



**Meeting of the
Niagara Falls Water Board
for
January 21, 2010 5:30 PM at
Michael C. O’Laughlin Municipal Water Plant**

1. Call to Order

- 1. Roll Call:** *Nick Marchelos called meeting to order at 5:31 pm*

Marchelos P McNally P Schiro P Sinclair P Vitello P

- 2. Resolution to elect Water Board Chairman**

Motion by Marchelos and seconded by Sinclair to approve Michael McNally for Water Board Chairman. Motion was carried 3-2.

Marchelos Y McNally Y Schiro N Sinclair Y Vitello N

- 3. Resolution to elect Water Board Vice – Chairman**

Motion by McNally and seconded by Sinclair to approve Nicholas Marchelos for Water Board Vice Chairman. Motion was carried 3-2.

Marchelos Y McNally Y Schiro N Sinclair Y Vitello N

- 4. Resolution to elect Water Board Treasurer**

Motion by Marchelos and seconded by McNally to approve Peter Sinclair for Water Board Treasurer. Motion was carried 4-1.

Marchelos Y McNally Y Schiro N Sinclair Y Vitello Y

2. Letters and Communications

- 1. Public Speakers:** (All speakers must register with Chairman prior to Roll Call and are limited to 5 minutes per person – total minutes not to exceed 1 hour)

Leonard Lapp 6011 Frontier Ave Flood damage homeowner, Felt there was a communication break down with Phillips Lytle.

- 2. Presentations: Falls Street Tunnel – R. Roll, D. Flynn, J. Goeddertz, M. Mann**
3. Other:

3. Discussion of Items for Action

1. Routine Items

1. Approval of Minutes from December 17, 2009

Motion by Schiro and seconded by Sinclair to approve. Motion was carried 4-0-1

Marchelos __Y__ McNally __abstain__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

2. Personnel Actions

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

3. Bid Approvals – Request to approve the Carbon Bid Award

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

4. Budget Transfers – Through December 31, 2009

Motion by Schiro and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

2. From the Executive Director

1. Request to approve a change order on Contract 60, CSO, LTPC.

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

2. Request to approve Rate Study Amendment.

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

3. Request to accept the written quote for the purchase of a new Gas Chromatograph.

Motion by Schiro and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

4. Request to approve Resolution authorizing an Energy Services Agreement.

Motion by Marchelos and seconded by Schiro to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

5. Request to Approve the Resolution re: Directors Acting for Executive Director.

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 4-1.

Marchelos __Y__ McNally __Y__ Schiro __N__ Sinclair __Y__ Vitello __Y__

3. From the Chairman:

1. Resolution to Amend the Water Board meeting schedule for 2010

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

2. Resolution to hire Gerald Grose as interim Executive Director.

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 3-2.

Marchelos __Y__ McNally __Y__ Schiro __N__ Sinclair __Y__ Vitello __N__

3. Resolution to approve the contract for Personnel Services relative to the executive Directors position at the NFWB.

Motion by Marchelos and seconded by Sinclair to table. Motion was carried 3-2.

Marchelos __Y__ McNally __Y__ Schiro __N__ Sinclair __Y__ Vitello __N__

4. Informational Items and Reports

1. **Bank Transfer Activity**
2. **Cash Disbursements**
3. **Schedule of Investments**
4. **Investment Policy adopted 6/16/2005 – for review**
5. **O&M Report**

5. Unfinished Business - Tabled Items from 12/17/2009 meeting

1. **Resolution to amend the 2010 Proposed Budget and adopt as amended.**

Motion by Marchelos and seconded by Sinclair to remove from table. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

Motion by Marchelos and seconded by Vitello to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

2. **Resolution to adopt the Capital Improvement Plan update for 2009 – 2013**

Motion by Marchelos and seconded by Sinclair to remove from table. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

3. **Resolution authorizing Rule Change Notice for 2% rate increase.**

Motion by Marchelos and seconded by Sinclair to remove from table. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 3-2.

Marchelos __Y__ McNally __Y__ Schiro __N__ Sinclair __Y__ Vitello __N__

4. Resolution Authorizing Purchase of Utility Business Analytic Module

Motion by Marchelos and seconded by Sinclair to remove from table. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

Motion by Marchelos and seconded by Sinclair to approve. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

6. New Business & Additional Items for Water Board Discussion

1. Resolution Appointing Glen Choolokian Executive Director.

Motion by Schiro and seconded by Vitello to approve. Motion was defeated 3-2.

Marchelos __N__ McNally __N__ Schiro __Y__ Sinclair __N__ Vitello __Y__

Executive Session –

Motion by Marchelos and seconded by Sinclair to move into an Executive Session at 6:05 pm. Motion was carried 5-0.

Marchelos __Y__ McNally __Y__ Schiro __Y__ Sinclair __Y__ Vitello __Y__

Adjournment of Meeting

Meeting was adjourned at 6:57 pm