

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, July 26, 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
Information Services Manager, Frank Galeazzo	X	

GENERAL PUBLIC ATTENDEES:

Brian Achterberg, 200 Manchester Road, Jamestown, NY

Kim Achterberg, 200 Manchester Road, Jamestown, NY

The media was notified of this meeting and was not represented.

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

Kim Achterberg addressed the Board. She stated that her and her husband Brian live at 200 Manchester Road in Jamestown. In response to the Jamestown BPU buying land from some of their neighbors on Manchester Road, she and her husband are opposed to any type of solar panel facility, substation or any electrical project in their residential neighborhood. They believe there are other locations in the city that might be better for this type of project.

#210701 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 **#210701A-B** be, and hereby are approved as written.

ADOPTED. Ayes: 9 Nays: 0
July 26, 2021

#210701A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending **July 26, 2021** as follows:

ELECTRIC LIGHT FUND	775,970.75
WATER RENT FUND	315,574.22
DISTRICT HEATING FUND	40,789.18
WASTEWATER OPERATING FUND	158,486.69
SOLID WASTE OPERATING FUND	103,341.22
Total	\$ 1,394,162.06

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

Weekly Payroll No. 22	208,664.64
Weekly Payroll No. 23	209,840.84
Weekly Payroll No. 24	202,236.81
Weekly Payroll No. 25	219,228.61
Commissioner of Labor	300.00
Val Pro Sanitary Supplies	588.40
U S Post Office	245.00
National Grid – Transmission Costs	229,495.20
Sage Payment Solutions	7,354.49
Invoice Cloud	2,415.82
Corporate Payment Systems	10,518.36
Direct Energy	5,806.00

DTE Energy Trading	15,316.50
Snyder Brothers	28,584.00
Mid American	149.52
NYPA Purchases	435,691.83
NYSERDA – ZEC	194,682.60
NYS Sales Tax	40,000.00
PaymentTech Merchant Services	778.60
United States Post Office-Rome	10,197.03
Total	\$ 1,822,094.25

#210701B:

Resolved, That a warrant be drawn on the Electric Light Fund to Depository Trust Co., New York, NY, for \$268,084.38 to pay principal of \$255,000 and interest of \$13,084.38 for six months at 1.0 per centum per annum due August 1, 2021 on \$2,855,000 Serial Electric Bonds.

Discussion: This is for the CFB Project permitting and engineering costs and various infrastructure improvements with the final payment to be made in August 2025.

#210702 By Ms. Carrubba:

Whereas, The American Public Power Association (APPA) is the national service organization representing the interests of the approximately 2,000 not-for-profit, publicly-owned electric utilities throughout the United States that collectively serve more than 49 million consumers, and

Whereas, The Jamestown Board of Public Utilities is a charter member of APPA, and

Whereas, APPA provides its members with superior professional representation, information, advocacy, strategy support, and technical resources that are essential to succeed in the changing utility business, legislative, and regulatory environment. In addition to comprehensive legislative and regulatory support on all issues of importance to public power, APPA provides tangible resources in areas that include utility operations assistance in reliability, safety-system improvement and work force development, and

Whereas, These APPA member resources and utility programs, including Demonstration of Energy Efficient Development (DEED), the APPA Academy, Hometown Connections, and other services provide the JBPU with economic access to resources and information that it would be difficult to obtain on our own,

Now, Therefore, Be It

Resolved, That the JBPU be and is hereby authorized to continue membership in APPA for 12 months starting August 1, 2021 and pay a membership fee in the amount of \$20,293.30.

Discussion: The APPA rates increased 2.22% from 2020. Mr. Leathers reported on the APPA Board of Directors Zoom meeting that he attended earlier in the day. Items discussed included climate change legislation that is being progressed at the federal level and updates to APPA's Business Plan.

ADOPTED. Ayes: 9 Nays: 0
July 26, 2021

#210703 By Mr. Lehman:

Whereas, the Jamestown Board of Public Utilities (BPU) has been awarded an Empire State Development Grant of \$200,000 for "Smart Cities Innovation Partnership Project" for its application titled "Advanced Water Meters in New York State", and

Whereas, the grant required a qualified partner and the Research Foundation of the State of New York with an office located at Office of Sponsored Programs, Binghamton University, Binghamton New York 13902-6000 has agreed to be that partner, and

Whereas, the grant will be made to the Research Foundation of the State of New York from Empire State Development in the amount of \$200,000 and a sub award from the Research Foundation of the State of New York in the amount of \$165,500 will be made to the Jamestown Board of Public Utilities, and

Whereas, the Jamestown BPU has committed to a cost share of \$135,651 in material costs and \$82,875 as in-kind costs which were budgeted for in the Water and Wastewater Divisions Capital budgets,

Now, Therefore, Be It

Resolved, That the General Manager be, and is hereby, authorized to enter into an agreement with the Research Foundation of the State of New York to carry out the Project entitled "Smart Cities Innovation Partnership Project: Advanced Water Meters in New York State" and to execute any and all other contracts, documents, and instruments necessary to fulfill Jamestown BPU's obligations under the Agreement, subject to review and approval by counsel.

Discussion: The grant helps with the replacement of water meters on the north side of Jamestown and will replace 1,549 water meters with new water meters and associated advanced radios that are compatible with the Electric System's ITRON Advanced Metering Infrastructure. This will enable lower cost meter reading (the meters will wirelessly communicate with the electric meters and that electric meter network will backhaul the water meter data) as well as provide enhanced data and reporting for utility operations. Jamestown BPU continues its effort to enhance its utility infrastructure system-wide, lower operating costs, and improve the customer experience. This project was budgeted in the Water and Wastewater Divisions Capital budgets and this grant helps offset the cost of the meter replacement project. The project must be completed by 8/31/2022.

Mayor Sundquist expressed his thanks to the BPU Staff for working on this grant. Jamestown, through the actions of the BPU and this grant, is being recognized as one of New York State's Smart Cities, as a result of this new advanced water meter infrastructure project.

ADOPTED. Ayes: 9 Nays: 0
July 26, 2021

#210704 By Mr. G. Olson:

Whereas, The Board has reviewed the Environmental Assessment Form (EAF) for the Advanced Meter Replacement Project (which includes the "Smart Cities Innovation Partnership Project: Advanced Water Meters in New York State"), 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 the Advanced Meter Replacement Project 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 replacement of water meters on the north side of Jamestown will replace 1,549 water meters with new water meters and advanced radios that are compatible with the Electric System's ITRON Advanced Metering Infrastructure. Each customer that gets a new meter will experience a short (typically less than 15 minute) water service interruption to replace the meter. No significant environmental impact is expected to occur. This will enable lower cost meter reading (the meters will wirelessly communicate with the electric meters and that electric meter network will backhaul the meter data) as well as provide enhanced data and reporting for utility operations.

ADOPTED. Ayes: 9 Nays: 0
July 26, 2021

#210705 By Ms. Huston:

Whereas, Three-quarters ($\frac{3}{4}$) of this Board concurs that it is impractical to take bids for the purchase of 1,549 Itron 500W OpenWay Water Electronic Read Transmitters (ERTs),

Now, Therefore, Be It

Resolved, That the action of the General Manager in issuing a Water Division Purchase Order to GoToGo Electric, Inc. of Leroy, NY, to purchase 1,549 Itron 500W OpenWay Water ERTs in the amount of \$119,892.60 is hereby approved.

Discussion: Since 2004, we have standardized on Badger water meters with Itron radio read drive-by system meters. These newer ERTs can and will continue to be read like the current water ERT's are today; however, these ERTs will be compatible with new Advanced Metering Infrastructure (AMI) meter reading capabilities and can be easily switched over when an AMI system is deployed. This is included in the 2021 Water and Wastewater Divisions Capital Budgets.

ADOPTED. Ayes: 9 Nays: 0

July 26, 2021

#210706 By Mr. J. Olson:

Whereas, Three-quarters ($\frac{3}{4}$) of this Board concurs that it is impractical to take bids for the purchase of residential and commercial Badger water meters,

Now, Therefore, Be It

Resolved, That the action of the General Manager in issuing a Water Division Purchase Order to Badger Meter, Inc. of Milwaukee, WI, to purchase residential and commercial Badger water meters with Itron ERT connectors under the attached Quote No: 3263691 in the amount of \$181,217.51 is hereby approved.

Discussion: Since 2004, we have standardized on these Badger water meters with Itron radio read drive-by system meters. A majority of the meters currently in operation have only an estimated 8-year life on the ERT portion of the meters and were installed between the years of 2000 and 2002, they are well past their expected end of life. We will begin purchasing the Itron ERT's directly from Itron as a cost savings measure and to support the new Advanced Metering Infrastructure (AMI) meters currently being implemented. The new meters have a life expectancy of 17 years. This is included in the 2021 Water and Wastewater Divisions Capital Budgets.

ADOPTED. Ayes: 9 Nays: 0

July 26, 2021

#210707 By Mr. Mark:

Whereas, the Jamestown BPU released a mini bid under the New York State (NYS) Office of General Services (OGS), Procurement Services for the procurement of photovoltaic systems and installation services (Group 05302, award 23137-G) for the installation of photovoltaic generation equipment on its power plant roof, and

Whereas, Solar Liberty of Buffalo, NY was the low bidder and can provide and install the panels and associated equipment,

Now, Therefore, Be It

Resolved, That the General Manager be, and is hereby, authorized to enter into agreement with Solar Liberty for the sum of \$132,542.17 to procure and install approximately 77kW of solar equipment on the power plant roof and to execute any and all other contracts, documents, and instruments necessary to fulfill Jamestown BPU's obligations under the Agreement, subject to review and approval by counsel.

Discussion: The State of New York Department of Environmental Conservation revised 6 NYCRR Subpart 227-3 to reduce NOx emissions limits for Gas Turbines and facilities to be effective on May 1, 2023 and further reduce emissions limits on May 1, 2025. The BPU's gas turbine is capable of meeting both reduced NOx emission standards however the amount of water injected into the turbine via the SPRINT system would have to be increased to meet these lower thresholds, thereby increasing the potential for wear on the turbine and the cost and frequency of overhauls. The rule provides an option to meet the standard by an alternate compliance calculation that includes the energy generated from onsite renewable generation. This project will help qualify the BPU to use the alternate calculation which will provide a method for reducing the amount of water that will need to be injected into the gas turbine thereby prolonging the life of the unit and reducing future costs. This project also will provide renewable energy and is a good test trial and learning opportunity for future larger solar installations. The panels have a 20-year warranty. The BPU is providing materials and labor for interconnection within the power plant. The turbine bay roof, 11 boiler, and 12 boiler roofs (those with minimal shading and newer roofs) will have panels and no roof penetrations will be made (ballasted system). National Solar Technologies was the other OGS approved bidder and their proposal was \$245,442.60. Ms. Carrubba noted the founders of Solar Liberty are originally from Jamestown, and it is nice to see local people involved with this BPU project.

ADOPTED. Ayes: 9 Nays: 0
July 26, 2021

#210708 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 a commodity such as specialized oil for the steam turbine, and

Whereas, NOCO Lubrication and Mobil ServSM performed oil testing and analysis of Steam Turbine Generator #5's lubrication/hydraulic oil and concluded the oil is unfit for continued use, and

Whereas, General Electric Power Services of Midlothian, VA, the manufacturer of Steam Turbine Generator #5, reviewed the oil testing analysis with JBPU staff, and agree the oil should be replaced,

Now, Therefore, Be It

Resolved, That the action of the General Manager in issuing an Electric Division Purchase Order to Danielson Oil Co. of Jamestown, NY in the amount of \$30,070 per their proposal is hereby approved and ratified.

Discussion: Oil sampling and analysis is part of routine maintenance for all turbines in the power plant. The newest oil analysis results for Steam Turbine Generator #5 (STG#5) show continued increasing levels of contaminants and signs of further condition regressions when compared with previous oil analyses. The oil analyses were shared with General Electric (GE) for review, comments and recommendations. GE and JBPU staff agree the oil should be replaced.

This oil is used for lubrication and as the hydraulic control medium for STG#5. As STG#5 is currently being overhauled, using old contaminated and degraded oil would cause increased wear to the new and refurbished parts currently being installed.

An RFQ was sent to regional, local and online suppliers of turbine oil that meets or exceeds GE's specifications for STG#5. Most suppliers were unable to provide the quantity required or meet the delivery date. Danielson Oil Co had the lowest delivered cost per gallon that could meet the required delivery date. The cost of the oil is included in the 2021 Power Plant Electric Division Operation & Maintenance Budget.

ADOPTED. Ayes: 9 Nays: 0
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David Leathers provided a General Manager's Report. The financial memo included in the Board packets will be discussed in more detail at the August Finance & Capital Projects Committee meeting. The LM6000 gas turbine has been operating most days at the Power Plant in simple cycle mode. Power prices in WNY have not justified running 24/7 in combined cycle. Power prices in the day-ahead market have increased as the weather has gotten warmer. The unit has been running well and the capacity payments continue to be strong through the summer capability period. The STG#5 overhaul continues on schedule, with an anticipated project completion date of mid-August.

The Washington Street Water Main Replacement Project is close to receiving approval to proceed with construction. The NYS Utility Shutoff Moratorium expired on June 23rd. The 180-day period between June 24th and December 21st has begun; shutoffs can start again, and customers can self-certify that they experienced a financial hardship during the COVID-19 pandemic. The BPU is recommending deferred payment agreements to customers who are unable to pay their full balance. Communications have been prepared and are available in the Customer Service office on several different ways customers can seek financial assistance.

A desired language change has been identified in the Solid Waste Rate Schedule that will be brought up for discussion at the August Finance & Capital Improvements Committee meeting and presented to the entire Board for possible action at the August Board meeting. A sticker ticketing process has been developed to alert customers immediately that there is an extra fee and a charge for SW Rate Schedule violations, so customers can be aware of the rules and become compliant with the rules. Ms. Huston asked for clarification on the language change. Mr. Leathers

responded that if customers continue to place garbage bags out for collection in personal containers not owned by the BPU, and BPU leaves it behind with a violation sticker, customers will become aware that they need to request an additional container from the BPU or make a change on their own. Grant Olson suggested a permanent water-proof sticker for all customers highlighting the most-common compliance issues and how to place the container at the curb. Mr. Leathers noted many customers are doing everything correctly. Mr. Leathers will share further information at the August Board meeting.

Mr. Leathers continued his General Manager's report highlighting department safety results. Seven of eight tracked departments have gone 3 years or longer without a lost time accident. It has been 363 days since the last lost time accident for the entire utility. Individual employees understand the need to follow safety rules. Chairman Rabb asked if there was comparable information available from other organizations. Mr. Leathers will follow up on that request and share in future committee meetings. The Cents for St. Susan's campaign will conclude on August 19th with a public announcement of total funds raised.

Upcoming meetings:

- Board Finance & Capital Projects Committee Meeting is scheduled for Monday, August 16th at 4:30 P.M.
- Board Personnel Committee Meeting is scheduled for Monday, August 23rd at 3:00 P.M.
- Board Meeting - Monday, August 23rd at 4:00 P.M.
- Board Strategic Planning Committee Meeting – Monday, September 13th at 4:00 P.M.

On motion of Ms. Carrubba, seconded by Mr. Anderson, the Board convened into executive session to discuss a personnel issue.

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

#210709 By Ms. Carrubba:

Whereas, the Personnel Committee, with input from the Board, has completed the performance review of the General Manager for the 2020 – 2021 evaluation period, and

Whereas, the Personnel Committee has studied and approved the appraisal,

Now, Therefore, Be It

Resolved, That the General Manager be given a salary increase of \$1,000 effective as of March 18, 2021.

Discussion: Ms. Carrubba noted that the merit increase as proposed does not reflect the true value of Mr. Leathers' contribution to the BPU, however, the Board will defer to his request and make that recommendation, and to retain him in his capacity as General Manager of the BPU.

Ms. Carrubba added that “we really do appreciate and value your work, Dave, and it’s been tremendous to see the numbers put up on days not missed due to accidents, that’s tremendous, and just all the things that have been accomplished in spite of COVID. The safety record, the updates to the Website to help people with disabilities, the fact that you got by with low staff, the changes to the reception area downstairs, you got a lot done with difficult circumstances, at best, and we really appreciate everything that was done by you and the rest of the crew.” Mr. Leathers responded, “We have a great team here, I am really proud of our employees. I appreciate the Board and Board Members’ support, your communication, your questions, your challenges. The responsibility is to do a great job for our customers and that’s what we strive for. I enjoy working for the community and appreciate the Board’s feedback.”

Chairman Rabb thanked Mr. Leathers on behalf of the Board for his work; for doing a great job, for working well with the Board, and for working well with the Staff. Chairman Rabb continued that Mr. Leathers has always been responsive, and he thinks the image of the BPU in the community is a strong one. Chairman Rabb thinks people look to the BPU for good service at a good price and he thinks it’s a real team effort with the Staff and the Board, and on behalf of the Board he thanked Mr. Leathers.

ADOPTED. Ayes: 9 Nays: 0
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Ms. Carrubba stated she wanted to thank the BPU and the people that were out on July 17th dealing with the stormwater issue. There was a lot of rain and there were many flooded basements on her street. Ms. Carrubba stated stormwater management remains an issue to be addressed city-wide.

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

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