



MINUTES

**Business Meeting of the
Niagara Falls Water Board
September 22, 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. Minutes do not represent a complete summary of all matters discussed. Complete video recordings of meetings are posted online at: <https://tinyurl.com/nfwbMedia>.

1. Preliminary Matters

a. Call To Order

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

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

c. Attendance:

Cole Absent, Dean Present, Kimble Present, Larkin Present, Sirianni Present.

d. Presentations

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).

Dr. Arshad Mahmood spoke regarding high bills at his rental properties at 2816 Lewiston Rd. and 317 Portage Rd. The bills accrued when he could not access the property because of issues with tenants. He showed pictures of damage from stolen pipes to the Board and has entered into a payment plan, he has made two payments but asked for any additional assistance the Board can provide.

Shahidullah, property manager for 3006 Welch Ave., spoke about a high bill that accrued during eviction proceedings with a tenant when he could not access the property.

f. Letters and Communications

i. Thank You Letter from United Way

Mr. Costello stated that the United Way's letter was in appreciation for a successful donation campaign, which was organized with the assistance of the United Steelworkers.

g. Prior Meeting Minutes

i. Draft July 28, 2025 Business Meeting Minutes

Motion by Board Member Larkin and seconded by Board Member Kimble to accept the July 28, 2025 business meeting minutes.

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

ii. Draft August 15, 2025 Special Meeting Minutes

Motion by Board Member Larkin and seconded by Board Member Kimble to accept the August 15, 2025 special meeting minutes.

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

2. Executive Director & General Counsel – Sean Costello

Mr. Costello discussed efforts to identify and implement an improved electronic payment system that will allow online bill payment using credit cards. He expects to be able to provide additional details in October.

Mr. Costello thanked the Board for its special meeting on August 15 to accept a proposal for engineering services to prepare a Preliminary Engineering Report for wastewater plant upgrades. There has been significant progress with the work to develop a Preliminary Engineering Report.

3. Engineering – Douglas Williamson

Mr. Williamson noted the West Rivershore water main replacement project is out for bid, with the bid opening scheduled for November. A CCTV inspection of the Calumet Avenue 48-inch sewer recently was completed, and the current plan is to prepare bid specifications for slip lining of approximately 430 linear feet of pipe from Highland Ave. to Easton Dr.

The 2025 Town of Niagara flow monitoring work was completed on the date of the Board meeting. Results are not yet in, but it was a very dry period which will translate to a lower bill to the Town.

4. Information Technology (IT) –Jonathan Joyce

Mr. Joyce highlighted positive results from ongoing cybersecurity vulnerability scanning. Firewalls at the WWTP recently were upgraded, and we recently moved internet service to a Spectrum Enterprise circuit that will be more secure and more cost effective than the circuits currently in use. Migration from the VMWare to Scale hypervisor system is complete, and since the Board's approval of that procurement included a five-year license for the software and hardware, the system will be in place for some time. The operating system on all servers are upgraded to a Microsoft supported operating system. Microsoft announced extended support for Windows 10 but we still are upgrading all machines to Windows 11.

Mr. Joyce also discussed his efforts to obtain a pole license agreement for a National Grid utility pole across from the Whirlpool entrance to the Gorge Pump Station. He plans to install a security camera there, so that access can be monitored.

5. Finance – Michael Smith

- a. Bank Account Balance Report**
- b. Invested Funds Balance Report**
- c. Wilmington Trust Account Report**

Mr. Smith reported that department heads will be requested to submit their preliminary budgets by September 30, and expects to be on track to deliver a preliminary budget to the Board in time for October's meeting. The shutoff program continues and as a result collections on delinquent accounts is much better; in the coming month preparation will begin for the annual tax transfer of delinquent balances. Mr. Smith hopes to begin preparing and distributing a monthly KPI (Key Performance Indicator) report for the Board.

6. Administrative Services – Caleb Holman

a. September 22, 2025 Personnel Actions

i. Job Specification – Staff Accountant

Mr. Holman reviewed recent training: PPE safety training at both plants in August and driving and vehicle safety at both plants in September. Also in September, four sessions of mandatory Sexual Harassment and Ethics trainings were conducted.

One recommended personnel action is to upgrade the existing Accountant position to Staff Accountant. This is an existing Civil Service job specification, and the goal is to shift some duties from Mr. Smith to the Staff Accountant, in order to address auditors' recommendations regarding separation of duties. Board Member Larkin requested a listing of the different duties for the two job specifications.

Board Member Larkin questioned whether the apprenticeship program created under the most recent CBAs has launched. Mr. Costello answered that the CBAs included an agreement on the framework for an apprenticeship program if we are unable to recruit qualified maintenance personnel but our most recent job posting for control maintenance mechanic resulted in quite a few high-quality candidates, so the program is not needed at present. In addition, a Civil Service job specification for apprentice needs to be created before the program can be used. Board Member Larkin asked if anyone is receiving a stipend under the program, and Mr. Costello answered that no training stipend is being paid.

Board Member Larkin inquired what happens if someone does not pass a Civil Service test. Mr. Holman answered that it would depend on if it was a first or second fail, as typically an individual cannot take a test again after failing twice. If individuals passed the test and a list was established, we would look at the list to determine how to proceed.

Motion by Board Member Dean and seconded by Chairman Sirianni to approve both items on the September 22, 2025 Personnel Actions.

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

7. Outside Infrastructure Updates – Michael Eagler, Sr.

Mr. Eagler discussed the pilot leak detection program using 30 ALFX hydrant-based sensors from TwentyTwoSections. It looks promising, but it is too early for any conclusions. If successful, the plan would be to expand deployment of the sensors in other areas. These sensors are easy to install and cost effective compared to “smart hydrants” from other companies, though they are not as technologically advanced.

Work is currently underway to CCTV sewers in connection with the LaSalle Sanitary Sewer Overflow Abatement project. The goal is to identify and prevent stormwater from entering the sanitary sewers. This work is performed in house; prior to 2017 it was contracted. There have been 93 water main breaks in 2025, an unusually high number. He attributes this to extreme cold over the winter and extreme dry conditions. These cause expansion and contraction of the soil, and the stresses placed or relieved on the main can result in a break.

Board Member Larkin asked if homeowners can purchase anything that would notify them of a leak. There are products available that a plumber can install. Mr. Eagler recommends if a property owner will be absent for a long time that they consider having the NFWB shut off the water at the curb rather than rely on the wheel valve inside the building.

Board Member Dean expressed appreciation for how responsive the staff at the NFWB is to customer concerns.

8. Questions Regarding August 2025 Operations and Maintenance Report

9. Resolutions

2025-09-001 - RENEWAL OF PROPERTY, LIABILITY, AND UMBRELLA INSURANCE POLICIES

- a. 2025-09-17 - USI Proposal for Property, Liability, and Umbrella Insurance Coverages**

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

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

2025-09-002 - SEWER LINE CHEMICAL ROOT CONTROL

- a. 2025-09-04 - Duke's Root Foaming Pricing Per HGACBuy Cooperative Purchasing**

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

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

2025-09-003 - UPDATING RECORDS RETENTION AND ACCESS POLICIES

Motion by Chairman Sirianni and seconded by Board Member Dean to approve.

Cole __A__ Dean __Y__ Kimble __N__ Larkin __N__ Sirianni __Y__

Motion failed, 2-2.

Board Members Kimble and Larkin feel that an attorney should decide FOIL appeals. No Board Member was concerned with the portion of the resolution which concerned updating the Records Retention and Disposal Schedule.

The Board Members discussed revising and reconsidering the resolution as follows:

NIAGARA FALLS WATER BOARD RESOLUTION # W-2025-09-005

UPDATING RECORDS RETENTION AND ACCESS POLICIES

WHEREAS, pursuant to Article 57-A of the Arts and Cultural Affairs Law, the NYS Archives, a division of the State Education Department, develops records retention and disposition schedules for government agencies in this State; and

WHEREAS, in 2019 the Water Board adopted Records Retention and Disposition Schedule MI-1, which now has been superseded by Retention and Disposition Schedule for New York Local Government Records (LGS-1); and

WHEREAS, in compliance with applicable law, the Water Board desires to formally adopt the new Retention and Disposition Schedule and to formally designate the Director of Administrative Services as Records Management Officer for the purpose of administering LGS-1; and

WHEREAS, the Water Board also provides the public with access to records pursuant to the Freedom of Information Law, and the Director of Administrative Services is designated as Records Access Officer for the purpose of FOIL; and

WHEREAS, from time to time the Executive Director has been directly involved in the handling of FOIL requests and acted in the capacity of Records Access Officer; and

WHEREAS, consistent with the Regulations of the Committee on Open Government, the individual who serves as Records Access Officer cannot serve as the person who determines appeals regarding denial of access to records under the Freedom of Information Law; and

WHEREAS, the Water Board desires to address the handling of appeals regarding denial of access to records under the Freedom of Information Law, including in the event that the Executive Director has acted as Records Access Officer;

NOW THEREFORE BE IT

RESOLVED, by the Niagara Falls Water Board, Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all Water Board officers and employees in legally disposing of valueless records listed therein; and

IT IS FURTHER RESOLVED, that in accordance with Article 57-A:

a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; and

b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods; and

IT IS FURTHER RESOLVED, that for the purposes of the Freedom of Information Law, the Executive Director is designated as the person to hear and determine appeals regarding denial of access to records, and in the event the Executive Director has assumed the role of Records Access Officer, such appeals shall be heard and determined by ~~the Director of Administrative Services, and in the event of an appeal when one of these offices is vacant,~~ appeals shall be determined by an individual to be designated by further Board resolution outside counsel.

Motion by Board Member Larkin and seconded by Chairman Sirianni to waive the agenda deadline policy to consider Resolution W-2025-09-005.

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

Motion by Board Member Kimble and seconded by Board Member Larkin to approve Resolution W-2025-09-005.

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

2025-09-004 - AMENDMENT NO 1 TO WWTP PROJECT 3 ENGINEERING SERVICES AGREEMENT – CONTROLS AND BELT FILTER PRESS REFURBISHMENT

a. 2025-09-18 - Nussbaumer Proposal for Amendment to Project 3 Engineering Services Agreement

Mr. Costello explained that this is a new scope of work to integrate existing and new project components.

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

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.

10. Unfinished/Old Business

11. New Business & Additional Items for Discussion

12. Executive Session (if needed)

13. Adjournment of Meeting

Motion by Board Member Larkin and seconded by Board Member Kimble to adjourn the meeting at 6:06 p.m.

Cole __A__ Dean __Y__ Kimble __Y__ Larkin __Y__ Sirianni __Y__

Motion carried, 4-0.