



MINUTES

Business Meeting of the Niagara Falls Water Board January 30, 2023 at 5:00 p.m.

Meeting was held at Wastewater Treatment Plant Conference Room
1201 Buffalo Avenue, Niagara Falls, NY 14304.

This meeting permitted attendance in person or via videoconference.

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) *Absent*

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

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

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).

c. Comments from Chairman Forster

Chairman Forster thanks the NFWB staff who assisted with the implementation of an on-site NFPD substation and for the assistance that was received regarding the press conference that

was held at the Water Treatment Plant on January 25, 2023. The Chairman explains that an on-site police substation allows for the NFWB to utilize otherwise empty space and benefits the City by reducing the need for the NFPD to travel to their headquarters while patrolling.

Chairman Forster states that the February 2023 Board meeting will be held in the newly renovated conference room at the WTP, and notes that all the renovation work, with the exception of the heat pumps, was completed in-house. The Chairman requested that all Board members report to the conference room at 4:30 p.m. for the 5:00 p.m. meeting in order to get familiar with the room and receive training on the new conference room technology and would like Mr. Costello to send out a reminder to all Board members. The Chairman also states that in addition to utilizing the conference room for Board meetings, it will also be utilized for both WTP and WWTP training.

Chairman Forster then asked that the Board enter into executive session to discuss matters leading to the appointment, employment, promotion, demotion, or removal of particular persons.

Motion by Board Member Asklar and seconded by Board Member Larkin to enter into Executive Session at 5:05 p.m.

Asklar Y Forster Y Kimble absent Larkin Y Leffler Y

Motion carried, 4-0.

Motion by Board Member Larkin and seconded by Board Member Asklar to exit Executive Session at 5:59 p.m.

Asklar Y Forster Y Kimble absent Larkin Y Leffler Y

Motion carried, 4-0.

d. Presentations (none scheduled)

e. Letters and Communications

**i. 2023-01-17 – COVID Wastewater Surveillance Update
Memorandum**

f. Prior Meeting Minutes

i. Draft December 19, 2022 Meeting Minutes

Motion by Board Member Asklar and seconded by Board Member Larkin to approve the December 19, 2022 meeting minutes.

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2. **Executive Director – Dr. Abderrahman Zehraoui**
 - a. **WWTP Project Budget Tracker (CPL)**
 - b. **WWTP Construction Schedule Tracker (CPL)**
 - c. **Financial Award Summary (CPL)**
3. **System Infrastructure and Operations – Russell DeFranco**
4. **Outside Infrastructure Updates – Michael Eagler**

Mr. Eagler states a recent water main break on 95th St. in the Love Canal area was repaired promptly and was not located near to the capped off landfill area.

5. **Engineering – Douglas Williamson**
6. **Personnel Items – David San Lorenzo**
 - a. **January 30, 2023 Personnel Actions**
 - b. **Updated Organizational Chart**

Mr. San Lorenzo noted that he has been reviewing the health insurance billing received from Highmark and identified and corrected a number of issues with improper billing.

The Board discussed the hiring of an additional painter to address projects mostly at the WWTP. The cost to hire a painter as a NFWB employee is about \$20,000 less per year versus hiring one out of the Union Hall.

Motion by Board Member Larkin and seconded by Board Member Leffler to amend the Personnel Actions sheet to add hiring a painter.

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0

Motion by Board Member Larkin and seconded by Board Member Leffler to approve the January 30, 2023 Personnel Actions.

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0

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

8. Finance – Brian Majchrowicz

- a. Revenue Budget Performance Report through December 31
- b. Sewer Fund Expense Budget Performance Report through December 31
- c. Water Fund Expense Budget Performance Report through December 31
- d. Board Fund Expense Budget Performance Report through December 31
- e. Key Bank and Bank on Buffalo Balance Report
- f. Wilmington Trust Balance Report
- g. Treasury Account Balance Report
- h. Budget Amendments Report
- i. December 2022 Capital Payments

Mr. Majchrowicz noted that the Water Board received \$10,950 from the recent auction of surplus property.

9. Questions Regarding December 2022 Operations and Maintenance Report

10. Safety – John Accardo

Mr. Accardo discussed a recent meeting with Stanley Security, now a sub-division of Ferguson Electric. Discussion was had regarding the implementation of card readers in certain areas of the WTP and WWTP (beginning at the WTP), to only allow limited access to vulnerable areas.

Mr. Accardo noted that vehicle 153 has minor damage to the rear bumper.

11. General Counsel and Secretary – Sean Costello

Mr. Costello advised the Board that he intends to prepare a Request for Proposals to identify a consultant to assist with cellular lease issues, in order to maximize revenue.

12. From the Chairman

13. Resolutions

2023-01-001 – LUCITY SOFTWARE SUPPORT AND MAINTENANCE RENEWAL

a. Lucity Renewal Invoice 369970

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

Asklar Y Forster Y Kimble absent Larkin Y Leffler Y

Motion carried, 4-0.

**2023-01-002 – AUTHORIZING PROCUREMENT OF BACKUP MAIN PUMP
VARIABLE FREQUENCY DRIVE**

a. 2023-01-04 - Rexel Quote for VFD

b. 2023-01-09 - Rexel Sole Source Letter for Allen-Bradley VFD

Board Member Leffler stated she was recusing herself from consideration of this Resolution as her son works for Kaman.

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

Asklar Y Forster Y Kimble absent Larkin Y Leffler abstain

Motion carried, 3-0, with 1 abstention.

2023-01-003 – AWARD BID FOR GRANULATED ACTIVATED CARBON SUPPLY AND REMOVAL

a. Granulated Activated Carbon Award Recommendation and Bid Tally

Board Member Asklar questioned how much money is in the budget for this work. Mr. Majchrowicz replied that there is only \$20,000 in the budget, and Chairman Forster noted that staff will be discussing transferring as much as \$500,000 to this line. There is some 11-year-old spent carbon that needs to be cleaned out, right now WWTP operations is keeping odors from that carbon under control by spraying it with water but disposing of the carbon will reduce water consumption and odor.

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

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2023-01-004 – GHD PROJECT 2 CONSTRUCTION PHASE SERVICES AMENDMENT

a. GHD Proposal Dated January 17, 2023

Chairman Forster questioned language in GHD's proposal that CIR and Plant IQ had not been responsive and willing to help, and asked staff to meet with them as needed to get a complete understanding of why GHD included this language in its proposal.

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

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2023-01-005 – WATER SUPPLY AGREEMENT WITH NIAGARA COUNTY WATER DISTRICT

a. Proposed Water Supply Agreement

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

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2023-01-006 – REQUIRING ANNUAL REVIEW AND REPORT ON EMERGENCY RESPONSE PLANS

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

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2023-01-007 – WWTP PROJECT 7 CHANGE ORDERS

- a. **2023-01-24 - EI Team Project 7 Change Order Recommendations**
- b. **CIR WWTP Project 7 Change Order No. 2**
- c. **Danforth WWTP Project 7 Change Order No. 1**

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

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2023-01-008 – AWARD BID FOR ONE TON CHLORINE CYLINDERS

- a. **JCI Chlorine Cylinder Bid Price and Exceptions**

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

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2023-01-009 – ACCEPTING PROPOSAL FOR WTP FLUORIDE SYSTEM ASSESSMENT

- a. **2023-01-25 Proposal from C&S Engineers, Inc.**

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

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

14. Unfinished/Old Business

1. Board Room WTP:

- 12/15/22: Proposal for videoconference equipment obtained; floor prepared for carpet installation; doorway work completed; some finish work underway; waiting for delivery of desk.
- 1/19/23: Finish work underway; plan is to be ready for the February 27 Board meeting.

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.
- 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 resubmission to DEC.

3. 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.

4. 18th Street Water Main Replacement

- 7/14/22: 4th Generation was awarded bid at June 2022 Board meeting. 30week 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.

5. **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 inhouse. 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.

6. **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.

7. **Review of Internal Controls on Gate Access Cards and Master Keys**
 - 12/15/22: R. DeFranco addressing deficiencies in stockpile of access keys and inventory control via lock and key vendor.
 - 1/19/2022: Please see Security section of monthly O&M report for ongoing updates to this item.

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)).

Conducted earlier in the meeting.

17. Adjournment of Meeting

Motion by Board Member Larkin and seconded by Board Member Asklar to adjourn the meeting at 6:58 p.m.

Asklar __Y__ Forster __Y__ Kimble __absent__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.