



MINUTES

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 could be attended in person
or via videoconference.**

1. Preliminary Matters

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

a. Attendance:

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

Forster (Chairman) *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*

- 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 a particular person.

Motion by Board Member Larkin and seconded by Board Member Leffler to enter into Executive Session at 5:02 p.m.

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

Motion by Board Member Larkin and seconded by Board Member Leffler to exit Executive Session at 5:44 p.m.

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

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

d. Presentations (none scheduled)

e. Letters and Communications

i. 2023-04-07 – COVID Wastewater Surveillance Update Memorandum

f. Prior Meeting Minutes

i. Draft March 27, 2023 Annual Business Meeting Minutes

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

2. Executive Director – Dr. Abderrahman Zehraoui

a. WWTP Project Budget Tracker (CPL)

b. WWTP Construction Schedule Tracker (CPL)

c. Financial Award Summary (CPL)

Dr. Zehraoui provided an overview of last week's meeting with Rob Locey from the DEC and Cascades, regarding issues with Cascade's wastewater treatment. He explained Cascades is working to resolve their issues, and NFWB is encouraged by their efforts and plans.

The NFWB has an upcoming meeting with the DEC and EFC regarding plant conversion funding on April 26 at 2:30.

Jay Meyers from CPL discussed the Wastewater Treatment Plant Budget Tracker. Mr. Meyers stated Project 1 is ongoing, making progress with Basin 3. For Project 3, Hohl and Mollenberg have been working together on piping. Project 7 is close to completion.

Chairman Forster asked Mr. Meyers to touch on roof replacement at the water plant. Mr. Meyers stated the plans and specifications are done, and the bid should be available soon. He will try to schedule work for the fall, but the best time to bid for roofing is in the winter, as most companies have their schedule set for the year by this time. He recommends patching areas in dire need, and to put out a short-term bid for roof repair at an hourly rate. Chairman Forster asked Dr. Zehraoui and Mr. Meyers work together on this task.

3. System Infrastructure and Operations – Russell DeFranco

Mr. DeFranco stated that after attempting to update and purge old Lucity work orders, it has proven to be a task outside of our capabilities. With over 6,500 work orders, and many tied to employees that created them, deleting a single work order or employee can corrupt the entire system. He has contacted Lucity for help, but their solution would be to send an “Implementor,” which would cost more on top of the \$20,000/year we pay for licensing. Mr. DeFranco recommends using a different program and purging all the information in Lucity. Mr. Morock from IT is currently researching a product from New World, one of our current vendors, to see if it would be more functional, and then start over with work orders from scratch. An asset management program is a necessity for safety and accountability through both plants. He will provide an update at the next Board meeting.

Mr. DeFranco added that the deenergizing the furnace room is now planned to be done in house, which will cost approximately \$8,600, overtime included, versus the previously expected \$127,000 quote from Ferguson for that work. Chairman Forster noted that this space could be used for records storage and to create a consolidated space for the various WWTP maintenance employees.

4. Outside Infrastructure Updates – Michael Eagler

Mr. Eagler stated that the 18th Street project is moving along quickly, except for one pipe that was not a part of this project cracking. Instead of temporarily repairing the 12-foot crack, we will extend the project 192 feet and replace it. The price for this work will be the same as the rest of the main replacement, \$380 per linear foot, which can be covered by contingency money in the contract, and therefore will require a \$0 change order. The project is within budget.

There was a collapse of a 12-inch water main on Fairfield Avenue. The repair job started Friday, April 21, and will be completed by the end of this week.

The Whitney Avenue project will be put out to bid tomorrow, April 25, and it will be presented to the Board for approval at the next business meeting.

Outside Maintenance de-fleeted a vehicle, saving insurance and maintenance costs.

Potholes were filled at the Wastewater Treatment plant with the help of the City of Niagara Falls DPW.

Seth Krull from CPL spoke on the Whitney Avenue water main replacement project. Mr. Krull explained that work will take place on the sidewalks, not the street, as the City just replaced the road last year, and the cost is comparable. There will be 47 trees coming down, including stumps and some roots, and there will be the option to include the replanting of one shallow-rooted tree per property in the bid.

5. Engineering – Douglas Williamson

Mr. Williamson noted there is an engineer coming this Wednesday, April 26, to do an evaluation for the Water Treatment Plant fluoride system study.

The Town of Niagara sewer flow monitoring has been completed, and he is waiting on data to do detailed billing calculations.

Mr. Williamson has advertised the Whitney Avenue water main replacement project in the NYS Contract Reporter.

6. Personnel Items – David San Lorenzo

- a. April 24, 2023 Personnel Actions**
- b. Cyber Insurance Policy Renewal**
- c. Workplace Violence Policy Renewal**

Motion by Board Member Larkin and seconded by Board Member Leffler to approve the April 24, 2023 Personnel Actions.

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0

Mr. San Lorenzo stated that he and Mr. Costello met with an insurance broker and compared quotes for Cyber Insurance and Workplace Violence Policies. After sending policies out to bid, they were able to secure significant cost savings and increased active shooter coverage.

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

Jonathan Joyce spoke on behalf of IT. Mr. Joyce discussed Mr. DeFranco's recommendation to purge Lucity work orders and start over with a new company. There are several to choose from, and he will not know the cost until it is put out to bid.

A new domain controller was installed at WTP in a new server room with temperature control and humidity sensors. Fiber line was installed today, and it will be tested tomorrow before connecting to the network. This new server will also function as a print server to help provide

centralized printing. NFWB is currently in a lease with two printer vendors until October 2024, but the goal is to have one vendor and printer management software. This software would maintain print jobs and cut down on unnecessary printing.

IT currently is updating all software and cutting off obsolete computers to protect cyber security. According to the security audit, there must be two-factor authentication on any computer that uses a VPN. This will be implemented by June 1.

IT is also working on switching from Verizon One Talk phone service to a new service provider. There will be cost savings and the new phones will tie into a future overhead paging system. Call flow will be reinvented with this new provider. The main phone line will have an automated operator with menu choices, which will cut down on unnecessary and misdirected calls.

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

The Board discussed the dollar threshold that would trigger a property being placed on the shutoff program. Outside maintenance and finance will meet and produce a plan to implement this year's shutoff program by the next Board meeting.

Mr. Majchrowicz stated they are currently interviewing for the finance secretary position.

9. Questions Regarding March 2023 Operations and Maintenance Report

10. Safety – John Accardo

Mr. Accardo stated the Niagara Falls Fire Department will be doing their annual inspection on May 3. PERMA will be doing inspections on May 16 and 17.

11. General Counsel and Secretary – Sean Costello

12. From the Chairman

13. Resolutions

Chairman Forster asked the Board to vote to consider a resolution received after the agenda deadline, Resolution No. W2023-04-007 – Non-Revenue Water.

Motion by Board Member Leffler and seconded by Board Member Larkin to “walk on” Resolution No. W2023-04-007 – Non-Revenue Water.

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

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**

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

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**

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

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**

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

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

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

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

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

Chairman Forster noted that the portion of the Management Letter regarding water loss control seems to him to be misleading because of the Water Board's progress in reducing non-revenue water over the past few years and because due consideration of unmetered water for fire suppression and other purposes seems to be lacking. He further notes that some of the unbilled water likely is due to theft or problems with meter accuracy. The WTP production has decreased by 5 million gallons per day in 2022, a remarkable achievement, but the auditors made no mention of this important fact. He therefore will vote to accept and approve the audit, but under protest with respect to that matter.

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

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

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

W2023-04-007 – NON-REVENUE WATER

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

Asklar __absent__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 4-0.

14. Unfinished/Old Business

1) WWTP Sodium Hypochlorite Tank Replacement

- 7/14/22: The 2021 WIIA Sewer (WWTP) Grant of \$1,125,000 was awarded on April 19, 2022 that included the some of the funds necessary to complete the WWTP tank removal and replacement work. We may be able to utilize some of the remaining balance of the WWTP Phase II grant to assist with this work, as well. We need approval from the NYSDEC to include some of the WWTP tank replacement work under this WWTP Phase II grant. The draft WWTP Tank Replacement RFP that was created needs to be finalized to show the grant funding sources that have been approved for the project, before we can proceed.
- 9/22/22: Next step is requesting approval to use Phase II grant funds (will be packaged with other projects).
- 12/15/22: DEC preliminary comments on use of Phase II grant funds being reviewed and addressed.
- 1/19/23: CPL revising memorandum regarding Phase II projects for re-submission to DEC.
- 2/23/23: CPL working to revise projects to include more in Phase I, which impacts funds available and projects to be included for Phase II.
- 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)

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 6:58 p.m.

Asklar absent Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 4-0.