

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 **Wednesday, November 25, 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 at 12:25 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	
DGM-Projects, Chris Migliaccio		X
Elec & Gas Res Mgr., Dave Gustafson	X	
Energy Eff Coord., Dan Reynolds	X	

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

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

#091107 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 #091107A-C be, and hereby are approved as written.

ADOPTED. Ayes: 6 Nays: 0
November 25, 2009

#091107A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending November 25, 2009 as follows:

ELECTRIC LIGHT FUND	\$2,284,327.49
WATER RENT FUND	464,124.45
DISTRICT HEATING FUND	96,659.26
WASTEWATER OPERATING FUND	223,746.84
SOLID WASTE OPERATING FUND	93,422.64
Total	\$3,162,280.68

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

Weekly Payroll No. 40	\$90,772.97
Weekly Payroll No. 41	94,396.95
Weekly Payroll No. 42	93,987.80
Weekly Payroll No. 43	97,212.26
Weekly Payroll No. 44	99,900.05
Social Security	40,777.48
National Grid (Trans Agreement)	177,186.56
NYS Sales Tax	40,000.00

Sam's Club Direct	846.38
Commissioner of Labor – Asbestos Lic	100.00
JHS Lady Boosters Club	50.00
Unbridled Energy NY, LLC	1,065.19
Duke Energy Ohio, Inc	44,200.00
Enterprise Rent a Car	106.90
Cables & Kits – computer cables	74.95
Vincent Alessi – Damage Claim	150.00
Bulman Agency – Prof Services	3,500.00
American Express – Corp. Card	1,698.89
Citi Business – Corp. Card	6,614.32
Total	\$792,640.70

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

Weekly Payroll No. 40	\$28,201.14
Weekly Payroll No. 41	28,746.20
Weekly Payroll No. 42	31,556.98
Weekly Payroll No. 43	28,730.86
Weekly Payroll No. 44	30,886.45
National Grid	1,551.43
Social Security	8,563.10
Chaut Co Dept of Health	100.00
Total	\$158,336.16

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

Weekly Payroll No. 40	\$20,581.70
Weekly Payroll No. 41	18,883.59
Weekly Payroll No. 42	20,078.31
Weekly Payroll No. 43	20,731.69
Weekly Payroll No. 44	18,647.82
Social Security	6,974.75
Total	\$105,897.86

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

Weekly Payroll No. 40	\$10,894.82
Weekly Payroll No. 41	10,807.62
Weekly Payroll No. 42	10,137.12
Weekly Payroll No. 43	10,120.49
Weekly Payroll No. 44	10,084.07
Social Security	3,364.93
NYS Teamsters Retirement Fund	3,264.00
Total	\$58,673.05

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

Weekly Payroll No. 40	\$470.37
Weekly Payroll No. 41	1,760.55
Weekly Payroll No. 42	2,112.41
Weekly Payroll No. 43	1,430.71
Weekly Payroll No. 44	1,322.62
Total	\$7,096.66

#091107B:

Resolved, That unpaid utility accounts as shown on Statement of Delinquent Accounts No. 11-09 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.

#091107C:

Resolved, That the bid of Barclay Water Management, of Watertown, MA, on BD-28-09 opened November 17, 2009, for liquid sodium bromide solution at a cost of \$0.99/lb for a 40% active solution be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue an Electric Division Purchase Order to Barclay Water Management for this sodium bromide solution.

Discussion: This is the low bid of two received and meets all the required specifications. Sodium bromide is used in the treatment of the power plant water supply under normal production conditions. The total anticipated cost for one year for this liquid sodium bromide solution is \$26,000.00.

#091108 By Mr. Pillitteri:

Resolved, That the Water Division Budget for 2010, anticipating cash and investments of \$1,269,334, cash receipts of \$5,098,512, and cash disbursements of \$5,229,520, leaving a cash balance of \$1,138,326, be and hereby is adopted; and be it further

Resolved, That the disbursements shall be divided \$1,541,500 for Capital Projects, and \$3,688,020 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 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 25, 2009

#091109 By Mr. Rabb:

Resolved, That the General Manager is hereby authorized to purchase from Navistar, Inc., of Albany, NY, under New York State Contract #62178, one new 7600 SBA 10-wheel Chassis Refuse truck at a cost of \$121,153 for the Wastewater Division.

Discussion: This new truck will replace truck #105 and is budgeted in the 2010 Wastewater Budget.

ADOPTED. Ayes: 6 Nays: 0
November 25, 2009

Mr. DeJoy arrived.

#091110 **By Mr. Gullotti:**

Whereas, three-quarters of this Board concurs that it is impractical to take bids for proprietary parts for pulverizer maintenance at the Samuel A. Carlson Generating Station;

Now, Therefore, Be It

Resolved, That the action of the General Manager in issuing an Electric Division Purchase Order to Alstom Power, Inc. of Windsor, CT, in the amount not to exceed \$46,440 for this maintenance is hereby approved.

Discussion: The coal pulverizers stock was expended during scheduled mill maintenance. These parts will be for replenishment of spare parts. This item is budgeted in the O&M budget.

ADOPTED. Ayes: 7 Nays: 0
November 25, 2009

Dan Reynolds, Energy Efficiency Coordinator, gave an update on the Energy Star Rebate Program, Small Commercial Lighting and Motors Program, Home Energy Audits Program and vending machines as follows:

Energy Star - To date the ENERGY STAR program has issued rebates on almost 2400 products; the total value of these rebates was just over \$113,000. Based on ENERGY STAR's deemed savings for the products it is estimated that this program has reduced annual electric consumption by 215,690 kWh.

Home Energy Audits and Weatherization- Twenty-six home owners have signed up to have home energy audits conducted. To date nine have been completed, six have withdrawn, and another nine are scheduled to have an audit conducted.

Small Commercial Lighting and Motor Program – Thirty-seven projects have been completed, and rebates issued on 1,552 pieces of equipment. The total paid out in rebates is \$71,413.23, and another 31 projects have been pre-approved with a total value of \$91,880. The projects that have been completed have reduced the annual electric consumption by 405,395 kWh in the BPU service area.

Vending Machines – The BPU received three vending machine controls at the Chautauqua County Energy Fair. The BPU installed one of the controls on the vending machine in the employee break room and after testing, realized a 51% decrease in electrical consumption from the machine. The vending machine was consuming 1888 kWh per year before the installation of the controls, and now is consuming 933 kWh per year. The annual savings associated with the controls is 955 kWh, and \$76.37 per year! The two other controls have been given away and are currently being tested for electric savings.

Mike Anderson presented the proposed 2010 Electric Division Budget. He said there may be an electric rate increase during the second quarter of 2010 if the PSC approves a petition for a mini rate case. A resolution will be presented at the next board meeting for board approval to go forward with this request.

Dave Leathers said we are trying to raise awareness of the BPU's requirements for electric service upgrades, improvements or increased electric capacity. A press release has been provided on these requirements and also will be available on the BPU's web site.

Dave Leathers said we continue to work with the over 65 retirees on the health insurance changes.

The NYAPP Annual Meeting will be held in Albany, NY, on December 17th. Dave asked any board member interested in attending to contact himself or Julie Breen. He also mentioned the APPA Legislative Rally in Washington, DC, will be held February 22-24 and any board member interested in attending should contact himself or Julie.

A draft copy of the 2010 board meeting schedule was included in today's board agenda. Leathers asked board members to review it and let Julie know if they have any date changes before the next scheduled board meeting.

Leathers gave a brief update on the Oxy-Coal Project.

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

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

#091111 By Mr. Rabb:

Whereas, the City has requested that the BPU provide a loan to the City for the time period from December 4, 2009 through December 15, 2009 in an amount not to exceed \$500,000, with interest at 2.0 percentum per annum, and

Whereas, the BPU staff has determined that a loan from the Water Division to the City under these terms will not adversely impact the operation of the Water Division,

Now, Therefore, Be It

Resolved, That the Board of Public Utilities does hereby determine that the amount of \$500,000 may be lent from the Water Division Operating Fund to the City for the time period described above without an adverse impact on the Water Division and, be it further

Resolved, That the Board does authorize the General Manager or his designee to make a transfer of Water Division Operating funds to the City of Jamestown in an amount not to exceed \$500,000, on or after December 1, 2009, with such funds to be returned to the Water Division Operating Fund, with interest at 2.0 percentum per annum, on or before December 17, 2009.

Discussion: The City has expressed the need for a short term loan from the BPU. The BPU has determined that funds are available in the Water Division General Operating fund and can be lent to the City temporarily without impacting the operation of the Water Division.

ADOPTED. Ayes: 7 Nays: 0
November 25, 2009

There being no further business, the board meeting was declared adjourned.

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