

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, November 4, 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. Pillitteri	X	
Gregory Rabb (arrived at 12:25 PM)	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 Jade Boice, Cable 8 News and Kristen Johnson, Post Journal.

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

#081101 By Mr. Pillittieri:

Whereas, the Board has been provided with proposed written resolutions prior to this meeting and,

Whereas, each Board Member has been given adequate opportunity to discuss each resolution,

Now, Therefore, Be It

Resolved, that proposed resolutions #081101A-C be, and hereby are approved as written.

ADOPTED. Ayes: 7 Nays: 0
November 4, 2008

#081101A:

Resolved, That the General Manager is hereby authorized to purchase from Wamock Automotive of East Hanover, NJ, under New York State Contract #PC62963, one 2009 Dodge Durango SXT 4x4 at a cost of \$21,188.62 and one 2009 Chrysler Town & Country LX at a cost of \$16,897.00 for the Electric Division.

Discussion: These two vehicles are in the Electric Division Budget.

#081101B:

Resolved, That the General Manager be authorized to enter into an agreement with ENSR International of Westford, MA, to provide continued professional environmental engineering services to progress towards completion of the proposed Clean Coal Power Plant project air and water permit applications and environmental impact statement processes, for a sum not to exceed \$150,000.

Discussion: It is anticipated that the majority of this expenditure will be reimbursable through NYS funding initiatives.

#081101C:

Whereas, TitanX desires to lease two available unused fibers and agrees to pay for additional cable installation into its facilities in order to provide a two fiber, point to point connection.

Now, Therefore, Be It

Resolved, That the Board does hereby declare that two (2) strands of fiber optic cable in the BPU loop, identified by Exhibit A of the lease agreement, are surplus and will not be needed for BPU purposes for the term of the lease, and be it further

Resolved, That the Board does hereby approve the lease agreement with TitanX and authorizes the General Manager to sign the agreement.

Discussion: TitanX has a need to install a high speed data connection between its wind tunnel facility on Blackstone Ave. and its main plant on Allen Street Ext. Several months ago TitanX approached the BPU to inquire about the possibility of leasing two fibers in order to meet their need. Since the BPU has previously installed fiber passing both facilities with spare capacity, the BPU has decided to enter a five year fiber lease agreement with TitanX.

#081102 By Mr. Gullotti:

Resolved, That the Wastewater Division Budget for 2009 anticipates cash on hand of \$2,063,727, cash receipts of \$5,144,760, and cash disbursements of \$5,434,970, leaving a cash balance of \$1,773,517 be and is hereby adopted; and be it further

Resolved, That disbursements shall be divided \$446,000 for Fixed Charges, \$1,243,200 for Capital Projects and \$3,745,770 for Operation and Maintenance, all as set forth in said budget for 2009, and be it further

Resolved, That the amounts set forth in the budget schedules for the benefit of each account against which charges may properly be made, on file in the office of the Board, are herein appropriated for the purpose therein stated, and the officers and employees of the Board are hereby authorized and directed to contract for necessary expenditures in accordance therewith.

ADOPTED. Ayes: 7 Nays: 0
November 4, 2008

#081103 By Mr. Rishell:

Resolved, That the General Manager be, and hereby is authorized to enter into a Funding Agreement with New York State Energy Research and Development Authority (NYSERDA) in the amount of \$2,000,000, to fund the drilling of a stratigraphic well that will aid in the characterization of the geology in Chautauqua County for CO₂ sequestration.

Discussion: NYSEDA will be the funding source for this project (NYSEDA Project # 10991). The funds available to this project are \$2,000,000 and will be administered by the JBPU. The JBPU will enter into contracts with two other vendors to carry out the actual drilling, geologic testing and test interpretations. Results of this stratigraphic well and the associated testing activities will enable the geologists to characterize the underground structures and determine their suitability for the geologic sequestration of CO₂.

ADOPTED. Ayes: 7 Nays: 0
November 4, 2008

#081104 By Mr. DeJoy:

Whereas, three-quarters of this Board concurs that it is impractical to take bids for proprietary license upgrading for the power system analysis software at the Jamestown BPU facilities;

Now, Therefore, Be It

Resolved, That the action of the General Manager in issuing an Electric Division Purchase Order to ESA, Inc., of Clackamas, OR, in the amount not to exceed \$10,482.50 for this software upgrade is hereby approved.

Discussion: The BPU currently owns two concurrent use licenses of the Easy Power Software which was upgraded in 2007. The current level of software includes modules for short circuit and load flow calculations. The new purchase is for adding two modules, Power Protector and Arc Flash. These modules will allow the T&D department to fully utilize our power system coordination study that was performed by GE utilizing Easy Power, and will provide the ability to calculate arc flash energy levels in order to meet current and pending regulations regarding arc flash safety.

ADOPTED. Ayes: 7 Nays: 0
November 4, 2008

Mr. Rabb arrived.

Mike Anderson presented the proposed 2009 Water Division Budget. There will be a prepared resolution at the next Board meeting for approval of this budget.

Dave Leathers said that the Electric Division Budget is targeted to be presented at the next board meeting although this may be delayed to the first meeting in December. He also mentioned that Gov. Paterson's task force will be at JCC, Carnahan Bldg, on Dec. 3, in the evening to provide State level information regarding CO₂ sequestration.

Dave Leathers reported that the BPU would host a booth about the five divisions at the November 14-15 Chautauqua County Energy Conference at Chautauqua Suites, Mayville. A panel discussion about the BPU power plant project will be hosted by the BPU. Three employees will participate in panels about district heat, conservation programs and bio-mass.

The General Manager noted that evening inspection of street lights will begin this month to ascertain which lights may need maintenance.

Dave Leathers said that there is a need to move the next board meeting from November 18th to November 25th at 12:00 noon. Mr. Larson said he will be on vacation. The remainder of the board is in favor of this date change.

On motion of Mr. Rishell, seconded by Mr. Pillitteri, the board convened into executive session to discuss a potential litigation issue and a contract negotiation issue.

On motion of Mr. Larson, seconded by Mr. Gullotti, the board convened into open session.

On motion of Mr. Rishell, seconded by Mr. Gullotti, the board meeting was declared adjourned.

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