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AGENDA

Business Meeting of the Niagara Falls Water Board April 24, 2023 at 5:00 p.m.

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

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

1. Preliminary Matters

a. Attendance:

Asklar (Board Member/Chairman of Finance/Member Exec. Staff Review Cmte.) _____

Forster (Chairman) _____

Kimble (Board Member) _____

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

Leffler (Board Member/Member Exec. Staff Review Cmte.) _____

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

**i. 2023 Budgeted Expenses - Expenditures of User Rates, Fees, and
Charges Less Debt Service**

8. Finance – Brian Majchrowicz

- a. Shutoff Program Update**
- b. Revenue Budget Performance Report through 3/31/2023**
- c. Sewer Fund Expense Budget Performance Report through 3/31/2023**
- c. Water Fund Expense Budget Performance Report through 3/31/2023**
- d. Board Fund Expense Budget Performance Report through 3/31/2023**
- e. Key Bank and Bank on Buffalo Balance Report**
- f. Wilmington Trust Balance Report**
- g. Treasury Account Balance Report**
- h. Budget Amendments Report**
- i. Capital Payments**

9. Questions Regarding March 2023 Operations and Maintenance Report

10. Safety – John Accardo

11. General Counsel and Secretary – Sean Costello

12. From the Chairman

13. Resolutions

2023-04-001 – DIRECTING ISSUANCE OF POLICY AND PROCEDURE FOR ON CALL EXECUTIVE STAFF IN THE EVENT THE EXECUTIVE DIRECTOR IS UNAVAILABLE

- a. 2023-03-28 Draft Policy and Procedure for On Call Executive Staff in the Event the Executive Director is Unavailable**

2023-04-002 – AUTHORIZING PROCUREMENT OF 20 INCH SLANTED DISC CHECK VALVE FOR WTP BACKWASH PIPING

- a. 2023-04-05 - DeZurik Quote for 20 Inch Slanting Disc Check Valve**

2023-04-003 – AWARD OF BID FOR CONEQTEC MANHOLE CUTTER

- a. 2023-04-12 - City Purchasing Award Recommendation and Bid Tally for Bid W2023-02, Manhole Cutter**

2023-04-004 – PROCUREMENT OF FIRE HYDRANTS AND PARTS

- a. K&S Quotation for Hydrants**
- b. Core and Main Quotation for Hydrant Parts**

2023-04-005 – APPROVE AND ACCEPT 2022 AUDIT AND INVESTMENT REPORTS

- a. **2022 Audited Financial Statements and Independent Auditor's Report**
- b. **2022 Audited Financial Statements - Report to the Board**
- c. **2022 Management Letter**
- d. **2022 Investment Compliance Report**

2023-04-006 – ANNUAL REVIEW OF PROCUREMENT AND INVESTMENT POLICIES AND ADOPTION OF REVISIONS

- a. **Track Changes 2023-04-13 - Draft Revision to NFWB Procurement Policy v1.7**
- b. **2021-12-13 Adopted NFWB Investment Policy**

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.
- 4/13/23: Revised Phase II memorandum received from CPL on 4/10/23 – anticipated to be reviewed and submitted for DEC review by end of month.

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.
- 4/13/23: Bid opening May 15, anticipated for award at May 22 Board meeting.

3) WTP Perimeter Fence Replacement Update

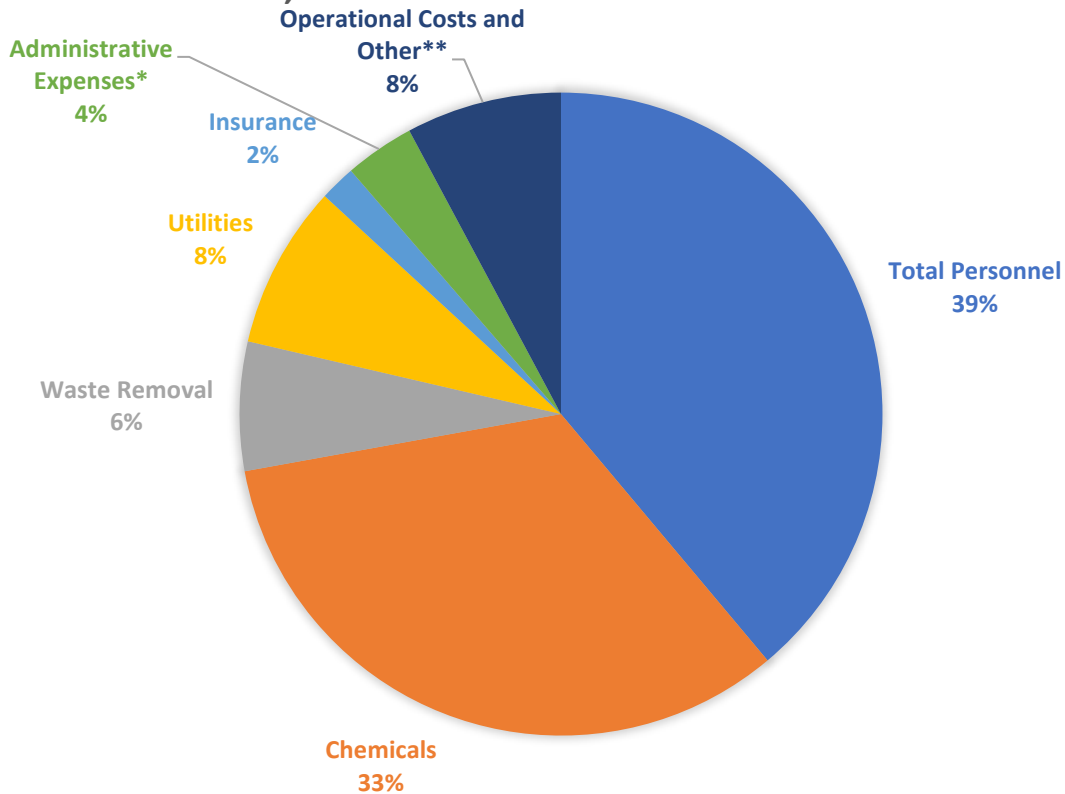
- 7/14/22: The 2021 WIIA Water Grant application of \$3 million was awarded on April 19, 2022 that included some funds that can be used for the WTP perimeter fence replacement work. On 7/13/22, the capital purchase order for the \$8,000 brush hog was completed to assist with the work in-house. WTP maintenance 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.
- 3/13/23: Soft ground conditions, will complete above work when possible. Also will use fill already on the property to widen the driveway around the freeze-thaw beds.
- 4/13/23: Ground remains too soft for work.

15. New Business & Additional Items for Discussion

16. Executive Session (if needed)

17. Adjournment of Meeting

**2023 BUDGETED EXPENSES-EXPENDITURES OF USER
RATES, FEES & CHARGES LESS DEBT SERVICE**



	<u>2023</u>	<u>Percentage of Total</u>
-	-	
Total Personnel	\$ 12,599,986	39%
Chemicals	\$ 10,775,000	33%
Waste Removal	\$ 2,100,500	6%
Utilities	\$ 2,664,500	8%
Insurance	\$ 585,000	2%
Administrative Expenses*	\$ 1,137,191	4%
Operational Costs and Other**	\$ 2,534,190	8%
Total	\$ 32,396,367	100%

* Includes Office Supplies, Training, Computer Services & Software, and Professional Services

** Includes Rentals, Auto Expenses, Leases, Tools & Small Equipment, Machinery, Materials, and Undesignated Services

WASTEWATER SURVEILLANCE UPDATE

[DASHBOARD](#) | [WEBSITE](#)

DATE: April 7, 2023

TO: Niagara County Health Department, Lewiston Master, Niagara Falls, Niagara County Wastewater Treatment Plant, & Stakeholders

FROM: Lydia Bennett, on behalf of the New York State Wastewater Surveillance Network

RE: Niagara County Weekly Wastewater Surveillance Data Report

All Samples from Niagara County			
<i>From the last two weeks</i>			
Collection Date	Detection Level	Compared to NYS	Quality Control
Lewiston Master SD			
Mar 28, 2023	Not detected	lesser	alert ¹
Niagara Falls STP			
Mar 28, 2023	Quantifiable detection	elevated	pass
Niagara County SD #1			
Mar 28, 2023	Quantifiable detection	elevated	alert ¹
¹ Our quality control variable (crAssphage) came back with a lower-than-average value (< 10,000), which suggests that we should be cautious when interpreting this sample.			

The trend in SARS-CoV-2 intensity over the past two weeks is:

- **Stable** for the population served by the Lewiston Master SD.
- **Increasing** for the population served by the Niagara Falls STP.
- **Decreasing** for the population served by the Niagara County SD #1.

The prediction in hospitalization shows a decrease in Niagara County. There is an expected 7-day rolling average 0.23 hospitalizations per 100,000 people attributed to COVID-19 in the next 10 days.

Attached with this memo are several figures that you may find useful.

¹ We genuinely thank you for your continued participation in the New York State Wastewater Surveillance Network. We truly appreciate the time and service you give every week, and all of the work that you do!

² If you have any questions or concerns, please contact me at lbennett@cdcfoundation.org.

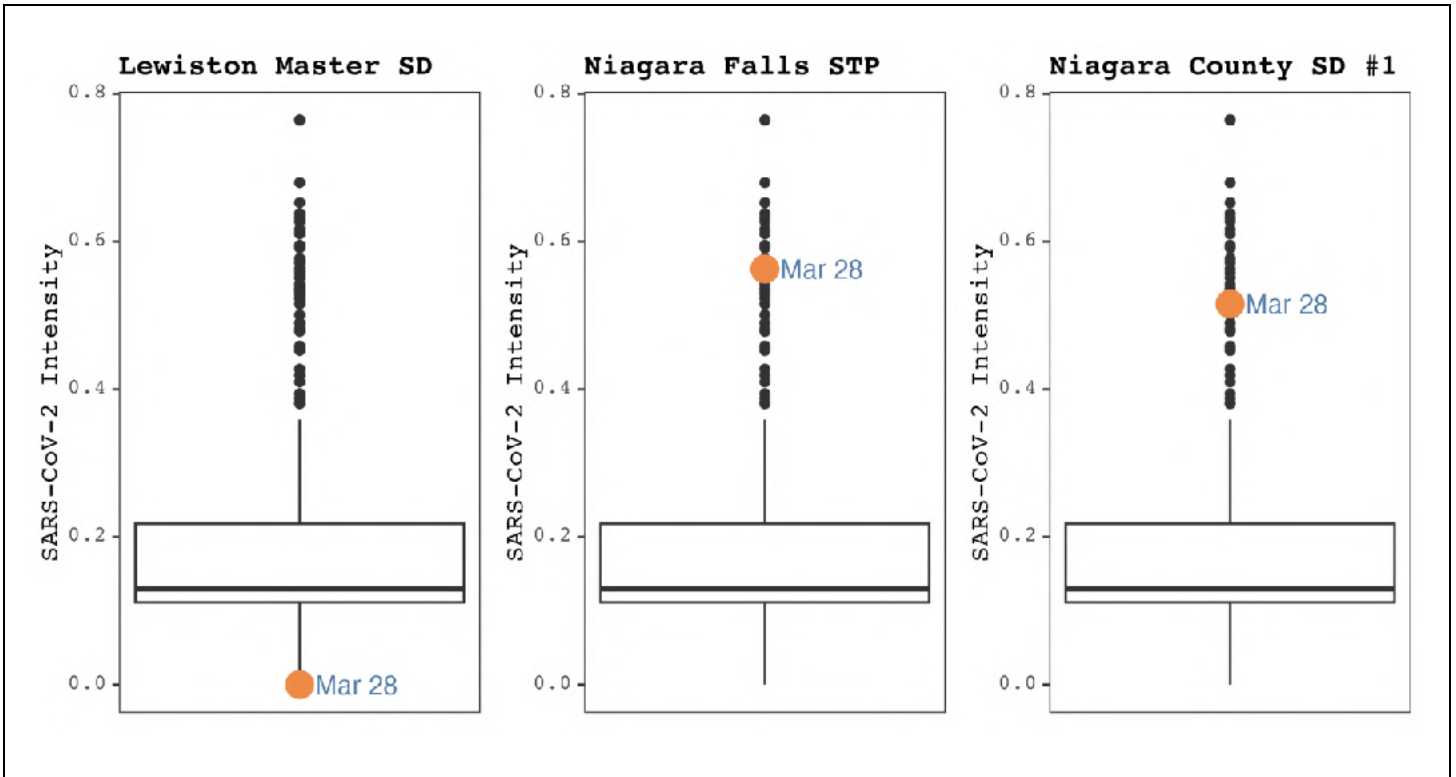


Figure 1: Observed levels of SARS-CoV-2 intensity at each of the Niagara County influents compared to NYS values.

Colored points represent the SARS-CoV-2 intensity of samples taken at the influent over the last two weeks. Different colors represent different sample dates. The box plot represents all SARS-CoV-2 values from the previous two weeks as observed from wastewater treatment facilities across New York. The box plot shows the median (solid line), first and third quartiles (box edges), minimum (lower whisker), maximum (upper whisker), and outliers (black dots) for all NY WWTP's. The concentration of SARS-CoV-2 is normalized by population, $\ln(\text{SARS-CoV-2})/\ln(\text{PMMoV})$, to give overall intensity.

As compared to the rest of the state, the most recent Niagara County samples reveal:

- **Lesser intensity** for the population served by the Lewiston Master SD.
- **Elevated intensity** for the population served by the Niagara Falls STP.
- **Elevated intensity** for the population served by the Niagara County SD #1.

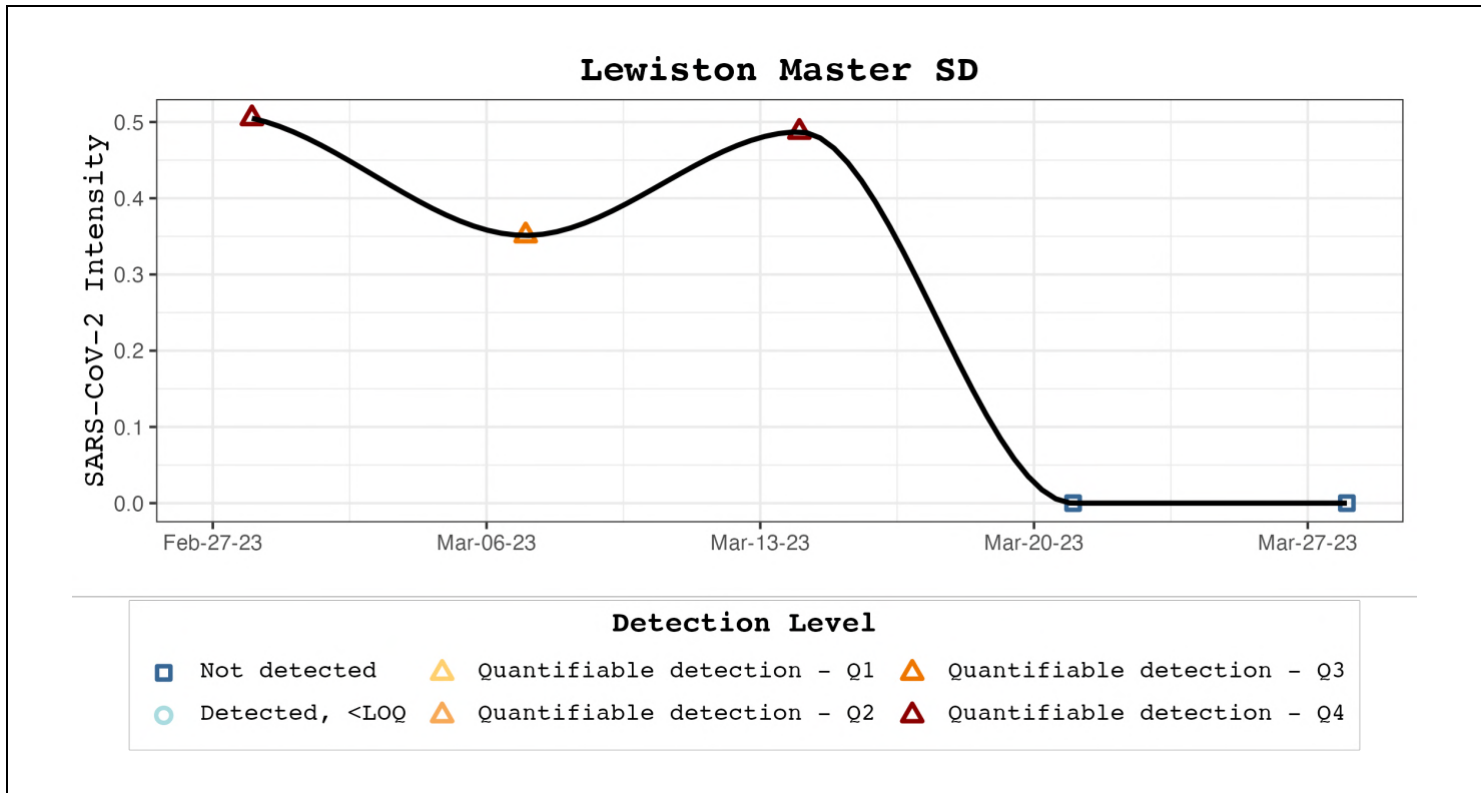


Figure 2: SARS-CoV-2 intensity over time at the Lewiston Master influent.

A smoothed trend line (black), wastewater samples (points) are shown. Wastewater sample points are color coded to specify the level of SARS-CoV-2 detected. The concentration of SARS-CoV-2 is normalized by population, $\ln(\text{SARS-CoV-2})/\ln(\text{PMMoV})$, to give overall intensity.

The level of SARS-CoV-2 RNA can tell us roughly how many cases can be expected in a population.

- Not detected: low transmission, <10 cases per 100,000 in the past 7 days and <5% test positivity
- Detected, <LOQ: medium transmission, 10-50 cases per 100,000 in the past 7 days, and 5- 7.9% test positivity
- Quantifiable detection: substantial to high transmission, >50 cases per 100,000 in the past 7 days, and 8.0% test positivity or higher
 - Quantifiable detections are categorized by quantile values based on historical data. We bin these into four categories: Q1 (0-25%), Q2 (25-50%), Q3 (50-75%), and Q4 (75-100%). The higher the quantile value, the higher state of transmission is occurring relative to past data points within the county.

Over the past two weeks, the population served by the Lewiston Master influent is experiencing a stable trend. This would mean that the population could expect comparable daily COVID-19 cases in the coming weeks, if this trend continues. The most recent sample had a non-detection, suggesting daily case incidence of less than 10 cases per 100,000 population.

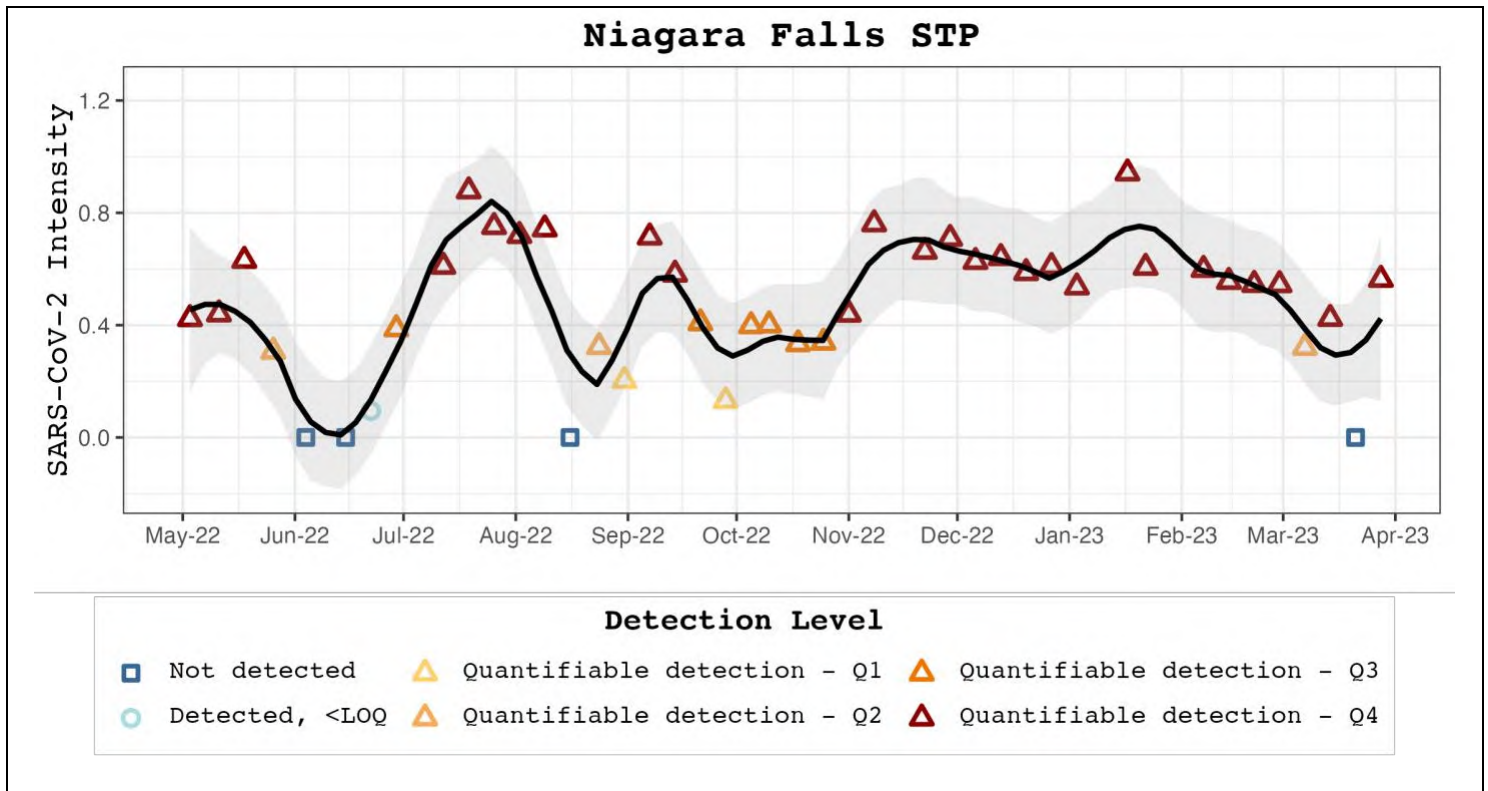


Figure 3: SARS-CoV-2 intensity over time at the Niagara Falls influent.

A smoothed trend line (blue), uncertainty (gray band), and wastewater samples (points) are shown. Wastewater sample points are color coded to specify the level of SARS-CoV-2 detected. The concentration of SARS-CoV-2 is normalized by population, $\ln(\text{SARS-CoV-2})/\ln(\text{PMMoV})$, to give overall intensity.

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 - Quantifiable detections are categorized by quantile values based on historical data. We bin these into four categories: Q1 (0-25%), Q2 (25-50%), Q3 (50-75%), and Q4 (75-100%). The higher the quantile value, the higher state of transmission is occurring relative to past data points within the county.

Over the past two weeks, the population served by the Niagara Falls STP influent is experiencing an increasing trend. This would mean that the population could expect higher daily COVID-19 cases in the coming weeks, if this trend continues. The most recent sample had a level of quantifiable detection, suggesting daily case incidence of greater than 50 cases per 100,000 population.

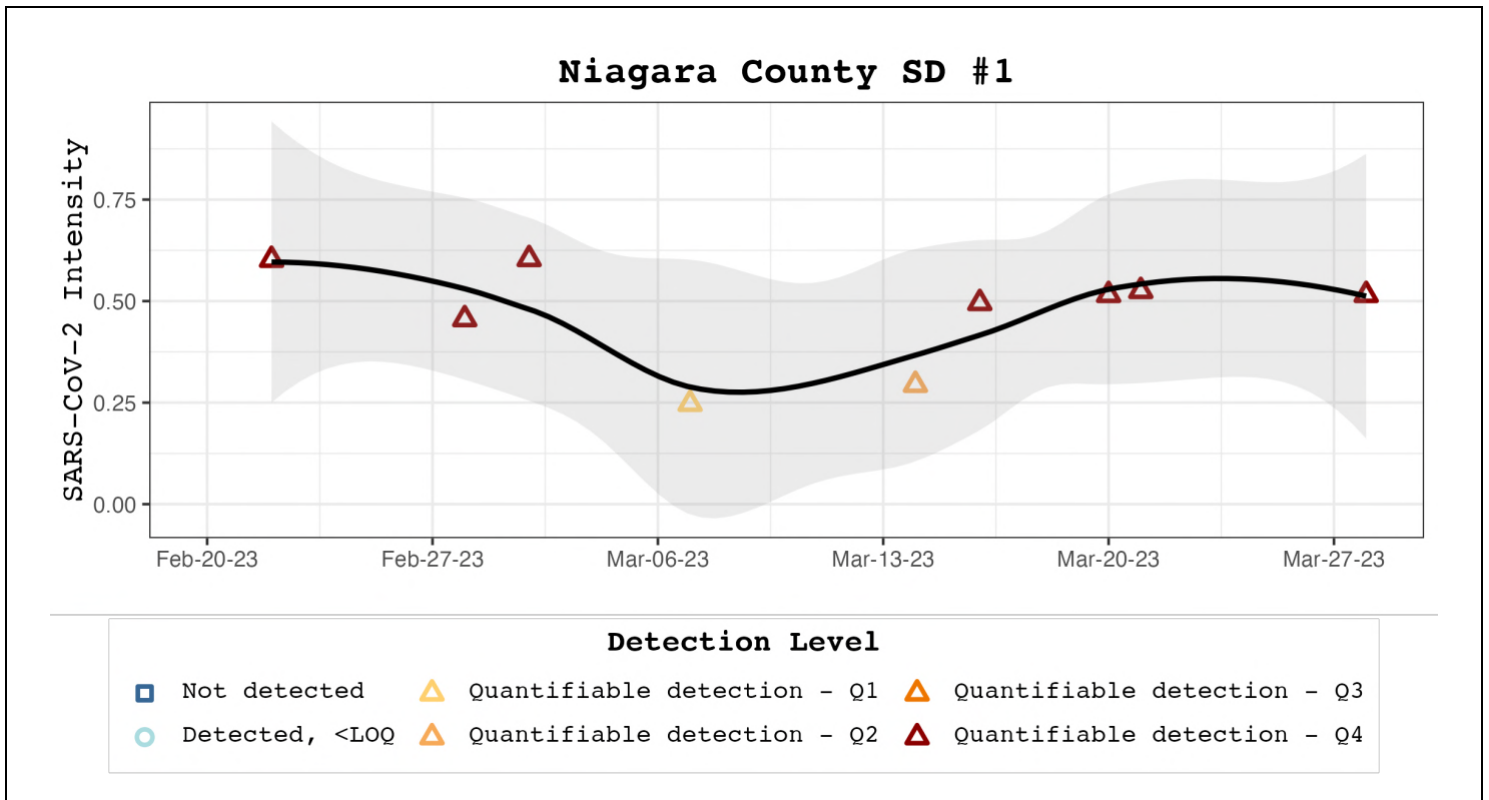


Figure 4: SARS-CoV-2 intensity over time at the Niagara County SD #1 influent.

A smoothed trend line (blue), uncertainty (gray band), and wastewater samples (points) are shown. Wastewater sample points are color coded to specify the level of SARS-CoV-2 detected. The concentration of SARS-CoV-2 is normalized by population, $\ln(\text{SARS-CoV-2})/\ln(\text{PMMoV})$, to give overall intensity.

The level of SARS-CoV-2 RNA can tell us roughly how many cases can be expected in a population.

- Not detected: low transmission, <10 cases per 100,000 in the past 7 days and <5% test positivity
- Detected, <LOQ: medium transmission, 10-50 cases per 100,000 in the past 7 days, and 5- 7.9% test positivity
- Quantifiable detection: substantial to high transmission, >50 cases per 100,000 in the past 7 days, and 8.0% test positivity or higher
 - Quantifiable detections are categorized by quantile values based on historical data. We bin these into four categories: Q1 (0-25%), Q2 (25-50%), Q3 (50-75%), and Q4 (75-100%). The higher the quantile value, the higher state of transmission is occurring relative to past data points within the county.

Over the past two weeks, the population served by the Niagara County SD #1 influent is experiencing a slightly decreasing trend. This would mean that the population could expect lesser daily COVID-19 cases in the coming weeks, if this trend continues. The most recent sample had a level of quantifiable detection, suggesting daily case incidence of greater than 50 cases per 100,000 population.

Niagara County Niagara Falls STP

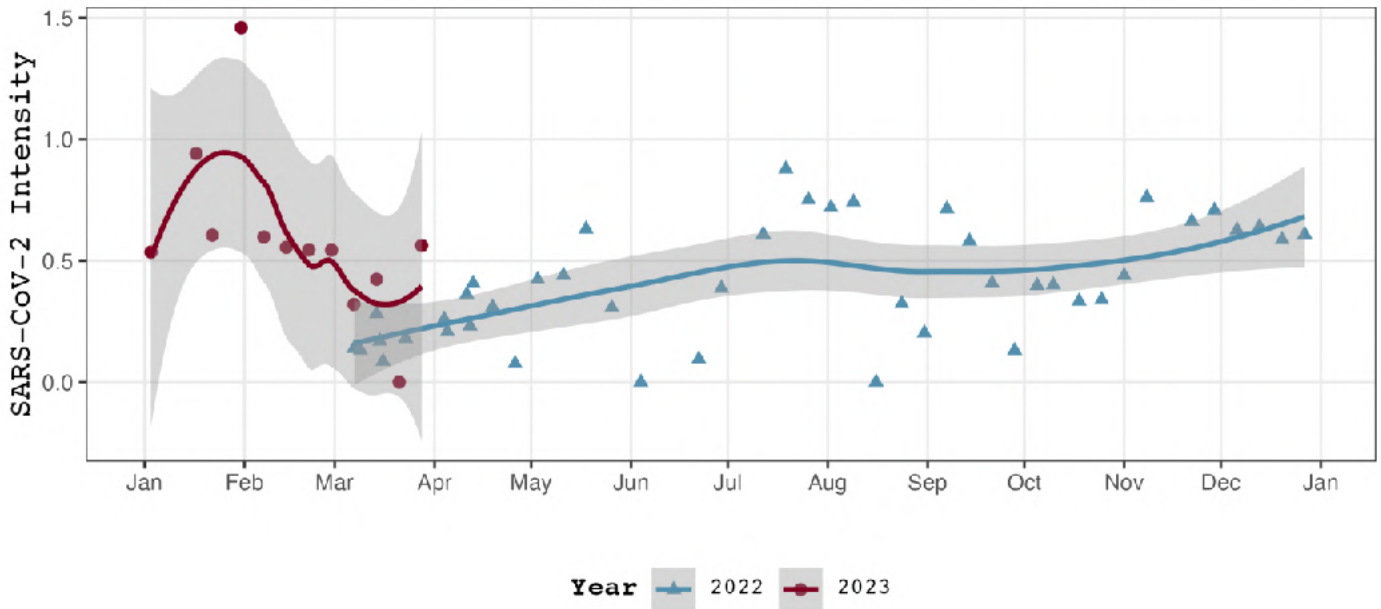


Figure 5: Annual comparison of SARS-CoV-2 intensity for the Niagara Falls influent.³

Smoothed 2022, and 2023 trend lines, uncertainty (gray bands), and wastewater samples (points) are shown.

- The most recent sample from the Niagara Falls influent reveals **elevated intensity** as compared to the previous year.

³ Please note, the Lewiston Master and the Niagara County wastewater treatment facilities will not be displayed on this figure until they have reached a full year of sampling.

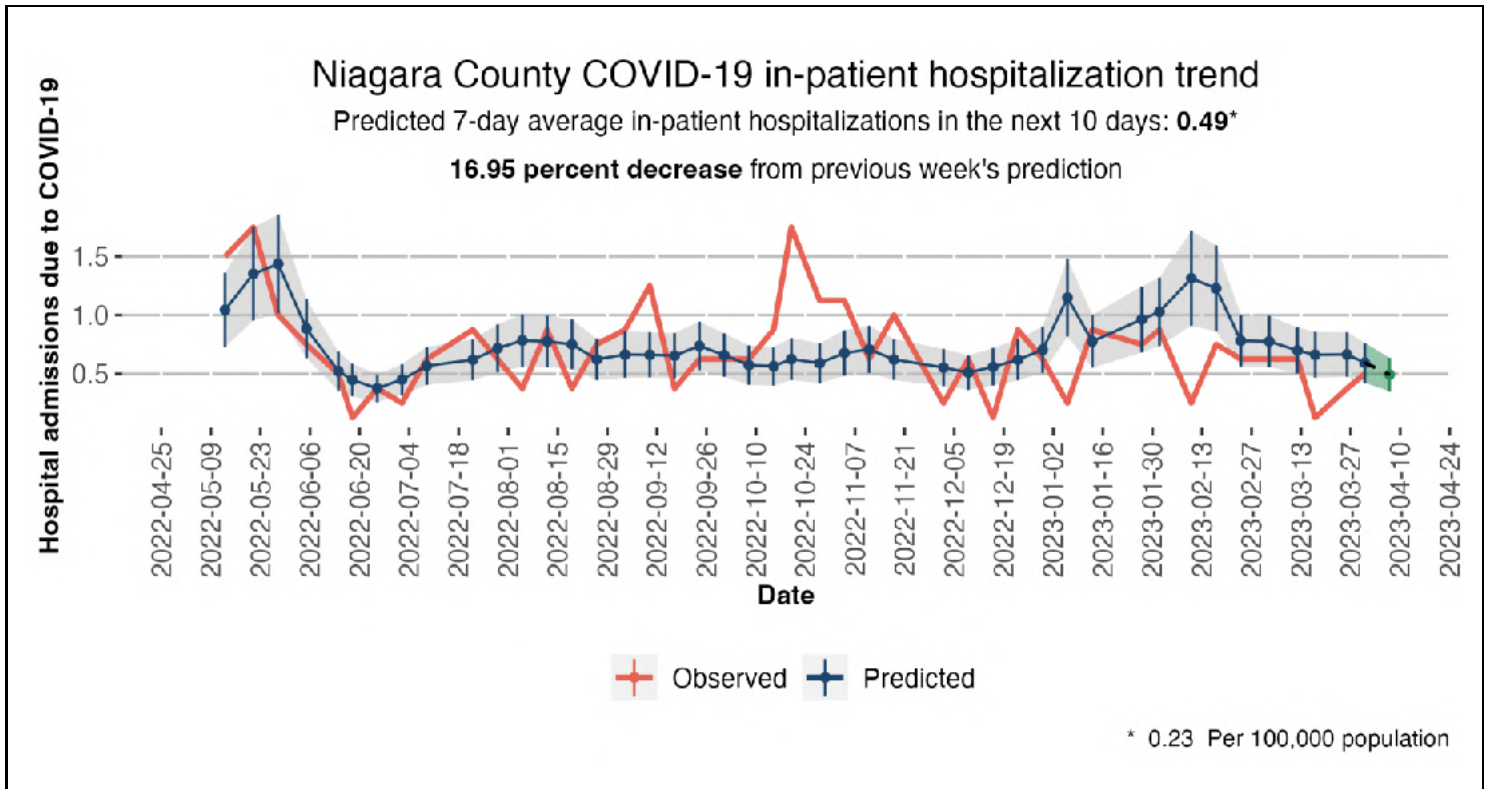


Figure 6: Observed and predicted COVID-19 attributed hospitalization trends for Niagara County.

Predictions are calculated from a generalized linear mixed model that fits wastewater data with a ten-day lag, test positivity, proportion of the county population that has full series of mRNA vaccine, along with several covariates including:

- Population over 50 years old,
- Estimated asthma and cardiovascular disease rate for the county,
- County social vulnerability from the CDC social vulnerability index,
- Whether the day was within one week of a major or minor holiday.

This model makes predictions with new data for future hospital admissions and provides uncertainty around the prediction in the form of the 95% confidence interval (the light gray and green band around the predictions).

Past predictions are in blue with the current prediction in light green. The red line is actual hospital admissions from the Department of Health HERDS or Health Electronic Response System database. These data are up-to-date for most counties. We will update these data and the models as new data are provided.

Estimated new COVID-19 hospitalizations are predictions only and come with several uncertainties including whether new variants have arisen, what the current immunization state of the county is (including booster and bivalent shots or immunity from previous infection), and other factors not captured in the model such as intervention behaviors such as masking. Week to week predictions will vary in their accuracy and the width of the confidence interval around the prediction due to changes in the data.

The current predicted 7-day average hospitalizations for the next 10 days is 0.23 hospitalizations per 100,000 people. This is a 16.95% decrease from the previous week's prediction.



MINUTES

Annual Business Meeting of the Niagara Falls Water Board March 27, 2023 at 5:00 p.m.

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

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.) *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 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 Larkin and seconded by Board Member Asklar to enter into Executive Session at 5:02 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 exit Executive Session at 6:02 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

i. 2023 Budgeted Expenses - Expenditures of User Rates, Fees, and Charges Less Debt Service

d. Presentations (none scheduled for this meeting – presentation noted was delivered at March 20, 2023 work session)

**i. Discussion of 2022 Audit –
The Bonadio Group, Randall R. Shepard, CPA**

Mr. Costello states that the audit is not in this packet because it is not finalized and ready for approval. Final information from the actuary is anticipated this week.

The Board directed Mr. Costello to provide public notice of a special meeting to approve the audit on Friday, March 31, 2023 at 1:00 p.m.

e. Letters and Communications

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

f. Prior Meeting Minutes

i. Draft February 27, 2023 Meeting Minutes

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

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)**

Dr. Zehraoui provided an overview on last week's meetings in Albany regarding funding for plant conversion. He explains that all parties who received the presentation were interested and sympathetic to the NFWB's request, and overall, it was a very successful trip. The DEC Deputy Commissioner suggested that for maximum funding the project will need to be done in segments, and Dr. Zehraoui explains that we will have to work closely with the State on this project. There will be a meeting including NFWB consultants on March 29 to discuss next steps.

3. System Infrastructure and Operations – Russell DeFranco

Mr. DeFranco received a quote from Stanley for plantwide security coverage, though he does not think the scope of work reflected by the quote is necessary. He suggests only addressing critical infrastructure needs and will likely cut down the quote by 2/3 when he meets with Stanley next week.

Mr. DeFranco adds that they are working with Lucity to clean up work orders and purchase orders, with the goal of increasing utility and utilization of that system.

4. Outside Infrastructure Updates – Michael Eagler

Mr. Eagler noted that the 18th Street water main replacement project's street cutting is done, fittings and pipe will be delivered over the next two weeks and digging will begin on March 30. Estimated completion is end of June or beginning of July.

The DOH has approved the plans for the Whitney Avenue water main replacement, and the current schedule is to put the project out for bid in early April, with the bid award at the May meeting.

Plans for the 77th Street water main replacement will be submitted to the DOH this week.

There is a resolution on this month's Board agenda to develop plans for replacement of the water main on West Rivershore. If it passes, the bid for the project is anticipated to be ready for Board approval by October.

The City is resurfacing Military Road, and the Water Board is going to bid out the replacement of two water mains, one of four inches and one of six inches. Those two mains will be replaced with a single eight-inch main. Completing this project in conjunction with the City's work is beneficial to the NFWB because it will not have to pay for pavement restoration.

There will be a bid opening for a manhole saw cutter on April 11. This will cut a perfect circle to speed manhole removal and replacement, and be beneficial because there are several hazardous manholes, especially on Niagara Falls Blvd., that need replacement. One crew will be able to cut, and second crew will be right behind them to replace. He also added, the NFWB will not have to pay the cost of blacktop as the City will complete that work using State money.

Rules and regulations are starting to be more strictly enforced. Vacant properties are now shut down immediately. In the past week and a half, 14 properties have been shut down; three were shut down for not responding after being tagged for shutoff because crews were unable to read the meter.

Mr. Eagler went for a tour with Dan Seider from Arcadis for the LaSalle abatement project, inspecting the sewer shed. Chairman Forster asks Mr. Eagler to touch on a smoke test memo that was sent out. Mr. Eagler states that this is being handled by Arcadis, and NFWB has had a limited role. He explains that they will go into the middle of the street and introduce smoke into the main, and if smoke comes out of certain places, that is how they know there is an issues with a lateral or the main itself. Mr. Eagler believes its Arcadis' role to inform homeowners in the area.

5. Engineering – Douglas Williamson

6. Personnel Items – John Accardo

a. March 27, 2023 Personnel Actions

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

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

Mr. Majchrowicz states that he spoke with our auditor and will have final audit reports by Thursday.

- a. Key Bank and Bank on Buffalo Balance Report
- b. Wilmington Trust Balance Report
- c. Treasury Account Balance Report
- e. February 2023 Capital Payments

9. Questions Regarding February 2023 Operations and Maintenance Report

10. Safety – John Accardo

11. General Counsel and Secretary – Sean Costello

12. From the Chairman

Chairman Forster states that he took a tour at the Gorge Pump Station last week and he commends the overall progress made with working conditions, safety, and rehabilitation and preservation of the tunnel.

13. Resolutions

2023-03-001 – ELECTION OF OFFICERS

Motion by Board Member Larkin and seconded by Board Member Leffler to approve the officers nominated as follows: Nicholas Forster for Chairman, Colleen Larkin for Vice-Chairperson, Michael Asklar for Treasurer, and Sean Costello for Secretary.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

Chairman Forster thanks his fellow Board Members for supporting him as Chair, and appreciates the entire staff for working as a team to follow through on directives, policies and procedures.

2023-03-002 – FINANCE AND AUDIT COMMITTEE MEMBERSHIP AND MEETINGS

Motion by Board Member Larkin and seconded by Board Member Leffler to approve the nomination of Michael Asklar as Chairperson of the Finance and Audit Committee.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2023-03-003 – GOVERNANCE COMMITTEE MEMBERSHIP AND MEETINGS

Motion by Board Member Leffler and seconded by Board Member Asklar to approve the nomination of Colleen Larkin as Chairperson of the Governance Committee.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2023-03-004 – EXECUTIVE STAFF REVIEW COMMITTEE CHAIRPERSON

Motion by Board Member Leffler and seconded by Board Member Asklar to approve the nomination of Colleen Larkin as Chairperson of the Executive Staff Review Committee.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2023-03-005 – CLARIFYING BY-LAWS REGARDING OFFICER TERMS

- a. Current By-Laws, Code of Ethics, and Code of Conduct**

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.

***2023-03-06 – APPROVING AND ACCEPTING INDEPENDENT AUDIT AND INVESTMENT REPORTS**

- a. Niagara Falls Water Board 2022 Financial Statement (Draft)
- b. NFWB Investment Compliance Report (Draft)
- c. NFWB Management Letter (Draft)
- d. NFWB Required Communications Letter (Draft)

***Note: Omitted from packet – although otherwise complete, audit cannot be certified until GASB Statement 75 analysis returned by actuary.**

2023-03-007 – AUTHORIZING PROCUREMENT OF MAIN PUMP VARIABLE FREQUENCY DRIVE

- a. 2023-03-14 – Rexel Quote for Main Pump Variable Frequency Drive
- b. 2023-01-09 - Rexel Sole Source Letter for Allen-Bradley VFDs

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.

2023-03-008 - ACCEPTING PROPOSAL FOR WWTP LOCAL LIMITS REEVALUATION

- a. 2023-03-13 – AECOM Proposal for Local Limits Reevaluation

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.

2023-03-009 – EXTENSION OF AGREEMENT WITH RATE CONSULTANT

- a. 2023-02-24 – Drescher and Malecki Rate Consultant Extension Proposal

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.

2023-03-010 – EXTENDING AGREEMENT WITH CONSULTING ENGINEER

a. 2023-02-27 – AECOM Consulting Engineer Extension Proposal

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2023-03-011 – AWARD OF THE HIGH VOLTAGE, SWITCHGEAR INSPECTION, AND EMERGENCY WORK CONTRACT

a. Award Recommendation and Bid Tabulation - High-Voltage, Switchgear, and Emergency Electrical

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.

2023-03-012 – AWARD BID FOR IN-PLANT MECHANICAL MAINTENANCE

a. Award Recommendation and Bid Tabulation - In Plant Mechanical Maintenance

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

Asklar __N__ Forster __N__ Kimble __N__ Larkin __N__ Leffler __N__

Motion defeated, 0-5.

2023-03-013 – AWARD BID FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES

a. Award Recommendation and Bid Tabulation - HVAC Services

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

Asklar __N__ Forster __N__ Kimble __N__ Larkin __N__ Leffler __N__

Motion defeated, 0-5.

2023-03-014 – ACCEPTING CPL PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FOR WEST RIVERSHORE DRIVE WATERMAIN REPLACEMENT

- a. **2023-03-02 - CPL Proposal for Engineering Services - West Rivershore Drive Watermain Replacement**

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.

2023-03-015 – ACCEPTING CPL PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FOR BEECH AVENUE WATER STORAGE TANK DEMOLITION

- a. **2023-03-02 - CPL Proposal for Engineering Services – Beech Avenue Water Storage Tank Demolition**

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.

2023-03-016 – PROCUREMENT OF DOORS FOR GORGE PUMPING STATION

- a. **2023-03-14 - Door Specialties Inc. Quote for Gorge Pump Station Doors**

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2023-03-017 – CLEANING AND INSPECTION OF CHLORINE SCRUBBER

- a. **2023-03-06 - Applied Inspection Services Quotation**

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.

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) 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.

- 3/13/23: Soft ground conditions, will complete above work when possible. Also will use fill already on the property to widen the driveway around the freeze-thaw beds.

15. New Business & Additional Items for Discussion

Board Member Asklar questions whether there are any updates to the shutoff program that was brought up at the previous meeting. Mr. Majchrowicz states that it is recommended, and he will provide the Board with numbers including how many accounts would be included under the program terms.

16. Executive Session (if needed)

Conducted earlier in the meeting.

17. Adjournment of Meeting

Motion by Board Member Larkin and seconded by Board Member Leffler to adjourn the meeting at 6:41 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.



Niagara Falls Water Board (NFWB) Overall Project Budget Summary (Phase 1 Overall Budget = \$27M)

Last Updated: 4/13/2023

Key	
Not approved	
Preliminary Estimate	

Project	Scope	Budget	Scope/Vendor	Estimated/ Final	% Billed	Recent Work Update
1	Sedimentation Basin Upgrades	\$10,390,000	Design and Bidding (AECOM - Approved)	\$409,000	100%	Work continues on Basin #4. Parkson and Temp-press startup has been completed and trainings performed. Kaman is working to resolve minor issues.
			CA & CI (CPL - Approved)	\$470,000	53%	
			GEN Construction (Hohl - Per Bid - Approved)	\$7,836,250	71%	
			ELEC Construction (CIR - Per Bid - Approved)	\$922,769	74%	
			Project Total	\$9,638,019	72%	
			Remaining Budget	\$751,981		
2	GPS	\$4,100,000	Design and Bidding (GHD - Approved)	\$218,800	100%	GHD is currently working with contractors to address final punchlist items.
			CA & CI (GHD - Approved)	\$315,230	99%	
			GEN Construction (STC - Per Bid - Approved)	\$2,653,000	98%	
			ELEC Construction (CIR - Per Bid - Approved)	\$418,300	94%	
			HVAC Construction (Danforth - Per Bid - Approved)	\$864,400	93%	
			Project Total	\$4,469,730	97%	
Remaining Budget	(\$369,730)					
3	Screens and Grit Transportation Equipment Improvements	\$1,920,000	Design and Bidding (Arcadis - Approved)	\$166,785	100%	Coordinating remaining work with Arcadis, Hohl, and CIR. Arcadis, Hohl, and Alfa Laval owe information on the BFP change order
			CA & CI (Arcadis - Approved)	\$217,750	93%	
			GEN Construction (Hohl - Per Bid - Approved)	\$1,551,986	82%	
			ELEC Construction (CIR - Per Bid - Approved)	\$255,210	76%	
			Project Total	\$2,191,730	84%	
			Remaining Budget	(\$271,730)		
4	Carbon and Filter Support Gravel Replacement	\$2,000,000	Design, Bidding, and CA/CI (AECOM - Approved)	\$114,718	Final	Construction Complete.
			GEN Construction (Carbon Activated - Per Bid - Approved)	\$1,798,840	Final	
			Final Project Total	\$1,913,558	Final	
			Final Remaining Budget	\$86,442		
5	Electrical System Improvements	\$2,610,000	Design/E.I. Team - Approved	\$102,120	100%	Ferguson proceeding with transformer submittals and purchase of replacement transformer equipment. CPL Coordinating work.
			Phase 2 Design - Approved	\$198,941	100%	
			Task 1 Construction - Ferguson - Approved	\$179,010	100%	
			Task 2 Construction - Ferguson - Approved	\$1,491,000	0%	
			Project Total	\$1,971,071	100%	
			Remaining Budget	\$638,929		

6	Effluent Disinfection	\$3,650,000	Design, Bid, and CI (AECOM - Approved)	\$189,966	Final	Construction Complete.
			GEN Construction (M&B - Per Bid - Approved)	\$1,421,042	Final	
			ELEC Construction (Ferguson - Per Bid - Approved)	\$108,000	Final	
			ELEC Construction (Ferguson - Approved Proposal - Net. Imp.)	\$338,047	Final	
			CA/In-House - CPL (Included in current CPL term contract)	~ 5% or \$185,000 if by engineer		
			Project Total	\$2,057,056		
			Remaining Budget	\$1,592,944		
7	Replacement of Critical Heating and Ventilation Equipment	\$1,160,000	Design and Bidding (E.I. Team - Approved)	\$111,800	100%	Currently in construction. EI Team is providing part time inspection per their CA/CI contract. Lighting conflict resolution has been reached.
			CA/ CI (EI Team - Approved)	\$56,120	76%	
			ELEC Construction (CIR - Per Bid - Approved)	\$177,363	31%	
			HVAC Construction (Danforth - Per Bid - Approved)	\$782,000	68%	
			Running Total	\$1,127,283	62%	
			Remaining Budget	\$32,717		
8	Replacement of Blower Equipment	\$300,000	Design/In-House AECOM/ CPL (Included in current CPL contract)	N/A	N/A	Construction Complete.
			CA/CI/In-House - CPL (Included in current CPL term contract)	N/A	N/A	
			Construction (Armor Sales & Service)	\$2,478	Final	
			Construction (Core Welding)	\$950	Final	
			Construction (D&W Industrial)	\$28,222	Final	
			Construction (Mollenberg)	\$46,925	Final	
			Construction (Niagara Controls)	\$11,544	Final	
			Final Total	\$90,118		
Final Remaining Budget	\$209,882					
9	Replacement of Process Piping	\$640,000	Piping Assessment Report (Ramboll - Approved)	\$59,770	100%	Construction Complete.
			Design, Bidding, and CA/CI (JMD - Approved)	\$63,480	100%	
			Construction - (MLP - Per Bid - Approved)	\$428,300	100%	
			Running Total	\$551,550	100%	
			Remaining Budget	(\$88,450)		
10	SCADA Improvements	\$455,000	Phase 1 Design/ Construction/Kaman - Approved	\$352,450	64%	Kaman continues SCADA integration work with Capital Project contractors.
			Phase 2 Design/ Construction - Approved (For Project #6)	\$146,200		
			Running Total	\$498,650	64%	
			Remaining Budget	(\$43,650)		
Phase 1 Budget Total =		\$27,000,000	Anticipated Total Cost (Percentage of Total Budget)	\$24,508,764	Remaining Ph. Budget	\$2,491,236

Niagara Falls Water Board (NFWB) Overall Capital Project Budget Summary (Phase 2 Overall Budget = \$13M)

Key	
Not approved	
Preliminary Estimate	

Project	Scope of Work	Budget	Scope/Vendor	Estimated Task	% Billed	Recent Work Update
2B	Outfall	\$1,700,000	Design, Bidding, and CA/CI (GHD - Approved)	\$37,400	100%	(See Project #2 Update)
			GEN Construction (STC - Per Bid - Approved)	\$562,000	90%	
			Running Total	\$599,400	91%	
			Remaining Budget	\$1,100,600		
11A	18" Plant Drain Upgrade	\$225,000	11A Design, Bidding, and CA/CI (JMD - Approved)	\$15,890	100%	Completed
			Const. (Danforth - Per Bid - Approved)	\$169,000	100%	
			Running Total	\$184,890	100%	
			Remaining Budget	\$40,110		
11B	Hypo and Sludge Improvements	\$975,000	11B Design, Bidding, and CA/CI (JMD - Approved)	\$68,343	76%	Pressure testing and final closeout.
			Const. (Danforth - Per Bid - Approved)	\$571,490	33%	
			Running Total	\$639,833	37%	
			Remaining Budget	\$335,167		
12	Intermediate Pumps Upgrades	\$3,075,000	Intermediate Pump Assessment (GHD - Approved)	\$21,716	83%	GHD has draft pump evaluation report.
			Running Total	\$21,716	83%	
			Remaining Budget	\$3,053,284		
Ph. 2 Budget = \$13,000,000			Phase 2 Running Total	\$4,499,123		
*Updated to reflect full available Phase 2 Budget, grant not yet approved			Phase 2 Remaining Budget	\$8,500,877		

NFWB Financial Award Summary

Last Updated: 4/10/23

Note: Changes from last summary are in red text



Description	Amount	Source	Status
AWARDED			
Various Watermain Improvements 2018 GRANT Portion	\$5,495,000 total \$3,000,000 grant \$2,495,000 loan 2/11/21 Agreement Date 2/11/26 use funds by	NYS EFC DWSRF 18588	City Engineer and Urban Engineers started design on two streets. CPL started design on 77th Street & Whitney Ave. EFC requestion more detail on City fee estimates. CPL sent NFWB email concerning this 1/31/22. City responded to NFWB inquiry that they will have no fees to NFWB for these projects.
Various Watermain Improvements 2018 LOAN Portion	\$5,495,000 total \$3,000,000 grant \$2,495,000 loan	NYS EFC DWSRF 18588	City Engineer and Urban Engineers started design on two streets. CPL started design on 77th Street & Whitney Ave. EFC requestion more detail on City fee estimates. CPL sent NFWB email concerning this 1/31/22. City responded to NFWB inquiry that they will have no fees to NFWB for these projects.
Sewer Plant Phase 1 Improvements	\$13,500,000 grant	NYS DASNY ID #15688	Awarded. Six reimbursements received that total \$4.81 million.
Sewer Plant Phase 1 Improvements	\$13,500,000 loan long term \$27,000,000 loan short term	NYS EFC #C9-6603-12-00	Financial agreement has been processed April 2021. Disbursement request #1 for \$1.6 million has been received by NFWB. EFC approved 2nd request paperwork in amount of \$8.8 million, payment remitted. CPL to start reimbursement #3.
Sewer Plant Phase 2 Improvements	\$13,000,000 total \$6,500,000 grant	NYS DASNY	Projects 2B, 11A, 11B and 12 are allowed to access this funding. NFWB staff and CPL determining what projects can be added to Phase 2 for using all \$20 million DANSY grant.
LaSalle Sewer Area Phase 2 system report update & flow monitoring	\$250,000 total \$100,000 grant \$150,000 NFWB Match	NYSDEC Engineering Planning Grant	Application submitted 7/30/21. Grant awarded December 2021. May 2022 conference call with NFWB, DEC and EFC. NYS okay with revised schedule. EFC approved Arcadis agreement 3/13/23.
LaSalle Sewer Area Phase 2 Construction	\$1,000,000 total \$800,000 grant \$200,000 NFWB match	NYSDEC WQIP C01522GG #111619	Application submitted 7/30/21. Grant awarded December 2021. May 2022 conference call with NFWB, DEC and EFC. NYS okay with revised schedule. Possible improvements can be done in 2022 or 2023. NFWB staff to obtain agreement with DEC by end of March per DEC request.
LaSalle Sewer Area Phase 2 Construction	\$1,018,400 loan	NYS EFC CWSRF C9-6603-13-00	Application made to Intended Use Plan and listed. Funding can be for short & long terms to help assists with above WQIP grant. Bond resolution sent to EFC 12/23/22. EFC sent missing items letter 2/9/23. NFWB and CPL to discuss with EFC.

NFWB Financial Award Summary



Last Updated: 4/10/23

Note: Changes from last summary are in red text

Description	Amount	Source	Status
Drinking Water Fluoridation Component 1 (Planning Study for water plant upgrades)	\$25,000 grant	NYS Division of Family Health #T37250GG	Application submitted 10/1/21. Planning grant awarded 2/7/22. Requested paperwork provided to DOH 3/7/22. NFWB sent quarterly report to DOH 11/7/22. NFWB obtained proposal for study. Provide remaining paperwork to NYS.
2021 Various Watermain & System Improvements	\$10,025,000 total \$3,000,000 grant \$7,025,000 loan	NYS EFC DWSRF 19056	Board approved resolution 10/25/21. Application to EFC made 11/19/21. Funding awarded April 2022, NFWB accepted 5/13/22. EFC sent missing items letter 3/2/23 and request response by 3/31/23. Needed prior to receiving funds.
2021 Various Sewer & System Improvements	\$4,500,000 total \$1,125,000 grant \$3,375,000 loan	NYS EFC CWSRF C9-6603-14-00	Board approved resolution 10/25/21. Application to EFC made 11/19/21. Funding awarded April 2022, NFWB accepted 5/13/22. EFC to send draft agreement for review. EFC requesting information on backup generator. CPL working with suppliers and staff. EFC sent missing items letter 2/3/23 and request response by 2/28/23. Needed prior to receiving funds.
2022 Various Sewer & System Improvements	\$5,400,000 total \$1,250,000 grant \$4,150,000 loan	NYS EFC CWSRF C9-6603-16-00	NFWB staff & CPL met 3/7/22 to discuss. EFC submission deadline 9/9/22. Application submitted 9/8/22. EFC announced award 11/4/22. NFWB accepted award 11/16/22. EFC sent missing items letter 2/10/23 and request response by 3/10/23. Needed prior to receiving funds.

NFWB Financial Award Summary

Last Updated: 4/10/23

Note: Changes from last summary are in red text



Description	Amount	Source	Status
FUTURE			
Local Government Records Management Improvement	Grant, varies. Up to \$150,000 if submit with City	NYS Archives	Recommend NFWB partner with City to maximize grant award. If City not interested, NFWB should make application by themselves. Application period anticipated to be early 2021. NFWB met with City Feb 2021 to discuss. CPL awaiting direction.
Local Government Efficiency Program	Grant, varies. Up to \$150,000 if submit with City	NYS DOS	For projects that will achieve improvements between NFWB and other entities such as County, City, Public Safety, etc. NFWB met with City Feb 2021 to discuss. CPL awaiting direction.
Zero-Emission Vehicle Infrastructure Grant (electric charging stations)	max \$250,000 per location and max \$500,000 to NFWB, up to 20% NFWB match	NYS OCC	Stations must be accessible by public. Part of CFA process. Next application deadline anticipated July 2023.
Large Funding Request Sewer Plant Biological Conversion	\$250,000,000	NYS & Federal	Effort underway with officials for request. Several meetings with officials and WNY funding delegation. CPL submitted financial application to EFC IUP list 1/11/21. Funding request submitted to Senator Schumer 4/9/22. EFC Intended Use Plan listing updated 6/7/22. EFC updated listing August 2022 to have two components, one of \$20 million for design and second of \$230 million for construction. Easier for EFC to issue funds in phases.
Large Funding Request Lead Removal	\$70,000,000	NYS & Federal	Effort underway with officials for request. Several meetings with officials and WNY funding delegation. CPL to prepare with NFWB staff, list and cost of mains to be replaced.
Drinking Water Fluoridation Component 2 (construction funds for water plant upgrades)	up to \$1,000,000 grant	NYS Division of Family Health	To be submitted for once study prepared and approved by NYS. NYS has open submissions through 2028.
2022 Lead Service Line Removal Bipartisan Infrastructure Law (BIL)	Program details not yet available, anticipate grant money Requested \$472,780	NYS EFC DWSRF	Program offers funds to replace lead service lines from main to house. NFWB staff elected to submit 8/18/22. Application and report submitted 8/31/22. DOH to announce program awards after 3/10/23. NFWB is listed on Intended Use Plan.
Water System Pipe Condition Assessment & Real Time Analysis			NFWB staff & CPL discussed 3/7/22 desire to perform assessments within water system. NFWB previously received proposals, however they were cost prohibitive. CPL to see if any funding programs available.

NFWB Financial Award Summary

Last Updated: 4/10/23

Note: Changes from last summary are in red text



Description	Amount	Source	Status
Additional Lead Removal Funding Programs			NFWB staff met with Senator Gillibrand staff 8/22 and obtained information on several funding programs. CPL to investigate and provide response for possible opportunities.
2023 Various Watermain & System Improvements		NYS EFC DWSRF	Board and staff to contemplate 2023 funding application to EFC. Program submission deadline anticipated September 2023. Recommend resubmitting 2022 application that was not awarded. This contains Beech Avenue tank replacement.
2023 Various Sewer & System Improvements		NYS EFC CWSRF	Board and staff to contemplate 2023 funding application to EFC. Program submission deadline anticipated September 2023.

NFWB Financial Award Summary



Last Updated: 4/10/23

Note: Changes from last summary are in red text

Description	Amount	Source	Status
COMPLETED / NOT ACTIVE			
LaSalle Sewer Area Phase 1 system report update & flow monitoring	\$100,000 grant	NYSDEC Engineering Planning Grant EPG #93794	Total payment of \$100,000 has been received by NFWB.
Sewer Plant Consent Order Items 11 & 14	\$500,000 grant	NYS DEC & EFC R9-20170906-129	Paperwork submitted and EFC/DEC reviewed. Payment has been issued.
Bollier Avenue Watermain Improvements 2017	\$400,000 total \$240,000 grant	NYS EFC DWSRF 18435	Funding Agreement Signed. Construction completed October 2020. All EFC reimbursements received.
Water Efficiency Green Grant Innovation Program	grant up to 75% of work \$625,000 estimated project cost	NYS CFA	Grant program to pay for meter installation, replacements or upgrades. Anticipated submission deadline July 2022. Neptune involved to help confirm cost and scope. Desire to upgrade meters from AMR to AMI type. CPL sent NFWB email regarding application requirements. NFWB not moving forward per 5/25/22 email.
2022 Various Watermain & System Improvements	\$7,785,000 total \$3,000,000 grant \$4,785,000 loan	NYS EFC	NFWB staff & CPL met 3/7/22 to discuss. EFC submission deadline 9/9/22. Application submitted 9/8/22. Not awarded with 11/4/22 EFC announcements. NFWB sent EFC email 2/3/23 noting to not accept loan and will resubmit for grant in 2023.

**Niagara Falls Water Board
Personnel Actions and Report
Monday, April 24, 2023**

**Personnel Actions Sheet & Requested of the Board.
All appointments are subject to the appointee meeting the minimum qualifications and all applicable civil service conditions.**

A. PERSONNEL ACTIONS RECOMMEND TO HIRE

Line Item Number	Position	Department/Location	Pay Rate or Grade	ADDITIONAL INFORMATION
1	Sanitary Eng	Engineering	\$48,931/year	Recommended by Dept Director
2	Admin Asst	H/R	\$42,348/year	Succession Planning

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

D. OTHER PERSONNEL ACTIVITY FOR BOARD NOTIFICATION

Name	Position	Department/Location	Pay Rate	ADDITIONAL INFORMATION
Brandon Delf	WTP Op Trainee	WTP Ops	\$41,516/year	Resignation effective 4/8/2023
Cameron Reed	MW 2	WWTP Ins Maint	\$34,195/year	Termination effective 4/15/2023

E. PERSONNEL ON LONG TERM LEAVE OF ABSENCE

Name	Last Day Worked	Dept.	Return Status	Comments
Syverson, Jean	5/18/2022	Admin WWTP	Unknown	Workers Comp. Term Ltr sent 4/15/2023
Milne, Robert	1/3/2023	SOS - WWTP	Unknown	FMLA
Gratto, Timothy	2/15/2023	Outside Infrastructure	Unknown	FMLA



Insurance Proposal

April 11, 2023

Client Name:	Niagara Falls Water Board	USI Account Manager:	Linda A. Mayflower, ACSR, CPIA
Mailing Address:	5815 Buffalo Avenue Niagara Falls, NY 14304	Phone Number:	(716) 314-2060
		Email:	Linda.Mayflower@usi.com
Named Insured:	Niagara Falls Water Board		
Policy Type:	Cyber Liability		
Proposed Policy Term:	04/24/23-04/24/24	Quote Expires:	4/24/23
Insurance Carrier:	Syndicate at Lloyds		
Carrier Financial Rating:		<input type="checkbox"/> Carrier Admitted	<input checked="" type="checkbox"/> Carrier Non-Admitted
Minimum Earned Premium, if applicable		Policy Subject to Audit <input type="checkbox"/>	
Summary of Proposed:	See attached Carrier Proposal		
Total Estimated Premium:	\$9,287.42	Terrorism included <input type="checkbox"/>	

Requirements to Effect Coverage

- Signed Application
- Signed Terrorism Disclosure Notice
- Signed Carrier Rating Notification if financial rating is less than A-
- Signed Surplus Lines Disclosure and Acknowledgement
- Client will be billed directly by carrier
- Payment in full or completed premium finance agreement
- Make check payable to: PAYABLE NAME
- Authorization to order coverage
- Verification of Named Insured

Other exclusions and policy limitations may apply. Please refer to the actual policies for specific terms, conditions, limitations and exclusions that will govern in the event of a loss. Higher limits and additional coverage may be available. Please contact us if you are interested in additional quotes.



Niagara Falls Water Board
Cyber Eff 4/24/23

Coverage	Beazley	Chubb
1st Party		
Breach Response	\$1,000,000	\$1,000,000
Business Interruption	\$1,000,000	\$1,000,000
Network Extortion	\$1,000,000	\$1,000,000
Dependent BI	\$100,000	\$1,000,000
Data Recovery	\$1,000,000	\$1,000,000
Retention	\$25,000	\$25,000/12 hours
3rd Party		
Data and Network Liability	\$1,000,000	\$1,000,000
Regulatory Defense	\$1,000,000	\$1,000,000
Admitted/Non-Admitted	Non-Admitted	Admitted
Retro Date	Inception	Full Prior Acts
Premium	\$8,950 + ELANY Tax & Fee	\$23,132

Marketing Efforts:

CNA – Declined – Underwriting Guidelines

Corvus – Declined – Underwriting Guidelines

Hanover – Declined – Class of Business

Travelers – Quoted - \$29,742

About USI Insurance Services

USI is one of the largest insurance brokerage and consulting firms in the world, delivering property and casualty, employee benefits, personal risk, program and retirement solutions to large risk management clients, middle market companies, smaller firms and individuals. Headquartered in Valhalla, New York, USI connects together over 9,000 industry leading professionals across approximately 200 offices to serve clients' local, national and international needs. USI has become a premier insurance brokerage and consulting firm by leveraging the USI ONE Advantage®, an interactive platform that integrates proprietary and innovative client solutions, networked local resources and expertise, and enterprise-wide collaboration to deliver customized results with positive, bottom line impact. USI attracts best-in-class industry talent with a long history of deep and continuing investment in our local communities. For more information, visit usi.com.

The USI ONE Advantage

What truly distinguishes USI as a leading middle market insurance brokerage and consulting firm is the USI One Advantage, a game-changing value proposition that delivers clients a robust set of risk management and benefit solutions and exclusive resources with financial impact. USI ONE™ represents **Omni, Network, Enterprise**—the three key elements that create the USI ONE Advantage and set us apart from the competition.

Omni – USI's Proprietary Analytics

Omni, which means "all," is USI's one-of-a-kind solutions platform—real time, interactive, dynamic and evolving, and customized for each client. Built in-house by USI subject matter experts, Omni captures the experience of more than 100,000 clients, thousands of professionals and over 100 years of business activity through our acquired agencies into targeted, actionable solutions.

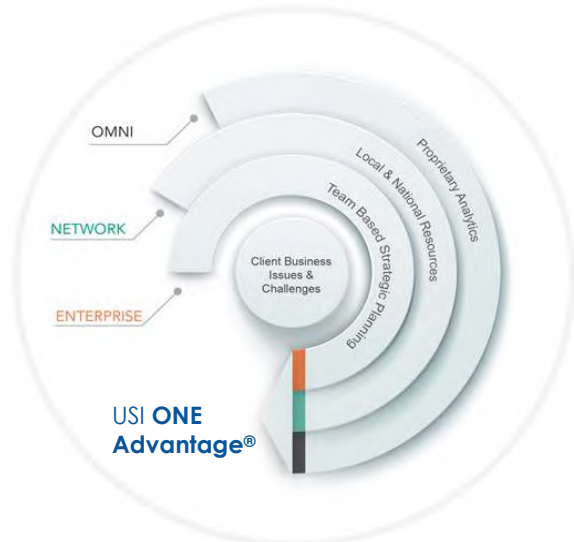
Network – USI's Local and National Resources

USI has made a very large investment in local resources and technical expertise, with more than 6,000 professionals networked nationally to build strong vertical capabilities and integrated account teams. Our local and regional experts ensure account team availability, hands-on service, and ongoing diligent follow-through so we can deliver on the solutions we customize for our clients.

Enterprise – USI's Team Based Strategic Planning

USI's enterprise planning is a disciplined, focused, analysis centered on our client's issues and challenges. Highly consultative meetings integrate USI's Omni analytics with our broad resource network to build a risk management strategy aligned with client business needs. Our enterprise process is a proven method for identifying, quantifying and minimizing client risk exposures.

The USI ONE Advantage—our **Omni** knowledge engine, with our **Network** of local and national resources, delivered to our clients through our **Enterprise** planning process gives USI fundamentally different solutions, the resources to deliver, and a process to bring superior results to our clients.



This proposal is merely a descriptive summary of coverage provided by the insurance companies being proposed and should be used for reference purposes only; it is not a binder and does not amend or alter the insurance contract. Please refer to the policy contract for specific terms, conditions, limitations, and exclusions.

USI Disclosures

Surplus Lines DISCLOSURE: Insurance is issued pursuant to the Surplus Lines Laws. Persons insured by Surplus Lines Carriers do not have the protection of the Insurance Guaranty Act to the extent of any right of recovery for the obligation of an insolvent unlicensed insurer. Surplus Lines policies that are subject to audit provide for additional premium charges, but may not allow for return premium.

This proposal is merely a descriptive summary of coverage provided by the insurance companies being proposed and should be used for reference purposes only; it is not a binder and does not amend or alter the insurance contract. Please refer to the policy contract for specific terms, conditions, limitations, and exclusions.



USI Privacy Notice

Our Privacy Promise to You

USI provides this notice to you, our customer, so that you will know what we will do with the personal information, personal financial and health information (collectively referred to as the “protected information”) that we may receive from you directly or receive from your health care provider or receive from another source that you have authorized to send us your protected information. We at USI are concerned about your privacy and assure you that we will do what is required of us to safeguard your protected information.

What types of information will we be collecting?

USI collects information from you required both for our business and pursuant to regulatory requirements. Without it, we cannot provide our products and services for you. We will be collected protected information about you from:

- Applications or other forms, such as name, address, Social Security number, assets and income, employment status and dependent information;
- Your transactions with us or your transactions with others, such as account activity, payment history, and products and services purchased;
- Consumer reporting agencies, such as credit relationships and credit history. These agencies may retain their reports and share them with others who use their services;
- Other individuals, businesses and agencies, such as medical and demographic information; and
- Visitors to our websites, such as information from on-line forms, site visitorship data and on-line information collection devices, commonly called “cookies.”

What will we do with your protected information?

The information USI gathers is shared within our company to help us maximize the services we can provide to our customers. We will only disclose your protected information as is necessary for us to provide the insurance products and services you expect from us. USI does not sell your protected information to third parties, nor does it sell or share customer lists.

We may also disclose all of the information described above to third parties with which we contract for services. In addition, we may disclose your protected information to medical care institutions or medical professionals, insurance regulatory authorities, law enforcement or other government authorities, or to affiliated or nonaffiliated third parties as is reasonably necessary to conduct our business or as otherwise permitted by law.

Our Security Procedures

At USI, we have put in place the highest measures to ensure the security and confidentiality of customer information. We will handle the protected information we receive by restricting access to the protected information about you to those employees and agents of ours who need to know that information to provide you with our products or services or to otherwise conduct our business, including actuarial or research studies. Our computer database has multiple levels of security to protect against threats or hazards to the integrity of customer records, and to protect against unauthorized access to records that may harm or inconvenience our customers. We maintain physical, electronic, and procedural safeguards that comply with federal and state regulations to safeguard all of your protected information.

This proposal is merely a descriptive summary of coverage provided by the insurance companies being proposed and should be used for reference purposes only; it is not a binder and does not amend or alter the insurance contract. Please refer to the policy contract for specific terms, conditions, limitations, and exclusions.



Our Legal Use of Information

We retain the right to use ideas, concepts, know-how, or techniques contained in any nonpublic personal information you provide to us for our own purposes, including developing and marketing products and services.

Your Right to Review Your Records

You have the right to review the protected information about you relating to any insurance or annuity product issued by us that we could reasonably locate and retrieve. You may also request that we correct, amend or delete any inaccurate information by writing to us at the above address.

This proposal is merely a descriptive summary of coverage provided by the insurance companies being proposed and should be used for reference purposes only; it is not a binder and does not amend or alter the insurance contract. Please refer to the policy contract for specific terms, conditions, limitations, and exclusions.



Revenue Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	FA - Water Board - Water									
	REVENUE									
	<i>Departmental Income</i>									
2122.001	Visual Inspections	50,000.00	.00	50,000.00	4,980.00	.00	10,080.00	39,920.00	20	12,420.00
2140.001	District 1	2,101,006.00	.00	2,101,006.00	1,463.37	.00	470,506.52	1,630,499.48	22	(138,044.06)
2140.002	District 2	2,546,082.00	.00	2,546,082.00	489.33	.00	541,892.09	2,004,189.91	21	2,875.38
2140.003	District 3	1,909,562.00	.00	1,909,562.00	451,530.77	.00	453,710.33	1,455,851.67	24	140,044.46
2140.004	Non-Resident	42,000.00	.00	42,000.00	865.72	.00	13,003.62	28,996.38	31	7,558.11
2140.005	Industrial	3,591,522.00	.00	3,591,522.00	75.00	.00	595,947.97	2,995,574.03	17	(217,161.69)
2140.006	Industrial SIU	3,189,405.00	.00	3,189,405.00	.00	.00	654,120.83	2,535,284.17	21	.00
2140.008	Hydrant Usage	6,000.00	.00	6,000.00	.00	.00	336.17	5,663.83	6	401.45
2140.599	Miscellaneous Departmental Incom	5,000.00	.00	5,000.00	350.00	.00	1,350.00	3,650.00	27	750.00
2141.000	Allowance for Unpaid Trfd	(125,000.00)	.00	(125,000.00)	.00	.00	18,392.27	(143,392.27)	-15	19,762.63
2144.003	Fire Service	91,000.00	.00	91,000.00	.00	.00	.00	91,000.00	0	.00
2144.005	Service Charge	455,000.00	.00	455,000.00	24,698.10	.00	112,638.31	342,361.69	25	113,012.90
2144.006	Lab Analysis	35,000.00	.00	35,000.00	5,558.00	.00	8,035.07	26,964.93	23	8,024.00
2144.008	Missing Meter Charge	25,000.00	.00	25,000.00	1,588.50	.00	6,247.00	18,753.00	25	4,499.00
2144.009	Mtr Install/Reinstall/Reactivate	5,000.00	.00	5,000.00	275.00	.00	1,075.00	3,925.00	22	600.00
2144.010	Final Meter Read/Inspect	18,000.00	.00	18,000.00	900.00	.00	3,125.00	14,875.00	17	4,475.00
2144.011	Hydrant Testing	300.00	.00	300.00	.00	.00	.00	300.00	0	.00
2144.012	Backflow Certification	7,500.00	.00	7,500.00	900.00	.00	2,630.00	4,870.00	35	2,195.00
2148.001	District 1	78,928.00	.00	78,928.00	(13.43)	.00	14,312.59	64,615.41	18	12,355.67
2148.002	District 2	49,005.00	.00	49,005.00	(300.00)	.00	8,894.67	40,110.33	18	8,315.48
2148.003	District 3	65,561.00	.00	65,561.00	22,561.68	.00	36,822.03	28,738.97	56	26,352.52
2148.004	Non-Resident	2,178.00	.00	2,178.00	.00	.00	157.01	2,020.99	7	89.70
2148.005	Industrial	16,549.00	.00	16,549.00	.00	.00	4,373.33	12,175.67	26	3,923.13
2148.006	Industrial SIU	7,638.00	.00	7,638.00	.00	.00	.00	7,638.00	0	.00
2148.599	Penalty - Miscellaneous	4,460.00	.00	4,460.00	.03	.00	.09	4,459.91	0	1.31
	<i>Departmental Income Totals</i>	\$14,176,696.00	\$0.00	\$14,176,696.00	\$515,922.07	\$0.00	\$2,957,649.90	\$11,219,046.10	21%	\$12,449.99
	<i>Intergovernmental Charges</i>									
2230.A	City of Niag Falls-Generl	230,102.00	.00	230,102.00	.00	.00	.00	230,102.00	0	.00
	<i>Intergovernmental Charges Totals</i>	\$230,102.00	\$0.00	\$230,102.00	\$0.00	\$0.00	\$0.00	\$230,102.00	0%	\$0.00
	<i>Use Of Money & Property</i>									
2401.000	Interest Earnings	25,000.00	.00	25,000.00	64,969.70	.00	87,839.69	(62,839.69)	351	(1,019.66)
	<i>Use Of Money & Property Totals</i>	\$25,000.00	\$0.00	\$25,000.00	\$64,969.70	\$0.00	\$87,839.69	(\$62,839.69)	351%	(\$1,019.66)
	<i>Licenses And Permits</i>									
2550.006	Cellular Towers	230,000.00	.00	230,000.00	16,085.65	.00	48,109.88	181,890.12	21	54,510.66
2590.004	Hydrant Permits & Rentals	12,000.00	.00	12,000.00	.00	.00	1,725.64	10,274.36	14	407.93
	<i>Licenses And Permits Totals</i>	\$242,000.00	\$0.00	\$242,000.00	\$16,085.65	\$0.00	\$49,835.52	\$192,164.48	21%	\$54,918.59
	<i>Sale Of Prop/Cmp For Loss</i>									
2650.000	Sale Of Scrap	10,000.00	.00	10,000.00	.00	.00	530.61	9,469.39	5	988.55

Revenue Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	FA - Water Board - Water									
	REVENUE									
	<i>Sale Of Prop/Cmp For Loss</i>									
2665.000	Sale-Equipment	2,723.00	.00	2,723.00	.00	.00	.00	2,723.00	0	.00
	<i>Sale Of Prop/Cmp For Loss Totals</i>	\$12,723.00	\$0.00	\$12,723.00	\$0.00	\$0.00	\$530.61	\$12,192.39	4%	\$988.55
	<i>Misc Local Sources</i>									
2701.000	Refund Appro Exp Prior Yr	.00	.00	.00	(1,470.00)	.00	(1,454.50)	1,454.50	+++	.00
2770.001	NSF Check Charge	8,000.00	.00	8,000.00	945.00	.00	2,310.00	5,690.00	29	1,995.00
2770.599	Undesignated	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	2,332.22
	<i>Misc Local Sources Totals</i>	\$13,000.00	\$0.00	\$13,000.00	(\$525.00)	\$0.00	\$855.50	\$12,144.50	7%	\$4,327.22
	<i>Interfund Revenues</i>									
2801.GA	Interfd Rev WtrBd-Sewr	.00	.00	.00	.00	.00	139,881.00	(139,881.00)	+++	.00
	<i>Interfund Revenues Totals</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$139,881.00	(\$139,881.00)	+++	\$0.00
	REVENUE TOTALS	\$14,699,521.00	\$0.00	\$14,699,521.00	\$596,452.42	\$0.00	\$3,236,592.22	\$11,462,928.78	22%	\$71,664.69
Fund	FA - Water Board - Water Totals	\$14,699,521.00	\$0.00	\$14,699,521.00	\$596,452.42	\$0.00	\$3,236,592.22	\$11,462,928.78		\$71,664.69

Revenue Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	FGA - Water Authority									
	REVENUE									
	<i>Misc Local Sources</i>									
2770.599	Undesignated	.00	.00	.00	.00	.00	.00	.00	+++	(1,593,255.15)
	<i>Misc Local Sources Totals</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	(\$1,593,255.15)
	REVENUE TOTALS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	(\$1,593,255.15)
Fund	FGA - Water Authority Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		(\$1,593,255.15)

Revenue Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	GA - Water Board - Sewer									
	REVENUE									
	<i>Departmental Income</i>									
2120.001	District 1	2,732,467.00	.00	2,732,467.00	1,937.01	.00	626,329.64	2,106,137.36	23	(183,539.24)
2120.002	District 2	3,329,002.00	.00	3,329,002.00	614.62	.00	718,896.82	2,610,105.18	22	3,698.70
2120.003	District 3	2,504,700.00	.00	2,504,700.00	600,652.43	.00	603,427.16	1,901,272.84	24	184,265.85
2120.005	Industrial CSIRU	5,079,433.00	.00	5,079,433.00	.00	.00	944,919.26	4,134,513.74	19	(309,922.42)
2120.006	Industrial SIU	10,438,936.00	.00	10,438,936.00	1,052,579.12	.00	2,514,641.60	7,924,294.40	24	(56,240.09)
2120.008	Hydrant Usage	10,000.00	.00	10,000.00	.00	.00	445.03	9,554.97	4	530.63
2120.102	Town Of Niagara	1,098,067.00	.00	1,098,067.00	.00	.00	159,410.79	938,656.21	15	134,819.44
2122.001	Visual Inspections	.00	.00	.00	.00	.00	.00	.00	+++	(120.00)
2122.002	Dye Tests	50,000.00	.00	50,000.00	4,980.00	.00	10,080.00	39,920.00	20	12,540.00
2128.001	District 1	98,024.00	.00	98,024.00	(104.33)	.00	18,993.36	79,030.64	19	16,489.52
2128.002	District 2	70,017.00	.00	70,017.00	(300.00)	.00	11,687.54	58,329.46	17	10,837.83
2128.003	District 3	86,948.00	.00	86,948.00	29,634.33	.00	48,479.01	38,468.99	56	34,921.80
2128.005	Industrial	19,095.00	.00	19,095.00	.00	.00	6,033.45	13,061.55	32	5,278.95
2128.006	Industrial SIU	20,368.00	.00	20,368.00	.00	.00	119.67	20,248.33	1	8,589.62
2141.000	Allowance for Unpaid Trfd	(125,000.00)	.00	(125,000.00)	.00	.00	23,103.89	(148,103.89)	-18	26,851.73
	<i>Departmental Income Totals</i>	\$25,412,057.00	\$0.00	\$25,412,057.00	\$1,689,993.18	\$0.00	\$5,686,567.22	\$19,725,489.78	22%	(\$110,997.68)
	<i>Use Of Money & Property</i>									
2401.000	Interest Earnings	25,000.00	.00	25,000.00	64,969.70	.00	87,839.68	(62,839.68)	351	(1,019.68)
	<i>Use Of Money & Property Totals</i>	\$25,000.00	\$0.00	\$25,000.00	\$64,969.70	\$0.00	\$87,839.68	(\$62,839.68)	351%	(\$1,019.68)
	<i>Licenses And Permits</i>									
2590.006	SIU 5-Yr Permits	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	1,000.00
	<i>Licenses And Permits Totals</i>	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	0%	\$1,000.00
	<i>Fines And Forfeits</i>									
2620.000	Forfeitures Of Deposits	500.00	.00	500.00	.00	.00	.00	500.00	0	.00
	<i>Fines And Forfeits Totals</i>	\$500.00	\$0.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0%	\$0.00
	<i>Sale Of Prop/Cmp For Loss</i>									
2650.000	Sale Of Scrap	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	.00
	<i>Sale Of Prop/Cmp For Loss Totals</i>	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	0%	\$0.00
	<i>Misc Local Sources</i>									
2701.000	Refund Appro Exp Prior Yr	.00	.00	.00	(13,450.76)	.00	(12,987.36)	12,987.36	+++	2,467.98
2770.599	Undesignated	25,000.00	.00	25,000.00	.00	.00	.00	25,000.00	0	17,398.28
	<i>Misc Local Sources Totals</i>	\$25,000.00	\$0.00	\$25,000.00	(\$13,450.76)	\$0.00	(\$12,987.36)	\$37,987.36	-52%	\$19,866.26
	<i>Interfund Revenues</i>									
2801.F	Interfd Rev Fr Water	.00	.00	.00	.00	.00	127,823.50	(127,823.50)	+++	.00
	<i>Interfund Revenues Totals</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$127,823.50	(\$127,823.50)	+++	\$0.00
	REVENUE TOTALS	\$25,472,557.00	\$0.00	\$25,472,557.00	\$1,741,512.12	\$0.00	\$5,889,243.04	\$19,583,313.96	23%	(\$91,151.10)
Fund	GA - Water Board - Sewer Totals	\$25,472,557.00	\$0.00	\$25,472,557.00	\$1,741,512.12	\$0.00	\$5,889,243.04	\$19,583,313.96		(\$91,151.10)

Revenue Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	VFG - Plant Fund									
	REVENUE									
	<i>Use Of Money & Property</i>									
2401.000	Interest Earnings	700,000.00	.00	700,000.00	.00	.00	.00	700,000.00	0	102,960.53
	<i>Use Of Money & Property Totals</i>	\$700,000.00	\$0.00	\$700,000.00	\$0.00	\$0.00	\$0.00	\$700,000.00	0%	\$102,960.53
	<i>Sale Of Prop/Cmp For Loss</i>									
2675.000	Gain on Disposal of Assets	.00	.00	.00	.00	.00	.00	.00	+++	16,250.60
	<i>Sale Of Prop/Cmp For Loss Totals</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$16,250.60
	<i>Proceeds Of Obligations</i>									
4990.000	Grant Revenue	.00	.00	.00	.00	.00	.00	.00	+++	258,703.75
	<i>Proceeds Of Obligations Totals</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$258,703.75
	REVENUE TOTALS	\$700,000.00	\$0.00	\$700,000.00	\$0.00	\$0.00	\$0.00	\$700,000.00	0%	\$377,914.88
	Fund VFG - Plant Fund Totals	\$700,000.00	\$0.00	\$700,000.00	\$0.00	\$0.00	\$0.00	\$700,000.00		\$377,914.88
	Grand Totals	\$40,872,078.00	\$0.00	\$40,872,078.00	\$2,337,964.54	\$0.00	\$9,125,835.26	\$31,746,242.74		(\$1,234,826.68)

Expense Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	GA - Water Board - Sewer									
	EXPENSE									
	<i>Personnel - Position Control</i>									
0110.000	Biweekly Payroll	3,182,606.00	.00	3,182,606.00	188,531.15	.00	536,027.63	2,646,578.37	17	549,617.67
0153.000	Stipend	.00	.00	.00	.00	.00	.00	.00	+++	57.69
	<i>Personnel - Position Control Totals</i>	\$3,182,606.00	\$0.00	\$3,182,606.00	\$188,531.15	\$0.00	\$536,027.63	\$2,646,578.37	17%	\$549,675.36
	<i>Personnel Services</i>									
0111.000	Biweekly Comp Differential	.00	.00	.00	.00	.00	.00	.00	+++	911.12
0121.000	Weekly Comp Differential	.00	.00	.00	10.09	.00	36.36	(36.36)	+++	.00
0125.000	Insurance OPT Out	102,356.00	.00	102,356.00	7,189.34	.00	22,165.10	80,190.90	22	22,583.73
0130.000	Temporary Payroll	438,990.00	.00	438,990.00	38,868.07	.00	124,097.42	314,892.58	28	31,744.08
0140.000	Overtime	206,500.00	.00	206,500.00	11,963.65	.00	46,889.88	159,610.12	23	67,786.03
0150.000	Acting Next-In-Rank Pay	12,480.00	.00	12,480.00	.00	.00	.00	12,480.00	0	238.78
0151.A	Sunday Contractual Pay	51,000.00	.00	51,000.00	.00	.00	.00	51,000.00	0	10,165.51
0151.000	Sunday Premium Pay	.00	.00	.00	3,735.73	.00	11,086.94	(11,086.94)	+++	.00
0152.000	Shift Premium Pay	.00	.00	.00	.00	.00	.00	.00	+++	107.23
0155.A	Holiday Contractual Pay	33,500.00	.00	33,500.00	.00	.00	11,451.93	22,048.07	34	6,014.17
0155.000	Holiday Pay	.00	.00	.00	1,018.55	.00	29,671.71	(29,671.71)	+++	16,153.12
0165.000	Military Leave	.00	.00	.00	828.18	.00	2,642.61	(2,642.61)	+++	1,688.25
0170.000	Overtime Meals	8,100.00	.00	8,100.00	380.00	.00	1,294.50	6,805.50	16	1,928.00
0180.000	Comp. Time Earned	.00	.00	.00	.00	.00	2,124.32	(2,124.32)	+++	.00
0181.000	Vacation Pay	.00	.00	.00	1,237.36	.00	3,823.73	(3,823.73)	+++	39,136.01
0182.000	Personal Time	.00	.00	.00	201.59	.00	720.40	(720.40)	+++	183.74
0183.000	Compensatory Time Off	.00	.00	.00	7,349.73	.00	26,266.15	(26,266.15)	+++	2,642.94
0184.000	Funeral Leave	.00	.00	.00	251.84	.00	467.50	(467.50)	+++	513.79
0186.000	Call-In Time	19,000.00	.00	19,000.00	1,379.74	.00	4,915.74	14,084.26	26	6,169.42
0189.000	Sick Leave	.00	.00	.00	4,776.11	.00	11,402.20	(11,402.20)	+++	14,526.50
	<i>Personnel Services Totals</i>	\$871,926.00	\$0.00	\$871,926.00	\$79,189.98	\$0.00	\$299,056.49	\$572,869.51	34%	\$222,492.42
	<i>Capital Outlays</i>									
0210.000	Furniture & Furnishings	2,500.00	15,000.00	17,500.00	2,626.89	11,147.28	2,626.89	3,725.83	79	.00
0220.000	Office Equipment	500.00	.00	500.00	.00	.00	.00	500.00	0	.00
0250.500	Safety Equipment	10,000.00	.00	10,000.00	1,100.92	1,392.35	3,272.91	5,334.74	47	681.30
	<i>Capital Outlays Totals</i>	\$13,000.00	\$15,000.00	\$28,000.00	\$3,727.81	\$12,539.63	\$5,899.80	\$9,560.57	66%	\$681.30
	<i>Contractual Expenses</i>									
0411.000	Office Supplies	3,050.00	.00	3,050.00	447.38	1,002.15	997.85	1,050.00	66	.00
0412.000	Uniforms	2,940.00	.00	2,940.00	.00	.00	.00	2,940.00	0	.00
0413.000	Safety Shoes	11,000.00	.00	11,000.00	1,054.93	.00	1,379.30	9,620.70	13	3,056.73
0414.000	Automotive-Gas,Oil,Grease	45,000.00	.00	45,000.00	5,607.24	.00	6,223.15	38,776.85	14	6,521.89
0416.000	Consumable Printed Forms	1,000.00	.00	1,000.00	.00	.00	34.00	966.00	3	.00
0417.000	Tool Allowance	300.00	.00	300.00	.00	.00	.00	300.00	0	.00
0419.001	Automotive Parts	30,000.00	.00	30,000.00	(151.56)	.00	2,655.51	27,344.49	9	6,298.94

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Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	GA - Water Board - Sewer									
	EXPENSE									
	<i>Contractual Expenses</i>									
0419.003	Cleaning/Sanitary	10,000.00	.00	10,000.00	.00	394.69	960.48	8,644.83	14	2,578.43
0419.004	Agricultural/Botanical	50,000.00	.00	50,000.00	.00	.00	.00	50,000.00	0	.00
0419.005	Tools & Machine Parts	212,000.00	.00	212,000.00	9,337.79	8,286.26	20,522.66	183,191.08	14	19,491.90
0419.006	Construction/Repair	175,000.00	.00	175,000.00	20,016.38	5,233.11	24,886.11	144,880.78	17	11,991.48
0419.008	Signals/Communication	5,000.00	.00	5,000.00	.00	1,936.60	.00	3,063.40	39	1,494.55
0419.009	Misc Chemicals	25,000.00	.00	25,000.00	1,360.80	2,960.09	1,884.02	20,155.89	19	2,286.87
0419.010	Laboratory	27,000.00	.00	27,000.00	642.72	2,448.56	1,595.23	22,956.21	15	6,463.77
0419.012	Carbon	20,000.00	.00	20,000.00	.00	.00	.00	20,000.00	0	.00
0419.014	Ferric Chloride	700,000.00	.00	700,000.00	67,597.44	22,622.08	177,377.92	500,000.00	29	102,508.12
0419.016	Primary Polymer	120,000.00	.00	120,000.00	.00	20,000.00	.00	100,000.00	17	19,008.00
0419.017	Sludge Polymer	100,000.00	.00	100,000.00	.00	20,000.00	.00	80,000.00	20	.00
0419.018	Pebble Lime	150,000.00	.00	150,000.00	12,137.08	24,975.64	25,024.36	100,000.00	33	29,170.52
0419.024	Hypochlorite Solution	9,000,000.00	.00	9,000,000.00	575,801.55	823,577.15	1,216,937.47	6,959,485.38	23	560,653.46
0419.599	Undesignated Supplies	57,300.00	.00	57,300.00	4,708.90	4,020.94	14,337.35	38,941.71	32	2,256.10
0421.001	Phone Extension Chgs	46,500.00	.00	46,500.00	4,708.46	.00	9,246.13	37,253.87	20	9,153.31
0421.002	Wireless Services	11,000.00	.00	11,000.00	1,704.41	.00	1,704.41	9,295.59	15	1,547.45
0422.000	Light & Power	670,000.00	.00	670,000.00	118,310.24	.00	136,731.83	533,268.17	20	130,672.33
0423.000	Water/Sewer	574,000.00	.00	574,000.00	.00	.00	127,823.50	446,176.50	22	.00
0424.000	Gas	25,000.00	.00	25,000.00	8,381.62	.00	8,381.62	16,618.38	34	5,675.23
0432.000	Property Insurance	260,000.00	.00	260,000.00	.00	.00	.00	260,000.00	0	.00
0433.000	Liability Insurance	85,000.00	.00	85,000.00	33,774.00	.00	137,634.80	(52,634.80)	162	121,003.20
0440.003	Motor Vehicle Equipment	60,000.00	.00	60,000.00	4,845.81	.00	14,883.13	45,116.87	25	17,143.16
0440.599	Undesignated Leases	1,500.00	.00	1,500.00	57.38	.00	126.58	1,373.42	8	128.47
0441.000	Rental Of Real Property	75.00	.00	75.00	.00	.00	.00	75.00	0	.00
0442.000	Rental Of Equipment	16,500.00	.00	16,500.00	5,066.92	791.30	9,786.72	5,921.98	64	714.12
0442.003	Motor Vehicle Equip Rentl	6,000.00	.00	6,000.00	458.50	.00	458.50	5,541.50	8	977.00
0442.599	Undesignated Rentals	4,000.00	.00	4,000.00	.00	2,000.00	.00	2,000.00	50	.00
0443.000	Repair Of Real Property	40,500.00	.00	40,500.00	9,693.83	10,466.48	12,077.39	17,956.13	56	4,086.52
0444.000	Repair Of Equipment	142,000.00	.00	142,000.00	26,065.27	25,121.61	38,342.99	78,535.40	45	8,298.15
0446.000	Computer Services	4,500.00	.00	4,500.00	723.37	.00	1,083.74	3,416.26	24	1,054.94
0446.007	Software	50,000.00	.00	50,000.00	.00	.00	.00	50,000.00	0	.00
0449.000	Billing & Collection	47,000.00	.00	47,000.00	4,393.01	.00	13,179.03	33,820.97	28	11,313.84
0449.002	Sludge Disposal	2,000,000.00	.00	2,000,000.00	156,844.71	90,238.15	409,761.85	1,500,000.00	25	327,531.40
0449.004	Special Security	.00	.00	.00	.00	.00	.00	.00	+++	195.00
0449.008	Hazardous Waste Displ.	500.00	.00	500.00	.00	.00	.00	500.00	0	.00
0449.500	Safety-Contractual	5,000.00	.00	5,000.00	140.00	.00	343.00	4,657.00	7	.00
0449.599	Undesignated Services	225,441.00	(19,220.00)	206,221.00	26,151.67	36,796.64	52,962.79	116,461.57	44	26,286.82
0451.000	Consultants	80,000.00	.00	80,000.00	.00	16,735.00	.00	63,265.00	21	19,095.70

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Fund	GA - Water Board - Sewer									
	EXPENSE									
	<i>Contractual Expenses</i>									
0454.000	Attorney Services	40,000.00	.00	40,000.00	696.25	.00	696.25	39,303.75	2	.00
0461.000	Postage	30,000.00	.00	30,000.00	1,373.51	.00	1,878.02	28,121.98	6	1,455.38
0463.000	Travel & Training Expense	13,500.00	4,220.00	17,720.00	.00	4,220.00	.00	13,500.00	24	779.99
0463.500	Safety Training	1,000.00	.00	1,000.00	.00	.00	.00	1,000.00	0	.00
0465.000	Laundry & Cleaning	7,500.00	.00	7,500.00	691.50	5,630.40	1,869.60	.00	100	953.27
0466.000	Books,Mags. & Memberships	500.00	.00	500.00	210.00	.00	2,010.00	(1,510.00)	402	1,890.00
0467.000	Advertising	500.00	.00	500.00	52.68	.00	91.29	408.71	18	164.06
0471.000	Recruitment Expenditures	800.00	.00	800.00	.00	.00	179.00	621.00	22	507.51
	<i>Contractual Expenses Totals</i>	\$15,192,906.00	(\$15,000.00)	\$15,177,906.00	\$1,102,903.79	\$1,129,456.85	\$2,476,067.58	\$11,572,381.57	24%	\$1,464,407.61
	<i>Employee Benefits</i>									
0801.000	NYS E.R.S. Retirement	427,310.00	.00	427,310.00	.00	.00	89,074.67	338,235.33	21	120,942.00
0803.000	Building Trades Benefits	.00	.00	.00	45,032.00	.00	73,447.56	(73,447.56)	+++	.00
0820.000	Worker's Compensation	240,000.00	.00	240,000.00	1,640.48	.00	1,640.48	238,359.52	1	1,640.48
0830.000	Life Insurance	13,237.00	.00	13,237.00	1,182.44	.00	3,607.06	9,629.94	27	3,268.18
0840.000	Unemployment Ins. NYS	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	.00
0860.000	Medical Insurance	2,347,747.00	.00	2,347,747.00	174,720.55	.00	617,966.94	1,729,780.06	26	609,271.04
0861.000	Dental Insurance	80,300.00	.00	80,300.00	.00	.00	.00	80,300.00	0	.00
0863.000	Vision Care Insurance	6,204.00	.00	6,204.00	.00	.00	447.89	5,756.11	7	1,385.11
0865.000	Chiropractic Insurance	930.00	.00	930.00	200.00	.00	250.00	680.00	27	.00
	<i>Employee Benefits Totals</i>	\$3,120,728.00	\$0.00	\$3,120,728.00	\$222,775.47	\$0.00	\$786,434.60	\$2,334,293.40	25%	\$736,506.81
	<i>Employee Benefit - FICA</i>									
0810.000	Social Security	261,077.00	.00	261,077.00	19,955.52	.00	61,968.45	199,108.55	24	57,716.44
	<i>Employee Benefit - FICA Totals</i>	\$261,077.00	\$0.00	\$261,077.00	\$19,955.52	\$0.00	\$61,968.45	\$199,108.55	24%	\$57,716.44
	EXPENSE TOTALS	\$22,642,243.00	\$0.00	\$22,642,243.00	\$1,617,083.72	\$1,141,996.48	\$4,165,454.55	\$17,334,791.97	23%	\$3,031,479.94
Fund	GA - Water Board - Sewer Totals	\$22,642,243.00	\$0.00	\$22,642,243.00	\$1,617,083.72	\$1,141,996.48	\$4,165,454.55	\$17,334,791.97		\$3,031,479.94
	Grand Totals	\$22,642,243.00	\$0.00	\$22,642,243.00	\$1,617,083.72	\$1,141,996.48	\$4,165,454.55	\$17,334,791.97		\$3,031,479.94

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Fund FA - Water Board - Water										
EXPENSE										
<i>Personnel - Position Control</i>										
0110.000	Biweekly Payroll	2,502,809.00	.00	2,502,809.00	193,705.06	.00	546,868.09	1,955,940.91	22	415,452.16
0153.000	Stipend	4,925.00	.00	4,925.00	461.42	.00	1,384.26	3,540.74	28	1,326.59
<i>Personnel - Position Control Totals</i>		\$2,507,734.00	\$0.00	\$2,507,734.00	\$194,166.48	\$0.00	\$548,252.35	\$1,959,481.65	22%	\$416,778.75
<i>Personnel Services</i>										
0111.000	Biweekly Comp Differential	.00	.00	.00	.00	.00	.00	.00	+++	828.30
0121.000	Weekly Comp Differential	.00	.00	.00	11.87	.00	57.58	(57.58)	+++	.00
0125.000	Insurance OPT Out	61,479.00	.00	61,479.00	6,660.80	.00	21,475.10	40,003.90	35	12,258.10
0130.000	Temporary Payroll	106,000.00	.00	106,000.00	9,466.25	.00	23,151.25	82,848.75	22	14,755.12
0140.000	Overtime	94,150.00	.00	94,150.00	7,411.41	.00	26,025.24	68,124.76	28	19,959.03
0150.000	Acting Next-In-Rank Pay	.00	.00	.00	.00	.00	.00	.00	+++	3,118.23
0151.A	Sunday Contractual Pay	16,000.00	.00	16,000.00	.00	.00	.00	16,000.00	0	3,402.15
0151.000	Sunday Premium Pay	.00	.00	.00	1,299.92	.00	3,958.44	(3,958.44)	+++	.00
0152.000	Shift Premium Pay	.00	.00	.00	.00	.00	.00	.00	+++	113.75
0155.A	Holiday Contractual Pay	8,500.00	.00	8,500.00	.00	.00	2,899.26	5,600.74	34	1,384.42
0155.000	Holiday Pay	.00	.00	.00	1,099.14	.00	34,821.91	(34,821.91)	+++	15,918.89
0170.000	Overtime Meals	2,715.00	.00	2,715.00	138.50	.00	535.50	2,179.50	20	540.50
0180.000	Comp. Time Earned	.00	.00	.00	1,439.35	.00	2,334.74	(2,334.74)	+++	.00
0181.000	Vacation Pay	.00	.00	.00	471.23	.00	14,790.87	(14,790.87)	+++	37,053.26
0182.000	Personal Time	.00	.00	.00	.00	.00	673.53	(673.53)	+++	867.76
0183.000	Compensatory Time Off	.00	.00	.00	10,946.13	.00	48,761.39	(48,761.39)	+++	189.70
0184.000	Funeral Leave	.00	.00	.00	.00	.00	1,473.55	(1,473.55)	+++	1,004.58
0186.000	Call-In Time	9,350.00	.00	9,350.00	621.36	.00	2,091.48	7,258.52	22	2,235.43
0189.000	Sick Leave	.00	.00	.00	6,076.17	.00	20,111.29	(20,111.29)	+++	16,302.41
0190.000	Vacation Cash Conversion	12,337.00	.00	12,337.00	.00	.00	.00	12,337.00	0	.00
<i>Personnel Services Totals</i>		\$310,531.00	\$0.00	\$310,531.00	\$45,642.13	\$0.00	\$203,161.13	\$107,369.87	65%	\$129,931.63
<i>Capital Outlays</i>										
0210.000	Furniture & Furnishings	4,500.00	.00	4,500.00	946.61	.00	987.58	3,512.42	22	.00
0230.000	Motor Vehicle Equipment	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	.00
0250.000	Other Equipment	30,000.00	.00	30,000.00	230.73	4,869.00	230.73	24,900.27	17	.00
0250.007	Computer Equipment	25,000.00	.00	25,000.00	1,984.09	19,349.29	4,631.06	1,019.65	96	1,564.99
0250.500	Safety Equipment	2,000.00	.00	2,000.00	645.38	20.08	645.38	1,334.54	33	.00
<i>Capital Outlays Totals</i>		\$66,500.00	\$0.00	\$66,500.00	\$3,806.81	\$24,238.37	\$6,494.75	\$35,766.88	46%	\$1,564.99
<i>Contractual Expenses</i>										
0411.000	Office Supplies	10,200.00	.00	10,200.00	879.49	1,944.44	2,921.37	5,334.19	48	1,399.10
0412.000	Uniforms	1,800.00	.00	1,800.00	.00	.00	.00	1,800.00	0	.00
0413.000	Safety Shoes	7,800.00	.00	7,800.00	1,462.93	.00	1,814.12	5,985.88	23	864.89
0414.000	Automotive-Gas,Oil,Grease	60,000.00	.00	60,000.00	8,478.65	29.55	9,045.49	50,924.96	15	11,032.57
0415.000	Fuel Oil	30,000.00	.00	30,000.00	.00	.00	.00	30,000.00	0	.00

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Fund	FA - Water Board - Water									
	EXPENSE									
	<i>Contractual Expenses</i>									
0416.000	Consumable Printed Forms	1,000.00	.00	1,000.00	.00	872.35	906.35	(778.70)	178	.00
0417.000	Tool Allowance	150.00	.00	150.00	35.63	.00	35.63	114.37	24	.00
0419.001	Automotive Parts	25,000.00	.00	25,000.00	562.94	.00	6,490.62	18,509.38	26	8,575.25
0419.003	Cleaning/Sanitary	5,000.00	.00	5,000.00	429.94	1,628.81	577.78	2,793.41	44	774.70
0419.005	Tools & Machine Parts	92,000.00	.00	92,000.00	14,559.68	18,641.81	30,150.51	43,207.68	53	20,382.10
0419.006	Construction/Repair	200,000.00	.00	200,000.00	7,419.96	11,774.75	16,314.01	171,911.24	14	21,220.37
0419.009	Misc Chemicals	633,000.00	.00	633,000.00	44,309.29	53,152.98	137,767.87	442,079.15	30	93,448.36
0419.010	Laboratory	33,000.00	.00	33,000.00	1,837.19	4,394.50	3,389.35	25,216.15	24	5,009.32
0419.599	Undesignated Supplies	6,250.00	.00	6,250.00	1,355.57	.00	1,407.31	4,842.69	23	2,738.66
0421.001	Phone Extension Chgs	25,000.00	.00	25,000.00	1,862.47	.00	1,862.47	23,137.53	7	3,696.34
0421.002	Wireless Services	15,000.00	.00	15,000.00	2,448.33	.00	4,690.77	10,309.23	31	2,623.94
0422.000	Light & Power	600,000.00	.00	600,000.00	99,524.58	.00	112,548.38	487,451.62	19	96,022.71
0423.000	Water/Sewer	698,000.00	.00	698,000.00	.00	.00	139,881.00	558,119.00	20	.00
0424.000	Gas	25,000.00	.00	25,000.00	18,293.93	.00	18,293.93	6,706.07	73	8,354.13
0432.000	Property Insurance	180,000.00	.00	180,000.00	.00	.00	.00	180,000.00	0	.00
0433.000	Liability Insurance	60,000.00	.00	60,000.00	22,516.00	.00	92,792.20	(32,792.20)	155	90,833.80
0440.003	Motor Vehicle Equipment	84,000.00	.00	84,000.00	4,845.82	.00	14,883.16	69,116.84	18	17,143.17
0440.599	Undesignated Leases	1,500.00	.00	1,500.00	82.70	.00	183.87	1,316.13	12	203.15
0442.000	Rental Of Equipment	4,500.00	.00	4,500.00	785.01	.00	785.01	3,714.99	17	714.13
0442.003	Motor Vehicle Equip Rentl	5,000.00	.00	5,000.00	458.50	.00	917.00	4,083.00	18	977.00
0442.599	Undesignated Rentals	4,000.00	.00	4,000.00	257.90	1,234.20	515.80	2,250.00	44	582.39
0444.000	Repair Of Equipment	33,200.00	.00	33,200.00	2,505.29	71.98	2,505.29	30,622.73	8	.00
0446.000	Computer Services	4,500.00	.00	4,500.00	723.38	.00	1,083.76	3,416.24	24	1,054.91
0446.008	Software Maint/Licenses	335,000.00	.00	335,000.00	18,767.51	9,639.33	49,239.47	276,121.20	18	59,441.58
0449.000	Billing & Collection	47,000.00	.00	47,000.00	4,393.02	.00	13,179.06	33,820.94	28	11,313.84
0449.001	Sludge Removal	120,000.00	.00	120,000.00	3,931.31	.00	3,931.31	116,068.69	3	.00
0449.003	Waste Disposal	.00	.00	.00	472.02	2,603.66	1,096.34	(3,700.00)	+++	.00
0449.008	Hazardous Waste Displ.	.00	.00	.00	.00	.00	408.63	(408.63)	+++	.00
0449.500	Safety-Contractual	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	.00
0449.599	Undesignated Services	837,500.00	(3,230.00)	834,270.00	11,914.40	.00	711,308.05	122,961.95	85	709,334.74
0451.000	Consultants	63,000.00	.00	63,000.00	136.53	2,563.47	386.53	60,050.00	5	16,576.45
0454.000	Attorney Services	35,000.00	.00	35,000.00	696.25	.00	696.25	34,303.75	2	.00
0461.000	Postage	30,000.00	.00	30,000.00	1,373.52	.00	2,072.85	27,927.15	7	1,455.34
0463.000	Travel & Training Expense	19,500.00	3,230.00	22,730.00	50.00	.00	3,756.16	18,973.84	17	4,141.05
0465.000	Laundry & Cleaning	1,500.00	.00	1,500.00	.00	700.00	.00	800.00	47	.00
0466.000	Books,Mags. & Memberships	500.00	.00	500.00	.00	.00	.00	500.00	0	287.00
0467.000	Advertising	500.00	.00	500.00	52.68	.00	91.30	408.70	18	164.07
0471.000	Recruitment Expenditures	800.00	.00	800.00	.00	.00	.00	800.00	0	856.52

Expense Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	FA - Water Board - Water									
	EXPENSE									
	<i>Contractual Expenses Totals</i>	\$4,340,200.00	\$0.00	\$4,340,200.00	\$277,422.42	\$109,251.83	\$1,387,929.00	\$2,843,019.17	34%	\$1,191,221.58
	<i>Employee Benefits</i>									
0801.000	NYS E.R.S. Retirement	213,655.00	.00	213,655.00	.00	.00	44,537.33	169,117.67	21	60,471.00
0820.000	Worker's Compensation	225,000.00	.00	225,000.00	1,093.64	.00	1,093.64	223,906.36	0	1,093.64
0830.000	Life Insurance	10,515.00	.00	10,515.00	887.19	.00	2,749.69	7,765.31	26	2,449.23
0840.000	Unemployment Ins. NYS	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	.00
0860.000	Medical Insurance	1,549,847.00	.00	1,549,847.00	88,377.28	.00	370,345.75	1,179,501.25	24	397,257.07
0861.000	Dental Insurance	54,350.00	.00	54,350.00	.00	.00	.00	54,350.00	0	.00
0863.000	Vision Care Insurance	4,125.00	.00	4,125.00	.00	.00	313.65	3,811.35	8	928.41
0865.000	Chiropractic Insurance	2,000.00	.00	2,000.00	345.00	.00	460.00	1,540.00	23	175.00
	<i>Employee Benefits Totals</i>	\$2,064,492.00	\$0.00	\$2,064,492.00	\$90,703.11	\$0.00	\$419,500.06	\$1,644,991.94	20%	\$462,374.35
	<i>Employee Benefit - FICA</i>									
0810.000	Social Security	220,451.00	.00	220,451.00	17,941.15	.00	56,238.39	164,212.61	26	37,093.01
	<i>Employee Benefit - FICA Totals</i>	\$220,451.00	\$0.00	\$220,451.00	\$17,941.15	\$0.00	\$56,238.39	\$164,212.61	26%	\$37,093.01
	EXPENSE TOTALS	\$9,509,908.00	\$0.00	\$9,509,908.00	\$629,682.10	\$133,490.20	\$2,621,575.68	\$6,754,842.12	29%	\$2,238,964.31
Fund	FA - Water Board - Water Totals	\$9,509,908.00	\$0.00	\$9,509,908.00	\$629,682.10	\$133,490.20	\$2,621,575.68	\$6,754,842.12		\$2,238,964.31
	Grand Totals	\$9,509,908.00	\$0.00	\$9,509,908.00	\$629,682.10	\$133,490.20	\$2,621,575.68	\$6,754,842.12		\$2,238,964.31

Expense Budget Performance Report

Fiscal Year to Date 03/31/23

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund FGB - Water Board										
EXPENSE										
<i>Contractual Expenses</i>										
0419.599	Undesignated Supplies	4,700.00	.00	4,700.00	1,291.61	.00	1,528.11	3,171.89	33	913.61
0451.000	Consultants	60,000.00	.00	60,000.00	42,817.90	.00	42,817.90	17,182.10	71	4,916.25
0454.000	Attorney Services	40,000.00	.00	40,000.00	3,194.74	.00	3,322.74	36,677.26	8	.00
0459.000	Auditors	28,000.00	.00	28,000.00	14,000.00	.00	14,000.00	14,000.00	50	20,500.00
0461.000	Postage	250.00	.00	250.00	.00	.00	.00	250.00	0	.00
0466.000	Books,Mags. & Memberships	7,050.00	.00	7,050.00	.00	.00	.00	7,050.00	0	.00
<i>Contractual Expenses Totals</i>		\$140,000.00	\$0.00	\$140,000.00	\$61,304.25	\$0.00	\$61,668.75	\$78,331.25	44%	\$26,329.86
EXPENSE TOTALS		\$140,000.00	\$0.00	\$140,000.00	\$61,304.25	\$0.00	\$61,668.75	\$78,331.25	44%	\$26,329.86
Fund FGB - Water Board Totals		\$140,000.00	\$0.00	\$140,000.00	\$61,304.25	\$0.00	\$61,668.75	\$78,331.25		\$26,329.86
Grand Totals		\$140,000.00	\$0.00	\$140,000.00	\$61,304.25	\$0.00	\$61,668.75	\$78,331.25		\$26,329.86

BANK ON BUFFALO & KEYBANK

BANK BALANCES-FY 2023

MONTH	ACCT #	Account Name	STARTING VALUE	DEPOSITS	WITHDRAWALS	TRANSFERS	NET CHANGE IN VALUE	MONTH ENDING VALUE	PY MONTH ENDING VALUE
JANUARY	X4873	Board Expense Account	91,624.82	-	-	-	-	91,624.82	91,624.82
	X4881	O&M Reserve	5,198,449.50	287.45	(287.45)	-	-	5,198,449.50	5,198,449.50
	X4899	Depository-BOB	4,681,372.45	4,099,830.73	-	(3,644,910.34)	454,920.39	5,136,292.84	8,318,028.71
	X9220	Depository-Keybank	558,495.95	166,599.72	-	-	166,599.72	725,095.67	626,535.69
	X4906	Payroll	161,396.74	-	(740,673.19)	733,913.19	(6,760.00)	154,636.74	109,421.19
	X4914	Benefits	6,735.75	-	(10,029.00)	15,887.25	5,858.25	12,594.00	5,954.75
	X0643	Operating	1,281,584.64	-	(3,325,817.09)	2,895,081.90	(430,735.19)	850,849.45	837,462.93
	X4445	Grants	1,709,955.74	-	(1,700,015.00)	28.00	(1,699,987.00)	9,968.74	298,917.78
	Totals		13,689,615.59	4,266,717.90	(5,776,821.73)	-	(1,510,103.83)	12,179,511.76	15,486,395.37

MONTH	ACCT #	Account Name	STARTING VALUE	DEPOSITS	WITHDRAWALS	TRANSFERS	NET CHANGE IN VALUE	MONTH ENDING VALUE	PY MONTH ENDING VALUE
FEBRUARY	X4873	Board Expense Account	91,624.82	-	-	-	-	91,624.82	91,624.82
	X4881	O&M Reserve	5,198,449.50	-	-	-	-	5,198,449.50	5,198,449.50
	X4899	Depository	5,136,292.84	2,206,728.13	-	(2,217,773.53)	(11,045.40)	5,125,247.44	4,741,214.88
	X9220	Depository-Keybank	725,095.67	122,279.91	-	-	122,279.91	847,375.58	726,516.00
	X4906	Payroll	154,636.74	-	(560,735.75)	563,294.07	2,558.32	157,195.06	112,953.28
	X4914	Benefits	12,594.00	-	(8,850.25)	10,028.00	1,177.75	13,771.75	13,610.75
	X0643	Operating	850,849.45	-	(1,843,078.82)	1,644,451.46	(198,627.36)	652,222.09	831,085.27
	X4445	Grants	9,968.74	-	-	-	-	9,968.74	588,812.22
	Totals		12,179,511.76	2,329,008.04	(2,412,664.82)	0.00	(83,656.78)	12,095,854.98	12,304,266.72

MONTH	ACCT #	Account Name	STARTING VALUE	DEPOSITS	WITHDRAWALS	TRANSFERS	NET CHANGE IN VALUE	MONTH ENDING VALUE	PY MONTH ENDING VALUE
MARCH	X4873	Board Expense Account	91,624.82	-	-	-	-	91,624.82	91,624.82
	X4881	O&M Reserve	5,198,449.50	-	-	-	-	5,198,449.50	5,198,449.50
	X4899	Depository	5,125,247.44	2,095,085.04	-	(3,474,042.46)	(1,378,957.42)	3,746,290.02	4,089,034.55
	X9220	Depository-Keybank	847,375.58	172,169.66	-	-	172,169.66	1,019,545.24	878,782.30
	X4906	Payroll	157,195.06	-	(561,461.37)	545,426.41	(16,034.96)	141,160.10	110,393.08
	X4914	Benefits	13,771.75	-	(9,833.00)	10,669.00	836.00	14,607.75	6,901.75
	X0643	Operating	652,222.09	-	(2,304,076.27)	2,917,947.05	613,870.78	1,266,092.87	810,472.87
	X4445	Grants	9,968.74	-	-	-	-	9,968.74	1,800,665.70
	Totals		12,095,854.98	2,267,254.70	(2,875,370.64)	-	(608,115.94)	11,487,739.04	12,986,324.57

Wilmington Trust

BANK BALANCES-FY 2022

<u>MONTH</u>	<u>ACCT #</u>	<u>Account Name</u>	<u>STARTING VALUE</u>	<u>DEPOSITS</u>	<u>Payments</u>	<u>Change in Market Value</u>	<u>NET CHANGE IN VALUE</u>	<u>MONTH ENDING VALUE</u>
JANUARY	X3250	Debt Service	7,736,729.24	515,620.29	(586,441.40)	26,638.40	(44,182.71)	7,692,546.53
	X3251	Construction	877.47	-	-	2.76	2.76	880.23
	X3252	Debt Service Reserve	7,123,949.38	-	-	26,713.75	26,713.75	7,150,663.13
	X9279	Expense Account	16,079.32	-	-	-	-	16,079.32
	X4118-0	2022A DSF	916,276.56	101,621.42	(914,592.70)	1,770.90	(811,200.38)	105,076.18
	X4118-1	2022A Issuance	9,619.92	-	-	-	-	9,619.92
	X2722	Capital Fund Construction	156,507.22	10,506,458.18	(704,638.57)	21,048.29	9,822,867.90	9,979,375.12
	Totals		15,960,039.11	11,123,699.89	(2,205,672.67)	76,174.10	8,994,201.32	24,954,240.43

<u>MONTH</u>	<u>ACCT #</u>	<u>Account Name</u>	<u>STARTING VALUE</u>	<u>DEPOSITS</u>	<u>Payments</u>	<u>Change in Market Value</u>	<u>NET CHANGE IN VALUE</u>	<u>MONTH ENDING VALUE</u>
FEBRUARY	X3250	Debt Service	7,692,546.53	515,620.29	-	26,287.33	541,907.62	8,234,454.15
	X3251	Construction	880.23	-	-	2.69	2.69	882.92
	X3252	Debt Service Reserve	7,150,663.13	-	-	24,705.02	24,705.02	7,175,368.15
	X9279	Expense Account	16,079.32	-	-	-	-	16,079.32
	X4118-0	2022A DSF	105,076.18	-	-	320.74	320.74	105,396.92
	X4118-1	2022A Issuance	9,619.92	-	-	-	-	9,619.92
	X2722	Capital Fund Construction	9,979,375.12	-	(1,488,476.76)	28,515.38	(1,459,961.38)	8,519,413.74
	Totals		24,954,240.43	515,620.29	(1,488,476.76)	79,831.16	(893,025.31)	24,061,215.12

<u>MONTH</u>	<u>ACCT #</u>	<u>Account Name</u>	<u>STARTING VALUE</u>	<u>DEPOSITS</u>	<u>Payments</u>	<u>Change in Market Value</u>	<u>NET CHANGE IN VALUE</u>	<u>MONTH ENDING VALUE</u>
MARCH	X3250	Debt Service	8,234,454.15	515,620.29	-	32,411.31	548,031.60	8,782,485.75
	X3251	Construction	882.92	-	-	3.07	3.07	885.99
	X3252	Debt Service Reserve	7,175,368.15	-	-	27,462.69	27,462.69	7,202,830.84
	X9279	Expense Account	16,079.32	-	-	-	-	16,079.32
	X4118-0	2022A DSF	105,396.92	80,735.84	-	647.97	81,383.81	186,780.73
	X4118-1	2022A Issuance	9,619.92	-	-	-	-	9,619.92
	X2722	Capital Fund Construction	8,519,413.74	-	(327,236.85)	28,754.58	(298,482.27)	8,220,931.47
	Totals		24,061,215.12	596,356.13	(327,236.85)	89,279.62	358,398.90	24,419,614.02

WEALTH ADVISORS- 2643

Treasury Reconciliation FY 2023

<u>MONTH</u>	<u>STARTING VALUE</u>	<u>DEPOSITS/WITHDRAWALS</u>	<u>TRANSFERS</u>	<u>CHANGE IN VALUE</u>	<u>MONTH ENDING VALUE</u>	<u>PY MONTH ENDING VALUE</u>
JAN	15,227,145.81	(25,383.34)	-	53,171.98	15,254,934.45	15,436,824.17
FEB	15,254,934.45	(26,552.96)	-	(7,432.01)	15,220,949.48	15,433,352.18
MAR	15,220,949.48	(46,834.27)	-	129,939.40	15,304,054.61	15,430,135.70
APR	15,304,054.61	-	-	-	15,304,054.61	15,424,553.53
MAY	15,304,054.61	-	-	-	15,304,054.61	15,421,170.00
JUN	15,304,054.61	-	-	-	15,304,054.61	15,397,568.19
JUL	15,304,054.61	-	-	-	15,304,054.61	15,398,795.06
AUG	15,304,054.61	-	-	-	15,304,054.61	15,322,422.45
SEP	15,304,054.61	-	-	-	15,304,054.61	15,233,218.27
OCT	15,304,054.61	-	-	-	15,304,054.61	15,174,647.51
NOV	15,304,054.61	-	-	-	15,304,054.61	15,229,644.66
DEC	15,304,054.61	-	-	-	15,304,054.61	15,227,145.81
FY TOTAL		(98,770.57)	-	175,679.37		

NFWB Live
Budget Amendments Report
 From Date: 3/1/2023 - To Date: 3/31/2023

Account	G/L Date	Journal	Description	Increases	Decreases	Amended Balance
Fund: GA Water Board - Sewer						
Department: 1990 Contingency Account						
Sub Department: 0000 .						
0449.599 - Undesignated Services				Amended Balance as of: 3/1/2023		\$35,441.00
	03/10/2023	2023-00000711	TRANSFER FUNDS FOR WWTP BATHROOM PROJECTS	\$0.00	\$10,000.00	\$25,441.00
	03/27/2023	2023-00000966	TRANSFER FOR WWTP BATHROOM PROJECTS	\$0.00	\$5,000.00	\$20,441.00
	03/28/2023	2023-00001012	TO COVER VFD TRAINING FOR ELECTRICIAN	\$0.00	\$4,220.00	\$16,221.00
				\$0.00	\$19,220.00	\$16,221.00
Sub Department: 0000 . Totals:				\$0.00	\$19,220.00	
Department: 1990 Contingency Account Totals:				\$0.00	\$19,220.00	
Department: 8120 Sewers						
Sub Department: 4900 Collection System						
0210.000 - Furniture & Furnishings				Amended Balance as of: 3/1/2023		\$0.00
	03/10/2023	2023-00000711	TRANSFER FUNDS FOR WWTP BATHROOM PROJECTS	\$10,000.00	\$0.00	\$10,000.00
	03/27/2023	2023-00000966	TRANSFER FOR WWTP BATHROOM PROJECTS	\$5,000.00	\$0.00	\$15,000.00
				\$15,000.00	\$0.00	\$15,000.00
Sub Department: 4900 Collection System Totals:				\$15,000.00	\$0.00	
Department: 8120 Sewers Totals:				\$15,000.00	\$0.00	
Department: 8130 Sewage Trtmt/Disposal						
Sub Department: 0200 Maintenance						
0463.000 - Travel & Training Expense				Amended Balance as of: 3/1/2023		\$0.00
	03/28/2023	2023-00001012	TO COVER VFD TRAINING FOR ELECTRICIAN	\$4,220.00	\$0.00	\$4,220.00
				\$4,220.00	\$0.00	\$4,220.00
Sub Department: 0200 Maintenance Totals:				\$4,220.00	\$0.00	
Department: 8130 Sewage Trtmt/Disposal Totals:				\$4,220.00	\$0.00	
Fund Totals: Water Board - Sewer				\$19,220.00	\$19,220.00	
Grand Totals:				\$19,220.00	\$19,220.00	

BANK PAID DATE	Req #	Invoice Date	PP # of #	VENDOR	Project Name	DESCRIPTION	INVOICE	AMOUNT	CIP FUNDING ACCOUNT
3/1/2023	2023-046	11/9/2022	N/A	Five Star	Fleet Replacement	JD 84 Inch Dozer Blade	E00799	\$ 7,935.36	C-3
3/1/2023	2023-047	2/9/2023	N/A	Deere Credit, Inc	Fleet Replacement	JD 75G Excavator	0300075028000-7789	\$ 57,609.25	C-3
3/1/2023	2023-048	2/9/2023	N/A	Deere Credit, Inc	Fleet Replacement	JD 75G Excavator #2	0300075033000-7792	\$ 64,125.54	C-3
3/1/2023	2023-049	2/9/2023	N/A	Deere Credit, Inc	Fleet Replacement	JD 333G Compact Track Loader	300075174000-000	\$ 105,055.68	C-3
3/24/2023	2023-050	2/22/2023	N/A	TI Sales	Water Meters	4" Water meters(2)	INV0154103	\$ 7,383.04	C-2
3/24/2023	2023-051	2/16/2023	N/A	TI Sales	Water Meters	3" Water Meter(1)	Inv0153913	\$ 2,858.22	C-2
3/24/2023	2023-052	1/20/2023	N/A	CIR Electric	WWTP Screenings	Circuit Breaker	46352	\$ 565.66	WWTP-3
3/24/2023	2023-053	1/31/2023	7	CIR Electric	Replacement of critical Heating & Ventelation Equipment	HVAC Electrical	46268	\$ 38,330.55	WWTP-7
3/24/2023	2023-054	1/30/2023	2	Mollenberg-Betz	HVAC Improvements	Chiller relocation @ WWTP	56736	\$ 34,268.34	WWTP-7
3/24/2023	2023-055	11/22/2022	N/A	Cooper Electric	HVAC Improvements	Chiller relocation @ WWTP	S050149387.001/S0501496387.003	\$ 4,989.79	WWTP-7
3/24/2023	2023-056	11/22/2022	N/A	Cooper Electric	HVAC Improvements	Chiller relocation @ WWTP	S050149387.002	\$ 132.12	WWTP-7
3/24/2023	2023-057	2/23/2023	3	JR Swanson	Sewer RepairEmergency Sewer Repair-Change Order	12" Combined Sewer Repair-2214 Whitney	359630-3	\$ 2,309.64	S-8
3/24/2023	2023-058	2/23/2023	4	JR Swanson	Sewer RepairEmergency Sewer Repair-Change Order	12" Combined Sewer Repair-2214 Whitney	359630-4	\$ 1,673.66	S-8
								\$ 327,236.85	



Monthly O&M Report For the Month of March 2023

1. Treatment & Plant Maintenance

1.1. Water – Robert Rowe, updated 04/04/2023.

OPERATIONS AND MAINTENANCE

Total water production for the month of March was 631 million gallons. The average daily water production was 20.4 million gallons. The plant data summary table is included below for your reference.

2023 TOTALS AND AVERAGES

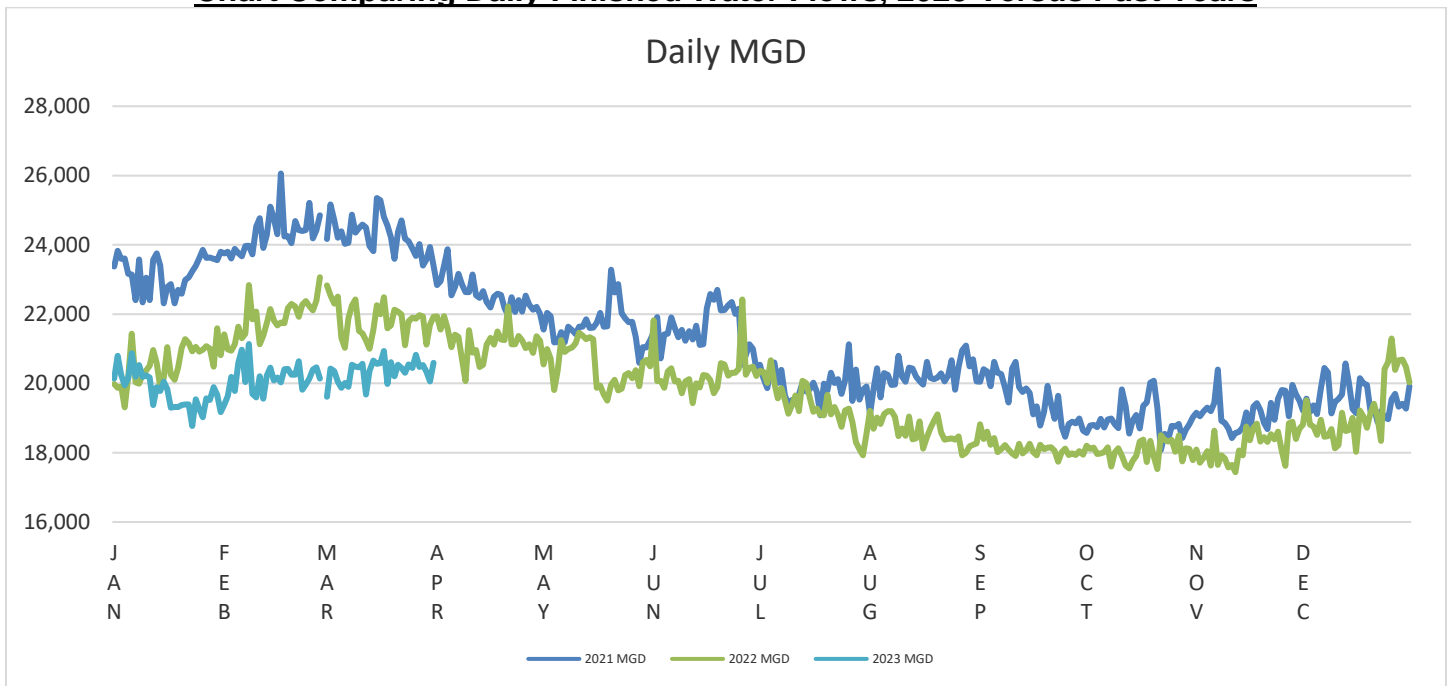
	R/W	PRE CL2	PACL	H2SiF6	PO4	POST CL2	F/W 1000 GAL/ DAY
	PUMPAGE	LBS	LBS	LBS	LBS	LBS	
JAN	612909	7237	154400	15124	1634	3720	19771
FEB	564652	6502	120100	14151	1547	3353	20166
MAR	630959	6898	138000	15821	1742	3980	20354
APR							
MAY							
JUN							
JUL							
AUG							
SEP							
OCT							
NOV							
DEC							
TOTAL	1808520	20637	412500	45096	4923	11053	60291



FOR COMPARISON: 2022 TOTALS AND AVERAGES

	R/W	PRE CL2	PACL	H2SiF6	PO4	POST CL2	F/W 1000 GAL/ DAY
	PUMPAGE	LBS	LBS	LBS	LBS	LBS	
JAN	637659	6204	121300	15499	1680	4054	20570
FEB	612048	6616	111900	15155	1682	3718	21859
MAR	677306	7211	139500	17187	1854	4264	21849
APR	636257	7744	116500	15914	1757	3999	21209
MAY	635991	7910	108200	16438	1732	4341	20516
JUN	608333	8066	82900	16195	1625	4035	20278
JUL	600130	8528	89200	16400	1606	4134	19359
AUG	577218	8690	95700	15248	1728	3748	18620
SEP	543695	8185	95900	13682	831	3452	18123
OCT	559128	6949	100100	13280	1548	3352	18036
NOV	545795	6661	107800	13006	1495	3416	18193
DEC	596240	7564	147800	13954	1619	3513	19234
TOTAL	7229800	90328	1316800	181958	19157	46026	237844

Chart Comparing Daily Finished Water Flows, 2023 Versus Past Years





2023 ANALYTICAL RESULTS

	RAW TURB NTU	RAW pH	PRE Cl2 RES.mg/l	POST Cl2 RES.mg/l	EFF TURB NTU	EFF pH	F. RES mg/l
JAN	19.3	8.0	0.58	1.24	0.043	7.5	0.67
FEB	14.7	8.1	0.57	1.24	0.047	7.5	0.67
MAR	8.0	8.1	0.56	1.24	0.031	7.6	0.67
APR							
MAY							
JUN							
JUL							
AUG							
SEP							
OCT							
NOV							
DEC							
AVG	14.0	8.1	0.57	1.24	0.041	7.5	0.67

Operations and Maintenance Highlights

We are experiencing a deficit in Operations staffing, nearly at emergency levels. We have now lost three of our licenses in the past 12 months, suggesting a need to address minimum staffing levels and compensation for certifications and shift work. The WTP cannot run without our certifications. We now have three trainees, but it will still be a minimum of one year before DOH grants approvals for licensing/certification of a new hire if they succeed with all the required training and testing. New part-time hire and NYS Certification holder, Kim Condon has begun training on our systems, and will be available to fill 2 to 3 of our current open shifts per week. This leaves 3 to 4 unmanned shifts which will become a priority to fill, which is excluding sick time or vacations.

The need for a booster pump system to aid and back-up our Chlorine dosing into the raw water has been discussed and has become more evident. We have started the process of sourcing equipment and drawing up plans.

We have received approval to move forward from DOH



Wastewater – Dennis Kirkland, Acting Chief Operator- updated 04/13/23

April 2023

Sampling Notes - None

Project #1 (Sedimentation Basins and Screening) Sed basin #5 is majority done other than a few punch-list items and SCADA incorporations. The level sensor, floating baffle. Sed Basin #4 is also done other than the Sprocket Motion Monitor and tipping pole sensors. Hohl took over Sed Basin #3 and has begun dismantling of the existing equipment.

Project #2 (GPS) All gorge pumps are up and running. The few things left need to be discussed with GHD, CIR and Plant IQ. It is on NFWB to incorporate the HOA and Speed POT. NFWB to build pressure gauge board GHD to provide plans. HVAC has been changed to our specifications.

Project #3 (Poly, Grit Conveyor, BFP (Belt Filter Press) Controls) The BFP portion is held up on materials and approvals of change orders. The Grit conveyor is in operation and both Operations and Maintenance have received training. Polymer booster pump is up and running. Concrete forming being done for back up tanks and hoppers. Arcadis is getting us plans on the controls aspect of the pump and our system.

Project #5 (Electrical) At June Board meeting Ferguson was authorized to replace transformers for two power centers, other portions of Project 5 are being re-evaluated by CPL. Timeline for transformer replacement not yet final.

Project #7 (HVAC) Work continues with the duct work throughout the facility. We had some necessary changes that needed to be made. The control and monitoring P.C. has been installed and the program is being installed and fine tuned for our system.

Project #9 & #11 (Inside/Outside Piping) Project #9 is completed. Danforth finished all the replacement valves in the thickened sludge building and all the temporary piping is set up in the basement of the facility. Project 11 is completed as well, just need to wait for spring so our OSM crew could rake and seed the grass and put in the driveway again. All the piping in the ground will all be GPS as well.

Project #10 (Kaman – Overall Controls) Kaman is still waiting for components for the controls that will be added to the BFP and incorporating them. Capabilities will be added to the HMI (Human Machine Interfaces) screens at each of the three belt filter presses. Kaman would be involved in the HOA switch on each Gorge Pump. Kaman is waiting on the level sensor and tipping pole sensors to move forward with project #1 Sed basins incorporation. They also worked on the HMI and level sensor incorporation. In the scum building.

In conclusion, everything at the WWTP has been moving forward without issue. Conditions have never been better, and morale has never been higher. Each department has put in time and effort to make sure all the projects and upgrades to the facility are getting done the way we have envisioned and in a timely manner



WASTEWATER TREATMENT PLANT OPERATING DATA														
2023	FLOWS			Chlorine	Rainfall	SLUDGE		Polymer		FeCl3	LIME	H2O2	NaOCl	Grit
	INF/EFF	CBE	GPS	Residual		NET	LANDFILL	BFP	PRIM					
MONTH	MGD	MGD	MGD	PPM	inches	(Tons)		(Lbs)		(gals.)	(Tons)	(gals.)	(gals.)	(Tons)
January	29.84	46.43	14.12	1.7	0.7	1360.0	365.0	1029.0	2389.0	19690	39.7	0	198850	31.9
February	24.78	42.82	13.82	1.6	1.0	1092.0	319.0	575.0	2139.0	16920	23.3	0	175760	26.8
March	33.05	48.46	15.03	1.5	1.6	1487.0	401.0	1408.0	2475.0	22820	46.5	0	242440	34.1
April														
May														
June														
July														
August														
September														
October														
November														
December														
Totals	29.22	45.90	14.32	1.6	3.3	3939.0	1085.0	3012.0	7003.0	59430	109.5	0	617050	92.8

Explanation of data abbreviations:

- INF: Influent
- EFF: Effluent
- CBE Carbon Bed Effluent
- GPS: Gorge Pump Station
- MGD: Millions of Gallons per Day
- PPM: Parts Per Million
- BFP: Belt Filter Press
- PRIM: Primary
- FeCl3: Ferric Chloride
- H2O2: Peroxide
- NaOCl: Sodium Hypochlorite

2021 Data for Comparison Purposes

WASTEWATER TREATMENT PLANT OPERATING DATA														
2021	FLOWS			Chlorine	Rainfall	SLUDGE		Polymer		FeCl3	LIME	H2O2	NaOCl	Grit
	INF/EFF	CBE	GPS	Residual		NET	LANDFILL	BFP	PRIM					
MONTH	MGD	MGD	MGD	PPM	inches	(Tons)		(Lbs)		(gals.)	(Tons)	(gals.)	(gals.)	(Tons)
January	32.12	41.31	13.50	2.2	0.3	2421.0	643.0	3664.0	4398.0	27380	121.8	0	367350	18.8
February	23.60	43.20	12.12	1.8	0.6	1721.0	518.0	2391.0	3107.0	19700	45.7	0	424560	12.0
March	24.32	45.57	12.00	2.0	0.7	2805.0	816.0	3397.0	3430.0	21380	79.0	0	301700	41.2
April	24.18	45.25	12.28	1.8	0.7	2150.0	582.0	2800.0	3335.0	22160	86.1	0	478895	26.0
May	20.59	42.66	11.12	1.6	0.8	1674.0	463.0	2334.0	3345.0	22500	69.8	0	697120	46.4
June	20.69	41.20	11.28	1.6	0.7	1735.0	524.0	2641.0	3363.0	21800	67.8	810	763300	65.3
July	26.76	48.23	12.75	1.4	6.1	1516.0	455.0	2544.0	3629.0	24780	55.7	6140	711170	15.9
August	19.49	36.87	11.21	1.3	0.4	1544.0	440.0	2846.0	3368.0	21420	91.6	0	739870	15.6
September	24.36	43.10	12.14	1.9	0.7	1775.0	533.0	2943.0	3931.0	24840	100.1	0	817405	23.5
October	25.66	44.13	12.74	1.9	2.2	1281.0	394.0	1753.0	3854.0	25100	82.4	0	744630	15.8
November	24.03	35.73	12.71	2.0	1.0	1624.0	470.0	1899.0	3573.0	23360	77.6	0	431430	11.0
December	25.02	35.86	13.47	1.7	0.5	1418.0	409.0	1351.0	3470.0	23660	42.9	0	288885	14.4
Totals	24.24	41.93	12.28	1.8	14.7	21664.0	6247.0	30563.0	42803.0	278080	920.5	6950	6766315	305.9



2.1. Sewer Collection & Water Distribution Michael Eagler, updated 04/13/2023

Sewer Collections System										
2023	Service Calls	Flushing (Feet)	UFPO Responses	Receivers Cleaned	Bypass Pumping (Hours)	Catch Basins	Manholes	Main	Connections	Lateral
January	138	13210	559	47	50.3	4	6	3	3	4
February	151	16590	500	56	24.92	7	4	4	7	3
March	156	33201	931	135	145.5	2	5	1	2	4
April										
May										
June										
July										
August										
September										
October										
November										
December										
Totals										

Water Distribution																
2023	Main Break	Svc. Leaks	Curb Box Reset	Valve Repaired	Valve Replaced	Hydrant Replaced	Hydrant Repaired	Hydrant Flow	Hydrant Flush-Winterized	Hydrant Leaks	Hydrants out of Svc.	Misc. Svc. Calls	Concrete	Landscape	UFPO	
January	5	8	17	0	4	0	2	0	67	0	0	138	0	0	559	
February	7	5	12	3	1	1	1	0	102	0	0	151	0	0	500	
March	2	8	15	3	0	15	1	0	237	0	0	156	2	0	931	
April																
May																
June																
July																
August																
September																
October																
November																
December																
Totals																



3. Analytical Services

3.1 Water Laboratory – Jordan Boyd, updated 4/6/2023

1. New York State Water Sanitary Code Part V Monitoring/Reporting

- Monthly collection for the Distribution System was conducted in March. 60 Samples for Free Chlorine, Turbidity, Phosphate, Fluoride, Standard Plate Count & Mf Coliform. Those results were satisfactory and were within reporting limits.
- Monthly sampling for TOC, DOC & UV254 on both finished and source water were collected in March. All samples were in compliance.
- First quarter UCMR5 samples (Unregulated Contaminant Monitoring Rule 5) were collected in March and sent out to Pace Analytical for analysis. The estimated report date is April 25th.

2. In-house/DEC Monitoring

- All in-house monitoring for process water bacteriology and chemistry was within normal limits for March.
- No water main breaks or community complaints were sampled in March.
- The monthly SPDES sample collected from the freeze thaw beds was within normal limits for March. Chloroform and Dichlorobromomethane were sampled in March according to the new SPDES permit established for 2023.
- Samples analyzed for 2023: 3,211.

3. Laboratory Contract Analysis

- The Chemistry Laboratory analyzed 8 samples for Total Organic Carbon and 9 Wet Chemistry Samples for City of Lockport and Town of Tonawanda, 3 Wet Chemistry samples from the Village of Lewiston, and 1 Total Suspended Solids sample from Niagara County Water District.
- The Microbiology lab analyzed 25 samples from the Aquarium of Niagara's indoor and outdoor pools and 3 samples from the Village of Lewiston. All results were reported to the representative contacts.
- Revenue created for 2023 was \$8,024.00

3.2 Wastewater Laboratory - Brian Eldridge 4/13/2023

1. The data for March's State Pollutant Discharge Elimination System (SPDES) report is currently being compiled.
2. The lab will be collecting samples for the required CSO monitoring throughout April. Currently 2 dry weather samples and 1 wet weather sample have been collected, with 2 more dry weather samples needed.



4. Customers & Compliance

4.1. Meter Shop – Bob Reid Updated 4/11/23

MONTH:	WORK ORDERS	STOPPED METERS	Registers Replaced	Properties Tagged	INDUSTRIAL METERS READ	RESIDENTIAL METERS READ
JANUARY	75	7	6	7	0	7186
FEBRUARY	76	5	7	12	0	5244
MARCH	72	2	14	11	570	5418
APRIL						
MAY						
JUNE						
JULY						
AUGUST						
SEPTEMBER						
OCTOBER						
NOVEMBER						
DECEMBER						
TOTAL	223	14	27	30	570	17848

METER READINGS:

DISTRICT 1	B.REID	M.MYERS	V.Virtuoso	J.PAUL	F.DERUBEIS	TOTAL
3/2/23	1700			1469		3169
3/3/23	1122			1084		2206
3/6/23				43		43
TOTAL	2822			2596		5418
INDUSTRIALS						
3/1/23	262			308		570
TOTAL	3084			2904		5988

Shop read 5418 Residential Meters. Also obtained 570 Industrial reads.



4.1 Industrial Pretreatment Monitoring / Enforcement – Joel Paradise updated 4/12/2023

Hauled Waste Program – The Hauled waste moratorium imposed on August 16th, 2017 is still in effect. All indications are that this program will not be reinstated.

Investigations/Enforcement – All inspections have been conducted and Notices of Violation have been issued as required.

SIU Updates:

1. All SIU (Significant Industrial User) whose discharge permits nearing expiration in the next several months have been sent their renewal applications for our review and eventual reissuance of their NFWB wastewater discharge permit. This is an ongoing and continuing process.
The Cross Connection Inspectors work of conducting his inspections as a function of building sales, monitoring the annual tests results of all back flow prevention devices, along with updating our database and filing/archiving the hard copies has been progressing on schedule.
2. SIU discharge permits are being continually updated using the most recent data generated by Steve Stewart to verify / adjust discharge limits.
3. The RFP for the Local Limits re-evaluation was released 2/10/2023 with proposals due in March.
4. NFWB and the DEC continues to closely monitor Cascades which has made significant progress getting their ETP back working as designed and appears to have turned the corner with their discharge permit compliance. The weekly reports submitted by Cascades indicate that they have maintained effluent discharges for SOC well below their discharge permit limits consistently now since June 10th, 2022 although there have been several instances where the TSS valued on the discharge to the WWTP were above their discharge permit limits. We continue to monitor the situation through site visits, sampling, and their required weekly progress reports. We are in the process of writing an Order on Consent and assessing violations and associated fines. The consolidation of discharge permits #50 and #73 is almost ready to be issued.
5. The 2021 Annual IPP Report to the USEPA, copied to NYSDEC has been completed , mailed out, and was received in a timely fashion. We are still awaiting their comments.
6. SIU #59 North American Hoganas (NAH) ceased the “wash process” on Friday, July 1st, 2022. It was this “wash process” that prompted NAH to renew their discharge permit in March 2022. As of that July 1 date the plan was to complete the sale of the property and for NAH to vacate the property. At North American Hoganas’ request, the NFWB terminated their discharge permit (#59) with the NFWB thus NAH will no longer be classified as an SIU. The sale of the property was finalized in early 2023.



Industrial Pretreatment Monitoring / Enforcement (continued) updated 4/12/2022

7. Negotiations with the DEC, the NFWB, and Olin Chemical to accept excess process brine wastewater from SIU #23 were commenced on Monday, June 27th, 2022. It was agreed at that meeting at Olin on Monday, June 27th that this brine wastestream would not be compatible for treatment at the WWTP at this time. It was instead recommended that the possibility of discharging it to their SPDES discharge point 008 be looked into. The DEC will discuss this situation with the Buffalo office and with DEC officials in Albany and have a preliminary report of those discussions for Olin by August 1st, 2022. As of Aril 2023 Olin had still not received an update from the DEC.

8. On Monday, November 14th we collected Mercury samples which are required semi-annually (2X per year) in the NFWB sewer collection system. As in prior Mercury sampling events, the samples were then delivered to the Lab, logged in and sent out for analysis.

9. The new combined Cascades / Greenpac discharge permit #80 will be issued shortly. The name discharge permit #78 will be changed to appropriately reflect the legal name associated with discharge Permit #80. The permit name on discharge permit #79 will also change to reflect the new name on discharge permit #80.

10. The 2022 Annual Pretreatment Compliance Report to the USEPA and the NYSDEC for the period 2022-01-01 through 2022-12-31 is being compiled. Dr. Zehraoui should have it for signing by 2/24.

11. The EPA conducted their quinquennial (every 5 years) NFWB Pretreatment Compliance Audit on Tues. 2/14 - 2/15/2023. There were no major surprises. As has been the case in past audits, we will have to correct any deficiencies noted when the final report is issued in approximately 60 days.

12. The electronic copy Niagara Falls Water Board's 2022 Industrial Pretreatment Program's Annual Report to the USEPA due March 1st, 2023 was sent out in the AM on Monday, February 27th, 2023. The hard copies were postmarked for delivery via USPS on 3/27/2023 and received on 3/3/2023.

13. On Tuesday, March 7th, we collected the required quarterly collection system BHC samples. As in prior BHC sampling events, the samples were delivered to the Lab and sent out for analysis.



5. Safety – John Accardo, Updated 4/19/2023

1. NF. Fire Dept. will perform their annual inspection on May 3 at 9:00 a.m.
2. PERMA will complete their annual inspection in May, date to be determined.

6. Technical Services – Doug Williamson, updated 4/11/2023

1. **LaSalle SSO Abatement Program and Consent Order (R9-20080528-32):**
LaSalle SSES Phase 1 kickoff meeting was held with Arcadis on February 22nd. LaSalle SSO project work for night-time weiring (12:00am and 6:00am) was performed on March 29, 30, and 31 to identify sewer system defects. Smoke testing to be scheduled starting the week of April 10th.
We have a second NYSDEC Engineering Planning grant of \$100,000 in place for new Sanitary Sewer Evaluation Surveys in LaSalle along with the engineering report. We also have an NYSDEC WQIP grant of \$800,000 in place for the construction improvements recommended by this engineering report. A revised work plan that included Phase 1, 2 and 3 LaSalle sewer shed work areas was approved by the NYSDEC on May 24th. Upon approval of the plan, the NFWB immediately began sanitary sewer cleaning and CCTV work in the approved sewer shed areas. We are planning on revising the current LaSalle consent order for years 12 - 18 and eliminate the remaining work items within the schedule that have a negligible impact on I & I.
2. **NYSDEC Consent Order (R9-20170906-129) WWTP Phase I and II Projects:**
In March, we continued to support CPL and the design consultants on the WWTP Phase I and II projects and continually work on the grant reimbursements for construction work completed. Construction progress meetings are being held for ongoing projects, as necessary.

Project 1 Sedimentation Basins and Scum Collection System Modification –Construction at sedimentation basin no.3 started in March.
Project 2 GPS Rehabilitation – Final Project close-out documents were received on March 31st.
Project 3 Screenings and Grit Transport Equipment Improvements – progress meeting was held on March 28th regarding project status and change orders. Construction is ongoing.



Project 5 Electrical System Improvements – Phase II work has been proceeding with Ferguson Electric. Meeting was last held on November 9th to discuss status.

Project 7 Replacement of Critical Heating & Ventilation Equipment – Progress meeting regarding project issues was held on February 21st. Weekly inspection progress reports have been provided along with HVAC and Electrical punch lists. Construction is nearing completion.

Project 10 SCADA Improvements – Change order to scope of work provided on December 7th for additional Project No.2 Gorge Pump Station work.

Project 11 Exterior Piping Improvements – final progress meeting was held on January 25th. Change order construction work on exterior sludge lines was substantially completed by the end of January.

Project 12 WWTP Intermediate Pumps Condition Assessment report was received from GHD on January 23rd and has been under review. We met with CPL on February 9th to determine how to proceed with the project.

3. **NYSDEC WWTP SPDES Permit NY0026336 and Consent Order (R9-20170906-129)**

Items:

In March, we continued to address the WWTP SPDES Permit NY0026336 and Consent Order (R9-20170906-129) items.

The PMP and MMP Annual Reports for 2022 were submitted to the NYSDEC in early March.

LaSalle SSO Annual Report for 2022 was submitted to the NYSDEC on March 30th.

Quarterly POTW advertisement was published in the Niagara Gazette on March 10th, 2023.

The WWTP NetDMR was approved in March for January 2023. There was a violation for the alpha BHC limit for the month of January 2023. A report of non-compliance event was provided to the NYSDEC.

4. **Town of Niagara Sewer Flow Monitoring**

The 2023 Spring Town of Niagara flow monitoring has begun for the period of 3/13/23 (flow meter installs) to 4/10/23 (flow meter removals).

We are looking into renegotiating the Agreement in early 2024.

5. **Stormwater Management**

WNYSC meeting was not held in March. 2022 Stormwater annual report will be due at the end of May.



6. **Engineering Support**

In March, the engineering department continued to provide engineering and GIS support to NFWB departments, engineering consultants and developers as needed.

Attended weekly **WWTP and WTP O & M meetings** regarding ongoing and planned projects.

Hazardous Substance Bulk Storage Application (Expiration Date: 5/5/23) for 2 years was completed and provided to the NYSDEC for the (6) six WWTP CBS tanks on March 22nd.

7. **Capital Improvement Projects:**

In March, the **5 Year Capital Improvement Plan** project statuses and progress continued to be tracked. Met with EFC and CPL on February 14th regarding CWSRF projects and plan to meet quarterly, if necessary. CPL memo that was updated on January 30th regarding **WWTP Phase II Projects** still needs to be submitted NYSDEC/EFC for approval. Grants status update meeting will be held on April 4th with CPL, AECOM and NFWB staff and plan to meet monthly.

Water Projects

The **Whitney Avenue** watermain replacement project plans and specifications were approved by the NYSDOH on February 9th and will be put out for bid.

The **18th Street watermain** - Ontario Avenue to Whitney Avenue construction is ongoing.

The **2021 WIIA Water Grant** of \$3 million was awarded on April 19th, 2022. WTP and water replacement projects are being planned.

The **2022 WIIA grant for water projects** was not awarded.

Sewer Projects

RFP 2023-02 Local Limits Reevaluation to reevaluate the local limits established on our significant industrial user's sanitary sewer discharges was e-mailed to potential engineering consultants and advertised on February 10th. A non-mandatory Proposal Information Session was held on March 6th, one proposal was received on March 13th that was awarded to AECOM at the March Board meeting.

WTP Projects

Water Treatment Plant Fluoride System Assessment kick-off meeting with C & S Engineers, Inc. was held on March 13th to develop an engineering report accessing the fluoride system, under Drinking Water Fluoridation Component 1 (Planning Study for water plant upgrades), NYS Division of Family Health Grant #T37250GG. The 3rd quarterly report was submitted on March 30th.

Completed CAD drawing for WTP offices and IT room modifications in March.



WWTP Projects (additional)

The **2021 WIIA Sewer (WWTP) Grant** of \$1,125,000 was awarded on April 19th, 2022. We are planning on how to proceed with these projects.

The **2022 WIIA grant for WWTP and sewer projects** of \$1,350,000 was awarded on November 4th, 2022. We are planning on how to proceed with these projects.

We are still hoping to utilize some of the remaining **WWTP Phase II grant** money (requires NYSDEC approval) to remove and **replace sodium hypochlorite tank #216** (14,750 gallons). The (2) ferric chloride tanks #214 and #215 (7,000 gallons each) may be a more difficult task. Draft drawings and specifications have been assembled for the RFP.



2023 OXIDIZER BUDGET

BUDGET = \$9,000,000.00 for year

COST = \$1,485,360.75 to date

% USED = 16.50% to date

BUDGET = \$24,657.53 per day avg. \$750,000.00 per month avg.

COST = \$16,504.01 per day avg. \$123,780.06 per month avg.
 29.4 Flow (MGD) 90 total days



WWTP DATA		OXIDIZER USAGE				SLUDGE REMOVAL			
MONTH	FLOW (MG)	H2O2 (GAL)	NaOCl (GAL)	GAL PER MG FLOW	TOTAL ESTIMATED COST	LANDFILL SLUDGE (TONS)	SOLIDS THROUGH PUT (%)	FERRIC CHLORIDE (TONS)	LIME (TONS)
Jan-2023	924.9	0	203,550	223	\$486,280.95	364.8	136.7	36.9	39.7
Feb-2023	693.8	0	175,760	258	\$419,890.64	319.5	181.2	31.7	23.3
Mar-2023	1,024.5	0	242,440	250	\$579,189.16	255.7	77.1	42.8	44.8
Apr-2023									
May-2023									
Jun-2023									
Jul-2023									
Aug-2023									
Sep-2023									
Oct-2023									
Nov-2023									
Dec-2023									
TOTALS	2,643.3	0	621,750	244	\$1,485,360.75	940.0	121.3	111.4	107.9

Low value for year

High value for year

2022 Oxidizer Figures for Comparison:

2022 OXIDIZER BUDGET

BUDGET = \$7,500,000.00 for year

COST = \$4,504,060.00 to date

% USED = 60.05% to date

BUDGET = \$20,547.95 per day avg. \$625,000.00 per month avg.

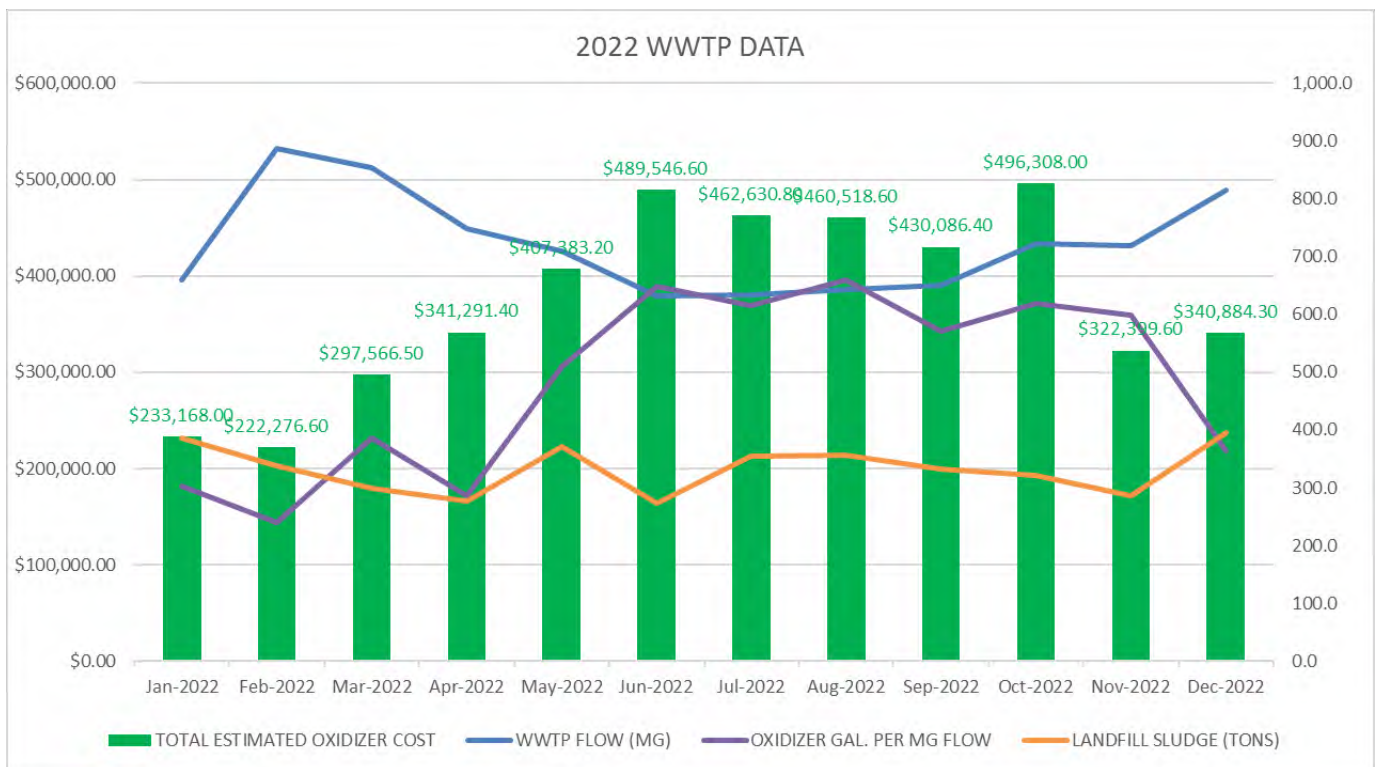
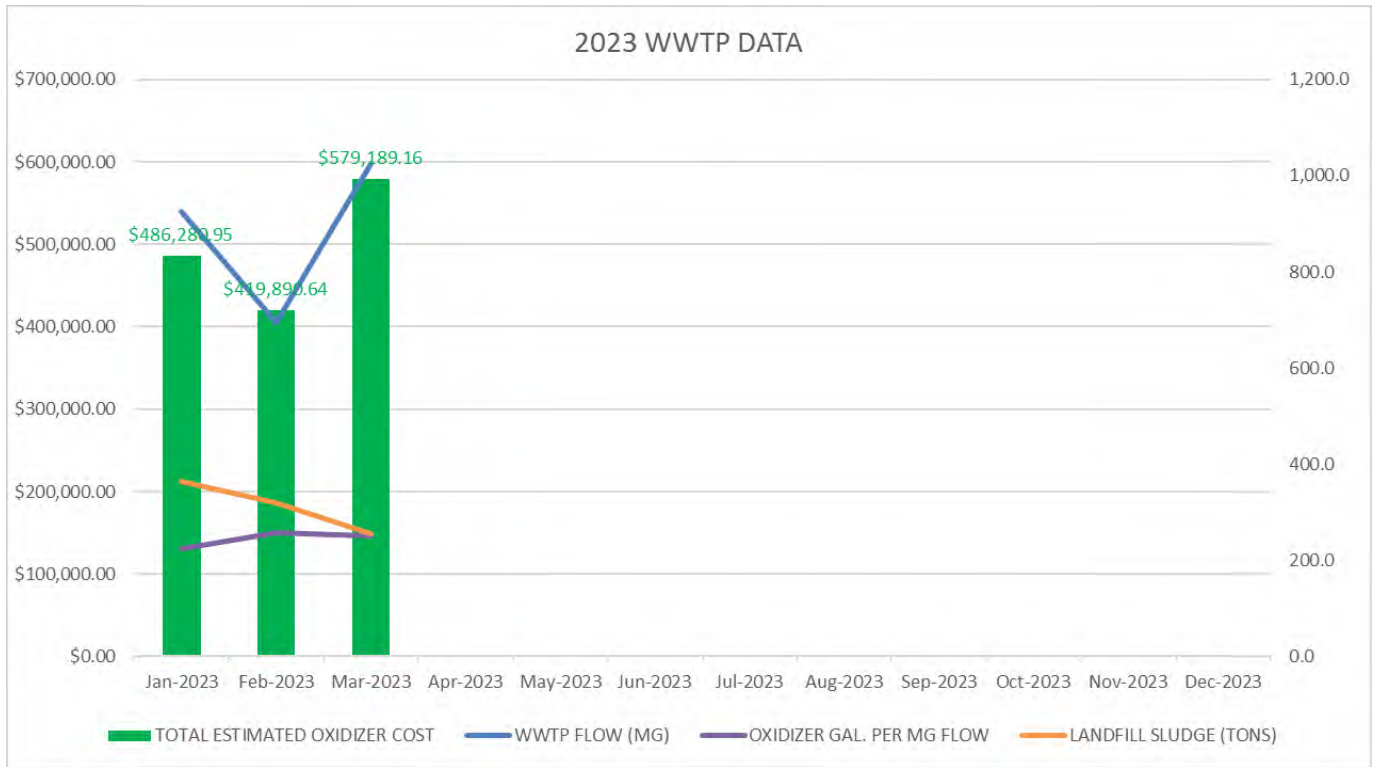
COST = \$12,339.89 per day avg. \$375,338.33 per month avg.
 23.8 Flow (MGD) 365 total days



WWTP DATA		OXIDIZER USAGE				SLUDGE REMOVAL			
MONTH	FLOW (MG)	H2O2 (GAL)	NaOCl (GAL)	GAL PER MG FLOW	TOTAL ESTIMATED COST	LANDFILL SLUDGE (TONS)	SOLIDS THROUGH PUT (%)	FERRIC CHLORIDE (TONS)	LIME (TONS)
Jan-2022	659.8	0	197,600	302	\$233,168.00	386.3	152.1	39.4	73.2
Feb-2022	886.9	0	188,370	240	\$222,276.60	338.3	116.1	45.4	67.6
Mar-2022	854.3	0	252,175	387	\$297,566.50	299.7	129.1	45.5	42.7
Apr-2022	748.2	0	289,230	287	\$341,291.40	276.1	98.3	44.3	54.8
May-2022	709.3	0	345,240	509	\$407,383.20	371.1	131.2	46.8	57.0
Jun-2022	631.7	0	414,870	649	\$489,546.60	273.4	119.8	43.0	25.4
Jul-2022	633.7	0	392,060	615	\$462,630.80	354.7	111.7	45.0	76.1
Aug-2022	642.7	0	390,270	660	\$460,518.60	355.5	140.0	42.8	44.9
Sep-2022	649.6	0	364,480	571	\$430,086.40	332.1	89.1	37.1	55.7
Oct-2022	722.5	0	420,600	619	\$496,308.00	321.6	92.0	41.8	64.3
Nov-2022	718.8	0	273,220	599	\$322,399.60	286.8	102.3	40.8	80.1
Dec-2022	815.8	0	288,885	364	\$340,884.30	394.6	96.6	44.4	42.9
TOTALS	8,673.3	0	3,817,000	484	\$4,504,060.00	3,990.3	112.2	516.2	684.4

Low value for year

High value for year





7. SECURITY REPORT— John Accardo 4/19/2023

No WWTP security incidents were reported in March.

8. INFORMATION TECHNOLOGY (I.T.) 4/13/2023

Primary System Statuses

- **VMware Environment** – No issues to report.
- **New World Cloud** – No issues to report.
- **Exchange Office 365** – No issues to report.
- **Network WTP/WWTP/Gorge** – No Issues to report.
- **Network Security** – All systems secured, no incidents to report.

Updates/Issues Addressed/Resolved for the Current Month: (Not Included: Daily tasks/User Issues)

NFWB – WTP – IT office remains under construction. Server Room nearly completed. Next phase will be to have the dedicated AC installed.

NFWB – WTP - Relocated Server Racks to IT office.

NFWB – WTP – Fiber Project – Expected to begin by the 3rd/4th week of April.

NFWB – WWTP - Completed the deployment of the new Domain Controller.

NFWB – Informational – WWTP - SECURITY has a mobile device **716.534.3303**

NFWB – 3CX Phone System - we've begun building and testing an initial configuration for a new phone system, currently we're testing a phone server and 3cx software. Next phase will be to convert all our existing desk phones over to 3cx ecosystem, ultimately, we will need to purchase a dedicated Production server to host the PBX. Beyond that we will set up call groups, extensions, voicemail boxes and extensions. This system will be significantly easier to manage and bring with it substantial yearly cost savings.

NFWB – We have begun developing a new PA/intercom system that will integrate into the next phone system, we will deploy this Intercom for each plant.



Project planning:

- TBD: Upgrade WTP Main Security Gate. We've determined that we will need a trench dug so we can run conduit with direct burial Ethernet or Fiber to the gate. From there we will need to seek a new Gate/Intercom that will interface with our existing Verkada security system. Due to weather and the Gate intercom no available yet, estimated potential kick-off May/June

9. SYSTEM INFRASTRUCTURE AND OPERATIONS – Russell DeFranco 4/13/2023

WTP

1. Scrubber cleaned and ready for water seal test. Upon successful result a caustic will be added to scrubber and turned on.
2. Inductor installation to freeze thaw beds completed. Sludge is converted to slurry and sanitary sewer handling transport to WWTP for dehydration process and transport to landfill.
3. IT Server room heat and a/c unit installation in progress.
4. Transfer Switch for generators scheduling in progress.
5. Re-worked Stanley physical security quote with vendor. Waiting on updated quote.
6. Meeting with a second vendor for security quote.

WWTP

1. Converting from winter to spring Buildings & Grounds maintenance concerns.
2. Working on delivering more water to belt filter presses.
3. Evaluating another belt filter press, bringing the total of belt filter presses to 4.
4. Partnering with industry to manage sludge treatment.
5. In-house de-energizing of furnace room. Estimate from contractors approximately \$27,000. In-house electricians \$8,600. Savings of \$18,400.

**DIRECTING ISSUANCE OF POLICY AND PROCEDURE
FOR ON CALL EXECUTIVE STAFF IN THE EVENT
THE EXECUTIVE DIRECTOR IS UNAVAILABLE**

WHEREAS, the Niagara Falls Water Board (“NFWB”) operates complex water and stormwater treatment and conveyance facilities on a 24/7 basis, and the nature of Water Board operations means that situations requiring immediate aid or action and coordination by management-level staff inevitably, though rarely, will occur on evenings or weekends; and

WHEREAS, in general, the Executive Director is expected to be reachable by telephone around the clock and able to respond in person to incidents within an hour; and

WHEREAS, there are times when the Executive Director may not be available around the clock, including during vacations; and

WHEREAS, to promote effective management and provide clear delineation of roles and responsibilities, the Board has determined that a written policy for designating an appropriate member of the executive staff to be on call when the Executive Director is unavailable should be issued and distributed to staff as appropriate; and

WHEREAS, this policy and procedure should outline the authority and expectations of executive staff members designated to be on call, and the responsibilities of the Executive Director when placing staff on call; and

WHEREAS, a draft policy dated March 28, 2023 has been prepared which is consistent with the Board’s expectations, and the Board wishes to direct the Executive Director to issue and adopt such a policy but will leave amendments and revisions to the policy to the discretion of the Executive Director to allow for potential improvements which may be apparent when the policy has been in effect for a period of time;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board hereby directs the Executive Director to issue a formal policy and procedure for executive staff on call in the event the Executive Director is unavailable.

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

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

On April 24, 2023, 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



Policy and Procedure

Executive Staff On Call in Event Executive Director is Unavailable

The Niagara Falls Water Board operates complex water and stormwater treatment and conveyance facilities on a 24/7 basis. The nature of Water Board operations means that situations requiring immediate aid or action and coordination by management-level staff inevitably, though rarely, will occur on evenings or weekends. In general, the Executive Director is expected to be reachable by telephone around the clock and able to respond in person to incidents within an hour. There are times when the Executive Director may not be available around the clock, including during vacations. On those occasions, the following procedure must be followed:

1. The Executive Director shall:
 - a. Identify the period he or she will be unavailable and a proper member of the exempt executive staff of the Water Board who is willing and able to be on call to respond to emergencies and other exigent circumstances during that period;
 - b. Notify all supervisory and management personnel, as well as the Board of Directors, of the identity and telephone number for the on-call individual and the period during which they will be on-call;
 - c. Delegate his authority to make emergency procurements under Section 5.1.1 of the Niagara Falls Water Board Procurement Policy and Procedures to the on-call individual;
 - d. Ensure that the on-call individual has access to a Water Board credit card for emergency purchases.
2. The on-call individual shall:
 - a. Respond to calls received on the designated telephone line within 15 minutes;
 - b. Be capable of responding to Water Board facilities within one hour of receiving a call about an incident requiring management attention;
 - c. Remain free of the influence of drugs/alcohol that would impair their ability to respond to an incident.

The Executive Director is encouraged to rotate on-call responsibilities among the executive staff who have sufficient familiarity with Water Board operations to serve in that capacity. On call staff should make enhanced efforts to monitor email and text communications, and when possible, should maintain ready access to their Water Board IT resources through approved remote access/VPN resources. Other executive staff generally will be ready and willing to assist in the event of an emergency and the on-call individual should communicate during incidents with the Executive Director, other executive staff, and the Board of Directors as appropriate.

**AUTHORIZING PROCUREMENT OF
20 INCH SLANTED DISC CHECK VALVE FOR WTP BACKWASH PIPING**

WHEREAS, the Niagara Falls Water Board’s water treatment plant (“WTP”) backwashes filters to prevent excessive head loss from filtered material and one of the 20-inch slanted-disc check valves on the backwash piping which is original to the plant no longer is functioning properly; and

WHEREAS, Water Board staff have obtained a quote from DeZurik, which acquired APCO, the original equipment manufacturer, for a replacement check valve which totals \$31,850; and

WHEREAS, the check valve is a large, non-stock item which will be manufactured by DeZurik upon receipt of an order, and a substantial lead time is anticipated so Water Board staff recommend placing the order as soon as practicable; and

WHEREAS, the check valve will weigh approximately one ton, and the DeZurik quote does not include shipping costs, which will be calculated at rates current when the valve has been manufactured and will be an additional cost to the Water Board; and

WHEREAS, given the size and weight of the check valve, Water Board staff may require the assistance of a contractor with specialty equipment when the valve is installed, and will obtain a quote for the necessary scope of work when a delivery date for the valve is known, subject to Board approval if it exceeds the Executive Director’s purchasing authority;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that on behalf of the Niagara Falls Water Board, the Executive Director is hereby authorized to purchase a 20-inch slanted-disc check valve from DeZurik, Inc., for \$31,850 and to pay necessary shipping costs, provided that those shipping costs do not exceed \$5,000 unless further Board approval is obtained.

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

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
Capital Line: WTP-7, Water Treatment Plant Infrastructure Projects – Misc.
Capital Line Supplied by: D. Williamson
Available Funds Confirmed by: B. Majchrowicz

On April 24, 2023, 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

DeZURIK Quotation



To: NIAGARA FALLS WATER BOARD
 MARTY
 USA
Invoice Terms: Net 30 Days
Days Valid: 30
Shipping Point: FFA
Delivery Notes: WILL ADVISE

Date of Quote: 04-05-2023
Quote Number: 311230
Project Name:
I.D. (Rep. Use):
Line of Business: 4941 - Municipal Water Treatment
Make Order To: DeZURIK, Inc.
 C/O Tek-Sales Inc.
 Mary Bosch Inside Sales
 5 Marway Circle
 Rochester, NY 14624
 USA
 Phone 585-426-4580
 Fax 585-426-5108
 Email mary.bosch@tek-sales.com

Currency and Values expressed in USD (\$)

ANY PURCHASE ORDER ISSUED AS A RESULT OF THIS QUOTATION IS SUBJECT TO ALL OF THE MANUFACTURER'S CONDITIONS SET FORTH IN THIS DOCUMENT HEREOF, REASONABLE CONTRACT LANGUAGE NEGOTIATIONS AND FINAL ACCEPTANCE BY DEZURIK AT SARTELL, MN USA.

UNLESS OTHERWISE NOTED, QUOTATIONS ARE VALID FOR 30 DAYS. UNTIL ACCEPTANCE OF ORDER, QUOTED PRICES AND DELIVERY ARE SUBJECT TO CHANGE. UNLESS OTHERWISE NOTED, PRICES ARE FIRM FOR SHIPMENT OF GOODS WITHIN 12 MONTHS FROM THE RELEVANT QUOTATION DATE. OUR PRICES ARE BASED ON CURRENT PRICES FOR MATERIAL. IF A SIGNIFICANT MATERIAL PRICE INCREASE OCCURS BETWEEN ORDER ACCEPTANCE AND SHIPMENT DATE, GOODS SCHEDULED TO SHIP BEYOND 12 MONTHS OF THE QUOTATION DATE ARE SUBJECT TO A PRICE ADJUSTMENT BY THE AMOUNT NECESSARY TO COVER SUCH AN INCREASE.

Line #	Cust. Line # Tag #	Qty	Order Code	Unit Price	Total Price
1		1	CSD,20,800,F1,DI,DI-BRZ* Lead Time*: Pending CSD: Style - Slant Disc Check Valves 20: Size - 20 Inch (500mm) 800: Body Style - Series 800 Slanted Disc Check Valve F1: End Connection - Flanged; ASME 125/150 DI: Body Material - Ductile Iron DI: Disc - Ductile Iron BRZ: Seat Material - Bronze Coating or Paint: S40SD0 - 12 mils minimum (non-stainless steel parts) of Blue DeZURIK Epoxy (NSF Std. 61) on Interior and Standard (SP10) surface prep AND Blue DeZURIK Epoxy (NSF Std. 61), and on Exterior with Standard (SP10) surface prep	\$31,850.00	\$31,850.00
Total					\$31,850.00

*Estimated manufacturing lead times included in this quotation are defined as "after release of order to production" (ARO) and are subject to change based upon availability of parts and manufacturing capacity at the time the goods are released to production. Production orders are considered released to production upon receipt. Manufacturing lead times do not include transit lead times. Estimated lead times are based upon the items and quantities listed on the quotation. Any changes to order codes and/or quantities may result in changes to manufacturing lead times.

MANUFACTURER'S CONDITIONS

These conditions apply to all quotations, orders and contracts for DeZURIK, Inc. ("we," "us" or "our")

1. CONSTRUCTION AND LEGAL EFFECT: Our sale to you (defined as the purchaser of goods from us), is limited to and expressly made conditional on your assent to these typed and printed terms and conditions of sale, the face and reverse side hereof ("These Terms"), all of which form a part of the agreement to sell and which supersede and reject all prior writings (including your order), representations, negotiations with respect hereto and any conflicting terms and conditions of yours, any statement therein to the contrary notwithstanding. The sending of the purchase order for the goods referred to herein, whether or not signed by you, or your acceptance of the goods or payment operates as acceptance by you of These Terms. In case of conflict between These Terms and the terms of your purchase order or acceptance, These Terms govern; any different or conflicting terms submitted by you in any purchase order or acceptance shall be deemed objected to by us and shall be of no effect unless specifically agreed to by us in writing. We will furnish only the quantities and goods specifically listed on the face hereof or the pages attached hereto., or any updates or modifications to the same purchase order. We assume no responsibility for other terms or conditions or for furnishing other equipment or material shown in any plans and/or specifications for a project to which the goods quoted or ordered herein pertain or refer. Our published or quoted terms and conditions are subject to change without notice prior to acceptance of order.

2. PRICES: Unless otherwise noted on the face hereof, quotations are valid for 30 days, prices are net, FCA Incoterms 2020 our factory. Stenographic, clerical, and mathematical errors are subject to correction. Until acceptance of order on These Terms, quoted prices and delivery are subject to change. Thereafter, unless otherwise noted, prices are firm for shipment of goods within 12 months from the relevant quotation date. Our prices are based on current prices for material. We will endeavor to obtain the lowest pricing on materials from our suppliers, but if a significant material price increase occurs between order acceptance and shipment date, goods scheduled to ship beyond 12 months of the quotation date are subject to a price adjustment by the amount necessary to cover such increase.

3. DELIVERY: Dates for the furnishing of services and/or delivery or shipment of goods are approximate only and are subject to change. Quoted lead times are figured from the later of date of acceptance of order on These Terms or from the date of receipt of complete technical data and approved drawings as such may be necessary. We shall not be liable, directly or indirectly, for any delay in or failure to perform caused by carriers or suppliers or delays from labor difficulties, shortages, strikes or stoppages of any sort, failure or delay in obtaining materials, customer requested order changes, fires, floods, storms, accidents, government restrictions, epidemics, pandemics, causes designated acts of God or force majeure by any statute or court of law or other causes beyond our reasonable control.

4. SHORTAGE, DAMAGE, ERRORS IN SHIPMENT: Our responsibility ceases upon delivery to carrier. Risk of loss, injury or destruction of property, shall be borne by you from and after our delivery to carrier, and such loss, injury or destruction shall not release you from the obligation to pay the purchase price. You shall note receipt for goods that are not in accordance with bill of lading or express receipt and you shall make claim against such carrier for any shortage, damage or discrepancy in the shipment per the ICC Code for Freight Claims promptly. You shall inspect and examine all items and goods covered by the order when unpacking crated or boxed goods, and if damage is discovered, leave as is until the carrier's agent makes examination and notation on freight or express bill of concealed damage. We will render reasonable assistance to help trace and recover lost goods and collect just claims as a business courtesy, but without obligation. We do not guarantee safe delivery.

5. TAXES: Our prices do not include sales, use, excise, occupation, processing, transportation or other similar taxes which we may be required to pay or collect with respect to any of the materials covered hereby under existing or future law. Consequently, in addition to the price specified herein, such taxes shall be paid by you, or you shall provide us with a tax exemption certificate acceptable to the appropriate taxing authorities. You shall also assume and pay any import or export duties and taxes, with respect to the materials covered by the order, and shall hold harmless and reimburse us therefrom.

6. CREDIT AND PAYMENT: Unless otherwise noted on the face hereof, payment of goods shall be 100% thirty (30) days net in US dollars. Payment shall be made: (a) in full without set-off, counterclaim, or withholding of any kind; and (b) not contingent on payment from or approval of any third party. Prorated payments shall become due with partial shipments. We reserve the right at any time to suspend credit or to change credit terms provided herein, when, in our sole opinion, your willingness or ability to pay your obligations to us is in doubt. Failure to pay invoices at maturity date, at our election, makes all subsequent invoices immediately due and payable irrespective of terms, and we may withhold all subsequent deliveries until the full account is settled and we shall not, in such event, be liable for non-performance of contract in whole or in part. You agree to pay, without formal notice, 1.5% per month of the amount not paid when due, provided that, if such rate is in excess of applicable governing law, you agree to pay the maximum permitted rate.

7. CANCELLATIONS AND CHANGES: Orders which have been accepted by us are not subject to your cancellation or changes in specifications, except upon our written consent, and we may require, as a condition of such consent, appropriate modification charges and adjustments in price, delivery schedule and other relevant terms, and in the case of cancellation, cancellation charges. In the event we accept your cancellation, you shall be liable for a cancellation charge equal to the higher of (i) 25% of the purchase price of the item(s), or (ii) any loss or cost incurred by us, including, but not limited to, cost of materials, labor, engineering, reconditioning and reasonable overhead.

8. DEFERRED SHIPMENT: If shipment is deferred at your request, payment of the contract price shall become due when you are notified that the equipment is ready for shipment. If you fail to make payment and/or furnish shipping instructions, we may either extend time for so doing or cancel the contract. In case of deferred shipment at your request, storage and other reasonable expenses attributable to such delay shall be payable by you.

9. LIMITED WARRANTY: Products, auxiliaries and parts thereof that we manufacture for a period of twenty-four (24) months from the date of shipment from our factory, are warranted to the original purchaser only against defective workmanship and material, but only if properly stored, installed, operated, and serviced in accordance with our recommendations and instructions. For items proven to be defective within the warranty period, your exclusive remedy under this limited warranty is repair or replacement of the defective item, at our option, FCA Incoterms 2020 our facility with removal, transportation, and installation at your cost. Products or parts manufactured by others but furnished by us are not covered under this limited warranty. We may provide repair or replacement for other's products or parts only to the extent provided in and honored by the original manufacturers' warranty to us, in each case subject to the limitations contained in the original manufacturer's warranty. No claim for transportation, labor, or special or consequential damages or any other loss, cost or damage is being provided in this limited warranty. You shall be solely responsible for determining suitability for use and in no event shall we be liable in this respect. This limited warranty does not warrant that any product or part we manufacture is resistant to corrosion, erosion, abrasion or other sources of failure, nor do we warrant a minimum length of service. Your failure to give written notice to us of any alleged defect under this warranty within twenty (20) days of its discovery, or attempts by someone other than us or our authorized representatives to remedy the alleged defects therein, or failure to return product or parts for repair or replacement as herein provided, or failure to store, install, or operate said products and parts according to the recommendations and instructions furnished by us shall be a waiver by you of all rights under this limited warranty. This limited warranty is voided by any misuse, modification, abuse or alteration of our product or part, accident, fire, flood or other Act of God, or your failure to pay entire contract price when due. The foregoing limited warranty shall be null and void if, after shipment from our factory, the item is modified in any way or a component of another manufacturer, such as but not limited to; an actuator is attached to the item by anyone other than our factory authorized service personnel. All orders accepted shall be deemed accepted subject to this limited warranty, which shall be exclusive of any other or previous warranty, and this shall be the only effective guarantee or warranty binding on us, despite anything to the contrary contained in the purchase order or represented by any agent or employee of ours in writing or otherwise, notwithstanding, including but not limited to implied warranties.

THE FOREGOING REPAIR AND REPLACEMENT LIMITED WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, OBLIGATIONS AND LIABILITIES, INCLUDING, BUT NOT LIMITED TO, ALL WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE OR OF MERCHANTABILITY OR OTHERWISE, EXPRESSED OR IMPLIED IN FACT OR BY LAW AND STATE OUR ENTIRE AND EXCLUSIVE LIABILITY AND YOUR EXCLUSIVE REMEDY FOR ANY DEFECTIVE GOODS OR SERVICES.

SALE AND FURNISHING OF SERVICES, GOODS OR PARTS, THEIR DESIGN, SUITABILITY FOR USE, INSTALLATION OR OPERATIONS. NEITHER ANY PERFORMANCE OR OTHER CONDUCT, NOR ANY ORAL OR WRITTEN INFORMATION, STATEMENT OR ADVICE PROVIDED BY US OR ANY OF OUR EMPLOYEES OR AGENTS WILL CREATE A WARRANTY, OR IN ANY WAY INCREASE THE SCOPE OR DURATION OF THIS LIMITED WARRANTY.

10. INTELLECTUAL PROPERTY: We shall indemnify and hold you harmless from any amount that you are required to pay to a third-party pursuant to final, non-appealable court order as a result of such third-party's claim that a product sold hereunder infringes any United States patent or copyright of such third party; provided that our obligation of indemnification is contingent upon (a) your notifying us in writing of any such claim within 20 days of receipt thereof, (b) your providing us with exclusive control of the defense and/or settlement thereof, and (c) your cooperating with us in such defense and/or settlement. In the event of such a successful infringement claim by the third party, at our option, we shall either (i) modify the product sold hereunder so that it performs comparable functions without infringement, (ii) obtain a royalty-free license for you to continue using the infringing product or (iii) refund to you the then-depreciated fair market value of the infringing component. We shall have no obligation under this Section to the extent a claim is based upon (a) the combination, operation or use of the product with equipment, products, hardware, software, systems or data that was not provided by us, if such infringement would have been avoided in the absence of such combination, operation or use, or (b) your use of the product in any manner inconsistent with our written materials regarding the use of such product. This Section states our entire liability and your exclusive remedy with respect to any alleged infringement arising from the use of the products sold hereunder or any part thereof and is subject to the other limitations contained in These Terms.

11. LIMITATION OF LIABILITY: IN NO EVENT SHALL WE BE LIABLE FOR ANY DIRECT, INDIRECT, SPECIAL, PUNITIVE, EXEMPLARY, OR CONSEQUENTIAL DAMAGES (INCLUDING, BUT NOT LIMITED TO, DAMAGE TO OR LOSS OF OTHER PROPERTY OR EQUIPMENT, BUSINESS INTERRUPTION, COST OF SUBSTITUTE PRODUCTS, LOSS OF TIME, LOSS OF PROFITS OR REVENUE, COST OF CAPITAL, LOSS OF USE, OR DIMINUTION IN VALUE) WHATSOEVER, AND OUR LIABILITY, UNDER NO CIRCUMSTANCES, WILL EXCEED THE CONTRACT PRICE FOR THE GOODS AND/OR SERVICES FOR WHICH LIABILITY IS CLAIMED. ANY ACTION FOR BREACH OF CONTRACT BY YOU, OTHER THAN RIGHTS RESPECTING OUR LIMITED WARRANTY DESCRIBED IN SECTION 9 ABOVE, MUST BE COMMENCED WITHIN 12 MONTHS AFTER THE DATE OF SALE.

12. EXPORT CONTROL COMPLIANCE: You agree and acknowledge that the products are sold in accordance with U.S. export control and sanctions laws, regulations and orders, as they may be amended from time to time. You agree to ascertain and comply with all applicable export and re-export obligations and restrictions, including without limitation, U.S. export and re-export controls under the Export Administration Regulations ("EAR"), International Traffic in Arms Regulations ("ITAR"), and all regulations and orders administered by the U.S. Department of Treasury, Office of Foreign Assets Control (collectively, "U.S. Export Control Laws"). If you are conducting the export from the United States or the re-export from a country outside the United States, you shall comply with such U.S. Export Control Laws and obtain any license or other authorization required to export or re-export the products and related technology. We shall reasonably cooperate and exercise reasonable efforts, at your expense, to support you in obtaining any necessary licenses or authorizations. You shall not export or re-export the products and/or related technology to any country or entity to which such export or re-export is prohibited, including, but not limited to any country or entity under sanction or embargoes administered by the United States. Any diversion contrary to the law of the United States is prohibited. You will not take, and will not solicit us to take, any action that would violate any anti-boycott or any export or import statutes or regulations of the United States or other governmental authorities, and shall defend and indemnify us for any loss or damage arising out of or related to such actions.

13. GENERAL COMPLIANCE WITH LAWS: In addition to your obligations under Section 12 above, you represent and warrant that, in performing your duties under this Agreement, you will comply with, at your sole expense, all applicable laws and regulations of any governmental authority, including, but not limited to your duties involving any required registrations, requirements as to product contents, packaging and labeling, restraint of trade, consumer laws, data privacy, export regulations, and environmental laws. You agree and acknowledge you have had an opportunity to obtain legal advice regarding, and currently comply with, all applicable legal requirements that prohibit unfair, fraudulent or corrupt business practices, including, but not limited to the U.S. Foreign Corrupt Practices Act (FCPA) as well as U.S. and other legal requirements that are designed to combat terrorism and terrorist activities. In addition, neither you nor any of your equity interest owners, officers or directors are named as a "specially designated national" or "blocked person" as designated by the United States Department of the Treasury's Office of Foreign Assets Control under the U.S. PATRIOT Act.

14. INDEMNIFICATION BY YOU: You will indemnify, defend and hold us and our corporate parents and other affiliates and their respective officers, directors, stockholders, members, insurers, attorneys, employees, agents, successors, predecessors, assigns, heirs and personal representatives harmless against any and all liability, claims, suits, actions, losses, liabilities, damages, costs and legal fees arising out of or related to: (i) any conduct of you or any related party as described in Sections 12 or 13 above; or (ii) your breach of any other provision herein.

15. PROPRIETARY INFORMATION: All specifications, drawings, data, manuals, designs, information, ideas, methods, patterns and inventions made, conceived, developed or generated by us incident to the procurement or performance of this order ("Work Product") will vest in, inure to and be the sole property of us. You will not copy, publish or otherwise disclose, in whole or in part, to others such Work Product without the express prior written permission of us. You will not use information furnished hereunder for any purpose other than for operation and maintenance of the goods and services or for any purpose other than as explicitly intended by us. The rights and obligations in this Section 15 will survive termination or expiration of this order.

16. ARBITRATION: Any controversy or claim arising out of or relating to this Agreement or the breach thereof shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The venue for such proceedings shall be St. Cloud, MN.

17. TEXAS WAIVER OF CONSUMER RIGHTS: If you are entitled to its protection, you hereby agree to waive your rights under the Deceptive Trade Practices-Consumer Protection Act, Section 17.41 et seq., Business & Commerce Code, a law that gives consumers special rights and protections. You warrant that, after consultation with an attorney of your own selection, you voluntarily consent to this waiver.

18. APPLICABLE LAW: The rights and duties of the parties shall be governed by the laws and exclusive jurisdiction of the State of Minnesota without regard to the conflict of law principles thereof. You agree the United Nations Convention on Contracts for the International Sale of Goods or any subsequently enacted treaty or convention shall not apply to These Terms.

19. NO OTHER CONTRACT PROVISIONS; OTHER: These Terms reflect the entire agreement with respect to the products. Terms and conditions of your order shall be without force and effect, except to the extent identical herewith. No dealer, broker, branch manager, agent, employee or representative of ours has any power of authority except to take orders for our products and to submit the same to us, at our factory, for our approval and acceptance on the terms herein or rejection. There are no representations, agreements, obligations, or conditions, expressed or implied, statutory or otherwise, relating to the subject matter hereof, other than herein contained. DeZURIK, Inc. and related terms (we, us and our) shall refer to DeZURIK, Inc. and its affiliates. If any provision hereof is invalid or not enforceable under applicable law, the remaining provisions shall remain in full force and effect. Any assignment of your rights hereunder without our consent (which shall not be unreasonably withheld) shall be void. These Terms shall be binding on your successors and assigns. Our failure to require your performance of any of These Terms shall not serve as a waiver or diminish our rights to require strict performance of such provision or These Terms.

AWARD OF BID FOR CONEQTEC MANHOLE CUTTER

WHEREAS, the Niagara Falls Water Board (“Water Board”) maintains an extensive network of sewers and tunnels that includes approximately 7,200 manholes, which from time to time require resetting to match the pavement grade or replacement; and

WHEREAS, Water Board staff have determined that procurement of a manhole cutter would make the routine work of replacing and resetting manholes considerably more efficient and safer, as a manhole cutter attached to a skid steer can replace much of the manual labor associated with manhole work, including saw cutting, jackhammering, and affixing chains to lift the manhole, and because the hole that it cuts is smaller and round as opposed to the square cuts associated with manual replacement, less pavement restoration material will be required; and

WHEREAS, Water Board staff examined manhole cutter options and determined that a Coneqtec 57” manhole cutter, or suitable equivalent, would meet its requirements, and further determined that the addition of a 24” drum attachment would allow use of the same machine to be used to cut out valve boxes and similar smaller structures in asphalt and concrete, and that procurement of this equipment will allow Water Board crews to complete more jobs per day; and

WHEREAS, with the assistance of City of Niagara Falls Purchasing, a bid was prepared and advertised for the desired equipment; and

WHEREAS, two bids were received, with the lowest bid meeting the bid specifications from Niagara Frontier Equipment Sales, Inc., totaling \$51,460 for the manhole cutter and accessory 24” drum; and

WHEREAS, the \$45,125 bid from Critex LLC dba Mr. Manhole did not meet the required bid specifications as it substituted a “leg” type manhole cutter for the “drum” type determined by Water Board staff to be more appropriate for expected use conditions;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board rejects the bid by Critex LLC dba Mr. Manhole for failure to meet the required bid specifications and awards Bid # W2023-02 for a Coneqtec HS-57 manhole cutter and an accessory 24” drum to Niagara Frontier Equipment Sales, Inc., for a total cost of \$51,460.

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

Water Board Budget Line or Capital Plan Item with Funds for this Resolution:
Capital Line: S-8, Sewer/GPS Infrastructure Projects – Miscellaneous
Capital Line Supplied By: D. Williamson
Available Funds Confirmed: B. Majchrowicz

On April 24, 2023, 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



TO: Niagara Falls Water Board
FROM: Dr. Abderrahman Zehraoui, Executive Director
Sean Costello, General Counsel and Secretary
DATE: April 12, 2023
SUBJECT: BID #W2023-02 Coneqtec Universal Manhole Cutter and accessories

We respectfully request you award the above referenced bid per the enclosed tally sheet as follows:

TO: **Niagara Frontier Equipment Sales, Inc.**
4060 Lake Avenue
Lockport, New York 14094

FOR: One (1) Coneqtec HS-57 Universal manhole Cutter, 57" w/Mag Box \$46,640.00
One (1) 24" accessory drum \$ 4,820.00

TOTAL COST: \$ 51,460.00

The City of Niagara Falls Purchasing Division, acting on behalf of the Niagara Falls Water Board certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that bids were to be received was advertised in the Niagara Gazette and bid requests were sent to three (3) vendors. Two (2) bids were received. The above referenced vendor has submitted the lowest responsible bid meeting the specifications notated in the above referenced solicitation.

Funds for this expenditure are available as needed in the Outside Water budget code.

Respectfully submitted,

Dr. Abderrahman Zehraoui, Executive Director
Niagara Falls Water Board

Leeann K. Huey, Purchasing Agent
City of Niagara Falls

ASKLAR ____ KIMBLE ____ LARKIN ____ LEFFLER ____ FORSTER ____

5815 Buffalo Avenue • Niagara Falls, New York 14304 • 716 283-9770 • FAX 716 283-9748

www.nfwb.org

**OFFICIAL TALLY SHEET
NIAGARA FALLS WATER BOARD**

NFWB BID # W2023-02 PURCHASE OF CONEQTEC UNIVERSAL MANHOLE CUTTER
 BID OPENING: APRIL 11, 2023 10:00 AM

PAGE 1 OF 1
 SET 1 OF 1

ITEM	DESCRIPTION	CRITEX LLC / MR. MANHOLE 125 S CANAL STREET DELPHOS OH 45833	NIAGARA FRONTIER EQUIPMENT SALES INC. 4060 LAKE AVENUE LOCKPORT NY 14094	XXX
1.	1 (ONE) EACH CONEQTEC HS-57 UNIVERSAL MANHOLE CUTTER, 57" W/MAG BOX	<i>Gold Series Six Shooter with Customer Package*</i> \$37,900.00	<i>CONEQTEC HS-57 Universal Manhole Cutter, 57" W/Mag Box</i> \$46,640.00	
2.	1 (ONE) EACH ACCESSORY: 24" DRUM	<i>Water Valve Rebuild Package*</i> \$7,225.00	24" Drum \$4,820.00	
	TOTAL COST	\$45,125.00	\$51,460.00	
Notes		* EXCEPTION Customer substituted items - not within listed bid specifications.		

PROCUREMENT OF FIRE HYDRANTS AND PARTS

WHEREAS, the Niagara Falls Water Board (“Water Board”) maintains approximately 2,226 fire hydrants; and

WHEREAS, with diligent effort and the investment of considerable resources, the Water Board has repaired all known non-functioning hydrants and repairs hydrants promptly on learning that they are not functioning; and

WHEREAS, the Water Board also has established a dedicated hydrant crew, which inspects, flow tests, and maintains hydrants; and

WHEREAS, the Water Board coordinates with the Niagara Falls Fire Department regarding fire hydrant flow data, and also has worked to color code its hydrants to indicate the available flow; and

WHEREAS, the Water Board replaces non-functional hydrants that cannot be repaired and further has determined it beneficial to its system to replace certain older, problematic, and/or unreliable hydrants; and

WHEREAS, to maintain the ability of Water Board crews to replace hydrants, and after reviewing the current hydrant inventory, the number and type of hydrants used in 2022, and other relevant factors, the Water Board’s Chief of Outside Infrastructure has recommended the purchase of a stock of hydrants and components used when replacing hydrants as detailed below; and

WHEREAS, K&S Contractors Supply, Inc., and Core and Main, Inc., previously were awarded the bid to supply the replacement fire hydrants and components that are the subject of this resolution pursuant to Resolution 2022-07-001 (Bid No. W2022-01);

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board authorizes the procurement of the following fire hydrants and components:

- 37 – 6ft Hydrants at \$3,305.40 = \$122,299.80 from K&S Contractors Supply, Inc.
- 24 – 5ft Hydrants at \$3,164.90 = \$75,957.60 from K&S Contractors Supply, Inc.
- 60 – 6” Hymax Coupling at \$300.92 = \$18,055.20 from Core & Main, Inc.
- 60 – 6” Mech. Joint Accessory Packs at \$37.28 = \$2,236.80 from Core & Main, Inc.
- 60 – 6” Mech. Joint Follower Glands at \$12.43 = \$745.80 from Core & Main, Inc.
- Total: \$219,295.20

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. W-1, Hydrant Replacement
Capital Line Supplied by: D. Williamson
Available Funds Confirmed by: B. Majchrowicz (line currently funded at \$170,000, reallocation of funds will be required for remaining balance)

On April 24, 2023, 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

Sales Quote

Page: 1

K & S Contractors Supply, Inc.
 1971 Gunnville Road
 Lancaster, NY 14086
 (716) 759-6911

Sales Quote Number: SQ26711
 Sales Quote Date: 3/28/2023

Sell

To: Niagara Falls Water Board
 Michael Eagler 283-9770 ext 253
 5815 Buffalo Avenue
 Niagara Falls, NY 14304

Ship

To: Niagara Falls Water Board
 Michael Eagler 283-9770 ext 253
 5815 Buffalo Avenue
 Niagara Falls, NY 14304

Customer ID	C99-0790	Ship Via	Customer Pickup
Bid Date	03/28/2023	F.O.B.	
		Terms	Net 30 days
		SalesPerson	Keith Barry

Item No.	Description	Unit	Quantity	Unit Price	Total Price
220021000	K81 NFWB Hyd 6' Bury	each	37	3,305.40	122,299.80
220021000	K81 NFWB Hyd 5' Bury	each	24	3,164.90	75,957.60

Amount Subject to Sales Tax 0
 Amount Exempt from Sales Tax 198,257.40

Subtotal:	198257.4
Invoice Discount:	0.00
Total Sales Tax:	0.00
Total:	198,257.40

Prices are firm through 04/26/2023

We charge an additional 5% for credit card transactions



Bid Proposal for HYMAX NIAGARA FALLS WATER BOARD

CUSTOMER	<p>NIAGARA FALLS WATER BOARD 1200 BUFFALO AVE NIAGRA FALLS, NY 14303</p>	<p>Job HYMAX NIAGARA FALLS WATER BOARD Bid Date: 03/30/2023 Bid #: 2845031</p>
	<p>Sales Representative Scott Little (M) 716-535-0799 (T) 716-625-8666 Scott.Little@coreandmain.com</p>	<p>Core & Main 650 West Ave Lockport, NY 14094 (T) 716-625-8666</p>
CONTACT		
NOTES		



Bid Proposal for HYMAX NIAGARA FALLS WATER BOARD

NIAGARA FALLS WATER BOARD

Bid Date: 03/30/2023

Core & Main 2845031

Core & Main

650 West Ave

Lockport, NY 14094

Phone: 716-625-8666

Seq#	Qty	Description	Units	Price	Ext Price
		DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE GUARANTEED. THIS TERM SUPERSEDES ALL OTHER CONTRACTUAL PROVISIONS.			
10	60	860-54-0163-16 6 HYMAX 2 FLIP CPLG 6.42-7.05 LR 7.01-7.68 HR OD	EA	300.92	18,055.20
20	60	6 MJ DI FOLLOWER GLAND (I)	EA	12.43	745.80
30	60	6" MJ ACC SET L/GLAND COR BLUE	EA	37.28	2,236.80
				SUBTOTAL	21,037.80
				Sub Total	21,037.80
				Tax	0.00
				Total	21,037.80

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>

**APPROVING AND ACCEPTING INDEPENDENT
AUDIT AND INVESTMENT REPORTS**

WHEREAS, the Niagara Falls Water Board engaged Bonadio & Co., LLP (“Bonadio”), Certified Public Accountants, to perform an independent audit of its financial statements as of and for the year ending December 31, 2022; and

WHEREAS, the Water Board also engaged Bonadio to prepare its annual investment compliance report as required by Section 2925 of the Public Authorities Law; and

WHEREAS, the Water Board is in receipt of the independent auditors’ draft audit and investment reports dated March 30, 2023, and Water Board management has advised that it has reviewed and responded to the auditors’ findings;

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board approves and accepts the March 30, 2023 independent auditors’ report and investment compliance report prepared by Bonadio & Co., LLP, Certified Public Accountants, as of and for the year ending December 31, 2022.

Water Board Personnel Responsible for Implementation of this Resolution:

- Executive Director
- Director of Financial Services

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

Not Applicable

On April 24, 2023, 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

**Financial Statements As of
December 31, 2022
Together With Independent
Auditor's Report**

Bonadio & Co., LLP
Certified Public Accountants

NIAGARA FALLS WATER BOARD

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INDEPENDENT AUDITOR'S REPORT

March 30, 2023

To the Board of Directors of
Niagara Falls Water Board

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Niagara Falls Water Board (the Board) as of and for the year ended December 31, 2022, and the related notes to financial statements, which collectively comprise the Board's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Board, as of December 31, 2022, and the changes in financial position and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis For Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Board and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Change in Accounting Principle

As described in Note 13 to the financial statements, in 2022, the Board adopted new accounting guidance, GASB Statement No. 87, *Leases*. Our opinion is not modified with respect to this matter.

Responsibilities of Management For the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

171 Sully 's Trail
Pittsford, New York 14534
p (585) 381-1000
f (585) 381-3131

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In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Board's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities For the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Board's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, schedule of changes in total other postemployment benefit (OPEB) liability and related ratios, schedule of proportionate share of net pension liability (asset), and schedule of contributions - pension plans, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Board's basic financial statements. The accompanying supplementary information as listed in the table of contents of the Niagara Falls Water Authority (a blended component unit of the Board) is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 30, 2023, on our consideration of the Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Board's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control over financial reporting and compliance.

NIAGARA FALLS WATER BOARD

Management's Discussion and Analysis (Unaudited) December 31, 2022

As management of the Niagara Falls Water Board (the Board), we offer readers of the Board's financial statements this narrative and analysis of the financial activities of the Board for the year ended December 31, 2022.

Following this Management's Discussion and Analysis (MD&A) are the financial statements of the Board together with the notes thereto. Please read the MD&A in conjunction with the Board's financial statements and the accompanying notes in order to obtain a full understanding of the Board's financial position and results of operations.

The Board was created by an Act of the State of New York, as more fully described in Note 1 to the financial statements, and commenced operations on September 25, 2003. In accordance with an agreement with the City of Niagara Falls, New York (the City) the Board received all assets, liabilities and operating activities (including all personnel) of the City's former Water and Sewer Funds. In return, the Board issued debt, which was used to defease outstanding City bonded debt relating to its Water and Sewer Funds.

Financial Highlights

- The liabilities and deferred inflows of resources of the Board were exceeded by its assets and deferred outflows of resources by \$10,015,584 and \$111,787 (net position) at December 31, 2022 and December 31, 2021, respectively. At December 31, 2022 and 2021, (\$59,053,214) and (\$60,899,388) (unrestricted net position), respectively, may be used to meet the Board's ongoing obligations.
- The Board's operating income for the years ended December 31, 2022 and 2021 was \$11,927,377 and \$7,104,452, respectively.
- The Board had bond refunding of Series 2022A bonds issued for \$35,930,000. Total bond indebtedness decreased by \$2,709,498 during the current fiscal year as a result of principal payments made of \$4,729,242 and premium amortization of \$129,754.
- The Board reflected a liability for postemployment benefits of \$76,183,820 and \$95,228,340 at December 31, 2022 and 2021, respectively.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the Board's basic financial statements which include the financial activities of the Board, the Niagara Falls Public Water Authority (the Authority) (a blended component unit), and the notes to financial statements. The reasons for blending the financial activities are explained in Note 1 to the financial statements. An overview of the responsibilities of the Board and the Authority is presented as follows.

<u>Board</u>	<u>Authority</u>
* Owns the System	* Issues debt
* Operates and maintains the System	* Provides proceeds of debt for construction and improvements
* Responsible for System improvements	* Provides oversight regarding adequacy of revenues and System conditions
* Sets rates and collects revenues	
* Pays debt service on bonds	

NIAGARA FALLS WATER BOARD

Management's Discussion and Analysis (Unaudited)

December 31, 2022

The financial statements are designed to provide readers with a broad overview of the Board's finances in a manner similar to a private-sector business, and are organized as follows:

- The statement of net position presents information on all of the Board's assets, deferred outflows of resources, liabilities and deferred inflows of resources, with the difference between the four reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Board is improving or deteriorating.
- The statement of revenue, expenses and changes in net position presents information on how the Board's net position changed during each reporting period. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenue and expenses are reported in this statement for some items that will result in cash flows for future fiscal periods (e.g., uncollected water and sewer rents, earned but unused vacation and postemployment benefits).
- The statement of cash flows presents information depicting the Board's cash flow activities for each reporting period and the effect that these activities had on the Board's cash and equivalent balances.
- The notes to the financial statements provide additional information that is essential to a full understanding of the data provided in the financial statements. The notes to the financial statements can be found on pages 15 through 36 of this report.

Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of the Board's financial position. Assets and deferred outflows exceeded liabilities and deferred inflows by \$10,015,584 at December 31, 2022, as compared to \$111,787 at December 31, 2021, as presented as follows:

	Niagara Falls Water Board's Net Position			
	December 31,		Increase/(Decrease)	
	2022	2021	Dollars	Percent
Current assets	\$ 26,832,221	\$ 27,745,805	\$ (913,584)	-3.3%
Noncurrent assets	161,850,009	157,906,675	3,943,334	2.5%
Total assets	188,682,230	185,652,480	3,029,750	1.6%
Deferred outflows	11,353,536	8,668,717	2,684,819	31.0%
Current liabilities	13,752,927	14,805,848	(1,052,921)	-7.1%
Noncurrent liabilities	149,221,515	171,072,687	(21,851,172)	-12.8%
Total liabilities	162,974,442	185,878,535	(22,904,093)	-12.3%
Deferred inflows	27,045,740	8,330,875	18,714,865	224.6%
Net investment in capital assets	48,223,089	40,935,506	7,287,583	17.8%
Restricted	20,845,709	20,075,669	770,040	3.8%
Unrestricted	(59,053,214)	(60,899,388)	1,846,174	-3.0%
Total net position	\$ 10,015,584	\$ 111,787	\$ 9,903,797	8859.5%

NIAGARA FALLS WATER BOARD

Management's Discussion and Analysis (Unaudited) December 31, 2022

The Board's net investment in capital assets, is a surplus net position of \$48,223,089 and \$40,935,506 at December 31, 2022 and 2021, respectively. This results from the timing of the amortization of the Board's capital debt, as outstanding principal for most of the Board's serial bonds is not paid until late into the life of the debt, while depreciation occurs annually.

The Board's unrestricted net position (deficit) was \$(59,053,214) and \$(60,899,388) at December 31, 2022 and 2021, respectively. The restricted debt service portion of the Board's net position, \$7,736,729 and \$7,257,814 at December 31, 2022 and 2021, respectively, represents funds that are set aside to be used towards debt service. The restricted capital projects portion of the Board's net position, \$786,581 at December 31, 2022 and 2021, represents funds that were set aside for the reconstruction of the Falls Street Tunnel and capital projects. The restricted debt service reserve fund portion of the Board's net position, \$7,123,949 and \$6,832,824 at December 31, 2022 and 2021, respectively, represents funds for future debt service payments. The restricted operating and maintenance reserve fund portion of the Board's net position, \$5,198,450 at December 31, 2022 and 2021, represents funds to pay the cost of extraordinary repairs to and maintenance of the system.

The Board's unrestricted net position is the remainder of total net position after taking net investment in capital assets, restricted for capital projects, restricted for operations and maintenance and restricted for debt related reserves into account. Unrestricted net position (deficit) decreased in 2022 by \$1,846,174 because of an increase in net investment in capital assets of \$7,287,583, an increase of \$770,040 in restricted net position and net income of \$1,846,171.

A comparison of current assets to current liabilities of the Board at December 31, 2022 and 2021 follows:

	<u>2022</u>	<u>2021</u>
Current assets	\$ 26,832,221	\$ 27,745,805
Current liabilities	<u>\$ 13,752,927</u>	<u>\$ 14,805,848</u>
Ratio of current assets to current liabilities	1.95	1.87

The Board's total net position increased by \$9,903,797 during the year ended December 31, 2022, as compared to an increase of \$5,120,847 for the year ended December 31, 2021. Key elements of the current year's increase in net position (deficit) are as follows:

Niagara Falls Water Board's Changes in Net Position

	<u>2022</u>	<u>2021</u>	Increase/ (Decrease)
Total operating revenue	\$ 41,093,715	\$ 38,433,425	\$ 2,660,290
Total operating expenses	<u>(29,166,338)</u>	<u>(31,328,973)</u>	2,162,635
Operating income	11,927,377	7,104,452	4,822,925
Total non-operating revenue (expenses)	<u>(2,023,580)</u>	<u>(1,983,605)</u>	(39,975)
Change in net position, before restatement	<u>\$ 9,903,797</u>	<u>\$ 5,120,847</u>	<u>\$ 4,782,950</u>

NIAGARA FALLS WATER BOARD

Management's Discussion and Analysis (Unaudited) December 31, 2022

The Board's major sources of operating revenue are charges for water and sewer services which comprise approximately 90% of total operating revenue. These revenues combined increased \$1,605,162 from 2021. These revenues are dependent upon rates charged for these services, with such rates being determined by the Board. Please see the section entitled "Economic Factors and Next Year's Rates" within this MD&A for a listing of the rates charged during 2022 and approved rates for 2023.

The Board's largest operating expense area relates to its employees. Together, personnel costs (salaries) and employee benefits approximate 43% of total operating expenses. In 2022, these costs totaled approximately \$15.1 million as compared to \$12.7 million in 2021, representing an approximate \$2.5 million increase in this area. This increase is due to an increase in the NYS Local Employees retirement system expense of \$3,125,254. This increase is the result of the Board's proportionate share of the New York State Net Pension Liability decreasing and becoming a net pension asset (see further information in footnote #8). In addition, the OPEB expense (as shown in footnote #8) decreased mainly due to a change in actuarial assumptions.

Within the non-operating revenue (expenses) category, interest expense is by far the largest expense item and represents the cost of carrying serial bonds, which totaled \$77,902,419 and \$80,482,163, at December 31, 2022 and 2021, respectively.

The following is a summary of the Board's cash flow activities for the years ended December 31, 2022 and 2021:

Cash flows provided by (used in):	<u>2022</u>	<u>2021</u>
Operating activities	\$ 13,227,371	\$ 10,371,671
Capital and related financing activities	(14,046,325)	(11,168,031)
Investing activities	<u>362,606</u>	<u>4,690,071</u>
Change in cash and equivalents	(456,348)	3,893,711
Cash and equivalents at beginning of year	<u>13,509,633</u>	<u>9,615,922</u>
Cash and equivalents at end of year	<u>\$ 13,053,285</u>	<u>\$ 13,509,633</u>

The Board's available cash and equivalents decreased by \$456,348 during the year ended December 31, 2022, as compared to an increase of \$9,615,922 during the year ended December 31, 2021. Cash provided by operating activities reflected a positive balance of \$13,227,371 and \$10,371,671, respectively, for the years ended December 31, 2022 and 2021.

Capital Assets and Debt Administration

Capital Assets - The Board's investment in capital assets (net of accumulated depreciation) as of December 31, 2022, amounted to \$128,113,105, as compared to \$125,181,745 at December 31, 2021. This includes land, plant and transmission (infrastructure type assets), machinery and equipment, and construction in progress. The Board's greatest investment in capital assets comes in the form of infrastructure. Significant factors affecting capital assets during the reporting period include:

- The Board recorded total additions to capital assets of \$9,586,680.
- Additions to construction in progress totaled \$9,202,627. Completed capital projects transferred to depreciable asset categories totaled \$2,933,662.
- The Board recorded total depreciation of \$6,777,057 and \$6,635,454 for the years ended December 31, 2022 and 2021, respectively.

NIAGARA FALLS WATER BOARD

Management's Discussion and Analysis (Unaudited) December 31, 2022

A summary of capital assets, net of depreciation where applicable, is as follows:

	<u>2022</u>	(Restated) <u>2021</u>
Nondepreciable assets:		
Land	\$ 463,713	\$ 463,713
Construction in progress	16,172,883	9,903,918
Depreciable assets:		
Plant and transmission assets (water system)	37,319,932	40,202,634
Plant and transmission assets (wastewater system)	67,504,102	68,869,250
Machinery and equipment	6,389,726	5,742,230
Lease assets:		
Vehicle	260,478	280,418
Land	<u>2,271</u>	<u>3,707</u>
 Total	 <u>\$ 128,113,105</u>	 <u>\$ 125,465,870</u>

Construction in progress represents ongoing capital construction which will be transferred to the appropriate asset category (and begin to be depreciated) upon completion.

More detailed information about the Board's capital assets is presented in the notes to financial statements.

Long-Term Debt - At December 31, 2022, the Board had outstanding bonds totaling \$77,902,419 as compared to \$80,482,163 at December 31, 2021. During the year ended December 31, 2022, the Board made principal payments of \$4,729,242 on these bonds. In 2022, Revenue Refunding Bonds were issued totaling \$35,930,000 which refunded \$34,120,000 of 2013 bonds.

The Board used bond debt to finance the original purchase of the assets (net of liabilities and including the water, sewer and storm water systems) from the City. The Board has and may do so in the future utilized bond debt issuances as a primary source of funds for construction, renovations and system improvements.

Postemployment Benefits - Upon retirement, the Board's employees are entitled to continuous health insurance coverage. At December 31, 2022 and 2021, the liability recorded for these benefits amounted to \$76,183,820 and \$95,228,340, respectively.

Compensated Absences - Upon separation, Board employees are entitled to payment of unused sick and vacation time. The total liability relating to these payments at December 31, 2022 is \$605,405, compared to December 31, 2021 is \$694,217. The timing of the payments relating to compensated absences is dependent upon many factors, including the retirement or separation from service, and is therefore difficult to predict; however, the Board estimates that \$30,271 of such liability is current at December 31, 2022.

NIAGARA FALLS WATER BOARD

**Management’s Discussion and Analysis (Unaudited)
December 31, 2022**

Economic Factors and Next Year’s Rates

As noted earlier, the Board’s largest sources of operating revenues are water and sewer rents from customers. These revenues result from rates charged based on water usage by the individual customer. Rates can be adjusted accordingly in order to help meet the expenses of the Board. When considering rate changes, the Board utilizes the services of a rate consultant to help forecast the magnitude and effects of potential changes. As required by law, the general public’s opinions are also taken into consideration, through public hearings, when contemplating a change in rates charged for services.

Water rates charged for 2022 and approved rates to be charged for 2023 are as follows:

	<u>2023</u>		<u>2022</u>	
	Amount to Be Charged		Amount to Be Charged	
	(Per 100 Cubic Feet)		(Per 100 Cubic Feet)	
	Inside City	Outside City	Inside City	Outside City
<u>Amount Consumed</u>				
First 20,000 cubic feet per quarter	\$ 4.48	\$ 11.97	\$ 4.11	\$ 10.99
Next 60,000 cubic feet per quarter	\$ 3.88	\$ 10.45	\$ 3.56	\$ 9.60
Next 120,000 cubic feet per quarter	\$ 3.29	\$ 8.70	\$ 3.02	\$ 7.99
Over 200,000 cubic feet per quarter	\$ 2.75	\$ 7.33	\$ 2.50	\$ 6.73
Minimum charge for water consumption per quarter	\$ 58.24	\$ 155.61	\$ 53.45	\$ 138.73

In addition to the above schedule of rates for water consumed, a demand charge is assessed for each user’s meter, as set forth below:

	<u>2023 Rate</u>	<u>2022 Rate</u>
	(Per Quarter)	(Per Quarter)
<u>Size and Type</u>		
Under 1” Disc	\$ 3.70	\$ 3.70
1” Disc	\$ 25.00	\$ 25.00
2” Disc	\$ 40.00	\$ 40.00
2” Compound	\$ 40.00	\$ 40.00
3” Compound	\$ 50.00	\$ 50.00
4” Compound	\$ 100.00	\$ 100.00
6” Compound	\$ 220.00	\$ 220.00
8” Compound	\$ 250.00	\$ 250.00
10” Compound	\$ 275.00	\$ 275.00
12” Compound	\$ 400.00	\$ 400.00

In addition to charging for water consumption and services, the Board also charges users with respect to sewer and wastewater services provided. All users have been divided into two “user classes” - Commercial/Small Industrial/Residential Users (CSIRU) and Significant Industrial Users (SIU).

NIAGARA FALLS WATER BOARD

**Management’s Discussion and Analysis (Unaudited)
December 31, 2022**

Sewer rates for the CSIRU class are determined by the total metered water consumption in each quarter. Rates charged for 2022 and rates to be charged during 2023 are as follows:

<u>Amount Consumed</u>	<u>2023</u>	<u>2022</u>
Minimum charge per quarter (up to 1,300 cubic feet)	\$ 77.09	\$ 70.78
Additional usage in excess of 1,300 cubic feet (\$/cubic feet)	\$ 5.93	\$ 5.44

Sewer rates for the SIU class are determined each quarter based on the actual measured quantities and composition of wastewater flow. Such rates are determined by the Board and are based upon five representative 24-hour composite samples taken quarterly. Rates for the SIU class for the year ended December 31, 2022 were \$3,824.80 per million gallons for wastewater flow; \$1.23 per pound for all suspended solids discharged; and \$2.12 per pound for all soluble organic carbon compounds discharged. Rates approved for the SIU class for 2023 are \$4,165.21 per million gallons for wastewater flow; \$1.34 per pound for all suspended solids discharged; and \$2.31 per pound for all soluble organic carbon compounds discharged. In addition, SIU’s are charged fees, as needed, for certain other “substances of concern” which are discharged in their wastewater.

Contacting the Board’s Financial Management

This financial report is designed to provide taxpayers, customers, and creditors with a general overview of the Board’s finances and to show the Board’s accountability for the money it receives. If you have questions about this report or need additional financial information, contact Mr. Brian Majchrowicz, Michael O’Laughlin Municipal Water Plan, 5815 Buffalo Avenue, Niagara Falls, New York 14304.

NIAGARA FALLS WATER BOARD

**Statement of Net Position
December 31, 2022**

ASSETS

CURRENT ASSETS:

Cash and cash equivalents, unrestricted	\$ 13,053,285
Accounts receivable, net of allowance for uncollectible accounts	9,869,836
Due from City of Niagara Falls, net of allowance for uncollectible accounts	2,500,569
Grants receivable	701,135
Current portion, lease receivable	184,790
Prepaid expenses	522,606
Total current assets	<u>26,832,221</u>

NONCURRENT ASSETS:

Investments, unrestricted	22,287,346
Investments, restricted	8,899,838
Lease receivable	902,406
Net pension asset	1,647,314
Capital assets, nondepreciable	16,636,596
Capital assets, net	<u>111,476,509</u>
Total noncurrent assets	<u>161,850,009</u>
Total assets	<u>188,682,230</u>

DEFERRED OUTFLOWS OF RESOURCES

Loss on refunding	1,869,854
Pension related	3,494,251
Other postemployment benefits related	5,989,431
Total deferred outflows of resources	<u>11,353,536</u>

LIABILITIES

CURRENT LIABILITIES:

Accounts payable	2,914,218
Accrued liabilities and other	1,977,901
EFC short-term financing	1,584,352
Current portion, lease liability	76,216
Current portion, compensated absences	30,271
Current portion, total other postemployment benefits obligation	2,629,512
Current portion, bonds payable	4,540,457
Total current liabilities	<u>13,752,927</u>

NONCURRENT LIABILITIES:

Lease liability	183,878
Compensated absences	575,134
Total other postemployment benefits obligation	73,554,308
Bonds payable	74,908,195
Total noncurrent liabilities	<u>149,221,515</u>
Total liabilities	<u>162,974,442</u>

DEFERRED INFLOWS OF RESOURCES

Pension related	5,911,542
Other postemployment benefits related	19,340,387
Lease related	1,066,945
Gain on refunding	726,866
Total deferred inflows of resources	<u>27,045,740</u>

NET POSITION

Net investment in capital assets	48,223,089
Restricted	20,845,709
Unrestricted	<u>(59,053,214)</u>
Total net position	<u>\$ 10,015,584</u>

The accompanying notes are an integral part of these statements.

NIAGARA FALLS WATER BOARD

Statement of Revenues, Expenses, and Change in Net Position For the Year Ended December 31, 2022

OPERATING REVENUES:	
Water rents and charges	\$ 12,219,614
Sewer rents and charges	24,007,380
Licenses and permits	234,068
Grants	4,600,664
Other services	<u>31,989</u>
Total operating revenues	<u>41,093,715</u>
OPERATING EXPENSES:	
Personnel costs	6,551,398
Contractual expenses	12,847,649
Employee benefits	2,888,424
Depreciation expense	6,777,057
Amortization expense	<u>101,810</u>
Total operating expenses	<u>29,166,338</u>
Total operating income	<u>11,927,377</u>
NON-OPERATING REVENUES (EXPENSES):	
Amortization of deferred gain and premium	190,750
Debt issuance costs	(353,518)
Use of money and property	357,879
Gain on sale of property and compensation for loss	47,582
Interest expense	<u>(2,266,273)</u>
Total non-operating revenues (expenses), net	<u>(2,023,580)</u>
CHANGE IN NET POSITION	9,903,797
NET POSITION - beginning of year	<u>111,787</u>
NET POSITION - end of year	<u>\$ 10,015,584</u>

The accompanying notes are an integral part of these statements.

NIAGARA FALLS WATER BOARD

Statement of Cash Flows

For the Year Ended December 31, 2022

CASH FLOW FROM OPERATING ACTIVITIES:

Receipts from customers and users	\$ 36,714,635
Receipts from grants	5,031,812
Payments to suppliers	(16,293,046)
Payments to employees	<u>(12,226,030)</u>
Net cash flow from operating activities	<u>13,227,371</u>

CASH FLOW FROM CAPITAL AND RELATED FINANCING ACTIVITIES:

Issuance of lease liability	80,435
Payments on lease liability	(104,465)
Purchases of capital assets	(7,297,180)
Proceeds from insurance recoveries	31,331
Proceeds on sale of capital assets	76,829
Repayments of capital debt	(38,509,744)
Issuance of capital debt	35,930,000
Deferred loss on refunding	(1,869,854)
Interest paid on capital debt	(2,030,159)
Payment of debt issuance costs	<u>(353,518)</u>
Net cash flow from capital and related financing activities	<u>(14,046,325)</u>

CASH FLOW FROM INVESTING ACTIVITIES:

Interest received	357,879
Net change in restricted cash and investments	<u>4,727</u>
Net cash flow from investing activities	<u>362,606</u>

CHANGE IN CASH AND CASH EQUIVALENTS (456,348)

CASH AND CASH EQUIVALENTS - beginning of year 13,509,633

CASH AND CASH EQUIVALENTS - end of year \$ 13,053,285

The accompanying notes are an integral part of these statements.

NIAGARA FALLS WATER BOARD

Statement of Cash Flows

For the Year Ended December 31, 2022

RECONCILIATION OF OPERATING INCOME TO NET CASH FLOW FROM OPERATING ACTIVITIES:

Operating income	\$ 11,927,377
Adjustments to reconcile operating income to net cash flow from operating activities:	
Depreciation	6,777,057
Amortization	101,810
Change in allowance for doubtful accounts	809,798
Changes in:	
Accounts receivable	975,014
Due from City of Niagara Falls	(1,542,977)
Grants receivable	431,148
Lease receivable	161,699
Prepaid expenses	(30,957)
Net pension (asset) liability	(1,666,635)
Accounts payable	(3,414,440)
Accrued liabilities	(129,086)
Compensated absences	(88,812)
Total other postemployment benefits liability	(19,044,520)
Deferred outflows of resources - pension related	1,099,670
Deferred outflows of resources - total other postemployment benefits related	(1,914,635)
Deferred inflows of resources - total other postemployment benefits related	18,887,873
Deferred inflows of resources - leases related	(181,950)
Deferred inflows of resources - pension related	69,937
Net cash flow from operating activities	<u>\$ 13,227,371</u>

SUPPLEMENTAL SCHEDULE OF CASH FLOW INFORMATION:

Adjustment for capital assets financed by accounts payable	<u>\$ 2,289,500</u>
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The accompanying notes are an integral part of these statements.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Niagara Falls Water Board (the Board) have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. Included in the Board's reporting entity is a blended component unit, the Niagara Falls Public Water Authority (the Authority).

Reporting Entity

The Board was created by Chapter 325 of the Laws of 2002 of the State of New York (the State), codified as Sections 1231-a of Title 10-C of Article 5 of the Public Authorities Law of the State, as amended (the Board Act). The Authority was created by Chapter 275 of the Laws of 2002 of the State, constituting the Niagara Falls Public Water Authority Act, codified as Sections 1230-a through 1230-aa of Title 10-B of Article 5 of the Public Authorities Law of the State, as amended (the Authority Act).

The Board is a corporate municipal instrument of the State consisting of five members primarily responsible for the jurisdiction, control, possession, supervision and use of water, wastewater and storm water systems within the City of Niagara Falls, New York (the City).

The Authority is a public benefit corporation consisting of three members and is primarily responsible for obtaining financing for water, wastewater and storm water systems within the City.

Board members for both the Board and Authority are appointed pursuant to the enabling legislation.

Pursuant to the Board Act and the Authority Act, the Board, the Authority and the City executed an acquisition agreement effective September 25, 2003 whereby the Authority issued bonds enabling the Board to purchase all of the assets, net of liabilities, of the City's public water, wastewater and storm water systems. The Board began operations of these systems on that date.

Currently there are approximately 19,538 residential, 348 commercial and 21 large industrial type customers. Total population served by the water system is 48,360. The average daily demand is 21.24 million gallons per day. The Board's wastewater system generally covers the same service area and customer base as the water system. The wastewater treatment plant processes approximately 24.24 million gallons of wastewater per day.

Blended Presentation of Component Unit - Although they are legally separate entities, blended component units are, in substance, part of the government's operations. The following is a brief description of the blended component unit included in the primary government:

Niagara Falls Public Water Authority - Among the powers given to the Authority is the ability to borrow money and issue negotiable or non-negotiable notes, bonds or other obligations for the acquisition, renovation and improvement to the regional water system.

The Authority may also apply for licenses, permits and approve of plans associated with the acquisition, renovation and improvement of the regional water system. In the process of borrowing funds to improve facilities, professional consultants may be retained to offer technical services and advice for the purpose and benefit of acquiring or improving the systems.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

The Authority has entered into an agreement with the Board which requires the Board to make payments for the debt service required by these bonds. The Board is also required to make payments for Authority expenses. The obligation to make debt service payments is a general obligation to which its full faith and credit are pledged.

The Authority is considered a component unit since the Board is obligated to pay debt service and fund other accounts of the Authority. Thus, the Authority is “fiscally dependent” upon the Board to establish rates and collect fees necessary to pay these debts. Further, the Authority is “blended” with the Board in the financial statements because the Authority exists solely to provide services that predominantly benefit the Board. The Authority has no employees of its own.

Measurement Focus and Basis of Accounting

The financial statements of the Board have been prepared in accordance with GAAP as applied to governmental units. The Government Accounting Standards Board (GASB) is the accepted standard-setting body for establishing government accounting and financial reporting principles.

The activities of the Board are accounted for similar to those often found in the private sector using the flow of economic resources measurement focus and the accrual basis of accounting. All assets, liabilities, deferred outflows of resources, deferred inflows of resources, net position, revenues, and expenses are accounted for through a single enterprise fund with revenues recorded when earned and expenses recorded at the time liabilities are incurred.

Revenues from providing water and sanitary sewer services are reported as operating revenues and are recognized at the time of service delivery based on actual or estimated meter readings. Transactions which are capital, financing or investing related are reported as non-operating revenues. All expenses related to operating systems are reported as operating expenses. Interest expense and financing costs are reported as non-operating expenses.

Budgets

The annual budget is the financial plan for the effective operation of the Board and the Authority. The Board uses the budget as a management tool for internal control purposes and to assist in setting of appropriate user charges.

Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources and Net Position

- Cash and Equivalents - The Board’s cash and equivalents represent cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.
- Restricted Cash and Investments - Debt Service Fund - As a result of the purchase of the water and sewer systems from the City, certain bond covenants, as disclosed in Note 5, were established requiring resources (consisting of cash and investments) to be maintained for specific purposes necessary to operate the water and sewer systems. At December 31, 2022, the total amount restricted for debt service fund amounted to \$7,736,729.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

- Restricted Cash and Investments - Debt Service Reserve Fund - This fund was established to fulfill the debt service reserve requirements on the outstanding bonds as, and when, they become due. At December 31, 2022, the total amount restricted for debt service reserve fund amounted to \$7,123,949.
- Restricted Cash and Investments - Operating and Maintenance - This fund is restricted to pay the cost of extraordinary repairs to, and maintenance of, the system. At December 31, 2022, the total amount restricted for operating and maintenance amounted to \$5,198,450.

Cash has been deposited into various trust funds with a fiscal agent to satisfy certain covenants. Further, the amounts have been invested into various short-term investments in compliance with the Board's investment policy. Certain funds were used for their intended purposes and are no longer available for investment.

- Fair Value Measurements and Disclosures

A framework has been established for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy are described below:

- Level 1 - Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Board has the ability to access.
- Level 2 - Inputs to the valuation methodology include:
 - Quoted prices for similar assets or liabilities in active markets;
 - Quoted prices for identical or similar assets or liabilities in inactive markets;
 - Inputs other than quoted prices that are observable for the assets or liabilities; and
 - Inputs that are derived principally from or corroborated by observable market data by correlation or other means.
- Level 3 - Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

An asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs. There have been no changes in the methodologies used at December 31, 2022.

The following is a description of the valuation methodologies used for assets measured at fair value:

Certificates of deposit - Valued at the closing price reported on the active markets in which the individual securities are traded.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

Corporate securities (commercial paper and bonds) - Valued at the closing price reported on the active markets in which the individual securities are traded.

U.S. Government securities and bonds - Valued at the closing price reported on the active markets in which the individual securities are traded.

The Board assesses the levels of the investments at each measurement date, and transfers between levels are recognized on the actual date of the event or change in circumstances that caused the transfer in accordance with its accounting policy regarding the recognition of transfers between levels of the fair value hierarchy.

- Accounts and Lease Receivable - All receivables, including accrued unbilled revenues, are reported at their gross values and, where appropriate, are reduced by the estimated portion that is expected to be uncollectible. The Board has adopted a policy of recognizing water and sewer revenues in the period in which the services are provided. Billings to customers generally consist of revenues earned from the prior three months for quarterly billed customers, and revenues earned from the prior month for monthly billed customers.

The collection of current water and sewer charges is performed by the Board. The City, acting as collecting agent for the Board, collects delinquent water and sewer charges, which become a lien upon the premises collected with City taxes.

- Prepaid Expenses - Prepaid expenses reflect costs applicable to future accounting periods and are recorded as prepaid items in the financial statements.
- Capital Assets - Capital assets acquired by the Board as part of the September 25, 2003 acquisition agreement with the City were reported at fair value on the acquisition date. Capital assets acquired by the Board subsequent to the initial acquisition are stated at cost. Costs include material, direct labor and other items such as supervision, payroll taxes, employee benefits, transportation, and certain preliminary legal, engineering and survey costs. The costs of repairs and maintenance are expensed as incurred. Contributed fixed assets are recorded at fair market value at the date received.

Construction projects are conducted on a continuing basis in order to maintain or enhance the systems. Preliminary legal, engineering and survey costs include studies conducted prior to the actual construction period that directly result in specific construction projects. While capital projects are in process, all associated costs are recorded as construction in progress. Once completed, all costs, including legal, engineering, survey and construction costs, are reclassified to their respective asset categories and depreciated according to their useful lives.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

Depreciation has been recorded using the straight-line method of depreciation. The estimated useful lives of the Board's major classes of depreciable assets are based on the utility of the respective assets. The estimated useful lives of depreciable fixed assets are as follows:

	<u>Life</u>	<u>Threshold</u>
Land	N/A	N/A
Water and wastewater systems	20 - 50	\$20,000 - \$100,000
Machinery and equipment	3 - 15	\$15,000 - \$30,000

Capital assets also include lease assets with a term greater than one year. The Board does not implement a capitalization threshold for lease assets. Lease assets are amortized on a straight-line basis over the term of the lease.

- **Compensated Absences** - Board employees are granted vacation and sick leave and earn compensatory absences in varying amounts. In the event of termination or upon retirement, all union employees are entitled to payment for accumulated vacation and compensatory time limited to amounts defined under their respective collectively bargained agreements. All non-union employees are entitled to similar benefits.

Payments of vacation and sick leave and compensatory time are dependent upon many factors; therefore, the timing of future payments is not readily determinable. However, management believes that sufficient resources will be available for the payments of vacation leave and compensatory time when such payments become due.

In addition to providing pension benefits, the Board provides postemployment health insurance coverage and survivor benefits to retired employees and their survivors in accordance with the provisions of various employment contracts in effect at the time of retirement. Substantially all of the Board's employees may become eligible for these benefits if they reach normal retirement age while working for the Board. Health care benefits are provided through the Board's self-insurance plan. The Board pays 100% of the cost for current retiree's health care insurance, excluding co-pays which are the sole responsibility of the retirees. Survivors of retirees hired prior to December 31, 2007 continue to receive healthcare coverage. Future retirees hired after December 31, 2007 will pay 20% of the premiums for their insurance coverage. They will be enrolled in a "Medicare Advantage Plan" at age 65. The Board recognizes the cost of providing health insurance by recording its share of insurance premiums as an expenditure.

- **Bond and Note Discounts/Premiums** - Discounts and premiums are presented as components of bonds or notes payable. The discounts/premiums are amortized over the life of the bonds and notes on a straight-line interest method.
- **Long-term Obligations** - Long-term debt obligations are reported as liabilities in the accompanying statement of net position.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

- Pension Plan - The Board provides retirement benefits for substantially all of its regular, full-time employees through contributions to the New York State Employees' and Local Employees' Retirement System (ERS). The ERS provides various plans and options, some of which require employee contributions, as described in Note 9.
- Deferred Outflows of Resources and Deferred Inflows of Resources - Deferred outflows of resources represents a consumption of net position that applies to a future period and so will not be recognized as an outflow of resources (expense/expenditure) until then. Deferred inflows of resources represents an acquisition of net position that applies to future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.
- Net Position - The Board's financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted and unrestricted.

Net Investment in Capital Assets - This category groups all capital assets into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction or improvement of these assets reduce the balance in this category.

Restricted Net Position - This category represents external restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation. Restricted Net Position totaled \$20,845,709 as of December 31, 2022.

Restricted for Capital Projects:

Amounts restricted for capital projects is \$786,581 at December 31, 2022. In 2007, the Board received \$19,000,000 from the Power Authority under a "Relicensing Settlement Agreement." The Agreement provided for the creation of a "Niagara Falls Water Board Capital Improvement Fund." These funds are restricted for future use related to capital improvements of the Board including but not limited to any specific project including the Falls Street Tunnel project.

Restricted for Debt Service Fund:

Board restrictions for debt service were \$7,736,729 at December 31, 2022.

Restricted for Debt Service Reserve Fund:

Amounts restricted for the debt service reserve fund were \$7,123,949 at December 31, 2022. These funds are controlled by bond trustee. The required minimum balance is the lessor of the maximum future annual debt service requirement or 125% of the average future annual debt service requirements for all outstanding bonds. The required minimum balance was \$6,407,934 at December 31, 2022. This resulted in excess reserves of \$716,015 at December 31, 2022.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

Restricted for Operations and Maintenance:

Amounts restricted for operations and maintenance were \$5,198,450 at December 31, 2022. These reserves may be used to pay the cost of extraordinary repairs to, and replacements of, the system. Surplus amounts on deposit at the end of the fiscal year may be used for any purpose determined by the Board to be beneficial for the system unless the Authority notifies the Board that it does not concur with such application of surplus and expenditures. The required minimum balance is 1/6th of the fiscal years' budgeted operating expenses which equates to \$4,900,942. At December 31, 2022, there was excess reserves of \$297,508.

Unrestricted Net Position - This category of net position consists of net position that does not meet the definition of "restricted" or "net investment in capital assets".

When both restricted and unrestricted resources are available for use, it is the Board's policy to use restricted resources first, and then unrestricted resources as they are needed.

Use of Estimates

The preparation of the financial statements in accordance with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Income Taxes

The Board is a public benefit corporation of the State of New York. As such, income earned in the exercise of its essential government functions is exempt from State and Federal income taxes.

Reclassifications

Certain amounts in 2021 have been reclassified to conform with the 2022 presentation.

2. CASH AND EQUIVALENTS AND INVESTMENTS

The Board's investment policies are governed by State statute. Board monies must be deposited in Federal Deposit Insurance Corporation (FDIC) insured commercial banks or trust companies located within the State. The Board is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and U.S. agencies, repurchase agreements, and obligations of the State or its localities.

Collateral is required for demand deposits and certificates of deposit in an amount equal to or greater than the amount of all deposits not covered by FDIC insurance coverage. Obligations that may be pledged as collateral are outlined in Chapter 623 of the laws of the State.

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

Custodial Credit Risk - Deposits - In the case of deposits, this is the risk that, in the event of a bank failure, the Board’s deposits may not be returned to it. As noted above, by State statute, all deposits in excess of FDIC insurance coverage must be collateralized. As of December 31, 2022, all uninsured bank deposits were fully collateralized with securities held by the pledging financial institution’s trust department or agent in the Board’s name.

The Board's collateral related to the above is as follows for the year ended December 31, 2022:

	Carrying Amount	Bank Balance
Demand deposits	\$ 13,053,285	\$ 13,689,617
Total cash	<u>\$ 13,053,285</u>	<u>\$ 13,689,617</u>
Insured cash - FDIC		\$ 500,000
Uninsured - collateralized with securities held by pledging financial institution		<u>14,266,588</u>
Total insured and collateralized cash and cash equivalents		<u>\$ 14,766,588</u>

Custodial Credit Risk - Investments - For investments, this is the risk that, in the event of the failure of the counterparty, the Board will not be able to recover the value of its investments that are in the possession of an outside party. At December 31, 2022, all of the Board’s restricted cash in the form of investments was registered in the Board’s name and was invested in certificates of deposit and U.S. Government backed securities.

The Board’s investments at December 31, 2022, consist of the following:

<u>Investments</u>	<u>Maturity</u>	<u>Fair Value</u>
Cash and cash equivalents	N/A	\$ 7,335,361
Federal Home Mortgage Corp.	2/2023 - 6/2025	13,145,041
U.S. Treasury Notes & Bonds	1/2023 - 7/2024	7,063,140
Taxable Money Market Funds	1/2023 - 6/2023	2,243,770
Certificates of Deposit	2/2024 - 7/2024	1,237,350
Income	N/A	162,522
Total investments		<u>\$ 31,187,184</u>

These investments are classified as Level 1.

Maturity Schedule

Less than one year	\$ 21,432,245
More than one year	<u>9,754,939</u>
	<u>\$ 31,187,184</u>

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

Concentration Credit Risk - For investments, this is the risk of loss attributable to the quantity of the government's investment in a single issuer. Investments in single issuers that equal or exceed 5% of total investments have a reportable concentration of credit risk. At December 31, 2022, the Board held 24% in Cash and Cash Equivalents, 42% in Federal Home Mortgage Corp., 23% in U.S. Treasury Notes & Bonds, and 7% in Taxable Commercial Paper.

3. RECEIVABLES

Major revenues accrued by the Board at December 31, 2022 include the following:

Accounts Receivable

Accounts receivable primarily represents amounts due from customers for current and delinquent water and wastewater services provided, including penalties, unpaid bill charges, collection fees and shut-off charges.

Customers are billed either on a monthly or quarterly basis depending on the type of user (industrial or residential), and the level of water and sewer usage. Customers may make payments without penalty on current charges up until 20 days after receiving their bill. Any unpaid balances remaining after these 20 days are subject to a penalty of 6%, and those customers receive an unpaid bill notice. If balances still remain unpaid after 30 additional days, final unpaid notices are mailed. The customers are then given 10 days to remit payment, after which the property is tagged, and shut-off procedures begin.

During the first week of December of every year, unpaid balances are transferred to the City tax roll for collections through the subsequent year's tax levy or in-rem property sales. Any amounts relating to unpaid water and wastewater balances collected by the City through these means are delivered to the Board.

As of December 31, 2022, \$1,274,304 was included in allowance for uncollectible accounts to account for receivable balances that may not be collected.

Due from City of Niagara Falls

Due from City of Niagara Falls represents amounts due from the City for the tax transfer. The amount accrued at December 31, 2022, net of an allowance for uncollectible amounts, was \$2,500,569.

The tax transfer represents uncollected water and sewer charges that have been turned over to the City for collection in conjunction with the City's property tax levy. The City remits amounts to the Board each January and July for collections it receives for the previous six-month period. The due from City of Niagara Falls amount includes any collected but not yet remitted collections at year-end. Charges from all previous years' water and sewer operations transferred to the City that are not collected totaled \$9,021,120 at December 31, 2022. Management has recorded an allowance for uncollectible accounts with respect to these balances of \$6,520,551 at December 31, 2022.

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

4. CAPITAL ASSETS

The Board's capital asset activity for the years ended December 31, 2022 is summarized as follows:

	(Restated) Balance 1/1/2022	Increases	Decreases	Balance 12/31/2022
Capital assets, not being depreciated:				
Land	\$ 463,713	\$ -	\$ -	\$ 463,713
Construction in progress	<u>9,903,918</u>	<u>9,202,627</u>	<u>(2,933,662)</u>	<u>16,172,883</u>
Total capital assets not being depreciated	<u>10,367,631</u>	<u>9,202,627</u>	<u>(2,933,662)</u>	<u>16,636,596</u>
Capital assets, being depreciated:				
Plant and transmission assets:				
Water system	92,041,188	142,690	-	92,183,878
Wastewater system	102,493,699	1,464,977	-	103,958,676
Machinery and equipment	<u>12,876,530</u>	<u>1,629,613</u>	<u>(520,853)</u>	<u>13,985,290</u>
Total capital assets being depreciated	<u>207,411,417</u>	<u>3,237,280</u>	<u>(520,853)</u>	<u>210,127,844</u>
Less accumulated depreciation:				
Plant and transmission assets:				
Water system	(51,838,554)	(3,025,392)	-	(54,863,946)
Wastewater system	(33,624,449)	(2,830,125)	-	(36,454,574)
Machinery and equipment	<u>(7,134,300)</u>	<u>(921,540)</u>	<u>460,276</u>	<u>(7,595,564)</u>
Total accumulated depreciation	<u>(92,597,303)</u>	<u>(6,777,057)</u>	<u>460,276</u>	<u>(98,914,084)</u>
Total being depreciated, net	<u>114,814,114</u>	<u>(3,539,777)</u>	<u>(60,577)</u>	<u>111,213,760</u>
Lease assets:				
Vehicle	280,418	80,435	-	360,853
Equipment	<u>3,706</u>	<u>-</u>	<u>-</u>	<u>3,706</u>
Total lease assets	<u>284,124</u>	<u>80,435</u>	<u>-</u>	<u>364,559</u>
Less accumulated amortization:				
Vehicle	-	(100,375)	-	(100,375)
Equipment	<u>-</u>	<u>(1,435)</u>	<u>-</u>	<u>(1,435)</u>
Total accumulated amortization	<u>-</u>	<u>(101,810)</u>	<u>-</u>	<u>(101,810)</u>
Total lease assets, net	<u>284,124</u>	<u>(21,375)</u>	<u>-</u>	<u>262,749</u>
Capital assets, net	<u>\$ 125,465,869</u>	<u>\$ 5,641,475</u>	<u>\$ (2,994,239)</u>	<u>\$ 128,113,105</u>

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

5. INDEBTEDNESS

The Authority issues debt to provide for the acquisition of the water and sewer systems and for the initial funding of operating and maintenance and debt reserves.

In 2012, the proceeds (\$6,607,122) of the Series 2012B Clean Water Bonds issuance were used to payoff the Environmental Facilities Corporation (EFC) Note used to fund North Gorge Interceptor Capacity Restoration Project. These bonds are due in 2041 and bear interest at rates between 0.26-4.27%.

In 2013, the Authority issued \$74,240,000 in general obligation bonds with an average interest rate of 4.72% and received an additional premium of \$142,002. The bonds were used for an advanced refunding of \$63,535,000 of the 2003 Bonds with an average interest rate of 3.79%. The net proceeds of approximately \$64 million were deposited in a trust to provide for future debt service payments on the bonds. As a result, the bonds are considered defeased and the liability for those bonds has been removed from the Board's financial statements. The economic gain on the transaction (the difference between the present values of the debt service payments on the old and new debt) was approximately \$1.7 million.

During 2014, net proceeds of the Series B bonds were used to entirely refund the Series 2004 Serial Bonds of \$4,095,000, specifically reducing the interest to be paid by approximately \$610,000.

During 2015, net proceeds of the Series D bonds were used to entirely advance refund the Series 2005 A&B Serial Bonds of \$4,380,000 specifically reducing the interest to be paid by approximately \$550,000. As a result, the bonds are considered defeased and the liability for these bonds has been removed from the Board's financial statements. The economic gain on the transaction (the difference between the present values of the debt service payments on the old and new debt) was approximately \$450,000.

During 2016, net proceeds of the Series A bonds were used to entirely advance refund the Series 2005 bonds of \$23,115,000 specifically reducing the interest to be paid by approximately \$4,100,000. As a result, the bonds are considered defeased and the liability for these bonds has been removed from the Board's financial statements. The economic gain on the transaction (the difference between the present values of the debt service payments on the old and new debt) was approximately \$4.1 million. The accounting gain on this refunding was originally \$1,097,923 which is being amortized through 2034. The unamortized gain on refunding amounted to \$726,866 at December 31, 2022.

During 2019, the Authority received proceeds of \$2,189,993 from the New York State Power Authority Mortgage Loan for the Energy Efficiency Program at an interest rate of 2.79%.

During 2022, net proceeds of the Water and Sewer System Revenue Refunding Bonds Series 2022A totaling \$35,930,000 were used to entirely refund the Series 2013A Serial Bonds of \$34,120,000. The discount on this refunding was \$1,869,854 which is being amortized beginning in 2024 through 2034. The Series 2022A bond will be repaid over 10 years beginning in 2024 with interest rates ranging from 2.00% - 3.375%.

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

Indebtedness activity for the year ended December 31, 2022 is as follows:

	Principal			Principal	
	Outstanding	Issued	Paid	Outstanding	Due Within
	1/1/2022			12/31/2022	One Year
New York State Environmental Facilities Corporation Water Revolving Funds Revenue Bonds - Direct Borrowings:					
Series 2012B - Clean Water bond issued in 2012 for \$6,607,122 and maturing in 2041 bearing interest paid semi-annually at 0.26% to 4.27%	\$ 4,840,000	\$ -	\$ (180,000)	\$ 4,660,000	\$ 185,000
Series 2013B - Clean Water bond issued in 2013 for \$14,030,000 and maturing in 2033 bearing interest paid semi-annually at 3.88% to 5.05%	9,455,000	-	(650,000)	8,805,000	670,000
Series 2013B - Drinking Water bond issued in 2013 for \$5,580,000 and maturing in 2023 bearing interest paid semi-annually at 4.75% to 4.91%	4,660,000	-	(2,290,000)	2,370,000	2,370,000
Series 2015D - Drinking Water bond issued in 2015 for \$4,380,000 and maturing in 2034 bearing interest paid semi-annually at 3.81% to 4.57%	<u>3,355,000</u>	<u>-</u>	<u>(185,000)</u>	<u>3,170,000</u>	<u>190,000</u>
Total NYS EFC Water Revolving Funds Revenue Bonds - Direct Borrowings	<u>22,310,000</u>	<u>-</u>	<u>(3,305,000)</u>	<u>19,005,000</u>	<u>3,415,000</u>
Serial Bonds:					
Series 2013A bonds issued in 2013 for \$36,060,000 and maturing in 2034 bearing interest paid semi-annually at 3.0% to 5.0%	\$ 34,120,000	\$ -	\$ (34,120,000)	\$ -	\$ -
Series 2013B bonds issued in 2013 for \$8,415,000 and maturing in 2024 bearing interest paid semi-annually at 4.309%	2,350,000	-	(875,000)	1,475,000	925,000
Series 2016A bonds issued in 2016 for \$20,130,000 and maturing in 2034 bearing interest paid annually at 3.13% to 5.0%	20,130,000	-	-	20,130,000	-
Series 2022A bonds issued in 2022 for \$35,930,000 and maturing in 2034 bearing interest paid semi-annually at 2.0% to 3.375%	-	35,930,000	-	35,930,000	-
Unamortized premium on bonds issued in 2016 for \$2,335,569 and maturing in 2034	<u>1,675,987</u>	<u>-</u>	<u>(129,754)</u>	<u>1,546,233</u>	<u>-</u>
Total Serial Bonds	<u>58,275,987</u>	<u>35,930,000</u>	<u>(35,124,754)</u>	<u>59,081,233</u>	<u>925,000</u>
New York State Power Authority - Direct Borrowing:					
Series 2019 Mortgage Loan issued in 2019 for \$2,189,993 and maturing in 2028 bearing interest paid semi-annually at 2.79%	\$ 1,572,163	\$ -	\$ (209,744)	\$ 1,362,419	\$ 200,457
Total NYS Power Authority - Direct Borrowing	<u>1,572,163</u>	<u>-</u>	<u>(209,744)</u>	<u>1,362,419</u>	<u>200,457</u>
Total	<u>\$ 82,158,150</u>	<u>\$ 35,930,000</u>	<u>\$ (38,639,498)</u>	<u>\$ 79,448,652</u>	<u>\$ 4,540,457</u>

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

The annual maturities of long-term debt as of December 31, 2022 are as follows:

Serial Bonds

Year	Premium on Bonds	Principal	Interest	Total
2023	\$ 129,754	\$ 925,000	\$ 2,431,887	\$ 3,486,641
2024	129,754	3,875,000	2,026,192	6,030,946
2025	129,754	4,435,000	1,853,492	6,418,246
2026	129,754	4,620,000	1,659,517	6,409,271
2027	129,754	4,820,000	1,455,427	6,405,181
2028-2032	648,768	26,620,000	4,644,145	31,912,913
2033-2037	248,695	12,240,000	665,544	13,154,239
	<u>\$ 1,546,233</u>	<u>\$ 57,535,000</u>	<u>\$ 14,736,204</u>	<u>\$ 73,817,437</u>

NYS EFC State Revolving Fund Revenue Bonds - Direct Borrowings

Year	Principal	Interest	Total
2023	\$ 3,415,000	\$ 874,774	\$ 4,289,774
2024	1,080,000	712,085	1,792,085
2025	1,110,000	663,618	1,773,618
2026	1,145,000	613,235	1,758,235
2027	1,180,000	560,702	1,740,702
2028-2032	6,500,000	1,938,513	8,438,513
2033-2037	3,080,000	571,071	3,651,071
2038-2042	1,495,000	190,397	1,685,397
Total	<u>\$ 19,005,000</u>	<u>\$ 6,124,395</u>	<u>\$ 25,129,395</u>

The Board's direct borrowings with NYS EFC contain a provision that in the event of default, NYS EFC may take whatever action at law or in equity may appear necessary or desirable to remedy such default. These remedies include, but are not limited to, mandatory redemption, acceleration, or requiring the Board to immediately redeem the bonds in whole together with all other sums due to NYS EFC. The Board may also owe to NYS EFC interest accrued on the overdue balance.

New York State Power Authority - Direct Borrowing

Year	Principal	Interest	Total
2023	\$ 200,457	\$ 69,675	\$ 270,132
2024	211,723	58,410	270,133
2025	223,621	46,512	270,133
2026	236,188	33,945	270,133
2027	249,461	20,672	270,133
2028	240,969	6,653	247,622
Total	<u>\$ 1,362,419</u>	<u>\$ 235,867</u>	<u>\$ 1,598,286</u>

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

Interest on long-term debt for the year was composed of:

Interest paid	\$	2,030,159
Plus: Interest accrued in the current year		1,399,963
Less: Interest accrued in the prior year		<u>(1,163,849)</u>
Total interest expense	\$	<u><u>2,266,273</u></u>

Financing Agreement Covenants

The financing agreement between the Authority and the Board relating to all current and future bonding contain various covenants pertaining to the use and maintenance of the trust funds established from the proceeds of each bond. At December 31, 2022, the Board was in compliance with the following loan covenants:

The Board is required to establish and collect rates, fees and charges sufficient in each fiscal year at least equal to the sum of:

- (1) 115% of the estimated aggregate debt service and projected debt service payable in such fiscal year;
- (2) 100% of Board operating expenses and Authority expenses payable in such fiscal year; and
- (3) 100% of the amount necessary to pay the required deposits for such fiscal year.

The Board shall review the adequacy of fees, rates and charges at least semi-annually.

The Board shall enforce the payment of any and all amounts owed for the use of the systems.

The Board shall (unless required by law) not furnish or supply, or cause to be furnished or supplied, any product, use or service of the systems, free of charge.

The debt service fund, beginning with the first day of each calendar month, shall receive all revenues until the balance in the debt service fund equals the minimum monthly balance. The minimum monthly balance is defined as an amount equal to the sum of the aggregate amounts of debt service that have accrued with respect to all series of bonds, calculating the debt service that has accrued as an amount equal to the sum of:

- (1) The interest on the bonds that has accrued and is unpaid and that will have accrued by the end of the then calendar month; and
- (2) The portion of the next due principal installment for the bonds that would have accrued (as deemed to accrue in the manner interest accrues) by the end of the then calendar month.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

Remedies for Default

In the event that the Board shall default in the payment of principal of, or interest on, any issue of bonds after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that the Board shall fail or refuse to comply with the provisions of this title or shall default in any agreement made with the holders of any issue of bonds, the holders of twenty-five percent in aggregate principal amount of the bonds of such issue then outstanding, by instrument or instruments filed in the offices of the clerk of the City, secretary of the Board and the Authority and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of such bonds for the purpose herein provided.

On April 1, 2021, the Authority issued a Bond Anticipation Note (BAN) Series 2021 through the Environmental Facilities Corporation (EFC) for a maximum amount of \$27,000,000 for the planning, design and construction of improvements to the wastewater treatment plant (WWTP) and Gorge Pump Station. This BAN included \$13,500,000 of interest-free financing and \$13,500,000 of market-rate sum financing. The initial interest rate is 0.00% per annum for the interest-free portion and 0.00% per annum for the market-rate portion under a NYS EFC short-term financing program, which is considered a direct borrowing. This BAN has a maturity date of April 1, 2026. For 2022, there were no principal payments required based on the actual total draws made on the BAN, and since payments commence 2 years after the first draw (which was done on July 15, 2021).

On January 12, 2023, the Authority drew down \$8,806,458, which will increase the total BAN outstanding as of year end 2023.

The following is a summary of changes in short-term debt for the year ended December 31, 2022:

Balance - January 1	\$1,584,352
Borrowings	-
Repayments	-
Conversion to long-term debt	-
Balance - December 31	<u>\$1,584,352</u>

6. LEASES

Lessor Agreements

The Board's leasing operations consist of the leasing of land for cellular towers to telecommunication companies. All leases are subject to public procurement requirements, and each has a different mechanism for determining rates and charges. The lease receivables were discounted to a net present value at December 31, 2022 using a 2.05% interest rate.

Activity of lease inflows for the year ending December 31, 2022 is summarized as follows:

Lease revenue	\$ 181,950
Interest revenue	<u>23,792</u>
Total lease related revenue	<u>\$ 205,742</u>

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

Future minimum lease payments due to the Board as of December 31, 2022 were as follows:

	Principal	Interest	Total
2023	\$ 164,038	\$ 20,752	\$ 184,790
2024	168,634	17,346	185,980
2025	144,614	14,134	158,748
2026	151,550	11,084	162,634
2027	71,746	8,725	80,471
2028-2032	284,956	23,346	308,302
2033-2037	101,658	2,449	104,107
Total	<u>\$ 1,087,196</u>	<u>\$ 97,836</u>	<u>\$ 1,185,032</u>

Lessee Agreements

The Board leases equipment and vehicles for use in operations. The leases have various inception dates with remaining terms of 14 - 61 months and interest rates of 2.05%.

Activity of lease liability for the year ended December 31, 2022 is summarized as follows:

Beginning Balance (Restated)	Additions	Deductions	Ending Balance	Amount Due Within One Year
<u>\$ 284,124</u>	<u>\$ 80,435</u>	<u>\$ (104,465)</u>	<u>\$ 260,094</u>	<u>\$ 76,216</u>

Annual requirements to amortize long-term obligations and related interest are as follows:

	Principal	Interest	Total
2023	\$ 76,216	\$ 4,532	\$ 80,748
2024	64,868	3,158	68,026
2025	59,881	1,856	61,737
2026	46,533	697	47,230
2027	12,596	108	12,704
	<u>\$ 260,094</u>	<u>\$ 10,351</u>	<u>\$ 270,445</u>

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

7. COMPENSATED ABSENCES

The Board reports the value of compensated absences as a liability. The annual budgets of the operating funds provide funding for these benefits as they become payable. The payment of compensated absences is dependent on many factors; therefore, the timing of future payments is not readily determinable.

	Balance <u>12/31/2021</u>	<u>Additions</u>	<u>Deletions</u>	Balance <u>12/31/2022</u>	<u>Current</u>	<u>Long-Term</u>
Compensated absences	\$ 694,217	\$ -	\$ (88,812)	\$ 605,405	\$ 30,271	\$ 575,134

8. OTHER POSTEMPLOYMENT BENEFITS (OPEB)

Plan Description and Benefits

The Board provides continuation of medical, prescription drug, dental, vision and chiropractic coverage for employees who retire and are at least age 50 and have an age, plus years of service, of at least 70. All retirees and future retirees hired prior to December 31, 2007 have no contribution requirements for both individual and family coverage. All future retirees hired after December 31, 2007 are required to pay 20% of the individual and family premiums. The Board currently pays for postemployment health care benefits on a pay-as-you-go basis. These financial statements assume that pay-as-you-go funding will continue.

The Board provides certain health care benefits for retired employees. Substantially all of the employees may become eligible for these benefits if they reach the normal retirement age and have the required minimum age plus years of service working for the Board. At December 31, 2022, the current portion of the postemployment benefits liability was \$2,629,512. The noncurrent portion of the postemployment benefits liability amounted to \$73,554,308 at December 31, 2022.

Employees covered by benefit terms

At December 31, 2022, the following employees were covered by the benefit terms:

Retirees	110
Actives	<u>113</u>
Total participants	<u><u>223</u></u>

Total OPEB Liability

The Board's total OPEB liability of \$76,183,820 was measured as of December 31, 2022, and was determined by an actuarial valuation as of January 1, 2022.

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

Actuarial Assumptions and Other Inputs

The total OPEB liability in the January 1, 2022 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Salary increases	3.00%
Discount rate	4.18%
Healthcare cost trend rates	7.0% for 2022, decreasing to an ultimate rate of 4.5% for 2033

Mortality rates were based on the Society of Actuaries Mortality Improvement Scale MP-2021.

Changes in the Total OPEB Liability

Total OPEB liability as of beginning of year	\$ 95,228,340
Changes for the year:	
Service cost	1,103,028
Interest	3,924,785
Changes in assumptions	(21,404,432)
Benefit payments	<u>(2,667,901)</u>
Total changes	<u>(19,044,520)</u>
Total OPEB liability as of end of year	<u>\$ 76,183,820</u>

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability of the Board, as well as what the Board’s total OPEB liability would be if it were calculated using a discount rate that is 1-percentage point lower (3.18%) or 1-percentage-point higher (5.18%) than the current discount rate at December 31, 2022:

	Current Discount	
	1% Decrease (3.18%)	1% Increase (5.18%)
	Rate (4.18%)	
Total OPEB liability	<u>\$ 89,265,970</u>	<u>\$ 65,984,332</u>
	<u>\$ 76,183,820</u>	

Sensitivity of the Total OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the total OPEB liability of the Board, as well as what the Board’s total OPEB liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.0%) or 1-percentage point higher (8.0%) than the current discount rate at December 31, 2022:

	1% Decrease (6.0%)	Current Trend Rate (7.0%)	1% Increase (8.0%)
Total OPEB liability	<u>\$ 65,241,788</u>	<u>\$ 76,183,820</u>	<u>\$ 90,253,912</u>

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended December 31, 2022 the Board recognized OPEB expense of \$3,226,131. At December 31, the Board reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
	<u> </u>	<u> </u>
Differences between expected and actual experience	\$ -	\$ -
Changes of assumptions	3,359,919	19,340,387
Contributions subsequent to measurement date	<u>2,629,512</u>	<u>-</u>
 Total	 <u>\$ 5,989,431</u>	 <u>\$ 19,340,387</u>

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

<u>Fiscal Year Ending December</u>	<u>Amount</u>
2023	\$ (1,801,682)
2024	(1,801,682)
2025	(1,801,682)
2026	(1,801,682)
2027	(2,016,148)
Thereafter	<u>(6,757,592)</u>
	 <u>\$ (15,980,468)</u>

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

9. PENSION PLANS

New York State and Local Employees' Retirement System Plan Description

The Board participates in the New York State Employees' Retirement System (NYSERS) also referred to as New York State and Local Retirement System (the System). This is a cost-sharing, multiple employer public employee retirement system, providing retirement benefits as well as death and disability benefits. The net position of the System is held in the New York State Common Retirement Fund (the Fund), established to hold all net position and record changes in plan net position allocated to the System. System benefits are established under the provisions of the New York State Retirement and Social Security Law (NYS RSSL). Once an employer elects to participate in the System, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. The Board also participates in the Public Employees' Group Life Insurance Plan (GLIP), which provides death benefits in the form of life insurance. The System is included in the State's financial report as a pension trust fund. That report, including information with regard to benefits provided, may be found at www.osc.state.ny.us/retire/publications/index.php or obtained by writing to the New York State and Local Retirement System, 110 State Street, Albany, New York 12244.

The System is noncontributory for the employees who joined prior to July 27, 1976. For employees who joined the System after July 27, 1976, and prior to January 1, 2010, employees contribute 3% of their salary. Employees in the System more than ten years are no longer required to contribute. For employees who joined after January 1, 2010 and prior to April 1, 2012, employees in NYSERS contribute 3% of their salary throughout their active membership. For employees who joined after April 1, 2012, employees contribute 3% of their salary until April 1, 2013 and then contribute 3% to 6% of their salary throughout their active membership. The Comptroller annually certifies the actuarially determined rates expressly used in computing the employers' contributions based on salaries paid during the System's fiscal year ending March 31. Contributions for the current year and two preceding years were equal to 100 percent of contributions required, and were as follows:

	<u>NYSERS</u>
2022	\$ 534,448
2021	\$ 640,535
2020	\$ 566,475

Pension Liability, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of

At December 31, 2022, the Board reported a net pension asset of \$1,647,314 for its proportionate share of the net pension asset for ERS. The net pension asset was measured as of March 31, 2022. The total pension liability used to calculate the net pension asset was determined by an actuarial valuation. The Board's proportionate share of the net pension asset was based on a projection of the Board's long-term share of contributions to the System relative to the projected contributions of all participating members, actuarially determined. This information was provided by ERS in reports provided to the Board. At December 31, 2022, the Board's proportion was 0.0201517%, which was an increase of 0.0007478% from its proportion measured as of March 31, 2021.

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

For the year ended December 31, 2022, the Board recognized pension expense of \$79,274 for ERS. At December 31, 2022 the Board reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 124,753	\$ 161,812
Changes of assumptions	2,749,183	46,389
Net difference between projected and actual earnings on pension plan	-	5,394,265
Changes in proportion and differences between the Board’s contributions and proportionate share of contributions	219,479	309,076
Contributions subsequent to the measurement date	<u>400,836</u>	<u>-</u>
Total	<u>\$3,494,251</u>	<u>\$5,911,542</u>

Board contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the subsequent year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Plan's Year Ended March 31:

2023	\$ (441,314)
2024	(633,741)
2025	(1,425,324)
2026	<u>(317,748)</u>
	<u>\$ (2,818,127)</u>

Actuarial Assumptions

The total pension liability at March 31, 2022 was determined by using an actuarial valuation as of April 1, 2021, with update procedures used to roll forward the total pension liability to March 31, 2022.

The actuarial valuation used the following actuarial assumptions:

Inflation	2.70%
Salary scale	4.4% indexed by service
Projected COLAs	1.4% compounded annually
Decrements	Based on Plan's experience from April 1, 2015 through March 31,
Mortality improvement	Society of Actuaries Scale MP-2020
Investment Rate of Return	5.9% compounded annually, net of investment expenses

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected return, net of investment expenses and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized below:

Asset Type	Target	
	Allocations In %	Long-Term Expected Real Rate of Return in %
Domestic equity	32	3.30
International equity	15	5.85
Private equity	10	6.50
Real estate	9	5.00
Opportunistic/ARS portfolio	3	4.10
Credit	4	3.78
Real assets	3	5.58
Fixed income	23	0.00
Cash	1	(1.00)
	<u>100%</u>	

Discount Rate

The discount rate used to calculate the total pension liability was 5.9%. The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially determined. Based upon those assumptions, the Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

NIAGARA FALLS WATER BOARD

**Notes to Basic Financial Statements
December 31, 2022**

Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate

The following presents the Board’s proportionate share of the net pension asset calculated using the discount rate, as well as what the Board’s proportionate share of the net pension asset would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

	1% Decrease (4.9%)	Current Assumption (5.9%)	1% Increase (6.9%)
Proportionate Share of Net Pension liability (asset)	<u>\$ 4,240,169</u>	<u>\$ (1,647,314)</u>	<u>\$ (6,571,911)</u>

Pension Plan Fiduciary Net Position

The components of the current year net pension liability of all participating employers as of the respective measurement dates, were as follows:

	(Dollars in Millions)
Measurement date	3/31/2022
Employers’ total pension liability	\$ 223,874,888
Plan fiduciary net position	<u>232,049,473</u>
Employers’ net pension liability (asset)	<u>\$ (8,174,585)</u>
Ratio of plan fiduciary net position to the employers’ total pension liability	103.65%

10. LABOR RELATIONS

The majority of the Board’s employees are represented by various unions under four collective bargaining unit agreements, with the balance governed by Board policies. Contracts for all of the bargaining units are covered with a seven-year term which expires on May 31, 2024.

11. RISK MANAGEMENT AND CONTINGENT LIABILITIES

Risk management and contingent liabilities at December 31, 2022 are detailed as follows:

Insurance

The Board is exposed to various risks of losses related to torts; theft of, damage to and destruction of assets; injuries to employees; and natural disasters, for which the Board carries commercial insurance. There were no settlements that significantly exceeded insurance coverage for the year ended December 31, 2022.

NIAGARA FALLS WATER BOARD

Notes to Basic Financial Statements December 31, 2022

Litigation

The Board is a defendant in a number of lawsuits that have arisen in the normal course of business. While substantial damages are alleged in some of these actions, their outcome cannot be predicted with certainty. In the opinion of the Board, these actions when finally adjudicated will not have a material adverse effect on the financial position of the Board.

12. SIGNIFICANT EVENTS

As a result of alleged discharges from the waste water treatment plant during the summer of 2017, the New York State Department of Environmental Conservation (NYSDEC) and the Board entered into a Consent Order on December 19, 2017 (R9-20170906-129). This Consent Order required the Board to pay a civil penalty in the amount of \$50,000 and to implement a schedule of enumerated actions over the following fifteen (15) months and then construct various capital improvements in the following years. The Board is now in the process of implementing these actions under the supervision of the NYSDEC.

13. PRIOR PERIOD ADJUSTMENT

Change in Accounting Principle

During the year ended December 31, 2022, the Board implemented Governmental Accounting Standards Board (GASB) Statement No. 87, *Leases*. GASB Statement No. 87 enhances the relevance and consistency of information of the government's leasing activities. It establishes requirements for lease accounting based on the principle that leases are financings of the right to use an underlying asset. A lessee is required to recognize a lease liability and an intangible right to use lease asset. A lessor is required to recognize a lease receivable and a deferred inflow of resources. This adjustment had no effect on the beginning net position since the deferred inflows equal the amount of the lease receivable and the right to use lease asset equals the liability.

The implementation of GASB Statement No. 87 had the following effect on net position:

Beginning net position, as previously reported	\$ 111,787
Adjustments:	
Right to use asset	284,124
Lease liability	(284,124)
Lease receivable	1,248,895
Deferred inflows of resources - leases	<u>(1,248,895)</u>
Beginning net position, as restated	<u>\$ 111,787</u>

**REQUIRED SUPPLEMENTARY INFORMATION
(UNAUDITED)**

NIAGARA FALLS WATER BOARD

**Schedule of Changes in Total OPEB Liability and Related Ratios (Unaudited)
For the year ended December 31:**

	Last 10 Fiscal Years (Dollar amounts displayed in thousands)									
	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013
Total OPEB Liability										
Service cost	\$ 1,103,028	\$ 1,377,099	\$ 1,349,028	\$ 556,876	\$ 540,656					
Interest	3,924,785	1,921,160	1,769,731	3,280,087	3,234,085					
Changes of benefit terms	-	-	-	-	-					
Differences between expected and actual experience	-	-	-	-	-					
Changes in assumptions	(21,404,432)	(520,053)	5,504,550	-	-					
Benefit payments	(2,667,901)	(2,530,010)	(2,507,223)	(2,581,965)	(2,546,361)					
Total change in total OPEB liability	(19,044,520)	248,196	6,116,086	1,254,998	1,228,380					
Total OPEB liability - beginning	95,228,340	94,980,144	88,864,058	87,609,060	86,380,680					
Total OPEB liability - ending	\$ 76,183,820	\$ 95,228,340	\$ 94,980,144	\$ 88,864,058	\$ 87,609,060					
Covered-employee payroll	\$ 5,433,874	\$ 4,310,662	\$ 4,310,662	\$ 3,900,691	\$ 3,900,691					
Total OPEB liability as a percentage of covered-employee payroll	1402.0%	2209.1%	2203.4%	2278.2%	2246.0%					

Information for the periods prior to implementation of GASB 75 is unavailable and will be completed for each year going forward as they become available.

Notes to schedule:

Changes of assumptions. Changes in assumptions and other inputs reflect the effects of changes in the discount rate each period. The following reflects the discount rate used each period:

Discount rate	4.18%	2.05%	2.02%	3.80%	3.80%
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Information for the periods prior to implementation of GASB 75 is unavailable and will be completed for each year going forward as they become available.

Plan Assets. No assets are accumulated in a trust that meets the criteria in GASB 75, paragraph 4, to pay related benefits:

- Contributions from the employer and any nonemployer contributing entities, and earnings thereon, must be irrevocable.
- Plan assets must be dedicated to providing OPEB to Plan members in accordance with the benefit terms.
- Plan assets must be legally protected from the creditors of the employer, nonemployer contributing entities, the Plan administrator, and Plan members.

NIAGARA FALLS WATER BOARD

Schedule of Proportionate Share of Net Pension Liability (Asset) - (Unaudited)

For the year ended December 31:

NEW YORK STATE EMPLOYEES' RETIREMENT	Last 10 Fiscal Years (Dollar amounts displayed in thousands)									
	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013
Proportion of the net pension liability (asset)	0.0201517%	0.0194039%	0.0178786%	0.0160886%	0.0147209%	0.0137476%	0.0134405%	0.0141606%		
Proportionate share of the net pension liability (asset)	\$ (1,647,314)	\$ 19,321	\$ 4,734,365	\$ 1,139,930	\$ 475,108	\$ 1,291,751	\$ 2,157,242	\$ 478,381		
Covered-employee payroll	\$ 5,609,483	\$ 5,609,604	\$ 5,463,366	\$ 4,917,159	\$ 4,374,241	\$ 4,719,361	\$ 4,397,005	\$ 4,082,614		
Proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll	-29.37%	0.34%	86.66%	23.18%	10.86%	27.37%	49.06%	11.72%		
Plan fiduciary net position as a percentage of the total pension liability (asset)	103.65%	99.95%	86.39%	96.27%	98.29%	94.70%	90.70%	97.95%		

Information for the periods prior to implementation of GASB 68 is unavailable and will be completed for each year going forward as they become available.

NIAGARA FALLS WATER BOARD

Schedule of Contributions - Pension Plans (Unaudited)

For the year ended December 31:

NEW YORK STATE EMPLOYEES' RETIREMENT	Last 10 Fiscal Years (Dollar amounts displayed in thousands)									
	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013
Contractually required contribution	\$ 534,448	\$ 725,652	\$ 640,535	\$ 566,475	\$ 583,405	\$ 659,383	\$ 646,238	\$ 725,071	\$ 864,054	\$ 900,289
Contributions in relation to the contractually required contribution	<u>534,448</u>	<u>725,652</u>	<u>640,535</u>	<u>566,475</u>	<u>583,405</u>	<u>659,383</u>	<u>646,238</u>	<u>725,071</u>	<u>864,054</u>	<u>900,289</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered-employee payroll	<u>\$ 5,609,483</u>	<u>\$ 5,609,604</u>	<u>\$ 5,463,366</u>	<u>\$ 4,917,159</u>	<u>\$ 4,374,241</u>	<u>\$ 4,719,361</u>	<u>\$ 4,397,005</u>	<u>\$ 4,082,614</u>	<u>\$ 4,483,962</u>	<u>\$ 4,442,277</u>
Contributions as a percentage of covered-employee payroll	9.53%	12.94%	11.72%	11.52%	13.34%	13.97%	14.70%	17.76%	19.27%	20.27%

SUPPLEMENTARY INFORMATION

Supplementary Information

Niagara Falls Public Water Authority (a Blended Component Unit of the Niagara Falls Water Board)

Statement of Net Position

December 31, 2022

ASSETS

CURRENT ASSETS:

Cash and cash equivalents	\$ 196,329
Total current assets	<u>196,329</u>

NONCURRENT ASSETS:

Due from Water Board	<u>75,626,198</u>
Total noncurrent assets	<u>75,626,198</u>
Total assets	<u>75,822,527</u>

DEFERRED OUTFLOWS OF RESOURCES

Loss on refunding	<u>1,869,854</u>
Total deferred outflows of resources	<u>1,869,854</u>

LIABILITIES

CURRENT LIABILITIES:

EFC Short-term financing	1,584,352
Current portion, bonds payable	<u>4,540,457</u>
Total current liabilities	<u>6,124,809</u>

NONCURRENT LIABILITIES:

Bonds payable	<u>74,908,195</u>
Total noncurrent liabilities	<u>74,908,195</u>
Total liabilities	<u>81,033,004</u>

DEFERRED INFLOWS OF RESOURCES

Gain on refunding	<u>726,866</u>
Total deferred inflows of resources	<u>726,866</u>

NET POSITION

Unrestricted	<u>(4,067,489)</u>
Total net position	<u>\$ (4,067,489)</u>

The accompanying notes are an integral part of these statements.

Supplementary Information

Niagara Falls Public Water Authority (a Blended Component Unit of the Niagara Falls Water Board)

Statement of Revenue, Expenses, and Change in Net Position

For the Year Ended December 31, 2022

OPERATING REVENUE:

Operating transfers in	\$ 463,371
	<u>463,371</u>
Total operating revenue	<u>463,371</u>
Total operating income	<u>463,371</u>

NON-OPERATING REVENUE (EXPENSES):

Amortization of deferred gain and premium	190,750
Debt issuance costs	(353,518)
Interest expense	<u>(2,261,162)</u>
Total non-operating expenses, net	<u>(2,423,930)</u>

CHANGE IN NET POSITION (1,960,559)

NET POSITION - beginning of year (2,106,930)

NET POSITION - end of year \$ (4,067,489)

The accompanying notes are an integral part of these statements.

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

March 30, 2023

To the Board of Directors of
Niagara Falls Water Board

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Niagara Falls Water Board (the Board), as of and for the year ended December 31, 2022, and the related notes to financial statements, which collectively comprise the Board's basic financial statements, and have issued our report thereon dated March 30, 2023.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Board's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control. Accordingly, we do not express an opinion on the effectiveness of the Board's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

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Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Board's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

March 30, 2023

To the Board Members of
Niagara Falls Water Board:

We have audited the financial statements of the Niagara Falls Water Board (the Board) for the year ended December 31, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 15, 2022. Professional standards also require that we communicate to you the following information related to our audit.

SIGNIFICANT AUDIT MATTERS

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Board are described in Note 1 to the financial statements.

As discussed in the footnotes to the financial statements, the Board adopted GASB Statement No. 87, Leases. Statement No. 87 addresses the criteria for leases for accounting and financial reporting purposes.

We noted no transactions entered into by the Board during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

- ***Total Other Postemployment Benefit Obligation and related deferred inflows/outflows of resources, which are based on an actuarial valuation and are significant in the Board's financial statements.***
- ***Net pension asset (liability) and related deferred inflows/outflows of resources, which are based on actuarial assumptions utilized by an actuary applied to the pension plan's census information.***

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- ***Management's estimate of the allowance for uncollectible accounts is based on an assessment of historical collections of the Board's accounts receivable.***
- ***We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.***

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users.

The disclosure of the Board's Total Other Postemployment Benefit Obligation along with the deferred inflows/outflows of resources describes the net obligation to the Board at year end.

The disclosure of the Board's pension plan in the footnotes describes the plan and the related pension asset or liability along with the deferred inflows/outflows of resources that are recognized.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management.

The misstatements identified as a result of our audit procedures and corrected by management are displayed on Exhibit A.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether resolved to our satisfaction, that could be significant to the financial statements or the auditor's report.

We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated as of the date of the Independent Auditor's Report.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a “second opinion” on certain situations. If a consultation involves application of an accounting principle to the Board’s financial statements or a determination of the type of auditor’s opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts.

To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Board’s auditors.

However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to Management’s Discussion and Analysis, the Schedule of Changes in Total Other Postemployment Benefit Liability (OPEB) and Related Ratios, the Schedule of Proportionate Share of Net Pension Liability (Asset), and the Schedule of Contributions - Pension Plans, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the Niagara Falls Water Authority (a Blended Component Unit of the Niagara Falls Water Board) – Statement of Net Position and Statement of Revenue, Expenses and Changes in Net Position, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the information and use of the Audit Committee, Board of Directors and management of the Board and is not intended to be, and should not be, used by anyone other than these specified parties.

For the Year Ended December 31, 2022
Summary of Audit Adjustments

Change in net position - unadjusted	\$ 13,703,115
Client adjustments:	
To record current year capital asset activity.	(6,777,057)
To record the purchase of a dump truck.	16,251
Audit adjustments:	
To correct the recording of the current year bond refunding.	266,979
To rollforward net position.	(12)
To adjust the current year balance of compensated absences.	101,761
To record the current year change in net pension liability and the related deferred outflows/inflows of resources.	(3,125,254)
To record the current year change in Total OPEB and the related deferred outflows/inflows of resources.	5,693,564
To record the current year change and implementation of GASB 87, <i>Leases</i> , and the related deferred outflows/inflows of resources.	<u>24,450</u>
Change in net position - adjusted	<u>\$ 9,903,797</u>

NIAGARA FALLS WATER BOARD

**Communication of Matters Related to
Internal Controls and Other Matters
December 31, 2022**

Bonadio & Co., LLP
Certified Public Accountants

March 30, 2023

To the Board of Directors of
Niagara Falls Water Board:

In planning and performing our audit of the financial statements of the Niagara Falls Water Board (the Water Board) as of and for the year ended December 31, 2022, in accordance with auditing standards generally accepted in the United States of America, we considered the Water Board's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Water Board's internal control. Accordingly, we do not express an opinion on the effectiveness of the Water Board's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

During our audit, we became aware of deficiencies in internal control other than significant deficiencies or material weaknesses, and other matters that are opportunities for strengthening internal controls and operating efficiency.

This communication is intended solely for the information and use of management, the Board of Directors, and others within the Water Board, and is not intended to be and should not be used by anyone other than these specified parties.

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NIAGARA FALLS WATER BOARD

Communication of Matters Related to Internal Controls Over Financial Reporting and Other Matters December 31, 2022

The following matters are considered deficiencies in internal control:

1. TIMELY REVIEW OF JOURNAL ENTRIES

Observation

During our testing procedures, we noted that journal entries are still not being approved and posted on a timely basis. The entries themselves were prepared and submitted for approval timely; however, in many cases we found the actual approval and posting of the entries occurred months after submission. Failure to post financial activity on a timely basis at any time poses a risk to the organization and puts the Board of Directors (the Board) in a position to be making decisions on incomplete or incorrect data. In addition, it was noted year-end entries were not reviewed prior to submission due to the lack of time provided to have the entries to be reviewed.

Recommendation

It is critical that the Water Board implement a process for preparing journal entries and reviewing within a reasonable time frame to ensure they can be posted to the books of record on a timely basis. In addition, we recommend the Water Board create year-end processes to ensure all year-end entries are being prepared and reviewed.

2. WATER AND SEWER RATE ADJUSTMENTS

Observation

During our planning procedures, we noted that water and sewer rate changes are manually updated in the system and are not individually reviewed. Instead, they are reviewed as part of the billing process as a whole.

Recommendation

We continue to recommend that when there are rate changes, those modifications in the system are reviewed prior to the billing process occurring to ensure the amounts entered are correct.

3. APPROVAL OF BUDGET TRANSFERS

Observation

During our planning procedures, it was noted that the Water Board does not have a formal policy in place regarding the review and approval of budget amendments and transfers.

Recommendation

As it is the responsibility of the Board to approve the budget, it is also their responsibility to approve any modifications to the budget. Therefore, we continue to recommend that the Board implement a formal process in which any budget amendments or transfers be reviewed and approved by the Board. This policy could include various thresholds under which certain levels of management can initiate and approve transfers before Board action is required.

4. MANUAL SPREADSHEETS

Observation

We noted that several significant financial areas are tracked manually using excel spreadsheets prior to being recorded in the general ledger. For example, accounts payable for the Plant fund, capital project activity and capital assets are all currently tracked outside of the software. Such a system creates a potential for error due to the manual nature of the process.

Recommendation

We continue to recommend that the Water Board consider utilizing capital asset software to help manage and maintain the capital asset activity, including all work-in-process. Additionally, we recommend that any capital project activity be tracked and recorded in the general ledger as it occurs.

5. UNCOLLECTIBLE BILLINGS

Observation

The Water Board currently has a significant balance of uncollectible water and sewer billings that is being carried, and this amount increases annually. Based on our audit procedures and inquiries of management, 100% of the amounts transferred to the City of Niagara Falls (the City) from one-year prior to December 31, 2022, are reserved as uncollectible. Of that, a small percentage of the amounts transferred are ultimately collected through the City of Niagara Falls tax re-levy process. In addition, 100% of the amounts more than 120 days old from the non-transferred receivables are reserved as uncollectible. The financial impact of these allowances is that over \$7.0 million has been deemed uncollectible as of December 31, 2022. The Water Board, in various bond issuances, has covenanted that it will enforce the payment of any and all charges owed to the Water Board for use of the System. The Act (Public Authorities Law Section 1230-j(6)) provides that any rates, fees, and charges that remain unpaid shall constitute a lien on the premises that received the service and that such lien may be enforced in the same manner as a lien for taxes. The Water Board is currently not receiving any supporting documentation or verifying if amounts collected through the tax process are getting remitted to the Water Board from the City.

Recommendation

We continue to recommend that the organization review all outstanding accounts receivable and determine whether those amounts are in fact uncollectible and those amounts should be written off the books. Additionally, for those customers that are deemed uncollectible, an assessment should be made to ensure that no additional services are being provided to those customers. The organization should consider working with the City of Niagara Falls or the County of Niagara to use American Recovery Plan funds available to assist with getting customers in Qualified Census Tracts current on their utility bills. This is a specific allowable distribution of these funds. Additionally, it's critical that the Water Board develop a process to reconcile the list of transferred billings to the actual collections, and to further verify that collections from the City are being returned to Water Board.

6. INTERFUND ACTIVITY

Observation

We noted that interfund balances between the Authority, Plant, Water, and Sewer trial balances have been accumulating for several years. As of December 31, 2022, the accumulated amounts owed between funds was approximately \$66.2 million; however, a significant portion of that balance does not represent an amount that will be repaid between the funds.

Recommendation

We continue to recommend that management review the interfund activity and only record amounts due to or from that have an expectation of repayment. If amounts are not to be repaid, then any funds moved from one fund to another should be reflected as a transfer in or out on an annual basis.

7. SEGREGATION OF DUTIES

Observation

During our audit, we noted instances where segregation of duties should be reviewed and the identification of key controls over activities should be documented. The Water Board has undergone a significant amount of turnover in recent years which has led to a concentration of certain duties.

Recommendation

We continue to recommend that the Water Board study the current internal control environment and develop a plan to reassign non-compatible duties, provide additional monitoring of functions and create cross-training of certain functions as appropriate. Additionally, in connection with this analysis, the Water Board should ensure that key controls are identified and documented for all accounting transaction cycles within the organization.

8. BANK RECONCILIATIONS

Observation

During our audit of cash and the accompanying bank reconciliations, we noted bank reconciliations are being prepared by the Director of Financial Services and, therefore, are not reviewed each month. In addition, there are old outstanding checks that were being carried over on an annual basis.

Recommendation

We continue to recommend that management review the bank reconciliation and the associated outstanding checks and either remit the amounts to New York State under the unclaimed property laws, void and reissue the checks, or determine if the obligation was otherwise satisfied and can be returned to the Water Board's cash.

The following are considered other matters for the consideration of management:

9. NEW HIRES & PERSONNEL RATE CHANGES

Observation

During our planning procedures, we noted that payroll rate changes are manually entered into the payroll software and are not individually reviewed. However, the Water Board relies on employees to bring any corrections necessary to the Water Board's attention. Additionally, we noted that new hires are entered into the payroll software and are not individually reviewed to ensure they are properly entered. The Deputy Director of Administrative Services reviews the payroll register and supporting documentation for the pay period as a whole.

Recommendation

We continue to recommend that the Water Board implement a process wherein any pay rate changes and new employees entered into New World, are reviewed on an individual basis to ensure the amounts are properly recorded.

10. CENSUS DATA

Observation

During our audit procedures, we noted the census data sent to the actuary related to the other postemployment benefits related calculation is not reviewed prior to being sent to the actuary. This resulted in missing information being discovered as part of the audit process and revisions subsequently being provided to the actuary.

Recommendation

We recommend that the report is reviewed to ensure completeness of the listing prior to sending to the actuary.

11. SOFT CLOSE

Observation

While performing our preliminary analytical procedures at the end of January 2023, we noted that many balance sheet accounts had not been reconciled, as the Water Board typically reconciles all balance sheet accounts during the year-end closing process. Therefore, significant adjustments were still necessary to correctly report balances at December 31, 2022.

Recommendation

We continue to recommend that the Water Board perform “soft” closes at various times throughout the year to reconcile the balance sheet accounts. This will also reduce the amount of time it takes to close the books as of year end.

12. WATER LOSS CONTROL

Observation

Based on our review of reports provided by the Water Board, the average annual volume of unaccounted for water has been 68% or more of the treated water for the last five years, a percentage that is significantly higher than typical industry averages. The impact of this loss is an estimated \$400,000 - \$500,000 on an annual basis. Additionally, on top of this unaccounted-for water, there are amounts billed to residents under the DRIP program, but which is ultimately credited back on their bills. There are currently over 200 residents that are included in this program. Therefore, the actual cost to the Water Board related to unaccounted for or unbillable water is much greater than half million dollars annually. Nationally, the average amount of water loss is 14% (according to a study by the US EPA). Based on reports provided by management, the water losses in systems in and around Niagara County range from 22-74%. Water loss can occur in many ways, either unknown resulting from leaks and theft, to those known instances like fire suppression and flushing of mains. Over the course of the past year, the Water Board has begun replacing water lines and meters to reduce the amount of water loss incurred.

Recommendation

We continue to recommend, in order to ensure long-term viability of the organization, that the plan to systematically locate and remediate water loss be continued. Water losses at 3 times the national average, or at the upper end of the Niagara County region, for at least the past 10 years is not sustainable. Identifying and securing funding for assistance in stemming these losses should be a priority for the Water Board going forward. Additionally, developing a specific operational or capital budget line for leak detection, prevention and correction is critical to the success of reducing these losses. We understand that the Water Board is aware of and continues to work on finding ways to resolve this including obtaining grant funding to help defray the costs.

13. FUTURE GASB PRONOUNCEMENTS

Observation

In 2020, the Governmental Accounting Standards Board (GASB) issued Statement Number 96 - *Subscription-Based Information Technology Arrangements* to provide guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. To the extent relevant, the standards for SBITAs are based on the standards established in Statement No. 87, *Leases*, as amended. The requirements of this Statement are effective for fiscal year December 31, 2023.

Recommendation

In preparation for the implementation of this Statement, we recommend that the Water Board accumulate a listing of all significant information technology arrangements and review such agreements to determine how they will need to be reported once this Statement is implemented. To best do this, we continue to encourage management to begin a process of centralization of all key contracts, grants, documents, and agreements that have financial implications to be maintained in the Finance office. This will facilitate retrieval in the future and ensure that all accounting is proper.

Observation

In 2022, the Governmental Accounting Standards Board (GASB) issued Statement Number 101 - *Compensated Absences* to better meet the information needs of financial statement users by updating the recognition and measurement guidance for compensated absences. That objective is achieved by aligning recognition and measurement guidance under a unified model and by amending certain previously required disclosures. The requirements of this Statement are effective for fiscal year December 31, 2024. Earlier application is encouraged.

Recommendation

In preparation for the implementation of this Statement, we recommend that the Water Board review the balances currently included in the calculation of this liability and the current employment agreements to ensure additional liabilities are not required to be accrued based on the new standard.

INDEPENDENT ACCOUNTANT’S REPORT

March 30, 2023

To the Board of Directors of
Niagara Falls Water Board:

We have examined the Niagara Falls Water Board’s (the Board) compliance with its own investment policies and applicable laws and regulations related to investments for the year ended December 31, 2022. Management of the Board is responsible for the Board’s compliance with the specified requirements. Our responsibility is to express an opinion on the Board’s compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the AICPA. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Board complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Board complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the examination engagement.

Our examination does not provide a legal determination on the Board’s compliance with specified requirements.

In our opinion, the Board complied, in all material respects, with the aforementioned requirements for the year ended December 31, 2022.

This report is intended solely for the information and use of the Board of Directors and management of the Board and is not intended to be and should not be used by anyone other than these specified parties.

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**ANNUAL REVIEW OF PROCUREMENT AND INVESTMENT POLICIES
AND ADOPTION OF REVISIONS**

WHEREAS, the Niagara Falls Water Board (“Water Board”) is required by Public Authorities Law § 2824(1)(e) to adopt written policies and procedures for the procurement of goods and services and pursuant to Public Authorities Law § 2925(1) to adopt comprehensive guidelines regarding the investing, monitoring, and reporting of its funds; and

WHEREAS, the Water Board annually reviews its procurement and investment policies, and while this review typically takes place in December, circumstances detailed below suggest an earlier review is appropriate in 2023; and

WHEREAS, given the rapid escalation of prices for goods, materials, and services resulting from inflation and other factors, the Water Board has determined it prudent to increase the Executive Director’s procurement approval authority from \$15,000 to \$20,000 to allow necessary work costing between those sums to proceed without the delay associated with waiting for a Board resolution; and

WHEREAS, the Water Board desires no change to the investment policy;

* CONTINUED ON NEXT PAGE *

NOW THEREFORE BE IT

RESOLVED, that the Niagara Falls Water Board hereby adopts the procurement policy with a revision date of April 24, 2023, to be effective immediately; and

IT IS FURTHER RESOLVED, that the Niagara Falls Water Board hereby continues in force the investment guidelines last revised on December 13, 2021.

Water Board Personnel Responsible for Implementation of this Resolution:

Executive Director
Deputy Director of Financial Services
General Counsel and Secretary

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

Not applicable.

On April 24, 2023, 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 PROCUREMENT POLICY AND PROCEDURES

The Niagara Falls Water Board (“NFWB”) is a public benefit corporation that was created pursuant to Public Authorities Law § 1231-b. The statute setting forth the NFWB’s functions states that its “powers and duties are in all respects for the benefit of the people of the city and the service area and the state for the improvement of their health, welfare and prosperity and that such purposes are public purposes and that the water board is and will be performing an essential governmental function.” Pub. Auth. L. § 1230-e (6). The NFWB’s powers permit it to “enter into contracts” and to “acquire . . . property.” *Id.* at § 1230-f. “All contracts for construction or purchase of supplies, materials or equipment shall be let by the water board, shall be made in conformity with the applicable provisions of section one hundred three of the general municipal law and section one hundred thirty-five of the state finance law.” *Id.* at § 1230-u. This procurement policy is designed to set forth in simple language how the NFWB will implement these provisions of law.

NFWB’s procurement policy is intended to assure the prudent and economic use of public monies in the best interests of the people in the NFWB’s service area and of the State of New York and will facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances. It is also the intention of this policy to guard against favoritism, extravagance, fraud and corruption, and, wherever possible within existing laws, to promote and support local businesses and industry. The principal way that this procurement policy will help to accomplish these aims will be promoting the competitive securing of goods and services whenever feasible.

PROCEDURE FOR THE PROCUREMENT OF GOODS AND SERVICES

The NFWB hereby formally adopts the following written procedure (“procedure”) applicable to all purchases of goods and services after November 1, 2018. This procedure is meant actively to promote competitive procurements of all goods and services, with very limited exceptions, as set forth herein. The current revision, as noted on the last page of this document, replaces and supersedes all prior procurement policies. NFWB staff is hereby directed to comply with this procedure and to retain the necessary documentation as required herein to substantiate such compliance. This procedure and the NFWB’s guidelines for acquisition and disposal of property should be included in the NFWB employee handbook and posted at NFWB.org.

1. REQUIREMENTS APPLICABLE TO ALL PROCUREMENTS

- 1.1. For all procurements, it is the responsibility of those involved to comply with all state and local laws and always to perform their duties in an ethical manner which will not cast suspicion on the way in which the NFWB operates its procurement system. It is imperative that all NFWB employees involved in the process of procuring goods and services be especially cautious to avoid any appearance of indiscretion or impropriety when dealing with vendors and/or prospective vendors. In addition, NFWB Board Members, officers, and employees shall conduct themselves at all times in accordance with the NFWB Conflicts of Interest Policy and the NFWB Code of Ethics Policy as amended from time to time by the Board.
- 1.2. All purchasing contracts made by the NFWB shall be evidenced digitally in its Financial Management Software ("FMS"), or in writing, on a Requisition form which provides a description of the items purchased, the terms of the sale, and the NFWB internal budget account number, and shall be maintained as part of the records of the Board.
- 1.3. Tied offers and local vendor preference. When all variables are equivalent, local vendors shall be given preference over non-local vendors. When local preference is not a viable method of resolving a tied bid or proposal, the Executive Director shall determine the bidder to be awarded, and the basis for the award determination shall be documented in the Board Resolution awarding the contract.
- 1.4. Procurements shall not be parceled, split, divided, or purchased over a period of time in order to circumvent the dollar purchasing limitations specified herein or to circumvent the employee's authorized spending limit.
- 1.5. Non-bid products and services should be reviewed periodically for competitive pricing and at any time that prices have increased.
- 1.6. To promote competition, in addition to advertising bids, NFWB staff is encouraged to take additional reasonable steps to encourage as many bidders as possible, and may notify known vendors of bids, post bids in trade message boards, notify Union halls, and post bids on construction exchange websites.
- 1.7. All invitations to bid and requests for proposals are to be advertised in the NYS Contract Reporter.
- 1.8. All invitations to bid and requests for proposals with an anticipated value in excess of \$25,000 for labor, services, supplies, equipment, materials, or any combination of the foregoing, or in excess of \$100,000 for acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon, shall be evaluated for Minority and Women Business Enterprise ("MWBE") and Service Disabled Veteran Owned Business ("SDVOB") participation goals as required by the Water Board's MWBE and SDVOB policies.

1.9. All procurements in excess of \$15,000 annually are subject to State Finance Law Sections 139-j and 139-k, effective January 1, 2006 (“Lobbying Law”). Under the Lobbying Law, all “contacts” (defined as oral, written or electronic communications with the NFWB intended to influence a procurement) during a procurement - from the earliest notice of intent to solicit bids/proposals through final award and approval - must be made with one or more designated point(s) of contact only. Each invitation to bid and request for proposals must identify the point(s) of contact for Lobbying Law purposes. Additional requirements are found in the Water Board’s Lobbying Law policy. Violations of the policy regarding permissible contacts must be reported to the appropriate NFWB officer (Executive Director or General Counsel) and investigated accordingly.

2. CONSTRUCTION AND PUBLIC WORKS CONTRACTS – GENERAL POLICY

All contracts or orders for work, material, or supplies performed or furnished in connection with construction or other public works involving the expenditure of more than \$35,000 shall be publicly bid.

The NFWB shall include such bid specifications as are deemed desirable in the judgment of the Executive Director, including requiring appropriate bid security. The NFWB shall not award any construction contract except to the lowest bidder who, in its opinion, is qualified to perform the work required and who is responsible and reliable. The NFWB may, however, reject any or all bids or waive any informality in a bid if it believes that the public interest will be promoted thereby. The NFWB may reject any bid if, in its judgment, the business and technical organization, plant, resources, financial standing, or experience of the bidder justifies such rejection in view of the work to be performed.

All construction contracts shall be let in accordance with General Municipal Law § 103 and the provisions of state law pertaining to prevailing wages, labor standards, and working hours. Where a cost for erection, construction, or alteration of buildings shall exceed \$500,000, the contract must comply with State Finance Law § 135, which is incorporated by reference herein and includes, among other things, requirements for separate bidding on plumbing, HVAC, and electrical work. Where appropriate, construction contracts should be advertised in not only a newspaper and the NYS Contract Reporter, but also posted to online construction exchanges to encourage multiple competitive bids.

Nothing in this policy shall be construed to limit or diminish the power of the NFWB to do any construction directly by the officers, employees, or agents of the NFWB.

3. PURCHASES OF GOODS, EQUIPMENT AND SERVICES (NOT INVOLVING CONSTRUCTION OR PUBLIC WORKS) – GENERAL POLICY

Except as otherwise expressly provided herein, NFWB purchase orders involving an expenditure on a reasonably anticipated annual basis of more than \$20,000 for goods, materials, supplies, equipment, or services (such as service contracts) not necessary for the completion of a public works contract shall be made pursuant to an open competitive bidding process. For goods, materials, supplies, and equipment, purchase contracts shall be awarded to the lowest responsible bidder furnishing the security required by NFWB for the purchase after advertisement for sealed bids in the manner provided for by General Municipal Law § 103. In the case of services, the award must be based on the best value to NFWB, which if not equated to low price should be, wherever possible, based upon quantifiable criteria that result in the contract award to the offeror that optimizes quality, cost, and efficiency.

In any case where a responsible bidder's gross price is reducible by an allowance for the value of used machinery, equipment, apparatus, or tools to be traded in by NFWB, the gross price shall be reduced by the amount of such allowance, for the purposes of determining the low bid. In cases where two or more responsible bidders furnishing the required security submit identical bids as to price, NFWB's Board may award the contract to any of such bidders. NFWB reserves its discretion to reject all bids and re-advertise for new bids in the manner provided for in this procedure.

4. PROCEDURES FOR PURCHASE ORDERS, INCLUDING BLANKET PO'S

4.1. **Purchases Less Than \$1,000**

- 4.1.1. Where possible, prior to the purchase of an item or service, the NFWB employee shall contact at least two (2) suppliers of the item or items to be procured to obtain the best price for and quality of the item or items to be purchased.
- 4.1.2. Division Heads are authorized to make and approve purchases on behalf of the NFWB in an aggregate amount up to \$1,000.
- 4.1.3. Various other subordinate employees, if designated in writing by a Director, are authorized to make and approve purchases on behalf of the NFWB in an aggregate amount up to \$500.

4.2. **Purchases Greater Than \$1,000 and Less than \$5,000**

- 4.2.1. Quotes for purchases of \$1,000 up to and including \$5,000, whether verbal or written, shall be documented in the quotes section of the procurement process and/or as part of a manual purchase requisition.
- 4.2.2. Required Final Approval: Any Director, provided that budgeted funds for the purchase first have been identified.

4.3. Purchases Greater Than \$5,000 and Less than Competitive Bidding Thresholds

- 4.3.1. Quotes for purchases of \$5,000 up to and including the appropriate competitive bidding threshold of \$20,000 or \$35,000, whether verbal or written, shall be documented in the quotes section of the procurement process and/or as part of a manual purchase requisition form and as a separate written document, dated and signed by an authorized vendor representative. Wherever possible, a minimum of three written quotes must be obtained. All written quotes and a memorandum for verbal quotes shall be scanned and attached to the requisition and maintained by the Board's FMS.
- 4.3.2. Required Final Approval: Executive Director or his designee as authorized in writing may approve up to and including ~~\$2015,000~~. **Purchases over ~~\$2015,000~~ require Board of Directors approval.**

4.4. Purchase Contracts Greater Than \$20,000 and Public Works Greater than \$35,000

- 4.4.1. Must be supported by summary of the competitive bids received or be subject to one of the exceptions listed in Section 5 below, with the Board resolution including an explanation for the exception.
- 4.4.2. Required Final approval: Board of Directors (Board approval is required for all purchases over ~~\$2015,000~~, see Sections 2 and 3 for competitive bidding thresholds).

5. EXCEPTIONS TO COMPETITIVE BIDDING REQUIREMENTS

The NFWB may contract or purchase through non-competitive negotiations under the following circumstances.

5.1. Emergencies

- 5.1.1. Notwithstanding any of the other provisions in this procedure, in the case of public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting NFWB buildings, property, pipelines, or the life, health, safety or property of NFWB employees, customers or the general public require immediate action which cannot await a competitive process or competitive bidding, contracts for public work or the purchase of supplies, materials or equipment or services (including necessary replacement parts that could not reasonably be stockpiled) may be let by NFWB's Executive Director or his designee by immediate contract and the Executive Director may temporarily dispense with the competitive bidding or procurement requirements set forth herein. However, a good faith emergency must exist and while the emergency procurements do not require competitive bidding, it is nevertheless the policy and procedure of NFWB that such procurements must, wherever possible, be made at the lowest possible cost to NFWB.

5.1.2. Declarations of Emergency shall be documented in writing. The Executive Director will email to all members of the NFWB Board prior to or as soon as possible after making a procurement pursuant to this section a short statement to advise them of the emergency, the reason why the situation constitutes an emergency, a description of the emergency procurement, and the estimated cost of the emergency procurement. Emergency procurements shall be ratified by the NFWB Board at their next regularly scheduled meeting or may be ratified at a special meeting called pursuant to NFWB by-laws.

5.2. New York State Contracts and Niagara County Contracts

5.2.1. The NFWB may, without soliciting competitive bids, purchase materials, equipment and supplies through New York State (“NYS”) and Niagara County contracts at the same prices and under the same terms and conditions as the State or County. However, no purchase may be made through a NYS or County contract after competitive bids have been received unless the purchase may be made upon the same conditions and specifications as the bid but at a lower price.

5.2.2. All purchases through a NYS or County contract must be made only from the vendor awarded the contract. No purchases may be made from other vendors without soliciting competitive bids.

5.2.3. When it is determined that a purchase is to be made through NYS or Niagara County contract, an approved requisition and/or purchase order referencing a valid NYS contract number must be prepared.

5.2.4. A list of commodities available through NYS contracts can be reviewed at the following website: <http://www.ogs.state.ny.us>

5.3. “Piggybacking” on Contracts of the United States or any State, Agency, or other Political Subdivision or District Thereof

5.3.1. The NFWB may, pursuant to General Municipal Law § 103(16), “piggyback” on contracts awarded by government entities that have been made available for use by other government entities, provided that those contracts were let in a manner that constitutes competitive bidding consistent with New York state law, including municipal cooperative purchasing. When “piggybacking,” the NFWB is not required independently to seek competitive bids, as this already has been done by the other government entity.

5.3.2. The contract to be “piggybacked” must have been let by a government entity, not a private party or not-for-profit corporation. Contracts let through Sourcewell, Omnia Partners Public Sector, NASPO ValuePoint, National Cooperative Purchasing Alliance (“NCPA”), and similar public cooperative contract purchasing agencies may be appropriate for piggybacking.

5.3.3. The contract explicitly must have been made available for use by other governmental entities; unilateral offers by vendors to extend contract pricing and terms and conditions offered to other government entities are not acceptable.

- 5.3.4. The contract must have been let to the lowest responsible bidder or on the basis of best value.
- 5.3.5. To “piggyback” on a contract generally will require NFWB staff to obtain and review a copy of the underlying contract/bid specification. This and any similar documentation should be scanned and maintained as part of the requisition/purchase order for the procurement.

5.4. Repair and Maintenance Provided by Original Manufacturer

Repair and maintenance services provided by the original equipment manufacturer, supplier or installer (or their authorized agent or representative) are exempt from the quoting aspect of this policy when their services are required due to a specific or proprietary type of equipment.

5.5. Sole Source

- 5.5.1. It is the policy of the NFWB to promote competition in the procurement process, whenever possible. Toward that end, the NFWB will not specify the product of a certain manufacturer to the exclusion of all other comparable products, except where such a designation is required for the public interest, such as where local geographic (e.g. there is only a single source within a reasonable geographical area of the goods or services to be procured), security, public health or other conditions require the use of and only the type of equipment specified.
- 5.5.2. Where NFWB specifies a particular article or type of equipment which it regards as its general standard, it will provide that any other manufacturer of a similar equipment may meet the specifications if his or her product is reasonably equivalent to that mentioned as the standard.
- 5.5.3. Only in those instances where NFWB is required to secure equipment or service from a sole source of reasons of local geographic, security, public health or other conditions, may a purchase of such items or service be made without a competitive procurement process. In such instance, where the procurement exceeds \$20,000 the Board shall by resolution declare the need to purchase the equipment or service from a sole source vendor prior to purchase.

5.6. Standardization

- 5.6.1. Standardization should be utilized only where there are strong reasons of efficiency or economy. It is NFWB’s policy and procedure that it will not specify the product of a certain manufacturer to the exclusion of all other comparable products, except where such a designation is required for the public interest.
- 5.6.2. Although NFWB may specify a particular article or type of equipment which it regards as its general standard, it should provide that any other manufacturer of a similar object may meet the specifications if his or her product is reasonably equivalent to that mentioned as the standard.

5.6.3. In those instances where the public interest requires that NFWB standardize, such standardization may only occur upon the adoption of a Resolution by the members of the Board stating that, for reasons of efficiency or economy explained in the resolution, there is a need for standardization.

5.6.4. Even where NFWB standardizes on a particular article or type of equipment, competitive bids or quotes from all suppliers of that article or type in Western New York or, if necessary, outside the area should be actively solicited to promote competition. In such case, the Executive Director, or designee, shall contract with the lowest responsible bidder, or the party providing the lowest quote, furnishing the required security after any public advertisement as may be required.

5.7. Surplus and Second-Hand Supplies

Surplus and second-hand supplies, material, or equipment may be purchased by NFWB without competitive bidding from the Federal Government, the State of New York or from any other political subdivision, district, or public benefit corporation.

5.8. Professional Services

5.8.1. Professional services are those services requiring special or technical skill, training, or expertise. These types of services are routinely provided by attorneys, accountants, engineers, and architects, etc. Bidding is not required when a service is so specialized that it would not be in the NFWB's best interest to do so. The decision not to rely on competitive bidding procedures is based on the nature of the service, qualifications, prior experience, or an existing relationship with the NFWB.

5.8.2. An effective way to award contracts for professional services is to solicit requests for proposals ("RFP"). This ensures that qualified firms are given the opportunity to submit proposals and can result in reduced costs as a result of competition. However, contracts are awarded based on the criteria listed above and not on price alone.

5.8.3. Except as provided below, a formal RFP or where more appropriate a request for qualifications ("RFQ") shall be required prior to the award of any agreement for professional services requiring the expenditure of Water Board funds over \$20,000. Where feasible, three written quotes should be obtained for procurements between \$5,000 and \$20,000. Water Board approval is required for procurements of professional services in excess of ~~\$20~~5,000.

5.8.4. Where Water Board approval of a professional services agreement over \$20,000 is requested without a prior RFP or RFQ, the proposed resolution for the award shall state (1) the reasons why a formal RFP or RFQ was not issued; (2) which firms informally were solicited for proposals; and (3) why the procurement should not be postponed to permit compliance with Section 5.8.3.

5.8.5. All procurements of architectural and engineering services for federally funded projects (including projects receiving Clean Water State Revolving Fund [CWSRF], Drinking Water State Revolving Fund [DWSRF], or Infrastructure Investment and Jobs Act of 2021 funds) after October 1, 2022 are subject to specific federal procurement requirements. Such procurements must follow applicable Environmental Facilities Corporation (“EFC”) guidance available at <https://efc.ny.gov/forms-tools>.

5.9. Lease Arrangements

5.9.1. Leases of equipment shall also be awarded after a competitive process.

5.9.2. NFWB staff shall obtain, whenever possible, formal written quotations or proposals from three or more vendors for any lease involving in excess of \$5,000 annually. Such written quotations or proposals shall set forth the particulars as to the equipment to be provided and details as to cost, on an annual and total lease basis, which may be used for evaluation of the proposal. The lease shall also include details as to additional cost beyond the base lease amount necessary properly to evaluate the equipment to be leased prior to award to the successful vendor.

5.9.3. For leases involving an annual total lease expense of less than \$5,000, NFWB staff shall secure at least three informal quotes, whenever possible, and perform the same evaluation before making a recommendation to the Executive Director relative to the selection of a lessor for the equipment to be leased.

5.9.4. Leases in excess of ~~\$20~~^{\$5},000 shall be approved by the NFWB Board.

6. PURCHASE CARDS/NFWB CREDIT CARDS

6.1. Are available to employees authorized by Board of Directors policy.

6.2. The Director of Financial Services or Deputy Director of Financial Services shall maintain a list of all employees with purchase cards.

6.3. All employees shall be required to sign a Purchase Card Policy before being issued a purchase card.

6.4. Purchase card transactions shall require appropriate documentation and shall be reflected by the FMS.

6.5. Purchase card transactions shall regularly be audited by the Director of Financial Services, Deputy Director of Financial Services, or their designee, formally or informally, and any discrepancies shall be reported to the NFWB Board if they cannot be reconciled after investigation.

7. PETTY CASH

7.1. Where cash can be used for small purchases or expenses less than \$50, the Petty Cash system may be utilized.

7.2. Written receipts and internal expense codes must accompany all reimbursements.

7.3. Petty Cash purchases are not intended to circumvent the purchasing system.

8. SUPPORT FOR MINORITY, WOMEN-OWNED, SERVICE-DISABLED VETERAN OWNED, AND SMALL BUSINESSES

NFWB supports contracts with minority, women, and service-disabled veteran owned businesses and small businesses when awarding contracts in purchasing goods, services and equipment, and by statute is subject to Articles 15-A and 17-B of the Executive Law with respect to MWBE and SDVOB requirements in procurement contracts. NFWB will not discriminate against any person who is qualified and available to perform the work by reason of race, color, creed, gender, or national origin. NFWB will encourage active participation by MWBE, SDVOB, and small businesses in its procurement process, including reviewing and referencing any available lists of such vendors and actively and affirmatively soliciting their participation through email and/or telephone advisement of the coming procurement, and will fully support equal opportunity and fair treatment of all people in its contracting. NFWB staff involved in the procurement process should be familiar with NFWB's MWBE and SDVOB procedures and goals.

9. ANNUAL REVIEW

The Board shall annually review this Policy and Procedure. NFWB's Executive Director shall be responsible for assisting NFWB in conducting an annual review of this Procurement Policy and for an evaluation of the internal control structure established to ensure compliance with this Procurement Policy.

REVISION INFORMATION

- Originally Adopted January 29, 2018
- Annual Review Completed, and Revisions Made, October 29, 2018
- Revised March 25, 2019 to add Sections 5.8.3 and 5.8.4
- Revised December 14, 2020 to add Sections 1.7, 1.8, and 1.9 and a number of updates and clarifications throughout.

- Revised December 13, 2021, adding language regarding ties to Section 1.3, revising Sections 4.3 and 4.4 to increase the Executive Director's approval authority from \$10,000 to \$15,000, and added Deputy Director of Financial Services to Section 6.
- Revised December 19, 2022, adding Section 5.8.5 related to new procurement guidelines for architectural and engineering services for projects receiving Federal funds and revising Sections 5.8.3 and 5.8.4 to make certain procedures and threshold amounts for professional services procurements consistent with those for procurement of other services as set forth in Section 4.
- Revised April 24, 2023, revising Sections 4.3, 4.4, 5.8, and 5.9 to increase Executive Director's approval authority from \$15,000 to \$20,000.

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[Significant revisions and annual reviews should be noted here.]



INVESTMENT GUIDELINES FOR THE NIAGARA FALLS WATER BOARD PURSUANT TO PUBLIC AUTHORITIES LAW SECTION 2925

SCOPE

This cash management and investment policy applies to all money and other financial resources available to the Niagara Falls Water Board for deposit and/or investment on its own behalf or on behalf of any other entity or individual.

These guidelines have been constructed pursuant to the laws detailed in Exhibit I.

OBJECTIVES

The primary objectives of the Water Board's investment activities are, in priority order:

1. To conform with all applicable federal, state and other legal requirements (legality);
2. To adequately safeguard principal (safety);
3. To provide sufficient liquidity to meet all operating requirements (liquidity); and
4. To obtain a reasonable rate of return (yield).

DELEGATION OF AUTHORITY

The Niagara Falls Water Board's responsibility for administration of the investment program is delegated to the Director of Financial Services or Deputy Director of Financial Services as appropriate, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Niagara Falls Water Board to operate effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

It is the policy of the Niagara Falls Water Board to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

INTERNAL CONTROLS

The Director of Financial Services or Deputy Director of Financial Services, as appropriate, are responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of money are as follows:

Bank on Buffalo
Wilmington Trust
Manufacturers and Traders Trust Company
Bank of America
Key Bank of New York
JP Morgan Chase
Citizens Bank, N.A.

The Board shall review and approve this list at least annually.

COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Article 2, Section 10, all deposits of the Niagara Falls Water Board, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value” as provided by GML 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the guidelines.
2. Current market values will be reviewed monthly to ensure all deposits are properly collateralized.

SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by a third party, bank or trust company subject to written security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure Niagara Falls Water Board deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Niagara Falls Water Board to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Niagara Falls Water Board, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Niagara Falls Water Board or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Niagara Falls Water Board, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

PERMITTED INVESTMENTS

The Niagara Falls Water Board authorizes the Director of Financial Services or Deputy Director of Financial Services to invest money not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. Special Time Deposit accounts.
2. Certificate of deposit.
3. Obligations of the United States of America.
4. Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America.
5. Obligations of the State of New York.
6. Obligations issued pursuant to Local Finance Law, section 24 or 25 (with approval of the State Comptroller) by any municipality, school district or district corporation other than this Water Board.
7. Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.

All investment obligations shall be payable, saleable, or redeemable at the option of the Niagara Falls Water Board within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable, saleable or redeemable at the option of the Water Board within two years of the date of purchase.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Niagara Falls Water Board shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investment which can be made with each financial institution or dealer. All financial institutions with which the Board conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Niagara Falls Water Board. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Director of Financial Services or Deputy Director of Financial Services is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

If the Niagara Falls Water Board deems it advisable to retain an investment banker, broker, agent, dealer or other investment advisor or agent to transact business with the Board, it shall establish criteria for said individuals or firms covering the quality, reliability, experience, capitalization, size and any other factors that at the time the Board feels pertinent before qualifying said firm to transact business with the Water Board.

The Board must have discretion over all investment transactions and must be supplied with adequate documentation for each transaction. All agreements must comply with the Investment Advisor's Act of 1940 and applicable New York State and Federal laws. In addition, a separate agreement will be entered into with a third party custodian to hold all securities purchased by the investment advisor.

See Exhibit II for Authorized Financial Institutions and Dealers.

PURCHASE OF INVESTMENTS

The Director of Financial Services and Deputy Director of Financial Services are authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Section 1230a of the Public Authorities Law where the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Water Board.

All purchased investments, obligations, or participations unless registered or inscribed in the name of the Niagara Falls Water Board, shall be purchased through, delivered to, and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Niagara Falls Water Board by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Niagara Falls Water Board, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities.

REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

1. All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
2. Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
3. Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
4. No substitutions of securities will be allowed.
5. The custodian shall be a party other than the trading partner.

REPORTING

The Director of Financial Services or Deputy Director of Financial Services shall report to the Niagara Falls Water Board on the investments of the Water Board not less than once a month.

The independent accounting firm retained by the Water Board to perform the yearly audit of the Water Board's books and records shall audit the investments of the Water Board and Water Authority and make its report available to the members of the Niagara Falls Water Board.

ANNUAL REVIEW

The Board shall annually review these Investment Guidelines.

REVISION INFORMATION

- Originally Adopted June 16, 2005.
- Annual review completed, list of approved financial institutions updated, and references to Deputy Director of Financial Services added, December 13, 2021.

APPENDIX A
Schedule of Eligible Securities for Collateralization of Deposits

1. Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, An agency thereof or a United States government sponsored corporation.
2. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
3. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
4. Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

EXHIBIT I

The Niagara Falls Water Board Investment Guidelines have been constructed pursuant to the following laws:

General Municipal Law 10, 11 and 39

Banking Law 107a

Public Authorities Law 2890, 2925, 1230

New York State Office of the State Comptroller Investment Guidelines for Public Authorities (Revised 1/2/98)

New York State Office of the State Comptroller's Local Government Management Guide (Formerly call Financial Management Guide)

Investment Advisor's Act of 1940

EXHIBIT II

Authorized Financial Institutions and Dealers:

HSBC Bank USA
Manufacturers & Traders Trust Company
Wilmington Trust
Bank on Buffalo
Bank of America
FHN Financial
Key Bank of New York
JP Morgan Chase Bank
Bank of New York
Citizens Bank, NA
MBIA – Municipal Investors Services Corp.
New York State Environmental Facilities Corporation