

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, March 10, 2009**, 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	
Jeffrey A. Lehman, PE	X	
Fred Larson	X	
Carl P. Pillitteri		X
Gregory Rabb (arrived at 12:38 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, Becky Robbins		X
Project Tech Lead, Steve Kulig	X	
Elec & Gas Res Mgr., Dave Gustafson	X	
HR Dir., Dave Watkins	X	
OTHERS: Tanja Shonkwiler, DWGP		

The media was notified of this meeting and was represented by Kristen Johnson, PJ, and Jade Boice, Cable 8 News.

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

#090301 **By Mr. Gullotti:**

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 #090301A-D be, and hereby are approved as written.

ADOPTED. Ayes: 5 Nays: 0
March 10, 2009

#090301A:

Resolved, That a warrant be drawn on the Electric Light Fund to Cede & Co., New York, New York, for \$789,676.25 to pay principal of \$632,500 and \$157,176.25 for six months interest at 7.0 percentum per annum due March 15, 2009 on \$4,427,500 Serial Electric Bonds.

Discussion: This was for 1991 Bond Issue which paid for boiler retubing and low NOx burner installation, coal silo installation, and cooling tower refurbishment; with final payment to be made in 2016.

#090301B:

Resolved, That a warrant be drawn on the Wastewater Operating Fund to Cede & Co., New York, New York, for \$29,437.50 to pay principal of \$25,000 and \$4,437.50 to pay six months interest at 7.0 percentum per annum due March 15, 2009 on \$125,000 Series A Serial Bonds.

Discussion: For Fairmount Avenue Sewer Project formerly paid from City's General Fund with final payment to be made in 2013.

#090301C:

Resolved, That the General Manager is hereby authorized to purchase from Fairport Ford of East Rochester, NY, under New York State Contract #PC63527, two 2009 Ford F-350, 4x4, trucks for a total sum of \$34,383.68 for the Wastewater Division.

Discussion: The purchase of one truck will be used in the Wastewater Division to replace a 2000 Chevy 4x4, #112, that will be sold to DPW or sealed bid. The other new truck will be used in the Wastewater Division to replace a 2001 Chevy 4x4, #103, that will be sold to DPW or sealed bid. The purchase of these new trucks are included in the 2009 Wastewater Division Budget.

#090301D:

Resolved, That the General Manager is hereby authorized to purchase from Fairport Ford of East Rochester, NY, under New York State Contract #PC62882, one 2009 Ford ½-ton, 4x4, extended cab truck for a total sum of \$17,931.47 for the Wastewater Division.

Discussion: The purchase of this truck will be used in the Wastewater Division to replace a 2002 Chevy 4x4, #124, that will be sold to DPW, sealed bid, or replace another BPU truck. The purchase of this new truck is included in the 2009 Wastewater Division Budget.

#090302 By Mr. Larson:

Whereas, the General Manager provided the Board with a copy of the Fact Finder's report and recommendations for resolution for the Teamsters Local 264 negotiations impasse on February 20, 2009, and

Whereas, the Teamsters 264 contract remains unsettled,

Now, Therefore, Be It

Resolved, That the Board does hereby acknowledge the receipt of the report and recommendations of the general manager and sets a public hearing for March 24, 2009 at 12:45 p.m.

Discussion: This action is required by section 209 3. (e) of the New York Civil Service Law as part of the negotiation impasse resolution process.

ADOPTED. Ayes: 5 Nays: 0
March 10, 2009

Dave Leathers gave a brief general manager's report. He asked if any board member was interested in attending the APPA National Conference in Salt Lake City, UT, on June 14-17, or the NYAPP Annual Conference in Glens Falls, NY, on June 1-4, to contact Julie Breen or himself.

Included in the board's handout are copies of NYAPP's and APPA's documentation of position statements provided at the March 5 NYISO hearing in Albany. A draft letter to the NYS PSC summarizing the BPU's Energy Conservation Plan and a draft board resolution to execute the 1 mill adder for the funding of energy efficiency and conservation programs is also included in the handout for board review prior to the next meeting.

Mr. Rabb arrived.

On motion of Mr. Lehman, seconded by Mr. Gullotti, the board convened into executive session to discuss a personnel issue and a potential litigation issue.

On motion of Mr. Larson, 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