

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, June 23, 2009**, at **12:00 P.M.** in the offices of the Board, 92 Steele Street, Jamestown, New York.

BOARD MEMBERS:	Present	Absent
Vince DeJoy (arrived @ 12:19 PM)	X	
William S. Gullotti	X	
Jeffrey A. Lehman, PE	X	
Fred Larson	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	
Project Tech Lead, Steve Kulig	X	
Elec & Gas Res Mgr., Dave Gustafson	X	

The media was notified of this meeting and was represented by Kristen Johnson, The Post-Journal, Jade Boice, Cable 8 News, and Terry Frank, WJTN.

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

#090606 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 #090606A-D be, and hereby are approved as written.

ADOPTED. Ayes: 6 Nays: 0
June 23, 2009

#090606A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending June 23, 2009 as follows:

ELECTRIC LIGHT FUND	\$2,566,192.25
WATER RENT FUND	426,043.80
DISTRICT HEATING FUND	149,038.70
WASTEWATER OPERATING FUND	229,499.88
SOLID WASTE OPERATING FUND	106,744.90
Total	\$3,477,519.53

itemized copies of such audits to be placed on file in the office of this Board; and be it further

Resolved, that the action of the executive officers of this Board in drawing warrants on the Electric Light Fund in May, 2009 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 19	\$127,800.46
Weekly Payroll No. 20	104,038.98
Weekly Payroll No. 21	102,973.24
Weekly Payroll No. 22	102,082.55
Social Security	32,817.77
National Grid (Trans Agreement)	164,807.48
NYS Sales Tax	42,762.55
Office Petty Cash Fund	275.95
Comm of Labor – Asbestos Licenses	300.00

Sam's Club Direct	936.32
Unbridled Energy NY, LLC	1,131,230.69
American Express – Corp. Card	2,941.53
Citi Business – Corp. Card	1,050.43
Total	\$1,814,017.95

and the action of said executive officers in drawing warrants on the Water Rent Fund in May, 2009 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 19	\$25,261.37
Weekly Payroll No. 20	22,914.38
Weekly Payroll No. 21	23,303.08
Weekly Payroll No. 22	25,449.07
Social Security	7,276.44
Total	\$104,204.34

and the action of said executive officers in drawing warrants on the Wastewater Operating Fund in May, 2009 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 19	\$17,482.70
Weekly Payroll No. 20	16,935.94
Weekly Payroll No. 21	17,396.55
Weekly Payroll No. 22	16,505.78
Social Security	5,139.45
Susan Y Carlson, Damage Claim	569.50
Total	\$74,029.92

and the action of said executive officers in drawing warrants on the Solid Waste Operating Fund in May, 2009 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 19	\$9,470.55
Weekly Payroll No. 20	10,885.63
Weekly Payroll No. 21	9,159.66
Weekly Payroll No. 22	9,335.66
Social Security	2,910.79
NYS Teamsters Retirement Fund	3,264.00
Total	\$45,026.29

#090606B:

Resolved, That unpaid utility accounts as shown on Statement of Delinquent Accounts No. 06-09 on file in the office of the Board of Public Utilities be certified to the City Treasurer of the City of Jamestown for inclusion in the tax records of the City of Jamestown as provided in the 1923 City Charter and in accordance with the terms of this Board's resolution of December 13, 1934.

#090606C:

Resolved, That the General Manager is hereby authorized to purchase from Z & M AG and Turf of Falconer, NY, under New York State Contract #PC64361, one 2009 John Deere 1420 Front Mower at a cost of \$16,781.96 for the Water Division.

Discussion: This mower is in the Water Division Capital Budget.

#090606D:

Resolved, That the bid of Asplundh Tree Expert Co. of Willow Grove, PA, on BD-14-09 opened June 18, 2009, to perform tree clearing services, be accepted; and be it further

Resolved, That the General Manager is hereby authorized to enter into a contract with Asplundh Tree Expert Co. for this tree clearing service.

Discussion: This is the low bid received that meets all the required specifications. Staff recommends that the Board of Public Utilities accept Asplundh's bid to provide time and material crews to perform tree clearing services. The BPU's overhead infrastructure reliability will be greatly improved by a comprehensive tree clearing program. The use of contract labor for this function is an effective method of managing tree clearing needs without impacting existing personnel resources. This is a six month contract with an estimated cost of \$120,000.

Mr. DeJoy arrived.

#090607 By Mr. Gullotti:

Resolved, That the bid of Glauber Equipment Corporation of Lancaster, NY, on BD-15-09 opened June 19, 2009, for a new electrically driven compressed air system at the Samuel A. Carlson Generating Plant in the amount of \$58,623 be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue an Electric Division Purchase Order to Glauber Equipment for this air compressor.

Discussion: This is the low bid of four received and meets all the required specifications. This unit will be used to provide the compressed air needed to atomize water to be injected into the exhaust gas ductwork on boiler #12 as part of the testing of the system installed by Consol Energy to reduce the emissions of mercury from this unit. This is covered within the Electric Capital Budget.

ADOPTED. Ayes: 7 Nays: 0
June 23, 2009

#090608 By Mr. Pillitteri:

Whereas, the Jamestown Board of Public Utilities (JBPU) is actively engaged in efforts to promote energy conservation and energy efficiency initiatives benefiting its electric division customers and has funds available through its Energy Efficiency Program Charge as approved by the New York Public Service Commission and implemented by the JBPU in April 2009 to expand existing programs and create new programs for this purpose, and

Whereas, the JBPU believes that the use of energy audits to evaluate residential properties as a means to provide recommendations to the inhabitants and owners of such properties related to improving the efficiency of how energy is used inside their home is an appropriate use of funds collected through the Energy Efficiency Program Charge, and

Whereas, the Chautauqua Opportunities, Inc. (COI) possesses the equipment and trained technical staff needed to perform energy audits on residential properties in accordance with standards set by the Building Performance Institute (BPI), and

Whereas, the JBPU wishes to contract with COI for the supply of the equipment and trained technical staff needed to provide the JBPU residential electric customers with the ability to elect to have a BPI certified home inspection performed at a low cost to the customer as a means to promote energy conservation and efficiency improvements,

Now, Therefore, Be It,

Resolved, That the Board does hereby authorize the General Manager to enter into an agreement with Chautauqua Opportunities, Inc. to reimburse COI for up to 70% of the charge COI has proposed to complete such audits, as described in their proposal sent to the JBPU on April 21, 2009.

Discussion: COI has proposed to conduct two different types of audits (Level One and Level Two) for JBPU electric customers. A Level One audit is intended for apartments and newer or recently remodeled homes where weatherization improvements are less likely to be needed, or where the occupant is not authorized to perform such work because these improvements typically require modifications of the internal areas and components of the structure. The Level One audit focuses on electrical appliances, lighting, hot water tank and piping insulation, and the use of programmable thermostats to reduce energy consumption within the home. The Level Two audit expands the work performed in the Level One audit, to include an evaluation of the building envelop itself, focusing on potential improvements to wall and attic insulation and the reduction of air leakage into the structure. The COI charge for a Level One and Level Two audit is \$150 and \$300 respectively. The BPU will pay COI \$100 of the level One charge, and \$200 of the Level Two charge. COI will be responsible to collect the remaining dollars directly from the JBPU electric customer requesting the audit. The effective date of the agreement is currently scheduled for July 1, 2009 and it is expected that the agreement will remain in place for a two year period.

ADOPTED. Ayes: 7 Nays: 0
June 23, 2009

Dave Leathers said that he and Chris Rodgers attended the 2009 APPA National Conference in Salt Lake City, UT, last week. He said it was very well attended with a lot of information on energy efficiency. Dave also attended CURC meetings in Washington, DC, last week.

Leathers said he is working with Dave Gustafson and Mike Anderson on the NYS PSC tariff filing for the increased 18-a assessment. The 2009 NYS Budget requires utilities to pay a 2% fee of gross operating revenues to the PSC, effective 4/1/09, instead of the historic fee of 0.333%. The previous fee was approximately \$100,000 per year. Due to state budget issues, the new fee increases the BPU's payment to a level of \$650,000 per year. The BPU has been directed to pay this fee to the PSC in September 2009, and then make annual payments in March of each year through 2013. Last week the PSC issued an order instructing utilities on the steps they need to take to be allowed to begin charging their customers this new fee. The BPU is reviewing this information, and will be making a filing to the PSC in the next week. Once the filing is made, the BPU plans to add a new line item on all our customer's monthly bills starting in July, which will include this new charge.

A brief discussion on the CFB Project was given by Dave Leathers. He said we are waiting for results from the stratigraphic well drilling in the Town of Ellery and should have them by the end of the month. The new web site will be launched very soon. Mayor Teresi said he would like to add congressional support of the project to the web site.

Mr. DeJoy asked for clarification on the BPU's involvement on sewage backups to City residents from the unexpected heavy rainfall on Saturday morning. Randy Peterson said there were six calls to the control room reporting backups related to the storm. He said crews were out looking for critical areas where manholes were overflowing and areas to look at in the future. Mayor Teresi said the City fared well compared to out-lying areas. The mayor also said the BPU and City departments worked well in response to the flash flood problem.

On motion of Mr. Larson, seconded by Mr. Pillitteri, the board convened into executive session to discuss three potential litigation issues.

On motion of Mr. Larson, seconded by Mr. DeJoy, 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