

**BOARD OF PUBLIC UTILITIES—Proceedings by Authority**

State of New York:

Office of the Board: ss.

City of Jamestown:

Regular meeting of the Board of Public Utilities, City of Jamestown, New York, held **Tuesday, February 5, 2008**, at **12:00 P.M.** in the offices of the Board, 92 Steele Street, Jamestown, New York.

<b>BOARD MEMBERS:</b>	<b>Present</b>	<b>Absent</b>
Vince DeJoy	X	
William S. Gullotti	X	
Jeffrey A. Lehman, PE	X	
Carl P. Pillittieri	X	
Anthony Prinzi	X	
Gregory Rabb (arrived at 12:35 PM)	X	
Wayne Rishell	X	
Mayor Samuel Teresi	X	
John Zabrodsky	X	
<b>STAFF:</b>		
Interim General Manager, Dave Leathers		X
Deputy General Mgr., Randall S. Peterson, PE		X
Business Manager, Michael A. Anderson	X	
Counsel, William Wright	X	
Sec of the Board, Julie M. Breen	X	
Communications Coordinator, Becky Robbins	X	

The media was notified of this meeting and represented by Pat Fanelli, PJ, and Terry Frank, WJTN.

On motion of Mr. Gullotti, seconded by Mr. Rishell, the minutes of the previous meeting were approved.

John Zabrodsky questioned Mayor Teresi regarding his delay in deciding whether to re-appoint three BPU board members or replace them with other members of the community. Mayor Teresi responded that he was not inclined to speak publicly regarding the specifics behind the delay.

**#080201 By Mr. Pillitteri:**

Resolved, That the bid of Amstar of WNY of Cheektowaga, NY, on BD-01-08 opened January 23, 2008, in the amount of \$179,250 for painting and repairs of the Cassadaga Water Storage Tank, be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Water Division Purchase Order to Amstar for this painting project.

Discussion: This is the low bid of two received that meets all the required specifications. This work includes the repair of ladders, handrails, vents, and interior piping. It also includes the repainting of the interior and exterior of the tank. This is in the Water Division Budget for \$195,000.

**ADOPTED.** Ayes: 8 Nays: 0  
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**#080202 By Mr. Rishell:**

Resolved, That two bid items for padmount transformers, previously awarded to Irby Utility Company of Syracuse, NY, on BD-20-07 for a cost of \$29,277 under resolution #080101F be revoked due to a transposition vendor error that was later discovered in the bid tabulation sheet. These two items were re-evaluated using the correct cost figures, with the new cost for each item being significantly higher. The new award for both items shall be to WESCO – Aurora Utility Co. of Aurora, OH, on BD-20-07 opened September 20, 2007, in the amount of \$29,901 for the furnishing of padmount transformers, be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue an Electric Division Purchase Order to WESCO – Aurora Utility Co. for these padmount transformers.

Discussion: During bid evaluation the bid items were tabulated using vendor items 1 thru 15, the bid received from Howard Transformer, represented by Irby, had several bid items transposed from the original bid list. As a result these items were evaluated using the wrong pricing. This vendor error was not caught until Irby submitted the order to the manufacturer, Howard Transformer. Consequently all the items were re-evaluated using the total life cost, with the result being the two items in question being awarded to WESCO – Aurora Utility Co. of Aurora, OH.

**ADOPTED.** Ayes: 8 Nays: 0  
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Mr. Rabb arrived at 12:35 PM.

Mike Anderson presented a 2007 financial results update for all five BPU divisions. He noted that the figures for all divisions are preliminary and that the audit will be conducted later in the year. Mr. Zabrodsky commended the staff on these results, given the difficult management circumstances over the past year.

On motion of Mr. Lehman, seconded by Mr. Rishell, the Board convened into executive session to discuss a contract negotiation issue, a potential litigation issue, a pending litigation issue and two personnel issues.

Mr. Prinzi left.

On motion of Mr. Rishell, seconded by Mr. Gullotti, the Board convened into open session.

**#080203 By Mr. Rishell:**

Resolved, That the General Manager be authorized to enter into an agreement with Duncan, Weinberg, Genzer & Pembroke of Washington, DC, to provide continuing professional services to progress towards completion of the proposed CFB Power Plant Project, for a sum not to exceed \$100,000.

**ADOPTED.** Ayes: 8 Nays: 0  
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On motion of Mr. Pillitteri, seconded by Mr. Lehman, the board meeting was declared adjourned at 2:45 PM.

**David L. Leathers, General Manager**  
**Michael A. Anderson, Business Manager**