

BOARD OF PUBLIC UTILITIES—Proceedings by Authority

State of New York:

Office of the Board:

City of Jamestown:

Regular meeting of the Board of Public Utilities, City of Jamestown, New York, held **Monday, February 22, 2021 at 4:00 P.M.** remotely via Microsoft Teams and live streamed on Facebook.

| BOARD MEMBERS: | Present | Absent |
|---------------------------|----------------|---------------|
| Greg Anderson | X | |
| Marie Carrubba | X | |
| Lana M. Huston | X | |
| Jeffrey A. Lehman, PE | X | |
| Kenneth G. Mark | X | |
| Grant T. Olson | X | |
| James N. Olson | X | |
| Gregory Rabb | X | |
| Mayor Edward A. Sundquist | X | |

| STAFF: | | |
|---|---|--|
| General Manager, David L. Leathers | X | |
| Deputy General Manager, Michael Saar, PE | X | |
| Finance & Customer Accts. Mgr., Kelly Hawkins | X | |
| Counsel, William Wright | X | |
| Secretary to the Board, Shari Lake | X | |
| Comm. Coordinator, Rebecca Robbins | X | |
| Transmission & Distribution Mgr., Chris Rodgers | X | |
| Energy & Gas Resources Mgr, Kris Sellstrom, PE | X | |
| Associate Power Plant Supervisor, Cory Allen | X | |
| Information Services Manager, Frank Galeazzo | X | |

The media was notified of this meeting and was represented virtually by Dennis Phillips from The Post-Journal.

On motion of Mr. James Olson seconded by Mr. Anderson, the minutes of the previous meeting were unanimously approved by BPU Board Members.

#210201 By Mr. J. Olson:

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 **#210201A-B** be, and hereby are approved as written.

ADOPTED. Ayes: 8 Nays: 0 (Mr. Lehman briefly departed the meeting, then re-entered)
February 22, 2021

#210201A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending **February 22, 2021** as follows:

| | |
|----------------------------|------------------------|
| ELECTRIC LIGHT FUND | 1,030,252.68 |
| WATER RENT FUND | 392,442.26 |
| DISTRICT HEATING FUND | 110,478.41 |
| WASTEWATER OPERATING FUND | 146,334.61 |
| SOLID WASTE OPERATING FUND | 76,968.06 |
| Total | \$ 1,756,476.02 |

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 **January 2021** to pay the following payrolls and disbursements be approved and ratified:

| | |
|------------------------------------|------------|
| Weekly Payroll No. 1 | 263,473.56 |
| Weekly Payroll No. 2 | 198,128.51 |
| Weekly Payroll No. 3 | 204,025.61 |
| Weekly Payroll No. 4 | 208,907.54 |
| NYISO | 53,917.19 |
| National Grid – Transmission Costs | 446,662.85 |
| Sage Payment Solutions | 10,525.84 |
| Invoice Cloud | 985.50 |
| Corporate Payment Systems | 18,342.15 |
| Kaman Industrial Tech | 832.63 |
| NYPA Purchases | 481,208.91 |
| Energy Mark | 6,917.34 |

| | |
|------------------------------------|-----------------|
| Direct Energy | 16,012.40 |
| Sprague Operating Resources | 11,400.00 |
| DTE Energy Trading | 102,951.00 |
| Tennessee Gas Pipeline Company | 23,048.33 |
| NYSERDA - ZEC | 214,146.24 |
| NY Central Ins Co and Zelman, Atty | 30,213.25 |
| Mid American Natural Resources | 335.40 |
| NYS Sales Tax | 40,000.00 |
| Recovery Partners LLC | 6,393.08 |
| United States Post Office-Rome | 10,510.34 |
| Total | \$ 2,348,937.67 |

#210201B:

Resolved, That the General Manager is hereby authorized to purchase from Regional International Corp, 1007 Lehigh Station Rd, Henrietta, NY 14467 under Onondaga County Bid #8996 for (1) one International 2022 MV607 Chassis and pump body at \$245,849 for the Wastewater Collection Division.

Discussion: The truck cab, chassis and pump body will replace vehicle #110, a 2012 Freightliner Flush truck, which will be sold at a later date at auction. This is included in the 2021 Wastewater Collection Division Capital Budget.

#210202 By Mr. Lehman:

Whereas, The New York Association of Public Power (NYAPP) is the state service organization representing the interests of 8 municipal and 4 co-operative not-for-profit, publicly owned electric utilities throughout New York State that collectively serve more than 46% of public power consumers or approximately 450,000 residents in the state, and

Whereas, The Jamestown Board of Public Utilities (JBPU) is a charter member of NYAPP, and

Whereas, NYAPP provides its members with the information, advocacy and strategy support that are essential to succeed in the changing utility marketplace. NYAPP also provides comprehensive legislative and regulatory support on all issues of importance to public power. In addition, NYAPP provides support in these areas through annual contracts with Duncan, Weinberg, Genzer, and Pembroke (DWGP), and SJS Associates, and

Whereas, These NYAPP contracted resources provide technical expertise, direction, guidance, and information that it would be difficult to obtain on our own in a cost effective manner;

Now, Therefore, Be It

Resolved, That the JBPU be and is hereby authorized to continue membership in NYAPP for 12 months starting March 1, 2021 and pay for the proposed contracted engagement of and representation from DWGP and SJS Associates.

Discussion: Unlike JBPU membership with the American Public Power Association (APPA), participation in NYAPP does not include an annual dues payment. The JBPU pays approximately 22.35% of the DWGP association work related to New York Independent System Operator (NYISO), the New York Power Authority (NYPA), special projects, general association support/work, the DPS Reforming the Energy Vision (REV) proceeding, the Clean Energy Standard (CES) order, the NYS Climate Leadership & Community Protection Act, and NYS Transmission Projects, as well as 33.36% of the SJS Associates NYAPP work for legislative and regulatory support in both NY and Washington, DC. The estimated NYAPP expenses to be paid by the JBPU for DWGP in the coming year are \$105,000 for NYISO, NYPA, special projects, and general association work. For SJS Associates the annual estimated costs are \$37,000. Throughout the years, JBPU involvement with NYAPP has brought many benefits back to the utility and also to our customers. This is an annual resolution for NYAPP consultants and has been reviewed by and recommended by the BPU Board Finance & Capital Projects Committee.

ADOPTED. Ayes: 9 Nays: 0
February 22, 2021

#210203 By Ms. Carrubba:

Resolved, That pursuant to the power vested in the Board by Section §C-50.D of the Charter of the City of Jamestown, the Board does hereby authorize that salary ranges of salaried staff positions be revised effective January 1, 2021, in accordance with the tables on file at the BPU office, 92 Steele Street, Jamestown, NY.

Discussion: This represents a 1.00% adjustment to the salary ranges in effect from 2020 for all salaried positions. The revision of salary ranges does not impact the current salary of any employee. Individual salaries continue to be set in accordance with the established BPU employee performance evaluation program, which is based solely on merit. This resolution has been reviewed by and is recommended by the BPU Board Personnel Committee. Mayor Sundquist asked why the bottom range is also adjusted upward instead of just adjusting the top range. The salary ranges are set and the recommendation is to move both the bottom and top salaries for employee retention and recruitment. Mr. Leathers indicated to Mayor Sundquist that it could be discussed going forward. Ms. Carrubba commented that you end up with compression of salaries if you don't keep up with inflation, making recruitment difficult.

ADOPTED. Ayes: 8 Nays: 1 (Sundquist)
February 22, 2021

#210204 By Mr. G. Olson:

Resolved, That the General Manager be authorized to enter into an agreement with Union Concrete and Construction Corp. of West Seneca, NY to provide labor, material, technical

direction, and supervision for the demolition of the Foster Wheeler Cooling Tower at the S.A. Carlson Generating Station located at 136 Steele Street, Jamestown, NY 14701 as per their Proposal # BD-01-21 dated January 29, 2021, for a sum not to exceed \$295,000.

Discussion: Several Inspections of the unusable Foster Wheeler Cooling Tower revealed that the structural integrity of the cooling tower is compromised and could result in the collapse of the structure. Therefore, Jamestown Board of Public Utilities (BPU) Power Plant personnel solicited Inscale Architects of Warren, PA to assist in the preparation and engineering of BD-01-21 Specifications.

Six bids were received for the Demolition of the Foster Wheeler Cooling Tower in BD-01-21. Pricing for this scope of work ranged from \$281,000 to \$647,000. The Union Concrete and Construction Corp. was the lowest cost bidder to meet the specifications as determined by staff and legal counsel and was evaluated to have the best value after final review by the power plant staff.

The Jamestown BPU has worked with Union Concrete and Construction Corp. on several large construction projects in the past and this contractor has proven to be reliable, economic, has demonstrated acceptable performance in their workmanship, and has the experience required to complete the project. The cost for this work is included in the 2021 Electric Division Dismantling Fund Budget.

ADOPTED. Ayes: 9 Nays: 0
February 22, 2021

#210205 By Mr. Lehman:

Resolved, That the General Manager be authorized to enter into an agreement for Professional Services with Stohl Environmental of Orchard Park, NY to provide asbestos abatement of pipe insulation and associated valves/piping located on the Mezzanine Floor of the Carlson Generating Station, for a sum not to exceed \$29,210, pursuant to their proposal dated February 4, 2021.

Discussion: During routine maintenance activities and inspection of asbestos containing material in the power plant, the deteriorated condition of friable asbestos steam line insulation and valving was discovered (approximately 140 linear feet and associated valving). This material has been identified as requiring immediate abatement work be performed to eliminate the potential hazard associated with asbestos exposure throughout the facility.

Two quotes were received for the removal of asbestos containing material on the Mezzanine Floor of the Power Plant. The Stohl Environmental quote totaled \$29,210, and the Apollo Dismantling quote totaled \$56,100. Stohl Environmental was the lowest evaluated cost in response to our RFP. Stohl Environmental will provide Design/Construction and Abatement Services to assist the JBPU in ensuring the abatement project proceeds in a manner consistent with all State and Federal regulations. Stohl Environmental has satisfactorily provided these services to us in the past and has provided asbestos abatement activities at the power plant on several projects

over the last 12 years. This work is included in the 2021 Electric Division Dismantling Fund Budget.

ADOPTED. Ayes: 9 Nays: 0
February 22, 2021

#210206 By Mr. J. Olson:

Resolved, That the bid of Rehrig Pacific Company of Erie, PA, on Omnia Partners Contract Number 00254, in the amount of \$830,500 for 15,000 solid waste containers equipped with RFID tags and RFID system hardware and software be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Solid Waste Division purchase order to Rehrig Pacific Company for these solid waste containers.

Discussion: This equipment will be used in the implementation of our new Schedule of Rates which will be effective July 1, 2021. The equipment will include 14,500 95-gallon solid waste containers and 500 35-gallon solid waste containers. Assembly and distribution of the solid waste containers is included in this price. All solid waste containers will be branded with the BPU logo, which is also included in the price. All of these project expenditures are included in the 2021 Solid Waste Capital Budget.

ADOPTED. Ayes: 9 Nays: 0
February 22, 2021

#210207 By Ms. Huston:

Whereas, Three-quarters ($\frac{3}{4}$) of this Board concurs that it is impractical to take bids for the purchase and installation of six solid waste container tipping units,

Now, Therefore, Be It

Resolved, That the action of the General Manager in issuing a Solid Waste Division Purchase Order to Boyles Motor Sales of Jamestown, NY, to purchase and install six Perkins solid waste container tipping units in the amount of \$54,360 is hereby approved.

Discussion: The installation of these units is being done in conjunction with our Citywide garbage container project. There are only three manufacturers of solid waste container tipping units that will work with our rear packer garbage trucks. We obtained written quotes from all three manufacturers and they were comparable in performance. The purchase and installation of the Perkins units are the least expensive of the three options available. This equipment procurement and installation work are included in the 2021 Solid Waste Division Budget.

ADOPTED. Ayes: 9 Nays: 0
February 22, 2021

#210208 By Ms. Carrubba:

Whereas, The Board has reviewed the Environmental Assessment Form (EAF) for the Chadakoin Stabilization Project, has determined that the action is an unlisted action pursuant to the State Environmental Quality Review Act (SEQR) and has considered the potential for adverse environmental impacts from the project,

Now, Therefore, Be It

Resolved, that the Board determines that stabilization of the Chadakoin River will not have a significant adverse environmental impact and directs the General Manager to complete Part III of the EAF indicating that determination, and further directs the General Manager to sign the EAF with that determination, and be it further

Resolved, that the Board adopts the Negative Declaration in the form attached hereto, and be it further

Resolved, that the Board directs the General Manager to properly file the EAF and Negative Declaration, and to make copies available to the general public upon request.

Discussion: The Chadakoin River Stabilization project includes installation of sloped rip rap shoreline, creation of weirs, plantings, new locations for turtle spawning, and the removal of approximately 100' of failing steel piling retaining wall. This project will enhance the flood capacity of this section of the river, enhance the habitat and general appearance of the area, stabilize a failing shoreline to protect JBPU assets, and reduce the risk of flooding at the power plant. JBPU is working with the Chautauqua County Soil and Water Conservation District and the Roger Tory Peterson Institute on this project. A NYS DEC permit will be required for this project. The work is expected to be completed this year pending permitting approval.

ADOPTED. Ayes: 9 Nays: 0
February 22, 2021

#210209 By Mr. Anderson:

Whereas, The Board has reviewed the Joint Application Form for the Chadakoin River Stabilization Project,

Now, Therefore, Be It

Resolved, that the Board directs the General Manager to sign the Joint Application Form for application for a permit for the Chadakoin River Stabilization Project.

Discussion: The Joint Application Permit will be filed by the Chautauqua County Soil and Water Conservation District, who is acting as the contact agent and lead for the project. The Permit must be approved before work can start on the project.

ADOPTED. Ayes: 9 Nays: 0
February 22, 2021

Mr. Leathers presented his General Manager's Report stating that updates to the Solid Waste rate schedules related to the citywide Assigned Garbage Container Program are being worked on with BPU Board Committees, and will likely be presented for approval at the April BPU Board meeting. BPU Staff will visit one of the City Council work sessions in April. Communications to the community about the program are ongoing.

Mike Saar and his team continue to work on the Washington Street Water Main Replacement Project. The Project is currently in design review and approval process by the Department of Transportation (DOT) and the Department of Health (DOH). When those approvals are completed we can initiate the bid process to get a contractor approved to start in the late Spring.

The Steam Turbine Generator #5 maintenance overhaul bid opening has been extended to March 3rd due to multiple vendor requests. We will work through the bid review related to the overall schedule. We want to make sure we get accurate, qualified bids from a number of different potential contractors. The Power Plant has been running 24/7 for the last several weeks. With mild weather coming the LM6000 may be taken off line and used for peaking as needed going forward.

Upcoming meetings are as follows:

- Board Strategic Planning Committee Meeting – Monday, March 1st at 4:00 PM; rescheduled to Monday, March 8th at 4:00 PM
- Board Finance & Capital Projects Committee Meeting – Monday, March 15th at 4:30 PM
- Board Personnel Committee Meeting – Monday, March 22nd at 3:00 PM
- Board Meeting - Monday, March 22nd at 4:00 PM

Ms. Carrubba expressed her appreciation of BPU, noting the recent cold spell in Texas resulted in an extreme increase in electric prices and utility bills in Texas. She appreciates how quickly BPU has responded and gotten things up and running quickly when we have had power outages here. Ms. Carrubba extended her thanks to the BPU for all they do to keep our costs down and provide reliable electric service to our community.

With no further business to discuss, on motion of Mr. James Olson, seconded by Ms. Huston, the Board meeting was declared adjourned.

David L. Leathers, General Manager
Shari J. Lake, Secretary to the Board