



## MINUTES

### Business Meeting of the Niagara Falls Water Board July 22, 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 via Videoconference*

Forster (Chairman) *Present*

Kimble (Board Member) *Present via Videoconference*

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

Sirianni *Present*

##### b. Presentations (None Scheduled)

- c. 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).

**d. Comments from Chairman Forster**

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

*Chairman Forster expressed gratitude to Gretchen Leffler, who was appointed to the Board by Governor Cuomo in 2013 and served until July 2024. During her time on the Board, she contributed by serving as Chair, Treasurer, and on the Executive Staff Review Committee.*

**e. Letters and Communications**

- i. Correspondence from NYS Park Police Commending NFWB Staff for Response to Water Issue**
- ii. 2024-07-10 – COVID Wastewater Surveillance Update Memorandum**
- iii. WWTP Order on Consent Q2 2024 Quarterly Progress Report**

**f. Prior Meeting Minutes**

**i. Draft June 24, 2024 Meeting Minutes**

*Motion by Board Member Larkin and seconded by Board Member Sirianni to approve.*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Sirianni   Abstain*

*Motion carried, 4-0, with one abstention.*

**2. Executive Director & General Counsel – Sean Costello**

*Mr. Costello discussed a repair completed that day on an 8” water main located on Hyde Park Blvd., as well as the NFWB response to a train derailment in the morning. He noted that the NFWB will submit an application for funds for the WWTP conversion under the Water Quality Improvement Project (WQIP) program, in advance of the July 31, 2024 deadline.*

**3. Operations Executive & Outside Infrastructure Updates – David Conti**

*Mr. Conti stated that air monitoring at the WWTP did not indicate safety issues as a result of diesel fuel spilled in the train derailment that morning. Work to enclose and protect the Gorge Pump Station loading dock area is progressing. Mr. Conti is working with finance and the meter shop to complete a necessary software upgrade.*

**4. Engineering – Douglas Williamson**

*Mr. Williamson is working with Ferguson Electric on installation of replacement WWTP transformers 5 A/B, as efforts are underway to find a better solution than installing them on a pad outside of the building.*

**5. Personnel Items – David San Lorenzo**

- a. July 22, 2024 Personnel Actions**
- b. Union Time Paid by Water Board**

*Motion by Board Member Larkin and seconded by Board Member Asklar to consider the items on the Personnel Actions sheet individually.*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Sirianni   Y*

*Motion carried, 5-0.*

*Motion by Board Member Larkin and seconded by Board Member Sirianni to approve item A1 (CDT Trainee).*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Sirianni   Y*

*Motion carried, 5-0.*

*Motion by Board Member Larkin and seconded by Board Member Asklar to approve item A2 (WWTP Operator Trainee).*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Sirianni   Y*

*Motion carried, 5-0.*

*Motion by Board Member Larkin and seconded by Board Member Kimble to approve item A3 (WTP Control Maintenance Mechanic).*

*Board Member Sirianni questioned whether the position is needed because the department is short-handed or short on qualified staff. Ms. Larkin asked if there is a lot of overtime. Mr. Conti stated there is not excess overtime, but with more staff more work could be performed in house, citing the pump work anticipated necessary. Mr. Sirianni stated that he believes the NFWB should reassess its hiring policy, especially for maintenance, to make sure that hires are qualified.*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Sirianni   N*

*Motion carried, 4-1.*

*Motion by Board Member Larkin and seconded by Board Member Asklar to approve item B1 (Pay Rate for Temporary WTP Operator).*

*Asklar \_\_Abstain\_\_ Forster \_\_N\_\_ Kimble \_\_N\_\_ Larkin \_\_N\_\_ Sirianni \_\_N\_\_*

*Motion failed, 4-0, with one abstention.*

**6. Information Technology (IT) –Jonathan Joyce**

*Mr. Joyce reported that the NFWB was not impacted by last week's CrowdStrike cyber incident. Work continues to redesign the network to be more cloud-based. Door access alarm at the Gorge and 56<sup>th</sup> Street water tank is being improved. IT continues to roll out mobile device management to devices.*

**7. Finance – Michael Smith**

- a. Key Bank and Bank on Buffalo Balance Report
- b. Wilmington Trust Balance Report
- c. Treasury Account Balance Report
- d. Capital Payments
- e. Budget Amendments Report

*Mr. Smith noted that a New World patch has been deployed, it will not be certain if the issues being fixed are resolved until the next billing statement. Work continues to make sure proper NYS unemployment insurance tax payments are made. The NFWB recently received \$2 million from tax transfers from 2014-2024.*

**8. Safety – John Accardo**

**9. Questions Regarding June 2024 Operations and Maintenance Report**

**10. From the Chairman**

**11. Resolutions**

**2024-07-001 – PROCUREMENT OF WTP LEAD HIGH LIFT PUMP**

- a. **2024-07-08 - Fluid Kinetics Quote for WTP Lead High Lift Pump**
- b. **2024-06-19 - Sole Source Letter - Fluid Kinetics as Exclusive Regional Distributor of OEM Floway Pump Products**

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

*Asklar \_\_Y\_\_ Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

**2024-07-002 – ENGINEERING SERVICES FOR WWTP FLOCCULATION TANK WALKWAYS**

- a. **2024-07-09 - JM Davidson Proposal for WWTP Flocculation Tank Walkway Project Engineering Services**

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

*Asklar \_\_Y\_\_ Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

**2024-07-003 – PAYMENT FOR EMERGENCY REBUILDING OF WTP LEAD HIGH LIFT PUMP NO. 2**

- a. **Moley Industries Invoices totaling \$43,189.16**

*Motion by Board Member Larkin and seconded by Board Member Sirianni to approve.*

*Asklar \_\_Y\_\_ Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

**2024-07-004 – ACCEPTING CPL PROPOSAL FOR BEECH AVENUE WATER TANK AND WATER MAIN ENGINEERING SERVICES**

- a. **2024-02-19 - CPL Capital Projects RFP Proposal - Material Not Relevant to Resolution Omitted**

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

*Asklar \_\_Y\_\_ Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

**2024-07-005 – CPL PROFESSIONAL SERVICES EXTENSION**

- a. **2024-06-17 - CPL Services Renewal Proposal - July 2024 through December 2025**

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

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Sirianni   Y*

*Motion carried, 5-0.*

**2024-07-006 – TWO MONTH MORATORIUM ON PERSONNEL ACTIONS**

*Motion by Board Member Sirianni and seconded by Board Member Kimble to approve.*

*Board Member Sirianni explained that he would like a two-month moratorium to allow time to work to resolve issues with Civil Service and it will also hold costs down. The Board discussed residency for NFWB positions and Chairman Forster read a July 17, 2024 email from Karen Bush on the subject.*

*Asklar   N   Forster   N   Kimble   Y   Larkin   N   Sirianni   Y*

*Motion failed, 2-3.*

**2024-07-007 – EXTENSION OF TEMPORARY OPERATOR TRAINEE INCENTIVE PROGRAM**

- a. **Draft Memorandum of Understanding**

*Motion by Board Member Sirianni and seconded by Board Member Kimble to approve.*

*Asklar   Y   Forster   Y   Kimble   Y   Larkin   Y   Sirianni   Y*

*Motion carried, 5-0.*

**12. Unfinished/Old Business**

### 13. New Business & Additional Items for Discussion

*Board Member Sirianni stated that he would like to walk on an agenda item in the form of a motion that it is not the Water Board's responsibility to spend funds on legal matters related to appointments to the Board. Discussion was had on whether Board Member Asklar had a conflict of interest in the vote, and after initially voting no to adding the agenda item he changed his vote to an abstention.*

*Motion by Board Member Sirianni to consider the new agenda item and seconded by Board Member Larkin.*

*Asklar \_\_Abstain\_\_ Forster \_\_N\_\_ Kimble \_\_Y\_\_ Larkin \_\_N\_\_ Sirianni \_\_Y\_\_*

*Motion failed, 2-2, with one abstention.*

*Board Member Sirianni questioned the resolution of a PERB charge involving payment of accruals for retiring employees, and why the attorney representing the NFWB stated the Board would not authorize settling for more than 80%.*

### 14. Executive Session (if needed)

### 15. Adjournment of Meeting

*Motion by Board Member Asklar and seconded by Board Member Larkin to adjourn the meeting at 6:17 p.m.*

*Asklar \_\_Y\_\_ Forster \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*