

**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 10, 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. Pillittieri	X	
Gregory Rabb		X
Wayne J. 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 Migliaccio	X	
HR Director, Dave Watkins	X	
GIS, Terri Linamen	X	

The media was notified of this meeting and represented by Kristen Johnson, P-J, Jade Boice, Cable 8 News and Terry Frank, Media One.

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

**#091101 By Mr. Lehman:**

Resolved, That the General Manager be authorized to enter into an agreement with AECOM Environment of Westford, MA, to provide professional environmental engineering services to conduct a NOx RACT Alternatives Assessment for the Samuel A. Carlson Station, for a sum not to exceed \$28,900.

Discussion: The focus of this consulting work is to initiate the process needed to assess the impact that revisions to the New York DEC Air Resource Regulation Part 227 will have on the Carlson Station. The AECOM involvement in this process will be to study reasonably available control technology (RACT) applicable to NOx emissions from the coal boilers and the gas turbine, and to assist the BPU in developing a compliance strategy that will be submitted to the DEC for their approval.

**ADOPTED.** Ayes: 6 Nays: 0  
November 10, 2009

**#091102 By Mr. Larson:**

Resolved, That the District Heating Division Budget for 2010, anticipating cash and investments of \$960,910, cash receipts of \$5,928,753, and cash disbursements of \$3,797,837, leaving a cash balance of \$3,091,826, be and hereby is adopted; and be it further

Resolved, That the disbursements shall be divided \$750,141 for Fixed Charges and \$927,696 for Operation and Maintenance, and \$2,120,000 for Capital Projects, all as set forth in said budget for 2010; 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 hereby appropriated for the purposes 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: 6 Nays: 0  
November 10, 2009

**#091103 By Mr. Gullotti:**

Resolved, That the Wastewater Division Budget for 2010 anticipates cash on hand of \$2,782,859, cash receipts of \$7,512,877, and cash disbursements of \$8,726,811, leaving a cash balance of \$1,568,925 be and is hereby adopted; and be it further

Resolved, That disbursements shall be divided \$444,000 for Fixed Charges, \$4,548,000 for Capital Projects and \$3,734,811 for Operation and Maintenance, all as set forth in said budget for 2010, 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: 6 Nays: 0  
November 10, 2009

**#091104 By Mr. Rishell:**

Resolved, That the General Manager be authorized to enter into an agreement with AECOM Environment of Westford, MA, to provide professional environmental engineering services to provide air permitting and SEQR support for the addition of one or two natural gas-fired hot water generators at the Carlson Station to be used to supply thermal energy for District Heating service, for a sum not to exceed \$19,500.

Discussion: The focus of this consulting work is to initiate the process needed to permit a new gas fired thermal energy source for the District Heating system. The new heat source will be located behind the Carlson Station and will interconnect to existing natural gas supply infrastructure and the District Heating system water distribution piping network. The heat source will be sized to deliver 60 million btu/hr of thermal energy which will supplement existing gas fired equipment at the Carlson Station, increasing the operational flexibility of the station while providing heat source redundancy for the District Heating customers.

**ADOPTED.** Ayes: 6 Nays: 0  
November 10, 2009

**#091105 By Mr. Rishell:**

Resolved, That the bid of Koester Associates of Canastota, NY, on BD-23-09 opened August 31, 2009, for the purchase of an on-site hypochlorite generation system at the Wastewater Treatment Plant in the amount of \$250,329 be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Wastewater Division Purchase Order to Koester Associates for this hypochlorite generation system.

Discussion: This is the low bid of two received and meets all the required specifications. This equipment will replace the use of the gaseous chlorine systems used by the wastewater and water systems. This equipment produces 1% hypochlorite solution which is much safer than gaseous chlorine. Execution of this contract is contingent upon NYS-DEC and Health Department approval.

**ADOPTED.** Ayes: 6 Nays: 0  
November 10, 2009

**#091106 By Mr. Pillitteri:**

Resolved, That the General Manager be authorized to enter into an agreement with E & M Engineering of Springville, NY, to provide professional engineering services for work on the wastewater collection system, for a sum not to exceed \$45,000.

Discussion: E & M Engineers has been working with the BPU over the past several years on the NYSDEC Consent Order. This work will involve a computer modeling of the Jamestown collection system along with a final report to NYSDEC on progress that the I & I work has done over the past several years. This report is due in February, 2010. Several years ago BPU did a RFP for professional service work on the collection system for the I & I consent order from NYSDEC. E & M was chosen back then and it appears now we should model our system to ensure we have the capacity in areas we have noted as trouble areas. This model will help the BPU plan over the next several years the areas that collection lines need replacement or upgrades.

**ADOPTED.** Ayes: 6 Nays: 0  
November 10, 2009

An update of the Water Division Strategic Plan was given by Terri Linamen, GIS/Water Supervisor.

Randy Peterson presented the proposed 2010 Water Division Budget. Dave Leathers said a significant amount of time was spent preparing this budget and, as presented, it includes no rate increase. This budget will allow the division to maintain operations and capital reinvestment measures while holding rates at their current levels. There will be a prepared resolution at the next Board meeting on November 25th for approval of this budget. Budget comments or changes will be discussed as necessary between the two board meetings.

An update of the Digester Cover Project at the Wastewater Treatment Plant was given by Randy Peterson. He said bids for this project will be opened on December 4<sup>th</sup> and be brought before the board for authorization at the December 22<sup>nd</sup> board meeting.

The next BPU board meeting will be held on Wednesday, November 25<sup>th</sup> at 12:00 noon. This meeting was rescheduled from its' previous date of November 24<sup>th</sup>.

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

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

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

**David L. Leathers, General Manager**  
**Julie M. Breen, Secretary to the Board**