

# **BUFFALO SEWER AUTHORITY**

## **REGULAR MEETING**

**April 3, 2024**

**9:00 A.M.**

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**Bird Island Treatment Facility, 90 West Ferry St.  
Teleconference +1 917- 933-2166, ID #428 833 279#**

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**CALL OF THE ROLL**

Present: \_\_\_\_\_

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Absent: \_\_\_\_\_

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The meeting was called to order at \_\_\_\_\_. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 13, 2024

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024

ITEM NO. 2

**APPROVAL OF CONSENT AGENDA**

**CONTENTS**

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Travel Authorization - Pittsburgh, PA
- D. Travel Authorization - Virginia Beach, VA
- E. Travel Authorization - Seattle, WA
- F. Travel Authorization - Anaheim, CA
- G. Amendment To Schedule of Job Classification Plan
- H. Confirmation Of Appointments

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024

2-A

## INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BILLS)

As of February 29<sup>th</sup>, 2024

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	<b>MONEY MARKET</b>		\$9,919,607.31	Key	0.01%	Public NOW
5-Jan-24	14-Mar-24	69	\$2,199,892.40	Key Banc Capital	5.19%	\$22,107.60
18-Jan-24	28-Mar-24	70	\$4,251,656.29	Key Banc Capital	5.19%	\$43,343.71
1-Feb-24	11-Apr-24	70	\$999,825.09	M&T Securities	5.18%	\$10,174.91
13-Feb-24	23-Apr-24	70	\$3,375,554.26	M&T Securities	5.19%	\$34,445.74
			<b>\$20,746,535.35</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	<b>MONEY MARKET</b>		\$296,973.45	Key	0.01%	Public NOW
18-Jan-24	18-Apr-24	91	\$742,115.38	Key Banc Capital	5.20%	\$9,884.62
			<b>\$1,039,088.83</b>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$2,891,489.08</b>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<b>\$15,165.57</b>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
			\$562.82	Wilmington U.S. Treasury	4.79%	
30-Nov-23	30-May-24	182	\$10,004,297.41	Key Banc Capital	5.15%	\$267,702.59
			<b>\$10,004,860.23</b>			
<b>NET REVENUE FUND</b>						
			\$197,347.18	Wilmington U.S. Treasury		
28-Nov-23	26-Mar-24	119	\$6,499,438.17	Key Banc Capital	5.24%	\$114,561.83
29-Feb-24	26-Mar-24	26	\$4,597,468.13	Key Banc Capital	5.26%	\$17,531.87
26-Dec-23	25-Apr-24	121	\$6,999,677.67	M&T Securities	5.26%	\$101,069.66
30-Jan-24	28-May-24	119	\$5,999,104.90	Key Banc Capital	5.15%	\$103,895.10
			<b>\$24,293,036.05</b>			

**BSA 2021 EIB FUND**

			\$319,329.19	Cash	0.00%	
24-Nov-23	23-May-24	181	\$32,617,080.26	Key Banc Capital	5.19%	\$873,919.74
21-Dec-23	20-Jun-24	182	\$9,985,782.90	Key Banc Capital	5.08%	\$263,217.10
31-Jan-24	5-Jul-24	156	\$10,102,633.92	M&T Securities	4.97%	\$222,366.08
			<b>\$53,024,826.27</b>			

**DEBT RESERVE FUND**

				<b>Series J</b>		
02-Jul-14	13-Nov-33	7076	<b>\$515,879.00</b>	UST State/Local Govt	2.70%	
				<b>Series K</b>		
02-Jul-14	15-Feb-33	6803	<b>\$361,415.00</b>	UST State/Local Govt	2.70%	
				<b>Series L</b>		
12-Nov-15	1-Oct-35	7263	<b>\$689,547.00</b>	UST State/Local Govt	2.44%	
				<b>Series M</b>		
27-Jun-14	1-May-44	10901	<b>\$595,613.00</b>	UST State/Local Govt	2.70%	
				<b>Series N</b>		
15-Nov-12	15-Apr-32	7091	<b>\$2,167,157.00</b>	UST State/Local Govt	2.42%	
				<b>EFC 2021</b>		
			\$9,161.56	Wilmington U.S. Treasury	4.79%	
29-Feb-24	22-Aug-24	175	\$332,562.62	Key Banc Capital	5.09%	\$8,437.38
			<b>\$341,724.18</b>			
			<b>\$0.01</b>	<b>DSF PRIN &amp;INT</b>		
				Wilmington Fund		
				<b>DSF 2021 EIB</b>		
			<b>\$1,112,803.09</b>	Wilmington Fund	4.79%	

**RECEIVE & FILE**Board Meeting of April 3<sup>rd</sup>, 2024



## 2-B

## INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfers have been made to cover unforeseen shortages. These transfers do not change the total amount of the Buffalo Sewer Authority's operating budget.

***Wastewater Treatment Plant***

03/11/2024	00330105 FINA Chemical & Gases	-\$18,000.00	00400103 SOUTH Electric Light & Power	\$18,000.00
03/11/2024	00360103 DEWA Water	-\$350.00	00470103 WATER Elec Light & Power	\$350.00
03/13/2024	00460103 KELX Elec Light & Power	-\$400.00	00430103 BAB Elec Light & Power	\$400.00

***General Financial Charges***

03/04/2024	00800183 FIN Contingency	-\$25,000.00	00200107 PLAN Office Equipment	\$25,000.00
03/05/2024	00800183 FIN Contingency	-\$10,000.00	00100104 Board Travel Expenses	\$10,000.00
03/11/2024	00800183 FIN Contingency	-\$1,000.00	00100104 Board Registration & Dues	\$1,000.00

**RECEIVE & FILE**  
Board Meeting of April 3, 2024

2-C

**TRAVEL AUTHORIZATION - PITTSBURGH, PA**

WHEREAS: The National Association of Clean Water Agencies (NACWA) is hosting the 2024 National Pretreatment Workshop and Training in Pittsburgh, Pennsylvania from May 13 - 17, 2024; and

WHEREAS: The Pretreatment Workshop and Training will highlight the regulatory issues that are important to pretreatment programs and on topics that impact the day-to-day management of pretreatment programs. Featured speakers and panel presentations will address PFAS, source reduction, enforcement strategies and case studies; and

WHEREAS: The General Manager serves as NACWA Board President and is leading the efforts in exploration of best industry performance practices; and

WHEREAS: The Industrial Waste Administrator and Investigator need to stay current in the latest innovations, procedures, and methodologies in these areas; and

WHEREAS: The General Manager recommends that the Industrial Waste Administrator, Investigator and himself attend the NACWA National Pretreatment Workshop and Training.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Buffalo Sewer Authority Industrial Waste Administrator and Investigator to travel to Pittsburgh, PA from May 13- 17, 2024 to attend the NACWA National Pretreatment Workshop and Training at a cost not to exceed \$5,500. Expenses for this travel shall be charged to Account nos. 00110104-458010 00110104-458012, 00200104-458010 and 00200104-458012.

2-D

**TRAVEL AUTHORIZATION - VIRGINIA BEACH, VA**

WHEREAS: The Buffalo Sewer Authority is continuing strategic efforts, focused on effective utility management approach endorsed by the US Environmental Protection Agency, Water Environment Federation (WEF), American Water Works Association (AWWA) and National Association of Clean Water Agencies (NACWA); and

WHEREAS: The National Association of Clean Water Agencies (NACWA) is holding its Strategic Communications: H2O Workshop June 4 and June 5, 2024 in Virginia Beach, Virginia; and

WHEREAS: The General Manager serves as NACWA Board President and is leading the efforts in exploration of best industry performance practices; and

WHEREAS: The Chairman of the Board recommends attendance to the NACWA Strategic Communications: H2O Workshop; and

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Virginia Beach, Virginia from June 3 - 6, 2024, to attend the NACWA Strategic Communications: H2O Workshop at a total cost not to exceed \$4,000.00. Account nos. 00110104-458010 and 00110104-458012, will be utilized for this travel.

2-E

**TRAVEL AUTHORIZATION - SEATTLE, WA**

WHEREAS: The PWRCon & TechCon 365 Seattle Power Platform conference and Microsoft 365 conference will be held in Seattle Washington from June 4 – 7, 2024; and

WHEREAS: The Director of Information Technology is responsible for ensuring that the Buffalo Sewer Authority remains up to date on Cybersecurity and functional cloud based Microsoft 365, and related technologies; and

WHEREAS: This conference provides a forum for practitioners of Microsoft 365, SharePoint Power Platform, Azure, and AI ecosystem to interact directly with technical experts from the Microsoft field and diverse channels within the Microsoft Partner Network; and

WHEREAS: The General Manager recommends that the Director of Information Technology attend the 2024 PWRCon & TechCon 365 Seattle Power Platform conference and Microsoft 365 conference.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Director of Information Technology to travel to Seattle, Washington June 3-8, 2024 to attend the PWRCon & TechCon 365 Seattle Power Platform conference and Microsoft 365 conference at a total cost not to exceed \$3,500.00. Account nos. 00200104-458010 and 00200104-458012 will be utilized for this travel.

2-F

**TRAVEL AUTHORIZATION - ANAHEIM, CA**

WHEREAS: The American Water Works Association (AWWA) is holding its Annual Water Conference, ACE '24 from June 10 –13, 2024 in Anaheim, California; and

WHEREAS: AWWA's ACE '24 is the leading water conference focused on sustainable, technological, and collaborative initiatives and presentations to facilitate peer learning and prompt solutions to global water challenges; and

WHEREAS: The Chairman of the Board recommends that he and the General Manager attend the ACE24 Water Conference; and

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Board and General Manager to travel to Anaheim, California from June 10 –13, 2024, to attend the ACE24 Water Conference at a total cost not to exceed \$5,000.00. Account nos. 00110104-458010, 00110104-458012, 00100104-458010 and 00100104-458012 will be utilized for this travel.

2-G

**AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN**

WHEREAS:                    There is a need to modify the Job Classification Plan

NOW THEREFORE

BE IT RESOLVED:        That the Board of the Buffalo Sewer Authority approves the addition of the following position to Job Classification Plan:

One (1) Account Clerk Typist

00110121 411001

2-H

**CONFIRMATION OF APPOINTMENTS**

LABORER I (PERMANENT)  
SEWER MAINTENANCE DIVISION  
\$21.40 PER HOUR  
EFFECTIVE: MARCH 18, 2024

PHILLIP SINGLETEARY  
435 STOCKBRIDGE AVE  
BUFFALO, NY

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WHEREAS: The preceding appointments were made by the General Manger since the last Board Meeting; and

WHEREAS: The General Manager requests confirmation of each appointment.

NOW THEREFORE

BE IT RESOLVED: That the preceding appointments are hereby confirmed by the Board of the Buffalo Sewer Authority

ITEM NO. 3

**CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2024-2025**

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached Operating Fund Budget and Five-Year Capital Plan for the fiscal year commencing July 1, 2024.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024



ITEM NO. 4

**PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"**  
**(ATTACHMENT A)**

WHEREAS: The Buffalo Sewer Authority has hereto adopted a "Schedule of Sewer Rents and Other Charges" pursuant to Section 1180 of Title 8, Article 5 of Chapter 870 of the Laws of 1939 of the State of New York; and

WHEREAS: Such "Schedule of Sewer Rents and Other Charges" now requires adjustments to provide the required revenue to finance our Operating Fund Budget for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS: With the goal of providing the citizens of the City of Buffalo with equitable and affordable water resources, the "Schedule of Sewer Rents and Other Charges" has been restructured to include an increase in the levy of sewer rents based on assessed value, a inflationary adjustments to sewer rents based on water use, and low-income and senior discount programs.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached proposed amended "Schedule of Sewer Rents and Other Charges" (Attachment A).

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024

ITEM NO. 5

**AUTHORIZATION TO PUBLISH NOTICE OF PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"**

WHEREAS: The Buffalo Sewer Authority requires an amendment to the “Schedule of Sewer Rents and Other Charges.”

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes and directs that the proposed amended “Schedule of Sewer Rents and Other Charges” be published as a notice once a week for three (3) successive weeks, in *The City Record*, and the *Buffalo News* on Friday, April 12, April 19, and April 26, 2024. This notice shall state that the proposed amended “Schedule of Sewer Rents and Other Charges” will remain open for inspection in the office of the Authority for thirty (30) days from the date of said notice, and that objections thereto may be filed during said period with said Authority by any person conceiving himself or herself aggrieved thereby, and that the Authority shall hear and examine such complaints and may modify the proposed Schedule and shall adopt the final amended “Schedule of Sewer Rents and Other Charges” within sixty (60) days of such notice.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024

ITEM NO.: 6

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: Geico General Insurance Company, as subrogee of Madilyn Kabigting, filed a Notice of Claim for property damage arising out of an alleged motor vehicle accident occurring on or about January 2, 2024 at Clinton and Jefferson involving a Buffalo Sewer Authority vehicle and a 2021 Lexus operated by Madilyn Kabigting.

WHEREAS: The City of Buffalo Corporation Counsel’s Office has reviewed this matter with the General Counsel and agrees that the final settlement amount of \$985.69 is in the best interest of the Buffalo Sewer Authority.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Geico General Insurance Company, as subrogee of Madilyn Kabigting, in the final settlement amount of \$985.69 in full and complete settlement of this matter. This claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024



WHEREAS: On May 25, 2022, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush Company, Inc., for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2022 to June 30, 2023, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$576,700.00; and

WHEREAS: On July 26, 2023, the Board of the Buffalo Sewer Authority authorized the General Manager to renew contract number 82000045 with Quackenbush, for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2023 to June 30, 2024, at an annual cost not to exceed \$576,700.00; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff have reviewed a request for Change Order No. 2 to Contract No. 82000045 in the amount of \$80,000.00 as detailed above and recommend approval.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 82000045 as written in the above Agenda Item, increasing the contract cost in the amount of \$80,000.00 making the adjusted contract cost \$1,233,400.00. Expenses from this contract will be paid from Account No. 00380106-443421.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024

ITEM NO. 8

**AUTHORIZATION FOR CHANGE ORDER TO BLANKET PURCHASE ORDER NO. 22400030**

WHEREAS: On May 3, 2023, the Board of the Buffalo Sewer Authority awarded a contract for Sludge Incinerator Refractory Rehabilitation with Plibrico Company in the amount of \$179,821.75; and

WHEREAS: During the contracted repair and inspection it was identified and determined that North Silo #1 needs specialized cleaning and service. This includes removing excess ash and debris from this process unit as well as inspection and reporting on other ancillary equipment. This also includes specialized confined space entry. Due to the increase in services, it is necessary to increase Blanket Purchase Order No. 22400030 in the amount of \$150,000.00 from \$179,821.75.00 to \$329,821.75 through June 30, 2024;

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff recommend this increase at a total cost not to exceed \$150,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$150,000.00, increasing Blanket Purchase Order No. 22400030 with Plibrico Company, from \$179,821.75 to \$329,821.75 through June 30, 2024. Funds for this change order will be charged to account no. 00380106-443301.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024

ITEM NO. 9

**AUTHORIZATION FOR PURCHASE OF RUBBER SEATS AND RESIN EPOXY FOR EFFLUENT VALVES FOR BIRD ISLAND TREATMENT FACILITY AERATION TANKS**

WHEREAS: The Buffalo Sewer Authority Secondary System Renovation project is underway. Part of that project requires the contractor to remove the 42” effluent valves on the A side of aeration for inspection. There will be a need to inspect twenty three (23) 42” valves on the A Side; and

WHEREAS: Due to the removal of the 42” valves for inspection there will be a need to replace the valves rubber seats and gaskets prior to reinstallation; and

WHEREAS: Upon request, Siewert Equipment, the authorized local representative, submitted a quote in the amount of \$40,024.00 for the equipment for reseating of the additional effluent valves. The breakdown is as follows:

Description	Model	Quantity	Unit Cost	Total Cost
42” Pratt Triton XR-70 Rubber Seats	85570	23	\$570.00	\$13,110.00
Resin Epoxy Jug	2302809	46	\$474	\$21,804.00
5 gallon pressure pot injection kit for installation of rubber seats and gaskets	1312874	1	\$5,110.00	\$5,110.00
Grand Total				\$40,024.00

; and

WHEREAS: The project consulting engineer, AECOM have reviewed the quote received and recommend this purchase, Buffalo Sewer Authority Capital Projects personnel concur; and



NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the equipment for the rehabilitation of twenty-three (23) 42-inch effluent valves for the aeration tanks at the Bird Island Treatment Facility from Siewert Equipment, at a total cost of \$40,024.00. This purchase will be charged to account no. 00290107-474100.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024

ITEM NO. 10

**ADJOURNMENT OF MEETING**

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of April 3, 2024