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## **AGENDA**

**Business Meeting of the  
Niagara Falls Water Board  
June 23, 2025 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. Call To Order**

**b. Pledge of Allegiance to the Flag of the United States of America**

**c. Attendance:**

**Cole \_\_\_\_ Dean \_\_\_\_ Kimble \_\_\_\_ Larkin \_\_\_\_ Sirianni \_\_\_\_**

**d. Presentations**

**i. EFPR – 2024 Annual Audit**

**ii. Gallagher – Workers’ Compensation Insurance**

**e. 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).**

**f. Letters and Communications**

**g. Prior Meeting Minutes**

**i. Draft May 19, 2025 Business Meeting Minutes**

2. **Executive Director & General Counsel – Sean Costello**
  - a. **2024 Annual Drinking Water Quality Report**
3. **Engineering – Douglas Williamson**
4. **Information Technology (IT) –Jonathan Joyce**
5. **Finance – Michael Smith**
  - a. **Bank Account Balance Report**
  - b. **Invested Funds Balance Report**
  - c. **Wilmington Trust Account Report**
6. **Administrative Services – Caleb Holman**
  - a. **June 23, 2025 Personnel Actions**
    - i. **Job Specification – Water/Wastewater Operator Trainee**
7. **Questions Regarding May 2025 Operations and Maintenance Report**
8. **Resolutions**

**2025-06-001 - ACCEPTING GALLAGHER PROPOSAL FOR WORKERS  
COMPENSATION INSURANCE AND APPROVING MEMBERSHIP IN COMP  
ALLIANCE**

- a. **2025-06-18 - Gallagher Workers' Compensation Proposal**
- b. **New York State Municipal Workers Compensation Alliance Plan Document**
- c. **Comp Alliance Member Participation Agreement**
- d. **2025-06-18 - Roes to Glenn - Comp Alliance Financial Condition and Joint  
and Several Liability**
- e. **Comp Alliance 2024 Annual Report**

**2025-06-002 - WORKERS' COMPENSATION SELF INSURANCE**

**2025-06-003 - ADDRESSING WORKPLACE RECORDINGS**

- a. **2025-06-20 - Draft Revisions for Audio Video Recordings to Policy on  
Cellphones Phones in the Workplace**

**2025-06-004 - AWARD BID FOR COMBINED SEWER MANHOLE REPLACEMENT,  
GARDEN AVENUE AND TENTH STREET**

- a. 2025-06-20 - Draft Revisions for Audio Video Recordings to Policy on  
Cellphones Phones in the Workplace**

**2025-06-005 - AUTHORIZING SETTLEMENT OF PROPERTY DAMAGE CLAIM -  
WILSON, TYLER**

**2025-06-006 - AUTHORIZING SETTLEMENT OF PROPERTY DAMAGE CLAIM -  
ALFIERE, MICHAEL**

**2025-06-007 - AUTHORIZING SETTLEMENT OF PROPERTY DAMAGE CLAIM -  
SMITH, SHEILA**

**9. Unfinished/Old Business**

**10. New Business & Additional Items for Discussion**

**11. Executive Session (if needed)**

**12. Adjournment of Meeting**



## MINUTES

### Business Meeting of the Niagara Falls Water Board May 19, 2025 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

- a. Call To Order
- b. Pledge of Allegiance to the Flag of the United States of America
- c. Attendance:

Cole Present, Dean Present, Kimble Present (Zoom), Larkin Present (Zoom),  
Sirianni Present.

*Chairman Sirianni asked to begin the meeting by speaking a few words addressed to the Board and anyone in attendance at last month's meeting. He stated it is his responsibility to keep an orderly meeting. There is nothing wrong with disagreement on issues and debate, it is what boards do on any issue. However, he should have cut off the discussion when it became redundant and to the point where it was not worthy of further discussion.*

- d. Presentations (None Scheduled)
- e. 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).
- f. Letters and Communications

**g. Prior Meeting Minutes**

**i. Draft April 28, 2025 Business Meeting Minutes**

*Board Member Dean noted a typographical error on the minutes stating that Chairman Sirianni was present via Zoom whereas he was present in person, Mr. Costello stated that it would be corrected on the final copy.*

*Motion by Board Member Dean and seconded by Board Member Cole to accept the April 28, 2025 business meeting minutes with that noted.*

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

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

*Mr. Costello discussed the substantial work in May devoted to grants and financing from EFC, including updating existing projects on EFC's Intended Use Plan. Staff are working on submitting documents needed to secure low-cost financing for the Calumet Avenue sewer project, and also putting together a list of projects for 2025 grant applications. These will include applications for funding to replace lead service lines, and to replace certain water mains, mostly 4" diameter mains and those with break histories.*

*Mr. Costello further noted that the return to disconnecting water service for non-payment has been relatively smooth, and cited excellent cooperation between various NFWB departments, including finance, meter shop, and water operations, which gets after-hours calls. He also expressed appreciation for assistance from Billing and Collections at City Hall.*

*Regular Operations & Maintenance meetings are again happening at the WTP with excellent results, some projects that have been languishing for years are moving forward, such as painting walls in the area of the filters. For the first time in a few years we have some petunias planted around the WTP sign, brightening up the building and putting a better face forward for the many residents and visitors who drive by when entering Niagara Falls.*

*The new confined space alternate procedure for entry into certain areas has been put into practice, initially with entries in WTP basins for cleaning. This procedure was developed with consultants from safety firm OSEA with substantial in-house work by Sanitary Engineer Margaret Bilquin and input from operations and maintenance staff.*

*Board Member Dean asked about the financial implications of the confined space alternate procedure. Mr. Costello stated the cost to hire an on-site rescue crew prior to the confined space alternate procedure was about \$3,600 per day. With the new procedure, we spent about \$2,500 with OSEA and \$850 for an air monitor. This procedure is used a minimum of eight times per year at the WTP, so it represents a substantial savings.*

### **3. Engineering – Douglas Williamson**

*Mr. Williamson discussed potential grant projects in more detail. On the wastewater side, he noted that the grant projects need to have a positive impact on water quality to improve odds of an award. A discussion then ensued regarding funding for the capital improvement plan, and how projects are financed, generally with grants and low-interest loans through EFC.*

### **4. Information Technology (IT) –Jonathan Joyce**

*Elton Mensah-Selby presented for IT. The SCALE computing hypervisor is on site, Mr. Joyce has returned from training, so configuration will begin now. The Mobile Device Management system is fully deployed, and we are on target to update all PCs to Windows 11 before end of support for Windows 10. Communication issues with Regulator 6C to the WWTP have been resolved, which had been a longstanding problem.*

### **5. Finance – Michael Smith**

- a. 2024 Audit Status Update**
- b. Bank Account Balance Report**
- c. Investment Account Report**
- d. Wilmington Trust Account Report**

*Mr. Smith provided an update on the shutoff program.*

*There are still some issues with returned checks, but with a warning posted to the payment website about using “checkless” checking accounts that is becoming less of a problem.*

*The audit is not yet done; Mr. Smith thought he would have everything done by now but has had trouble finding some information the auditors need.*

*Board Member Larkin asked what information is needed and what the obstacle is. Mr. Smith replied that accounts his predecessor had indicated were reconciled ended up being off, with several accounts not tying into prior year numbers. Mr. Smith needs to speak with the auditors to understand what the beginning number should be so he can make whatever adjustment is necessary.*

*Chairman Sirianni asked about further review of prior years’ financials. Mr. Costello replied that is the process that is underway now, with the problem being that Mr. Smith cannot find where the numbers used last year were sourced. Mr. Smith said he was not left “tracks” for where numbers came from, though he is creating binders that detail where to locate these numbers as he figures them out. Chairman Sirianni requested that Mr. Costello think about any additional help that could be brought in to get this audit done.*

*Board Member Cole asked what the deadline for the audit was; Mr. Smith replied March 31. He has contacted the State to let them know we would be late and was informed quite a few entities have not submitted the audit reports. Board Member Kimble stated that she was disappointed that Mr. Smith did not have details on potential penalties for not being on time.*

## **6. Administrative Services – Caleb Holman**

### **a. May 16, 2025 Personnel Actions**

#### **i. Job Specification – Meter Technician**

*Mr. Holman thanked the Board for the opportunity it has provided to him and has been meeting the team, consultants, and vendors. He is examining core HR processes and beginning compliance audits. An employee appreciation program has begun, with employees receiving birthday and work anniversary cards, and this has been very well received.*

*Mr. Holman reviewed the Personnel Actions sheet.*

*Board Member Larkin requested an amendment to the Personnel Actions sheet, stating that afternoon she was made aware of a request for the leave of absence for the Sr. Administrative Assistant to be extended through January 28, 2026. Board Member Larkin stated it is not something the Board normally votes on and asked Mr. Costello if the sheet needs to be updated now. Mr. Costello stated that he had just received the request at approximately 3:30 p.m. and would review it, if the extension is granted it will be noted on the next Personnel Action Sheet. Board Member Larkin asked if it was something the Board needs to approve, Mr. Costello stated that he just needs to review for compliance with the policy. Board Member Larkin stated that she thinks it is compliance with the policy because the leave was approved for January 28 and asked if it could be amended now. Mr. Costello noted that the Board does not grant leaves of absence, he does not anticipate an issue but needs to review it.*

*Motion by Board Member Dean and seconded by Board Member Cole to the May 16, 2025 Personnel Actions.*

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

## **7. Questions Regarding April 2025 Operations and Maintenance Report**



## 8. Resolutions

### 2025-05-001 – WWTP SEDIMENTATION BASIN CHAIN AND FLIGHT SPARE PARTS

- a. 2025-04-25 – Siewert Equipment Quotation for Brentwood Industries Chain and Flight Parts

*Motion by Board Member Dean and seconded by Board Member Cole to approve.*

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

### 2025-05-002 – PROCUREMENT OF MAIN PUMP VARIABLE FREQUENCY DRIVES

- a. 2025-05-16 – Rexel WWTP Main Pump VFDs Quotation

*Motion by Board Member Dean and seconded by Board Member Cole to approve.*

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

### 2025-05-003 – AUTHORIZING ADDITIONAL \$2,800 FOR PROCUREMENT OF REPLACEMENT WWTP CARBON FILTER BED TROUGHS

- a. 2025-05-14 - Warminster Fiberglass Quotation for Fiberglass Troughs Modified Per NFWB Requirements

*Board Member Dean asked if the \$2,800 is above the amount in the budget for this item. Mr. Costello replied that this is being paid from existing capital funds, so it does not exceed a budget line and is within the available funds.*

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

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

### 2025-05-004 – AUTHORIZING BILL ADJUSTMENT FOR WATER THAT PASSED THROUGH TWO METERS

*Motion by Board Member Dean and seconded by Board Member Cole to approve.*

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

**2025-05-005 – AUTHORIZING BILL ADJUSTMENTS FOR EXEMPT NYS ENTITIES**

*Board Member Cole asked for some additional explanation. Mr. Costello noted these are not routine adjustments. The NYS Parks matter had a French drain to which water from the building was removed for winterization. The building drain was not closed last year, so the large bill represents mostly water going to the French drain and not to the sewer, the resolution would grant a one-time accommodation on the sewer charge. For NFTA, as a non-resident it is charged 260% of the resident rate. This one-time accommodation would charge NFTA the highest rate charged to a resident user in the City.*

*Motion by Board Member Dean and seconded by Board Member Cole to approve.*

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*

**9. Unfinished/Old Business**

**10. New Business & Additional Items for Discussion**

**11. Executive Session (if needed)**

**12. Adjournment of Meeting**

*Motion by Board Member Dean and seconded by Board Member Cole to adjourn the meeting at 5:51 p.m.*

*Cole \_\_Y\_\_ Dean \_\_Y\_\_ Kimble \_\_Y\_\_ Larkin \_\_Y\_\_ Sirianni \_\_Y\_\_*

*Motion carried, 5-0.*



# Annual Drinking Water Quality Report for 2024

## Niagara Falls Water Board

5815 Buffalo Avenue, Niagara Falls, NY 14304  
(Public Water Supply #NY3100568)

### INTRODUCTION

The Niagara Falls Water Board (NFWB) was created by State legislation in 2002 to ensure that the residents and business in Niagara Falls would continue to receive reliable, high-quality drinking water and wastewater treatment services at reasonable rates. As an independent public benefit corporation, the NFWB is not a unit of City or County government. It is financially self-sustaining and pays all operating expenses from revenues generated through the sale of potable water and wastewater services to its commercial and residential customers; it does not levy any taxes or special district charges. This means that unlike in some municipalities, it is not necessary to reference a property's tax bill to determine the full cost of water and sewer service – all operating and capital expenses are included in the charges in your quarterly bill.

To comply with State and Federal regulations, the NFWB issues an annual report describing the quality of your drinking water. The purpose of this report is to increase your understanding of drinking water and awareness of the need to protect our drinking water sources. Last year, your tap water met all State drinking water health standards. **We are pleased to report that our system has never violated a state established maximum contaminant level or any other water quality standard.** This report provides an overview of last year's water quality. Included are details about where your water comes from, what it contains, and how it compares to New York State standards. If you have any questions about this report or concerning your drinking water, please contact our Chief Operator, Operator in Responsible Charge, Robert Rowe at (716) 283-9770 ext. 7771, or you can contact our Water Quality Laboratory Director, Jordan Boyd at ext. 7741. We want you to be informed about your drinking water. If you want more information, please contact the Executive Director, Sean Costello, Esq., at (716) 283-9770 or attend any of our regularly scheduled NFWB Board meetings. The meetings are held at the Michael C. O'Laughlin Water Plant at 5815 Buffalo Ave., Niagara Falls, NY. For a schedule of dates of these meetings, please visit our website at <https://nfwb.org/reports/minutes/> or call for more information.

### WHERE DOES OUR WATER COME FROM?

In general, the sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activities. Contaminants that may be present in source water include: microbial contaminants; inorganic contaminants; pesticides and herbicides; organic chemical contaminants; and radioactive contaminants. In order to ensure that tap water is safe to drink, the State and the EPA prescribe regulations which limit the amount of certain contaminants in water provided by public water systems. The State Health Department's and the FDA's regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Our water source is in the middle of the upper Niagara River near 56<sup>th</sup> street. During 2024, our system did not experience any restriction on our water source. The placement of the intake allows water to be drawn that is least affected by runoff. At the Low Lift pump station, water passes through screens to remove excess debris. It is then pumped to the pre-treatment tanks where chlorine is added as a disinfectant. Powdered activated carbon may also be added during the summer months to aid in taste and odor abatement. In the rapid mix chamber, poly-aluminum chloride (PACl) is then added to enhance particulate removal. The water then travels to the flocculation basins. These basins gently mix the PACl and any particles, allowing them to form a floc. The water then travels to sedimentation basins and the floc settles to the bottom of the basins. The water then flows into rapid sand filters. The filters remove any particles that remain. After filtration, the treated water is chlorinated again and stored in reservoirs before being pumped into the distribution system. The Niagara Falls water system is one of the many systems in New York State that adds a low level of fluoride to drinking water in order to provide consumers dental health protection. According to the United States Centers for Disease Control, fluoride is very effective in preventing cavities when present in drinking water at a level of 0.7 mg/L (parts per million). Our fluoride addition facility is designed and operated to meet this optimal range. As a service to the community, a Poly-Orthophosphate blend is also added to prevent household lead and copper contamination.

### SOURCE WATER ASSESSMENT PROGRAM (SWAP) SUMMARY

The New York State Department of Health completed a Source Water Assessment of the supplies of raw water sources under the State's Source Water Assessment Program (SWAP). The purpose of this program is to compile, organize, and evaluate information regarding possible and actual threats to the quality of public water supply (PWS) sources. It is important to note that source water assessment reports estimate the potential for untreated drinking water sources to be impacted by contamination. These reports do not address the safety or quality of treated finished potable tap water. The Great Lakes' watershed is exceptionally large and too big for a detailed evaluation in the SWAP. General drinking water concerns for public water supplies which use these sources include: storm generated turbidity, wastewater, toxic sediments, shipping related spills, and problems associated with exotic species (e.g. zebra mussels - intake clogging and taste and odor problems). The SWAP is based on an analysis of the contaminant inventory compiled for the drainage area deemed most likely to impact drinking water quality at this public water supply raw water intake. This assessment found an elevated susceptibility to contamination for this source of drinking water. The amount of agricultural and residential lands in

the assessment area results in elevated potential for microbial, disinfection byproduct precursors, and pesticides contamination. There is also a high density of sanitary wastewater discharges, which results in elevated susceptibility for numerous contaminant categories. Non-sanitary wastewater could also impact source water quality. There is also noteworthy contamination susceptibility associated with other discrete contaminant sources, and these facility types include: Chemical Bulk Storage facilities, Inactive Hazardous Waste Sites, Landfills, Toxic Release Inventory data, and Resources Conservation and Recovery Act (RCRA) facilities. Anyone interested in obtaining a copy of our SWAP can do so by submitting a written request to the NFWB or by visiting our web site at [nfwb.org/reports/quality/](http://nfwb.org/reports/quality/). For more information on the State's Source Water Assessment Program, please contact the Niagara County Department of Health, Environmental Health Division, at (716) 439-7444.

## FACTS AND FIGURES

Our water system serves about 50,000 people through 18,000 service connections. The total water produced in 2024 was nearly 7 billion gallons. The daily average of water treated and pumped into the distribution system was 18.6 million gallons per day. Our highest single day was about 21.9 million gallons. The annual amount of water delivered to customers was about 2.2 billion gallons. This leaves about 4.8 billion gallons unaccounted for. Unaccounted for water includes such conditions as flushing of water mains, meter inaccuracies, illegal consumption, fire hydrant usage, authorized unmetered usage (street cleaning, etc.) and underground pipe leakage. In 2024, water customers were charged \$5.99 per 1,000 gallons for the first 20,000 cubic feet (cf) per quarter; quantities over 20,000 cf are billed at lower rates. The 2024 minimum quarterly charge for water was \$58.24.

## ARE THERE CONTAMINANTS IN OUR DRINKING WATER?

As State regulations require, we routinely test your drinking water for numerous contaminants. These contaminants include: total Coliform, turbidity, inorganic compounds, nitrate, lead and copper, volatile organic compounds, total trihalomethanes, haloacetic acids, radiological, PFOA, 1,4-dioxin, and synthetic organic compounds. During 2024, Water Board staff performed over 11,000 individual water quality tests. The table presented below depicts which compounds were detected in your drinking water. A more detailed supplemental list of all monitored constituents is available by calling (716) 283-9770 and requesting a copy. It should be noted that all drinking water, including bottled drinking water, may be reasonably expected to contain at least some small amounts of contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline (800) 426-4791 or the Niagara County Health Department at (716) 439-7444. Please refer to the following tables containing monitoring results of contaminants. New York State allows us to monitor some contaminants less than once per year because the concentrations of these contaminants do not change frequently. Some of our data, though representative, is more than one year old. As with many contaminants, there are possible health effects related to some of them listed below. For a list of these contaminants and more, including the possible health effects, please visit our website at the following link <https://nfwb.org/app/uploads/2021/05/Health-Effects-Language-for-Contaminants.pdf>

REGULATED DETECTED CONTAMINANTS							
Metals, Inorganics Physical Tests	Violation Yes/No	Sample Date (mo./year)	Lvl Detected (Avg/Max) (Range)	Unit Meas.	MCLG	MCL	Source in Drinking Water
Antimony	No	6/2024	0.0007	mg/L	0.007	0.007	Erosion of natural deposits
Arsenic	No	6/2024	0.0002	mg/L	0.006	0.006	Erosion of natural deposits
Barium	No	6/2024	0.0203	mg/L	NE	2	Erosion of natural deposits
Chloride	No	2024	23.9 21.8 – 27.8	mg/L	250	NE	Naturally occurring or indicative of road salt contamination
Chlorine Entry Point	No	2024	1.25 1.14 – 1.45	mg/L	MRDLG = 4.0	MRDL = 4.0	Added for disinfection
Copper <sup>1</sup> Entry Point	No	6/2024	0.0008	mg/L	1.3	AL = 1.3	Plumbing systems, erosion of natural deposits
Copper <sup>1</sup> Distribution	No	7/2023- 9/2023	0.0356 <sup>2</sup> <0.0005 - 0.143	mg/L	1.3	AL = 1.3	Plumbing systems, erosion of natural deposits
Iron	No	6/2022	0.0484	mg/L	0.3	NE	Naturally occurring
Lead <sup>1</sup> Distribution	No	7/2023- 9/2023	5.9 <sup>2</sup> <0.50 – 20.2	ug/L	0	AL = 15	Corrosion of household plumbing systems, erosion of natural deposits
Fluoride (EP) Entry Point <sup>6</sup>	No	2024	0.70 0.60 – 0.85	mg/L	2.2	2.2	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
Mercury	No	6/2022	0.0002	mg/L	0.002	0.002	Erosion of natural deposits; Discharge from refineries and factories; Runoff from landfills; Runoff from cropland
Nickel, Total	No	6/2024	0.0008	mg/L	NR	NR	Naturally occurring or industrial discharges
Nitrate	No	2/2024	0.196	mg/L	10	MCL = 10	Runoff from fertilizer use; leaching from septic tanks, sewage: erosion of natural deposits
pH	No	2024	7.36 6.96 – 7.66	SU	NR	NE	Naturally occurring
Sodium <sup>5</sup>	No	6/2024	12.9	mg/L	(see Health Effects)	NE	Naturally occurring; Road salt; Water softeners; Animal waste
Phosphates Distribution	No	2024	0.17 0.12- 0.41	mg/L	NR	NE	Corrosion inhibitor added to prevent lead & copper leaching in houses
Turbidity <sup>3</sup> Entry Point	No	2024	0.03 0.01 - 0.05	NTU	NE	TT=95% samples <0.3 NTU	Soil Runoff.

Turbidity <sup>4</sup> Distribution	No	2024	0.06 0.05– 0.40	NTU	NE	5.00 NTU monthly avg	Soil Runoff.
Fluoride <sup>6</sup> Distribution	No	2024	0.73 0.57 - 0.90	mg/L	2.2	2.2	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories

1- During 2023 we collected and analyzed 30 samples for lead. The level presented represents the 90th percentile of the 30 sites tested. A percentile is a value on a scale of 100 that indicates the percentage of a distribution that is equal to or below it. The 90<sup>th</sup> percentile is equal to or greater than 90% of the lead values detected at your water system. In this case, the 90th percentile value was the 27th highest value (5.9 ug/l). The action level for lead was exceeded at two of the sites tested.

2 - During 2023 we collected and analyzed 30 samples for copper. The level presented represents the 90th percentile of the 30 sites tested was the 27th highest value (0.0356 mg/l). The action level for copper was not exceeded at any of the sites tested.

3 - Turbidity is a measure of the cloudiness of the water. We test it because it is a good indicator of the effectiveness of our filtration system. Our highest single turbidity measurement (0.052 NTU) for the year occurred on (1/28/24). State regulations require that turbidity must always be below 1 NTU. The regulations require that 95% of the turbidity samples collected have measurements below 0.3 NTU. All of our samples were below this threshold in 2024.

4 - Turbidity in the distribution system is a snapshot picture of the clarity of water at predetermined locations collected during the year. There are 15 locations throughout the city used with a total of 898 samples collected in 2024. A violation occurs when the monthly average of the results of all distribution samples collected in any calendar month exceeds the MCL of 5 NTU. Sporadic high results can occur when there is a disruption in the flow due to a water main break, fire department usage or even street sweepers filling from a hydrant.

5 - Health Effects of Sodium: Water containing more than 20 mg/l of sodium should not be used for drinking by people on severely restricted sodium diets. Water containing more than 270 mg/l of sodium should not be used for drinking by people on moderately restricted sodium diets.

6 - On April 27, 2015 the U.S. Department of Health and Human Services (DHHS) released the final Public Health Service (PHS) recommendation for the optimal fluoride level in drinking water to prevent tooth decay. The new recommendation is for a single level of 0.7 milligrams of fluoride per liter (parts per million, ppm) of water. It updates and replaces the previous recommended range (0.7 to 1.2 milligrams per liter) issued in 1962.

Organic Compounds	Violation Yes/No	Date of Sample (mo./year)	Lvl Detected (Avg/Max) (Range)	Unit Measurement	MCLG	MCL	Source in Drinking Water
Stage 2 Disinfection Byproducts Rule – Promulgated 11/2012							
Total Trihalomethanes	No	2024	36.52 <sup>7</sup> 4.96 – 60.57	µg/L	NE	MCL = 80	Byproduct of drinking water chlorination
Total Haloacetic Acids	No	2024	18.16 <sup>7</sup> 0.00 – 29.90	µg/L	NE	MCL = 60	
Synthetic Organic Compounds							
Perfluorooctanoic acid (PFOA)	No	6/2024	1.95	ng/L	NE	10	Released into the environment from widespread use in commercial and industrial applications.
Perfluorooctane sulfonic acid (PFOS)	No	6/2024	1.61	ng/L	NE	10	
Radioactive Compounds							
Radium 226	No	6/2017	0.0270+/-0.414	pCi/L (Picocuries per liter is a measure of the radioactivity in water)	NE	5	Erosion of natural deposits
Radium 228	No	6/2017	0.122+/-0.203	pCi/L (Picocuries per liter is a measure of the radioactivity in water)	NE	5	Erosion of natural deposits
Uranium	No	6/2017	0.1483		NE	20	
Gross Alpha	No	6/2017	-0.737+/-0.788		NE	15	
Gross Beta	No	6/2017	0.887+/-0.593		NE	3.0	
Microbiological Compounds							
Total Coliform	No	2024	No Positive Sample <sup>8</sup>	N/A	N/A	TT ≥ 5% samples positive	Naturally present in the environment
E. coli	No	2024	No Positive Samples <sup>8</sup>	N/A	N/A	MCL = 1 or more positive samples	Human and animal fecal waste
Heterotrophic Plate Count	No	2024	1 0 - 43	cfu/1.0ml	NE	500	HPC measures a range of bacteria that are naturally present

#### UNREGULATED SUBSTANCES

Metals, Inorganics Physical Tests	Date of Sample (mo./year)	Lvl Detected (Avg/Max) (Range)	MCLG	MCL	Metals, Inorganics Physical Tests	Date of Sample (mo./year)	Lvl Detected (Avg/Max) (Range) mg/L	MCLG	MCL
Alkalinity	2024	88.3 mg/L 80.1– 95.1	NE	NR	Sulfate	6/2024	21.6	NE	NR
Calcium	2024	34.9 mg/L 33.0 – 39.2	NE	NR	Total Dissolved Solids	6/2024	150	NE	NR
Conductivity	2024	283.3 µS/cm 249.9 – 307.8	NE	NR	Total Organic Carbon F/W	2024	1.79 1.65 – 1.94	NE	NR
Magnesium	6/2024	8.77 mg/L	NE	NR	Total Organic Carbon R/W	2024	2.13 2.02-2.30	NE	NR
Odor	6/2016	0 TON	NE	NR	Aluminum	6/2024	0.121	NE	NR

#### UNREGULATED CONTAMINANT MONITORING RULE 4<sup>9</sup>

Synthetic Organic Compounds	Date of Sample (mo./year)	Lvl Detected (Avg/Max) (Range) ug/L	MCLG	MCL	Synthetic Organic Compounds	Date of Sample (mo./year)	Lvl Detected (Avg/Max) (Range) ug/L	MCLG	MCL
Bromochloroacetic Acid (BCAA)	2020	2.83 <0.3– 4.90	NE	NR	Bromide	2020	32.55	NE	NR
Bromodichloroacetic Acid (BDCAA)	2020	2.89 <0.50 – 4.30	NE	NR	Chlorodibromoacetic Acid (CDBAA)	2020	0.78 <0.3 – 1.30	NE	NR



## UNREGULATED CONTAMINANT MONITORING RULE 5<sup>10</sup>

Synthetic Organic Compounds	Date of Sample (mo./year)	Lvl Detected (Avg/Max) (Range) ug/L	MCLG	MCL	Synthetic Organic Compounds	Date of Sample (mo./year)	Lvl Detected (Avg/Max) (Range) ug/L	MCLG	MCL
Perfluorohexanoic acid (PFHxA)	2024	0.00168 0–0.00168	NE	NR	Perfluoropentanoic acid (PFPeA)	2024	0.00148 0–0.00148	NE	NR
Perfluoroheptanoic acid	2024	0.00168 0–0.00168	NE	NR	Perfluorooctanesulfonic acid (PFOS)	2024	0.00161 0–0.00161	NE	NR
perfluorobutanoic acid (PFBA)	2024	0.00265 0–0.00265	NE	NR	Perfluorobutanesulfonic acid (PFBS)	2024	0.00077 0–0.00077	NE	NR
Perfluorohexanesulfonic acid (PFHxS)	2024	0.00048 0–0.00048	NE	NR	Perfluorooctanoic acid (PFOA)	2024	0.00195 0–0.00195	NE	NR

7 - Results for Total Trihalomethanes (TTHMs) and Total Haloacetic Acids (HAA5s) are collected quarterly and reported as the highest LRAA. This level represents the LRAA calculated from data collected from four quarterly samples at eight points in the 2024 calendar year.

8 - A violation occurs when a total coliform positive sample is positive for E. coli and a repeat total coliform sample is positive or when a total coliform positive sample is negative for E. coli but a repeat total coliform sample is positive and the sample is also positive for E. coli. No positive samples were found for 2024.

9 - UCMR4 (Unregulated Contaminant Monitoring Rule 4 published 12/20/2016) - EPA monitoring program consisting of 4 sets of samples taken between 2018–2020, The 1996 Safe Drinking Water Act (SDWA) amendments require that once every five years EPA issue a new list of no more than 30 unregulated contaminants to be monitored by PWS. This monitoring provides a basis for future regulatory actions to protect public health. (UCMR1:09/17/1999, UCMR2:01/04/2007, UCMR3:05/02/2012).

10 - UCMR5 (Unregulated Contaminant Monitoring Rule 5 published 12/27/2021) - EPA monitoring program consisting of 4 sets of 29 PFAS and lithium samples taken in 2023.

### Abbreviations and Terms:

**AL** - Action Level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

**cfu/1.0ml** - Colony forming units per 1.0 milliliters.

**DPB** - Disinfection Byproducts

**LRAA** - Locational Running Annual Average

**MCL** - Maximum Contaminant Level: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible.

**MCLG** - Maximum Contaminant Level Goal: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

**mg/L** - Milligrams per liter: One part per million.

**µg/L** - Micrograms per liter: One part per billion.

**ng/L** - Nanograms per liter: One part per trillion.

**µS/cm** - Micro Siemens per centimeter

**MRDL** - Maximum Residual Disinfectant Level: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

**MRDLG** - Maximum Residual Disinfectant Level Goal: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contamination.

**NE** - Not Established.

**NR** - Not Regulated.

**NTU** - Nephelometric Turbidity Unit: A measure of the clarity of water. Turbidity in excess of 5 NTU is just noticeable to the average person.

**SU** = Standard Units: Used for the measurement of pH.

**TON** = Threshold Odor Number

**TT** = Treatment Technique: A required process intended to reduce the level of a contaminant in drinking water.

### WHAT DOES THIS INFORMATION MEAN?

As you can see by the table, our system had no violations. We have learned through our testing that some contaminants have been detected; however, these contaminants were detected below New York State requirements.

### LEAD IN DRINKING WATER

We are required to provide the following information on lead in drinking water:

Lead can cause serious health effects in people of all ages, especially pregnant people, infants (both formula-fed and breastfed), and young children. Lead in drinking water is primarily from materials and parts used in service lines and in home plumbing. The Niagara Falls Water Board is responsible for providing high quality drinking water and removing lead pipes but cannot control the variety of materials used in the plumbing in your home. Because lead levels may vary over time, lead exposure is possible even when your tap sampling results do not detect lead at one point in time. You can help protect yourself and your family by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. Using a filter, certified by an American National Standards Institute accredited certifier to reduce lead, is effective in reducing lead exposures. Follow the instructions provided with the filter to ensure the filter is used properly. Use only cold water for drinking, cooking, and making baby formula. Boiling water does not remove lead from water. Before using tap water for drinking, cooking, or making baby formula, flush your pipes for several minutes. You can do this by running your tap, taking a shower, doing laundry or a load of dishes. If you have a lead service line or galvanized requiring replacement service line, you may need to flush your pipes for a longer period. If you are concerned about lead in your water and wish to have your water tested, contact the Niagara Falls Water Board at (716) 283-9770. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at <https://www.epa.gov/safewater/lead>.

### IS OUR WATER SYSTEM MEETING OTHER RULES THAT GOVERN OPERATIONS?

During 2024, our system was in compliance with applicable State drinking water operating, monitoring and reporting requirements.

### INFORMATION ON LEAD SERVICE LINE INVENTORY

A Lead Service Line (LSL) is defined as any portion of pipe that is made of lead which connects the water main to the building inlet. The inventory includes potable SLs within a system. In accordance with the federal Lead and Copper Rule Revisions (LCRR) our

system has prepared a lead service line inventory and have made it publicly accessible by visiting our website at: <https://nfwb.org/reports/quality/>

#### **DO I NEED TO TAKE SPECIAL PRECAUTIONS?**

Although our drinking water met or exceeded state and federal regulations, some people may be more vulnerable to disease causing microorganisms or pathogens in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice from their health care provider about their drinking water. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium, Giardia and other microbial pathogens are available from the Safe Drinking Water Hotline (800) 426-4791.

#### **INFORMATION ON FLUORIDE IN OUR DRINKING WATER**

Our system is one of the many drinking water systems in New York State that provides drinking water with a controlled, low level of fluoride for consumer dental health protection. According to the United States Centers for Disease Control, fluoride is very effective in preventing cavities when present in drinking water at a properly controlled level. To ensure that the fluoride supplement in your water provides optimal dental protection, we monitor fluoride levels on a daily basis to make sure fluoride is maintained at a target level of 0.7 mg/L. During 2024, monitoring showed that fluoride levels in your water were within 0.1 mg/l of the target level over 99% of the time. None of the monitoring results showed fluoride at levels that approach the 2.2 mg/l MCL for fluoride.

#### **WHAT ABOUT SECURITY?**

Since the events of 9/11, we have all become more aware of security issues in our daily lives. The staff of the Michael C. O’Laughlin Water Plant is certainly no exception. The NFWB has undertaken several security improvements to safeguard your water supply, both at the plant, out in the distribution system, and with respect to cybersecurity. We encourage the community to call our facility at (716) 283-9770 or the police (911) if you happen to observe any unusual or suspicious activity around the water plant or at one of our storage tanks.

#### **WHY SAVE WATER AND HOW TO AVOID WASTING IT?**

Although our system has an adequate amount of water to meet present and future demands, there are a number of reasons why it is important to conserve water:

- ♦ Saving water saves energy and some of the costs associated with both of these necessities of life;
- ♦ Saving water reduces the cost of energy required to pump water, pumping systems and water tower;
- ♦ Saving water lessens the strain on the water system during a dry spell or drought, helping to avoid severe water use restrictions so that essential firefighting needs are met.

You can play a role in conserving water by becoming conscious of the amount of water your household is using, and by looking for ways to use less whenever you can. It is not hard to conserve water. Conservation tips include:

- ♦ Automatic dishwashers can use 15 gallons for every cycle, regardless of how many dishes are loaded. So, get a run for your money and load it to capacity.
- ♦ Turn off the tap when brushing your teeth.
- ♦ Check every faucet in your home for leaks. Just a slow drip can waste 15 to 20 gallons a day. Fix it up and you can save almost 6,000 gallons per year.
- ♦ Check your toilets for leaks by putting a few drops of food coloring in the tank, watch for a few minutes to see if the color shows up in the bowl. It is not uncommon to lose up to 100 gallons a day from one of these otherwise invisible toilet leaks. Fix it and you save more than 30,000 gallons a year.
- ♦ Use your water meter to detect hidden leaks. Simply turn off all taps and water using appliances, then check the small diamond on the meter, if it moves, you may have a leak.

#### **SYSTEM IMPROVEMENTS**

The Niagara Falls Water Board is continually making capital improvements to its distribution system. The following notable improvements were made in 2024:

1. The Water Treatment Plant roofing was aged and in need of repair. The roof replacement project was bid, and work began in 2023 to help maintain structural integrity of the facility. The new roof, approximately 85,000 square feet was completed in 2024, at a total cost of \$3,420,000.
2. Approximately 100 fire hydrants were replaced with new and many repaired for better fire protection and flushing capabilities, at a cost of approximately \$450,000.
3. Over 3,400 feet of 8-inch water main was replaced, at a total cost of over \$1,550,000.
4. The Water Treatment Plant received a new chlorine gas scrubbing system. This new unit provides for a safer and cleaner working environment, as well as better protection for the community we serve. Total investment: \$521,000.

**CLOSING**

Thank you for allowing us to continue to provide your family with quality drinking water this year. We ask that all our customers help us protect our water sources, which are the heart of our community and our way of life. Please call our office at (716) 283-9770 if you have any questions. For other information, you can call the following Monday through Friday 8 AM to 4 PM:

Water Billing and Collection – (716) 286-4350

Water Quality Laboratory – (716) 283-9770 ext. 7741

Water Related Emergencies 24 hours a day – (716) 283-9770



# Niagara Falls Water Board

## Bank on Buffalo & Keybank Account Balances

### Year 2025

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Net Change	Ending Balance	P/Y Ending Balance
January	X4873	Board Account	91,624.83	0.00	0.00	0.00	0.00	91,624.83	91,624.83
	X4881	O&M Reserve	5,625,181.00	541.63	0.00	0.00	541.63	5,625,722.63	5,625,181.00
	X4899	Depository-BOB	6,639,451.21	3,325,085.52	0.00	(4,051,153.56)	(726,068.04)	5,913,383.17	10,291,925.84
	X9220	Depository-Keybank	1,108,276.80	214,419.41	0.00	0.00	214,419.41	1,322,696.21	1,834,140.22
	X4906	Payroll	290,532.10	0.00	(1,466,635.76)	1,469,103.96	2,468.20	293,000.30	114,660.06
	X4914	Benefits	18,041.57	0.00	(6,991.83)	0.00	(6,991.83)	11,049.74	22,024.75
	X0643	Operating	1,139,807.09	0.00	(2,462,477.20)	2,582,049.60	119,572.40	1,259,379.49	543,469.84
	X4445	Grants	134.68	0.00	0.00	0.00	0.00	134.68	33,554.82
		<b>Totals</b>	<b>14,913,049.28</b>	<b>3,540,046.56</b>	<b>(3,936,104.79)</b>	<b>0.00</b>	<b>(396,058.23)</b>	<b>14,516,991.05</b>	<b>18,556,581.36</b>

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Net Change	Ending Balance	P/Y Ending Balance
February	X4873	Board Account	91,624.83	0.00	0.00	0.00	0.00	91,624.83	91,624.83
	X4881	O&M Reserve	5,625,722.63	150.00	0.00	(691.63)	(541.63)	5,625,181.00	5,625,181.00
	X4899	Depository	5,913,383.17	3,604,796.01	0.00	(3,723,668.26)	(118,872.25)	5,794,510.92	10,285,749.93
	X9220	Depository-Keybank	1,322,696.21	135,913.34	0.00	0.00	135,913.34	1,458,609.55	1,988,021.78
	X4906	Payroll	293,000.30	0.00	(613,865.56)	838,424.96	224,559.40	517,559.70	108,448.73
	X4914	Benefits	11,049.74	0.00	(5,177.68)	10,925.52	5,747.84	16,797.58	22,313.75
	X0643	Operating	1,259,379.49	0.00	(3,091,170.67)	2,875,009.41	(216,161.26)	1,043,218.23	585,029.58
	X4445	Grants	134.68	0.00	0.00	0.00	0.00	134.68	33,554.82
		<b>Totals</b>	<b>14,516,991.05</b>	<b>3,740,859.35</b>	<b>(3,710,213.91)</b>	<b>0.00</b>	<b>30,645.44</b>	<b>14,547,636.49</b>	<b>18,739,924.42</b>

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Net Change	Ending Balance	P/Y Ending Balance
March	X4873	Board Account	91,624.83	0.00	0.00	0.00	0.00	91,624.83	91,624.83
	X4881	O&M Reserve	5,625,181.00	0.00	0.00	0.00	0.00	5,625,181.00	5,625,181.00
	X4899	Depository	5,794,510.92	2,934,331.74	0.00	(2,042,014.23)	892,317.51	6,686,828.43	10,086,675.05
	X9220	Depository-Keybank	1,458,609.55	164,706.99	0.00	0.00	164,706.99	1,623,316.54	2,154,419.52
	X4906	Payroll	517,559.70	0.00	(541,889.77)	277,780.18	(264,109.59)	253,450.11	114,034.47
	X4914	Benefits	16,797.58	0.00	(6,902.73)	0.00	(6,902.73)	9,894.85	11,794.75
	X0643	Operating	1,043,218.23	0.00	(1,556,123.96)	1,764,234.05	208,110.09	1,251,328.32	529,552.28
	X4445	Grants	134.68	0.00	0.00	0.00	0.00	134.68	33,554.82
		<b>Totals</b>	<b>14,547,636.49</b>	<b>3,099,038.73</b>	<b>(2,104,916.46)</b>	<b>0.00</b>	<b>994,122.27</b>	<b>15,541,758.76</b>	<b>18,646,836.72</b>

# Niagara Falls Water Board

## Bank on Buffalo & Keybank Account Balances

### Year 2025

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Net Change	Ending Balance	P/Y Ending Balance
April	X4873	Board Account	91,624.83			0.00	0.00	91,624.83	91,624.83
	X4881	O&M Reserve	5,625,181.00	0.00	0.00	0.00	0.00	5,625,181.00	5,625,181.00
	X4899	Depository	6,686,828.43	2,805,742.31	0.00	(2,150,323.26)	655,419.05	7,342,247.48	10,161,131.52
	X9220	Depository-Keybank	1,623,316.54	208,311.47	0.00	0.00	208,311.47	1,831,628.01	871,043.73
	X4906	Payroll	253,450.11	0.00	(557,685.62)	810,991.46	253,305.84	506,755.95	108,782.85
	X4914	Benefits	9,894.85	0.00	(9,518.35)	9,973.26	454.91	10,349.76	26,455.75
	X0643	Operating	1,251,328.32	0.00	(2,066,862.87)	1,329,358.54	(737,504.33)	513,823.99	608,176.60
	X4445	Grants	134.68	0.00	0.00	0.00	0.00	134.68	690,154.68
		<b>Totals</b>	<b>15,541,758.76</b>	<b>3,014,053.78</b>	<b>(2,634,066.84)</b>	<b>0.00</b>	<b>379,986.94</b>	<b>15,921,745.70</b>	<b>18,182,550.96</b>

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Net Change	Ending Balance	P/Y Ending Balance
May	X4873	Board Account	91,624.83	0.00	0.00	0.00	0.00	91,624.83	91,624.83
	X4881	O&M Reserve	5,625,181.00	0.00	0.00	0.00	0.00	5,625,181.00	5,625,181.00
	X4899	Depository	7,342,247.48	3,288,566.59	0.00	(2,531,291.46)	757,275.13	8,099,522.61	10,904,349.66
	X9220	Depository-Keybank	1,831,628.01	313,411.46	0.00	0.00	313,411.46	2,145,039.47	1,063,357.49
	X4906	Payroll	506,755.95	0.00	(790,563.22)	529,426.79	(261,136.43)	245,619.52	304,222.44
	X4914	Benefits	10,349.76	0.00	(8,374.57)	13,098.27	4,723.70	15,073.46	18,549.95
	X0643	Operating	513,823.99	0.00	(2,110,841.70)	1,988,766.40	(122,075.30)	391,748.69	527,191.11
	X4445	Grants	134.68	0.00	0.00	0.00	0.00	134.68	690,154.68
		<b>Totals</b>	<b>15,921,745.70</b>	<b>3,601,978.05</b>	<b>(2,909,779.49)</b>	<b>0.00</b>	<b>692,198.56</b>	<b>16,613,944.26</b>	<b>19,224,631.16</b>

# Niagara Falls Water Board

1865 Wealth Advisors (Bank on Buffalo/CNB Bank)

## Treasury Account

Year 2025

Month	Beginning Balance	Net Deposits (Withdrawals)	Transfers to Depository	Change in Value	Ending Balance	Prior Year Ending Balance
January	15,512,541.84	0.00	0.00	51,375.50	15,563,917.34	15,498,212.20
February	15,563,917.34	0.00	0.00	50,610.01	15,614,527.35	15,488,100.27
March	15,614,527.35	0.00	0.00	61,765.86	15,676,293.21	15,516,830.01
April	15,676,293.21	0.00	0.00	50,487.89	15,726,781.10	15,481,160.30
May	15,726,781.10	0.00	0.00	50,609.45	15,777,390.55	15,479,055.34

# Niagara Falls Water Board

## Wilmington Trust (M&T Bank) Account Balances

### Year 2025

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Investment Income	Ending Balance	P/Y Ending Balance
January	X3250	Debt Service	2,969,528.67	459,538.06	(383,740.64)	0.00	10,696.46	3,056,022.55	5,578,111.90
	X3251	Construction	961.55	0.00	0.00	0.00	3.14	964.69	921.94
	X3252	Debt Service Reserve	7,797,646.18	0.00	0.00	0.00	29,091.34	7,826,737.52	7,481,339.53
	X9279	Expense Account	16,079.32	0.00	0.00	0.00	0.00	16,079.32	16,079.32
	X4118-0	2022A DSF	898,613.49	172,401.50	(543,005.63)	0.00	2,511.14	530,520.50	302,267.18
	X4118-1	2022A Issuance	9,619.92	0.00	0.00	0.00	0.00	9,619.92	9,619.92
	X2722	Capital Fund Construction	3,878,099.80	0.00	0.00	0.00	12,655.86	3,890,755.66	2,745,879.80
		<b>Totals</b>	<b>15,570,548.93</b>	<b>631,939.56</b>	<b>(926,746.27)</b>	<b>0.00</b>	<b>54,957.94</b>	<b>15,330,700.16</b>	<b>16,134,219.59</b>

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Investment Income	Ending Balance	P/Y Ending Balance
February	X3250	Debt Service	3,056,022.55	919,076.12	0.00	0.00	10,940.29	3,986,038.96	5,599,265.45
	X3251	Construction	964.69	0.00	0.00	0.00	2.80	967.49	925.44
	X3252	Debt Service Reserve	7,826,737.52	0.00	0.00	0.00	26,525.01	7,853,262.53	7,508,687.69
	X9279	Expense Account	16,079.32	0.00	0.00	0.00	0.00	16,079.32	16,079.32
	X4118-0	2022A DSF	530,520.50	344,803.00	0.00	0.00	2,042.30	877,365.80	442,655.83
	X4118-1	2022A Issuance	9,619.92	0.00	0.00	0.00	0.00	9,619.92	9,619.92
	X2722	Capital Fund Construction	3,890,755.66	0.00	0.00	0.00	11,306.27	3,902,061.93	2,421,329.03
		<b>Totals</b>	<b>15,330,700.16</b>	<b>1,263,879.12</b>	<b>0.00</b>	<b>0.00</b>	<b>50,816.67</b>	<b>16,645,395.95</b>	<b>15,998,562.68</b>

Month	Acct #	Account Name	Begin. Balance	Deposits	Payments	Transfers	Investment Income	Ending Balance	P/Y Ending Balance
March	X3250	Debt Service	3,986,038.96	0.00	0.00	0.00	13,343.09	3,999,382.05	5,622,053.91
	X3251	Construction	967.49	0.00	0.00	0.00	3.10	970.59	929.20
	X3252	Debt Service Reserve	7,853,262.53	0.00	0.00	0.00	29,354.00	7,882,616.53	7,537,940.23
	X9279	Expense Account	16,079.32	0.00	0.00	0.00	0.00	16,079.32	16,079.32
	X4118-0	2022A DSF	877,365.80	0.00	0.00	0.00	2,807.84	880,173.64	583,729.15
	X4118-1	2022A Issuance	9,619.92	0.00	0.00	0.00	0.00	9,619.92	9,619.92
	X2722	Capital Fund Construction	3,902,061.93	0.00	(898,487.61)	0.00	9,798.12	3,013,372.44	2,023,004.28
		<b>Totals</b>	<b>16,645,395.95</b>	<b>0.00</b>	<b>(898,487.61)</b>	<b>0.00</b>	<b>55,306.15</b>	<b>15,802,214.49</b>	<b>15,793,356.01</b>

**Niagara Falls Water Board**  
**Wilmington Trust (M&T Bank) Account Balances**  
**Year 2025**

<u>Month</u>	<u>Acct #</u>	<u>Account Name</u>	<u>Begin. Balance</u>	<u>Deposits</u>	<u>Payments</u>	<u>Transfers</u>	<u>Investment Income</u>	<u>Ending Balance</u>	<u>P/Y Ending Balance</u>
<b>April</b>	X3250	Debt Service	3,999,382.05	459,538.06	0.00	0.00	14,497.89	4,473,418.00	5,644,133.25
	X3251	Construction	970.59	0.00	0.00	0.00	3.01	973.60	932.84
	X3252	Debt Service Reserve	7,882,616.53	0.00	0.00	0.00	28,424.25	7,911,040.78	7,566,261.31
	X9279	Expense Account	16,079.32	0.00	0.00	0.00	0.00	16,079.32	16,079.32
	X4118-0	2022A DSF	880,173.64	172,401.50	0.00	0.00	3,260.19	1,055,835.33	725,257.50
	X4118-1	2022A Issuance	9,619.92	0.00	0.00	0.00	0.00	9,619.92	9,619.92
	X2722	Capital Fund Construction	3,013,372.44	0.00	(161,561.72)	0.00	9,252.08	2,861,062.80	5,847,896.06
		<b>Totals</b>	<b>15,802,214.49</b>	<b>631,939.56</b>	<b>(161,561.72)</b>	<b>0.00</b>	<b>55,437.42</b>	<b>16,328,029.75</b>	<b>19,810,180.20</b>

<u>Month</u>	<u>Acct #</u>	<u>Account Name</u>	<u>Begin. Balance</u>	<u>Deposits</u>	<u>Payments</u>	<u>Transfers</u>	<u>Investment Income</u>	<u>Ending Balance</u>	<u>P/Y Ending Balance</u>
<b>May</b>	X3250	Debt Service	4,473,418.00	459,538.06	(261,662.53)	0.00	16,113.47	4,687,407.00	5,407,330.19
	X3251	Construction	973.60	0.00	0.00	0.00	3.23	976.83	936.62
	X3252	Debt Service Reserve	7,911,040.78	0.00	0.00	0.00	29,580.72	7,940,621.50	7,595,558.61
	X9279	Expense Account	16,079.32	0.00	0.00	0.00	0.00	16,079.32	16,079.32
	X4118-0	2022A DSF	1,055,835.33	172,401.50	0.00	0.00	4,069.40	1,232,306.23	867,469.16
	X4118-1	2022A Issuance	9,619.92	0.00	0.00	0.00	0.00	9,619.92	9,619.92
	X2722	Capital Fund Construction	2,861,062.80	0.00	(332,466.36)	0.00	9,056.27	2,537,652.71	5,229,576.46
		<b>Totals</b>	<b>16,328,029.75</b>	<b>631,939.56</b>	<b>(594,128.89)</b>	<b>0.00</b>	<b>58,823.09</b>	<b>16,424,663.51</b>	<b>19,126,570.28</b>

Niagara Falls Water Board  
Personnel Actions and Report  
Monday, June 23, 2025

<b>Personnel Actions Sheet &amp; Requested of the Board.</b> <b>All appointments are subject to the appointee meeting the minimum qualifications and all applicable civil service conditions.</b>
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A. PERSONNEL ACTIONS RECOMMEND TO HIRE				
Line Item Number	Position	Department/Location	Pay Grade / Rate	ADDITIONAL INFORMATION
1	Operator Trainee	WTP	Grade 1 / \$23.86-\$25.98	To fill vacancy created by J. Sandonato transfer to Meter Technician. Job specification attached.

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				
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 Grade / Rate	ADDITIONAL INFORMATION
Jason Sandonato	Meter Technician	Meter Shop	15A.1.0 / \$23.37 hr.	Provisional/Probationary appointment effective 6/9/2025 per PA approved 5/19/2025. Provisional pending Civil Service eligible list (exam requested 6/03/2025). Previously WTP Operator Trainee, Grade 1 1.3 / \$24.53 hr. Senior qualified candidate to bid per posting proc.

E. PERSONNEL ON LONG TERM LEAVE OF ABSENCE				
Position	Last Day Worked	Dept.	Return Status	Comments
CDT Team Leader	1/28/2025	Collection & Distribution	TBD	Worker's Compensation
Sr. Admin. Asst.	12/17/2024	Administrative Services	1/28/2026	Unpaid maternity leave.

MCSC Adopted 10/23/03  
MCSC Revised 12/1/05; Reviewed 9/7/06  
MCSC Revised 4/2/09; Revised 2/17/11  
MSCS Revised 10/19/17

Competitive

### **WATER/WASTEWATER PLANT OPERATOR TRAINEE**

**DISTINGUISHING FEATURES OF THE CLASS:** This is a trainee position involving responsibility for learning, assisting and performing the duties and routines in the operation and maintenance of a municipal water or wastewater treatment facility. Initially, during a brief training period, the incumbent learns and assists in the operation of the City's water or wastewater treatment plant and undergoes on-the-job –trainings to become qualifies as an operator of a water or wastewater treatment plant. Following the training period, the incumbent will then be responsible for performing the duties solo, with only general oversight from an Operator and/or Senior Operator. The work is performed under the direct supervision of the Chief Operator or Shift Operations Supervisor. The Water/Wastewater Operator Trainee performs related work as required.

### **TYPICAL WORK ACTIVITIES:**

Performs study and reading assignments, observes demonstrations and otherwise learns the techniques of  
operation of a water or wastewater treatment plant;  
Learns and assists all of the aspects of a water or wastewater treatment plant including, pretreatment, mixing, settling, filtration, pumping, and chemical addition;  
Operates and adjusts pumps, valves and related mechanical equipment;  
Conducts physical and chemical tests required to operate a water or wastewater system;  
Calibrates automatic feeding equipment to insure proper feed rates;  
Reads and records pressures, temperatures, flows and vacuum which are common in the operation of a water or wastewater plant;  
Operates electrical and mechanical equipment common to a water or wastewater treatment plant;  
Prepares and maintains activity records and reports;  
Uses computer and instrumentation for control and operation of the water or wastewater treatment process;  
Performs preventative maintenance diagnostics, and preventative duties such as monitoring equipment for excessive vibration or high temperatures;  
Monitors and assesses equipment performance and maintains process operations by using total production operation principles of CLAW (clean, lubricate, adjust, inspect, repair);  
Performs minor electrical and instrumentation responsibilities such as calibration of instruments;  
Performs minor service and repairs to mechanical equipment such as replacing V-belts on small rotating  
equipment, disconnecting/reconnecting pipes, removing/installing small equipment, minor plumbing repairs,  
etc.  
Ensures cleanliness and safety of facilities by maintaining and cleaning work areas and promoting same.

**FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:** Working knowledge of the elementary principals of chemistry and general science; ability to learn principles and procedures relating to the operation of a Water or Wastewater Treatment Plant; ability to develop skill in the operation of pumps, valves, and related mechanical equipment; ability to read gauges and correctly record readings; mechanical aptitude; good observation; dependability; ability to get along with others; ability to understand and follow oral and written instructions; industry and dependability; tact and courtesy; physical condition commensurate with the demands of the position.

**MINIMUM QUALIFICATIONS:**

Graduation from high school or possession of a high school equivalency diploma.

**Special Requirements for Completion of the Traineeship:**

- A. The candidate will be required to take and pass a civil service examination for Water/Wastewater Treatment Plant Operator Trainee and be reachable on the eligible list.
- B. Upon successful completion of the one-year supervised training period, the candidate is required to submit the necessary paperwork to the NYS DEC and obtain all required water/wastewater treatment plant licenses and certifications.

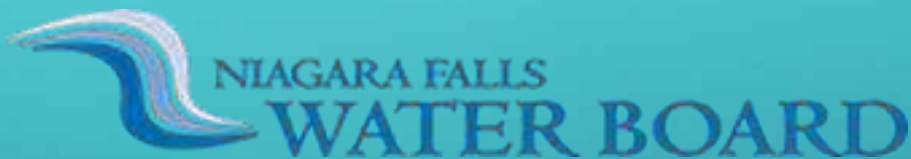
The minimum “post-examination” traineeship is eight weeks; the maximum is one (1) year, at which time the incumbent will become permanent and past probation as a Trainee. The incumbent will automatically promote to the Operator title without further examination upon receiving the appropriate water/wastewater treatment plant licenses and certifications. If the incumbent fails to obtain the water/wastewater treatment plant licenses and certifications, he/she can be removed from the position even after passing the probationary period in accordance with Local Rule XV 2(a). The civil service examination, DEC qualifications and continuing maintenance of licensure are required in order to maintain employment in this field.



# **MONTHLY OPERATIONS & MAINTENANCE REPORT**

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## **May 2025**



# NIAGARA FALLS WATER BOARD

## Monthly O&M Report

### for the Month of May 2025

#### I. Treatment & Plant Maintenance

##### A. Water – Robert Rowe, updated 06-10-2025.

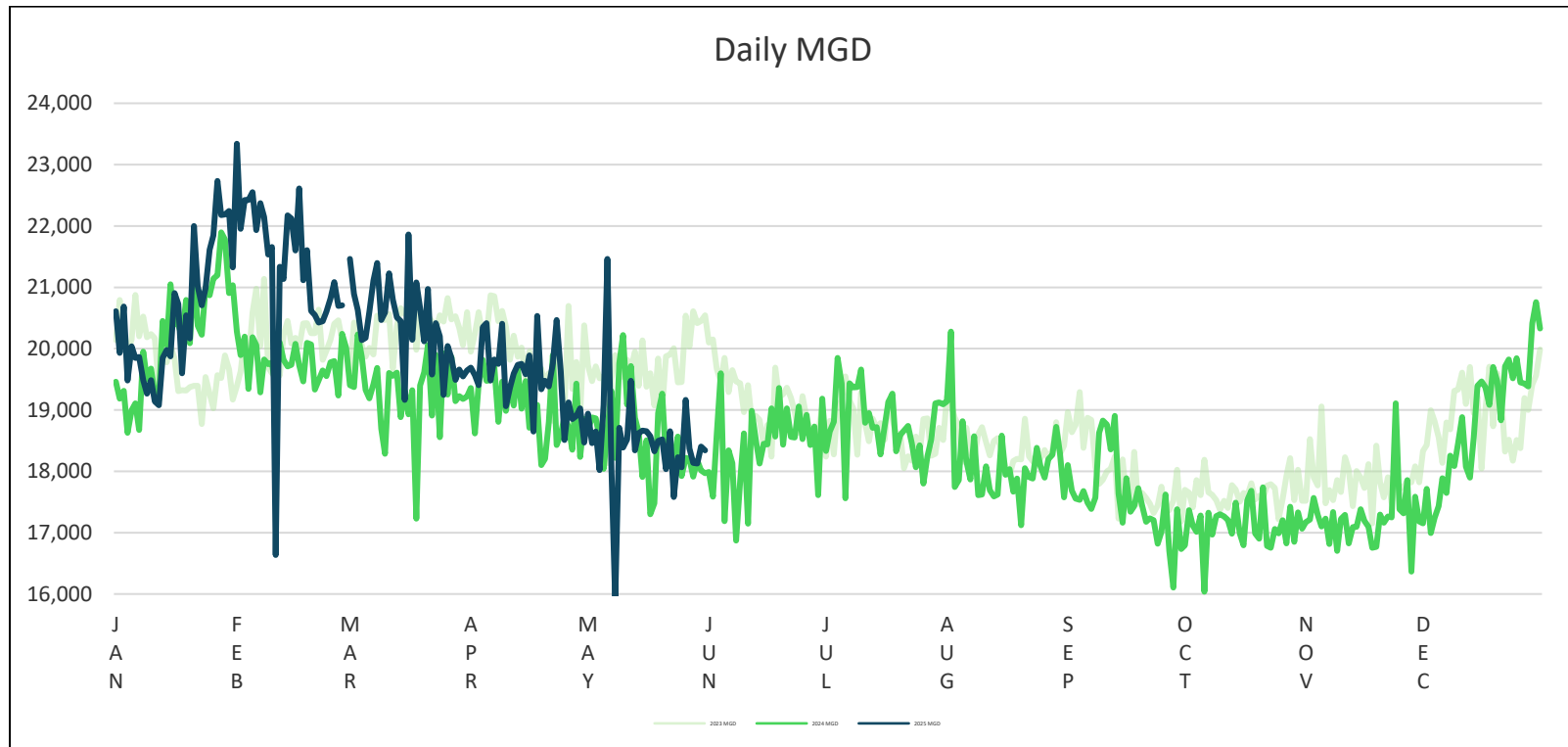
##### 1. Water Production Data

Total water production for the month of May was 573 million gallons. The average daily water production was 18.5 million gallons. The plant data summary table is included below for your reference.

#### 2025 TOTALS AND AVERAGES

	R/W	PRE CL2	PACL	H2SiF6	PO4	POST CL2	F/W 1000 GAL/ DAY
	PUMPAGE	LBS	LBS	LBS	LBS	LBS	
JAN	637380	7212	143650	14160	3425	3445	20561
FEB	598610	6938	132400	13653	3330	3250	21379
MAR	632106	7356	133500	14471	3376	3333	20391
APR	586001	8700	129700	13320	3079	2600	19533
MAY	572918	7573	96500	12658	3012	3354	18481
JUN	0	0	0	0	0	0	0
JUL	0	0	0	0	0	0	0
AUG	0	0	0	0	0	0	0
SEP	0	0	0	0	0	0	0
OCT	0	0	0	0	0	0	0
NOV	0	0	0	0	0	0	0
DEC	0	0	0	0	0	0	0
TOTAL	3027015	37779	635750	68262	16222	15982	100345

**Chart Comparing Daily Finished Water Flows, 2025 Versus Past Years**



## 2025 ANALYTICAL RESULTS

	RAW		PRE	POST	EFF		
	TURB	RAW	CI2	CI2	TURB	EFF	F. RES
	NTU	pH	RES.mg/l	RES.mg/l	NTU	pH	mg/l
<b>JAN</b>	6.7	8.2	0.58	1.22	0.032	7.7	0.70
<b>FEB</b>	1.7	8.2	0.57	1.22	0.029	7.7	0.70
<b>MAR</b>	1.9	8.2	0.63	1.24	0.031	7.7	0.71
<b>APR</b>	2.1	8.2	0.73	1.26	0.030	7.6	0.72
<b>MAY</b>	1.4	8.0	0.59	1.25	0.031	7.6	0.69
<b>JUN</b>	0.0	0.0	0.00	0.00	0.000	0.0	0.00
<b>JUL</b>	0.0	0.0	0.00	0.00	0.000	0.0	0.00
<b>AUG</b>	0.0	0.0	0.00	0.00	0.000	0.0	0.00
<b>SEP</b>	0.0	0.0	0.00	0.00	0.000	0.0	0.00
<b>OCT</b>	0.0	0.0	0.00	0.00	0.000	0.0	0.00
<b>NOV</b>	0.0	0.0	0.00	0.00	0.000	0.0	0.00
<b>DEC</b>	0.0	0.0	0.00	0.00	0.000	0.0	0.00
<b>AVG</b>	4.2	8.2	0.58	1.22	0.031	7.7	0.70

## 2. Water Plant Operations and Maintenance Highlights

Preparations are being made to change out our main line and plant water line back flow preventers and meter.

Parts to repair Transfer Switch 3 were installed, and it was determined that more parts are needed. Ferguson Electric will notify us when the parts have arrived, so we can schedule installation and generator testing.

Spring cleaning and inspection of all four sedimentation basins is complete.

Operator Trainee Jason Sandonato has transferred to the Meter Department. Best of luck to Jay!

### 3. Water Plant Maintenance Planning

This list of larger projects/needs is limited to items that remain in the planning stage; when a comprehensive plan to address has been developed it will be removed.

Priority Levels: High Medium Low

a) Bulk Chemical Storage Tank Liners High

PACL liner replacement completed, and new liner for fluoride tank is in house. Installation contractor is Kentain, anticipated July 2025 installation.

b) Backflow Preventers High

Need to be tested and repaired/replaced yearly and as necessary.

- Danforth inspected in 2024; some backflow devices could not be tested without losing chlorine capabilities.
- First of several replacements has been ordered, to be installed June 2025.

c) Painting of Filter Walls: Medium

These items are large projects because of need to work in filter area; anticipated to get underway in June 2025.

d) Settling Plate and/or Filter Upgrades: Low

Would increase efficiency during higher rates of flow to allow us to better keep up with demanding winter months and large main breaks. This could reduce water used for filter washing (and therefore discharge flow to WWTP or freeze-thaw beds).

- Plastic portions of settling plates have been flaking off, and a large sheet of material detached from a plate in 8/2023.

e) Filter # 1 Broken Wash Water Trough: High

Will be repaired when Filter # 1 is drained for painting work (item C above) in June 2025.

f) Automatic Switchover Valve for Chlorine Feed System: High

This item has been replaced, and still having some issues with failure to operate as it should. Troubleshooting recommended by manufacturer completed in May 2025, a replacement valve now has been requested.

g) Low Lift #2 Check Valve Flange: Medium

Leaking. Meetings in March and April 2025 making progress toward developing a replacement plan that minimizes the plant shutdown time required. Awaiting a proposal from Mollenberg Betz under In-Plant Mechanical Maintenance Contract.

## B. Wastewater – Dennis Kirkland, updated 06-10-2025.

### 1. Operations Data

#### a) Current Year to Date

WASTEWATER TREATMENT PLANT OPERATING DATA														
2025	FLOWS			Chlorine	Rainfall	SLUDGE		Polymer		FeCl3	LIME	H2O2	NaOCl	Grit
	EFF	CBE	GPS	Residual		NET	LANDFILL	BFP	PRIM	(gals.)	(Tons)	(gals.)	(gals.)	(Tons)
MONTH	MGD	MGD	MGD	PPM	inches	(Tons)		(Lbs)						
January	21.46	39.04	11.20	1.4	0.7	953.0	277.0	1565.0	1698.0	17660	58.5	0	303280	5.2
February	24.60	45.30	11.91	1.6	1.5	1144.0	327.0	1595.0	1473.0	18360	65.7	0	281850	19.4
March	28.14	49.11	13.14	1.7	1.6	1218.0	344.0	1355.0	1703.0	22900	61.9	0	258370	10.9
April	25.69	46.11	12.40	1.7	1.5	1479.0	378.0	1719.0	1565.0	18250	57.2	0	73035	16.9
May	24.63	44.51	12.39	1.6	3.1	1406.0	374.0	1534.0	1707.0	21320	57.6	0	143860	16.9
June														
July														
August														
September														
October														
November														
December														
Totals	24.90	44.81	12.21	1.6	8.4	6200.0	1700.0	7768.0	8146.0	98490	300.9	0	1060395	69.3

#### 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

b) Previous Year Data for Comparison Purposes

WASTEWATER TREATMENT PLANT OPERATING DATA														
2024	FLOWS			Chlorine	Rainfall	SLUDGE		Polymer		FeCl3	LIME	H2O2	NaOCl	Grit
	EFF	CBE	GPS	Residual		NET	LANDFILL	BFP	PRIM					
MONTH	MGD	MGD	MGD	PPM	inches	(Tons)		(Lbs)		(gals.)	(Tons)	(gals.)	(gals.)	(Tons)
January	31.20	46.37	13.97	1.3	2.2	1281.0	425.0	1611.0	2389.0	20570	32.1	0	166690	32.9
February	22.09	34.88	11.47	1.2	0.3	948.0	283.0	1479.0	2096.0	15700	34.5	0	153390	27.7
March	22.60	36.95	11.16	1.3	0.6	1028.0	293.0	1372.0	1938.0	17620	28.7	0	198480	18.3
April	29.39	43.97	13.60	1.3	2.6	1008.0	313.0	1586.0	1882.0	21080	47.4	0	169600	14.4
May	20.75	34.64	11.18	1.3	1.6	949.0	245.0	1578.0	1776.0	16820	34.9	0	223120	40.8
June	24.92	39.46	12.38	1.3	4.0	900.0	276.0	1550.0	1697.0	17740	37.6	0	284640	19.2
July	23.19	36.92	12.35	1.1	3.8	1014.0	294.0	2050.0	2062.0	16920	63.3	0	393030	20.2
August	20.88	32.28	11.77	0.9	2.2	781.0	215.0	2264.0	1596.0	19160	65.3	0	399080	20.5
September	21.48	33.42	11.57	0.9	2.5	965.0	288.0	1361.0	1518.0	18420	76.6	0	348410	10.1
October	20.20	36.91	11.25	1.2	1.8	1057.0	283.0	1243.0	1615.0	18750	57.9	0	470040	2.1
November	20.31	37.07	10.85	1.5	2.5	841.0	254.0	1083.0	1614.0	18900	46.3	0	233580	7.6
December	24.02	43.62	11.78	1.3	2.3	1052.0	313.0	1346.0	1555.0	20540	76.6	0	236945	10.1
Totals	23.42	38.04	11.94	1.2	26.3	11824.0	3482.0	18523.0	21738.0	222220	601.2	0	3277005	223.9

## 2. Sampling Notes

There were no concerns or other items to note with respect to sampling for this reporting period.

### 3. Capital Projects

May 2025

Sampling Notes - NONE

**Project #1 (Sedimentation Basins and Screening)** Sed Basin #1 construction by HOHL has been in progress as of March 31<sup>st</sup> and the tentative completion date is mid-June of 2025. The construction for Sed Basin #1 is not as extensive as the other basins due to most of it being worked on prior to others. The Scum building HVAC system is fully operational in all modes. The automatic portion of the Scum system itself still needs to be integrated and tested which is contingent to getting the scum well level sensor working and integrated. Motion AI will be incorporating the Scum system into SCADA when the Scum well level sensor is installed and tested. There is some concrete work and walkway changes over the Floc sections of the basins and the old mixer locations which are now covered by plates/manholes covers, this portion of the Basin work is being engineered by JMDavidson.

**Project #3 (Poly, Grit Conveyor, BFP (Belt Filter Press))** The BFP portion is moving along with Nussbaumer and Clarke. We received a 95% bid spec package and will be having a project meeting in June. NFWB personnel completed all the work that was required from in-house staff in this project. Completed the final walk through of both Polymer and Grit. We have the digital and hardcopies of O&M manuals for the Grit and Polymer portion of the Project. Nussbaumer & Clark along with Alfa Laval and Motion AI will be taking on this project within the next couple of months.

**Project #5 (Electrical)** Ferguson was authorized to replace transformers with two power centers, other portions of Project 5 are being re-evaluated by CPL. We already have the transformers installed and containment fixed/set up in power center #2 and other transformers outside of Maintenance is being reevaluated for installation.

**Project #6 (Sodium Hypochlorite Tank Replacement)** This is a new project being overseen by AECOM. We were aiming to begin this past winter but with our higher-than-normal Sodium Hypochlorite usage it wouldn't be possible to run the facility properly and in compliance with the larger of our holding tanks out of commission. This project will have to take place during our low usage times of the year, which is in the cooler months when the temperature of the water drops to 50 degrees or below. There is a kickoff meeting happening sometime in June, no set date yet.

**Project #10 (Motion AI) – Overall Controls)** Motion AI is working on some of 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. Motion AI would be involved in the HOA switch on each Gorge Pump along with other small upgrades to the GPS and NFWB system. As previously mentioned above, Motion AI has hooked up the level sensor in the scum building for project one and to work on the incorporation it into SCADA. There is more SCADA incorporations with project one and the sed basins that will need to be done as well but with actual construction still under way some of Motion AI will have to do what they can when they can.

**Update:** Projects, facility and equipment upgrades are all moving along as planned. There is no Non-Compliance or sampling updates for this month.

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 coming along well, just the way we have envisioned and in a timely manner.

#### Completed Projects:

1. Project #2 - Gorge Pump Station
2. Project #7 – HVAC System
3. Project #9 – Inside Piping
4. Project # 11 – Outside Piping



## II. Outside Pipes & Meter Shop

### A. Sewer Collection and Water Distribution – Michael Eagler Sr., updated 6/9/2025.

#### 1. Sewer Collection System Maintenance and Repairs

<b>Sewer Collections System</b>										
<b>2025</b>	<b>Service Calls</b>	<b>Flushing (Feet)</b>	<b>UFPO Responses</b>	<b>Receivers Cleaned</b>	<b>Bypass Pumping (Hours)</b>	<b>Catch Basins</b>	<b>Manholes</b>	<b>Main Repairs</b>	<b>Connections</b>	<b>Laterals</b>
<b>January</b>	79	3802	351	235	0	1	2	0	0	0
<b>February</b>	78	5754	315	198	0.5	4	3	1	1	0
<b>March</b>	84	38,099	543	123	0.2	2	2	3	2	2
<b>April</b>	88	19806	714	143	25.8	1	4	2	1	1
<b>May</b>	63	15440	1158	235	1.3	2	2	0	2	0
<b>June</b>										
<b>July</b>										
<b>August</b>										
<b>September</b>										
<b>October</b>										
<b>November</b>										
<b>December</b>										
<b>Totals</b>	392	83293	3051	1600	27.8	8	11	6	4	1

## 2. Water Distribution System Maintenance and Repairs and UFPO (U-Dig) Requests

<b>Distribution System and UFPO</b>															
<b>2025</b>	<b>Main Break</b>	<b>Svc. Leaks</b>	<b>Curb Box Reset</b>	<b>Valve Repaired</b>	<b>Valve Replaced</b>	<b>Hydrant Replaced</b>	<b>Hydrant Repaired</b>	<b>Hydrant Flow</b>	<b>Hydrant Flush- Maint.</b>	<b>Hydrant Leaks</b>	<b>Hydrants out of Svc.</b>	<b>Misc. Svc. Calls</b>	<b>Concrete</b>	<b>Landscape</b>	<b>UFPO</b>
<b>January</b>	28	5	18	1	3	2	14	6	252	0	0	79	0	0	351
<b>February</b>	12	4	19	2	0	2	1	0	305	0	0	78	0	0	315
<b>March</b>	11	8	23	0	1	5	3	17	591	0	0	84	4	0	543
<b>April</b>	1	3	17	1	2	4	7	32	630	0	0	88	40	0	714
<b>May</b>	6	7	15	2	2	3	20	116	476	0	0	63	17	15	1158
<b>June</b>															
<b>July</b>															
<b>August</b>															
<b>September</b>															
<b>October</b>															
<b>November</b>															
<b>December</b>															
<b>Totals</b>	58	27	92	6	8	16	45	171	2254	0	0	392	44	0	3051

## B. Meter Shop – Bob Reid, updated 6/10/25

### 1. Monthly Totals for Meter Shop Tasks

MONTH	WORK ORDERS	STOPPED METERS	Registers Replaced	Properties Tagged	INDUSTRIAL METERS READ	RESIDENTIAL METERS READ
JANUARY	89	7	9	9	0	7177
FEBRUARY	72	0	11	11	0	5217
MARCH	82	2	7	7	548	5376
APRIL	105	0	9	9	0	7173
MAY	99	0	9	9	0	5211
JUNE						
JULY						
AUGUST						
SEPTEMBER						
OCTOBER						
NOVEMBER						
DECEMBER						
<b>TOTAL</b>	447	9	45	29	548	30154

In May the Meter Shop read 5211 meters. Shop also tagged approx. 550 properties for non-payment. 67 properties were shut off at the street.

### 2. Meters Read by District, Day, and Employee

	REID	SCHEBELL	PAUL	DERUBEIS	TOTAL
<b>DISTRICT 3</b>					
5/1/25	1360		766	840	2966
5/2/25	1383		862		2245
<b>TOTAL</b>	2743		1628	840	5211

### III. Analytical Services, Enforcement, & Industrial

#### A. Environmental Laboratory – Jordan Boyd, updated 6-4-2025.

##### 1. NYS Water Sanitary Code Part B Monitoring/Water Analysis

Monthly collection for the Distribution System was conducted in May. 60 Samples for Free Chlorine, Turbidity, Phosphate, Fluoride, Standard Plate Count & Coliform. Those results were satisfactory and were within reporting limits. All samples were analyzed in house.

Monthly sampling for TOC, DOC & UV254 on both finished and source water were collected in May. All samples were in compliance. All samples were analyzed in house.

All in-house monitoring for process water bacteriology and chemistry was within normal limits for May. No water main breaks or community complaints were sampled in May.

Quarterly disinfection byproduct samples were collected and analyzed inhouse in May. Results are below maximum contaminant limits (MCL).

##### 2. DEC Monitoring/Wastewater Analysis

The Water Plant SPDES sample collected from the freeze thaw beds was within normal limits for May. Chloroform and Dichlorobromomethane also were sampled in May according to the WTP SPDES permit.

All required samples were collected for May for the Wastewater plant State Pollutant Discharge Elimination System (SPDES) report. All results were in compliance for May. Total Suspended Solids, Fecal Coliform, Enterococci, Total Phosphorous, and Total Organic Carbon are analyzed in house.

Industrial billing samples were analyzed in house for Total Organic Carbon and Total Suspended Solids.

Weekly samples were collected and sent out to University at Buffalo for New York State analysis of Covid-19 in the wastewater.

##### 3. Other Laboratory Information and Updates

The Chemistry Laboratory analyzed 34 Trihalomethanes, and 34 Haloacetic Acids for 18 municipalities in Niagara County. The lab also analyzed 4 samples for Total Organic Carbon, 5 Wet Chemistry Samples, 4 Trihalomethanes, and 4 Haloacetic Acids for Town of Tonawanda and 3 Wet Chemistry samples from the Village of Lewiston.

The Microbiology lab analyzed 3 samples from the Village of Lewiston. All results were reported to the representative contacts.

Revenue created for 2025 was \$9,080.00.

Samples analysis performed for 2025: 5,575.

## B. Industrial Pretreatment/Enforcement – Matthew LaGamba, updated 06-10-2025

### 1) Investigations/Enforcement Actions

Starting preparations to issue Show Cause order to Greenpac, which will conclude the open violation window for TSS/SOC since 2020 and a fine for that window will be finalized. Additional violations after the date on show cause order will be a case-by-case basis unless an Order on Consent is issued.

Niacet Violation for SOC on 5/5 due to a mechanical issue with pretreatment tank. Additional two samples to be taken. Results of the additional sampling showed significant improvement overall since the new tank was installed at Niacet.

Durez permit violation for total phenol from verification sampling on 2/2/25-2/26/25. This is the second violation this year. An informal meeting was conducted. A phenol pump leak was determined to be the cause and should no longer be an issue moving forward. Additional sampling was within limits.

Reworld Niagara I, LLC had a violation of the local limit for Dichlorobromomethane and Dibromochloromethane from the annual verification sampling performed on 4/14-15/25. Additional sampling was within limits.

An additional fee has been added to the local and permit limit violations to recover sampling expenses. TSS and SOC violations will now be charged an additional exceedance fee.

An additional fee for violations from verification samples has been added that covers recollection costs including man hours, transportation, and testing.

### 2) SIU Updates

Permit modifications – Greenpac Mill #80 for addition of a Nickel discharge limit. Water Treatment Plant #81 added TSS, SOC, and Flow permit limits.

Given the WWTP challenge with meeting its lowered permit limits for BHCs, Occidental Corporation #22 will be receiving an interim limit significantly lower than their existing permit limit of 1.0 lbs./day. Resolving Oxy's billing to fairly reflect the WTP's new (as of 12/2023) flows that pass through Oxy's monitoring station has been the focus this past month.

The enforcement department continues to receive weekly TSS/SOC updates from Greenpac/Cascades.

James Cavotta has reached out on behalf of Goodyear- Forest Glen to inquire about discharging “investigative wastewater” through (6) new wells. This project has not received any permissions/approvals from the EPA and is not expected to commence until the summer of 2025.

### 3) Cross-Connections

The Cross Connection Inspector’s 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. Cross Connections personnel have been involved in helping address private-property issues identified in connection with LaSalle Consent Order Sanitary Sewer Evaluation Survey work.

### 4) Other Information and Updates

AECOM’s work on the local limits re-evaluation commenced, but this project is being re-evaluated by management in light of the 2024 WWTP Order on Consent and the (pending) new SPDES permit. AECOM has been requested to continue assisting Industrial Monitoring department on BHC issues and permit limits.

The hauled waste moratorium imposed on August 16, 2017, remains in effect. No landfill leachate or other hauled waste is accepted for treatment at the WWTP.

## IV. Engineering

### A. Technical & Regulatory Services – Doug Williamson, updated 6-9-2025

#### 1. LaSalle SSO Abatement Program & Order on Consent R9-20080528-32

NFWB crews completed the Phase 1 work recommended by the engineering report in-house. Costs are being tracked under a Technical Force Account (TFA) for ultimate reimbursement under our \$800,000 NYSDEC WQIP grant.

Correspondence continued with Arcadis and JMD regarding the Phase 2 and 3 SSES work. NFWB crews are completing the manhole inspection and CCTV work in the Spring of 2025. We are looking into a NYSDEC Engineering Planning grant for the Phase 2 and 3 Sanitary Sewer Evaluation Surveys in LaSalle.

It is anticipated that the Consent Order will be amended to incorporate the SSES work and to eliminate the remaining work items within the schedule that have only a negligible impact on I & I in favor of higher-impact items.

## 2. WWTP Phase I and II Projects & Order on Consent R9-20170906-129

In May, we continued to work with CPL as the NFWB's project manager and the design consultants on the WWTP Phase I and II projects. We continually work on the grant reimbursements and project close-outs for construction work completed.

Project 1 Sedimentation Basins and Scum Collection System Modification: Construction at sedimentation basin no. 1 began in early April. A 90% review meeting was held with JM Davidson Engineering for the WWTP Flocculation Tank Walkways project on March 6<sup>th</sup>.

Project 3 Belt Filter Press Improvements: Investigation into BFP repairs continued in March with the manufacturer's representative from Alpha Laval and engineering consultants. A meeting to review bidding documents prepared by Nussbaumer is scheduled for June.

Project 5 Electrical System Improvements: Power center 5 transformer work and the 115 KV tie switch repair in the WWTP switchyard began in April with Ferguson Electric.

Project 10 SCADA Improvements: Work continued as necessary.

Project 12 WWTP Intermediate Pumps: The rehabilitation work on pump no. 3 continued in May.

## 3. WWTP SPDES Permit NY0026336

NYSDEC WWTP SPDES permit Notice of Intent to Renew and Modify Permit legal ad was published in the Gazette on December 27<sup>th</sup>. The proof of publication was provided to the NYSDEC on January 14<sup>th</sup>. NFWB submitted formal comments in April 2025, and we await a response from NYSDEC.

The WWTP NetDMR was approved on May 13<sup>th</sup> for April 2025 with no violations.

NFWB Data Submittal Request for Order on Consent (R9-20230411-13), Schedule B parameters for April 2025 was provided to the NYSDEC on May 13<sup>th</sup>.

2024 BHCMP annual report was submitted to the NYSDEC on May 1<sup>st</sup>.

## 4. Town of Niagara Sewer Flow Monitoring

The Town of Niagara Agreement expired on December 31, 2024. We continue to bill and receive payment, and are waiting for the Town to complete its engineering analysis of switching all or part of its sewers that we serve to the County system. We anticipate a further meeting in summer 2025 to work toward a new agreement.

2025 Spring average flow calculations were completed on April 24<sup>th</sup> and provided to the Town of Niagara.

## 5. Stormwater Management (MS4)

Sanitary Engineer M. Bilquin has been tasked with leading the NFWB effort to comply with the new statewide MS4 permit requirements. The NFWB continues to attend monthly WNY Stormwater Coalition meetings. The Stormwater Annual report was submitted by April 1st.

## 6. Engineering Support

In May, the engineering department continued to provide engineering and GIS support to NFWB departments, engineering consultants and developers as needed. Attended monthly WWTP meetings as needed regarding ongoing and planned projects.

The WWTP certificate for CBS no. 9-000155 was received on April 16<sup>th</sup>.

## 7. Capital Improvement Project Planning & Grants

In May, the 5 Year Capital Improvement Plan project progressed, related grants and CPOs written continued to be monitored and tracked. We met with EFC on May 13<sup>th</sup> and plan to meet monthly with EFC and CPL regarding the CWSRF projects, if necessary. We are continuously developing a plan of attack on all the grant funded CIP projects and providing project status updates as needed.

We received a one-year extension for WWTP Phase 1 SAM Grant Project ID 15688 from DASNY on December 16<sup>th</sup>.

### a) Water Projects

Watermain design work continued to progress in May with LaBella Associates. We met with LaBella on February 11<sup>th</sup> to review water replacement bid drawings. DWSRF 19056 NFWB submission for approval of plans and specifications for Laughlin Drive, Witkop Ave, and 85th Street Water Main Replacement Project to the NYSDOH occurred on November 21<sup>st</sup>. In May 2025, DOH was still reviewing these plans, once approved the project can be sent for bid.

The Beech Avenue water tank and 20<sup>th</sup> Street water main project continued to progress with CPL in May. The projects we plan to submit as part of the 2025 WIIA Water grant application were submitted for listing on EFC's Intended Use Plan (for low or no interest funding) on May 30<sup>th</sup>.

Lead Service Line Inventory continued with Hazen and Sawyer in May. Costs are being tracked under a Technical Force Account (TFA) for ultimate reimbursement under a future water grant. Coordination meeting was held on April 23<sup>rd</sup>. Draft grant application is largely



prepared and initial batch of replacements was listed on EFC Intended Use Plan in May 2025.

b) Sewer Projects

The LaSalle Phase 2 and 3 SSES work began in April with NFWB crews.

Project kick-off meeting was held with AECOM for the Calumet Avenue 48-inch brick sewer rehabilitation on May 1<sup>st</sup>. Sewer main CCTV work began.

c) WTP Projects

In May, we continued to address WTP projects.

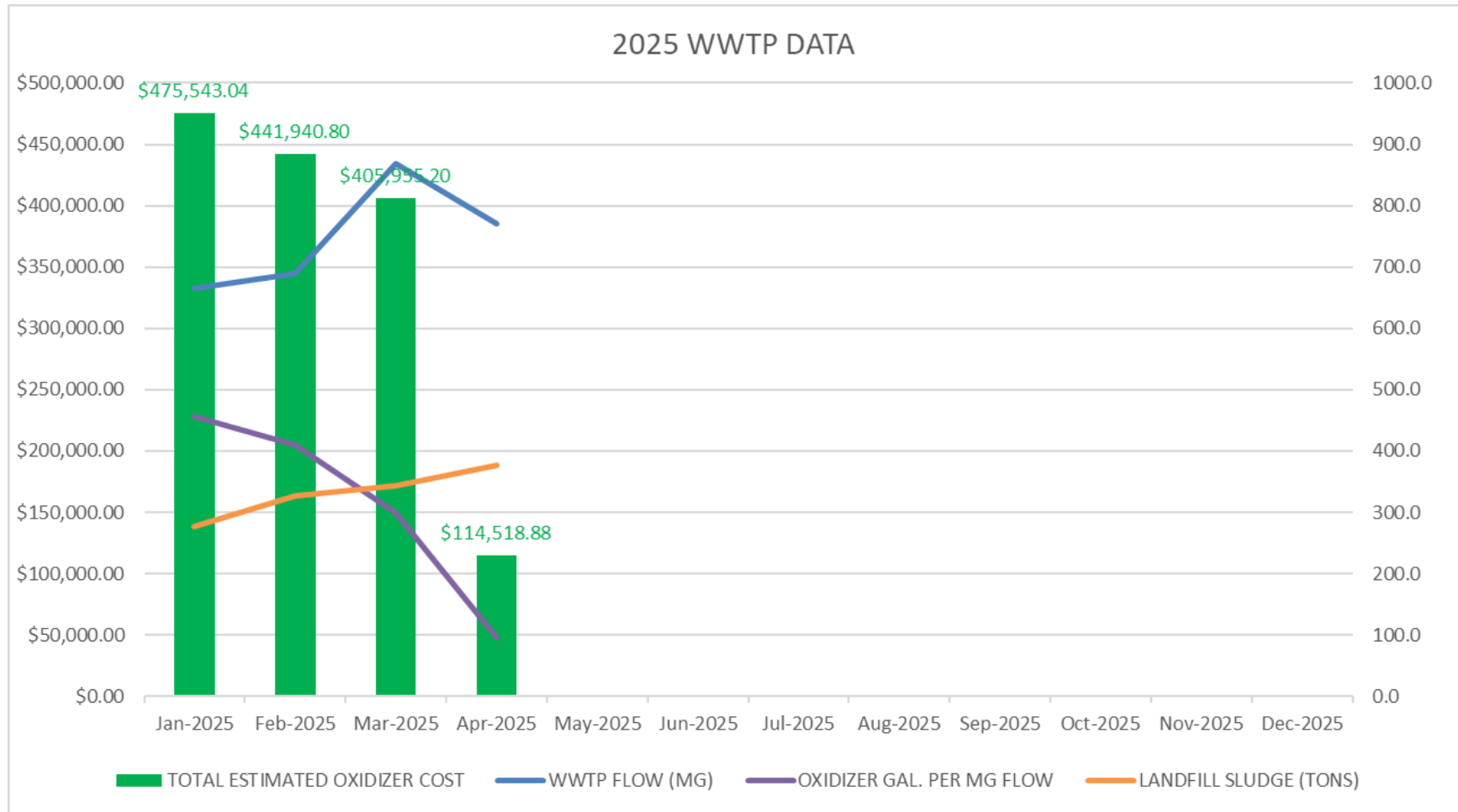
d) WWTP Projects (additional)

Tank 216 and backwash hypo pump replacement 50% bid drawings were received from AECOM on August 29<sup>th</sup>. Further work on the project was paused pending decrease in sodium hypochlorite demand that seems associated with temporary conditions at SIU.

We met with AECOM on November 6th and continue to investigate potential WWTP projects due to the Order on Consent (R9-20230411-13). Contract is in place and kickoff meeting for these projects is anticipated in June 2025.

Capital Improvement Plan Summary (2025-29):			Ongoing Projects and Budgets			2025	5/1/2025		Responsibility			
CIP NO.	Description	Total Budget	Rating	Phase	% Done	Grant		Project No.	Engineer	Project Manager	Supplier	Contractor
C	COMBINED PROJECTS	\$1,425,000	TOTALS									
1	IT Plan Implementation	\$150,000	Medium	NFWB	33%	None		None	NFWB	NFWB	As Needed	As Needed
2	Meter Replacement & Upgrades	\$350,000	Medium	NFWB	33%	None		None	NFWB	NFWB	Neptune	As Needed
3	Fleet Replacement	\$400,000	Medium	NFWB	33%	None		None	NFWB	NFWB	As Needed	As Needed
4	Water/sewer GIS/GPS Mapping	\$25,000	Medium	NFWB	33%	None		None	NFWB	NFWB	As Needed	As Needed
5	Combined Projects - Miscellaneous	\$500,000	High	NFWB	33%	None		None	As Needed	As Needed	As Needed	As Needed
WWTP	WWTP INFRASTRUCTURE PROJECTS	\$11,410,000	TOTALS									
1	WWTP Project No.1 - Sedimentation Basins	\$1,000,000	High	Construction	95%	SAM Grant #15688 WWTP Phase I		C9-6603-12-00	AECOM	CPL	Brentwood	Hohl Industrial
3	WWTP Project No.3 - BFP Improvements	\$1,000,000	High	Design	75%	SAM Grant #15689 WWTP Phase II		C9-6603-12-00	Nussbaumer	NFWB	Alpha Laval	TBD
5	WWTP Project No.5 Electrical Improvements	\$375,000	High	Construction	60%	SAM Grant #15688 WWTP Phase I		C9-6603-12-00	EI Team	CPL	Zang Agency	Ferguson
10	WWTP SCADA Improvements	\$100,000	High	Construction	20%	SAM Grant #15688 WWTP Phase I		C9-6603-12-00	Motion AI	Motion AI	As Needed	Motion AI
11.5	WWTP Intermediate Pump Upgrades	\$2,460,000	High	Construction	50%	SAM Grant #15689 WWTP Phase II		C9-6603-12-00	As Needed	As Needed	As Needed	As Needed
12	WWTP Roof Repairs	\$500,000	On Hold	On Hold	0%	2021 WIIA Sewer Grant		C9-6603-14-00	TBD	TBD	TBD	TBD
13	WWTP Chemical Bulk Storage	\$375,000	High	Design	50%	SAM Grant #15689 Phase II & 2021 WIIA Sewer Grant		C9-6603-12-00 & C9-6603-14-00	AECOM	TBD	TBD	TBD
14	WWTP Structural / Masonry Repairs	\$850,000	Medium	NFWB	33%	2021 WIIA Sewer Grant		C9-6603-14-00	As Needed	As Needed	As Needed	As Needed
16	WWTP Upgrades - Building and Site Projects	\$3,750,000	On Hold	On Hold	0%	2021 & 2022 WIIA Sewer Grant		C9-6603-14-00 & 16-00	As Needed	As Needed	As Needed	As Needed
17	WWTP Infrastructure Projects - Miscellaneous	\$1,000,000	High	As Needed	33%	Potentially in grants above		As Applicable	As Needed	As Needed	As Needed	As Needed
S	SEWER INFRASTRUCTURE PROJECTS	\$2,200,000	TOTALS									
2.1	Sanitary Lift Station Upgrades	\$200,000	High	NFWB	33%	None		None	NFWB	NFB	As Needed	NFWB
3	Lasalle Area Sewer Improvements (SSO)	\$850,000	High	Evaluation	20%	EPG Grant & WQIP Grant		C9-6603-13-00	Arcadis	Arcadis	TBD	TBD
7.1	Calumet Avenue Sewer Main	\$650,000	High	Design	10%	2023 WIIA Sewer Grant		C9-6603-17-00	AECOM	TBD	TBD	TBD
17	Sewer /GPA Infrastructure Projects - Miscellaneous	\$500,000	High	As Needed	33%	Potentially in grants above		As Applicable	As Needed	As Needed	As Needed	As Needed
WTP	WTP INFRASTRUCTURE PROJECTS	\$2,375,000	TOTALS									
1	WTP Pump and Piping Replacements	\$150,000	High	NFWB	33%	None		None	As Needed	As Needed	Fluid Kinetics	Moley Indust.
2.1	WTP SCADA Control System Upgrades	\$500,000	High	Evaluation	15%	2021 WIIA Water Grant		DWSRF 19056	Nussbaumer	TBD	TBD	TBD
2.2	WTP Security Upgrades	\$25,000	High	NFWB	33%	2021 WIIA Water Grant		DWSRF 19056	As Needed	As Needed	As Needed	As Needed
6	WTP Building Improvements and Caulking	\$250,000	Medium	NFWB	33%	None		None	NFWB	NFWB	As Needed	NFWB
6.4	WTP Fluoride System Upgrades	\$450,000	On Hold	On Hold	0%	2021 WIIA Water Grant		DWSRF 19056	TBD	TBD	TBD	TBD
7	WTP Infrastructure Projects - Miscellaneous	\$1,000,000	High	As Needed	33%	Potentially in grants above		As Applicable	As Needed	As Needed	As Needed	As Needed
W	WATER INFRASTRUCTURE PROJECTS	\$11,008,000	TOTALS									
1	Hydrant Replacement	\$340,000	High	NFWB	33%	2021 WIIA Water Grant		DWSRF 19056	NFWB	NFWB	K & S	NFWB
2 & 2.1	Beach Ave. Tank to Ontario St. & Tank Replacement	\$2,000,000	On Hold	Design	50%	2021 WIIA Water Grant		DWSRF 19056	CPL	TBD	TBD	TBD
3	Large Valve Replacement	\$400,000	High	NFWB	33%	2021 WIIA Water Grant		DWSRF 19056	NFWB	NFWB	Core & Main	NFWB
5	Lead Service Lateral Inventory (LSLI)	\$500,000	High	Evaluation	10%	2022 Bipartisan Infrastructure Law		DWSRF 19405	Hazen & Sawyer	Hazen & Sawyer	TBD	TBD
9	10th Street and Michigan Avenue Mains	\$850,000	High	Design	15%	2018 WIIA Water Grant		DWSRF 18588	LaBella	TBD	TBD	TBD
13	81st Street	\$2,080,000	High	Design	15%	2022 WIIA Water Grant		DWSRF 18587	LaBella	TBD	TBD	TBD
15	College Terrace	\$500,000	High	Design	85%	2022 WIIA Water Grant		DWSRF 18587	LaBella	TBD	TBD	TBD
17	Laughlin Drive Main - 82nd Street to Bollier Ave.	\$950,000	High	Design	90%	2021 WIIA Water Grant		DWSRF 19056	LaBella	TBD	TBD	TBD
21	Ontario Avenue Main - 13th Street to Main Street	\$840,000	High	Design	15%	2021 WIIA Water Grant		DWSRF 19056	LaBella	TBD	TBD	TBD
24 & 24.1	Rivershore Drive & West Rivershore	\$1,000,000	High	Design	60%	2022 WIIA Water Grant		DWSRF 18587	LaBella	TBD	TBD	TBD
25	Van Rensselaer Ave - 900 Block	\$148,000	High	Design	85%	2021 WIIA Water Grant		DWSRF 19056	LaBella	TBD	TBD	TBD
29	Witkop Avenue and 85th Street Loop (all 8")	\$800,000	High	Design	90%	2021 WIIA Water Grant		DWSRF 19056	LaBella	TBD	TBD	TBD
30	Water Infrastructure Projects - Miscellaneous	\$600,000	High	As Needed	33%	Potentially in grants above		As Applicable	As Needed	As Needed	As Needed	As Needed
Totals		\$28,418,000	* - Yearly budgets are currently estimated									

## 8. WWTP Flow, Oxidizer, and Sludge Data Summary



## 9. WWTP Oxidizer Data

### a) Current Year Data

#### 2025 OXIDIZER BUDGET

BUDGET = \$6,500,000.00 for year

COST = \$1,437,957.92 to date

% USED = 22.12% to date

BUDGET = \$17,808.22 per day avg.

\$541,666.67 per month avg.

COST = \$11,982.98 per day avg.

\$359,489.48 per month avg.

24.9

Flow (MGD)

120

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 TONS PER MG	FERRIC CHLORIDE (GAL)	LIME (TONS)
Jan-2025	665.1	0	303,280	456	\$475,543.04	276.6	0.42	17,660.0	58.5
Feb-2025	688.7	0	281,850	409	\$441,940.80	326.5	0.47	18,360.0	65.7
Mar-2025	868.2	0	258,900	298	\$405,955.20	344.1	0.40	22,740.0	64.2
Apr-2025	770.6	0	73,035	95	\$114,518.88	377.6	0.49	18,250.0	57.2
May-2025									
Jun-2025									
Jul-2025									
Aug-2025									
Sep-2025									
Oct-2025									
Nov-2025									
Dec-2025									
TOTALS	2,992.7	0	917,065	315	\$1,437,957.92	1,324.8	0.44	77,010.0	245.6

Low value for year

High value for year

b) Prior-Year Oxidizer Data for Comparison

**2024 OXIDIZER BUDGET**

**BUDGET = \$6,500,000.00** for year

**COST = \$4,369,412.81** to date

**% USED = 67.22%** to date

**BUDGET = \$17,808.22** per day avg. **\$541,666.67** per month avg.

**COST = \$11,970.99** per day avg. **\$364,117.73** per month avg.

**24.3**

**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 TONS PER MG	FERRIC CHLORIDE (GAL)	LIME (TONS)
Jan-2024	924.9	0	163,680	177	\$258,941.76	360.0	0.39	19,860.0	40.7
Feb-2024	644.8	0	149,340	232	\$236,255.88	275.0	0.43	15,880.0	34.1
Mar-2024	1,024.5	0	242,440	237	\$383,540.08	401.0	0.39	22,820.0	46.5
Apr-2024	850.2	0	139,155	164	\$220,143.21	385.6	0.45	21,090.0	51.3
May-2024	641.1	0	224,870	351	\$355,744.34	256.6	0.40	16,720.0	29.4
Jun-2024	776.6	0	290,120	374	\$458,969.84	292.0	0.38	18,440.0	40.5
Jul-2024	716.9	0	398,810	556	\$630,917.42	294.2	0.41	17,100.0	69.3
Aug-2024	649.7	0	390,530	601	\$617,818.46	205.0	0.32	19,200.0	57.6
Sep-2024	582.8	0	250,120	429	\$395,689.84	203.2	0.35	14,460.0	37.2
Oct-2024	626.2	0	188,250	301	\$297,811.50	226.2	0.36	15,850.0	37.4
Nov-2024	599.5	0	172,040	287	\$272,167.28	292.0	0.49	15,640.0	38.1
Dec-2024	838.5	0	152,600	182	\$241,413.20	248.1	0.30	18,470.0	39.8
TOTALS	8,875.7	0	2,761,955	324	\$4,369,412.81	3,438.9	0.39	215,530.0	521.9

Low value for year

High value for year

## V. Information Systems & Technology

Information Technology (IT) – Jonathan Joyce, updated

6-10-2025

### Primary System Statuses

- VMware / Scale 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 – No incidents to report.

### Updates & Projects

**Darktrace & CISA scans found no high-level security vulnerability. That was corrected**

- Spectrum Enterprise contract waiting for installation date
- Scale computing configured started to move machine
- Mobile Device Management software completely deployed
- Continue to cloning new computers to windows 11. On target to have all computers update before end of support of window 10.
- Continue to deployed new cloud backup strategy for on Prem servers, looking for solution for cloud data



*Water You Can Trust.*

**ACCEPTING GALLAGHER PROPOSAL FOR WORKERS' COMPENSATION  
INSURANCE AND APPROVING MEMBERSHIP IN NEW YORK STATE  
MUNICIPAL WORKERS' COMPENSATION ALLIANCE**

**WHEREAS**, the Niagara Falls Water Board ("Water Board") routinely reviews its insurance coverages and has worked with various insurance brokers to obtain the best possible combination of service and price; and

**WHEREAS**, the Water Board has met its statutory obligation to provide Workers' Compensation insurance as a self-insured entity participating in a group self-insurance plan, PERMA, since 2015; and

**WHEREAS**, in advance of the July 1, 2025 renewal of its Workers' Compensation policy, the Water Board received a proposal from insurance broker Arthur J. Gallagher & Co. ("Gallagher"), which now owns what formerly was the Evans Insurance Agency, to place the Water Board's Workers' Compensation coverage with the New York State Municipal Workers' Compensation Alliance ("Comp Alliance"); and

**WHEREAS**, the proposed Comp Alliance annual member contribution is \$402,177 plus a required NYS Assessment estimated at \$11,000 for a total cost of \$413,177 and as a reduction to the total cost of Comp Alliance participation the Water Board will receive a "Member Loyalty" incentive payment from Comp Alliance of 1% of premium (approximately \$4,000) in fall 2025; and

**WHEREAS**, after all applicable discounts the proposed renewal premium from PERMA inclusive of the NYS Assessment is \$444,122; and

**WHEREAS**, Comp Alliance has agreed to offer a two-year participation period at the same rate, providing the Water Board with a stable and predictable rate for the 2026-2027 policy period; and

**WHEREAS**, Comp Alliance will provide without additional charge to the Water Board a large variety of training resources, including web-based classes, as well as other loss control resources; and

**WHEREAS**, Gallagher also has agreed to provide without additional charge to the Water Board access to its own electronic training and loss control resources, and to have a member of its risk control group become a regular attendee at Water Board safety committee meetings to provide guidance, support, and access to appropriate resources; and

**WHEREAS**, participating in the Comp Alliance requires that the Water Board enter into membership pursuant to the "New York State Municipal Workers' Compensation Alliance Plan Document" pursuant to Section 50 3-a of the Workers' Compensation Law (the "Plan"); and

**WHEREAS**, the Water Board has reviewed the Plan and the Plan document, and has concluded that it would be in the best interests of the Niagara Falls Water Board to participate therein;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Niagara Falls Water Board hereby accepts the June 2025 proposal of Arthur J. Gallagher & Co. to serve as its insurance broker for the purpose of procuring group self-insurance from the New York State Municipal Workers' Compensation Alliance; and

**IT IS FURTHER RESOLVED**, that the Niagara Falls Water Board enter into membership in the New York State Workers' Compensation Alliance Plan (the "Plan") pursuant to Section 50 3-a of the Workers' Compensation Law; and

**IT IS FURTHER RESOLVED**, that on behalf of the Niagara Falls Water Board, its Executive Director be and hereby is authorized and instructed to execute the Plan's charter document; and

**IT IS FURTHER RESOLVED**, that the Niagara Falls Water Board hereby authorizes participation in the Plan for the Workers' Compensation Insurance policy periods from July 1, 2025 to June 30, 2026 and July 1, 2026 to June 30, 2027, and payment to the Plan of a contribution in the amount of \$402,177 for each policy period, as well as payment of the additional required annual NYS Assessment for each policy period; and

**IT IS FURTHER RESOLVED**, that consistent with the requirements of the Plan, custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

On June 23, 2025, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Cole	[    ]	[    ]	[    ]	[    ]
Board Member Dean	[    ]	[    ]	[    ]	[    ]
Board Member Kimble	[    ]	[    ]	[    ]	[    ]
Board Member Larkin	[    ]	[    ]	[    ]	[    ]
Chairman Sirianni	[    ]	[    ]	[    ]	[    ]

Vote Witnessed By:

---

Sean W. Costello, Secretary to Board






# 2025 Workers Compensation Insurance Program


# Gallagher Public Sector Overview

## GALLAGHER WNY TEAM


### TEAM MEMBERS




**Randy Glenn** AAI, cyRM,  
CCIC  
Area Vice President




**Rob Glenn**  
Area Vice President




**Josh Merewether,**  
CSRM, CRM  
Area Vice President




**Marissa Metzger,**  
CPCU, CIC  
Client Service Director




**Chris Ross, RMPE**  
Sr. Client Service Manager




**Holly Allen**  
Client Service Manager



**Mike Bunce**  
Client Service Associate



**Roly Orama**  
Regional Claims Advocacy Leader



**Tom Marino, CSP, ARM**  
Risk Control Consultant

## PUBLIC SECTOR EXPERTISE

  
**12,000+**  
clients

  
**450+**  
dedicated experts

  
**\$3.3B+**  
in annual premium

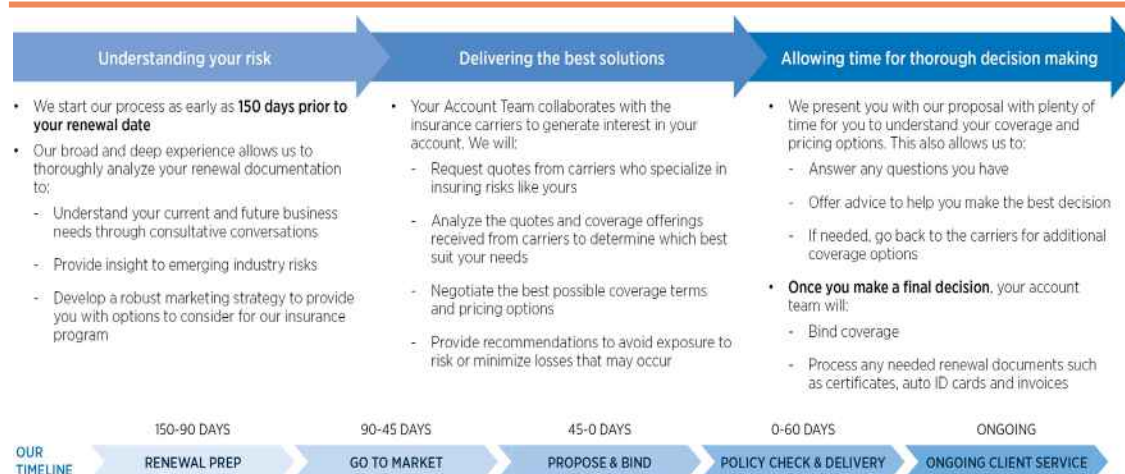
### LOCAL PRESENCE

- 76 municipalities & 43 school district clients – more than any broker in WNY
- \$20M+ in premium volume placed
- Dedicated team housed out of our Buffalo office

### VALUE PROPOSITION

- Mitigate your total cost of risk – act as your outsourced Risk Manager
- Purchasing power and resources of largest public sector broker in the country while delivering localized/unique service experience
- Direct access to specialized markets, timely analysis of risk management issues, effective use of technology to streamline processes

## WE MAKE TRANSITION EASY



## ABOUT GALLAGHER

Founded in  
**1927**

**\$11.3B**  
Total adjusted brokerage and  
risk management revenues  
Full year 2024

**56,000**  
Employees worldwide  
As of December 31, 2024

**970+**  
Offices globally

**130+**  
Countries served



# Gallagher Municipalities

Western NY area – by the numbers

76

clients

\$12M+  
premium placed

480+

policies placed

You're in good company



# Proposed Program



## Quote / Declaration Page

6/12/2025

### Niagara Falls Water Board

5815 Buffalo Avenue  
Niagara Falls NY, 14304

### Evans Agency (AJG)

285 Delaware Avenue, Suite 4000  
Buffalo, NY 14202

Coverage Period (7/1/2025 - 6/30/2026)  
Workers' Compensation & Employer's Liability - Statutory

Class Code	Description	Annual Payroll	Annual Contribution
6319	Gas Main or Connection Construction	\$562,650	\$42,287.56
7520	Waterworks Operation	\$1,326,479	\$144,807.45
7542	Meter Reader - Utility Company	\$292,148	\$19,102.77
7580	Sewage Disposal Plant	\$3,239,389	\$160,078.60
8810	Clerical Office Employees	\$1,069,369	\$2,612.07
9410	Municipal Township noc	\$246,064	\$33,288.55
	<b>Totals</b>	<b>\$6,736,099</b>	<b>\$402,177</b>

Experience Modification Factor	2.01
Total Funding Contribution (7/1/2025 -6/30/2026)	\$402,177

Annual NYS Assessment will be invoiced separately for the estimated amount	\$11,000
Total Annual Funding + Estimated Annual NYS Assessment	\$413,177

## Proposed Services

- Access to Gallagher STEP training platform free of charge for unlimited users and unlimited modules. This platform is oriented to both Workers Comp and Property & Casualty training.
- Access to Comp Alliance Academy free of charge for unlimited users and unlimited modules. This platform is oriented to work related injury and employee safety training.
- Participation from both Gallagher and Comp Alliance at safety committee meetings and Comp Alliance loss control surveys conducted once annually.
- Access to Gallagher Go online portal for policy access, certificate creation and Gallagher Drive analytics and claim data.
- Dedicated service team consisting of 3 Area Vice Presidents, 1 Client Service Manager, 1 Claims Advocate from Gallagher, a dedicated AVP of claims from Comp Alliance, a Sr. Risk control specialist from Comp Alliance, and a Risk control Specialist from Gallagher.
- We are open to annual, semi-annual or quarterly claims review meetings depending on claim activity.



# Addressing *Your* Cost Drivers

What costs do or could you have?



# Addressing *Your* Cost Drivers

## Gallagher CORE360<sup>™</sup> Toolbox

Available tools by cost driver used by the Public Sector & K-12 Education Practice



### Leveraging Expertise:

- [Salesforce Chatter](#)
- RMIS Tools +

### Market Submission Tools:

- Loss Control Marketing Reports
- Loss Runs | Loss Summary

### Risk Financing Options:

- Control Continuum
- Retention Analysis & Data Analytics

### Property Analytics:

- Probabilistic CAT Modeling (RMS)
- Gallagher Forecast
- Property Appraisals/Valuation & PML Studies +

### Casualty Analytics:

- Loss Picks
- Reserve Analysis
- X-Mod Calculation
- Collateral Review
- Loss Stratification (with Loss Summary)
- Umbrella Limit Benchmarking

### Management Liability Analytics:

- Executive & Financial Proprietary Risk Modeling

### Alternative Risk Financing:

- [Insurance Pools & Joint Purchasing Agreements](#)
- Captive Solutions (Artex)+

### Gallagher Policy Checklist:

- Gallagher Policy Analysis (GPA) for P&C

### Client Advantage | Umbrella/Excess:

- Umbrella Advantage
- [Excess Advantage for the public sector](#)

### Client Advantage | Specialty Lines:

- Executive Advantage
- Builders Risk
- Cyber Advantage
- Equipment Breakdown
- [GISIP for Independent Schools](#)
- [Scholastic First](#)
- [Charter First](#)

### Business Continuity:

- Business Continuity & Resilience Solutions +

### Alternative Risk Financing:

- Captive Solutions (Artex)+

### Enterprise Risk Management:

- [Gallagher RiskMap](#)
- [Enterprise Risk Management \(ERM\) Services +](#)
- [ERM Risk Track +](#)

### Policies not purchased, such as +:

- Cyber/Privacy Liability
- Environmental Liability
- Professional Liability
- Fine Arts Coverage
- OCIP/CCIP & Administration
- Tenant-User Liability Program (TULIP)
- [Gallagher Crisis Protect](#)
- [Violent Malicious Acts](#)
- [Terrorism Plus](#)
- [Gallagher Athletic/Student Accident Insurance](#)
- [International Liability & Trip Cancellation](#)

### Loss Prevention:

- eRiskHub for Cyber
- Gallagher STEP
- Property Loss Control
- Safety Consulting
- Employee Training
- [E-newsletters & Whitepapers](#)
- [Gallagher Crisis Protect](#)
- [Topical Webinars & Training Modules](#)

### Claims:

- [GPS Relationships w/ Carrier Claims Teams](#)
- Claims Advocacy Services
- Collateral Review & Analysis
- TPA Selection & Advocacy +

### Contractual Liability:

- Contract Review
- Certificate Issuance
- Gallagher Verify +

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Tools in blue font are specific to the Practice  
(+) These tools may incur additional cost

# Claims Advocacy

Gallagher's claim professionals have vast expertise across all lines of coverage and industries. With an average of 20 years of experience, our staff consists of more than 150 claims professionals across the country deliver superior claims services to our clients.

## Initial Claim Reporting

- Reporting claims promptly to insurance carriers is essential in obtaining the most desirable result. For claims that require our immediate involvement, we provide alternative methods so our claims professionals can quickly engage.

## Advocacy

- Our job is to ensure you receive the highest level of service from your carriers and that coverage is interpreted in your best interest. We address your coverage questions as they arise and aggressively advocate on your behalf when necessary.
- We also:
  - Intervene on claims involving coverage issues and reservation of rights letters
  - Advise on selection of defense counsel
  - Work with claims adjusters to pursue the best defense strategy

## Large loss consultation

- We possess the high level of claims expertise and knowledge to solve problems and deliver optimal results.
- Our claims team immediately engages the adjuster and, if required, upper management.
- We continue to consult on the claim until it is resolved as efficiently as possible with the best possible outcome.

## Claims Review

- For clients whose program includes claim reviews, our goal is to drive claims to a proper, timely conclusion. We recommend that our claims team participate in all carrier claim reviews.
- We will:
  - Agree on a schedule for the reviews with you and your carrier
  - Coordinate the type of review, in person or on phone, secure a location for the review, and identify files to be reviewed, all in coordination with your team
  - Participate in the claim reviews to provide value-added expertise
  - Deliver a summary of claim reviews timeframes



# Tools & Resources

## Gallagher's Proprietary Tools



### STEP

Gallagher Safety Training Education Platform (STEP) simplifies administration of your safety programs and keeps employees up to date with the latest safety standards. Register for up to 10 modules every year from a library of over 100 training and safety shorts.

### GO

Gallagher Go allows you to create, manage, and send certificates of insurance on their own. Clients can be authorized to issue certificates when needed, giving your team full access to process certificates whenever necessary.

### SUBMIT

Gallagher Submit enables you to access and manage insurance applications and exposures, share documents for e-signatures, and delegate tasks to colleagues for completion—all in one secure location.

### DRIVE

Gallagher Drive™, our premier data and analytics platform, combines market condition, claims history and industry benchmark information, giving you access to real-time data to optimize risk management programs.

### RISKMAP

The Gallagher RiskMap tool uses survey results from key leaders of the organization regarding risks common to their industry guide leaders through a discussion of the most important uncertainties facing their business.

# Gallagher STEP (Safety Training Education Platform)

## Key Benefits of Gallagher STEP



Insurance Premiums



Program Structure



Coverage Gaps



Uninsured & Uninsurable Losses



Loss Prevention & Claims



Contractual Liability

- Register for up to 10 complimentary modules every year from a library of over 100 training and safety shorts. In addition, monthly bulletins are available, covering topics such as general and environmental safety, human resources, and health and wellness.
- Save valuable time by assigning employee training and monitoring their latest progress and completion.
- Simplify the process of training to stay in compliance and avoid costly penalties.
- Onboard and train an unlimited number of users while enhancing your overall risk control program.
- Various HR Resources including HR Self Assessments, Knowledge Base and Sample Workplace Policies and Forms.

## Most Popular Training Modules

- Sexual Harassment and Discrimination
- Slip, Trip and Fall Training
- Electrical Safety Training
- Back Safety Training
- Bloodborne Pathogens
- Safe Lifting Practices
- Defensive Driving Basics
- Fire Prevention Basics
- Personal Protective Equipment
- GHS Hazard Communication

# Gallagher Go

## Client Self-Service Portal

Gallagher Go was designed with our clients in mind:

- **Simplified Access:** One home for your Gallagher digital tools and resources.
- **24/7 Availability:** Anytime, anywhere – from a computer, phone or tablet.
- **Streamlined Support:** Submit requests securely and instantly to your Gallagher team

**A centralized home for your risk management needs, from service to insights:**

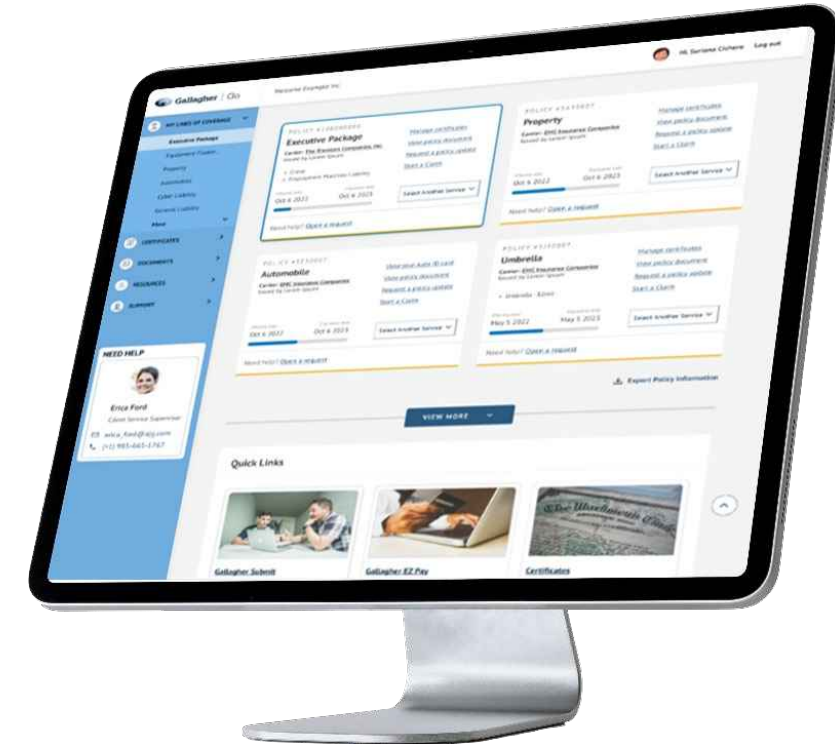
View your policies and coverage details

Retrieve and share documents

Manage certificates

Submit service requests

Access Gallagher Drive reports

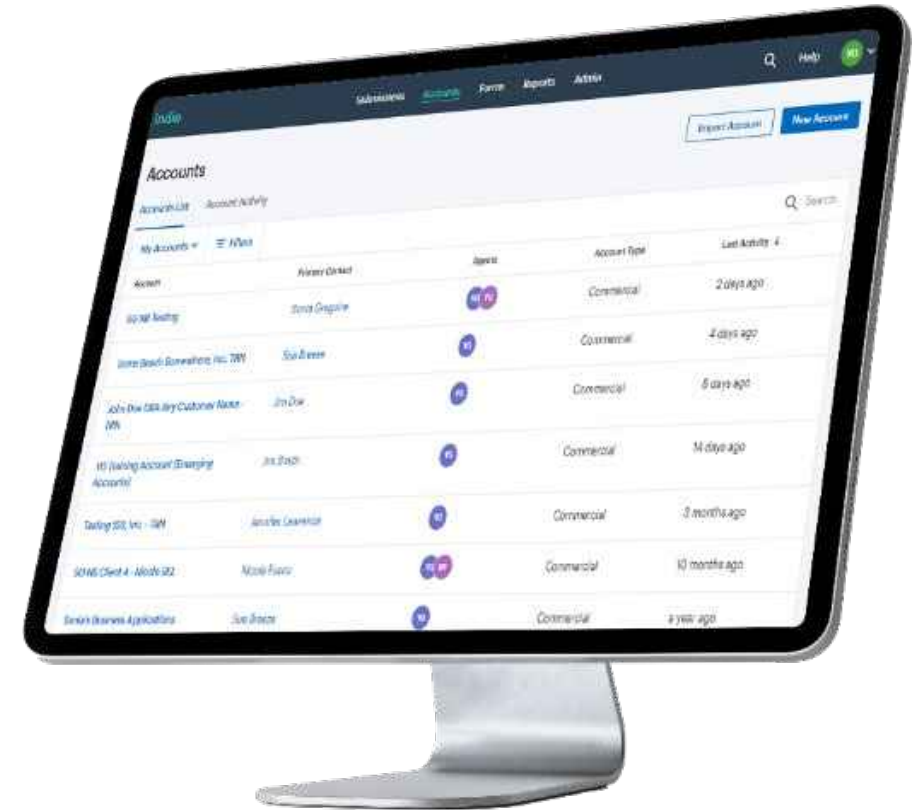


 Gallagher | Go

# Gallagher Submit

## Streamlining the submission and renewal process

- Secure digital platform enabling you to access and manage your insurance applications and exposures, share documents for e-signatures and delegate tasks to colleagues for completion
- Gallagher Submit helps organizations:
  - Streamline collaboration with teams
  - Easily deploy electronic signatures
  - Secure sensitive data



# Gallagher Drive

## Gallagher Drive – Our analytics platforms and services

Gallagher Drive is our premier data and analytics platform that combines market condition, claims history and industry benchmark information to give our clients and carriers the real-time data they need to optimize risk management programs.

Benchmarking Services

Placement Analytics

Claims Analytics

Consulting Services & Solutions



Gallagher eRiskHub® is an interactive digital resource designed to keep our clients educated about their current cyber risks by providing access to cost calculation tools, training programs and learning resources that help minimize cyber threats. We leverage this tool to help clients better understand privacy, cyber and security exposure.

### Key Features of the Gallagher eRiskHub®

- **Gallagher Cyber Risk Due Diligence** - A six-step process designed to walk clients through a simple, thought-provoking framework to encourage organizational communication, establish clear direction and highlight priorities to better understand your cyber risk profile.
- **Risk Manager Tools** - A collection of tools with many different purposes such as researching known breach events, calculating your potential cost of a breach event and downloading free sample policies your organization can use as templates.
- **News Center** - Keeps you up to date on what is going on in the world of cyber risk through handpicked articles, feeds and blogs.
- **Learning Center** - An extensive collection of white papers, articles, webinars, videos and blog posts on a variety of topics.
- **Security & Privacy Training** - An overview of best practices for creating an effective security training program for employees.
- **Strategic Third-Party Relationships and Partner Resources** - Information on third- party vendors that can assist your organization with improving your overall cyber risk.

# NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE PLAN DOCUMENT

## Article I. Purpose

- a. Purpose: The purpose of the Plan is to provide for the efficient and economical evaluation, processing, administration, defense and payment of claims against Plan members for workers' compensation payments, employers' liability payments, and Volunteer Firefighter and Ambulance benefits, through self-insurance as a Public Group Self-Insurer; to effect cost savings insofar as may be possible in Plan members' expenses for such claims and services; to provide for centralized administration, funding, and disbursements for such services; and to provide for risk management to reduce future liability for workers' compensation payments and employers' liability payments. The Plan will function in compliance with the Workers' Compensation Law of the State of New York and all applicable rules, regulations and procedures promulgated by the Workers' Compensation Board of the State of New York.
- b. Authorizations: The Comp Alliance shall possess all of the powers and authority conferred upon Public Group Self-Insurers under New York State Law.
- c. Fund Year: The Plan shall operate on a July 1 to June 30 fiscal year. The Plan shall continue from year to year until and unless terminated in the manner set forth herein.

## Article II. Definitions

- a. "Plan" or "the Comp Alliance" shall mean the New York State Municipal Workers' Compensation Alliance Plan for Workers' Compensation, as provided for herein or as may hereafter be provided for by amendment.
- b. "Public Entity" shall mean all public corporations and other public employers authorized to participate in a Public Group Self Insurer pursuant to Workers' Compensation Law section 50(3-a)(2)(a-1), as it currently exists and as hereafter may be amended.
- c. "Plan member" or "member" shall mean a public entity that has elected to join the New York State Municipal Workers' Compensation Alliance Plan for group self-insurance.
- d. "Board of Trustees" or "Trustees" means the body that shall act as the fiduciary for the benefit of the members and is ultimately responsible for the overall governance of the Plan.
- e. "Plan-member Trustee" means a member of the Board of Trustees that is a public officer of a member public entity.
- f. "At-large trustee" means a member of the Board of Trustees who is not a Plan-member trustee.
- g. "Key agent" means any person, firm or corporation hired by the Board of Trustees to serve as the third party administrator, accountant, auditor, investment manager or actuary of the Plan.
- h. "Third Party Administrator" or "Claims Administrator" means an individual or entity licensed by the Workers' Compensation Board pursuant to the Workers' Compensation Law which is responsible for the administration and defense of workers' compensation claims of members.

## **NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE PLAN DOCUMENT**

- i. "Workers' compensation payments" shall mean all payments which a Plan member may become obligated to make directly to, or for the benefit of, an employee of the Plan member by operation of the Workers' Compensation Law of the State of New York.
- j. "Volunteer Firefighter and Ambulance benefits" shall mean such payments a Plan member may become obligated to make pursuant to the Volunteer Firefighter Benefits Law and/or the Volunteer Ambulance Workers Benefits Law of the State of New York.
- k. "Employers' liability payments" shall mean all payments which a Plan member may become obligated to make to third-parties by reason of such third-parties' liability to an employee of a Plan member by reason of acts or events which also give rise to compensable claims under the Workers' Compensation Law of the State of New York.
- l. "Opening fund balance" shall mean unspent moneys held by the Plan as of the first day of any fiscal year, but shall not include funds which have been reserved or otherwise set aside as against previously reported claims, whether or not formally asserted, for workers' compensation payments or employers' liability payments.
- m. "Plan Sponsor" shall mean the Association of Towns of the State of New York.

### **Article III. Trustees**

- a. Number of Trustees: The Plan shall be governed in all respects by the Board of Trustees. The Board of Trustees shall consist of at least seven (7) trustees. A majority of trustees shall be public officers of Plan Members. No person who is a key agent shall serve on the Board of Trustees.
- b. Trustee Responsibilities: Trustees shall be responsible for the governance of the Plan, including oversight of all monies collected or disbursed by the Plan, engaging and coordinating any and all key agents, maintaining the integrity of the Plan's investments, and taking all necessary actions to ensure that the Plan complies with the Workers Compensation Law and all applicable rules and regulations. The Board of Trustees shall cause a certified financial statement to be prepared at the end of each fiscal year by an independent certified public accountant approved by the Board of Trustees, which shall be furnished to all trustees and made available to all Plan Members.
- c. Trustees Held Harmless: No trustee or former trustee shall be liable to any other trustee or Plan member for actions taken in good faith and within the scope of such trustee's authority; and the Plan shall indemnify, save and hold harmless each trustee or former trustee from any liability arising from any claim, judgment, lawsuit, action or other proceeding, by virtue of their capacity as trustee or in connection with actions taken in good faith and within the scope of such trustee's authority, including reasonable and necessary attorneys' fees and disbursements incurred in connection therewith.
- d. Bylaws: Except as set forth herein, the operations of the Board of Trustees shall be governed by bylaws adopted by it, as amended from time to time.

### **Article IV. Members**

- a. Eligibility: Membership in the Plan is limited to public entities.



**NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE  
PLAN DOCUMENT**

- b. Admission of New Members: Each prospective member of the Plan must execute a Participation Agreement for the group acknowledging that the member understands and agrees to the requirements, obligations and responsibilities associated with membership in the Plan, including, but not limited to joint and several liability and the obligation to pay all funding contributions, WCB assessments and supplemental assessments. The Participation Agreement shall take such form and contain such information as determined by the Board of Trustees. The Board of Trustees shall be under no obligation to admit new members to the Plan.
- c. Member Responsibilities: Members shall comply with all of the responsibilities set forth in the Plan Document and the Participation Agreement.

**Each member shall be responsible, jointly and severally, for all liabilities of the Plan under the Workers Compensation Law and all rules and regulations enacted pursuant thereto during its respective period of membership.**

- d. Terms and Conditions of Membership: Public entities may be permitted to join the Plan at such times and on such terms as may be approved by a majority vote of the Board of Trustees; provided, however, that the Board of Trustees shall be under no obligation to admit new members to the Plan. The Board of Trustees may require applicants for Plan membership to furnish fiscal and loss information, to submit to examinations of their records and operations, and to bear the reasonable expense of such examination. All members must enter into a Participation Agreement, and it is expressly understood and agreed by each Plan member that:
- i. each member understands and accepts that it is responsible pursuant to the Laws of the State of New York for workers' compensation payments to employees, volunteer firefighter and ambulance worker benefits, and employers' liability payments to third-parties, and the existence of this Plan shall not relieve or displace any such liability; provided, however, that the Plan shall be liable to its members, and the members shall be liable to the Plan and each other, for the obligations set forth herein.
  - ii. each member will appear before the Workers' Compensation Board, and before any other tribunal having jurisdiction over workers' compensation or employers' liability claims, in the name of the Plan and, further, that the Plan shall furnish representation as provided herein.
  - iii. each member agrees that it will adhere to the requirements of the Plan, will cooperate in such inquiries and furnish such information as may be necessary or appropriate for Plan purposes, and will promptly pay such initial assessments, continuing assessments, and supplementary assessments, as may properly be made pursuant to the Plan.
  - iv. each member consents that the Plan may, in its own name, commence such legal or equitable actions or proceedings in the Supreme Court of the State of New York or in any other competent tribunal having jurisdiction against any member to enforce the obligations of such member pursuant to the Plan.

**NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE  
PLAN DOCUMENT**

- v. as a condition precedent to membership to the Plan, each Plan member represents and warrants to the Plan and to every other member that it has in all respects the power and authority to participate in the Plan as a member; and that it has lawfully and properly taken all steps and performed all acts which may be required to participate in the Plan pursuant to the Plan itself and all applicable laws.
- vi. it is understood and agreed by each Plan member that the funding contributions received from each member will be commingled, and that funds received from one member may, in accordance with Plan criteria, be disbursed for the benefit of other members.
- vii. member obligations: All members shall be responsible for:
  - 1. the prompt payment of all funding contributions and assessments;
  - 2. the maintenance of accurate books and records with respect to workers' compensation and employers' liability claims;
  - 3. the prompt furnishing of information regarding actual and anticipated workers' compensation and employers' liability claims, and with respect to matters likely to give rise to such claims;
  - 4. cooperation with and facilitation of all reasonable inquiries which may be made by the Board of Trustees or Key Agents with respect to specific claims and with respect to loss experience in general; and
  - 5. cooperation with all risk management and loss control programs which may be instituted by the Board of Trustees.
- viii. no public entity shall be admitted to plan membership until its governing body, or its duly authorized executive officer, has accepted the terms of this Plan Document and entered into a Participation Agreement. Sample enabling resolutions in the forms set forth in Appendices A & B hereto, or in such other forms as may from time to time be prescribed by the Board of Trustees.
- ix. Once admitted to plan membership, each member shall be obligated to cooperate in the administration of the plan and to perform all requirements of continuing membership set forth in the Participation Agreement.
- x. The Board of Trustees may decide to pay, compromise or contest any claim. A decision by the Board of Trustees to pay, compromise, or contest any claim shall be final and binding.

**Article V. Revocation and Termination of Membership**

- a. Any member which fails to pay a required fund contribution, WCB assessment or supplemental assessment within 90 days after the date on which such fund contribution or supplemental assessment was payable will be deemed to have given notice of withdrawal from the Plan, effective at the end of the policy year following the 90-day period. The withdrawal of a member for the failure to pay a required funding contribution or supplemental assessment shall not relieve the member of any

## NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE PLAN DOCUMENT

funding contribution or supplemental assessment due to the Plan for the full policy year. No forbearance with respect to any Plan member or any payment will be deemed to create a waiver with respect to subsequent defaults by the same or any other member.

- b. The Board of Trustees may terminate the membership of any Plan member with not less than 90 days notice, as follows:
  - i. By majority vote, for failure to comply with any of the provisions of the Plan Document or Participation Agreement; or
  - ii. By two-thirds vote, for any other reason.
- c. A plan member reserves the right to revoke this agreement upon thirty (30) days written notice to the Plan. The effective date of termination will be the end of the member's policy year following the thirtieth day from the mailing of such written notification. Any plan member who withdraws or is terminated pursuant to this paragraph from membership will assume sole responsibility as of the effective date of termination for all workers' compensation and employers' liability claims against it which relate to occurrences which take place after the termination date. As of such termination date, the withdrawing or terminated member shall cease to have any liability with respect to any occurrences which took place prior to the termination date regardless of when the claim is submitted, except that such withdrawing or terminated member shall be responsible for any supplemental assessment resulting from a plan shortfall for those claims which arose prior to the date of such termination or withdrawal, as set forth in Article VI of the Plan Document.
- d. It is expressly understood that any notice to revoke, notice to withdraw, or termination as set forth above shall in effect release the Plan and each of the remaining Plan members from any liability to the withdrawing or expelled member, except as expressly provided herein.

### Article VI. Fund Contributions and Supplemental Assessments

- a. Annual Fund Contribution: Upon joining the Comp Alliance, and in each year thereafter that the member remains in the plan, the member shall make a fund contribution in exchange for the coverage for workers' compensation payments and employers' liability payments provided by the Plan. Each members fund contribution shall reflect the: a) exposure and loss experience of the member; b) services to be rendered to the member; and c) any other equitable factor. The Board of Trustees reserves the right to adjust the annual fund contribution of any particular member in the event the initial fund contribution calculation was the result of a material error, omission or misstatement of loss data or any other information necessary to arrive at the appropriate funding level that is furnished by the member, its agents or representatives.
- b. Short Rate Penalty: In the event that a plan member decides to withdraw from the Plan prior to the expiration of its agreed upon membership period, it may be subject to short rate penalties as adopted and amended by the Board of Trustees from time-to-time.

**NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE  
PLAN DOCUMENT**

- c. Supplemental assessments: As set forth herein, the Board of Trustees may cause to be levied supplemental assessments against its members. Supplemental assessments shall be determined by the ratio that each individual members fund contribution bears to the aggregate fund contribution for the plan fiscal year or years to which the supplemental assessment applies. The Board of Trustees may levy supplemental assessments in the following circumstances:
- i. upon winding up or termination of the plan; or
  - ii. where there exists a deficiency in the overall funding of the plan, as determined by the audited financial statements for that year or years; or
  - iii. where otherwise required by law.

Members who leave the plan shall remain liable any such supplemental assessments levied for the years during which they were a member of the plan. Prior to levying a supplemental assessment, the Board of Trustees shall develop a plan to ensure that such supplemental assessments are charged in a fair and equitable manner, and shall give notice to members and former members of the plan as soon as practicable prior to levying such assessment. The failure to receive such notice shall not relieve the member or former member of their obligation to pay such supplemental assessment.

**Article VII. Administration**

- a. The Board of Trustees shall at all times be responsible for the governance of the Plan. Day-to-day administration of the Plan may be vested in an Executive Director, third-party administrators and other key agents as determined by the Board of Trustees. The Board of Trustees may contract with a third party administrator, and such other persons, firms or corporations as it deems necessary to perform the day-to-day administration of the Plan.
- b. The engagement of a Third-Party Administrator shall be effected by a written contract, approved by the Board of Trustees and Executed by the Chair. All such contracts shall be for a term not to exceed five years. Such contract(s) shall provide, at a minimum, for:
  - i. investigation, processing and filing of claims with the Workers' Compensation Board;
  - ii. representation, whether directly or through counsel, of Plan members before the Workers' Compensation Board and other appropriate administrative and judicial tribunals;
  - iii. making recommendations for the payment or compromise of claims;
  - iv. making recommendations for the procuring of insurance to effectuate the purposes and preserve the financial stability of the Plan;
  - v. making recommendations with respect to the administrative and fiscal management of the Plan;
  - vi. reviewing and making recommendations with respect to the funding of the Plan from year to year;

**NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE  
PLAN DOCUMENT**

- vii. conducting surveys and studies with respect to individual Plan members and otherwise, and making recommendations with respect to risk management and loss control programs;
- viii. evaluating new applicants for Plan membership and making recommendations with respect to such applications;
- ix. performing such other functions as may properly be delegated by the Board of Trustees.
- c. Such third-party administrator shall be responsible for assisting the Plan in coordinating the services and management of the Plan's affairs, determining and collection of annual fund contributions and supplemental assessments, loss-control, independent medical examinations, claims processing, legal, accounting and bookkeeping services.
- d. Notwithstanding paragraphs a-c of this section, the Board of Trustees may hire and employ such key agents and employees as they deem necessary for the efficient and effective administration of the Plan.
- e. Plan Sponsor: The plan sponsor shall serve as custodian of the funds of the Plan, and at all times have custody of the Plan's funds. The plan sponsor shall:
  - i. maintain a separate fund for workers' compensation and, if authorized by the Board of Trustees and shall maintain separate workers' compensation reserve funds.
  - ii. be bonded in an appropriate amount as approved by the Board of Trustees.
  - iii. maintain complete and accurate books of account for all funds in its custody in accordance with generally accepted accounting principles applicable to public bodies in general and Municipal corporations in particular.
  - iv. invest any Plan funds not needed for current operating expenses in accordance with the investment policy adopted by the Board of Trustees.
  - v. designate a depository for the Plan, which will be reviewed from time to time by the Board of Trustees.
  - vi. undertake to accomplish those tasks or assignments received from the Board of Trustees as they relate to the administration or implementation of the Plan.
  - vii. report to the Board of Trustees with respect to the source and application of funds.
- f. The Plan shall indemnify, save and hold harmless the Plan Sponsor from any liability arising from any claim, lawsuit, action or other proceeding, in connection with actions taken in good faith and within the scope of the plan sponsor's authority, including reasonable and necessary attorneys' fees and disbursements incurred in connection therewith.

**Article VIII. Investments**

- a. The Board of Trustees shall contract with an investment manager for the investment of funds not needed for current operating expenses in accordance with the investment policy established by the Board of Trustees. The investment policy shall be formally approved

## **NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE PLAN DOCUMENT**

and adopted by the Board of Trustees of the Comp Alliance and reviewed annually by the audit and finance committee or its successor, on an annual basis. All amendments to the policy shall be effective upon adoption by the Board of Trustees by resolution.

- b. The Comp Alliance's investment program will be consistent with its overall financial needs and results in the prudent management of invested funds, the availability of operating funds when needed to pay claims, operating and administrative expenses, and to provide an acceptable market-based investment return. The Comp Alliance investment program shall be operated in conformance with all applicable federal and state laws and regulations, and in accordance with the Plan Document.
- c. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Comp Alliance. The "prudent investor" standard of care shall apply to the management of the Comp Alliance portfolio.
- d. The audit and finance committee shall, in advance of the regularly scheduled board meeting, meet with the investment manager, and report to the board on the investments of the Plan.

### **Article IX. Amendment And Termination Of Plan**

- a. The Plan may be amended by a two-thirds vote of the Board of Trustees. Copies of amendments will be filed with the Workers' Compensation Board.
- b. The Plan may be terminated by a two-thirds vote of the Board of Trustees, effective at the end of the then-current fiscal year; provided, however, that the Plan shall remain in existence for the winding up of its affairs as provided in this Article.
- c. In the event that the Plan be terminated, the Board of Trustees shall, no later than the effective date of termination, cause to be prepared a dissolution plan that includes schedules of the Plan's assets and the Plan's current and future liabilities, including all liquidated, contingent and disputed liabilities. The Plan's liabilities shall not include any obligation for workers' compensation or employers' liability claims against Plan members, except for those by members that have arisen prior to the termination date of Plan.
- d. The dissolution plan shall provide for:
  - 1. the payment of all current and acknowledged liabilities;
  - 2. the establishment a reserve fund for the payment of all future and contingent liabilities, as such liabilities are determined by the plan's actuary;
  - 3. the administration and run-off of future and contingent liabilities;
  - 4. the return to members of any funds deemed to be in excess of those necessary to run off future and contingent liabilities within a reasonable period of time. The return of funds

**NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE  
PLAN DOCUMENT**

- to members shall be subject to a finding by the Workers' Compensation Board that, with the understanding that such funds are to be returned to the public fisc of the member, such excess amounts are not necessary for the payment of future or contingent liabilities;
5. the levying of a special assessment in the event the Plan's assets are insufficient to pay all of the Plan's current and future liabilities.
- e. Supplemental assessments levied against, or distribution of surplus funds to, Comp Alliance members as a result of the dissolution of the Plan shall be determined in a fair and equitable manner and may consider each members longevity with the Comp Alliance, its proportionate share of funding contributions and its proportionate share of liabilities.
  - f. Funds in excess of what is necessary to pay for the liabilities of the plan shall be returned to members within a reasonable period of time following the dissolution of the Plan, subject to:
    1. a determination by the Workers' Compensation Board that such funds are no longer necessary to pay for the liabilities of the Plan;
    2. each then-current Plan member executing a release in suitable form relieving the Plan, and each other then-current member from any liability arising from the Plan.

**Article X. Reformation & Supervening Law**

To the extent that any provision of the Plan be determined by a court of competent jurisdiction to be invalid in whole or in part under existing or hereafter-enacted law, the remaining provisions of this instrument shall remain in full force and effect, and any disputed provision shall, to the extent possible, be interpreted in such manner as to conform to applicable legal requirements. In the event that the Board of Trustees determines that the complete or partial invalidity of any provision of this instrument would materially prevent or impede the accomplishment of the essential purposes of the Plan, then the Plan shall be terminated in accordance with the Plan.

**ON THE BASIS OF THE FORGOING, the undersigned Member applies for membership in the Plan, and agrees to be bound hereby if accepted as a Member of the Plan.**

\_\_\_\_\_  
(Name of Member)

\_\_\_\_\_  
(Signature & Date)

By: \_\_\_\_\_  
(Name)

Its: \_\_\_\_\_  
(Title)

*\*Municipal Seal*

Attest \_\_\_\_\_  
(Secretary/Clerk)

**FOR PLAN USE ONLY**

**This Membership is accepted and the foregoing is agreed to**

**This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_**

**By: \_\_\_\_\_  
Wright Risk Management Company, Inc.  
Plan Manager for the Alliance**



APPENDIX A

---

(Resolution approving membership in the Alliance)

WHEREAS there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter "the Plan"); and

WHEREAS the \_\_\_\_\_ is eligible for membership in the Plan; and

WHEREAS the \_\_\_\_\_ has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the \_\_\_\_\_ to participate therein; now, therefore, be it

RESOLVED that the \_\_\_\_\_ enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED, that \_\_\_\_\_ be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the \_\_\_\_\_; and be it further

RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

A MOTION was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to adopt the above resolution by the Governing Board of the \_\_\_\_\_ at its \_\_\_\_\_ meeting.

\_\_\_\_\_ (signature)

***\*Member Seal***

\_\_\_\_\_ (name/title)

\_\_\_\_\_ (date)

APPENDIX B

---

(Election of self-insurance to satisfy workers' compensation obligation)

The following is an exact copy of a portion of the Minutes of the Governing Board meeting dated \_\_\_\_\_.

"WORKERS' COMPENSATION - SELF INSURANCE"

"A MOTION was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to adopt the following resolution:

"RESOLVED, that the \_\_\_\_\_ hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and be it further

"RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further

"RESOLVED, that this election shall become effective on \_\_\_\_\_.

"MOTION carried".

\_\_\_\_\_ (signature)

***\*Member Seal***

\_\_\_\_\_ (name/title)

\_\_\_\_\_ (date)



New York State  
Municipal Workers'  
Compensation Alliance

### **Member Participation Agreement**

Member:

Agent:

Participation Period:

The New York State Municipal Workers' Compensation Alliance (Comp Alliance) is a group self-insurance program – a network of municipal employers that have joined together for the purpose of providing the workers' compensation and employers' liability coverages required by New York State Law. By participating in the Comp Alliance, you are pooling your resources with other municipalities in New York State to obtain workers' compensation coverage for your employees, leading to lower administrative costs, diligent claims management and loss control services specifically tailored to the unique risks faced by municipalities. As a member of the Comp Alliance, there are certain legal responsibilities that you must be aware of and which remain enforceable even in the event of withdrawal from the Comp Alliance. Please review this participation agreement carefully and contact the Comp Alliance with any questions.

**How Group Self-Insurance Works:** Each member of the Comp Alliance makes an annual funding contribution that is used to pay for claims incurred during the year over the lifetime of the claim. To help ensure that the funding contributions remain fair, they are designed to reflect each member's projected ultimate costs of claims based on their loss experience and payroll. Funds that are not used to pay claims during the year are placed in reserve to pay the future costs of the claims. These future funds are invested so that the interest received can help offset the future costs of the claims. In the event that there are surplus funds after all future liabilities are determined, the excess may be used to offset future rates or be paid back to the member. Conversely, in the event that the funds are not sufficient to pay future liabilities, members may be called upon to pay a supplemental assessment. To protect against this possibility, the Comp Alliance makes every effort to accurately determine the future liabilities of the program to ensure that its assets are sufficient to pay its total liabilities.

#### **Joint and Several Liability**

**Each member shall be responsible, jointly and severally, for all liabilities of the Plan under the Workers' Compensation Law and all rules and regulations enacted pursuant thereto incurred during its respective period of membership in the Comp Alliance.**

A supplemental assessment may be levied in the event that the Comp Alliance does not have sufficient assets to meet its anticipated liabilities. The Comp Alliance works diligently to protect against this possibility by ensuring the annual funding contribution collected from members is sufficient to meet its anticipated liabilities each year. It also strives to maintain a modest surplus that may be used to offset any assessment that is required. In the event that supplemental assessments shall ever be required for any given year, the assessments will be distributed equitably among members for that year in accordance with a plan adopted by the Board of Trustees. The proportionate share of the members funding contribution and ultimate loss for the year in question will be considered in distributing the assessment.

Executive Director: Michael Kenneally  
518-465-0128

Claims: Maria Luciano  
516-750-9376

Member Services: Aaron Reader  
866-697-7665

#### **A. Coverages Provided by the Comp Alliance**

**Workers' Compensation Coverage:** provides medical and indemnity (lost time) benefits to employees who are injured in the course of their employment with the municipality.

**Employers' Liability Coverage:** provides coverage for third party actions that are brought against the municipalities arising out of an injury to a municipal employee that occurred in course of his or her employment.

The Comp Alliance provides Workers' Compensation Coverage and Employers' Liability Coverage pursuant to the New York State Workers' Compensation Law, along with coverage for benefits as required by the Volunteer Firefighters' Benefit Law and Volunteer Ambulance Workers' Benefits Law.

- The Comp Alliance will pay the medical and indemnity benefits required of its members by the Workers' Compensation Law for injuries to employees that arise out of the employment of its employees.
- The Comp Alliance will defend any claim or proceeding against its members for benefits payable under the Workers' Compensation Law.
- The Comp Alliance will pay amounts that its members are obligated to pay to third parties that arise from an injury to an employee caused by an event that occurred in the course of this agreement (Employer Liability payments).
- The Comp Alliance will not pay any amounts that the employer is not obligated to pay under the Workers' Compensation Law, or the rules and regulations adopted pursuant thereto. This includes any payments, or portion thereof, that a member may make that are covered by other insurance that the member may maintain, or that the employer may extend to its employees.
- The Comp Alliance will only make indemnity payments up to the amounts awarded by the Workers' Compensation Board. Any member who has in place a "full pay" or similar policy that grants a greater benefit to its employees will be solely liable for the difference between the amounts so paid and the amounts awarded by the Workers' Compensation Board.

#### **B. Member Responsibilities**

The responsibilities of each member are set forth in detail in the Plan Document. Each member is responsible for knowing its obligations to the Comp Alliance. As a member of the Comp Alliance, you agree to accept and be bound by the terms, conditions and provisions of the Plan Document and Bylaws of the Comp Alliance, and by the New York State Workers' Compensation Law and the regulations promulgated pursuant thereto.

Pursuant to the Plan Document, each member:

- agrees to cooperate with the plan and furnish information necessary for the administration of the plan.
- will timely pay all necessary funding contributions, supplemental assessments and NYS assessments.
- will keep accurate records of all workers' compensation and employers' liability claims.
- is responsible for the prompt reporting of the claims.
- will timely and accurately report its quarterly payroll to the Comp Alliance for NYS assessments.
- will assist the Comp Alliance with the reconciliation of payroll reported on form GA-4 each quarter.

Executive Director: Michael Kenneally  
518-465-0128

Claims: Maria Luciano

516-750-9376

Member Services: Aaron Reader

866-697-7665

**C. Services Provided by the Comp Alliance**

The Comp Alliance is a full service, workers' compensation program that provides not only for the payment of claims, but a host of other services to help its members understand the workers' compensation law, their responsibilities, and how to minimize losses in the workplace. Among the services provided by the Comp Alliance are:

*Claims Administration:*

- Assist members with the implementation of an internal claims reporting system and, as necessary, train members' personnel to ensure the ongoing effectiveness of the reporting system.
- Review and, as necessary, investigate all reported claims to determine compensability
- Prepare and distribute checks for appropriate payment of medical, lost time benefits and expenses.
- Monitor medical treatment and review all medical bills in an effort to minimize medical costs.
- Pursue subrogation whenever it is reasonably anticipated that the Plan may be reimbursed for payments made.
- Provide each member with loss run on quarterly basis, which shall include, at a minimum, the: file/claim number; date of accident; name and occupation of injured employee/claimant; description of accident; type of injury/body part; status of claim and classification/severity code; and total medical, indemnity and expense incurred, including payments plus outstanding reserves established by the Plan Manager.
- Represent municipality before the workers' compensation board

*Loss Control Services*

- Loss control inspections to all of members on a regular, recurring basis
- Distribution of information on the establishment and maintenance of safety committees
- Development and training on best practice policies and procedures

*Member Services*

- Educate members on the changes to Workers' Compensation Law
- Interactive Website with information and resources on Workers' Compensation Law, municipal risk management,
- Online claims portal to allow members access to their claims information (in development).

**D. Purpose of Agreement:**

The purpose of this Participation Agreement ("the Agreement") is to set forth the respective responsibilities of the Comp Alliance and its members for the efficient and economical evaluation, processing, administration, defense and payment of claims for workers' compensation payments and employers' liability payments through self-insurance and otherwise. The rights and responsibilities set forth in this agreement shall at all times be subject to, and read in conjunction with, the rights, duties and responsibilities of set forth in the Plan Document, the New York State Workers' Compensation Law and all applicable rules, regulations and procedures promulgated by the Workers' Compensation Board of the State of New York.

Executive Director: Michael Kenneally  
518-465-0128

Claims: Maria Luciano

516-750-9376

Member Services: Aaron Reader

866-697-7665

**E. Assessments payable to the Workers' Compensation Board**

All members are required to pay an assessment to the New York State Workers' Compensation Board to fund its administration and operations. Until such time as the Workers' Compensation Board implements a system of direct employer charges, the Comp Alliance is required to collect and pay this amount on behalf of its members.

The assessment is charged on a quarterly basis, and is based upon the member's reported payroll for each quarter. This charge is separate from your funding contribution to the Comp Alliance, and an estimated, annual assessment fee is collected from each member with its yearly funding contribution. The collection of an estimated amount up front is necessary to comply with the strict payment schedule set by the Workers' Compensation Board and to help protect members from costly penalties resulting from late reporting and payment.

The assessment that is charged by the Workers' Compensation Board each quarter is based upon the member's actual payroll for the quarter, as reported to the Comp Alliance on form GA-4. Since the actual payroll reported each quarter may deviate from the payroll used to estimate the member's annual assessment charge, the Comp Alliance will reconcile the assessment charges paid on your behalf with the amount that we have collected. The reconciliation will show whether the member's estimated assessment is adequate to cover the *actual* assessment. Where the amount collected (estimated assessment) is more than the actual amount paid out, the member will receive a credit towards the following year's estimated assessment. Where the amount collected is less than the actual amount paid out, the member will receive a debit on the following year's assessment.

The payroll submitted by each member on form GA-4 will be reconciled against the payroll it submits to the NYS Department of Taxation and Finance by the Workers' Compensation Board each quarter. The Comp Alliance will receive this reconciliation and members will be called upon to assist the Comp Alliance in clarifying any discrepancies. The Comp Alliance will then submit a reconciliation report to the Workers' Compensation Board explaining any discrepancies along with a payment, if necessary, for the difference owed to the Workers' Compensation Board from the particular member's assessment funds.

**Members who withdraw from the Comp Alliance program remain responsible for any assessments due and owing to the Workers' Compensation Board for the period of time that they were a member. Members who withdraw from the Comp Alliance will receive any overpayments after the assessment for the last quarter of their membership has been paid.**

---

In witness whereof, the parties have executed this participation agreement intending to fully bound by its terms and conditions.

**Member:****Participation Period:** 7/1/25-6/30/27 **Date:**

---

**By:** 

---

**Name:** 

---

**Title:** 

---

**Comp Alliance****Date:** January 1, 2025**By:** *Michael Kenneally***Name:** Michael Kenneally**Title:** Executive Director

Executive Director: Michael Kenneally  
518-465-0128

**Claims:** Maria Luciano

516-750-9376

**Member Services:** Aaron Reader

866-697-7665

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**From:** Shawn Roes <sroes@wrightinsurance.com>  
**Sent:** Wednesday, June 18, 2025 7:10 AM  
**To:** Randy Glenn  
**Subject:** Comp Alliance Financial Condition and Joint and Several Liability  
**Attachments:** image001.png



Good Morning Randy, related to our program's joint and several liability clause it is important to note that being a group self-insured program in NYS the Workers' Compensation Board requires all group programs to have an insolvency provision in place.

As part of a municipal, non-private, group self-insurer, members of the Comp Alliance are jointly and severally liable to each other. This requirement is set forth in Workers' Compensation Law section 50(g), and applies to all group self-insurers. A group self-insurer is defined by regulation as "an association of employers performing related activities in a given industry that contractually agree, in accordance with section 50(3-a) of the Workers' Compensation Law, to assume the workers' compensation liabilities of each associated member" (12 N.Y.C.R.R. Part 317.2(i)). New York Workers' Compensation Law section 50(4) expressly authorizes a county, city, village, town, school district, fire district (municipal corporations) or other political subdivision to secure workers' compensation insurance through group self-insurance in accordance with Workers' Compensation Law section 50(3-a).

The Comp Alliance takes the joint and several liabilities of our members very seriously, and we have worked hard to maintain a financial condition that insulates our members from even the most remote possibility of a supplemental assessment. **As of June 30, 2024, our audited financial statements show our assets exceed our discounted liabilities in excess of \$40 million.** This amount is recorded on the financial statements as "Due to Members," and should the Comp Alliance ever wind up its affairs with excess funds, each member would receive its ratable share of this surplus.

The Comp Alliance's joint and several clause is based on proportionate share of any surplus or deficit. With a current surplus of over \$40 million the program actuary calculates that if the program were to close its doors today and the lifetime of all claims were paid, over \$40 million would be available to be returned to members of the program based on their proportionate share.

It's important to also note that in the **30 years since the Comp Alliance was started that we have never assessed members.** With the backing of the Association of Towns (NYAOT) and the Conference of Mayors (NYCOM) and the financial position of the program we are confident we would never need to. The Comp Alliance takes the financial condition of the program very seriously with an ultimate goal of providing our NYS public entities with long term budget predictability for their workers' compensation coverage. Part of this formula is ensuring that the program maintains a positive financial condition while also passing along rate stability year over year. For the past 10 years the program has averaged a flat rate change with rate decreases in several of those years, all while growing the surplus of the group to over \$40 million and returning a portion of the surplus back to the membership in each of the past 6 years through 2 unique Award programs.

To help protect the Comp Alliance from catastrophic claims the program has an excess policy in place through Midwest Employers Casualty. The excess policy has a self-insured retention of \$1 million. Thus meaning the Comp Alliance program is responsible for the first million on any claim but that the excess would kick in after that retention point. Each claim is covered with statutory (unlimited) coverage.

I hope this helps answer your question. Please let me know if you need anything further.

Thank You,  
Shawn



**Shawn Roes**

Assistant Vice President of Marketing

P: 315-506-5133

[www.compalliance.org](http://www.compalliance.org)



Wright Risk Management

A Division of

Brown & Brown Insurance

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Please remember that insurance coverage cannot be bound, amended, or canceled by leaving an electronic or voicemail message. Thank you.

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# ANNUAL REPORT

*Exceptional Service. Long-Term Stability.*

2024

## BOARD OF TRUSTEES 2024



### CHAIRMAN

Christopher A. Koetzle  
Executive Director, New York Association of Towns



### SECRETARY

Barbara Van Epps  
Executive Director, New York State Conference of Mayors



### TREASURER

Michael Sweeton  
Town of Warwick

## TRUSTEES

James Bach  
Town of Aurora

Mark Blask  
Village of Frankfort

Edward Brancati Jr.  
Village/Town of Mount Kisco

Kristie Hansen  
Town of Southold (fmr.)

Janet Plarr  
Village of Blasdell

Lori Mithen-Demasi  
Chief Counsel, New York Association of Towns

Hal McCabe  
Village of Homer

Kim Splain  
Chief Fiscal Officer, New York Association of Towns

Andrea Nilon  
Town of Hamptonburgh

Paul Whorrall  
Village of Manlius

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**Additional Information:**

This annual report is designed to provide a general overview of the Comp Alliance’s activities and financial condition for those interested. Questions concerning any of the information provided in this report or requests for additional information should be directed to:

Michael Kenneally  
Executive Director  
New York State Municipal Workers' Compensation Alliance  
150 State Street, Suite 203  
Albany, New York 12207  
518-210-3352  
mkenneally@nycompalliance.org

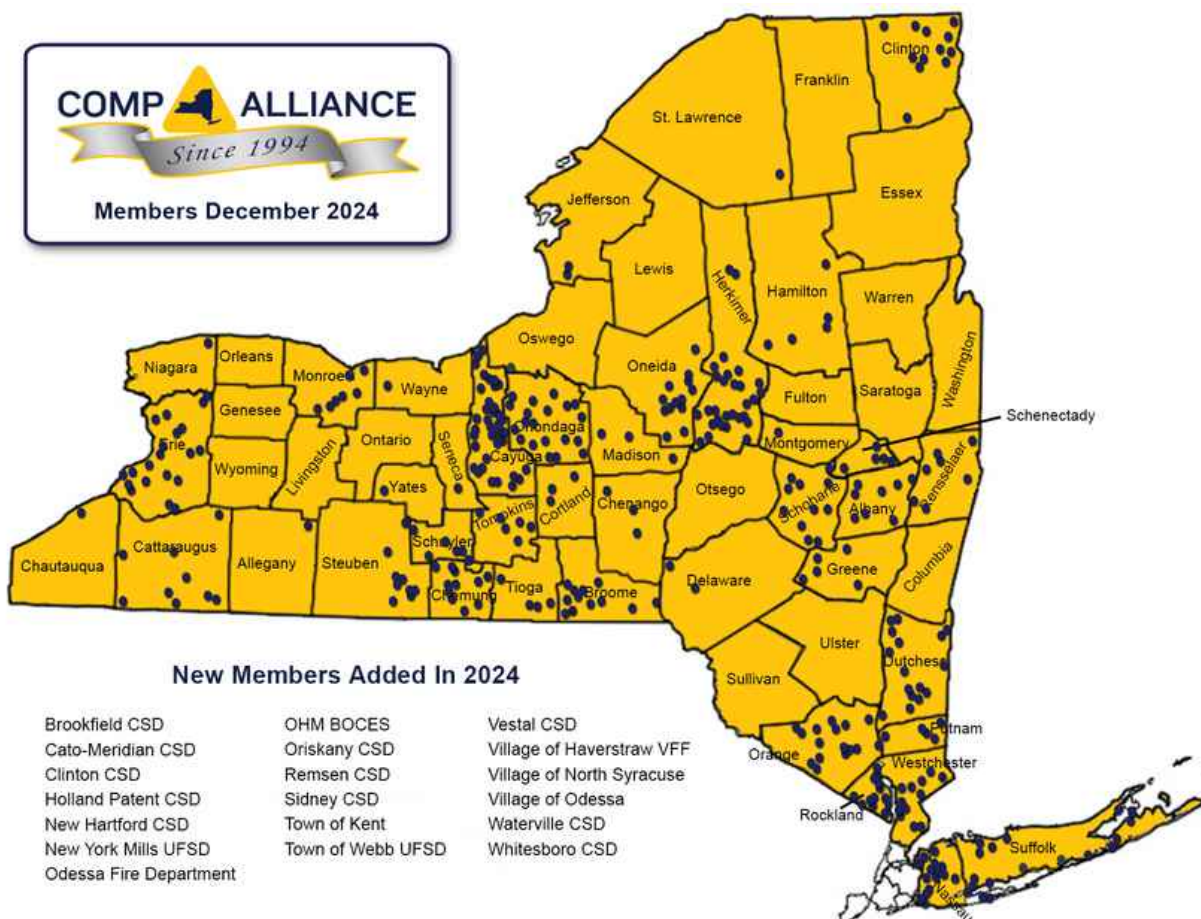
## ABOUT THE COMP ALLIANCE

The Comp Alliance is a workers' compensation group self-insurance program – a network of municipal employers that have joined and contractually agreed to assume the workers' compensation liabilities of each associated member. By participating in the Comp Alliance, a municipality pools its resources with other municipalities in New York State to obtain workers' compensation coverage for employees.

The Comp Alliance is governed by a Board of Trustees that includes representatives from its members and two statewide local government associations, the New York Association of Towns (NYAOT) and the New York State Conference of Mayors (NYCOM). The Board of Trustees is responsible for the overall governance, administration and oversight of the Comp Alliance, and is responsible for establishing rates, entering contracts, overseeing all investments, maintaining all bank accounts and oversight of the management company.

Since 2014, the Board of Directors has appointed an Executive Director to perform the day-to-day activities on behalf of the Board. The Executive Director works directly for the Board of Trustees and is responsible for implementing the policies and decisions made by the Board of Trustees. This includes oversight of all contractual relationships of the Comp Alliance, including the management company, actuary, investment manager, auditor, excess broker and excess insurer. In addition, the Executive Director regularly interacts with members to address their questions and promote the Comp Alliance.

Management of the Comp Alliance is contractually provided by Wright Risk Management (WRM). The management contract requires WRM to provide overall program management services such as claims administration, accounting, underwriting, risk management and marketing of the Comp Alliance.



## MESSAGE FROM THE CHAIRMAN

*Christopher A. Koetzle*

I am pleased to report that the Alliance is strong, steady, vibrant and growing. This past year, we added 20 new municipalities and had a retention rate of 99% of our current members. As we continue to grow, we do so mindful of keeping premiums steady and stable for our existing members while also continuing to support their safety efforts. We're proud of the Alliance's accomplishments over the many years that we have served municipalities across New York and we're excited for what's ahead.



First, let me congratulate my colleagues for celebrating 30 years of services this past year. The Comp Alliance started in 1994 with just 6 members and about \$500,000 in funding. We have grown since to 369 members and more than \$45 million in annual funding contributions. Even better, our discipline and focus on municipal needs in the early years has allowed us to return more than \$10 million to our members over the past five years through our Loyalty and Safe Workplace awards programs. These programs recognize and reward our members for their commitment to our program and the impactful steps they have taken to make their workplace safer for their employees.

Another great accomplishment over the years has been the introduction of and commitment to enhanced online and in-person resources that help support employee safety. Our educational programming is second-to-none and has provided countless municipalities across New York with the tools they need to invest in safer work environments.

I am proud to celebrate 30 years of service to our local governments, 30 years of partnership with NYAOT and 10 years with NYCOM, but the best is still to come. For example, in our long tradition of supporting our members, we returned \$2.1 million to our members just in 2024 alone. Our investment income has grown to \$6.5 million, giving us a stable base that ensures our longevity for years to come. We held rates steady in 2024 and decreased them in 2025. I am pleased to report that our financials are strong and have posted a \$44.7 million surplus.

Clearly, our history is impressive and our future is very bright, thanks to the collaborative effort of our Board of Directors, NYAOT and NYCOM, and all of our service providers. I want to thank Wright Risk Management Sound Actuarial Consulting, who have been with us since the beginning. I'd also like to thank Nuveen Asset Management, MMB+Co., Guy Carpenter, and Midwest Employers Casualty for their continued service to and support of the Comp Alliance and all of its initiatives. Lastly, I'd like to thank our Executive Director Michael Kenneally and our dedicated Board of Trustees for all their hard work and tremendous teamwork.

Most importantly, I thank you, our members, for allowing us to provide your Workers' Compensation insurance needs and look forward to our continued work together.

A handwritten signature in black ink, which appears to read "Chris Koetzle". The signature is written in a cursive, flowing style.



## FROM THE ROOTS TO RESULTS – 30 YEARS OF COMP ALLIANCE

*Michael Kenneally, Executive Director*

2024-25 marks the 30th Anniversary of the Comp Alliance, and in that time the program has evolved from a handful of members pooling their resources to cover their workers' compensation claims to a sophisticated, full-service workers' compensation insurance program with 369 members and more than \$45 million in annual funding contributions. The following pages provide an excellent synopsis of where we stand as we enter 2025, and as Chris mentions in his Chair Message, the future looks very bright. But I'd like to take a moment to provide a brief (not really) recap of how the Comp Alliance achieved its success. The journey was not always smooth, straightforward, or easy; there were many challenges that we had to face along the way.

The early years presented the Comp Alliance with the challenge of breaking into a new market and attracting members. As the new kids on the block and a relatively unknown brand in the workers' compensation space, the struggle was to attract enough new members and maintain a sufficient funding stream to ensure its continued existence.



The question was, how would the Comp Alliance distinguish itself in the marketplace? The answer was provided by G. Jeffrey Haber, then Executive Director of the Association of Towns and first Chair of the Board of Trustees of the Comp Alliance, who, from his days as Town Supervisor of the Town of Schodack, recalled the havoc that unknown and/or unexpected expenses could wreak on municipal budgets.

Hidden in this report are the names of 12 bands or artists that harken back to the early years of the Comp Alliance. If you can find all 12, post them on our Facebook page with the name of your municipality. The first member to correctly name all 12, and only the 12 intended, will receive a small prize. *Hint: "No Payroll Audits" and "Budgetary Stability" were not popular bands of the nineties.*

Jeff was adamant that the Comp Alliance would not bill its members to capture payroll growth during the course of the policy, and "No Payroll Audits" became the founding principle and unofficial tagline of the Comp Alliance. Budgetary stability became the foundation upon which the Comp Alliance was built.

Over time, more and more municipalities understood and appreciated the benefit of this, and with a little TLC the program grew steadily through the 90s and into the new millennium. Until the next challenge presented itself. In actuality, it was the combined effect of two distinct challenges in 2007: a Financial Crisis and Legislative Reform.

Folks who follow insurance (aka "insurance nerds") or pensions understand the importance of investment-income as a useful tool when calculating long-term liabilities. Over a long-period of time, investment returns reduce the amount of, or discount, the expected liability. The greater the assumed amount of interest, the lower the liability, and vice-versa.

In spring 2007, fed-funds rates were sitting around 5 percent. By the fall of 2008, they were between 0 and 0.2 percent. The consequence on the Comp Alliance's portfolio and rates that followed was, in professional terms, un-good.

Compounding this was legislative reform enacted in 2007 that incrementally increased the amount of indemnity benefits payable to workers' compensation claimants, with the maximum indemnity benefit ultimately being indexed to 2/3 of the state-wide average weekly wage in 2013, more than doubling the maximum award. While there were benefits to employers and carriers in the legislation, those benefits would not be realized for more than a decade

FROM THE ROOTS TO RESULTS *(cont.)*

Between 2008 and 2013, the Comp Alliance was faced with the continual challenge of diminished investment income and increasing expenses and was forced to make some difficult decisions. Its modest surplus eroded, and by 2012, it faced a significant hole that would require double-digit rate increases to climb out of. Nevertheless, the Board understood that all of its members were experiencing similar fiscal pain. The Board stuck to its principles and developed a plan that balanced the necessary rate increases, maintained disciplined underwriting and ratcheted down the assumed interest rates to address the deficit over time, easing the pain for its members.



*Executive Director Michael Kenneally presenting at the 30th Anniversary Celebration*

It took some time, but ultimately its plan (with some help from a regulatory change on how municipal employers are assessed certain expenses) worked and the Comp Alliance eliminated its deficit and posted a surplus in 2015, its first in five years. In the years that followed, the surplus continued to grow to the point where the Comp Alliance, in 2019, had a different, much better problem: How does it let its members share in its success? From this, the Loyalty Award and Safe Workplace Award programs were born in October 2019. The Comp Alliance was finally in a position to start giving back to its members. The worst was behind us and it would be smooth sailing from there – we achieved nirvana. At least for the next six months.

March of 2020 presented the Comp Alliance, along with the rest of the world, with its next challenge, and it was a biggie.



The COVID-19 global pandemic presented an array of unique challenges across all spectrums of life, but as it pertains to the Comp Alliance, the greatest challenge was uncertainty. How long was the shutdown going to last? How do our members continue to provide essential services (police, fire, garbage) during this time? How can they do so safely?

The Comp Alliance immediately responded and within a week of the Governor's Executive Order requiring face masks for essential employees who deal with the public, the Comp Alliance secured and sent more than 37,000 disposable face masks for its members.

As the pandemic wore on, we provided reusable face masks for our members (there are still a handful left if anyone wants; while en vogue at the time, personally, I hope I never have to wear one again).

Delivering face masks addressed only the initial challenge of keeping our members' employees safe while performing essential services. There was still much uncertainty about how long the pandemic would last and how to address the resulting reductions in workforce. To assist our members, the Comp Alliance developed an offspring of its award programs – a "Workforce Reduction Credit" that credited our members for the reduced payroll and exposure to provide some fiscal relief to our members during this time. As municipal workforces returned to full strength, the credits were phased out.

Through each of these challenges, the Comp Alliance emerged a better program, having done more for its members and bolstering its resolve to continually improve. As we enter our next phase, I am excited to discover what enhancements we can deliver to our members next. I have no doubt that the future will present new and unique challenges. I am also confident that the Comp Alliance will be able to tackle them head-on, leaving our members, stronger.



## FINANCIAL REPORT

FY2024 saw inflation come down meaningfully and fixed income yields were the highest that the market has seen in 15 years. Short-term rates are expected to remain higher by historical standards but are expected to progressively decline in the second half of 2024 and throughout 2025. Longer-term interest rates are also expected to remain high and continue to offer compelling investment opportunities. The key investment themes that impacted the performance of the Comp Alliance's investment performance and portfolio positioning throughout the fiscal year were:

1. Fixed income yields were the highest they've been in a generation.
2. Short-term interest rates remained higher for longer than expected.
3. Longer-term interest rates remained high, in the 4% to 4.5% range, throughout the year.

Since the Comp Alliance is a cash-positive operation, as new cash flows come in, they can be invested at higher yields and produce more income for the portfolio. The portfolio is positioned to take advantage of the "higher for longer" interest rate environment by focusing on high-quality investments and managing its duration to increase the total return on the portfolio.

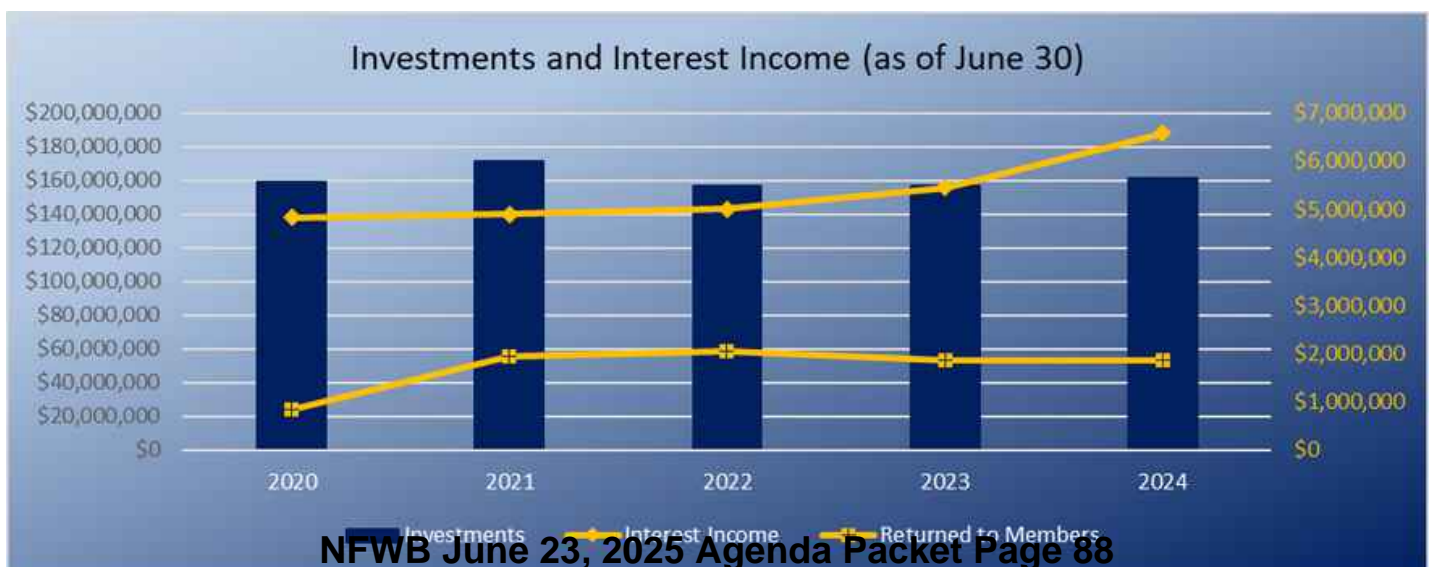
As its operations continue to generate new cash for investing, the Comp Alliance is able to invest its cash at higher interest rates that result from inflation, ultimately producing greater returns in the long term. The finance committee of the Comp Alliance continues to carefully monitor the inflationary risk to the operating portfolio and will continue to work with Nuveen to safeguard the

portfolio against risk while simultaneously maximizing potential returns. During FY 2024, the portfolio earned \$6.6 million in investment income over the year. Factoring in the investment fees (\$323,618) and net realized and unrealized losses (\$1.1 million) discussed above, the Comp Alliance had a net investment gain of \$5.2 million as of June 30, 2024. As interest rates begin to stabilize and a greater percentage of the Comp Alliance is invested at higher interest rates, the Comp Alliance expects its portfolio to continue to generate increased income.

The Comp Alliance "Surplus Management Policy" helps it evaluate its financial position and determine, in its judgment, the appropriate management strategy for determining its amount of surplus and the appropriate allocation of surplus funds. In so doing, priority is given to the following policy considerations, weighed in the judgement of the Finance Committee at the time of consideration:

1. Full funding of liabilities;
2. Consistency of funding contributions for our members, who have come to expect stability as the program has grown;
3. Balancing financial condition and overall surplus in light of current market conditions.

The Surplus Management Policy supports the Finance Committee's allocations to the two award programs offered by the Comp Alliance – the Loyalty Award Program and the Safe Workplace Award program. These two programs were put into effect in FY2020 as a way to encourage members to make safety and minimizing workplace accidents a priority.



# ANNUAL MEMBERSHIP REPORT 2024

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## Balance Sheets As of June 30, 2024 and 2023

	2024	2023
<b>Assets</b>		
Cash and cash equivalents	\$ 7,107,639	\$ 6,730,983
Restricted cash – member assessments	429,926	626,324
Investments	161,484,120	156,453,978
Accounts receivable – members	32,892,122	31,914,380
Accounts receivable – WCB member assessments	589,801	459,023
Accounts receivable – other	541,036	436,895
Excess insurance recovery receivable	307,642	206,706
Accrued interest receivable	1,210,250	986,122
<b>Total Assets</b>	<b>\$ 204,562,536</b>	<b>\$ 197,814,411</b>

<b>Liabilities</b>		
Liability – net case reserves for loss and DCCE	\$ 51,223,622	\$ 47,654,076
Liability – IBNR	68,049,750	65,017,857
Accounts payable and accrued expenses	208,476	142,078
Due to NYS Workers' Comp. Board – member assessments	1,019,727	1,085,347
Deferred revenue	39,355,405	39,628,386
Due to members (surplus)	44,705,556	44,286,667
<b>Total Liabilities</b>	<b>\$ 204,562,536</b>	<b>\$ 197,814,411</b>

## Statement of Revenues and Expenses For the Year Ended June 30, 2024 and 2023

	2024	2023
<b>Revenues</b>		
Member assessments	\$ 43,995,926	\$ 42,245,643
<b>Total Operating Revenue</b>	<b>\$ 43,995,926</b>	<b>\$ 42,245,643</b>

<b>Expenses</b>		
<b>Incurred Loss And Loss Adjustment Expenses</b>		
Paid losses and loss adjustment expenses	\$ 24,927,738	\$ 24,879,757
Change in case and loss adjustment expense reserves	3,569,546	1,699,671
Change in liability for incurred but not reported	3,031,893	1,751,822
<b>Total Incurred Losses and Loss Adjustment Expenses</b>	<b>\$ 31,529,177</b>	<b>\$ 28,331,250</b>
<b>Operating Expenses</b>		
Broker fees	\$ 2,415,689	\$ 2,560,231
Administrator fees	6,763,287	6,434,222
Liability insurance (Excess Insurance Cost)	3,527,666	2,912,297
Other administrative expenses	\$ 2,650,115	2,519,957
<b>Total Operating Expenses</b>	<b>\$ 15,356,757</b>	<b>\$ 14,426,707</b>
<b>Total Expenses</b>	<b>\$ 46,885,934</b>	<b>\$ 42,757,957</b>
<b>Excess (Deficiency) of Revenues Over Expenses (Before Investments and Award Programs)</b>	<b>\$ (2,890,008)</b>	<b>\$ (512,314)</b>

<b>Investments and Awards</b>		
Loyalty Award Program Expense	\$ (1,005,120)	\$ (916,289)
Safe Workplace Award Program Expense	(857,042)	(939,010)
<b>Total Award Programs</b>	<b>\$ (1,862,162)</b>	<b>\$ (1,855,299)</b>
Investment Income	\$ 6,584,562	\$ 5,454,467
Investment Fees	(323,618)	(386,605)
Net realized and unrealized losses on investments	(1,089,885)	(5,608,551)
<b>Total Investment Income (Loss)</b>	<b>\$ 5,171,059</b>	<b>\$ (540,689)</b>
<b>Excess (Deficit) of Revenues Over Expenses</b>	<b>\$ 418,889</b>	<b>\$ (2,908,302)</b>

Information taken from audited financial statements for years ended June 30, 2024 and 2023. Both years' financial statements audited by Mengel, Metzger, Barr & Co LLP. Copies of full financial statements are available to members upon request and at [www.compalliance.org](http://www.compalliance.org).

## 2024 INVESTMENT MARKET RECAP

*David Wilson, Nuveen Asset Management*

### 2024 Bond Market Recap

The U.S. and global economies remained healthy through the end of 2024. In the U.S., the pace of job creation picked up slightly, supporting continued resilience in consumption spending. Survey measures of business activity generally improved as well, with one gauge of services-sector activity hitting its highest level since mid-2022. Overseas, manufacturing activity in China rebounded a bit, with the official PMI reaching its highest level since April. Conditions in Europe remained tepid, with softening business surveys, though the consumer showed signs of renewed strength. On the inflation front, U.S. core prices continue to rise around 2.8% year-on-year, though there was further moderation in the areas such as housing.

The Federal Reserve cut interest rates by 25 basis points at each of their meetings in the fourth quarter, taking the policy rate range to 4.25-4.50%. Their updated rate forecasts showed only 50 basis points of cuts in 2025, down from 100 basis points previously. The European Central Bank also cut rates twice, while the Bank of England cut once. Separately, the Republican party swept the U.S. elections, winning control of the White House and both chambers of Congress.

U.S. Treasury yields increased in the fourth quarter, with the 10-year Treasury yield ending +77 basis points higher at 4.58%. That movement weighed on fixed income returns but supported shorter-duration segments like senior loans (+2.3% total return) and, to a lesser extent, high yield corporates (+0.2%).

### 2025 Bond Market Outlook

We continue to expect growth to moderate moving forward, to a below-trend pace. Job growth is likely to moderate further in the months ahead and presents upside risks to the unemployment outlook. Inflation has peaked but will remain “too high” relative to central banks’ targets in 2025. Nevertheless, policy will remain focused on downside risks to growth, rather than upside risks to inflation.

We expect the Federal Reserve to continue cutting interest rates, but at a slower pace. We forecast two more 25 bps cuts this year, taking the policy rate to around 3.75-4.00%. The ECB is set to cut rates further as well, and we forecast 100 bps of cuts through the middle of 2025. In China, policymakers are likely to continue with their fiscal policy support though substantial monetary easing is unlikely.

We continue to favor spread sectors and credit risk in asset allocation, with an up-in-quality bias within asset classes. We believe credit spreads are likely to widen in the coming months, presenting more attractive entry points for risk taking. That said, there are currently some attractive opportunities in the preferred market and in mid- to high-quality high yield and senior loans. The recent movement in rates has moved to levels in-line with our forecasts, and we expect long-end yields to be rangebound over coming months.



### New York Workers' Compensation Alliance Investment Portfolio Recap and Outlook

The portfolio's book yield steadily increased throughout 2024, surpassing 4.5%, as interest rates remained high relative to historical averages. On a total return basis, the investment strategy returned +2.26% and outperformed its benchmark, the Bloomberg U.S. Aggregate Index, by 1.01% in 2024. The duration of the portfolio remains modestly shorter than benchmark, and the performance against the benchmark was influenced by an overweight in the spread sectors of the fixed income markets as well as a positive contribution from security selection. Since its inception, the investment strategy has outperformed the benchmark by 0.35% on an annualized basis.

Going forward, we remain defensively positioned while favoring the credit spread sectors of the fixed income markets. We expect the yield curve to flatten, as short-term rates will fall less than long-term rates, and credit spreads to modestly widen as economic growth declines throughout the year. We continue to maintain a high-quality portfolio and a high level of diversification. The portfolio's book yield should continue to rise throughout the year as cash flows from maturing bonds and new contributions will be invested at higher yields. We expect mid-to-high single digit returns from a diversified portfolio.

## MANAGEMENT REPORT

*Wright Risk Management, Program Manager*

Management of the Comp Alliance is performed by Wright Risk Management (Program Manager), and is overseen by the Executive Director and three distinct committees of the Board of Trustees, as follows: Underwriting, Member Services (Loss Control and Marketing) and Claims. Each committee of the Board of Trustees establishes the policies, rules and procedures and receives regular reports on the progress. The Executive Director works with each unit of the Program Manager, and coordinates the joint activities of these units, to ensure that the policies and practices put in place are executed seamlessly for the benefit of our members. Below is a summary of the key services for 2024.

### Underwriting

The disciplined and tailored underwriting services serve as the foundation of its financial strength, rate stability, member growth and extraordinary member retention rate. The focus of our underwriting department is two-fold: 1) to ensure that every member carries its own weight to ensure that there will always be funds on hand to pay future benefits to their employees; and 2) to make the costs of workers' compensation as stable and predictable as possible for our members. This is often made challenging by the inherent volatility of workers' compensation, and compounded by recent changes to the calculation of the experience modification factor (or simply, "mod") that were adopted by New York State in October of 2022.

The changes to mod calculations continue to result in unpredictable experience swings for our members. We've witnessed mod factors for members increase as much as 120 points and decrease as much as 70 points. As each point of mod swing represents roughly 1 percent of annual premium, swings this large can have devastating impacts on members while creating a windfall for others. Yet even the beneficiaries of such large swings (decreases) will be set up to pay exponentially more with even just a single workplace accident.

To help combat the increased volatility, at the outset of the changes the Board of Directors approved additional Underwriting tools to help maintain stability in our pricing while also recognizing the intent of changes, which is to help ensure that employers pay their fair based on their loss experience. These tools continue to assist in providing stable contributions to help in the budgeting process, leading to our continued success in 2024.

The Underwriting Committee continuously reviews its guidelines and amends them as warranted, adding resources, programs and tools necessary to navigate each renewal cycle. The continual monitoring of the guidelines and disciplined implementation of these programs drove a member retention rate of 99 percent for 2024. Across the 2024 renewal cycles of January, June and July:

- 20 new members joined the program with \$1.4 million in annual premium;
- The expansion of our 3-year membership option has added \$577K in annual funding;
- Overall Funding for existing members increased by 2.2 percent;
- \$ 2 million was returned to our members through our award programs



The Board's implementation of two award programs in 2019 has been an ideal use of the surplus. These programs return a portion to members to share in the success and growth of the program, totaling over \$10 million to date. The Loyalty Award rewards members for their loyalty to the program and returns funds upon renewal. The Safe Workplace Award acknowledges members who recognize the importance of maintaining a safe workplace and



## MANAGEMENT REPORT *(cont.)* *Wright Risk Management, Program Manager*

In 2024, the Comp Alliance rolled out an enhancement to the existing Safe Workplace Award (SWA). Historically, this program has awarded members who have had a positive loss experience and contributed to the financial well-being of the program from a statistical standpoint. The recent update now allows our members to give feedback in their own words through a questionnaire.

This development offers participating members the possibility to increase the amount of their award total in addition to the existing criteria. The questions touch on topics including, but not limited to, the confirmation of existing or added safety programs and practices, completed training, accident investigation processes, and equipment available to employees. The survey also gives our members a chance to highlight examples of the positives implemented to enhance their individual safety culture.

The first time our members could view and use the questionnaire occurred during the recent evaluation of the January 2023 policy period. During this rollout, we received responses from 69 out of the 175 eligible members. This participation resulted in an added \$243,612 awarded on top of the \$395,533 given based on prior award guidelines. The response rate of our first survey for the new SWA questionnaire was a strong 40% (69 out of 175); we strive for all our members to get the opportunity to receive increased awards for their efforts. In 2025, we will work to improve this response rate.

While this advancement in the Safe Workplace Award Program has given our members the ability to increase their award amount, it has also provided other benefits. The responses welcome further discussions with our Loss Control department on any safety concerns members have, and what existing training may be available to address in-house needs. Ultimately, this platform for self-assessment shines a light on the challenging work that is being done to create a safe workplace by our members for our members.

Information for the Safe Workplace Award Program can be found by visiting the Comp Alliance website. This includes updates on when surveys will be posted for January and June/July members, as well as the success of prior award cycles. Should you have any other questions, please do not hesitate to contact your Loss Control or Marketing Representative.

- In 2024, the Comp Academy had 934 registrants and nearly 3,000 courses completed.
- Last year, the risk management department completed 380 inspections and attended 88 safety committee meetings.
- In 2024, we administered 134 training sessions. This includes an expanded offering of Reasonable Suspicion regional training, certifying over 100 municipal supervisors. In addition, we presented 12 times at conferences across the state on varying topics from Managing Stress in the Public Sector to Drug and Alcohol Testing.
- We received 2,195 new claims and closed 423 of them before year-end.
- We processed 45,260 medical billings totaling over \$21M in charges from which we paid only \$7M, a savings of \$14M.

### Member Services

In 2024, the Comp Alliance grew to 366 members and an annual funding contribution of more than \$45 million. Our high retention rate benefits from our members taking advantage of our multi-year membership programs, allowing them to lock-in their costs for up to three years, providing budgetary stability.

For the third straight year, school districts made up the majority of our new members. The turbulence of the excess insurance market pricing and the inconsistencies of individual self-insured programs have led these districts to the Comp Alliance for our stability and savings. Towns, Villages and Special Districts are also a significant portion of our growth. →

## MANAGEMENT REPORT *(cont.)*

*Wright Risk Management, Program Manager*

In 2024, the Comp Alliance took advantage of a change in law that allows for a greater class of public entities to be eligible for Comp Alliance Membership. Library Systems, Community Colleges and Public Authorities are among the classes of public entities not previously eligible for membership but are going forward. We will continue to wade carefully in these new waters to bring new members into the Comp Alliance without compromising the existing risk profile of our program.

Our recent efforts to expand our digital presence through online training and resources continue to be received favorably by our members. Upgrades to our website and social media create more opportunities for our members to interact with us digitally. The Comp Alliance website is widely utilized by our members to access the Comp Academy, our online training school, as well as our claims portal and access to important updates, newsletters and bulletins. In 2024 we focused on improving accessibility and adding to our already impressive offerings, including a Risk Management Question & Answer resource featuring videos from our Loss Control department answering Frequently Asked Questions. We look forward to announcing additional improvements to our website and the Comp Academy, and encourage all of our members to follow us on social media at the links below:



One of the key differentiators of the Comp Alliance is the resources it devotes to keeping public employees safe. Part of injury prevention is awareness. To that end, we conduct risk management training annually to increase employee knowledge surrounding workplace injuries. Every year, we provide a tailored risk assessment for our members. This may include inspection of facilities for hazards, evaluation of specific exposures, and sharing individualized workplace injury data with municipal administrators.

Thank you, Aaron!

We are sad to announce that Aaron Reader, who served most of 2024 as the Director of Member Services for the Comp Alliance, has accepted an exciting new opportunity with another firm. Aaron has been a valuable member of our team for more than 10 years, and we are deeply grateful for his hard work and dedication in shaping our program over that time. Please join us in wishing Aaron all the best as he pursues the next chapter of his career.

At the same time, we are thrilled to welcome back a familiar face to lead our members services team, John Triessl. Many of you already know John, who previously served for four years as a Comp Alliance regional marketing representative and assumed the role of Director of Member Services. John's experience with, and knowledge of, public entities and the Comp Alliance operations help ensure a smooth transition and a continued focus on the needs of our members.

Our risk management team will offer recommendations for accident prevention and employee safety and participate in safety committee meetings, providing additional assistance to our members. Last year, the risk management department completed 380 inspections and attended 88 safety committee meetings.

The department continues to produce safety content in varying formats for members throughout the year. We created monthly topical safety bulletins, safety tips focused on high-hazard work functions, quarterly newsletters, and safety articles. Our focus in 2024 was on creating professional and safe workplace cultures and highlighting the importance of mental health and well-being in the workplace, themes we expect to continue to focus on through the first half of 2025.

Additionally, we recognized three of our members for their exceptional leadership and accomplishments in maintaining and providing a

## MANAGEMENT REPORT *(cont.)*

*Wright Risk Management, Program Manager*

The Village of Westbury, the Town of Cato, and the Town of Penfield were recognized for their persistence and commitment to safety and received our G. Jeffrey Haber Leadership Award. These awards were presented at the NYCOM Fall Training School and the New York State Association of Towns Annual Meeting.



*Pictured (L-R): Gerry Geist, former Executive Director, NYAOT, Michael Kenneally, Executive Director, Comp Alliance, Jeff Leenhouts, Supervisor, Town of Penfield, Charles Ray, Supervisor, Town of Cato for the presentation of the 2024 G. Jeffrey Haber Leadership Award*

### Claims

All of the above risk management resources and initiatives are intended to prevent workplace accidents in the first instance. Unfortunately, the nature of workers' compensation is that workplace accidents will happen. When an accident occurs, our priority shifts to ensuring the injured employee gets the medical care and attention they need and returns to work as soon as possible. Throughout the claims process, we maintain efforts to support medical needs, replace interim wages, and close out claims for the program's benefit.

Our claims team continues to meet the challenges of the program's growth by identifying injury trends and working with our members to discuss claims. With the addition of new members to the program, and by extension additional claims, the Claims Department continues to be aggressive in our review and attention to detail in processing claims. Ultimately, the goal of the claims department is to work with the employer and medical care providers to help restore the injured employee to the same condition they were in pre-accident and returned to work as expeditiously as prudent. In 2024, we successfully closed 1,930 claims during the year.

Simultaneously, our claims unit protects the integrity of the program by protecting our members from paying more than necessary on claims. Medical bills are reviewed for compliance with medical billing guidelines, and all claims are reviewed for claims or injuries that are unassociated with the claimant's employment, or on subsequent injuries unrelated to an initial workplace injury. When there is not sufficient evidence of a causal relationship between an injury and the workplace, or additional conditions and the initial injury, the Comp Alliance claims team will controvert the claim and represent the employer at all associated hearings. The decision to controvert a claim is not made lightly and goes through several levels of review before a claim is controverted. During 2024, only 33 claims were controverted out of 2,195 new claims filed, representing 1.5 percent of total claims.

### 2025 & Beyond

In 2024, the rules of membership for public group self-insured programs like the Comp Alliance were expanded, making other types of public entities eligible to participate. Looking ahead to 2025, our team will work diligently with our Association Partners, NYAOT and NYCOM, and our agents and brokers to identify and seek out these entities.

We'll continue to offer the benefits that make us the premier option for workers' compensation insurance for public entities in New York State. Entities that join the Comp Alliance can expect superior service, consistent pricing with no payroll audits, multi-year policy options, varying safety resources, exceptional loss control services, and award programs that give back. We look forward to servicing a larger population of public entities in New York State.

# 2025



## 30TH ANNIVERSARY CELEBRATION

2024 marked the 30th anniversary of the Comp Alliance, and to commemorate this milestone, we invited our members to take part in a two-day training and member appreciation celebration. The theme of the event was building safe workplace cultures in our members' communities.

The event kicked off with a moving and impactful keynote address by Eric Giguere, who relayed to an enraptured audience his first-hand experience of not taking safety in the workplace seriously. In Eric's case, taking shortcuts on the job left him buried alive in a collapsed trench for 10 minutes. He re-lived the event, taking the audience through not just the emotional, mental and physical impacts the accident had on him, but also on his wife, family and co-workers.

The training continued with a presentation on the importance of building a culture of safety in the workplace, drawing on Eric's experience and the experience of the Comp Alliance risk management team and excess insurance partner. Following the training, our members were able to enjoy a celebratory dinner and have fun despite the Yankees' and Mets' best efforts to ruin the evening.

On Friday morning, we walked our members through the multitude of resources the Comp Alliance makes available to them to implement and create safety initiatives and wrapped up with a panel discussion of Comp Alliance members who, based on their questionnaire responses, received Safe Workplace Awards. Our panelists shared their best practices and innovations with the audience, helping all in attendance to improve safety in their workplace.





## OUR PARTNERS

Throughout 2024, the Comp Alliance made a concerted effort to enhance its performance by leveraging its primary strength: Its relationships with its partners. Our partnerships are the foundation of our success, and the benefits derived therefrom directly impact our members.

The involvement of the Association of Towns of the State of New York (NYAOT) and the New York State Conference of Mayors (NYCOM) as sponsors and in governance of the Comp Alliance ensures that the Comp Alliance will always be in the best position to address the needs of its members. Through their participation in governance, both associations are actively involved in crafting the policies and decisions that drive our success. The application of the knowledge and experience that NYAOT and NYCOM have acquired is reflected in all aspects of the Comp Alliance's operations, and our members are well-served by the dedication that these two associations put into our program.

Since its inception, day-to-day operations of the Comp Alliance have been managed by Wright Risk Management, a company with a proven track record of meeting municipal and school insurance needs. Through a dedicated unit of marketing, loss control, underwriting and claims professionals, the Comp Alliance strives to offer superior service to its members.

While NYAOT, NYCOM and Wright Risk Management are the most visible of our partners, they are not our only ones. Our excess carrier (Midwest Employers Casualty Company), actuary (Sound Actuarial Consulting), auditors (Mengel, Metzger, Barr & Co. LLP), excess broker (Guy Carpenter) and asset manager (Nuveen Asset Management) all work diligently behind the scenes to make sure members of the Comp Alliance receive the best services and results possible.

Lastly, our long-standing relationships with the agents and brokers with whom we partner on a daily basis is a significant factor to our success. The brokers and agents ensure that the services discussed in this report are made available to all of our members, and that our members' needs are satisfied promptly.



## CONGRATULATIONS

In April 2024, Association of Towns (NYAOT) Executive Director Gerry Geist retired following 12 years of service. As Executive Director, Gerry was a vocal advocate for New York State's 933 towns. His tenure as Executive Director was the culmination of a distinguished career in public service, which included serving 24 years as a Councilman in the Town of North Castle and as President of the Association of Towns in 2007.

Gerry was a long-standing Trustee of the Comp Alliance, joining the Board in 2011 and serving as its Chair from 2013 until his retirement in 2024. During this time, he oversaw the Comp Alliance as it grew its membership by more than 50 percent, introduced multi-year policies and strengthened its financial position. Most significantly, Gerry led the creation of the Comp Alliance's two award programs, which have returned over \$11 million in funding contributions to its members since 2019.

The Comp Alliance congratulates Gerry on his distinguished career in public service, and is appreciative of his contributions to Board of Trustees.



We are also pleased to welcome Christopher A. Koetzle to our Board of Trustees. Chris was appointed as a Trustee in January 2024 and subsequently as Chair of the Board upon the retirement of Gerry Geist.

Chris has spent a considerable portion of his career working in local government, serving the Town of Glenville for 17 years, including 15 years as Town Supervisor. An ardent supporter of Home Rule and fierce advocate for local governments, he served on the Association of Towns Executive Committee for seven years and was named Executive Director on May 1, 2024.

With Chris at the helm, the Comp Alliance looks forward to continuing its strong growth and fiscal stability while pursuing new and innovative initiatives to best serve the Comp Alliance's 370 members.



**WORKERS' COMPENSATION SELF INSURANCE**

**WHEREAS**, the Niagara Falls Water Board ("Water Board") has accepted a proposal from insurance broker Arthur J. Gallagher & Co. ("Gallagher") to place the Water Board's Workers' Compensation coverage with the New York State Municipal Workers' Compensation Alliance ("Comp Alliance"), which is a public group self-insurer; and

**WHEREAS**, the Water Board previously has met its statutory obligation to provide Workers' Compensation insurance as a self-insured entity participating in a group self-insurance plan, PERMA, since 2015; and

**WHEREAS**, to join the Comp Alliance, the Water Board must pass a Resolution affirming its election to self-insure its Workers' Compensation claims;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Niagara Falls Water Board hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation Claims against this public entity; and

**IT IS FURTHER RESOLVED**, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and

**IT IS FURTHER RESOLVED**, that this election shall become effective on July 1, 2025.

On June 23, 2025, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Cole	[    ]	[    ]	[    ]	[    ]
Board Member Dean	[    ]	[    ]	[    ]	[    ]
Board Member Kimble	[    ]	[    ]	[    ]	[    ]
Board Member Larkin	[    ]	[    ]	[    ]	[    ]
Chairman Sirianni	[    ]	[    ]	[    ]	[    ]

Vote Witnessed By:

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Sean W. Costello, Secretary to Board

**ADDRESSING WORKPLACE RECORDINGS**

**WHEREAS**, the Niagara Falls Water Board (“NFWB”) is committed to maintaining a secure, respectful, and transparent workplace and service environment; and

**WHEREAS**, in addition to cellphones, many undetectable recording devices are now available including, but not limited to pens, Meta glasses, etc.; and

**WHEREAS**, the use of voice and audio recording devices on NFWB property, if not properly regulated, may infringe on the privacy rights of employees, customers, or visitors and may create security, legal, and operational concerns; and

**WHEREAS**, the Board seeks to ensure that there are in place policies and procedures to clarify and control the use of such devices while still allowing their use for legitimate business or public purposes under appropriate safeguards;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Niagara Falls Water Board hereby directs the Executive Director to amend existing policies and procedures to ensure that employees do not initiate audio or video recordings using cellphones or other voice or audio recording devices in inappropriate circumstances or without appropriate disclosures, including by implementing a procedure to disclose recording of normal operational meetings and to secure written disclosure and acknowledgement for recordings made outside normal operational meetings, to ensure that recordings are handled in a secure manner and used only for the intended purpose, to prohibit unauthorized use or distribution of recordings, and to make clear that violations of the policies and procedures will result in appropriate penalties; and

\* CONTINUED ON NEXT PAGE \*

**IT IS FURTHER RESOLVED**, that the attached draft amendment to the existing policy on cellphones in the workplace may serve as the basis for the amendments required by this Resolution.

On June 23, 2025, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Cole	[    ]	[    ]	[    ]	[    ]
Board Member Dean	[    ]	[    ]	[    ]	[    ]
Board Member Kimble	[    ]	[    ]	[    ]	[    ]
Board Member Larkin	[    ]	[    ]	[    ]	[    ]
Chairman Sirianni	[    ]	[    ]	[    ]	[    ]

Vote Witnessed By:

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Sean W. Costello, Secretary to Board



## Cellphones and Voice and Video Recording Devices in the NFWB Workplace

10/09/2023 6/23/2025

### **Objective**

This memorandum-policy addresses the use of cellphones, voice, and video recording devices by Niagara Falls Water Board employees while at work. Surveillance cameras are covered by a separate policy and not included in the scope of this memorandum.

### **1. Normal Operational Meetings**

Normal Operational Meetings are those meetings (including training) involving three or more individuals, occur as part of the routine business of the NFWB, and do not involve discussion of the performance, benefits, employment, or other information on specific individual personnel. As set forth in the disciplinary procedure, no person may record the questioning of an employee who may be subject to discipline. Recordings outside the context of Normal Operational Meetings are to follow the procedures in Section 5, below.

Any time a Normal Operational Meeting is being recorded, all persons who are creating the recording must announce that they are recording both prior to starting the recording and at the beginning of the recording in order to confirm this notice was provided to those present for the Normal Operational Meeting. Permission to record the meeting may be denied by the Executive Director.

Cellphones should be turned off or set to silent or vibrate mode during Normal Operational Meetings, conferences, and in any circumstance where incoming calls may be disruptive. If you must take or place an urgent call, leave the room.

### **2. Personal Calls**

As was the case before cellphones when calls were placed and received using the Board's landline telephone system, the NFWB recognizes that employees must sometimes place or receive personal calls during the workday. While at work, employees are expected to exercise discretion in using personal cellphones. Excessive personal calls during the workday can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls during nonwork time when possible and to ensure that friends and family members are aware of the NFWB's policy. The NFWB will not be liable for the loss of personal cellphones brought into the workplace.

### **3. Company-Provided Cellphones**

When job duties or business needs demand, the NFWB may issue a business cellphone to an employee for work-related communications. These cellphones remain NFWB property and must be used consistent with current IT policies. Employees in possession of company-owned cellphones are expected to protect the equipment and the data on the phone from loss, damage, or theft. Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection. As a reminder, personal use of a NFWB cellphone should be kept to an absolute minimum and there is no expectation of privacy when using NFWB devices.

### **4. Safety Issues for Cellphone Use**

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times. Employees must follow NFWB vehicle use and driver safety policies – cell phone use while driving is never required by the NFWB, and employees must either pull over in a safe place or use hands-free devices to interact with their cell phones (including calls, texts, or other actions) when driving.

Use of cellphones while working also may pose a safety hazard. Operating machinery, or even walking while looking at a cellphone screen, may result in a fall or other injury. NFWB employees should refrain from using their cellphones for personal purposes outside of breaks and should exercise caution and awareness when using them for business purposes while walking, operating machinery, or otherwise in potential danger.

### **5. Video or Audio Recording Devices**

The NFWB's facilities are classified by the United States Department of Homeland Security as a Critical Infrastructure Sector. Dissemination of photographs or recordings of areas of NFWB facilities could aid in the planning of an attack on that infrastructure. In addition, while the public has a right to photograph or film government employees who are working in public places, most areas of the NFWB's property are not open to the public. Employees previously have complained that other employees have photographed or recorded audio or video of them for the purpose of embarrassing or harassing them. To protect security and secure privacy, use of cellphone cameras or other video or audio recording devices at NFWB facilities in areas that are not designated as open to the public or during Normal Operational Meetings as discussed in Section 1 - for purposes other than related to health/safety concerns or equipment/facility maintenance or repair and which do not include any persons in the photograph or recording without their express permission - is prohibited without permission from the Executive Director.



Outside the context of Normal Operational Meetings as discussed in Section 1 and surveillance cameras that are governed by a separate policy, the recording party must obtain the employee's prior written consent and the Executive Director's approval prior to creating an audio or video recording of a NFWB employee. The procedure for such consent and approval will be as follows:

**a. Written Disclosure and Acknowledgment:**

Prior to conducting any recording that includes NFWB employees, the recording party must provide a **written document clearly stating the purpose of the recording** to any employee who may be visible or audible in the recording. Each such employee must be given an opportunity to review the statement and must sign an acknowledgment granting **written permission** to be included in the recording. A sample authorization form is attached.

**b. Storage and Use of Recordings:**

All recordings made under this policy must be handled in a secure manner and used only for the purpose stated in the written disclosure. Unauthorized use or distribution of such recordings is strictly prohibited.

**6. Enforcement**

Unauthorized use of cellphones or video or audio recording devices or failure to comply with this policy may result in disciplinary action up to and including immediate termination of employment, removal from the premises, or legal action as deemed appropriate by NFWB.



## Niagara Falls Water Board Recording Authorization Form



Date of Recording: \_\_\_\_\_

Location of Recording: \_\_\_\_\_

Name & Title of Person Recording: \_\_\_\_\_

Devices Used: \_\_\_\_\_

Purpose of Recording: \_\_\_\_\_

\_\_\_\_\_

Use of Recording: \_\_\_\_\_

\_\_\_\_\_

Names & Titles of Any Individuals Who Will Appear or Be Heard in Recording:

\_\_\_\_\_

I hereby certify that the foregoing is true, correct, and complete to the best of my knowledge and belief. Furthermore, the contents herein have been reviewed and are hereby approved.

Executive Director Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Title of Person Recording: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I understand that my image and/or voice may appear in this audio or video for the purposes described, and I give my full permission for such use:

➤ Name and Title of Person in Recording: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

➤ Name and Title of Person in Recording: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

➤ Name and Title of Person in Recording: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*NIAGARA FALLS WATER BOARD RESOLUTION # 2025-06-004*

**AWARD BID FOR COMBINED SEWER MANHOLE REPLACEMENT,  
GARDEN AVENUE AND TENTH STREET**

**WHEREAS**, Niagara Falls Water Board (“Water Board”) staff have identified a combined sewer manhole near the corner of Garden Avenue and 10th Street (“the manhole”) that requires repairs that exceed the Water Board’s own manpower and equipment resources; and

**WHEREAS**, on behalf of the Water Board, the City of Niagara Falls Engineering Department prepared specifications and solicited bids for the replacement of the manhole; and

**WHEREAS**, one bid was received, which has been reviewed and tabulated; and

**WHEREAS**, City Engineering and Water Board staff recommend awarding the bid to 4<sup>th</sup> Generation Construction, Inc., as the lowest responsible bidder with a total base bid item price of \$148,000;

**NOW THEREFORE BE IT**

**RESOLVED**, that on behalf of the Niagara Falls Water Board, its Executive Director hereby is authorized to contract with 4<sup>th</sup> Generation Construction, Inc., for repair of the combined sewer manhole near the corner of Garden Avenue and 10th Street, for a total amount not to exceed the bid of \$148,000.

On June 23, 2025, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Cole	[    ]	[    ]	[    ]	[    ]
Board Member Dean	[    ]	[    ]	[    ]	[    ]
Board Member Kimble	[    ]	[    ]	[    ]	[    ]
Board Member Larkin	[    ]	[    ]	[    ]	[    ]
Chairman Sirianni	[    ]	[    ]	[    ]	[    ]

Vote Witnessed By:

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Sean W. Costello, Secretary to Board



# City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

## ENGINEERING DEPARTMENT

June 19, 2025

### Niagara Falls Water Board

Mayor Michael C. O'Laughlin  
Niagara Falls Water Treatment Facility  
5815 Buffalo Avenue  
Niagara Falls, New York 14304

Attention: Mr. Sean Costello, Esq.  
Executive Director

Mr. Costello:

Attached to this brief letter please find the standard City of Niagara Falls Bid Security Information and the Bid Tabulation Summary Sheet for the following project:

**COMBINED SEWER MANHOLE REPLACEMENT PROJECT  
GARDEN AVENUE & TENTH STREET  
(S.C. # 1652)**

Arithmetical and typographical errors (if any) have been corrected and the entire package is offered for your review, reference, and ultimate contract award. The verified and qualified low bidder for this project is:

**4<sup>TH</sup> GENERATION CONSTRUCTION INC.  
5650 SIMMONS AVENUE  
NIAGARA FALLS, NEW YORK 14304**

at the total base bid item price of: **\$ 148,000.00**

Please contact me at your convenience if questions arise or additional clarification is deemed necessary.

Sincerely,

Robert Buzzelli,  
Civil Engineer III

attachments (2)

cc: file



**TIME: 2:00PM**

[illegible]

**CONTRACT: COMBINED SEWER MANHOLE REPLACEMENT PROJECT  
GARDEN AVENUE & TENTH STREET - S.C. # 1652**

BID OPENING: JUNE 19, 2025

TIME: 2:00 p.m.

SHEET 01 OF 01

BID SECURITY: - N.A. -

										4TH GENERATION CONSTRUCTION, INC.	
#	BID ITEM	QTY.	UNIT	PRICE	AMOUNT	PRICE	AMOUNT	PRICE	AMOUNT	PRICE	AMOUNT
01S	PROJECT SURVEY & STAKEOUT	1	L.S.							5,000.00	5,000.00
02S	NEW PRECAST REINFORCED CONCRETE SEWER MANHOLE	1	EA.							100,000.00	100,000.00
03S A	NEW PVC SEWER PIPE (24" DIA.)	20	L.F.							250.00	5,000.00
03S B	NEW PVC SEWER PIPE (30" DIA.)	20	L.F.							250.00	5,000.00
04S	PAVEMENT RESTORATION	45	S.Y.							200.00	9,000.00
05S	MAINTENANCE AND PROTECTION OF TRAFFIC	1	L.S.							20,000.00	20,000.00
06S	MOBILIZATION	1	L.S.							4,000.00	4,000.00
										\$148,000.00	

*NIAGARA FALLS WATER BOARD RESOLUTION # 2025-06-005*

**AUTHORIZING SETTLEMENT OF PROPERTY DAMAGE CLAIM –  
WILSON, TYLER**

**WHEREAS**, on or about May 14, 2025, a Niagara Falls Water Board (“Water Board”) employee while operating a Water Board pickup truck stuck and damaged the bumper of a vehicle owned by Tyler Wilson while parked in a Water Board lot; and

**WHEREAS**, Mr. Wilson obtained four quotes for the cost to repair the damage, and the lowest quoted cost for the repair is \$1,210.68; and

**WHEREAS**, under the circumstances presented, the Water Board is liable for the damages;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Niagara Falls Water Board be and hereby is authorized to pay the sum of \$1,210.68 to Tyler Wilson as settlement in full for the damage to his vehicle that occurred on or about May 14, 2025 on the condition that Mr. Wilson executes a general release in connection with the incident.

On June 23, 2025, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Cole	[    ]	[    ]	[    ]	[    ]
Board Member Dean	[    ]	[    ]	[    ]	[    ]
Board Member Kimble	[    ]	[    ]	[    ]	[    ]
Board Member Larkin	[    ]	[    ]	[    ]	[    ]
Chairman Sirianni	[    ]	[    ]	[    ]	[    ]

Vote Witnessed By:

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Sean W. Costello, Secretary to Board

*NIAGARA FALLS WATER BOARD RESOLUTION # 2025-06-006*

**AUTHORIZING SETTLEMENT OF PROPERTY DAMAGE CLAIM –  
ALFIERE, MICHAEL**

**WHEREAS**, on or about March 6, 2025, a Niagara Falls Water Board (“Water Board”) employee while operating a Water Board vehicle stuck and damaged the door of a vehicle owned by Michael Alfieri while parked in a Water Board lot; and

**WHEREAS**, Mr. Alfieri obtained three quotes for the cost to repair the damage, and the lowest quoted cost for the repair is \$812.81; and

**WHEREAS**, under the circumstances presented, the Water Board is liable for the damages;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Niagara Falls Water Board be and hereby is authorized to pay the sum of \$812.81 to Michael Alfieri as settlement in full for the damage to his vehicle that occurred on or about March 6, 2025 on the condition that Mr. Alfieri executes a general release in connection with the incident.

On June 23, 2025, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Cole	[    ]	[    ]	[    ]	[    ]
Board Member Dean	[    ]	[    ]	[    ]	[    ]
Board Member Kimble	[    ]	[    ]	[    ]	[    ]
Board Member Larkin	[    ]	[    ]	[    ]	[    ]
Chairman Sirianni	[    ]	[    ]	[    ]	[    ]

Vote Witnessed By:

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Sean W. Costello, Secretary to Board



*NIAGARA FALLS WATER BOARD RESOLUTION # 2025-06-007*

**AUTHORIZING SETTLEMENT OF PROPERTY DAMAGE CLAIM –  
SMITH, SHEILA**

**WHEREAS**, Sheila Smith filed a notice of claim for damage to siding on the garage at her premises on Parkview Drive which occurred in March 2025 when during excavation operations for a water main repair, a hydraulic fitting on a Water Board excavator came into contact with a low-hanging cable wire, pulling it off the building; and

**WHEREAS**, Ms. Smith has submitted estimates of the cost to repair the resulting damage, with the low estimate totaling \$429.11;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Niagara Falls Water Board be and is hereby authorized to pay the sum of \$429.11 to Sheila Smith as settlement of a claim for damage to the garage siding on at her premises on Parkview Drive occurring in March 2025, on the condition that she executes a general release in a form satisfactory to the Executive Director & General Counsel.

On June 23, 2025, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Board Member Cole	[    ]	[    ]	[    ]	[    ]
Board Member Dean	[    ]	[    ]	[    ]	[    ]
Board Member Kimble	[    ]	[    ]	[    ]	[    ]
Board Member Larkin	[    ]	[    ]	[    ]	[    ]
Chairman Sirianni	[    ]	[    ]	[    ]	[    ]

Vote Witnessed By:

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Sean W. Costello, Secretary to Board