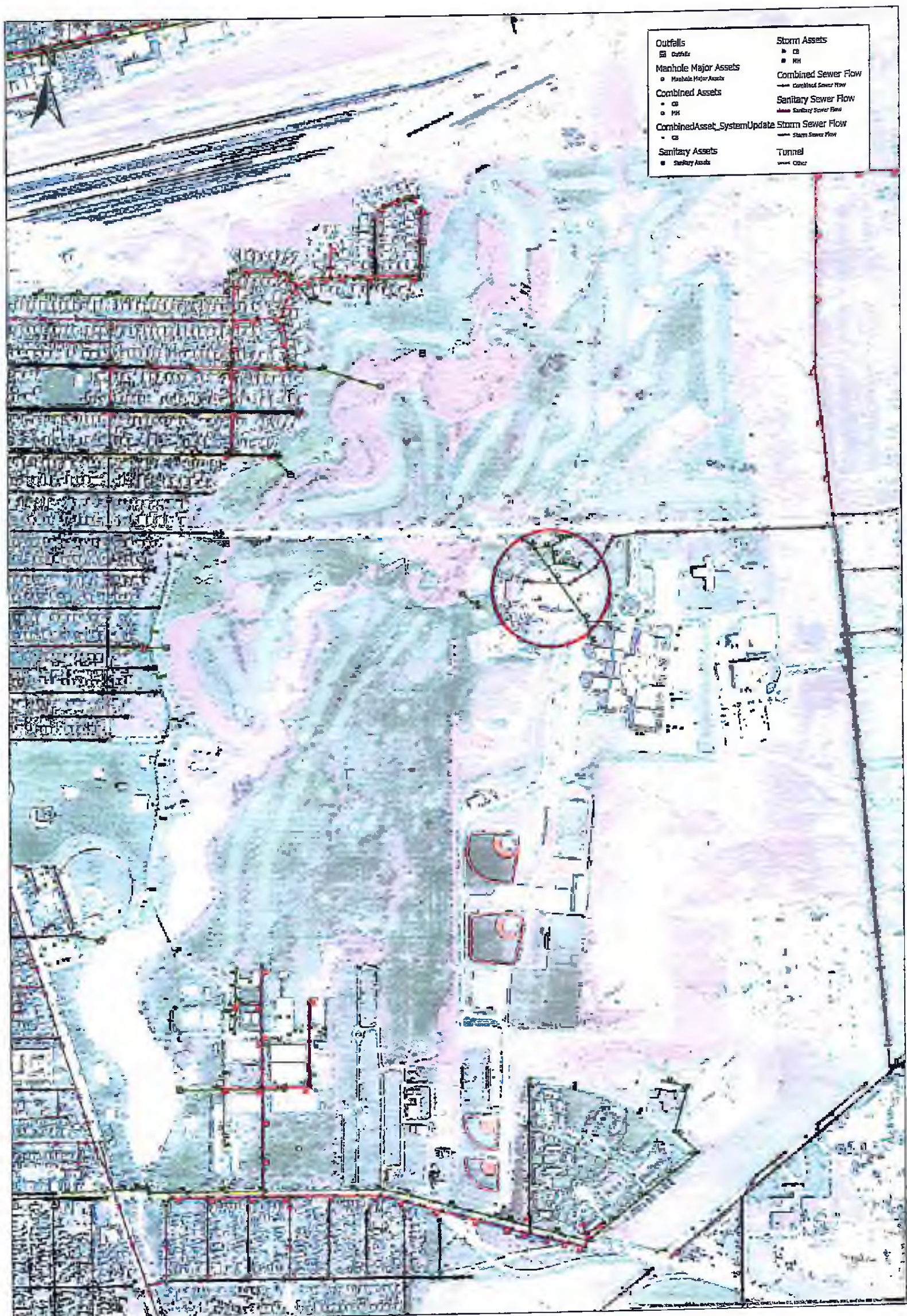
There does exist three stormwater catch basins located on or near the Porter Road, each of which discharge into Gill Creek.

No known catch basins discharge into the City stormwater collection system in or contiguous to the subject property. Further, these catch basins do not, in my opinion, intercept any sheet drainage from the existing irrigation system.

Conclusion:

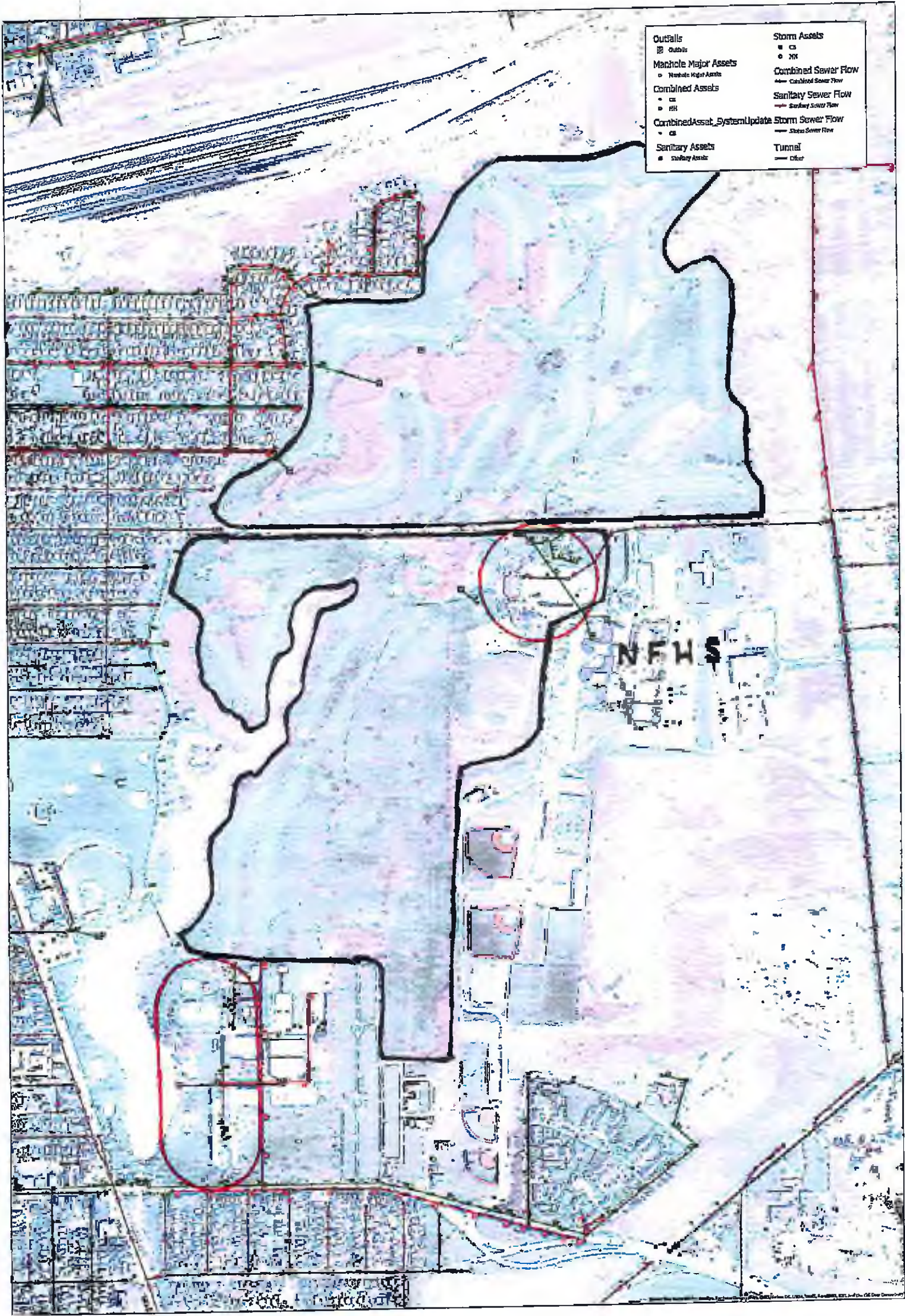
Water discharged by the Hyde Park Golf Course existing irrigation system does not enter the Niagara Falls Water Board stormwater or sanitary collection systems

EXHIBIT 1



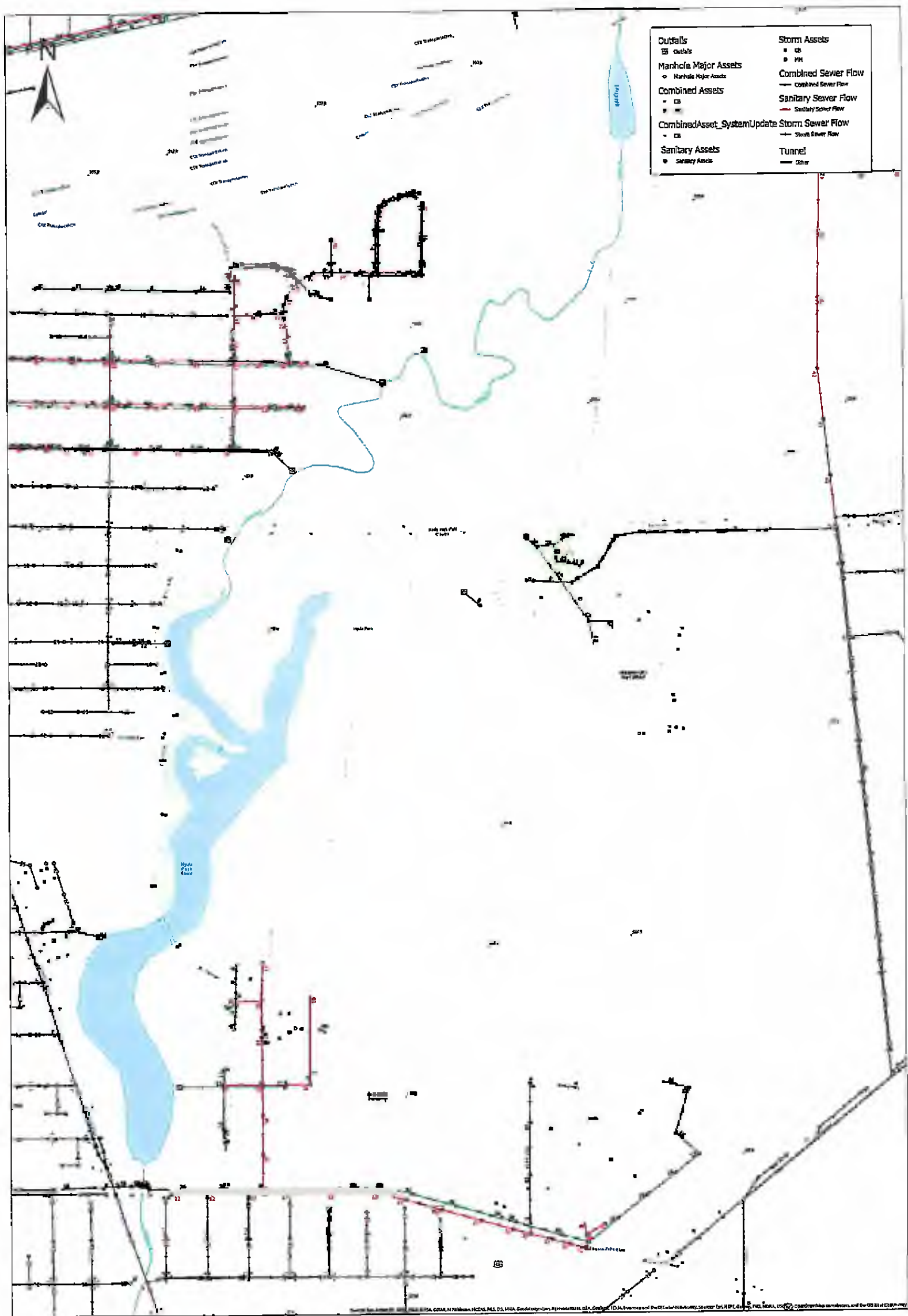
Hyde Park Golf Course - Sewer

EXHIBIT 2



Hyde Park Golf Course - Sewer

EXHIBIT 3



Hyde Park Golf Course - Sewer

Golf Course Irrigation Meter Water and Sewer Historical Usage

The following data pertains to the irrigation meter for which Niagara Golf Partners, LLC, seeks a deduct meter agreement. Approval of a deduct meter agreement would mean elimination only of the sewer charge on this meter and the other meters serving the property would not be affected.

Meter 301149 (Golf Course)

2017: Water- \$18,989.58

Sewer- \$35,341.46

2018: Water- \$54,562.25

Sewer- \$110,830.16

2019: Water- \$19,024.08

Sewer- \$36,340.30

2020: Water- \$16,008.62

Sewer- \$28,331.48

**BANK ON BUFFALO DEPOSITORY ACCOUNT
AND AUTHORIZED SIGNERS RESOLUTIONS**

WHEREAS, the Niagara Falls Water Board maintains seven depository accounts with Bank on Buffalo; and

WHEREAS, Bank on Buffalo requires the Water Board to adopt a resolution for each such account in order to designate individuals authorized to sign checks and to take other actions with respect to those accounts; and

WHEREAS, the Water Board's practice has been to have the Director of Financial Services and Chairperson designated as the authorized signers for checks;

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board hereby adopts and approves the seven draft resolutions for individual bank accounts that are attached hereto and made part hereof, with Chairman Nicholas Forster and Deputy Director of Financial Services Brian Majchrowicz, who is acting in the capacity of Director of Financial Services while that position is vacant, hereby designated as authorized to act on behalf of the Water Board with respect to its Bank on Buffalo accounts.

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

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
Not applicable.

On May 24, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Asklar	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman Forster	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Nicholas J. Forster, Chairman

Sean W. Costello, Secretary to Board

**RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF MUNICIPAL PUBLIC MONIES**

TO: (Name/Address of Financial Institution)
BankOnBuffalo, a division of CNB Bank
Suite 101
535 Washington Street
Buffalo, NY 14203

FROM: (Name/Address of Municipal Entity)
Niagara Falls Water Board
5815 Buffalo Ave
Niagara Falls, NY 14304-3832

Words or phrases preceded by a ☐ are applicable only if the ☒ is marked.

Under the Governing Municipality of:

State of:

"IT IS RESOLVED THAT:

BankOnBuffalo, a division of CNB Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality, to sign orders or checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality;

The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution.

THIS RESOLUTION APPLIES TO (Select One): ☐ **All Accounts**

☐ **Specific Account Number(s): 1307054873**

DATE OF RESOLUTION: 04/30/2021

NAME AND TITLE	SIGNATURE	NO. OF NECESSARY COUNTER SIGNATURES
Brian Majchrowicz Nontax Signator		
Nicholas J. Forster Nontax Signator		

Additional comments or instructions:

This Resolution includes all of the provisions on Page 2.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the _____ day of _____ and said resolutions are now in full force and effect.

Signed by

Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Title:

Date



"IT IS FURTHER RESOLVED, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all orders or checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose or to whomever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument of payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title for the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Financial Institution, by which, in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

FURTHER RESOLVED, that any one of the persons holding the offices of this Municipality designated above is hereby authorized (1) to receive for and on behalf of this Municipality, securities, currency or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to give receipt therefor, and the Financial Institution is hereby authorized to make delivery of such property in accordance herewith, (2) to sell, transfer, endorse for sale or otherwise authorize the sale or transfer of securities or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to receive and/or apply the proceeds of any such sale to the credit of this Municipality in any such manner as he/she/they deem(s) proper, and the Financial Institution is hereby authorized to make a sale or transfer of any of the aforementioned property in accordance herewith, and (3) in accordance with state law, to accept such security, if applicable, and to execute such documents as said officer deems proper and necessary to secure the funds of this Municipality and to issue instructions regarding the same.

FURTHER RESOLVED, that this Municipality assumes full responsibility for any and all payments made or any other actions taken by, the Financial Institution in reliance upon the signatures, including facsimiles thereof, of any person or persons holding the offices of this Municipality designated above regardless of whether or not the use of a facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed to any instrument if such signatures resemble the specimen or facsimile signatures provided to the Financial Institution, for refusing to honor any signatures not provided to the Financial Institution, for honoring any requests for the transfer of funds or money between accounts or for the instructions from the persons designated in the foregoing resolutions regarding security for the accounts notwithstanding any inconsistent requirements of this Municipality not expressed in the foregoing resolutions, and that this Municipality agrees to indemnify and hold harmless the Financial Institution against any and all claims, demands, losses, costs, damages or expenses suffered or incurred by the Financial Institution resulting from or arising out of any such payment or other action.

Select if applicable: ☐ **Further Resolved**, the Financial Institution is authorized to honor facsimile and other non-manual signatures and may honor and charge the Municipality for all negotiable instruments, checks, drafts, and other orders for payment of money drawn in the name of the Municipality, on its regular accounts, including an order for electronic debit, whether by electronic tape or otherwise, regardless of by whom or by what means the facsimile signature or other non-manual signature may have been affixed, or electronically communicated, if such facsimile signature resembles the specimen attached to this Resolution or filed with the Financial Institution, regardless of whether misuse of a specimen or non-manual signature is with or without the Financial Institution, Municipality. The Specimen Facsimile Signature Exhibit, if attached, is incorporated into and is an integral part of this Resolution. The Municipality indemnifies the Financial Institution for all claims, expenses, and losses resulting from the honoring of any signature certified or refusing to honor any signature not so certified.

FURTHER RESOLVED, that the Secretary or Clerk of this Municipality be and hereby is authorized and directed to certify to the Financial Institution the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies, and specimen or facsimile signature(s) on this resolution and, if applicable, on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards, if any, and the authority thereby conferred shall remain in full force and effect until this Municipality notifies the Financial Institution to the contrary in writing; and the Financial Institution may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

FURTHER RESOLVED, that this resolution authorizes the Financial Institution to honor all orders or checks when bearing, or purporting to bear, the facsimile signature(s) provided below, if any, by any _____ of the named officers, or in an attached Exhibit when indicated.

Facsimile Signature _____

Facsimile Signature _____

☐ The Specimen Facsimile Signature Exhibit attached is incorporated into and is an integral part of this Resolution.

By initiaing, I acknowledge this is page 2 of 2 of the Resolution Designating
Public Depository and Authorizing Withdrawal of Municipal Public Moneys

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**RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF MUNICIPAL PUBLIC MONIES**

TO: (Name/Address of Financial Institution)
BankOnBuffalo, a division of CNB Bank
Suite 101
535 Washington Street
Buffalo, NY 14203

FROM: (Name/Address of Municipal Entity)
Niagara Falls Water Board
5815 Buffalo Ave
Niagara Falls, NY 14304-3832

Words or phrases preceded by a ☐ are applicable only if the ☒ is marked.

Under the Governing Municipality of:

State of:

"IT IS RESOLVED THAT:

BankOnBuffalo, a division of CNB Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality, to sign orders or checks in accordance with state law, for payment or withdrawal of money, from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality;

The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution.

THIS RESOLUTION APPLIES TO (Select One): ☐ All Accounts
☐ Specific Account Number(s): **1307430643**

DATE OF RESOLUTION: 04/30/2021

NAME AND TITLE	SIGNATURE	NO. OF NECESSARY COUNTER SIGNATURES
Brian Majchrowicz		
NonTax Signator		
Nicholas J. Forster		
NonTax Signator		

Additional comments or instructions:

This Resolution includes all of the provisions on Page 2.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the _____ day of _____ and said resolutions are now in full force and effect.

Signed by

Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Title:

Date



"IT IS FURTHER RESOLVED, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all orders or checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose or to whomsoever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title for the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Financial Institution, by which, in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

FURTHER RESOLVED, that any one of the persons holding the offices of this Municipality designated above is hereby authorized (1) to receive for and on behalf of this Municipality, securities, currency or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to give receipt therefor, and the Financial Institution is hereby authorized to make delivery of such property in accordance herewith, (2) to sell, transfer, endorse for sale or otherwise authorize the sale or transfer of securities or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to receive and/or apply the proceeds of any such sale to the credit of this Municipality in any such manner as he/she/they deem(s) proper, and the Financial Institution is hereby authorized to make a sale or transfer of any of the aforementioned property in accordance herewith, and (3) in accordance with state law, to accept such security, if applicable, and to execute such documents as said officer deems proper and necessary to secure the funds of this Municipality and to issue instructions regarding the same.

FURTHER RESOLVED, that this Municipality assumes full responsibility for any and all payments made or any other actions taken by the Financial Institution in reliance upon the signatures, including facsimiles thereof, of any person or persons holding the offices of this Municipality designated above regardless of whether or not the use of a facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed to any instrument if such signatures resemble the specimen or facsimile signatures provided to the Financial Institution, for refusing to honor any signatures not provided to the Financial Institution, for honoring any requests for the transfer of funds or money between accounts or for the instructions from the persons designated in the foregoing resolutions regarding security for the accounts notwithstanding any inconsistent requirements of this Municipality not expressed in the foregoing resolutions, and that this Municipality agrees to indemnify and hold harmless the Financial Institution against any and all claims, demands, losses, costs, damages or expenses suffered or incurred by the Financial Institution resulting from or arising out of any such payment or other action.

Select if applicable: ☐ **Further Resolved**, the Financial Institution is authorized to honor facsimile and other non-manual signatures and may honor and charge the Municipality for all negotiable instruments, checks, drafts, and other orders for payment of money drawn in the name of the Municipality, on its regular accounts, including an order for electronic debit, whether by electronic tape or otherwise, regardless of by whom or by what means the facsimile signature or other non-manual signature may have been affixed, or electronically communicated, if such facsimile signature resembles the specimen attached to this Resolution or filed with the Financial Institution, regardless of whether misuse of a specimen or non-manual signature is with or without the negligence of the Municipality. The Specimen Facsimile Signature Exhibit, if attached, is incorporated into and is an integral part of this Resolution. The Municipality indemnifies the Financial Institution for all claims, expenses, and losses resulting from the honoring of any signature certified or refusing to honor any signature not so certified.

FURTHER RESOLVED, that the Secretary or Clerk of this Municipality be and hereby is authorized and directed to certify to the Financial Institution the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies and specimen or facsimile signature(s) on this resolution and, if applicable, on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards, if any, and the authority thereby conferred, shall remain in full force and effect until this Municipality notifies the Financial Institution to the contrary in writing; and the Financial Institution may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

FURTHER RESOLVED, that this resolution authorizes the Financial Institution to honor all orders or checks when bearing, or purporting to bear, the facsimile signature(s) provided below, if any, by any _____ of the named officers, or in an attached Exhibit when indicated.

Facsimile Signature _____

Facsimile Signature _____

☐ The Specimen Facsimile Signature Exhibit attached is incorporated into and is an integral part of this Resolution.

By initiaing, I acknowledge this is page 2 of 2 of the Resolution Designating
Public Depository and Authorizing Withdrawal of Municipal Public Moneys

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**RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF MUNICIPAL PUBLIC MONIES**

TO: (Name/Address of Financial Institution)
BankOnBuffalo, a division of CNB Bank
Suite 101
535 Washington Street
Buffalo, NY 14203

FROM: (Name/Address of Municipal Entity)
Niagara Falls Water Board
5815 Buffalo Ave
Niagara Falls, NY 14304-3832

Words or phrases preceded by a ☐ are applicable only if the ☒ is marked.

Under the Governing Municipality of:

State of:

"IT IS RESOLVED THAT:

BankOnBuffalo, a division of CNB Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality, to sign orders or checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality;

The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution.

THIS RESOLUTION APPLIES TO (Select One): ☐ **All Accounts**

☐ **Specific Account Number(s): 1307054906**

DATE OF RESOLUTION: 04/30/2021

NAME AND TITLE	SIGNATURE	NO. OF NECESSARY COUNTER SIGNATURES
Brian Majchrowicz NonTax Signator		
Nicholas J. Forster NonTax Signator		

Additional comments or instructions:

This Resolution includes all of the provisions on Page 2.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the _____ day of _____ and said resolutions are now in full force and effect.

Signed by _____

Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Title: _____ Date _____



"IT IS **FURTHER RESOLVED**, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all orders or checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose or to whomsoever payable including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title for the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "process") received by or served upon the Financial Institution, by which, in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

FURTHER RESOLVED, that any one of the persons holding the offices of this Municipality designated above is hereby authorized (1) to receive for and on behalf of this Municipality, securities, currency or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to give receipt therefor, and the Financial Institution is hereby authorized to make delivery of such property in accordance herewith, (2) to sell, transfer, endorse for sale or otherwise authorize the sale or transfer of securities or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to receive and/or apply the proceeds of any such sale to the credit of this Municipality in any such manner as he/she/they deem(s) proper, and the Financial Institution is hereby authorized to make a sale or transfer of any of the aforementioned property in accordance herewith, and (3) in accordance with state law, to accept such security, if applicable, and to execute such documents as said officer deems proper and necessary to secure the funds of this Municipality and to issue instructions regarding the same.

FURTHER RESOLVED, that this Municipality assumes full responsibility for any and all payments made or any other actions taken by the Financial Institution in reliance upon the signatures, including facsimiles thereof, of any person or persons holding the offices of this Municipality designated above regardless of whether or not the use of a facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed to any instrument if such signatures resemble the specimen or facsimile signatures provided to the Financial Institution, for refusing to honor any signatures not provided to the Financial Institution, for honoring any requests for the transfer of funds or money between accounts or for the instructions from the persons designated in the foregoing resolutions regarding security for the accounts notwithstanding any inconsistent requirements of this Municipality not expressed in the foregoing resolutions, and that this Municipality agrees to indemnify and hold harmless the Financial Institution against any and all claims, demands, losses, costs, damages or expenses suffered or incurred by the Financial Institution resulting from or arising out of any such payment or other action.

Select if applicable: ☐ **Further Resolved**, the Financial Institution is authorized to honor facsimile and other non-manual signatures and may honor and charge the Municipality for all negotiable instruments, checks, drafts, and other orders for payment of money drawn in the name of the Municipality, on its regular accounts, including an order for electronic debit, whether by electronic tape or otherwise, regardless of by whom or by what means the facsimile signature or other non-manual signature may have been affixed, or electronically communicated, if such facsimile signature resembles the specimen attached to this Resolution or filed with the Financial Institution, regardless of whether misuse of a specimen or non-manual signature is with or without the negligence of the Municipality. The Specimen Facsimile Signature Exhibit, if attached, is incorporated into and is an integral part of this Resolution. The Municipality indemnifies the Financial Institution for all claims, expenses, and losses resulting from the honoring of any signature certified or refusing to honor any signature not so certified.

FURTHER RESOLVED, that the Secretary or Clerk of this Municipality be and hereby is authorized and directed to certify to the Financial Institution the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies, and specimen or facsimile signature(s) on this resolution and, if applicable, on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards, if any, and the authority thereby conferred shall remain in full force and effect until this Municipality notifies the Financial Institution to the contrary in writing; and the Financial Institution may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

FURTHER RESOLVED, that this resolution authorizes the Financial Institution to honor all orders or checks when bearing, or purporting to bear, the facsimile signature(s) provided below, if any, by any _____ of the named officers, or in an attached Exhibit when indicated.

Facsimile Signature _____

Facsimile Signature _____

☐ The Specimen Facsimile Signature Exhibit attached is incorporated into and is an integral part of this Resolution.

By initialing, I acknowledge this is page 2 of 2 of the Resolution Designating
Public Depository and Authorizing Withdrawal of Municipal Public Moneys

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Initials



**RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF MUNICIPAL PUBLIC MONIES**

TO: (Name/Address of Financial Institution)
BankOnBuffalo, a division of CNB Bank
Suite 101
535 Washington Street
Buffalo, NY 14203

FROM: (Name/Address of Municipal Entity)
Niagara Falls Water Board
5815 Buffalo Ave
Niagara Falls, NY 14304-3832

Words or phrases preceded by a ☐ are applicable only if the ☒ is marked.

Under the Governing Municipality of:

State of:

"IT IS RESOLVED THAT:

BankOnBuffalo, a division of CNB Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality, to sign orders or checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality;

The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution."

THIS RESOLUTION APPLIES TO (Select One): ☐ **All Accounts**

☐ **Specific Account Number(s): 1307614445**

DATE OF RESOLUTION: 04/30/2021

NAME AND TITLE	SIGNATURE	NO. OF NECESSARY COUNTER SIGNATURES
Brian Majchrowicz Nontax Signator		
Nicholas J. Forster Nontax Signator		

Additional comments or instructions:

This Resolution includes all of the provisions on Page 2.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the _____ day of _____ and said resolutions are now in full force and effect.

Signed by _____

Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Title: _____

Date



"IT IS **FURTHER RESOLVED**, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all orders or checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose, or to whomever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title for the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Financial Institution, by which in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

FURTHER RESOLVED, that any one of the persons holding the offices of this Municipality designated above is hereby authorized (1) to receive for and on behalf of this Municipality securities, currency or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to give receipt therefor, and the Financial Institution is hereby authorized to make delivery of such property in accordance herewith, (2) to sell, transfer, endorse for sale or otherwise authorize the sale or transfer of securities or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to receive and/or apply the proceeds, or any such sale to the credit of this Municipality in any such manner as he/she/they deem(s) proper, and the Financial Institution is hereby authorized to make a sale or transfer of any of the aforementioned property in accordance herewith, and (3) in accordance with state law, to accept such security, if applicable, and to execute such documents as said officer deems proper and necessary to secure the funds of this Municipality and to issue instructions regarding the same.

FURTHER RESOLVED, that this Municipality assumes full responsibility for any and all payments made or any other actions taken by the Financial Institution in reliance upon the signatures, including facsimiles thereof, of any person or persons holding the offices of this Municipality designated above regardless of whether or not the use of a facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed to any instrument if such signatures resemble the specimen or facsimile signatures provided to the Financial Institution, for refusing to honor any signatures not provided to the Financial Institution, for honoring any requests for the transfer of funds or money between accounts or for the instructions from the persons designated in the foregoing resolutions regarding security for the accounts notwithstanding any inconsistent requirements of this Municipality not expressed in the foregoing resolutions, and that this Municipality agrees to indemnify and hold harmless the Financial Institution against any and all claims, demands, losses, costs, damages or expenses suffered or incurred by the Financial Institution resulting from or arising out of any such payment or other action.

Select if applicable: ☐ **Further Resolved**, the Financial Institution is authorized to honor facsimile and other non-manual signatures and may honor and charge the Municipality for all negotiable instruments, checks, drafts, and other orders for payment of money drawn in the name of the Municipality, on its regular accounts, including an order for electronic debit, whether by electronic tape or otherwise, regardless of by whom or by what means the facsimile signature or other non-manual signature may have been affixed, or electronically communicated, if such facsimile signature resembles the specimen attached to this Resolution or filed with the Financial Institution, regardless of whether misuse of a specimen or non-manual signature is with or without the Financial Institution, Municipality. The Specimen Facsimile Signature Exhibit, if attached, is incorporated into and is an integral part of this Resolution. The Municipality indemnifies the Financial Institution for all claims, expenses, and losses resulting from the honoring of any signature certified or refusing to honor any signature not so certified.

FURTHER RESOLVED, that the Secretary or Clerk of this Municipality be and hereby is authorized and directed to certify to the Financial Institution the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies, and specimen or facsimile signature(s) on this resolution and, if applicable, on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards, if any, and the authority thereby conferred, shall remain in full force and effect until this Municipality notifies the Financial Institution to the contrary in writing, and the Financial Institution may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

FURTHER RESOLVED, that this resolution authorizes the Financial Institution to honor all orders or checks when bearing, or purporting to bear, the facsimile signature(s) provided below, if any, by any _____ of the named officers, or in an attached Exhibit when indicated.

Facsimile Signature _____

Facsimile Signature _____

☐ The Specimen Facsimile Signature Exhibit attached is incorporated into and is an integral part of this Resolution.

By initialing, I acknowledge this is page 2 of 2 of the Resolution Designating
Public Depository and Authorizing Withdrawal of Municipal Public Moneys

Initials _____

Initials _____

Initials _____

Initials _____



**RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF MUNICIPAL PUBLIC MONIES**

TO: (Name/Address of Financial Institution) BankOnBuffalo, a division of CNB Bank Suite 101 535 Washington Street Buffalo, NY 14203	FROM: (Name/Address of Municipal Entity) Niagara Falls Water Board 5815 Buffalo Ave Niagara Falls, NY 14304-3832
--	---

Words or phrases preceded by a ☐ are applicable only if the ☒ is marked.

Under the Governing Municipality of:

State of:

"IT IS RESOLVED THAT:

BankOnBuffalo, a division of CNB Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality, to sign orders or checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality;

The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution."

THIS RESOLUTION APPLIES TO (Select One): ☐ **All Accounts**
☐ **Specific Account Number(s): 1307054899**

DATE OF RESOLUTION: 04/30/2021

NAME AND TITLE	SIGNATURE	NO. OF NECESSARY COUNTER SIGNATURES
Brian Majchrowicz Nontax Signator		
Nicholas J. Forster Nontax Signator		

Additional comments or instructions:

This Resolution includes all of the provisions on Page 2.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the _____ day of _____ and said resolutions are now in full force and effect.

Signed by

_____ Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

_____ Date

Title:



"IT IS **FURTHER RESOLVED**, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all orders or checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose, or to whomsoever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title for the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Financial Institution, by which, in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

FURTHER RESOLVED, that any one of the persons holding the offices of this Municipality designated above is hereby authorized (1) to receive for and on behalf of this Municipality securities, currency or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to give receipt therefor, and the Financial Institution is hereby authorized to make delivery of such property in accordance herewith, (2) to sell, transfer, endorse for sale or otherwise authorize the sale or transfer of securities or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to receive and/or apply the proceeds of any such sale to the credit of this Municipality in any such manner as he/she/they deem(s) proper, and the Financial Institution is hereby authorized to make a sale or transfer of any of the aforementioned property in accordance herewith, and (3) in accordance with state law, to accept such security, if applicable, and to execute such documents as said officer deems proper and necessary to secure the funds of this Municipality and to issue instructions regarding the same.

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Select if applicable: ☐ **Further Resolved**, the Financial Institution is authorized to honor facsimile and other non-manual signatures and may honor and charge the Municipality for all negotiable instruments, checks, drafts, and other orders for payment of money drawn in the name of the Municipality, on its regular accounts, including an order for electronic debit, whether by electronic tape or otherwise, regardless of by whom or by what means the facsimile signature or other non-manual signature may have been affixed, or electronically communicated, if such facsimile signature resembles the specimen attached to this Resolution or filed with the Financial Institution, regardless of whether misuse of a specimen or non-manual signature is with or without the negligence of the Municipality. The Specimen Facsimile Signature Exhibit, if attached, is incorporated into and is an integral part of this Resolution. The Municipality indemnifies the Financial Institution for all claims, expenses, and losses resulting from the honoring of any signature certified or refusing to honor any signature not so certified.

FURTHER RESOLVED, that the Secretary or Clerk of this Municipality be and hereby is authorized and directed to certify to the Financial Institution the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies and specimen or facsimile signature(s) on this resolution and, if applicable, on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards, if any, and the authority thereby conferred, shall remain in full force and effect until this Municipality notifies the Financial Institution to the contrary in writing, and the Financial Institution may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

FURTHER RESOLVED, that this resolution authorizes the Financial Institution to honor all orders or checks when bearing, or purporting to bear, the facsimile signature(s) provided below, if any, by any of the named officers, or in an attached Exhibit when indicated.

Facsimile Signature

Facsimile Signature

- ☐ The Specimen Facsimile Signature Exhibit attached is incorporated into and is an integral part of this Resolution.

By initiaing, I acknowledge this is page 2 of 2 of the Resolution Designating
Public Depository and Authorizing Withdrawal of Municipal Public Moneys

Initials

Initials

Initials

Initials



**RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF MUNICIPAL PUBLIC MONIES**

TO: (Name/Address of Financial Institution)
BankOnBuffalo, a division of CNB Bank
Suite 101
535 Washington Street
Buffalo, NY 14203

FROM: (Name/Address of Municipal Entity)
Niagara Falls Water Board
5815 Buffalo Ave
Niagara Falls, NY 14304-3832

Words or phrases preceded by a ☐ are applicable only if the ☒ is marked.

Under the Governing Municipality of:

State of:

"IT IS RESOLVED THAT:

BankOnBuffalo, a division of CNB Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality, to sign orders or checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality;

The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution."

THIS RESOLUTION APPLIES TO (Select One): ☐ **All Accounts**

☐ **Specific Account Number(s): 1307430643**

DATE OF RESOLUTION: 04/30/2021

NAME AND TITLE	SIGNATURE	NO. OF NECESSARY COUNTER SIGNATURES
Brian Majchrowicz NonTax Signator		
Nicholas J. Forster NonTax Signator		

Additional comments or instructions:

This Resolution includes all of the provisions on Page 2.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the _____ day of _____ and said resolutions are now in full force and effect.

Signed by

Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Title:

Date



"IT IS FURTHER RESOLVED, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all orders or checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose, or to whomever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title for the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Financial Institution, by which, in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

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Select if applicable: ☐ **Further Resolved**, the Financial Institution is authorized to honor facsimile and other non-manual signatures and may honor and charge the Municipality for all negotiable instruments, checks, drafts, and other orders for payment of money drawn in the name of the Municipality, on its regular accounts, including an order for electronic debit, whether by electronic tape or otherwise, regardless of by whom or by what means the facsimile signature or other non-manual signature may have been affixed, or electronically communicated, if such facsimile signature resembles the specimen attached to this Resolution or filed with the Financial Institution, regardless of whether misuse of a specimen or non-manual signature is with or without the negligence of the Municipality. The Specimen Facsimile Signature Exhibit, if attached, is incorporated into and is an integral part of this Resolution. The Municipality indemnifies the Financial Institution for all claims, expenses, and losses resulting from the honoring of any signature certified or refusing to honor any signature not so certified.

FURTHER RESOLVED, that the Secretary or Clerk of this Municipality be and hereby is authorized and directed to certify to the Financial Institution the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies and specimen or facsimile signature(s) on this resolution and, if applicable, on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards, if any, and the authority thereby conferred, shall remain in full force and effect until this Municipality notifies the Financial Institution to the contrary in writing; and the Financial Institution may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

FURTHER RESOLVED, that this resolution authorizes the Financial Institution to honor all orders or checks when bearing, or purporting to bear, the facsimile signature(s) provided below, if any, by any _____ of the named officers, or in an attached Exhibit when indicated.

Facsimile Signature

Facsimile Signature

- ☐ The Specimen Facsimile Signature Exhibit attached is incorporated into and is an integral part of this Resolution.

By initialing, I acknowledge this is page 2 of 2 of the Resolution Designating
Public Depository and Authorizing Withdrawal of Municipal Public Monies

Initials

Initials

Initials

Initials



**RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF MUNICIPAL PUBLIC MONIES**

TO: (Name/Address of Financial Institution)
BankOnBuffalo, a division of CNB Bank
Suite 101
535 Washington Street
Buffalo, NY 14203

FROM: (Name/Address of Municipal Entity)
Niagara Falls Water Board
5815 Buffalo Ave
Niagara Falls, NY 14304-3832

Words or phrases preceded by a ☐ are applicable only if the ☒ is marked.

Under the Governing Municipality of:

State of:

"IT IS RESOLVED THAT:

BankOnBuffalo, a division of CNB Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality, to sign orders or checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality;

The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution."

THIS RESOLUTION APPLIES TO (Select One): ☐ **All Accounts**

☐ **Specific Account Number(s): 1307054881**

DATE OF RESOLUTION: 04/30/2021

NAME AND TITLE	SIGNATURE	NO. OF NECESSARY COUNTER SIGNATURES
Brian Majchrowicz NonTax Signator		
Nicholas J. Forster NonTax Signator		

Additional comments or instructions:

This Resolution includes all of the provisions on Page 2.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the _____ day of _____ and said resolutions are now in full force and effect.

Signed by

Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Title:

Date



"IT IS FURTHER RESOLVED, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all orders or checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose or to whomsoever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title for the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Financial Institution, by which in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

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Select if applicable: ☐ **Further Resolved**, the Financial Institution is authorized to honor facsimile and other non-manual signatures and may honor and charge the Municipality for all negotiable instruments, checks, drafts, and other orders for payment of money drawn in the name of the Municipality, on its regular accounts, including an order for electronic debit, whether by electronic tape or otherwise, regardless of by whom or by what means the facsimile signature or other non-manual signature may have been affixed, or electronically communicated, if such facsimile signature resembles the specimen attached to this Resolution or filed with the Financial Institution, regardless of whether misuse of a specimen or non-manual signature is with or without the negligence of the Municipality. The Specimen Facsimile Signature Exhibit, if attached, is incorporated into and is an integral part of this Resolution. The Municipality indemnifies the Financial Institution for all claims, expenses, and losses resulting from the honoring of any signature certified or refusing to honor any signature not so certified.

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Facsimile Signature

Facsimile Signature

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By initialing, I acknowledge this is page 2 of 2 of the Resolution Designating
Public Depository and Authorizing Withdrawal of Municipal Public Monies

Initials

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Initials



**AWARD BID FOR WWTP PROJECT 11,
EXTERIOR PROCESS PIPING IMPROVEMENTS**

WHEREAS, the Niagara Falls Water Board (“Water Board”) contracted with JM Davidson, Inc. (“JM Davidson”), to prepare designs, plans, and specifications for certain work to improve exterior process piping at the wastewater treatment plant (“Project 11”), required pursuant to Order on Consent R9-20170906-129 with the New York State Department of Environmental Conservation; and

WHEREAS, the project duly has been bid, and the low bidder is John W. Danforth Company at \$626,800; and

WHEREAS, JM Davidson recommends the award of the bid to John W. Danforth Company subject to approval of the partial waiver of the MWBE participation requirements sought by the contractor; and

WHEREAS, up to one half of the cost of the work that is being awarded pursuant to this resolution will be reimbursable under the Water Board’s State and Municipal Facilities Program (“SAM”) Grant, Project ID No. 15688;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that on behalf of the Niagara Falls Water Board, its Executive Director hereby is authorized to contract with John W. Danforth Company for the WWTP Project 1 Electrical Contractor work, for a total amount not to exceed the bid of \$626,800 and subject to approval of the partial MWBE waiver requested in that firm's bid.

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

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
CIP Item No. WWTP 9 - WWTP Rehab Phase 4I – Process Piping Improvements
(SAM Grant Project ID #15688)

On May 24, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Asklar	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman Forster	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Nicholas J. Forster, Chairman

Sean W. Costello, Secretary to Board

May 14, 2021

Mr. Douglas Williamson, PE
Director of Technical & Regulatory Services
Niagara Falls Water Board
5815 Buffalo Avenue
Niagara Falls, New York 14304

**SUBJECT: WASTEWATER TREATMENT PLANT UPGRADES
 PROJECT NO. 11 REBID – EXTERIOR PROCESS PIPING IMPROVEMENTS
 RECOMMENDATION OF AWARD OF CONSTRUCTION CONTRACT NO. 11G**

Dear Mr. Williamson:

Bids for the above-referenced project (Project No. 11) were received by the Niagara Falls Water Board (NFWB) and opened on May 12, 2021 at 10:00 a.m. at the offices of NFWB. Bids were received as follows:

<u>Bidder</u>	<u>Total Bid</u>
John W. Danforth Company	\$626,800.00
4 th Generation Construction Inc.	\$682,000.00
Mark Cerrone Inc.	\$757,391.00
Engineers Estimate	\$616,680.00


All Bidders submitted an appropriate Bid Bond. Enclosed is a tabulation of the Bids received. JM Davidson Engineering (JMD) reviewed the information submitted by the bidders and found no discrepancies. JMD conducted a pre-award conference via telephone on May 13, 2021 with John W. Danforth Company. Their responses to our questions were satisfactory.

Enclosed is John W. Danforth Company's MWBE/SDVOB Utilization Plan which indicates that they will not meet the goals as set forth in the contract documents. Also included is the apparent low bidder's Request for Waiver with supporting documentation as to good faith efforts. During the pre-award conference, the Contractor noted they are continuing to work to solicit participation from MWBE/SDVOB contractors to assist with the site work portion of the project and will update the NFWB if successful in finding an opportunity to achieve more of their participation goal from that scope of work.

As such, JMD recommends that the NFWB accepts the low bidder, John W. Danforth Company for Contract No. 11G: General Construction, Project No. 11, Exterior Process Piping Improvements in the amount of \$626,800.00.

Sincerely,

JM Davidson Engineering, D.P.C.



Michael Terrana, P.E.

cc via email: Sean Costello, NFWB General Counsel and Acting Executive Director
Doug Williamson, NFWB Director of Technical and Regulatory Services
Ted Donner, PE, CPL
Jay Meyers, PE, CPL

Niagara Falls Water Board WWTP
Rebid Project No. 11 Bid Tabulation

Bid Opening: May 12, 2021 at 10:00 AM

Bid Item	Description	Quantity	Unit	Engineer's Estimate		Danforth		4th Generation		Mark Cerrone	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
Contract 11G, General Construction											
Item No. 1 - Sludge Lines											
1A	Demolition of Existing Interior Sludge Lines	1	LS	\$ 347,028.12	\$ 347,028.12	\$ 7,000.00	\$ 7,000.00	\$ 12,000.00	\$ 12,000.00	\$ 14,000.00	\$ 14,000.00
1B	Installation of New Interior Piping and Appurtenances	1	LS		\$ -	\$ 54,052.00	\$ 54,052.00	\$ 231,000.00	\$ 231,000.00	\$ 221,740.00	\$ 221,740.00
1C	Installation of New Yard Piping and Appurtenances	1	LS		\$ -	\$ 198,400.00	\$ 198,400.00	\$ 122,360.00	\$ 122,360.00	\$ 164,146.00	\$ 164,146.00
1D	Core Drill	14	EA		\$ -	\$ 408.00	\$ 5,712.00	\$ 850.00	\$ 11,900.00	\$ 884.00	\$ 12,376.00
1E	Final Connection to Existing at Pump Building	7	EA		\$ -	\$ 1,214.00	\$ 8,498.00	\$ 6,000.00	\$ 42,000.00	\$ 2,414.00	\$ 16,898.00
1F	Final Connection to Existing at Sludge Building	7	EA		\$ -	\$ 1,214.00	\$ 8,498.00	\$ 2,600.00	\$ 18,200.00	\$ 2,414.00	\$ 16,898.00
1G	Application of Pipe Coating	1	LS		\$ -	\$ 7,900.00	\$ 7,900.00	\$ 11,000.00	\$ 11,000.00	\$ 11,256.00	\$ 11,256.00
1H	Replacement of Gravity Thickener Drain Line Valve	1	EA		\$ -	\$ 14,900.00	\$ 14,900.00	\$ 10,000.00	\$ 10,000.00	\$ 12,401.00	\$ 12,401.00
1I	Final Site Restoration	1	LS		\$ -	\$ 35,000.00	\$ 35,000.00	\$ 20,000.00	\$ 20,000.00	\$ 29,246.00	\$ 29,246.00
	Total Item No. 1					\$ 347,028.12		\$ 339,960.00		\$ 478,460.00	
Item No. 2 - Sludge Valve Replacement											
2A	Removal and Replacement of 4" Plug Valves	10	EA	\$ 82,811.88	\$ 82,811.88	\$ 2,210.00	\$ 22,100.00	\$ 2,300.00	\$ 23,000.00	\$ 2,364.00	\$ 23,640.00
2B	Removal and Replacement of 6" Plug Valves	4	EA		\$ -	\$ 2,945.00	\$ 11,780.00	\$ 4,100.00	\$ 16,400.00	\$ 4,221.00	\$ 16,884.00
	Total Item No. 2				\$ 82,811.88		\$ 33,880.00		\$ 39,400.00		\$ 40,524.00
Item No. 3 - Sedimentation Basin No. 5 Drain Line											
3A	Installation of New 18" Dia. PVC Drain Piping	225	LF	\$ 116,640.00		\$ 296.00	\$ 66,600.00	\$ 175.00	\$ 39,375.00	\$ 249.00	\$ 56,025.00
3B	Installation of New 12" Dia. PVC Drain Piping	1	LS		\$ 116,640.00	\$ 16,200.00	\$ 16,200.00	\$ 6,000.00	\$ 6,000.00	\$ 13,570.00	\$ 13,570.00
3C	Precast Concrete Manhole Installation	2	EA		\$ -	\$ 14,150.00	\$ 28,300.00	\$ 9,000.00	\$ 18,000.00	\$ 11,773.00	\$ 23,546.00
3D	Final Site Restoration	1	LS		\$ -	\$ 57,900.00	\$ 57,900.00	\$ 30,000.00	\$ 30,000.00	\$ 48,675.00	\$ 48,675.00
	Total Item No. 3				\$ 116,640.00		\$ 169,000.00		\$ 93,375.00		\$ 141,816.00
Item No. 4 - Sodium Hypochlorite Piping											
4A	Installation of 6" Dia. Sch. 80 PVC Casing Pipe	320	LF	\$ 58,320.00		\$ 116.00	\$ 37,120.00	\$ 80.00	\$ 25,600.00	\$ 82.00	\$ 26,240.00
4B	Installation of Two Runs of 1" Dia. Sodium Hypo Tubing	730	LF		\$ -	\$ 8.00	\$ 5,840.00	\$ 18.00	\$ 13,140.00	\$ 17.00	\$ 12,410.00
4C	Final Site Restoration	1	LS		\$ 58,320.00	\$ 7,800.00	\$ 7,800.00	\$ 5,000.00	\$ 5,000.00	\$ 6,515.00	\$ 6,515.00
	Total Item No. 4				\$ 58,320.00		\$ 50,760.00		\$ 43,740.00		\$ 45,165.00
Item No. 5 - City Water Service											
5	Installation of 2" Dia. HDPE City Water Service	325	LF	\$ 11,880.00	\$ 11,880.00	\$ 56.00	\$ 18,200.00	\$ 37.00	\$ 12,025.00	\$ 49.00	\$ 15,925.00
	Total Item No. 5				\$ 11,880.00		\$ 18,200.00		\$ 12,025.00		\$ 15,925.00
Item No. 6 - Miscellaneous Contingency Allowance											
6	Misc. Contingency Allowance	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
	Total Item No. 6				\$ 15,000.00		\$ 15,000.00		\$ 15,000.00		\$ 15,000.00

Total Contract No. 11G

\$ 631,680.00
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\$ 626,800.00

\$ 682,000.00

\$ 757,391.00

**USE OF NYPA RELICENSING SETTLEMENT AGREEMENT
FUNDS FOR CAPITAL PROJECTS**

WHEREAS, in 2007, the Niagara Falls Water Board entered into a settlement agreement with the New York State Power Authority (“NYPA”) in connection with NYPA’s relicensing and order to resolve certain claims, including claims related to groundwater infiltration into the Falls Street Tunnel resulting from NYPA’s activities (“2007 NYPA Settlement”); and

WHEREAS, in connection with the 2007 NYPA Settlement, NYPA paid to the Water Board the total sum of \$19,000,000 that was restricted for capital improvement projects including, but not limited to, projects to rehabilitate the Falls Street Tunnel; and

WHEREAS, a substantial portion of the 2007 NYPA Settlement funds were used in connection with projects to rehabilitate the Falls Street Tunnel and Iroquois Street Sewer, but there remains from the settlement funds a total of \$2,786,581 currently held in the Water Board’s Treasury Investment Account and designated as “restricted” because of the requirement that these funds be used for capital projects; and

WHEREAS, the Water Board has multiple ongoing capital improvement projects, portions of which are grant reimbursable or financed through a long-term debt issuance when the projects are complete, but there is a significant delay between the Water Board’s payments to contractors and its receipt of the financing; and

WHEREAS, in order to provide funds necessary to meet ongoing capital improvement project expenses, the Deputy Director of Financial Services recommends transferring \$2,000,000 of the \$2,786,581 remaining from the 2007 NYPA Settlement that currently is held in the Water Board’s Treasury Investment Account and restricted for capital improvement projects to the Water Board Construction Account for to pay costs related to projects on the Water Board’s approved five-year Capital Improvement Plan;

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NOW THEREFORE BE IT

RESOLVED that the Deputy Director of Financial Services hereby is authorized to transfer \$2,000,000 from the Treasury Investment Account account that is restricted for capital improvement projects pursuant to the 2007 NYPA Settlement Agreement and to deposit those funds in the Water Board Construction Account to be applied to the costs of projects on the Water Board's approved five-year Capital Improvement Plan.

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

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
Transfer of funds between Water Board Treasury Investment Account and Water Board Construction Accounts.

On May 24, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes	No	Abstain	Absent
Board Member Asklar	[]	[]	[]	[]
Board Member Kimble	[]	[]	[]	[]
Board Member Larkin	[]	[]	[]	[]
Board Member Leffler	[]	[]	[]	[]
Chairman Forster	[]	[]	[]	[]

Signed By:

Vote Witnessed By:

Nicholas J. Forster, Chairman

Sean W. Costello, Secretary to Board