



MINUTES

Business Meeting of the Niagara Falls Water Board May 20, 2024 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.) *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).

Brandon Gorcheck requested that the Board approve an exception to its adjustment policy to allow a larger adjustment to the bill for his home on 78th Street. The leak at issue was in a water line running to his garage, and the leak did not surface, it entered a parallel sewer lateral. He is a truck driver and requests an adjustment equal to one-half of his approximately \$4,000 bill.

Sean Rogan requests an exception to the Board's adjustment policy following a leak at his property on 67th Street. His bill totaled \$2,340 and he requests more than the \$1,000 adjustment he received per Board policy.

Both individuals were instructed to contact Mr. Majchrowicz for follow-up.

c. Comments from Chairman Forster

i. 2024 Budgeted Expenses - Expenditures of User Rates, Fees, and Charges Less Debt Service

Motion by Board Member Larkin and seconded by Board Member Leffler to enter into executive session at 5:14 p.m. Chairman Forster stated that the purposes for the executive session were to discuss matters related to public employee collective bargaining negotiations and matters related to the appointment of a particular person.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

Motion by Board Member Asklar and seconded by Board Member Larkin to exit 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 Larkin and seconded by Board Member Leffler to appoint Sean Costello Executive Director.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

d. Presentations (none scheduled)

e. Letters and Communications

- i. 2024-05-06 – COVID Wastewater Surveillance Update Memorandum**
- ii. WWTP Order on Consent Q1 2024 Quarterly Progress Report**

f. Prior Meeting Minutes

i. Draft April 22, 2024 Meeting Minutes

Board Member Larkin asked that a typographical error on page three of the draft minutes be corrected.

Motion by Board Member Larkin and seconded by Board Member Asklar to approve the draft April 22, 2024 minutes as corrected.

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

2. Acting Executive Director – Sean Costello

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

Mr. Costello thanked the Board for its confidence in him upon his appointment as Executive Director.

He noted with respect to Resolution No. 5 in the packet that for almost a decade the NFWB has been having conversations about the WWTP effluent turbidity and appearance. The WWTP SPDES permit is currently undergoing a full technical review. The current treatment plant cannot meet anticipated new limits and requirements. The proposed Order on Consent offers time to design and implement improvements necessary to water quality, provides interim effluent limitations pending the completion of the necessary work, and greatly will enhance the Board's ability to obtain grant funds, as projects required by Consent Orders receive extra points in the grant scoring process.

Mr. Meyers from CPL updated the Board on the anticipated delivery date for the new chlorine scrubber. Work will begin in July and be complete in August, at least a month ahead of schedule.

3. Operations Executive – David Conti

Mr. Conti noted that a recent inspection by EPA for Safe Drinking Water Act compliance at the WTP went very well. Parts have been ordered to rehabilitate the lighting in the tunnel to the Gorge Pump Station. He is applying to NYSDOH to have planned confined space training count for operator recertification credits.

Chairman Forster asked Mr. Conti to take over the Generator and Main Pump No. 2 projects at the WTP.

4. Outside Infrastructure Updates – David Conti

Mr. Conti observed that the Operations and Maintenance report shows an uptick in bypass pumping. This can be attributed to stormy weather.

5. Engineering – Douglas Williamson

Mr. Williamson explained that the water mains that are part of a planned grant application to be authorized by one of the resolutions in the Board packet were selected based on an analysis of the system to find where there is bottleneaking. All but one of the mains is a 4” main, and will be replaced with larger diameter pipe. This will help increase flow to some of the “red” hydrants in the system that have lower volumes of water available.

6. Personnel Items – David San Lorenzo

a. May 20, 2024 Personnel Actions

7. Information Technology (IT) – Jonathan Joyce

Mr. Joyce was off; Mr. Costello reported that IT has been working on further enhancements to security at the Gorge Pumping Station including access cards for elevator use. They are deploying mobile device management (MDM) software on all Board-issued cell phones to enhance security; this will allow blocking of certain applications. There is now functional surveillance camera coverage for the 56th Street water tank.

8. Finance – Brian Majchrowicz

- a. Revenue Budget Performance Report through 4/30/2024**
- b. Sewer Fund Expense Budget Performance Report through 4/30/2024**
- c. Water Fund Expense Budget Performance Report through 4/30/2024**
- d. Board Fund Expense Budget Performance Report through 4/30/2024**
- e. Key Bank and Bank on Buffalo Balance Report**
- f. Wilmington Trust Balance Report**
- g. Treasury Account Balance Report**
- h. Capital Payments**
- i. Budget Amendments Report**

9. Questions Regarding April 2024 Operations and Maintenance Report

10. Safety – John Accardo

Mr. Accardo noted that Workers Compensation Carrier PERMA performed its annual inspection on May 7. The representatives were very pleased to learn of the revamped and active safety committee and that the Emergency Action Plan recently was updated. Later in May there is training scheduled for the WTP and WWTP in process failure analysis, and in July relevant personnel will be trained by PERMA in traffic flag person safety.

11. General Counsel and Secretary – Sean Costello

12. From the Chairman

13. Resolutions

2024-05-001 – ESRI SOFTWARE RENEWAL

a. 2024-04-20 - Esri Software License Renewal Quotation

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

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

2024-05-002 – CHANGE ORDERS FOR WWTP PROJECT 3 CONTRACTS 3E AND 3GC CLOSEOUT

a. 2024-04-08 - WWTP Project 3GC Change Order 3 – Credits

b. 2024-04-08 - WWTP Project 3E Change Order 3 - Credits

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.

2024-05-003 – AWARD BID FOR WATER MAIN REPLACEMENT ON 77TH STREET FROM STEPHENSON AVE TO NIAGARA FALLS BLVD

- a. 2024-05-14 - CPL Bid Award Recommendation Letter - 77th Street Water Main Replacement
- b. Detailed Bid Tabulation - 77th Street Water Main

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.

2024-05-004 – AUTHORIZING NYS WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT APPLICATION, OBLIGATING LOCAL MATCHING FUNDS, DECLARING INTENT TO SERVE AS SEQR LEAD AGENCY, AND SEQR TYPE II DETERMINATION FOR WATER SYSTEM IMPROVEMENTS

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.

2024-05-005 – WWTP ORDER ON CONSENT - VISIBLE CONTRAST AND TURBIDITY

- a. 2024-05-17 - NYSDEC Order on Consent R9-20230411-13

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.

2024-05-006 – APPLICATION FOR WIIA, BIL, AND WQIP FUNDING FOR WASTEWATER TREATMENT PLANT WORK TO MEET WATER QUALITY STANDARDS

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

Asklar Y Forster Y Kimble Y Larkin Y Leffler Y

Motion carried, 5-0.

14. Unfinished/Old Business

15. New Business & Additional Items for Discussion

16. Executive Session (if needed)

17. Adjournment of Meeting

Motion by Board Member Larkin and seconded by Board Member Asklar to adjourn the meeting at 6:10 p.m.

Asklar __Y__ Forster __Y__ Kimble __Y__ Larkin __Y__ Leffler __Y__

Motion carried, 5-0.

DRAFT