

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, January 26, 2010**, at **12:30 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	
Fred Larson	X	
Jeffrey A. Lehman, PE	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 to the Board, Julie M. Breen	X	
Communications Coordinator, Rebecca Robbins	X	
Project Tech Lead, Steve Kulig	X	
DGM-Projects, Chris Migliaccio	X	

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

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

Chairman John Zabrodsky presented the new committee assignments for 2010. The Strategic Planning Committee will be Carl Pillittieri as Chairman, Mayor Sam Teresi and Jeff Lehman. The Finance & Capital Projects Committee will be Wayne Rishell as Chairman, Vince DeJoy and Bill Gullotti. The Personnel Committee will be Fred Larson as Chairman, Greg Rabb and John Zabrodsky. John Zabrodsky will serve on all committees.

#100102 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 #100102A-C be, and hereby are approved as written.

ADOPTED. Ayes: 8 Nays: 0
January 26, 2010

#100102A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending January 26, 2010 as follows:

ELECTRIC LIGHT FUND	\$2,405,200.67
WATER RENT FUND	327,438.16
DISTRICT HEATING FUND	461,009.27
WASTEWATER OPERATING FUND	291,430.32
SOLID WASTE OPERATING FUND	100,591.89
Total	\$3,585,670.31

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 General Fund in December, 2009 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 49	\$179,699.35
Payroll – Longevity	47,977.74
Weekly Payroll No. 50	171,562.33
Weekly Payroll No. 51	168,312.67
Weekly Payroll No. 52	171,320.13
Weekly Payroll No. 53	184,351.22
NYS DEC – WWTP Permit Fees	160.00
National Grid (Trans Agreement)	137,502.91

National Grid – Electric Bill	1,238.95
NYS Sales Tax	51,843.52
NYS Retirement Fund	566,704.00
NYS Teamsters Retirement Fund	3,264.00
Sam’s Club Direct	1,074.48
PayPal	813.95
Retiree Insurance Premium	610.71
Office Petty Cash	51.11
American Express – Corp. Card	1,949.88
Citi Business – Corp. Card	3,986.44
Total	\$1,692,423.39

#100102B:

Resolved, That unpaid utility accounts as shown on Statement of Delinquent Accounts No. 01-10 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.

#100102C:

Whereas, Article 18 of the New York State General Municipal Law requires municipal entities to require members of municipal boards to disclose potential conflicts of interest on an annual basis, and

Whereas, each written disclosure has been completed, submitted to the Secretary to the Board, and is made a part of the official record of the municipal entity, and

Whereas, the annual statements of financial disclosure indicate no conflicts which may not be excused,

Now, Therefore, Be It

Resolved, that the Board does hereby accept the annual statements of financial disclosure submitted by each BPU board member for the calendar year of 2010.

Discussion: The Board adopted the annual statement of financial disclosure form pursuant to Section 812 of the General Municipal Law.

#100103 By Mr. Larson:

Resolved, That the General Manager be, and hereby is authorized to enter into an agreement with Stohl Environmental, LLC of Blasdell, NY, to provide professional services for the asbestos abatement project on Boiler #11 at the Samuel A. Carlson Generating Station, for a sum not to exceed \$170,000.

Discussion: The BPU is planning to abate all asbestos containing materials from Boiler #11 under the existing Abatement Contractor License and utilizing Asbestos Certified BPU Personnel. Staff has requested that Stohl Environmental submit a proposal to provide both Project Design Services and Construction Administration and Monitoring Services to assist the BPU in ensuring the abatement project proceeds in an efficient manner as well as to ensure that all work proceeds in a manner consistent with all state and federal regulations. This supports the boiler #11 Dismantling Project highlighted in the 2010 Electric Division Capital Budget. This work will be charged to the Electric Division Dismantling Fund.

ADOPTED. Ayes: 8 Nays: 0
January 26, 2010

Dave Leathers said due to the unavailability of himself, Sam Teresi and John Zabrodsky, the next board meeting scheduled on February 9th will be moved to Friday, February 12th at 12:30 PM.

Leathers said he attended a meeting this week on the 2010 Census. The BPU has formed an internal team to help with efforts to get people involved and continue to communicate with customers on how important this census is to fill out by April 1, 2010.

Leathers said the utility bills which were mailed out within the last week and a half, were billed using an unusually long billing period resulting in customers getting billed for more than their usual consumption. That meant some customers normally billed on a 25-35 day billing cycle, have received a bill spanning up to 37-41 days. This, along with a fuel adjustment charge that's higher because we're in the winter months, has caused more customers to question their bills. Leathers said it's an issue that will self-correct as we go forward; these longer billing periods will be eliminated going forward.

Leathers said information will be provided on our 2009 Year End Financials at the next meeting with a formal report presented at the February 26th board meeting. The Finance Committee will be meeting with Freed, Maxick and Battaglia on Feb 2nd.

A brief update on the Oxy-Coal Project was provided by Dave Leathers.

On motion of Mr. Rabb, seconded by Mr. Pillittieri, the board convened into executive session to discuss a current litigation issue, two potential litigation issues and one personnel issue.

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

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

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