

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, March 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 (arrived at 4:15 P.M.)	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. Mark, the minutes of the previous meeting were unanimously approved by BPU Board Members.

#210301 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 **#210301A-C** be, and hereby are approved as written.

ADOPTED. Ayes: 8 Nays: 0
March 22, 2021

#210301A:

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

ELECTRIC LIGHT FUND	915,082.20
WATER RENT FUND	312,837.82
DISTRICT HEATING FUND	134,885.60
WASTEWATER OPERATING FUND	157,748.67
SOLID WASTE OPERATING FUND	90,828.26
Total	\$ 1,611,382.55

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

Weekly Payroll No. 5	207,428.89
Weekly Payroll No. 6	211,310.98
Weekly Payroll No. 7	205,785.22
Weekly Payroll No. 8	214,556.98
National Grid – Transmission Costs	405,820.78
Sage Payment Solutions	11,147.12
NYISO	13,238.27
Key Bank	34.43
Invoice Cloud	962.90
Corporate Payment Systems	9,458.50
Praxis Consulting	3,440.36

Energy Mark	19,171.34
Direct Energy	30,306.00
Sprague Operating Resources	4,700.00
DTE Energy Trading	171,243.00
Snyder Brothers	26,418.25
Tennessee Gas Pipeline Company	10,077.76
NYSERDA – REC	19,439.20
Mid American Natural Resources	668.85
NYPA Purchases	490,459.87
NYSERDA – ZEC	200,175.36
City of Jamestown (S&P Invoice)	4,395.52
RGGI	300,000.00
Brian Wragge (Payroll Dir Dep Returned)	25.00
Spectrum Eyecare	744.00
NYS Sales Tax	40,000.00
United States Post Office-Rome	10,261.06
Total	\$ 2,611,269.64

#210301B:

Resolved, That the General Manager is hereby authorized to purchase from DeLacy Ford of Elma, NY under New York State OGS Bid #23166, one (1) 2022 Ford F-550 and steel dump body, at \$60,942.80 for the Wastewater Division.

Discussion: This vehicle will replace vehicle #76, a 2009 Ford F-350 and vehicle #102, a 2015 Ford F-350, both of which will be sold at a later date at auction after the new vehicle arrives. This purchase is included in the 2021 Wastewater Division Capital Budget.

#210301C:

Resolved, That the General Manager is hereby authorized to purchase from U&S Services, Inc. of Falconer, NY, under NYS Contract Bid Reference # PT68877, EcoStruxure software and programming to integrate the 3 flood pumps, preliminary and secondary treatment units, level indicators and associated controls at the Wastewater Treatment Plant (WWTP) at a cost of \$34,087 per NYS Time and Materials Not to Exceed (T&M NTE) contract rules for the Wastewater Division.

Discussion: This control integration will allow control and monitoring of the above-mentioned equipment from the WWTP control room and expands on integration of equipment onto the EcoStruxure software. This software/equipment is included in the 2021 Wastewater Division Capital Budget.

#210302 By Ms. Huston:

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 2021.

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

ADOPTED. Ayes: 8 Nays: 0
March 22, 2021

#210303 By Mr. Lehman:

Whereas, a portion of the steel retaining wall on the Chadakoin River is failing, and

Whereas, the Chautauqua Soil and Water District has provided the BPU with a proposal to remove the retaining wall and harden the shoring by filling, altering the course of the river flow, and stabilizing the banks of the Chadakoin River, and

Whereas, a joint application form for the project was filed with the state and a negative determination form was submitted,

Now, Therefore, Be It

Resolved, that the General Manager be authorized to enter into an agreement with the Chautauqua Soil and Water Conservation District for stabilization of the Chadakoin River bank for the purpose of stabilizing a portion the shoreline in an amount not to exceed \$60,000 subject to review and approval by counsel as to form and pending the approval of applicable permits.

Discussion: The failing retaining wall has been a growing issue for some time, but the presence of the rail bridge made it costly to repair in the past. Now that the rail bridge has been removed, we can progress a stabilization project that will remove a portion of the failing wall and replace it with a rip-rap slope and weirs in order to slightly widen the channel, enhance flood capacity of the channel, enhance habitats, and prevent soil migration to the river. The Chautauqua

County Soil and Water Conservation District has offered to partner on this project for the BPU at no cost for their technical services, and a dollar-for-dollar reimbursement for their excavation contractor on a time and materials basis. A contract with The Soil and Water Conservation District is permitted by section 119-O of the New York State General Municipal Law. The Soil and Water Conservation District competitively bids the non-technical services annually which ensures their costs are very competitive. We will also be partnering with RTPI for the selection and installation of soft and woody plantings and shoreline habitat to further enhance viability, stabilization, and esthetics of the shoreline.

ADOPTED. Ayes: 8 Nays: 0
March 22, 2021

#210304 By Ms Huston:

Whereas, the natural gas pipeline and equipment coating is in need of significant recoating work, and,

Whereas, the scope of this bid includes all of the above ground piping in Mayville with the exception of the compressor itself; the field valves on the mainline, all the assets on the natural gas skid, and the piping leaving the skid into the power plant.

Now, Therefore, Be It

Resolved, that the bid of MJ Painting Contractor Corp of Olean, NY, for BD-03-21 opened on February 23, 2021, in the amount of \$90,363 for the recoating of natural gas pipeline and equipment, per the terms of the bid, be accepted; and be it further

Resolved, that the General Manager is authorized to enter into an agreement with MJ Painting Contractor Corp in accordance with bid BD-03-21 subject to legal review by counsel.

Discussion: The BPU provided requirements on the surface preparation, priming, and painting specifications to ensure that the coatings will have the longest life possible. Three bids were received for the project; Southern Tier Surface Solutions (\$124,900), Eagle Eye (\$151,000), and MJ Painting (\$98,800). MJ Painting Contractor Corp was the low bidder on the project; the low bid was further reduced by \$8,437 due to BPU's acceptance of an exception to the bid (option to omit USL&H as part of workman's comp which isn't relevant to this project). The warranty period will be three years from completion. The references provided by the low bidder were contacted and all provided very positive reviews. The project is expected to start mid-April and be completed by the end of July. This project is included in the 2021 Electric Division Capital Budget.

ADOPTED. Ayes: 8 Nays: 0
March 22, 2021

#210305 By Mr. J. Olson:

Resolved, That the bid of Regional Environmental Demolition, Inc. of Niagara Falls, NY,

on BD-02-21 opened on March 9, 2021, in the amount of \$52,800 for the demolition of the old coal bunker located at the Cassadaga pump station on North Work Street in Falconer, NY, be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Water Division Purchase Order in the amount of \$52,800 to Regional Environmental Demolition Inc., for this demolition.

Discussion: This is the lowest of 6 bids received and meets all specifications. Two references were contacted and both provided very good reports. This project is included in the 2021 Water Division Capital Budget.

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

Ms. Carrubba arrived at 4:15PM.

#210306 By Mr. Lehman:

Resolved, That the bid of S.T. Cotter Turbine Services, Inc. of Clearwater, MN, on BD-04-21 opened on March 3, 2021, for the furnishing of labor, equipment, and technical direction to perform the Maintenance Overhaul of Steam Turbine/Generator Unit #5 in the amount of \$1,913,413 be accepted; and be it further,

Resolved, That the General Manager is hereby authorized to enter into a contract with S.T. Cotter Turbine Services, Inc. for this turbine overhaul for a sum of \$1,913,413, subject to review by counsel.

Discussion: Both steam turbine generating units at the power plant are complex pieces of equipment that are extremely important to the overall operation of the BPU system. Until recent years this type of work has always been performed by General Electric, the OEM (original equipment manufacturer). In an effort to reduce costs, the overhaul work was opened to competitive bidding. The last major overhaul of Unit #5 was performed in 2003 by Elliott Company.

A total of seven bids were received to perform the work to repair Steam Turbine/Generator Unit #5. Evaluating the repair options offered, the bids ranged from 1.9 million to 4 million dollars. S.T. Cotter was the low bidder and had the lowest evaluated bid which includes parts, rotor balance, diaphragm blade replacement of the Double Flow Curtis Rings and repairs to the remaining stages, replacement rotor blades from stage 1 through stage 12 and minor work on stages 13 through 19, replacement of all control valves & seats and various other repairs as identified in the inspection report. Staff recommends these repairs be accepted and that S.T. Cotter Turbine Services, Inc. be awarded the supply of technical direction, tooling, materials, parts and labor to perform the Maintenance Overhaul of Steam Turbine/Generator Unit # 5. The cost for the majority of this work is included in the 2021 Electric Division Budget Overhaul Reserve Fund.

Mr. Grant Olson thanked Cory Allen, Mr. Leathers and the Power Plant team for answering all of his questions about this maintenance overhaul project and getting him all of the information he asked for, noting it was obvious they have done their due diligence on the project and put a lot of work into this trying to get an accurate number for all of the necessary repairs that will be part of this project.

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

#210307 By Mr. Anderson:

Resolved, That the bid from Koester Associates of Canastota, NY, on BD-05-21 opened March 16, 2021, in the amount of \$285,000 for the supply of a complete grit capture and removal system 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 the supply of the complete grit capture and removal system for the WWTP.

Discussion: This is the only bid received and meets all required specifications. This grit capture and removal system will be replacing the current system which is over 30 years old, with installation to be completed by wastewater treatment plant personnel. This project is budgeted for \$342,000 and is included in the 2021 Wastewater Division Capital Budget.

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

Mr. Leathers presented his General Manager's Report. The demolition project for the old cooling tower at the Power Plant is anticipated to start this week. Cory Allen, Steve Dineen and James Samonsky have been going through the LM6000 Gas Turbine semi-annual maintenance and inspection at the Power Plant.

Mike Saar and Water Division staff continue to work diligently with the DOT and DOH to get the Washington Street water line replacement project design completed and approved. It is hoped final approval will happen within the next couple of weeks so that the project can be put out to bid soon.

The Solid Waste Division Citywide Container Program continues to be worked on and progressed. Mr. Leathers and BPU staff will give a presentation at a City Council work session in April. Documentation about the Citywide Container Program will be provided to City Council members in advance of the meeting. Distribution of the new containers is expected to begin in mid-May, with the program start date of July 1, 2021. The Yard Waste Site is opening for the season on Saturday, April 10th. There will be new Saturday hours from 7:00AM to 1:00PM. Wednesday hours will start on May 5th from 4PM to 7PM. The Water Division spring water main flushing will begin the weekend of May 1st, and should be completed by Wednesday, May 12th.

Mr. Leathers continues to work with the New York Association of Public Power (NYAPP) to provide input on provisions related to the likely extension of the utility shutoff moratorium that is currently pending in the NYS budget deliberations. We continue to provide input and work with different NYS decision makers related to the likely extension of that shut-off moratorium.

Freed Maxick will be concluding and presenting the results from their annual financial audit in April. That will first be presented to the Finance Committee and then to the entire Board at the April meeting.

Upcoming meetings are as follows:

- Board Finance & Capital Projects Committee Meeting is scheduled for Monday, April 19th at 4:30 P.M.
- Board Personnel Committee Meeting is scheduled for Monday, April 26th at 3:00 P.M.
- Board Meeting - Monday, April 26th at 4:00 P.M.

Mayor Sundquist thanked Mr. Leathers and the BPU team for leading an informative tour of the Power Plant last Friday for a group of dignitaries the City Department of Development (DOD) hosted for a business incubator event on March 19th. The event was held with hopes to bring some additional manufacturing and businesses to Jamestown. Mayor Sundquist said he appreciated all of the work they did and the thorough tour they gave to the out-of-town visitors.

Ms. Carrubba inquired about the reason for the time change at the Yard Waste Site. Mr. Leathers responded that it was a staff recommendation to start earlier due to cars being backed up to 8th Street at 8:45AM on Saturdays and little or no activity after 12 Noon. Site use and feedback will be monitored to see how the new time is received and if it may need to be changed again for the future.

On motion of Ms. Carrubba, seconded by Mr. James Olson, the Board convened into executive session to discuss one contract negotiation issue and one current litigation issue.

On motion of Ms. Carrubba, seconded by Mr. Grant Olson, the Board convened into open session.

On motion of Mr. Lehman, seconded by Mr. Anderson, the Board meeting was declared adjourned.

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