



MINUTES

Business Meeting of the Niagara Falls Water Board February 27, 2023

Water Treatment Plant Conference Room
5815 Buffalo Avenue, Niagara Falls New York 14304

Board Member Technology Training at 4:30 p.m.
Business Meeting at 5:00 p.m.

Meeting may be attended in person
or via videoconference – visit NFWB.org for details.

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*

Kimble (Board Member) *Present via Videoconference*

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

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

Forster (Chairman) *Present*

b. 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).

Joseph Kempa, Senior WTP Operator, presented a letter of resignation and explained that he was leaving for other employment for reasons including the WTP Operations schedule and staffing, the amount of raises, and opportunity for advancement.

c. Comments from Chairman Forster

Chairman Forster noted that with respect to the issues raised by Mr. Kempa, matters such as the WTP Operations schedule and the amount of raises are not the sole decision of the Board but are what was negotiated between the Union representing the operators and the Water Board.

Chairman Forster noted that the conference room project started 13 months ago. He read the names and titles of all of the employees who were involved in the project. In the past year the WWTP has started to become a regional training hub and the WTP conference room will help expand on that success. The prior conference room was small and had various limitations, but the new conference room is large enough to host substantial meetings and trainings is equipped with technology to offer the public a better chance to see and hear Water Board business. He noted that the conference room work was performed largely by in-house staff, including USW employees in the maintenance and IT departments, and by Union Carpenters, Painter, and Bricklayer. Even the conference room desk and tables were made locally.

d. Presentations (none scheduled)

e. Letters and Communications

i. 2023-02-13 – COVID Wastewater Surveillance Update Memorandum

f. Prior Meeting Minutes

i. Draft January 30, 2023 Meeting Minutes

Motion by Board Member Larkin and seconded by Board Member Asklar to approve the January 30, 2023 meeting minutes.

Asklar __Y__ Forster __Y__ Kimble __abstain__ Larkin __Y__ Leffler __absent__

Motion carried, 3-0, with 1 abstention.

2. Executive Director – Dr. Abderrahman Zehraoui

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

Dr. Zehraoui thanks the Board members for supporting the new conference room and states it will be used for generations to come.

Staff is working to schedule an in-person meeting with the DEC and the President of EFC.

Dr. Zehraoui noted that over the past couple of weeks there has been a routine EPA audit of the pretreatment program. Last week there was a kickoff meeting for the LaSalle sanitary sewer evaluation survey project, and there will be smoke testing in designated areas in March.

3. System Infrastructure and Operations – Russell DeFranco

Mr. DeFranco was absent. Mr. Accardo provided updates to the Board on his behalf. The Emergency Action Plan has been updated to reflect current phone numbers. For his Safety report, Mr. Accardo noted that electrical, respiratory, and other safety plans have been updated, fire extinguishers have been mapped, defibrillator batteries have been replaced, and some emergency exit signs have been replaced.

4. Outside Infrastructure Updates – Michael Eagler

The 18th St. watermain replacement project will begin on March 6, 2023, and is projected to be completed by the end of June 2023.

The Whitney Ave. project is now in the hands of the Department of Health and is projected to be awarded in Summer 2023.

Chairman Forster questioned whether the old waterline on Beech Ave. that runs through 18th St. is going to be part of the 18th St. project. Mr. Eagler stated that a previous Chairman requested that the 18th St. project and the Beech Ave. project remain separate.

Board Member Asklar thanked Mr. Eagler for his assistance with aspects of the conference room project.

5. Engineering – Douglas Williamson

There has been discussion about re-allocating grant funds to address West Rivershore. Mr. Williamson will address this, and there now are to be quarterly meetings with EFC to better coordinate grant projects. He needs to provide a cost estimate for the West Rivershore project. Mr. Williamson also noted that flow meters are being installed for the semi-annual Town of Niagara flow measurements and that the fluoride room engineering work will start soon.

Chairman Forster states the Beech Ave. water tower has not been utilized in over 25 years. He would like to implement an above ground tank with a separate pumping station – will increase water flow and provide fire protection services.

6. Personnel Items – David San Lorenzo

a. February 27, 2023 Personnel Actions

Chairman Forster asked that the Board enter into a brief executive session to discuss matters related to hiring, firing, promotion, or employment of specific persons.

Motion by Board Member Larkin and seconded by Board Member Asklar to enter into Executive Session at 5:32 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0.

Motion by Board Member Larkin and seconded by Board Member Kimble to exit executive session and enter into the open meeting at 5:43 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0.

Motion by Board Member Larkin and seconded by Board Member Kimble to amend the Personnel Actions sheet to add hiring two WTP operator trainees at \$19.96 per hour and hiring a painter.

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0

Motion by Board Member Kimble and seconded by Board Member Larkin to approve the February 27, 2023, Personnel Actions.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0

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

Dr. Zehraoui asked Jonathan Joyce from the IT Department, who was present, to provide the Board with an update. Mr. Joyce noted that IT is deploying remote management and upgrade tools to better maintain individual computers, is developing an improved network, working on an improved disaster recovery plan, and working on replacing costly Verizon desk phones with a Voice Over Internet Protocol system that would include a paging function. All employees now have been issued email addresses.

8. Finance – Brian Majchrowicz

- a. Audit Update**
- b. Shutoff Program**
- c. Revenue Budget Performance Report through 12/31/2022**
- d. Sewer Fund Expense Budget Performance Report through 12/31/2022**
- c. Water Fund Expense Budget Performance Report through 12/31/2022**
- d. Board Fund Expense Budget Performance Report through 12/31/2022**
- e. Key Bank and Bank on Buffalo Balance Report**
- f. Wilmington Trust Balance Report**
- g. Treasury Account Balance Report**
- h. Budget Amendments Report**
- i. January 2023 Capital Payments**

Mr. Majchrowicz states that Bonadio & Co. have been on-site conducting the 2022 Audit and will remain on-site for the rest of the week. No issues have arisen so far.

Mr. Majchrowicz is seeking approval from the Board members regarding the reinstatement of the shut-off program. This program has not been active in 2 years.

Chairman Forster proposed some questions to Mr. Majchrowicz regarding recent payments issued by the Water Board and their budget lines:

- 8940 – Lift Station Services – Gas or Electric?*
- 8966 – Tires – T106*
- 8972 – Weather Proofing/Sealing Windows*
- 8984 – Diesel Rental*
- 8985 – Pro-Guard Hand Cream*
- 9004 – WTP Generator Service Call*

Chairman Forster also questioned payments for massages and about the payment of a premium for a crime insurance policy. Mr. Majchrowicz noted that there are some massage benefits as part of the Tier I healthcare. He will provide the Board with the crime insurance policy.

9. Questions Regarding January 2023 Operations and Maintenance Report

10. Safety – John Accardo

Mr. Accardo noted in addition to the safety update provided earlier in the meeting, no vehicle damages have been reported since January 2023.

11. General Counsel and Secretary – Sean Costello

a. NYPA Solar Update

Mr. Costello stated that he participated in a meeting with NYPA’s solar advisory team earlier in the month. The NFWB has sites and conditions that are very favorable for a solar project that could save more than \$300,000 in annual utility bills, based on preliminary figures. The next step is to authorize NYPA to proceed with developing a RFP for solar development on the site, but NYPA is not yet ready to move forward with that step. NYPA recently became aware of a Niagara County law that includes requirements for manufacturer solar panel recycling programs that NYPA needs more time to analyze.

12. From the Chairman

13. Resolutions

2023-02-001 – AWARD BID FOR WASTEWATER TREATMENT PLANT SLUDGE HAULING AND DISPOSAL

a. WWTP Sludge Hauling and Disposal Bid Award Recommendation and Bid Tabulation

Chairman Forster noted that in light of continued increases in the cost of sludge disposal, he was invited to a meeting where information about sludge drying was discussed.

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0.

2023-02-002 – AWARD BID FOR HAULING AND DISPOSAL OF ALUMINUM-BASED RESIDUALS FROM WATER TREATMENT PLANT

a. WTP Residual Sludge Hauling and Disposal Award Recommendation and Bid Tally

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0.

2023-02-003 - WATER TREATMENT PLANT GENERATOR CONTROL UPGRADE

- a. Milton CAT Generator and Switchgear Control Proposal
- b. Ferguson Quote for Generator Control Upgrade Work

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0.

2023-02-004 - ENGINEERING SERVICES FOR 18TH STREET WATER MAIN REPLACEMENT BETWEEN WHITNEY AND ONTARIO AVENUES

- a. CPL Proposal for Construction Phase Engineering Services
- b. CPL Proposed Construction Phase Engineering Services Budget

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0.

14. Unfinished/Old Business

1) 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.
- 9/22/22: Next step is requesting approval to use Phase II grant funds (will be packaged with other projects).
- 12/15/22: DEC preliminary comments on use of Phase II grant funds being reviewed and addressed.
- 1/19/23: CPL revising memorandum regarding Phase II projects for re-submission to DEC.
- 2/23/23: CPL working to revise projects to include more in Phase I, which impacts funds available and projects to be included for Phase II.

2) Whitney Ave. Water Main Replacement

- 9/22/22: Design documents to be submitted to DOH for approval by 10/1.
- 11/11/22: Received comments from NYS. Preparing response letter for submission.
- 1/19/23: Waiting for DOH reply to comment response letter.
- 2/8/23: Received DOH approval, now preparing bid documents for project, anticipated documents available late March.

3) 18th Street Water Main Replacement

- 7/14/22: 4th Generation was awarded bid at June 2022 Board meeting. 30-week lead time for material delivery.
- 9/22/22: Construction planned to commence in Spring 2023.
- 1/19/22: Still on target for Spring 2023 construction.
- 2/23/23: Received Preliminary Schedule from 4th Generation, Construction to begin late March. CPL is going to provide a proposal for Construction Administration and Inspection services soon.

4) 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.
- 9/22/22: Brush hog delivered, Outside Maintenance has used it to clear along the fence line.
- 11/10/22: Obtaining quotes related to fence and other security needs, meeting OGS-listed contractor 11/17.
- 1/19/23: Project to be attempted in Spring with outside maintenance installing posts.
- 2/23/23: South side fence break repairs in progress. Ground elevation improvements and security wire on top of south side fence scheduled for Spring when ground has hardened.

5) Paychex Payroll System Update

- 01/09/23: System is live for payroll, HR staff is currently reviewing each employee's accrued time for 2023 to ensure it was added correctly.
- 01/17/23: Downloaded, printed, and distributed 2022 W-2's.
- 02/19/23: System is live for payroll, HR staff has reviewed each employee's accrued time for 2023 to ensure it was added correctly.

15. New Business & Additional Items for Discussion

16. Executive Session (if needed)

17. Adjournment of Meeting

Motion by Board Member Larkin and seconded by Board Member Asklar to adjourn the meeting at 6:14 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __absent__

Motion carried, 4-0.