



## MINUTES

### **Business Meeting of the Niagara Falls Water Board July 25, 2022 at 5:00 p.m.**

Notes: Pursuant to public notice, this meeting was conducted at 1201 Buffalo Avenue, Niagara Falls, New York. The meeting could be attended in-person or via conference call pursuant to Chapter 417 of the Laws of 2021, as modified by Chapter 1 of the Laws of 2022 and pursuant to the continuation of the State Disaster Emergency Pursuant to Governor Hochul's Executive Order No. 11.

#### **1. Preliminary Matters**

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

##### **a. Attendance:**

Asklar (Board Member/Chairman of Finance/Member Exec. Staff Review Cmte.) *Present at 5:02 p.m.*

Forster (Chairman) *Present*

Kimble (Board Member) *Present via Conference Call*

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

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

##### **b. Comments from Chairman Forster**

*None.*

##### **c. Presentations (none scheduled)**

*None.*

**d. Letters and Communications**

**i. 2022-07-05 – COVID Wastewater Surveillance Update Memorandum**

- e. 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).**

*Gary DiLaura, 7605 West Rivershore Dr., commended the NFWB's outside sewer and water crew for their efforts and swift response to the four water main breaks that recently have been repaired on Rivershore Drive. Mr. DiLaura believes the 6-inch main (between 8106-7605) is in poor condition and is not adequate for the volume of flow and is concerned that this is the reason issues continue to happen; he has seen the main and it appears to him to be in bad condition. Mr. DiLaura explains he will also be bringing his concerns to the attention of Niagara Falls City Council and would like to see an 8-inch main take the place of the existing 6-inch main.*

*Chairman Forster states that the NFWB's outside crew will utilize the camera truck for further investigation and will also provide Mr. DiLaura with the findings.*

*Mr. Eagler states a service leak was identified at the 8100 block of West Rivershore Dr. – the entire sewer line was also examined with the camera truck with no unusual findings. Mr. Eagler explains an "air hammer" caused two of the main breaks Mr. DiLaura references, after an initial break was repaired. This is not out of the ordinary. All new Mueller fire hydrants, which are less likely to cause an air hammer, have been installed and the old Matthews fire hydrants were removed. The street is fly ash, and some of the divots are from broken customer-owned sewer laterals. Other markings in the street related to fire hydrant replacements, not water main breaks. Mr. Eagler does not believe that section of main truly is more prone to breaks than other mains but will review the data in Lucity and identify all the repairs that have been completed on that main over the last five years. Chairman Forster requests that Mr. Eagler provide the Board members with the information when it becomes available.*

*Linda Wheaton, 1265 91<sup>st</sup> St., states her disabled brother resides in her rental property and receives an average water bill every quarter. Ms. Wheaton recently received a water bill for \$722. She has not repaired anything since that high bill but subsequent bills have been back down to the average level. She was informed her property had no known leaks. When Ms. Wheaton contacted the NFWB she was told to pay the minimum amount required until she received an adjustment to her bill. Ms. Wheaton does not believe the adjustment she ultimately received was large enough and would like the NFWB to review her bill again. Chairman Forster stated that someone from Water Board staff will contact her tomorrow.*

**f. Prior Meeting Minutes**

**i. Draft June 27, 2022 Meeting Minutes**

*Chairman Forster stated that the minutes should be amended to add “and effort” following the words “and it took a lot of time” on the second page.*

*Motion by Board Member Leffler and seconded by Board Member Asklar to approve the June 27, 2022 Meeting Minutes with the amendment stated by Chairman Forster.*

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

*Motion carried, 5-0.*

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

- a. WWTP Project Budget Tracker (CPL)**
- b. WWTP Construction Schedule Tracker (CPL)**
- c. Financial Award Summary (CPL)**
- d. U.S. Department of Energy Wastewater Energy Savings Program**
- e. DOH Environmental Laboratory Approval Program (“ELAP”) Audit of WWTP Laboratory**

*Dr. Zehraoui states pump No. 3 has been installed at the GPS and is now being used as the lead pump.*

*A Project 11 meeting will be held on 7/26/22 at 9:30 a.m. to discuss the change order*

*Chairman Forster noted the resolution for the Project 11 change order has been withdrawn following issues raised by the Board at the work session. It is the responsibility of Dr. Zehraoui and Mr. Williamson to review change orders prior to presenting them to the Board members. Many charges on the proposed Project 11 change order appear as if they should have been in the original scope of the project. The Board should not have to review every change order to discover these issues.*

**3. Outside Infrastructure Updates – Michael Eagler**

**a. Bid Opening for Lindbergh Ave. Sewer Repair – July 21**

*Mr. Eagler states the Aquatech Truck returned to the WWTP on 7/22/22 – after months of delays. The trailers for the excavators are delayed until 8/1/22.*

*The Lindbergh Ave. sewer repair that is the subject of a resolution is for a 10-inch sewer main – 15 feet deep with 1 lateral involved. 4<sup>th</sup> Generation was the lowest bidder.*

**4. Maintenance – Joseph Argona**

*Mr. Argona's retirement from full-time employment with the Water Board and his more than 30 years of service were acknowledged.*

**5. Engineering – Douglas Williamson**

**a. 2022 Water and Sewer Grant Applications**

**6. Personnel Items – David San Lorenzo**

**a. July 25, 2022 Personnel Actions Report**

*Motion by Board Member Larkin and seconded by Board Member Asklar to approve the Personnel Actions sheet in its entirety, with the confidential secretary at full time.*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Leffler   Y*

*Motion carried, 5-0.*

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

**8. Finance – Brian Majchrowicz**

- a. Status of Shut-Off Program**
- b. Revenue Budget Performance Report through June 30**
- b. Sewer Fund Expense Budget Performance Report through June 30**
- c. Water Fund Expense Budget Performance Report through June 30**
- d. Board Fund Expense Budget Performance Report through June 30**
- e. Key Bank and Bank on Buffalo Balance Report**
- f. Wilmington Trust Balance Report**
- g. Treasury Account Balance Report**
- h. Budget Amendments Report**
- i. June 2022 Capital Payments**

*Mr. Majchrowicz reported that there are approximately 5,700 delinquent accounts at present, versus approximately 5,300 at this time last year and an average of about 5,000. However, recovered revenue from past-due amounts transferred to taxes is at \$1.3 million, versus \$1.1 million last year, and an average of \$760,000. Past-due amounts will be transferred to taxes whether or not a formal shutoff program is completed.*

**9. Questions Regarding June 2022 Operations and Maintenance Report**

**10. Safety – David San Lorenzo**

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

- a. NYPA Distributed Energy Resources Advisory Services – Information and Early Site Concepts
- b. June 14, 2022 Risk Management Plan (“RMP”) Program Inspection at WTP

**12. From the Chairman**

**13. Resolutions**

**2022-07-001 – AWARD OF BID FOR WATER AND SEWER CONSTRUCTION AND REPAIR MATERIALS**

- a. City Purchasing Award Recommendation and Bid Tally

*Motion by Board Member Asklar and seconded by Board Member Larkin to approve Resolution 2022-07-001.*

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

*Motion carried, 5-0.*

**2022-07-002 – GORGE PUMPING STATION HIGH-VOLTAGE EQUIPMENT PREVENTATIVE MAINTENANCE**

- a. Ferguson Electric Proposal dated June 29, 2022

*Motion by Chairman Forster and seconded by Board Member Asklar to table Resolution 2022-07-002 until Board members receive more details on the work to be performed and component costs.*

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

*Motion to table carried, 5-0.*

**2022-07-003 – PASSENGER VEHICLE FLEET ADJUSTMENT**

*Motion by Board Member Leffler and seconded by Board Member Larkin to approve Resolution 2022-07-003.*

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

*Motion carried, 5-0.*

*Some proposed vehicle replacements are for hybrid vehicles. Board Member Asklar discussed the positive experience at NYPA with hybrid vehicles. Board Member Kimble requests the NFWB staff to maintain a log of fuel-cost savings. Mr. Majchrowicz will track this information quarterly and distribute to the Board members.*

**2022-07-004 – AUTHORIZING NYS WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT APPLICATION, OBLIGATING LOCAL MATCHING FUNDS, DECLARING INTENT TO SERVE AS SEQR LEAD AGENCY, AND SEQR TYPE DETERMINATIONS – WATER PROJECTS**

*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.*

*Mr. Eagler notes that efforts are made to coordinate our main replacement work with the City, but with delays associated with pursuing grant funds our timelines for planning work do not necessarily match the City's planning schedule for paving. He suggests providing the City with our list of any planned upcoming projects as soon as possible in order to avoid issues with digging/paving when possible.*

**2022-07-005 – 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 – WASTEWATER PROJECTS**

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

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

*Motion carried, 5-0.*

2022-07-006 – *Withdrawn.*

2022-07-007 – *Withdrawn.*

**2022-07-008 – ZERO COST CHANGE ORDER FOR SCOPE ADJUSTMENT –  
WWTP INTERMEDIATE PUMP ASSESSMENT PROJECT**

- a. GHD Proposal for Revised Scope of Work**

*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.*

**2022-07-009 – WTP CONFERENCE ROOM DESK FABRICATION**

- a. Forest Materials Quote**  
**b. WTP Conference Room Desk Drawing**  
**c. Details on Proposed WTP Conference Room Desks**

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

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

*Motion carried, 5-0.*

**2022-07-010 – AUTHORIZING NATIONAL PURCHASING COOPERATIVE  
(BUYBOARD) INTERLOCAL PARTICIPATION AGREEMENT**

- a. National Purchasing Cooperative Interlocal Participation Agreement**  
**b. BuyBoard Brochure**  
**c. BuyBoard New York Frequently Asked Questions**

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

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

*Motion carried, 5-0.*

**2022-07-011 – AUTHORIZING PROCUREMENT OF E.H. WACHS HYDRAULIC POWERED SUPER “D” GUILLOTINE PIPE SAW**

**a. EH Wachs Guillotine Pipe Saw Quote NL179235**

**b. Wachs Guillotine Pipe Saw Brochure**

*Chairman Forster noted that this will be beneficial from the perspective of safety and also efficient, taking a 2–3-hour job down to 30 minutes for the outside crew.*

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

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

*Motion carried, 5-0.*

**2022-07-012 – AWARD BID FOR 10-INCH SANITARY SEWER REPAIR PROJECT, 8200 BLOCK LINDBERGH AVENUE**

**a. City Engineering Award Recommendation and Bid Tabulation for 10-Inch Sanitary Sewer Repair Project, 8200 Block Lindbergh Ave.**

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

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

*Motion carried, 5-0.*

**14. Unfinished/Old Business**

**1) Board Room WTP:**

- 7/14/22: CIR work complete and fiber optic line relocated. Waiting on fabrication of desk.

**2) WWTP Sodium Hypochlorite Tank Replacement**

- 7/14/22: The 2021 WIIA Sewer (WWTP) Grant of \$1,125,000 was awarded on April 19, 2022 that included the some of the funds necessary to complete the WWTP tank removal and replacement work. We may be able to utilize some of the remaining balance of the WWTP Phase II grant to assist with this work, as well. We need approval from the NYSDEC to include some of the WWTP tank replacement work under this WWTP Phase II grant. The draft WWTP Tank Replacement RFP that was created needs to be finalized to show the grant funding sources that have been approved for the project, before we can proceed.



**3) WWTP Brick Repair Work & Enclosure of Balcony**

- 7/14/22: It was decided to complete work in house without canvas. Structure is complete. Removable screens are being fabricated. Bricklayer and Glazers have completed work in this area. Air conditioner that no longer is needed and infringed on area has been removed

**4) WTP Carbon Tank and Chemical Offload Area Recoating**

- 7/14/22: Carbon tank 90% repainted; sandblasting of old containment area coating scheduled for next week.

**5) Whitney Ave. Water Main Replacement**

- 7/14/22: 4<sup>th</sup> Generation was awarded bid at June 2022 Board meeting. 30-week lead time for material delivery.

**6) WTP Perimeter Fence Replacement Update**

- 7/14/22: The 2021 WIIA Water Grant application of \$3 million was awarded on April 19, 2022 that included some funds that can be used for the WTP perimeter fence replacement work. On 7/13/22, the capital purchase order for the \$8,000 brush hog was completed to assist with the work in-house. WTP maintenance to schedule and coordinate the fencing work.

**7) Paychex Payroll System Update**

- 4/14/22: In the process of completing a mock payroll to coincide with our previous one to make sure numbers are accurate. Timeclocks are currently being programmed and we will start testing a sample of employees with the new clocks. Continuing training.
- 7/21/22: Estimate of two weeks for implementation of new timeclocks.

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

**16. Executive Session: Anticipated motion to enter into executive session for the purpose of considering matters leading to the appointment, employment, promotion, demotion, or removal of a particular person (Public Officers Law § 105(f)).**

**17. Adjournment of Meeting**

*Motion by Board Member Larkin and seconded by Board Member Kimble to adjourn the meeting at 6:04 p.m.*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Leffler   Y*

*Motion carried, 5-0.*