

**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 21, 2009**, 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	
Fred Larson	X	
Carl P. Pillitteri	X	
Gregory Rabb	X	
Wayne Rishell	X	
Mayor Samuel Teresi		X
John Zabrodsky		X
<b>STAFF:</b>		
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	
DGM – Projects, Chris Migliacco	X	

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

In the absence of the president and chairman, Julie Breen, Secretary of the Board called the meeting to order. Mr. Larson nominated Mr. Rabb for Chairperson pro tem. All in favor, Mr. Rabb was elected as Chairperson pro tem.

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

**#090703 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 #090703A-D be, and hereby are approved as written.

**ADOPTED.** Ayes: 6 Nays: 0  
July 21, 2009

**#090703A:**

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending July 21, 2009 as follows:

ELECTRIC LIGHT FUND	\$1,830,312.72
WATER RENT FUND	332,920.22
DISTRICT HEATING FUND	272,904.87
WASTEWATER OPERATING FUND	180,546.31
SOLID WASTE OPERATING FUND	93,449.95
Total	<b>\$2,710,134.07</b>

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 June, 2009 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 23	\$106,560.76
Weekly Payroll No. 24	103,350.87
Weekly Payroll No. 25	92,222.86
Weekly Payroll No. 26	92,891.04
Social Security	31,581.13
National Grid (Trans Agreement)	95,524.20
NYS Sales Tax	61,872.04
Comm of Labor – Asbestos Licenses	100.00
Sam's Club Direct	305.89

RGGI	50,000.00
Unbridled Energy NY, LLC	94,399.88
NYISO	77,689.50
Chome Supply LLC – supplies	27.02
Candelanet – supplies	114.06
NYS PELRA – reg fee	275.00
American Express – Corp. Card	6,366.71
Citi Business – Corp. Card	3,733.32
Total	<b>\$817,014.28</b>

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

Weekly Payroll No. 23	\$24,403.87
Weekly Payroll No. 24	24,970.66
Weekly Payroll No. 25	30,526.84
Weekly Payroll No. 26	26,312.74
Social Security	7,295.34
National Grid	1,695.57
Dir. of Finance – Sewer	74.50
Total	<b>\$115,279.52</b>

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

Weekly Payroll No. 23	\$19,315.51
Weekly Payroll No. 24	17,213.70
Weekly Payroll No. 25	22,739.11
Weekly Payroll No. 26	22,723.19
Social Security	5,455.62
Office Petty Cash Fund	50.16
Total	<b>\$87,497.29</b>

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

Weekly Payroll No. 23	\$10,691.65
Weekly Payroll No. 24	9,082.65
Weekly Payroll No. 25	10,298.69
Weekly Payroll No. 26	11,131.19
Social Security	2,788.41

NYS Teamsters Retirement Fund	3,774.00
NYS Teamsters Retiree Ins.	610.71
Office Petty Cash Fund	10.00
Total	\$48,387.30

#090703B:

Resolved, That unpaid utility accounts as shown on Statement of Delinquent Accounts No. 07-09 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.

#090703C:

Resolved, That a warrant be drawn on the Electric Light Fund to Depository Trust Co., New York, NY, for \$342,031.25 to pay principal of \$250,000 and \$92,031.25 for six months interest at 4.125 percentum per annum due August 1, 2009 on \$4,250,000 Serial Electric Bonds.

Discussion: This is for the CFB Project permitting and engineering costs and various infrastructure improvements with final payment to be made in August, 2025.

#090703D:

Resolved, That a warrant be drawn on the District Heating Fund to Depository Trust Co., New York, New York for \$16,106.25 for six months interest at 4.0 percentum per annum due August 15, 2009 on \$730,000 Serial District Chilling Bonds.

Discussion: This is for the BPU Chiller Unit with final payment to be made in February, 2025.

#090704 **By Mr. Gullotti:**

Whereas, the Board, with the assistance of Accent Business Services, ran a competitive process for the purchase and installation of a Computer Information System (CIS), and

Whereas, Cogsdale Corporation of Charlottetown, PE, Canada, submitted the lowest cost proposal for a system meeting the requirements of the BPU,

Now, Therefore, Be It

Resolved, That the General Manager is hereby authorized to purchase from Cogsdale Company, Inc. of Charlottetown, PE, the annual Maintenance and Support Agreement for the coverage period of June 27, 2009 through June 27, 2010 in the amount of \$60,516.

Discussion: This Maintenance and Support agreement is to cover any upgrades to the software and solution we purchased from Cogsdale and to have Cogsdale available for any technical support needed for the continued operation of the CIS solution. This is an annual support agreement that will need to be renewed every June. This is included as part of our annual operating budget.

**ADOPTED.** Ayes: 6 Nays: 0  
July 21, 2009

Dave Leathers introduced Chris Migliaccio as Deputy General Manager – Project Management, for the CFB Oxy-Coal Project.

The Energy Efficiency team continues to work hard to launch energy efficiency programs. Dave Leathers said there is a meeting planned next week in Albany with NYAPP members to discuss with NYSERDA the different opportunities we have to secure additional funding for efficiency programs.

Leathers said that NYAPP members are working with NYPA representatives to support their efforts to launch solar and wind projects across the state over the next couple of years and will be providing a list of potential sites to NYPA for their consideration.

There have been several different issues over the past couple of months, but more specifically, according to Leathers, is the Cassadaga Pump Station causing roily water in Falconer and on the North side of Jamestown the past week and a half. BPU staff are working hard to respond to these problems and to put fixes in place going forward.

Leathers said that the Wastewater Division smoke testing is continuing this week as part of our Infiltration and Inflow problem solving process.

Leathers said the 2008 Annual Report is now available with this being the first time that BPU audited results are included in this book. The annual report will also be available on the BPU web site.

Leathers gave an update on the CFB Oxy-Coal Project. He said work continues on the project and that an update had been provided to the City Council last week. Dave also provided information on the program bill in Albany regarding CCS framework, stratigraphic test well results, a proposal to the DOE for a site characterization well and enhancing and resubmitting the CCPI proposal to the DOE by August 24, 2009.

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

On motion of Mr. Gullotti, 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**