

**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 **Friday, May 14, 2010**, at **12:30 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 (arrived at 1:06 PM)	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	
<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 to the Board, Julie M. Breen	X	
Communications Coord, Rebecca Robbins	X	
DGM-Water Resources, Mike Saar, PE	X	
Elec & Gas Res Mgr., Dave Gustafson	X	

OTHERS: Laura Landers, Freed, Maxick & Battaglia

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

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

**#100501 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 #100501A-C be, and hereby are approved as written.

**ADOPTED.** Ayes: 7 Nays: 0  
May 14, 2010

**#100501A:**

Resolved, That the bid of Harsco Infrastructure Americas of Pittsburgh, PA on BD-10-10 was opened on May 7, 2010 for the scaffolding rental, erection and dismantling for Boiler #11 asbestos abatement at the Carlson Generating Station, and be it further

Resolved, That the action of the General Manager in issuing an Electric Division Purchase Order to Harsco Infrastructure Americas of Pittsburgh, PA, in the amount not to exceed \$110,000 for this work is hereby approved and ratified.

Discussion: This is the low bid of two received and meets all the required specifications. This project is currently budgeted under the 2010 Electric Division Budget and will be paid from the dismantling fund.

**#100501B:**

Resolved, That the General Manager is hereby authorized to purchase from Teracai Corporation of Syracuse, NY, under New York State Contract #PT64525, the hardware and support services for an IP Phone System upgrade for a sum not to exceed \$41,665.

Discussion: The current equipment is nearing or at End of Life and we can no longer receive support on some of the hardware and software we currently have in place. Terracai will provide the Cisco Equipment as well as installation and support services. This project is currently budgeted under the 2010 Electric Capital Budget.

#100501C:

Resolved, That the General Manager is hereby authorized to purchase from HP Corporation of Omaha, NE, under New York State Contract #PT64150, the server hardware for an IP Phone System upgrade in the amount of \$13,268.04.

Discussion: This equipment is new server equipment that will support an IP Phone System upgrade as outlined in the previous resolution. This project is currently budgeted under the 2010 Electric Capital Budget.

#100502 **By Mr. Rishell:**

Whereas, the Jamestown Board of Public Utilities, a municipal utility located in the City of Jamestown, New York (JBPU) and Niagara Mohawk Power Corporation (NMPC), a National Grid Company, a New York public utility corporation with offices located in, Syracuse, New York, have a mutual interest in maintaining reliability of the electric transmission system

Whereas, NMPC operates certain electric transmission facilities in Western New York and has from time to time requested that the JBPU deliver Transmission Support Service provided through the JBPU operation of its electric generation facilities, a service which the JBPU is willing to provide as described in the "Jamestown Board of Public Utilities Transmission Support Service Agreement" (Agreement) dated May 5, 2010,

Now, Therefore, Be It

Resolved, That the General Manager is hereby authorized by the Board to sign the Agreement with an effective date of June 1, 2010.

Discussion: The referenced Agreement was first negotiated in 2004 and was approved for a one year term. This Agreement has been updated and re-entered for subsequent periods since that date, the last such renewal occurring in 2007. With this execution the Agreement shall be entered for a new two year term.

**ADOPTED.** Ayes: 7 Nays: 0  
May 14, 2010

Laura Landers of Freed Maxick and Battaglia, presented the year end 2009 Final Financial Audit results for all five BPU divisions. She said that all the divisions are in very good shape and it was easy to summarize reports like these while working hard with a supportive and responsive BPU staff. Mr. Rishell said the Finance Committee had previously reviewed the draft audit results with Laura and found no significant concerns for management reporting and that he has confidence with the internal controls that are in place. Mr. Zabrodsky, on behalf of the Board, thanked Laura and staff for these financial reports and the excellent results.

Mr. DeJoy arrived at 1:06 PM.

Mike Anderson, Business Manager, presented the 2010 1<sup>st</sup> Quarter Financial results for all five BPU divisions.

Dave Leathers gave an update on the injured employees from the accident at Allen Street Substation on April 30<sup>th</sup>. Leathers said the flushing of the water mains is continuing and the Spring Cleanup ends today with a result of less tons of garbage picked up than last years total tonnage. Also, as a reminder, there is a Finance Committee meeting on Friday, May 21<sup>st</sup> and a Personnel Committee meeting on Monday, May 24<sup>th</sup>.

John Zabrodsky recognized City personnel, WCA Hospital, BPU Management staff and others for their involvement and response in a timely manner to the accident on April 30<sup>th</sup>.

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

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

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

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