

BOARD OF PUBLIC UTILITIES—Proceedings by Authority

State of New York :

Office of the Board: ss.

City of Jamestown:

Regular meeting of the Board of Public Utilities, City of Jamestown, New York, held **Tuesday, September 25, 2007, at 12:00 P.M.** in the offices of the Board, 92 Steele Street, Jamestown, New York.

BOARD MEMBERS:	Present	Absent
John Calamunci		X
William S. Gullotti	X	
Jeffrey A. Lehman, PE	X	
Lillian Vitanza Ney	X	
Carl P. Pillitteri		X
Anthony Prinzi		X
Wayne Rishell	X	
Mayor Samuel Teresi	X	
John Zabrodsky	X	
STAFF:		
Interim General Manager, David Leathers	X	
Deputy General Mgr., Randall S. Peterson, PE		X
Business Manager, Michael A. Anderson	X	
Counsel, William Wright	X	
Sec of the Board, Julie M. Breen		X
Communications Coordinator, Becky Robbins	X	
Acctg. Supr., Dawn Scarsons	X	
District Heating Supr., Jim Butler	X	

The media was notified of this meeting and was represented by Jade Boice, Cable 8 News and Pat Fanelli, Post Journal

On motion of Dr. Ney, seconded by Mr. Rishell, the minutes of the previous meeting were approved.

#070904 By Mr. Gullotti:

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 #070904A-C be, and hereby are approved as written.

ADOPTED. Ayes: 6 Nays: 0
September 25, 2007

#070904A:

Resolved, That the warrants be drawn on the proper funds to pay bills which have been duly audited for the period ending September 25, 2007 as follows:

ELECTRIC LIGHT FUND	\$2,320,016.60
WATER RENT FUND	763,127.09
DISTRICT HEATING FUND	66,649.74
WASTEWATER OPERATING FUND	377,162.34
SOLID WASTE OPERATING FUND	67,008.38
Total	\$3,593,964.15

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 Electric Light Fund in August, 2007 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 31	\$129,813.57
Weekly Payroll No. 32	105,727.29
Weekly Payroll No. 33	102,179.78
Weekly Payroll No. 34	108,050.56
Weekly Payroll No. 35	104,555.92
Social Security	41,409.77
Sam's Club Direct	156.31
National Grid (Trans Agreement)	120,809.94
Commissioner of Labor – Asbestos License	100.00
NYS DEC	400.00
NYS Sales Tax	74,660.04
BPU Safety Incentive Program	2,450.00
Office Petty Cash Fund	306.50
Sempra Energy Trading Corp	33,750.00
Integrys Energy Services	80,825.00

American Express – Corp. Card	3,003.69
Citi Business – Corp. Card	3,332.22
Total	\$911,530.59

and the action of said executive officers in drawing warrants on the Water Rent Fund in August, 2007 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 31	\$24,766.39
Weekly Payroll No. 32	43,429.87
Weekly Payroll No. 33	21,581.20
Weekly Payroll No. 34	22,227.64
Weekly Payroll No. 35	21,158.85
Social Security	10,022.52
National Grid	1,976.23
Total	\$145,162.70

and the action of said executive officers in drawing warrants on the Wastewater Operating Fund in August, 2007 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 31	\$17,386.20
Weekly Payroll No. 32	16,840.45
Weekly Payroll No. 33	17,106.99
Weekly Payroll No. 34	17,184.46
Weekly Payroll No. 35	17,173.97
Social Security	6,437.52
Total	\$92,129.59

and the action of said executive officers in drawing warrants on the Solid Waste Operating Fund in August, 2007 to pay the following payrolls and disbursements be approved and ratified:

Weekly Payroll No. 31	\$8,478.69
Weekly Payroll No. 32	8,786.30
Weekly Payroll No. 33	9,107.01
Weekly Payroll No. 34	9,185.80
Weekly Payroll No. 35	8,793.57
Social Security	3,322.43
Dustin Prunty – Damage Claim	2,813.08
NYS Teamsters Health Insurance	12,011.68
NYS Teamsters Retirement Fund	3,384.00
Total	\$65,882.56

#070904B:

Resolved, That unpaid utility accounts as shown on Statement of Delinquent Accounts No. 9-07 on file in the office of the Board of Public Utilities be certified to the City Treasurer of the City of Jamestown for inclusion in the tax records of the City of Jamestown as provided in the 1923 City Charter and in accordance with the terms of this Board's resolution of December 13, 1934.

#070904C:

Resolved, That the bid of Moody and Associates, Inc., of Fairport, NY, on BD-18-07 opened September 18, 2007, in the amount of \$156,100 for water well work at Cassadaga and Poland Center well fields, be accepted; and be it further

Resolved, That the General Manager is hereby authorized to issue a Water Division Purchase Order to Moody and Associates, Inc. for this water well work.

Discussion: This is the low bid of two received and meets all specifications. This work includes drilling a new well, plugging one well and testing and cleaning of other wells. The 2007 budgeted amount for this work is \$161,000.

#070906 **By Mr. Rishell:**

Resolved, That the bid of NORNEW, Inc. of Jamestown, NY, on BD-19-07 opened September 19, 2007, for the supply of natural gas to the Waste Water Treatment Plant for a period of one year beginning November 1, 2007 at a winter price (Nov – March) equal to the monthly NYMEX price plus \$1.55/mmbtu and at a summer price (April – Oct) equal to the monthly NYMEX price plus \$1.15/mmbtu, be accepted; and be it further,

Resolved, That the General Manager is hereby authorized to enter into an agreement with NORNEW, Inc. for the supply of natural gas for the Waste Water Treatment Plant for a period of one year.

Discussion: Two bids were received. The Nornew bid represents delivery of gas to the WWTP directly from Nornew's gas production system. Nornew has been supplying gas to the WWTP since 1999 through this system. The only other method for

the WWTP to receive gas is through an unused connection to National Fuel Distribution. National Fuel Distribution has indicated a willingness to supply gas to the WWTP through this unused connection. However, they are not allowed to act as the gas supplier meaning that a separate supplier is needed. The National Fuel Delivery charges when added to the supplier charges offered in the second bid received, are considerably higher than the overall price that Nornew bid.. Therefore, Nornew remains the low bidder for this service. The price bid is unchanged since last year. Another bid will be issued in 2008.

ADOPTED. Ayes: 6 Nays: 0
September 25, 2007

#070907 **By Mr. Rishell:**

Whereas, the BPU Board has previously approved Resolution #070508 authorizing the General Manager to enter into a “Base Contract for Sale and Purchase of Natural Gas” (“Base Contract”) with Sempra Energy Trading Corp. (“Sempra”), of Stamford Connecticut, and

Whereas, Sempra and The Royal Bank of Scotland plc (“RBS”) have formed a joint venture to be known as RBS Sempra Commodities LLP and have asked the BPU to enter into a “Novation Agreement” to govern their transfer into the joint venture including the transfer of the Base Contract previously entered with Sempra to RBS Sempra Commodities LLP,

Now, Therefore, Be It

Resolved, That the Board does hereby authorize the General Manager to enter into the “Novation Agreement” thus transferring the previously entered Base Contract from Sempra to RBS Sempra Commodities LLP.

Discussion: The Novation Agreement has been reviewed by counsel and represents no significant change to the BPU.

ADOPTED. Ayes: 6 Nays: 0
September 25, 2007

An update of the District Heating/Cooling Division Strategic Plan was given by Jim Butler, District Heating Supervisor.

Dave Leathers announced that fall cleanup has begun this week.

Dave also announced the NYS DEC issued a letter dated September 12, 2007, approving the plans for construction of replacement synthetic media trickling filters at the Wastewater Treatment Plant. Wayne Rishell said this is very exciting news because this project will now have a deadline.

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

There being no further business, the board meeting was declared adjourned.

David L. Leathers, Interim General Manager
Michael A. Anderson, Business Manager