

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, July 8, 2008**, at **12:00 P.M.** in the offices of the Board, 92 Steele Street, Jamestown, New York.

BOARD MEMBERS:	Present	Absent
Vince DeJoy	X	
William S. Gullotti	X	
Fred Larson	X	
Jeffrey A. Lehman, PE	X	
Carl P. Pillittieri	X	
Gregory Rabb	X	
Wayne Rishell	X	
Mayor Samuel Teresi		X
John Zabrodsky	X	
STAFF:		
General Manager, David L. 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, Rebecca Robbins	X	

The media was notified of this meeting and represented by Pat Fanelli and Jade Boice.

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

#080701 By Mr. Gullotti:

Resolved, That the bid of Gottogo Electric of LeRoy, NY, on BD-12-08 opened July 1, 2008, for ITRON meters be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue an Electric Division Purchase Order to Gottogo Electric for these meters.

Discussion: This is the low bid of two received and meets the required specifications. The electric division plans to purchase ITRON meters from this bid on an as needed basis. Purchases will fall within the budgeted amount for 2008 of \$55,000. The anticipated purchase amount for the remainder of 2008 is \$25,000. These meters were standardized per resolution #080305, dated March 18, 2008.

ADOPTED. Ayes: 8 Nays: 0
July 8, 2008

#080702 By Mr. Pillitteri:

Resolved, That the General Manager be, and hereby is authorized to enter into an agreement with Enterprice Management Solutions - Black and Veatch Corporation of Hauppauge, NY, to provide professional services to review the BPU Electric Division Schedule for Electric Service ("Tariff") as filed with, amended, and approved by the New York State Department of Public Service (PSC) and assess the performance of existing Electric Division processes related to the recovery of fuel costs from customers including the development of recommendations to improve these processes for a sum not to exceed \$75,000.

Discussion: Black & Veatch is a large engineering and financial consulting firm with specialized regional offices. The office in Hauppauge, NY specializes in electric rate cases and filings. They have previous experience filing rate cases with the NYS PSC. This experience includes filings for other municipal power systems which own and operate local power generating facilities. This specialized experience and capability offers the BPU the resources needed to validate and improve a number of billing and accounting practices that have a large impact on the utility as well as its customers. These professional services were reviewed and recommended by the Finance and Capital Projects Committee at their last meeting.

ADOPTED. Ayes: 8 Nays: 0
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#080703 By Mr. Rishell:

Whereas, Article 18 of the New York State General Municipal Law requires municipal entities to require members of municipal boards to disclose potential conflicts of interest on an annual basis, and

Whereas, the Board, by resolution #070502 adopted a form of annual statement of financial disclosure, and

Whereas, each written disclosure has been completed, submitted to the Secretary, and is made a part of the official record of the municipal entity, and

Whereas, the annual statements of financial disclosure indicate no conflicts which may not be excused,

Now, Therefore, Be It

Resolved, that the Board does hereby accept the annual statements of financial disclosure submitted by each BPU board member for the calendar year of 2008.

Discussion: The Board adopted the annual statement of financial disclosure form pursuant to Section 812 of the General Municipal Law. This resolution is the second part of a two-part process, and must be done on an annual basis.

ADOPTED. Ayes: 8 Nays: 0
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#080704 By Mr. Larson:

Whereas, the Board of Public Utilities (BPU or Board) is interested in developing a proposal for an oxy-coal CFB plant (Project) to compete for funding in the United States Department of Energy's Clean Coal Power Initiative; and

Whereas, New York State has provided approximately \$8.8 million in funding for the Project; and

Whereas, \$400,000 has been appropriated and will be administered through the Department of Environmental Conservation (Department) for geological work related to sequestration for the Project; and

Whereas, the Department requires that in order to begin the contractual process, the BPU submit a program narrative and budget, which may be utilized in the contract with the Department; and

Whereas, \$400,000 in funding is being made available through the New York State Energy and Research Development Authority to Ecology and Environment for related work on sequestration in Western New York;

Now, Therefore, Be It

Resolved, That the General Manager is authorized to submit the attached narrative and program budget, subject to Counsel review, to the Department of Environmental Conservation for sequestration work related to the oxy-coal CFB plant, and that the final contract with the Department will be subject to a subsequent Board Resolution.

ADOPTED. Ayes: 8 Nays: 0
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Becky Robbins reported on the progress of the Soup Kitchen fund raising drive.

Dave Leathers gave a brief general manager's update on the CFB Project and the meetings he has attended with Praxair, NYSERDA, City Strategic Planning Commission members and WRFA Radio Program Director Dennis Drew regarding this project.

Greg Rabb furnished copies of a magazine article on compact fluorescent light bulbs (CFLs). Dave said the BPU Conservation Team is reviewing all the education on CFLs that is available and is coordinating a communications summary to review with the board at an upcoming meeting.

Randy Peterson reported on a water main break that occurred in Brooklyn Square yesterday. He said it was a difficult one to find because it was not detected until the pavement started to weaken.

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

On motion of Mr. Rishell, seconded by Mr. Lehman, the board convened into open session.

There being no further business, the board meeting was declared adjourned.

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