

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, August 18, 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. 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	
E & E Coor., Dan Reynolds	X	
Asst Cust Ser Supr., Tammy Anderson	X	

OTHERS: Todd Trantum, STMA; Jeff Aiken, Carpenters Union, Dave Painter, Electricians Union

The media was notified of this meeting and was represented by Kristen Johnson, Post Journal, and Terry Frank, WJTN.

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

Mr. Todd Trantum, representing the Chautauqua County Chamber of Commerce and Manufacturing Association of the Southern Tier, commended Dave Leathers and the Board for the leadership they have shown in the long process over the years on the CFB Project. He continued, saying that this project is important for this community and shouldn't be abandoned at this late stage. Trantum said that this project is of the utmost importance from the business community perspective, from an economic perspective, from a tax base perspective and from the perspective of creating and sustaining jobs and making affordable power available to the area's industry. Trantum added that the Chamber and MAST are in support of the project and will do anything they can to help this along. He further conveyed the importance of sticking with the plant project and moving forward.

#090804 **By Mr. Rishell:**

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 #090804A-I be, and hereby are approved as written.

ADOPTED. Ayes: 8 Nays: 0
August 18, 2009

#090804A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending August 18, 2009 as follows:

ELECTRIC LIGHT FUND	\$1,449,035.08
WATER RENT FUND	384,524.45
DISTRICT HEATING FUND	86,022.15
WASTEWATER OPERATING FUND	216,447.70
SOLID WASTE OPERATING FUND	88,625.31
Total	\$2,224,654.69

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

Weekly Payroll No. 27	\$87,836.93
Weekly Payroll No. 28	92,442.21
Weekly Payroll No. 29	96,200.85
Weekly Payroll No. 30	91,035.36
Weekly Payroll No. 31	92,179.01
Social Security	39,939.03
National Grid (Trans Agreement)	84,782.11
NYS Sales Tax	40,000.00
Sam's Club Direct	1,379.25
DTE Coal Services	56,250.00
Unbridled Energy NY, LLC	15,735.93
Mega Creations	16.90
Office Petty Cash Fund	235.88
American Express – Corp. Card	5,773.91
Citi Business – Corp. Card	5,814.45
Total	\$709,621.82

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

Weekly Payroll No. 27	\$30,254.95
Weekly Payroll No. 28	29,339.46
Weekly Payroll No. 29	37,808.35
Weekly Payroll No. 30	33,843.78
Weekly Payroll No. 31	37,357.23
Social Security	9,892.26
Chaut Co Health Dept	100.00
Total	\$178,596.03

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

Weekly Payroll No. 27	\$21,599.33
Weekly Payroll No. 28	21,893.44
Weekly Payroll No. 29	20,488.41
Weekly Payroll No. 30	18,417.72
Weekly Payroll No. 31	20,287.97
Social Security	7,014.49

Office Petty Cash Fund	29.00
Kevin Schauman – Damage Claim	2,264.00
Total	\$111,994.36

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

Weekly Payroll No. 27	\$10,477.25
Weekly Payroll No. 28	11,776.12
Weekly Payroll No. 29	11,116.62
Weekly Payroll No. 30	10,994.44
Weekly Payroll No. 31	10,704.65
Social Security	3,508.69
NYS Teamsters Retirement Fund	2,856.00
Office Petty Cash Fund	39.02
Total	\$61,472.79

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

Weekly Payroll No. 27	\$1,689.45
Weekly Payroll No. 28	2,385.71
Weekly Payroll No. 29	1,243.96
Weekly Payroll No. 30	1,822.57
Weekly Payroll No. 31	1,426.81
Total	\$8,568.50

#090804B:

Resolved, That unpaid utility accounts as shown on Statement of Delinquent Accounts No. 08-09 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.

#090804C:

Resolved, That a warrant be drawn on the Wastewater Operating Fund to M & T Bank of Buffalo, New York for \$320,063.22 to pay principal of \$305,000 and \$15,063.22 to pay six months interest at 5.69 percentum per annum due September 1, 2009, on \$945,000 New York State Revolving Fund Reserve Bonds, Series 1992B/2002I.

Discussion: The final payment will be in 2012.

#090804D:

Resolved, That a warrant be drawn on the Electric Light Fund to Cede & Company, New York, New York for \$134,722.50 to pay six months interest at 7.1 percentum per annum due September 15, 2009, on \$3,795,000 Serial Electric Bonds.

Discussion: This 1991 Bond Issue was for the coal silo, cooling towers and boiler retubing. The final payment will be in 2016.

#090804E:

Resolved, That a warrant be drawn on the Wastewater Operating Fund to Cede & Co., New York, New York for \$3,550 to pay six months interest at 7.0 percentum per annum due September 15, 2009, on \$100,000 Series A Serial Bonds.

Discussion: This is for the Fairmount Avenue Sewer Project. The final payment will be in 2013.

#090804F:

Resolved, That the bid of Tri-James Service of Lakewood, NY, on BD-22-09 opened August 6, 2009, for screen gravel in the amount of \$7.55/ton, for coarse sand in the amount of \$7.55/ton, for pea size stone in the amount of \$11.80/ton, for bank run gravel in the amount of \$6.55/ton, for screen gravel pickup at pit in the amount of \$4.75/ton, for pea stone pickup at pit in the amount of \$8.50/ton for sand pickup at pit in the amount of \$6.05/ton and for bank run pickup at pit in the amount of \$9.60/ton, be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Water Division purchase order to Tri-James Service as needed for this screen gravel, sand and stone.

Discussion: This is the only bid received and meets all the required specifications. The gravel and related materials are used on a daily basis by all division crews for all construction needs. The materials are ordered over the course of one year based on the requirements of the system, storm damage, new customers, system improvements, etc. The estimated cost for this material is \$100,000.

#090804G:

Resolved, That the bid of Venable Concrete Construction Co. of Jamestown, NY, on BD-19-09 opened July 30, 2009, for the supply of a steel framed building at the River Street Garage in the amount of \$38,600 be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Solid Waste Division Purchase Order to Venable Concrete Construction Co. for this steel framed building.

Discussion: This is the low bid of four received and meets all the required specifications. This was reviewed and recommended by the Finance & Capital Projects Committee.

#090804H:

Resolved, That the bid of H & K Services of Leon, NY, on BD-20-09 opened July 30, 2009, for the installation of a steel framed building addition at the River Street Garage in the amount of \$131,700 be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Solid Waste Division Purchase Order to H & K Services for this installation of a steel framed building.

Discussion: This is the low bid of four received and meets all the required specifications. This was reviewed and recommended by the Finance & Capital Projects Committee.

#090804I:

Resolved, That the bid of Overhead Door of Jamestown, NY, on BD-21-09 opened July 30, 2009, for the supply and installation of rollup and overhead doors at the River Street Garage in the amount of \$15,357 be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Solid Waste Division Purchase Order to Overhead Door for this installation and purchase of overhead doors.

Discussion: This is the only bid received and meets all the required specifications. This was reviewed and recommended by the Finance & Capital Projects Committee.

#090805 **By Mr. Pillittieri:**

Whereas, three-quarters of the Board has determined that it is impracticable to purchase proprietary replacement parts for the methane waste burner at the Wastewater Treatment Plant,

Now, Therefore, Be It

Resolved, By at least three-quarters of the Board, that the General Manager be, and hereby is, authorized to issue a Wastewater Division Purchase Order to Siemens Water Technologies of Waukesha, WI, in the amount of \$13,156 for the purchase of this relief valve for the methane waste burner.

Discussion: This relief valve will replace a 24 year old valve that has become a safety issue and needs to be repaired as soon as possible.

ADOPTED. Ayes: 8 Nays: 0
August 18, 2009

#090806 By Mr. Gullotti:

Resolved, That the General Manager is hereby authorized to purchase from ESRI, Inc. of Redlands, CA, the annual Maintenance and Support Agreement for the coverage period of August 4, 2009 through August 3, 2010 in the amount of \$11,032.

Discussion: This Maintenance and Support Agreement is to cover any upgrades to the software and solution we purchased from ESRI, Inc. for GIS mapping and to have ESRI, Inc. available for any technical support needed for the continued operation of our GIS. This is an annual support agreement that would need to be renewed every August. This is included as part of our annual operating budget.

ADOPTED. Ayes: 8 Nays: 0
August 18, 2009

Dan Reynolds, Energy Efficiency Coordinator, gave an update on the Small Commercial Lighting and Motors Program and the Home Energy Audits.

Tammy Anderson, Asst. Customer Service Supervisor, presented an Energy Star Rebate update. She said we are over 10 months into the Energy Star program which began October 1, 2008. The Energy Star Rebate program is still very strong as follows:

- Total number of appliances we have issued rebates on is 1621, and total dollar amount of rebates is \$73,168.00.
- Per Month: This equates to approximately 162 appliance rebates/month and \$7,317/month, respectively.
- Per Week: This equates to approximately 41 appliance rebates/week and \$1829/month, respectively.

Tammy said the top 3 submissions have been for residential windows, clothes washers and refrigerators. As expected, we have seen a surge this summer on submissions for residential windows and window air conditioning units.

Mike Anderson provided the 2010 budget planning and approval schedule for board review and input.

Dave Leathers said the pilot LED street lights are installed along Third Street, between Hall Avenue and Hallock Street and the Riverwalk on the north side of the river near CAE Blackstone.

John Zabrodsky said the BPU remains “very committed” to the power plant project and we obviously need to work our way through the relationships we have established with various private and public partners as part of this project. Unfortunately, at the moment, we have a short amount of time with which to make critical assessments but we remain very committed to looking at this project as our number one option. He added that the BPU will do their fiduciary responsibility and look at other options and ensure that the community benefits and that the overall viability of the BPU is maintained going forward.

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

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

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

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