# MINUTES NORTHEAST OHIO REGIONAL SEWER DISTRICT BOARD OF TRUSTEES MEETING DECEMBER 1, 2016

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District was called to order at 12:30 p.m. by Ronald Sulik.

## I. Roll Call

PRESENT: R. Sulik

W. O'Malley

J. Bacci

T. DeGeeter

S. Dumas

R. Stefanik

ABSENT: D. Brown

The Secretary informed the Acting President that a quorum was in attendance.

## II. Approval of Minutes

**MOTION** – Mayor Bacci moved and Mayor Stefanik seconded to approve the minutes of the November 17, 2016, Board Meeting. Without objection, the motion carried unanimously.

## III. Public Session

There were no items.

## IV. Chief Executive Officer's Report

CEO Ciaccia began his report by stating that a meeting was held this week with the Environmental Protection Agency (EPA) in Chicago that was attended by Chief Operating Officer (COO) Kellie Rotunno, Manager of Regulatory Compliance Robin Hepburn and Deputy Director of Engineering & Construction Devona Marshall. The purpose of the meeting was to discuss modifications and clarifications staff wants to make to the District's consent decree.

COO Rotunno explained that the District has an "implementation" decree in which everything is spelled out versus consent decrees in which the details have not been specified. The District has been finding better and less expensive ways to achieve combined sewer overflow (CSO) control as projects have been designed and staff wishes to change the way it achieves CSO control. However, they are locked into the language of the decree. District staff must continue to manage modifications on an ongoing basis and continue to discuss developments as they occur.

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Mr. Sulik inquired whether the EPA has been cooperative. COO Ro tunno stated that the technical folks are cooperative but are hemmed in by the legal process and memorialization agreed to in the consent decree. They are not empowered to agree without the buy-in of management.

CEO Ciaccia stated that the first order of business is aligning the technical teams and approaching the legal teams; the bureaucracy within the EPA is also a big issue. He is confident the District will be successful because the level of CSO control is not being changed – it will just be accomplished more cheaply and the EPA would be hard pressed to deny that based on technicalities.

Concluding the report, CEO Ciaccia noted that the District won an award for its annual financial report to the communities from the Government Finance Officers Association. The report is compiled by the Administration & External Affairs Department.

# V. Action Items

#### Authorization to Advertise

Resolution No. 329-16

Authorize the publication of notice calling for bids in accordance with Ohio Revised Code Section 6119.10, for a one-year requirement contract for Sodium Hydroxide Solution for use at all wastewater treatment plants with an anticipated expenditure of \$115,000.00.

Resolution No. 330-16

Authorize the publication of notice calling for bids in accordance with Ohio Revised Code Section 6119.10, for a three-year requirement contract to supply industrial gases for use at all wastewater treatment plants with an anticipated expenditure of \$155,000.00.

**MOTION** – Mayor Stefanik moved and Mayor DeGeeter seconded to adopt Resolution Nos. 329-16 and 330-16. After discussion and without objection, the motion carried unanimously.

### Authorization to Issue Request for Proposals (RFPs)

Resolution No. 331-16

Authorize the issuance of a RFPs, in accordance with ORC Chapter 153, for Green Infrastructure Maintenance services.

**MOTION** – Mayor Bacci moved and Mr. O'Malley seconded to adopt Resolution No. 331-16. After discussion and without objection, the motion carried unanimously.

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#### Authorization to Purchase

Resolution No. 332-16

Authorize the purchase of one Gas Chromatograph with a Triple Quadrupole Mass Spectrometer from sole source vendor Shimadzu Scientific Instruments in the amount of \$119,487.80.

**MOTION** – Mayor DeGeeter moved and Ms. Dumas seconded to adopt Resolution No. 332-16. After discussion and without objection, the motion carried unanimously.

## **Authorization to Assign Agreement**

Resolution No. 333-16

Authorize the assignment to Mott MacDonald, LLC of the existing agreements between the District and Hatch Mott McDonald for the Euclid Creek Tunnel Storage System (Agreement No. 3274), Euclid Creek Tunnel ECT-4 and ECT-5 Site Restorations (Agreement No. 3274A) and Euclid Creek Pump Station/Lakeshore Boulevard Relief Sewer (Agreement No. 1103705) due to a corporate name change, with all current terms and conditions of the agreement remaining unchanged under the assignment.

**MOTION** – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution No. 333-16. After discussion and without objection, the motion carried unanimously.

# Authorization to Enter Into Agreement

Resolution No. 334-16

Authorize an agreement with the U.S. Army Corps of Engineers for feasibility study for fish passage at the Euclid Creek spillway at a cost not-to-exceed \$140,000.00.

**MOTION** – Mayor Bacci moved and Mr. O'Malley seconded to adopt Resolution No. 334-16. After discussion and without objection, the motion carried unanimously.

## Authorization to Enter Into Contract

Resolution No. 335-16

Authorize construction contract with Fabrizi Trucking & Paving Co., Inc. for the Shaw Brook Culvert Rehabilitation project in the amount of \$945,200.00.

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Resolution No. 336-16 Authorize contract with The A.J. Gates Co. for the

purchase of one forklift to be used at the Southerly Wastewater treatment plant in the amount of

\$52,100.00.

Resolution No. 337-16 Authorize a one-year contract with PVS

Technologies, Inc. to provide sodium bisulfite solution for use at all wastewater treatment plants

in the amount of \$241,190.00.

Resolution No. 338-16 Authorize a construction contract with Herbst

Electric Company for the Westerly Scrubber Sump Pump VFD Replacement project in the amount of

\$196,218.50.

**MOTION** – Mr. O'Malley moved and Mayor Stefanik seconded to adopt Resolution Nos. 335-16 through 338-16. After discussion and without objection, the motion carried unanimously.

## **Authorization of Contract Modification**

Resolution No. 339-16 Authorize the modification of two contracts with

Randstad Technologies, LP to extend Oracle supplemental support services through December 29, 2017 by increasing Contract No. 15003145 by \$197,600 bringing the total contract amount to \$457,200 and by increasing Contract No.

15002191 by \$187,200 bringing the total contract

amount to \$460,800.00.

Resolution No. 340-16 Authorize the modification of Contract No.

14001356 with AECOM for the Kingsbury Run Culvert Rehabilitation project by increasing the amount by \$225,000.00. bringing the total contract

amount to \$1,482,735.76.

**MOTION** – Mayor DeGeeter moved and Mr. O'Malley seconded to adopt Resolution Nos. 339-16 and 340-16. After discussion and without objection, the motion carried unanimously.

#### Authorization of Modify Resolution

Resolution No. 37a-16 Authorize the modification of Resolution No. 37-

16 to increase telecommunications services for 2016 AT&T analog data circuits in the amount of

\$140,000.00 bringing the total amount to

\$415,000.00.

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**MOTION** – Mayor Bacci moved and Ms. Dumas seconded to adopt Resolution No. 37a-16. After discussion and without objection, the motion carried unanimously.

## **Property-Related Transactions**

Resolution No. 341-16 Authorize the acquisition of eight permanent and

eleven temporary easements that are necessary for

construction of the Shaw Brook Culvert

Rehabilitation Project with a total consideration of

\$19.00.

Resolution No. 342-16 Authorize one relocation payment associated with

the District's permanent acquisition of property in the city of Cleveland necessary for construction of the Dugway South Relief and Consolidation Sewer project with a total consideration of \$10,836.00.

Resolution No. 343-16 Authorize the District to put additional monies in

the amount of \$16,000.00 on deposit with the Cuyahoga County Probate Court per a court settlement reached between the parties as a result

of the mediation of the court.

Resolution No. 344-16 Authorize the District to put additional monies in

the amount of \$10,000.00 on deposit with the Cuyahoga County Probate Court per a court settlement reached between the parties as a result

of the mediation of the court.

**MOTION** – Mayor Stefanik moved and Mr. O'Malley seconded to adopt Resolution Nos. 341-16 through 344-16. After discussion and without objection, the motion carried unanimously.

### VI. Information Items

There were no items.

VII. Open Session

There were no items.

VIII. <u>Public Session</u> (any subject matter)

There were no items.

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### IX. Executive Session

**MOTION** – Mayor Bacci moved to go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the appointment and employment of a public employee. After discussion and without objection, the motion carried unanimously by roll call vote.

The Board met in Executive Session from 12:47 p.m. to 1:00 p.m.

# X. Approval of Items from Executive Session

There were no items.

## IX. Adjournment

**MOTION** – Mr. Sulik stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved and Mayor DeGeeter seconded the motion to adjourn at 1:00 p.m. Without objection, the motion carried unanimously.

Walter O'Malley, Secretary

Board of Trustees

Northeast Ohio Regional Sewer District

Darnell Brown, President

Board of Trustees

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