



## MINUTES

### Meeting of the Niagara Falls Water Board

October 25, 2021 at 5:00 p.m.

5815 Buffalo Avenue

Niagara Falls, NY 14304

\*\*\* As permitted by Chapter 417 of the Laws of 2021, this meeting could be attended by Board Members and members of the public either in-person or via conference call.\*\*\*

#### 1. Preliminary Matters

*Chairman Forster called the meeting to order at 5:01 p.m.*

##### a. Attendance:

Asklar (Board Member/Chairman of Finance/Member Exec. Staff Review Cmte.) *Present via Conference Call at 5:04 p.m.*

Forster (Chairman) *Present in Person*

Kimble (Board Member) *Present via Conference Call*

Larkin (Board Member/Vice Chairwoman/Governance Chairwoman/  
Chairwoman Exec. Staff Review Cmte.) *Present in Person*

Leffler (Board Member/Member Exec. Staff Review Cmte.) *Present via Conference Call*

##### b. Comments from Chairman Forster

*Chairman Forster toured the WWTP today (10/25/21) with Dr. Zehraoui, Sean Costello, Bob Dunn (Chief Operator of the WWTP), Dr. John Goeddertz (AECOM), Eric Smith (WWTP Planning Resource Coordinator) and Joseph Argona (Supervisor of Maintenance). Chairman Forster states since the beginning of their now quarterly WWTP tours, there has been great improvement. Such as, cleaner and safer working environments and improved communication between WWTP operations and WWTP maintenance.*

*Chairman Forster thanked the employees for their efforts and continued improvements.*

*Chairman Forster and Mr. Accardo addressed the current mask policy at the NFWB – requiring all employees to be fully masked in common areas of the plant, where social distancing is not possible.*

*Mr. Accardo states the NFWB currently has 33 possible unvaccinated employees and is inquiring if the Board will allow vaccinated employees the ability to be unmasked throughout the workday.*

*Board Member Kimble questions how the unvaccinated employees will be tracked on a day-to-day basis.*

*Mr. Accardo states all employees and visitors will continue to complete the daily health screen survey. All unvaccinated employees will be required to notify the Deputy Director of Administrative Services, in writing, at the beginning of each work week that they remain unvaccinated. Newly vaccinated employees must notify the Deputy Director of Administrative Services and provide proof that they have been vaccinated. Unvaccinated individuals found in violation will be subject to discipline.*

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

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

*Motion carries, 5-0*

#### **Letters and Communications**

- i. Zafuto Thank You Note Dated October 8, 2021**
- ii. Talarico and Dash Thank You Note**
- iii. Letter from Buffalo Niagara Waterkeeper Supporting Infrastructure Funding Request Dated October 13, 2021**

- a. Public Comments (All speakers must register with the meeting clerk prior to roll call and are limited to three minutes per person – total time for all speakers may not exceed one hour).**

*Micah Hanford – 2462 Pierce Ave.*

*Mr. Hanford spoke to the Board regarding the current water bill adjustment policy. Mr. Hanford received his quarterly bill in June 2021 (for the months March-May 2021) that was for approximately \$2,000. He states he contacted the NFWB and the necessary staff went to his property to complete an evaluation – no significant findings and the NFWB staff issued a bill adjustment. In the meantime, Mr. Hanford's next water bill was accumulating, and he received his next water bill totaling approximately \$1,000 – second billing adjustment was denied. Mr. Hanford is inquiring if there is a way for the NFWB to receive an immediate notification to avoid this issue from happening in the future, and suggests revising the bill adjustment policy to account for leaks that span over multiple bill cycles.*

*Chairman Forster states the NFWB is looking into implementing monthly billing as opposed to the current quarterly billings, along with some improvements to our current meter reading system and how the water meters are read.*

**b. Approval of Minutes**

**i. Draft September 27, 2021 Meeting Minutes**

*Motion by Board Member Larkin and seconded by Board Member Asklar to approve the September 27, 2021 Meeting Minutes.*

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

*Motion carries, 5-0*

**2. Executive Director – Dr. Abderrahman Zehraoui**

- a. Updated Mask Policy**
- b. WWTP Project Budget Tracker (CPL)**
- c. WWTP Construction Schedule Tracker (CPL)**
- d. Financial Award Summary (CPL)**

*Dr. Zehraoui provided an update regarding the October 20, 2021 WTP switchgear maintenance. This was the first time this work had ever been performed at the WTP and was successful. During the maintenance, WTP operations were powered by generators but the WTP offices did not have electricity, lighting, or phones for a few hours. Dr. Zehraoui thanked the maintenance and operations staff for their knowledge and efforts in making the maintenance successful with minimal disruption.*

*There were changes to the WWTP project budget tracker, WWTP construction schedule tracker and/or the financial award summary to discuss.*

**3. Superintendent – William Wright**

*Mr. Wright had nothing new to provide at this time.*

**4. Engineering – Douglas Williamson**

*Chairman Forster expressed appreciation for Mr. Williamson's identification of the intermediate pumps as an important project that can be partially funded with grant monies.*

**5. Personnel Items – John Accardo**

- a. **October 25, 2021 Personnel Actions Sheet**
- b. **Draft Chief of Outside Infrastructure Job Specification**

*The Board chose to address personnel items after discussion of matters related to the hiring, firing, matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular persons Executive Session.*

**6. Information Technology (IT) – Dr. Abderrahman Zehraoui**

*Dr. Zehraoui noted that the NFWB is looking at payroll technology firms, such as Paychex, to improve the efficiency of the payroll function and the quality and availability of data.*

**7. Finance – Brian Majchrowicz**

- a. **Draft 2022 Budget**
  - i. **Draft Notice of Public Hearing**
- b. **Revenue Budget Performance Report through Sept. 30**
- c. **Sewer Fund Expense Budget Performance Report through Sept. 30**
- d. **Water Fund Expense Budget Performance Report through Sept. 30**
- e. **Board Fund Expense Budget Performance Report through Sept. 30**
- f. **Bank Balance Report – Bank on Buffalo and KeyBank**
- g. **Treasury Investment Bank Balance**
- h. **Wilmington Trust Bank Balances**
- i. **Capital Payments – September 2021**
- j. **September 2021 Budget Amendment Report**

*Mr. Majchrowicz referred the Board to the items already included in the agenda packets (which included notice of a public hearing on the 2022 rates scheduled for November 8, 2021) and had nothing further to add.*

**8. Questions Regarding September 2021 Operations and Maintenance Report**

**9. Safety – John Accardo**

**10. General Counsel and Secretary – Sean Costello**

**11. Resolutions**

**2021-10-001 – EXTEND BID FOR GRANULATED ACTIVATED CARBON SUPPLY AND REMOVAL**

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

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

*Motion carries, 5-0*

**2021-10-002 – PROCUREMENT OF REPLACEMENT WATER METERS**

- a. TiSales Meter Replacement Quote – October 7, 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 carries, 5-0*

**2021-10-003 – WWTP MAIN SUBSTATION GROUNDING AND STONING REFURBISHMENT**

- a. Ferguson Proposal PL22711 for Main Substation Grounding and Stoning, dated October 12, 2021**

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

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

*Motion carries, 5-0*

**2021-10-004 – WWTP 480v BREAKER RETROFIT**

- a. Ferguson Proposal PL22712 for Retrofit of Spare 480v Breakers, dated October 12, 2021**

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

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

*Motion carries, 5-0*

**2021-10-005 – ACCEPTING CPL ENGINEERING SERVICES PROPOSAL FOR 18TH STREET WATER MAIN REPLACEMENT BETWEEN WHITNEY AVENUE AND ONTARIO AVENUE**

- a. CPL Proposal for 18th Street Water Main Replacement Design dated September 24, 2021

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

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

*Motion carries, 5-0*

**2021-10-006 – AUTHORIZING NYS WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT APPLICATION, OBLIGATING LOCAL MATCHING FUNDS, DECLARING INTENT TO SERVE AS SEQR LEAD AGENCY, AND SEQR TYPE II DETERMINATION**

*This Resolution is for grant applications for Water improvements.*

*Motion by Board Member Larkin and seconded by Board Member Kimble to approve.*

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

*Motion carries, 5-0*

**2021-10-007 – AUTHORIZING NYS WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT APPLICATION, OBLIGATING LOCAL MATCHING FUNDS, DECLARING INTENT TO SERVE AS SEQR LEAD AGENCY, AND SEQR TYPE II DETERMINATION**

*This Resolution is for grant applications for Sewer improvements.*

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

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

*Motion carries, 5-0*

**2021-10-008 – AUTHORIZING FUNDS FOR CPL TO EXTEND FEDERAL INFRASTRUCTURE ACT PROJECT**

**a. CPL Proposal Dated October 22, 2021**

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

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

*Motion carries, 5-0*

***RESOLUTION W-2021-10-009 – AUTHORIZING PROCUREMENT OF REMANUFACTURED MAIN PUMP VARIABLE FREQUENCY DRIVE***

*Motion by Board Member Larkin and seconded by Board Member Asklar to waive the agenda deadline policy in order to consider Resolution 2021-10-009.*

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

*Motion carries, 5-0*

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

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

*Motion carries, 5-0*

**12. Additional Comments from Chairman Forster**

**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 5/24/21.
- City Engineering is hand-drawing certain utilities, design not complete as of July 19.
- 9/20/21 – T. Donner from CPL will prepare a proposal for CPL to do the engineering for the grant-funded work.
- 10/25/21 – Proposal is under Resolution 2021-20-005.

**b. Roof Study**

- Study is complete. Dave Jaros from CPL will now be the point person – discussed at work session held on 7/12/21.
- 10/18/21 – Per D. Jaros, Tremco is stretch testing the WTP roof membrane to further evaluate its condition.

**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 5/24/21.
- Per Jay Meyers, as of July 19, project is 95% complete, final details to be discussed with NFWB.
- 9/20/21 – Report delivered to NFWB (Copy is in 9/27 Meeting Packet, Minus Appendices).

**d. Caulking Project WTP**

- Exterior caulking complete.
- Bid for interior caulking awarded at July 2021 meeting; next step is to schedule the work.
- 9/20/21 – Contractor now has supplied bonds, J. Meyers will get work scheduled.

**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 5/24/21.
- 9/20/21 – Report delivered to NFWB (Copy is in 9/27 Meeting Packet, Minus Appendices).

**f. Lift Station Roofs**

- As of September 14, 2021:
  - New pitched roof at 81st and Frontier has been installed using in-house labor and Carpenters from Union Hall.
  - Waiting on metal roofing material for 81st and Stephenson, should arrive by the end of September 2021.
  - J. Argona and M. Eagler are evaluating the possibility of performing the work required on the Cayuga Island lift station in house.
- 9/21/21 – Per M. Eagler, two lift stations will be painted before weather changes.
- 10/14/21 – One building painted, the other is underway.



- **10/18/21 – J. Argona and M. Eagler will see what additional work can be done to improve the Cayuga lift station.**

**g. 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
- CPL has done design, waiting for DOH approval of submittals, as discussed July 19.
- 9/14/2021 – Still waiting for DOH approval.
- 9/20/2021 – Same status, Dr. Zehraoui to contact DOH regarding delay.
- **10/18/21 – DOH requested additional information; CPL produced and submitted requested engineering reports.**

**h. Emergency Backup Generators**

- In need of repair – multiple issues with transfer gear and controls.
- 1 unit has been determined to need radiator parts/replacements.
  - Radiator repair approx. \$40,000.
- 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).
- Joe Argona provided a proposal from Milton-Cat (dated 4/19/21) for the installation of the auto-transfer scheme and relay upgrade for the (2) main incoming feeders for the WTP – discussed at board meeting held on 6/28/21.
- Working to plan a plant shutdown to clean electrical contacts and other preventative maintenance work on electrical system.
- 9/20/2021 – J. Argona will get updated quote for Board approval of radiator replacement.
- 10/14/21 – J. Argona followed up with Milton CAT on 10/13, they still are working on updated quote. Plant shutdown scheduled for 10/20.

**i. 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 5/24/21.

- A purchase order for \$8,750.00 has been submitted to Brad Farris from Tremco – work will be scheduled shortly – discussed at work session held on 7/19/21.
- 9/20/21 – Report from Tremco is included in work session packet.
- 9/20/21 – Report reviewed with Board by D. Jaros.

**j. Interior Lighting**

- As of 9/14/2021, plan is to do low-lift lighting in-house.
- Replacement fixtures installed in accessible areas of low lift were not as bright as desired, a new light was ordered to test out in the building – discussed July 19.
- 9/14/2021 – A replacement fixture has been installed and is being evaluated.
- 9/20/2021 – Per J. Argona, replacement fixture was satisfactory, more will be ordered, total cost estimated at \$5,000 to \$6,000 to do entire area.
- 10/14/21 – Additional replacement fixtures have been delivered. Installation will begin when lift is transferred from WWTP.

**k. HVAC Rooftop & Make Up Air**

- Outdated units – need replacements – 4 out of the 5 units are inoperable.
- 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.
- June 30, 2021 Quote for MUAUs totals \$263,222
- July 19 – D. Williamson and J. Meyers tasked with preparing bid specifications for this project.
- 9/20/2021 – Per J. Meyers, specifications are about 90% complete.
- 10/18/21 – Project is out to bid.

**l. 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.
- 9/20/2021 – Three of four pumps are connected to SCADA, Dr. Zehraoui will meet with C. Hotchkiss regarding connecting fourth pump.
- 10/18/21 – Per Dr. Zehraoui, project is at 90% and should be complete October 20.

**m. Bulk Chemical Storage Liners**

- PACL liners complete – contractor has concerns about Fluoride toxicity. Maintenance department to follow up.
- - discussed at board meeting held on 5/24/21.
- Joe Argona states he is waiting on the Canadian borders to re-open in order to receive servicing on the fluoride tank. Also, waiting on a response from the DOH regarding regulations for not dosing during the time of servicing – discussed at board meeting held on 6/28/21.
- 9/14/2021 – Still waiting for border to reopen so work can proceed.
- 10/14/20 – Still waiting for border reopening.

**q. Board Member Asklar will have oversight on remodeling of the WWTP employee break room, shower area and bathrooms - discussed at board meeting held on 5/24/21.**

- Board Member Asklar states he would like to meet with Dr. Zehraoui prior to their weekly finance meetings to further discuss – discussed at board meeting held on 6/28/21.
- Administration building bathrooms have been repainted; new vanities and mirrors will be installed; budget line for ordering these is needed as discussed at July 19 work session.
- 10/14/21 – Vanities for administration bathrooms delivered today.

**n. WTP Freeze-Thaw Bed Cleanouts**

- Freeze Thaw beds were designed with a maximum plant flow of 20 MGD, which we are now exceeding. The resulting amounts of solids have become more expensive and more difficult to have removed, and we frequently have to switch beds sooner than planned in order to maintain our SPDES permitted water quality.
- 9/20/21 – Contents of two beds have been moved to bed three, so two beds are available to WTP operations. Contents will be landfilled when dry.
- 10/14/21 – Arrangements are being made for trucking/disposal.
- 10/18/21 – Dr. Zehroai advises we will start hauling to landfill next week.

**o. Carbon Silo needs repair and painting before it becomes unstable and needs demolishing.**

- Polymer and Carbon capabilities could be reinstated to improve plant capability.
- Joe Argona to get budgetary quote for painting silo.
- 9/14/2021 - NYS Industrial Coatings Quote - \$20,000; our painter can do it in house for \$5,000 to \$10,000 if we get a lift.
- 10/14/21 - Plan is to schedule work in house for spring.

- p. **Painting of Sedimentation plates and various areas throughout the interior and exterior of the plant. Filter walls are peeling.**
- **10/18/21 – Waiting on quote for coating.**
- q. **WTP Chemical Offload Area Coating Replacement.**
- **Quotes obtained, NYS Industrial Coating price is \$29,750, Niagara Coatings \$29,250.**
  - **9/14/2021 – Exploring doing in house, would need to have contractor do the necessary soda blasting to remove existing coating, then will work to schedule job in house Spring 2022 for approx. half cost of contractor.**
  - **9/20/2021 – J. Argona estimates cost to complete work will be \$7,000, painter and WTP maintenance have removed much of the old coating.**
  - **10/14/21 – Work will be scheduled using in-house forces in Spring 2022.**
- r. **Repairs to WTP Rear Perimeter Fence.**
- **Quotes obtained, Fox Fence with barbed wire option is \$21,611.29, Davidson \$23,480.**
  - **9/14/2021 – Can omit barbed wire to get under \$20,000, but will need to identify funds for this.**
  - **9/20/2021 – D. Williamson directed to look into possible Homeland Security grant to help fund project.**
  - **10/18/21 – Will be included in WIIA grant application.**
- s. **Follow up on Auditors' Recommendations**
- **9/20/2021 – A plan to address these will be developed during weekly meetings between staff and Chair of Finance Asklar.**
  - **10/18/21 – Underway.**
- t. **WWTP Camera Installation**
- **9/20/2021 – 3 cameras are installed, final total will be 11.**
  - **10/14/21 – Project is ongoing.**
  - **10/18/2021 – Chairman Forster questioned whether Dr. Zehraoui will be able to review cameras from his office.**
- u. **Neptune Meter Project Report**
- **9/20/2021 – Reports on status were in work session packet.**
  - **10/18/21 – Payback period study will be complete in a month; meeting scheduled for 10/19 to discuss plan for large meters; substantive update planned for November 2021.**

- v. **Board Meeting / Conference and Training Room Expansion Project**
- **10/18/2021 – J. Argona reports in-house work is underway, project will require work by Ferguson and Mollenberg-Betz. Estimated completion is in 5-6 months.**

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

**15. Executive Session (Anticipated for the purpose of considering matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular persons (Public Officers Law § 105(f)).)**

*Motion by Board Member Larkin and seconded by Board Member Kimble to enter executive session at 5:46 p.m.*

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

*Motion carries, 5-0*

*Motion by Board Member Leffler and seconded by Board Member Asklar to exit the executive session and re-enter the open meeting at 6:15 p.m.*

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

*Motion carries, 5-0*

*Motion by Board Member Larkin and seconded by Board Member Leffler to approve sections B1 and B2 of the personnel actions sheet.*

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

*Motion carries, 5-0*

*Motion by Board Member Larkin and seconded by Board Member Leffler Motion to direct General Counsel to provide appropriate written notice to Doug Williamson and Brian Majchrowicz that the Niagara Falls Water Board will not renew their employment contracts for an additional term when the current term ends but that they may remain at-will employees of the Niagara Falls Water Board with the same salary, health insurance, paid leave, retirement, and other benefits that were provided by their employment agreements immediately prior to their expiration.*

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

*Motion carries, 5-0*

## **16. Adjournment of Meeting**

*Prior to adjournment of the meeting, Chairman Forster noted that the public hearing on the 2022 rates, to followed immediately by a meeting where he hopes the Board will be prepared to adopt the budget, will take place on November 8, 2021 at 5:00 p.m. The meeting will be in “hybrid” format so the Public and Board members may attend either via conference call or in person.*

*Motion by Board Member Larkin and seconded by Board Member Leffler to adjourn the meeting at 6:21 p.m.*

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

*Motion carries, 5-0*