

**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, April 24, 2017 at 4:00 P.M.** in the offices of the Board, 92 Steele Street, Jamestown, New York.

<b>BOARD MEMBERS:</b>	<b>Present</b>	<b>Absent</b>
Tyler Case (arrived at 4:08 P.M.)	X	
Chuck Cornell	X	
Terrance Horner	X	
Maria Jones	X	
Jeffrey A. Lehman, PE	X	
Gregory Rabb (arrived at 4:25 P.M.)	X	
Mayor Samuel Teresi	X	
Ralph Wallace		X
Martha Zenns	X	
<b>STAFF:</b>		
General Manager, David L. Leathers	X	
Deputy General Manager, Michael Saar, PE	X	
Finance & Customer Accts. Mgr., Kelly Hawkins	X	
Counsel, William Wright	X	
Sec. to the Board, Tammy J. Anderson	X	
Comm. Coordinator, Rebecca Robbins	X	
Electric & Gas Resource Mgr., Dave Gustafson		X
Transmission & Distribution Mgr., Chris Rodgers	X	

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

On motion of Mr. Horner, seconded by Mrs. Jones, the minutes of the previous meeting were approved.

**#170402 By Mrs. Jones:**

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 **#170402A-E** be, and hereby are approved as written.

**ADOPTED.** Ayes: 6 Nays: 0  
April 24, 2017

**#170402A:**

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending **April 24, 2017** as follows:

ELECTRIC LIGHT FUND	1,393,151.01
WATER RENT FUND	255,196.90
DISTRICT HEATING FUND	86,779.10
WASTEWATER OPERATING FUND	233,137.81
SOLID WASTE OPERATING FUND	95,349.44
Total	<b>\$ 2,063,614.26</b>

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 **March 2017** to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 9	193,358.30
Weekly Payroll No. 10	183,554.14
Weekly Payroll No. 11	194,526.02
Weekly Payroll No. 12	192,042.45
Weekly Payroll No. 13	212,236.06
NYPA Purchases	459,992.98
RGGI, Inc.	300,000.00
NYSIO – Collateral TCC Markets	300,000.00
EnergyMark LLC	201,436.00
Direct Energy Business Marketing, LLC	188,292.00
National Grid – Transmission Costs	182,541.20
Crown Energy Services	134,687.00

NYISO	105,212.40
Mid-American Natural Resources	99,635.00
NYS Sales Tax	20,000.00
NYSIO - TCC's	14,062.44
United States Post Office - Rome	10,201.43
Visa – Corporate Payment Systems	9,862.36
Sage Payment Solutions	6,297.92
Key Bank	967.59
Postmaster	342.13
Paypal	279.82
Invoice Cloud (for paperless billing)	260.40
Julie Cardinale	250.00
NYSERDA	183.39
Total	<b>\$ 3,010,221.03</b>

**#170402B:**

Resolved, That a warrant be drawn on the Electric Light Fund to The Depository Trust Company, New York, NY, for \$135,100 to pay six months interest at 4.04 per centum per annum due May 15, 2017 on \$8,505,000 on Public Improvement Serial bonds, Series 1999A.

Discussion: This bond is for the gas turbine and the final payment will be made on November 15, 2019.

**#170402C:**

Resolved, That a warrant be drawn on the Electric Light Fund to The Depository Trust Company, New York, NY, for \$4,800 to pay six months interest at 4.04 per centum per annum due May 15, 2017 on \$315,000 on Public Improvement Serial bonds, Series 2000B.

Discussion: This bond is for the gas turbine and the final payment will be made on November 15, 2019.

**#170402D:**

Resolved, That the bid of Irby Utilities, of Liverpool, NY, on BD-08-17 opened April 17, 2017, in the amount of \$75,201 to furnish polemount transformers, be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue an Electric Division Purchase Order to Irby Utilities, for these polemount transformers.

Discussion: Three bids were received. The quantities to be purchased are based on planned additions and changes to the system. The purchase of polemount transformers is included the 2017 Electric Division budget.

**#170402E:**

Whereas, At a special meeting of the Board held on April 10, 2017, the Board approved resolution #170401 authorizing the BPU to participate with other members of the New York Association of Public Power (“NYAPP”) to commence litigation against the new York Department of Public Service (“DPS”) to challenge the application of the State’s Clean Energy Standard (“CES”) to the JBPU and other municipal utilities, and

Whereas, Subsequent to the resolution being made, the Interim Chairman of the Department of Public Service issued a letter to NYAPP which clarifies the DPS’s position with respect to the application of the CES on the members of NYAPP, and

Whereas, At a conference call meeting of NYAPP members held on April 13, 2017, the majority of members resolved not to commence legal action against the DPS,

Now, Therefore, Be It

Resolved, That the Board does hereby rescind resolution #170401 in its entirety.

Mr. Case arrived at 4:08 P.M.

**#170403 By Mr. Horner:**

Resolved, That the General Manager is hereby authorized to purchase from Cogsdale Company, Inc. of Charlottetown, PE C1E 2A1, Canada, the annual Maintenance and Support Agreement for the coverage period of July 1, 2017 through June 30, 2018 in the amount of \$105,732.25.

Discussion: This Maintenance and Support Agreement is to cover any upgrades to the software and solution we purchased from Cogsdale and to have Cogsdale available for any technical support needed for the continued operation of the CIS system. This is an annual support agreement that must be renewed every June and is included as part of our annual operating budget.

**ADOPTED.** Ayes: 7 Nays: 0  
April 24, 2017

**#170404 By Mrs. Jones:**

Resolved, That three-quarters ( $\frac{3}{4}$ ) of the members of this Board do hereby approve that the General Manager issue a purchase order to Ed Shults Ford, of Jamestown, NY, for the purchase of a 2017 Ford Transit Van in the amount of \$26,398.

Discussion: Ford is currently offering rebates that are lower than NYS Bid prices. This vehicle meets all specifications and is being purchased to replace L-133, a 2008 Ford Ranger.

The old truck will be sold, as is, at auction or through a competitive bidding process. This is included in the 2017 Electric Division Capital Budget. Mr. Leathers explained that this purchase is lower than the New York State bid.

**ADOPTED.** Ayes: 7 Nays: 0

April 24, 2017

Dave Leathers provided a General Manager's Report, which began with a review of the year-ending 2016 audited financial statements for all five divisions by Laura Landers of Freed Maxick CPA's. Mr. Leathers said that Ms. Landers met with the BPU Board Finance & Capital Projects Committee last week to review the financial audit results. She reviewed the financial summary reports for the Electric, Water, Wastewater, Solid Waste and District Heating Divisions. These reports will be posted on the Jamestown BPU website by the end of the week.

Mr. Rabb arrived at 4:25 P.M.

An update of the Risk Management Program will be given at the May Board meeting.

Daytime water flushing is starting in the Village of Falconer on Saturday, April 29<sup>th</sup>. After the Falconer flush and starting Monday, May 1<sup>st</sup>, crews will be flushing during the daytime hours starting at 8:30 A.M. and wrapping up around 4:30 P.M. each day. A hotline has been established for customers to call with any questions or concerns. Dave Leathers requested that any compliments, complaints, or criticisms be sent to either himself or Tammy Anderson.

Work continues on the suspended debtor process. A number of tenant letters have been mailed and more will be mailed to notify owners and tenants of water, wastewater, and solid waste charges that may become tax liens and could be levied on tax bills if not paid.

Mr. Leathers will be traveling with Dave Gustafson & Kris Sellstrom to a NYISO Sector Meeting in Albany. Dave Gustafson & Kris Sellstrom will be stopping in Syracuse to meet with National Grid and Chris Rodgers will be participating in that meeting via conference call. Mr. Leathers will also be traveling to meet with legislative leaders on April 25<sup>th</sup> and 26<sup>th</sup>. There will be a NYAPP Annual Conference in Schenectady from May 2<sup>nd</sup> to 4<sup>th</sup>.

The demolition project on boilers 11 & 12 continues. The project has gone well so far. There are daily meetings with the contractor to receive two day outlook updates and weekly meetings to receive two week outlook updates.

Upcoming meetings are as follows:

- Board Strategic Planning Committee meeting – Monday, May 1<sup>st</sup> at 3:30 P.M.
- Board Personnel Committee meeting - Monday, May 8<sup>th</sup> at 4:00 P.M.
- Board Finance & Capital Projects Committee meeting - Monday, May 15<sup>th</sup> at 3:30 P.M.
- Board Meeting - Monday, May 22<sup>nd</sup> at 4:00 P.M.

On motion of Mr. Lehman, seconded by Ms. Zenns, the Board convened into executive session to discuss one contract negotiation issue, one potential litigation issue, and one personnel issue.

On motion of Mr. Horner, seconded by Mr. Case, the Board convened into open session.

On motion of Ms. Zenns, seconded by Mr. Horner, the Board meeting was declared adjourned.

**David L. Leathers, General Manager**  
**Tammy J. Anderson, Secretary to the Board**