



MINUTES

Business Meeting of the Niagara Falls Water Board September 25, 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 5:03 p.m.

a. Attendance:

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

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

- i. 2023 Budgeted Expenses - Expenditures of User Rates, Fees, and Charges Less Debt Service**
- ii. Update on Executive Director Recruitment**

- d. Presentations (none scheduled)
- e. Letters and Communications
 - i. 2023-09-14 – COVID Wastewater Surveillance Update Memorandum
- f. Prior Meeting Minutes
 - i. Draft July 24, 2023 Meeting Minutes

Motion by Board Member Leffler and seconded by Board Member Larkin to approve the July 24, 2023 meeting minutes.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

- ii. Draft August 10, 2023 Special Meeting Minutes

Motion by Board Member Leffler and seconded by Board Member Asklar to approve the August 10, 2023 meeting minutes.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

2. Acting Executive Director – Michael Eagler

- a. WWTP Project Budget Tracker (CPL)
- b. WWTP Construction Schedule Tracker (CPL)
- c. Financial Award Summary (CPL)
- d. WTP Roof Replacement Bid Change Order Documents
- e. Beech Avenue Project Photographs
- f. Sedimentation Basin 3 Concrete Work Photographs

Mr. Eagler stated he will also be representing Russell DeFranco, who is on vacation.

A flange was received for a dehumidifier, which will make a big impact on clogged filters (Project 3).

Mr. Eagler went on a Project 1 tour this morning and it is moving according to plan. Safety rails will be installed around the Sedimentation Basins.

Ferguson will be working on lines 187 and 188 on October 5th.

The roof project is on schedule. There is a \$15,000 positive change order for switching fascia type, and a change order for adjusting “hot pipes” due to a change in roof thickness, but

combined will likely end in a \$0 change order. There is also an air conditioning unit that needs lightning protection, so the contractor will add it when they replace the rest of the protection. Mr. Eagler provided the Board with roof trim color options and gave an update on the areas that will be finished this season. The Guard Shack roof will be removed from the project scope, as it is fairly new, and will save \$42,000. The stone that is being removed from the roof is being reused around the plant.

The fence project should be complete by the end of October.

3. Inside Infrastructure and Operations – Russell DeFranco

4. Outside Infrastructure Updates – Cortez Bradberry

\$217,000 was saved on the Beech Ave. project by doing it in-house.

Hydrant replacement is on schedule and budget.

5. Engineering – Douglas Williamson

Mr. Williamson will have the Town of Niagara sewer flow statistics at the next Board Meeting.

Last week we received five bids for the 42” butterfly valve procurement, and there is a resolution tonight to award the lowest bidder. We have also received quotes for sending out the motor and magnetic drive to be refurbished.

6. Personnel Items – David San Lorenzo

- a. September 25, 2023 Personnel Actions
- b. Union Time Off Year to Date

Motion by Board Member Asklar and seconded by Board Member Larkin to approve the September 25, 2023 Personnel Actions.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0

7. Information Technology (IT) –Jonathan Joyce

Paging is operational at the Water Treatment Plant, except for six speakers that need to be reconnected. IT is working on a policy with HR before it gets rolled out.

Homeland Security is going to do a cyber risk assessment within 60 days. They will test our firewall internally and externally and compare our grade to other water treatment facilities.

IT is continuing to upgrade software and hardware and working on deploying new cameras and an employee intranet.

8. Finance – Brian Majchrowicz

- a. 2024 Budget Update
- b. Credit Card Payments
- c. Revenue Budget Performance Report through 8/31/2023
- d. Sewer Fund Expense Budget Performance Report through 8/31/2023
- c. Water Fund Expense Budget Performance Report through 8/31/2023
- d. Board Fund Expense Budget Performance Report through 8/31/2023
- 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
 1. July 2023
 2. August 2023

Expenses are at 54% as of August 31st, and adding in larger insurance and retirement costs brings it to approximately 60%. There will be a (roughly estimated) \$1 million surplus, largely due to lower than budgeted Sodium Hypochlorite costs, but more precise numbers will be available after end of the year billing. There will also be a necessary expense to factor in at the end of the year for changing out carbon, likely \$500,000-\$600,000.

9. Questions Regarding August 2023 Operations and Maintenance Report

10. Safety – John Accardo

The training schedule through July 2024 has been finalized. The training is offered at no cost through the WNY Occupational Safety Health and Group.

11. General Counsel and Secretary – Sean Costello

The Federal Cyber and Infrastructure Security Agency, CISA, will be auditing both locations physical security features, resiliency plans, redundancy, etc., at no cost. They will compare results to similar agencies and provide confidential feedback.

Happy 20th Birthday to the NFWB, which acquired the water, wastewater, and stormwater assets of the City of Niagara Falls on September 25, 2003.

12. From the Chairman

13. Resolutions

2023-09-001 – AWARD BID FOR 16 INCH CONCRETE WATER MAIN REPAIR AT HIGHLAND AND COLLEGE AVENUES

- a. Bid Tabulation and Award Recommendation for 16 Inch PCCP Water Main Repair at Highland and College Avenues**

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.

2023-09-002 – PROCUREMENT OF WATER METERS

- a. 2023-09-11 - Ti Sales Quotation for Water Meters**
b. 2022-09-27 - Ti Sales Distributor Sole Source Letter

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.

2023-09-003 - LABOR FOR INSTALLATION OF FIRE ALARMS

- a. 2022-09-27 - Ti Sales Distributor Sole Source Letter**

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

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

2023-09-004 – AWARD OF BID FOR WATER AND SEWER CONSTRUCTION AND REPAIR MATERIALS

- a. Water and Sewer Construction and Repair Materials Award Recommendation Letter**
b. Water and Sewer Repair Materials Bid Tally Sheet Set 1
c. Water and Sewer Repair Materials Bid Tally Sheet Set 2

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.

2023-09-005 – INSTALLATION OF ADDITIONAL CHLORINE GAS DETECTORS AT WATER TREATMENT PLANT

- a. **2023-08-14 - Ferguson Electric Proposal FE002792, Chlorine Detector Installation**

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.

2023-09-006 – RENEWAL OF PROPERTY, LIABILITY, AND UMBRELLA INSURANCE POLICIES

- a. **2023-09-21 - Wroblewski to Costello - Insurance Proposal**
- b. **2023-09-20 - USI Insurance Proposal**

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2023-09-007 – ACCEPTING PROPOSAL FOR 2023 AUDIT SERVICES

- a. **EFPR 2023 Audit RFP Response**

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2023-09-008 – SETTLE CLAIM BY WINDSTREAM COMMUNICATIONS

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.

2023-09-009 – AWARD BID FOR 42-INCH BUTTERFLY VALVE FOR WWTP INTERMEDIATE PUMP

- a. **2023-09-21 - Butterfly Valve Award Recommendation Memorandum**
- b. **2023-09-21 - Butterfly Valve Bid Tabulation**

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.

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.
- 7/14/23: Resolution for engineering services in work session packet.
- 9/15/23: Contract amendment for work needs to be prepared.

2) WTP Perimeter Fence Replacement Update

- 7/14/22: The 2021 WIIA Water Grant application of \$3 million was awarded on April 19, 2022 that included some funds that can be used for the WTP perimeter fence replacement work. On 7/13/22, the capital purchase order for the \$8,000 brush hog was completed to assist with the work in-house. WTP maintenance to schedule and coordinate the fencing work.
- 7/14/23: Security gate and lower fence for clear well building scheduled for week of July 17.
- 9/15/23: Stone removed from WTP roof is being placed along fence perimeter to close off gaps. Temporary repairs made to deteriorated section of fence. Quote obtained from Fox Fence for replacement of deteriorated section of fence.

Item 2 will be completed and removed from old business by the next board meeting.

15. New Business & Additional Items for Discussion

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

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 Asklar to enter into Executive Session at 5:41 p.m.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

Motion by Board Member Kimble and seconded by Board Member Larkin to exit Executive Session at 8:37 p.m.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

17. Adjournment of Meeting

Motion by Board Member Larkin and seconded by Board Member Kimble to adjourn the meeting at 8:37 p.m.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.