

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, June 28, 2021, at 4:00 PM** in the offices of the Board, 92 Steele Street, Jamestown, New York.

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	

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

On motion of Ms. Huston, seconded by Ms. Carrubba, the minutes of the previous meeting were unanimously approved by BPU Board Members.

#210601 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 **#210601A-B** be, and hereby are approved as written.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

#210601A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending **June 28, 2021** as follows:

ELECTRIC LIGHT FUND	1,195,718.22
WATER RENT FUND	409,967.44
DISTRICT HEATING FUND	63,684.46
WASTEWATER OPERATING FUND	220,242.93
SOLID WASTE OPERATING FUND	208,802.03
Total	\$ 2,098,415.08

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

Weekly Payroll No. 18	205,469.57
Weekly Payroll No. 19	223,511.67
Weekly Payroll No. 20	203,379.40
Weekly Payroll No. 21	211,114.86
NYISO	9,698.39
Sage Payment Solutions	12,424.62
Capital Markets Advisors	4,528.52
National Grid – Transmission Costs	294,307.65
Hanes Supply	156.20
Invoice Cloud	998.75
Corporate Payment Systems	8,385.59

NYSERDA - REC	21,972.72
DTE Energy Trading	39,850.00
Tennessee Gas Pipeline Company	11,204.02
NYSERDA - ZEC	204,124.20
NYPA Purchases	478,760.39
RGGI, Inc	75,000.00
NYS Sales Tax	40,000.00
United States Post Office-Rome	10,232.33
Paymentech Merchant Services	1,000.20
Total	\$ 2,056,119.08

#210601B:

Whereas, the Jamestown Board of Public Utilities (JBPU) solicited and received bids from electrical contractors to provide journeyman and apprentice electrician labor, and

Whereas BECC Electric of Fredonia, NY was the lowest of the three bidders whom submitted bids for BD-09-21 opened June 21, 2021,

Now, Therefore, Be It

Resolved, That the General Manager is hereby authorized to enter into an agreement with BECC Electric for electrician labor based upon their 2021 labor quotation, and subject to review and approval by counsel as to form.

Discussion: The services that will be provided under this bid are related to Electric vehicle charging equipment installation at the surface lot on East 4th Street and Prendergast Avenue, and the North Main Street parking ramp. BECC will also provide labor for other jobs that may arise that are not able to be covered by current JBPU staff. BECC has been working with the JBPU on back-lot service replacements and is well regarded for providing safe and reliable work in commercial, industrial, and residential settings.

#210602 By Mr. Lehman:

Resolved, That the bid from Lakeshore Paving, Inc. of Jamestown, NY, on BD-07-21 opened June 22, 2021 in the amount of \$2,695,268 for the installation of new water main on Washington Street from W. 5th Street to W. 23rd Street be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Water Division Purchase Order to Lakeshore Paving, Inc. for the installation of the new water main.

Discussion: This is the lowest of two bids received and meets all required specifications. The installation of the new water main will be 60% funded under a New York State Environmental

Facilities Corporation WIIA Grant. This purchase is included in the Water Division's Capital Budget.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

#210603 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 additional 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 additional Perkins solid waste container tipping units in the amount of \$46,908 is hereby approved.

Discussion: The installation of these units is being done in conjunction with our Citywide assigned garbage container program. This will equip each garbage truck with two tipping units. There are only three manufacturers of solid waste container tipping units that will work with our rear packer garbage trucks. The purchase and installation of the Perkins units are the least expensive of the three options available. This equipment procurement and installation will be paid from other capital line items in the approved 2021 Solid Waste Division Budget.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

#210604 By Ms. Carrubba:

Whereas, the City of Jamestown BPU is the owner of several parcels of real property on Harrison Street used for Electric Division Transmission & Distribution (T&D) purposes, and

Whereas, the General Manager has entered into a contract for the purchase of approximately 0.07 acre of real property located at 286 Harrison Street that is adjacent to these parcels, which contract is contingent upon approval by the Board,

Now, Therefore, Be It

Resolved, That the Board does hereby approve the purchase of City of Jamestown Tax Parcel 387.42-3-20 from Dennis Torrey for a purchase price not to exceed \$26,400, plus standard closing expenses and up to \$5,000 in confirmed moving expenses, to be used for T&D purposes, and be it further

Resolved, That the purchase price of said property be paid from Electric Division funds.

Discussion: This 40' Front x 80' Depth parcel is contiguous to property currently owned by the BPU. Purchase of the property allows the BPU additional access and space to conduct anticipated T&D projects supporting operational needs. This resolution has been reviewed and is recommended by the BPU Board Finance & Capital Projects Committee.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

#210605 By Mr. Lehman:

Whereas, Three-quarters ($\frac{3}{4}$) of the members of the Board of Public Utilities concur that it is impractical to take bids for the increase in scope of work from S.T. Cotter Turbine Services, Inc. of Clearwater, MN authorized under resolution #210306 to perform repairs as part of the overhaul project for Steam Turbine Generator #5,

Now, Therefore, Be It Resolved, That the action of the General Manager in approving a Change Order to increase the scope of work of S.T. Cotter Turbine Services, Inc. of Clearwater, MN, for repair of the Generator Electrical & Mechanical Items in the amount of \$116,406.28 and Main Stop Valve Parts in the amount of \$31,212 at the Samuel A. Carlson Generating Station are hereby approved and ratified.

Discussion: Generator - During the generator inspection, bearings T3 & T4 and the oil deflectors for bearings T3 & T4 were found to be out of tolerance and require machining to bring them back to manufacturer's specifications. The hydrogen seal insulation has become brittle and is cracking and needs replacement. The stator requires cleaning and non-conductive and semi conductive protective coatings applied and the field requires repainting.

Main Stop Valve - The main stop valve disc/bushings and valve stem on the steam turbine shows signs of stellite coating debonding and pitting. As the Main Stop Valve is subjected to maximum steam temperature & pressure, the stellite coating is necessary to protect the parent material of the disc from excess temperature failure. A worn disc would allow steam to leak into the turbine and cause component failures in the unit. A new disc, stem and bushings will be manufactured and installed for the main stop valve.

The work scope has been reviewed by BPU staff and was considered necessary to return the Steam Turbine Generator #5 to proper operating condition per the overhaul project schedule.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

#210606 By Mr. J. Olson:

Whereas, The Jamestown Board of Public Utilities (BPU) has authority to establish and revise policies; and

Whereas, these policy recommendations have been reviewed in consultation with the management team; and

Whereas, Freed Maxick's external audit report in years ending 2019 and 2020 recommends the adoption of a formal policy to promote positive, consistent and effective practices, and to support continued compliance with applicable laws and regulations, and effective delivery of public services;

Now, Therefore, Be It

Resolved, That the Jamestown BPU adopts the proposed Capitalization and Depreciation policy effective June 28th, 2021.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

#210607 By Ms. Carrubba:

Resolved, That the General Manager be authorized to enter into an agreement for Professional Services with Stohl Environmental of Orchard Park, N.Y. to provide asbestos abatement on 800 Square Feet of asbestos-containing material (ACM) from the surge storage tank on the roof of the power plant for a sum total amount \$63,655, as outlined in their proposal dated May 21, 2021. Removal of asbestos will be conducted in accordance with New York State Industrial Code Rule 56, OSHA and Environmental Protection Agency requirements.

Discussion: During preliminary walk through on a slated roofing replacement project slated for the 2021 construction season an inspection of the surge tank roofing area was conducted. The deteriorated condition of friable asbestos insulation on the 10,000 gallon surge storage tank was discovered peeling off the tank and the ACM material had littered the roof. This material has been identified as requiring immediate abatement work be performed to eliminate the potential hazard associated with asbestos exposure for the general contractor performing the roofing replacement project.

The State of New York requires an approved abatement Service Company that is licensed and approved by the State be retained by the owner for any asbestos abatement projects. Stohl Remediation will conduct all abatement and disposal activities in the area outlined in their scope. Stohl Environmental will also provide Project Management 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 the JBPU effectively for the past 13 years. Power Plant staff has secured multiple bids on the past four ACM abatement projects and Stohl Environmental has provided the best lowest evaluated bids for each these projects. This project is included in the 2021 Electric Division Dismantling Fund Budget.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

#210608 By Mr. Lehman:

Whereas, stop log walls are necessary to dewater the screen house for inspection and replacement of an existing wall, and,

Whereas, request for proposals were sent to multiple stop log manufacturers, and

Whereas, Whipps, Inc. of Athol, MA, provided the lowest evaluated quotation to furnish aluminum stop logs in the amount of \$36,668,

Now, Therefore, Be It

Resolved, That the General Manager is hereby authorized to issue an Electric Division Purchase Order to Whipps, Inc. in the amount of \$36,668, for the aluminum stop logs.

Discussion: This is part of the Cooling Tower Basin Repair/Rehab project. RFQ's for this project were solicited from several manufacturers and only two quotations were received. Whipps Inc., quoted \$36,668, and Rodney Hunt quoted \$49,161. After review by Staff, Whipps, Inc., was deemed the lowest cost supplier. The purchase of aluminum stop logs is included the 2021 Electric Division Capital Budget.

ADOPTED. Ayes: 7 Nays: 0
June 28, 2021

Dave Leathers provided a General Manager's Report. Mr. Leathers informed the Board that the NYS Utility Shutoff Moratorium emergency declaration expired at the end of last week. The BPU is now transitioning to the 180-day period beyond the Moratorium where utility shutoffs are allowed to occur again. Additional guidance from the NYS Department of Public Service related to the 180-day period is expected to be issued in the near future. We will be communicating with and working with our customers, and want Customer Service to be prepared to assist and direct residential and small business customers to seek the financial assistance that they may be qualified for to pay past-due bills. Those options include the Home Energy Assistance Program (HEAP), Emergency HEAP payments, and the Emergency Rental Assistance Program, which has financial assistance available for past-due rent and past-due utilities. We want to make sure that our customers are aware of these opportunities and they seek available assistance.

Service classification 6 (SC-6) Flex-Rate contracts are expiring at the end of October with SKF and Monofrax, and are expected to be discussed at the Board Finance & Capital Projects Committee meeting in August. Both of those agreements will be worked through in the August, September, and October time frame. Bush Industries now meets the compliance requirements for this program, and we are anticipating they will become a new SC-6 customer later this fall.

The assigned container program continues forward and a press release related to a reminder that the program takes affect July 1st is included in today's Board packets. Alternate-sized containers continue to be delivered to those that have requested one; the process is still ongoing. Ms. Carrubba asked if the BPU is seeing an improvement in people using the assigned containers

that previously did not use a solid waste container at the curb. She reported that she has seen an improvement with garbage being contained and not all over the street with bags ripped open since the assigned containers were distributed. She appreciates everything that has been done to bring this improvement about. Mr. Leathers credited Mike Saar and his team for working through and resolving some of the issues that have been discovered. Chairman Rabb agreed that everything looks a whole lot neater. Mayor Sundquist reported that the number one complaint received at City Hall from residents about the new containers is the container lid being left open after the garbage has been collected. He stated there have been a lot of issues with rain coming down, water getting into the containers and customers having trouble bringing the containers back to their residences. Mayor Sundquist asked that BPU Staff look at other ways to manage that and being able to close the lid. Mayor Sundquist also said many positive responses have been received about the assigned container program, but the number one complaint his office has received is leaving the lid open after they've been tipped. Mr. Lehman added, leaving the containers on the sidewalk has also resulted in complaints to his DPW office; people can't get around the containers if they are on the sidewalk. Mr. Leathers responded these issues can be reviewed with and considered by Solid Waste Staff.

Mr. Leathers reported membership has been renewed with the Chautauqua Lake & Watershed Management Alliance, effective July 1, 2021 to June 30, 2022. The Alliance does work not just in the Lake but also improves the Chadakoin River and membership gives BPU the opportunity to ask questions and provide input on improvement opportunities at the Lake outlet. Work is continuing on the Municipal Broadband Feasibility Study. The Cents for St. Susan's Campaign is underway, and will conclude in early August.

Upcoming meetings:

- Board Strategic Committee Meeting is scheduled for Monday, July 12th at 4:00 P.M.
- Board Meeting - Monday, July 26th at 4:00 P.M.

On motion of Ms. Carrubba, seconded by Mr. Lehman, the Board convened into executive session to discuss a current litigation issue, update only, and a personnel issue.

On motion of Mr. Olson, seconded by Ms. Carrubba, the Board convened into open session. No further business was discussed in open session.

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

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