

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
JANUARY 20, 2022

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

I. Roll Call

Present: Ronald Sulik  
Jack Bacci  
Samuel Alai  
Terence Joyce  
Timothy DeGeeter  
Sharon Dumas

Absent: Darnell Brown

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

II. Approval of Minutes

**MOTION** – Mayor Bacci moved, and Ms. Dumas seconded to approve the Minutes of the January 6, 2022 Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

Kyle Dreyfuss-Wells, Chief Executive Officer, provided an update regarding NEORS D's ongoing COVID-19 pandemic response and informed the Board that NEORS D staff has 5 active COVID-19 cases, and 4 employees with COVID-19-like symptoms awaiting test results. There is 1 employee remaining at home because a member of their household tested positive. There has been a total of 203 employees with confirmed diagnoses since the beginning of the pandemic, 198 of whom have recovered and returned to work. NEORS D continues to monitor the numbers as it has throughout the pandemic. The numbers continue to decline from the time of the last Board meeting.

Ms. Dreyfuss-Wells advised the Board that Scott Broski, Superintendent of Environmental Services, was recently elected Chair of the Cuyahoga County Local Emergency Planning Committee. The Committee is comprised of people from around the county responsible for response to incidents involving hazardous materials. Each local Emergency Planning District across the country is required to have such a committee under the Emergency Planning and Community Right to Know Act to provide information to residents as well as develop and implement Cuyahoga County's Hazardous Materials Plan. Mr. Broski has represented NEORSD on the committee since 2014. Ms. Dreyfuss-Wells offered congratulations to Mr. Broski for taking this leadership role.

Ms. Dreyfuss-Wells offered appreciation and kudos to the members of Operation and Maintenance and Security teams for their work on Monday, January 17 and Tuesday, January 18, to continue operations to protect public health and water quality, keeping all facilities running despite the severe weather conditions.

V. Action Items

Resolution of Acknowledgement

Resolution No. 23-22	Resolution of Acknowledgement presented to Michael Oleksa in recognition of his years of outstanding service on the Audit Committee and noteworthy contributions to the Northeast Ohio Regional Sewer District.
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**MOTION** – Mr. Joyce moved, and Mayor Alai seconded to adopt Resolution No. 23-22. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik stated that he has served on NEORSD's Audit Committee with Mr. Oleksa for a number of years, noting that two members of the Audit Committee are non-employees of NEORSD who volunteer their time.

Mr. Sulik read excerpts from the Acknowledgement as follows:

"Mr. Oleksa's focus on and recommendations towards establishing high standards and expectations for risk control to the Sewer District have helped transform the Audit Committee into a critical guiding force for an organization entrusted with public money.

Mr. Oleksa was instrumental in bringing a new level of professionalism to the committee with the perspective and breadth of experience gained from his work in internal audit, finance and regulatory affairs at publicly traded companies."

Mr. Sulik offered appreciation on behalf of the Board to Mr. Oleksa for his contributions to the Audit Committee.

Authorization to Advertise

Resolution No. 24-22      Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a three-year requirement contract for crane inspection, maintenance, and repair services at all wastewater treatment plants and pump stations with an anticipated expenditure of \$120,000.00.

**MOTION** – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 24-22. Without objection, the motion carried unanimously.

Authorization to Purchase

Resolution No. 25-22      Authorization to purchase Rockwell Automation maintenance and support services from Rexel, for a one-year period, in an amount not-to-exceed \$364,820.00.

Resolution No. 26-22      Authorization to purchase Wonderware software maintenance and support services from Q-Mation Wonderware North, for a one-year period, in an amount not-to-exceed \$277,874.50.

Resolution No. 27-22      Authorization to purchase a Schneider Electric APC 100kVA Uninterruptible Power Supply from Advizex Technologies, LLC to support the instrumentation in the Analytical Services Department in an amount not-to-exceed \$105,122.10.

**MOTION** – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution Nos. 25-22 through 27-22. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 28-22      Authorization to enter into a professional services agreement with Ciuni & Panichi, Inc., Independent Public Accountant, and the State of Ohio, Auditor of State, to perform the annual audit of the District's financial condition for the five-year period beginning with the fiscal year ending December 31, 2021 through the fiscal year ending December 31, 2025, in a total amount not-to-exceed \$363,090.00.

Resolution No. 29-22      Authorization to enter into a professional services agreement with Heidelberg University to provide District funding for the University's continued operation of the water quality monitoring station located

on the Cuyahoga River in the City of Independence for the three-year period beginning 2021 through 2023, in an annual amount of \$34,000.00, for a total agreement amount not-to-exceed \$102,000.00.

Resolution No. 30-22      Authorization to enter into a professional services agreement with Solutient Technologies, LLC for as-needed radiation consulting services necessary to maintain compliance with the District's Ohio Department of Health Radioactive Materials License and to provide support for current and future Capital Improvement Program projects in an amount not-to-exceed \$250,000.00.

Resolution No. 31-22      Authorization to enter into a professional services agreement with Crucial Learning to provide "Crucial Conversations" training classes to District staff in an amount not-to-exceed \$53,890.00.

**MOTION** –Mayor Bacci moved, and Mr. Joyce seconded to adopt Resolution Nos. 28-22 through 31-22. After the following discussion, without objection, the motion carried unanimously.

Regarding Resolution No. 28-22, Mr. Sulik asked Ken Duplay, Chief Financial Officer, to explain the process of contracting with Ciuni & Panichi, Inc.

Mr. Duplay explained that for eight years though the 2019 audit, NEORSD's audits had been performed by an independent public accounting firm. For 2020, the Ohio Auditor of State chose to perform the audit themselves. Upon completion of the audit, the Auditor of State informed NEORSD that it could contract with an independent accounting firm for the next five-year period. NEORSD worked with the Auditor of State to put together a Request for Proposals (RFP).

Four accounting firms provided proposals, which were reviewed and graded by the Auditor of State. NEORSD also had an opportunity to grade the firms and requested that the Auditor of State approve Ciuni & Panichi, Inc., which had previously served as NEORSD's independent public accounting firm, to serve for the next five-year term, with an option at the conclusion of the five-year term to extend the contract for an additional five-year period.

#### Authorization to Enter Into Contract

Resolution No. 32-22      Authorization to enter into a construction contract with Kokosing Industrial, Inc. for the Shoreline Consolidation Sewer project in an amount not-to-exceed \$55,493,500.00.

Resolution No. 33-22                      Authorization to enter into a construction contract with Lake Erie Electric, Inc. for the Southerly Fire Alarm and Fire Protection Upgrades project in an amount not-to-exceed \$568,853.70.

**MOTION** –Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 32-22 through 33-22. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik requested additional information regarding the project associated with Resolution Number 32-22.

Doug Gabriel, Deputy Director of Engineering and Construction, explained that the Shoreline Consolidation Sewer is part of Control Measure 7 of the Consent Decree and is the sister project to the Shoreline Storage Tunnel, which began construction last summer.

The Shoreline Consolidation Sewer consists of approximately 5,100 feet of 72-inch micro tunnel spanning from East 40<sup>th</sup> Street to the Shoreline Storage Tunnel Shaft No. 3 at East 55<sup>th</sup> Street. The project also includes eight regulator modifications.

Kokosing Industrial, Inc. was the low bidder of the three bids received for the project. Their bid was 7% higher than the engineer's estimate of \$51.5 million. NEORSD received a number of questions during the bidding process regarding the connections to the Easterly Interceptor and supply chain issues with the cured-in-place-pipe (CIPP) lining materials and is likely the reason that the projected costs are higher than in the past.

Kokosing Industrial's bid is low on the Business Opportunity Program (BOP) commitment and NEORSD will work with them throughout the project to bolster those numbers.

#### Authorization of Contract Modification

Resolution No. 34-22                      Authorizing final adjusting change order for Contract No. 20007514 with Tucson, Inc. for the Pepper Luce Creek Stabilization Near Lander Road project by decreasing the contract amount by \$86,232.81, thereby bringing the total contract amount to \$506,802.09.

Resolution No. 35-22                      Authorizing final adjusting change order for Contract No. 21001756 with Northstar Contracting, Inc. for the Easterly Tunnel System Improvements project by decreasing the contract amount by \$55,616.62, thereby bringing the total contract amount to \$466,369.61.

**MOTION** –Mayor Alai moved, and Mr. Joyce seconded to adopt Resolution No. 34-22 through 35-22. Without objection, the motion carried unanimously.

Property Related Transactions

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| Resolution No. 36-22 | Authorization to acquire one permanent sewer easement from Morabito Enterprises, Inc. at the property known as vacated right of way of Morgana Avenue, in the City of Cleveland, located between East 49 <sup>th</sup> Street and East 55 <sup>th</sup> Street, necessary for ongoing maintenance of the Morgana Run Sewer with total consideration of \$1.00.  |
| Resolution No. 37-22 | Authorization to acquire one permanent stormwater easement at the property known as PPN 392-35-002, located on Westwood Road, in the City of Strongsville, owned by Mia B Properties, LLC, necessary for the construction and maintenance of the Blodgett Creek Bank Stabilization project with total consideration of \$1.00.  |
| Resolution No. 38-22 | Authorization to acquire one permanent stormwater easement at the property known as PPN 392-35-060, located at 13791 Brigadoon Way, in the City of Strongsville, owned by Steven Reitz, necessary for the construction and maintenance of the Blodgett Creek Bank Stabilization project with total consideration of \$1.00.   |
| Resolution No. 39-22 | Authorization to acquire one permanent stormwater easement at the property known as PPN 392-35-059, located at 13790 Brigadoon Way, in the City of Strongsville, owned by Justina E. Ginter, necessary for the construction and maintenance of the Blodgett Creek Bank Stabilization project with total consideration of \$1.00.  |
| Resolution No. 40-22 | Authorization to acquire one permanent sewer easement at the property known as PPN 009-08-005, located at 4010 Jennings Road, in the City of Cleveland, owned by Timothy E. Hyatt, Jr., necessary for the construction and maintenance of the Pearl Road and Jennings Road Storage Tanks project with total consideration of \$560.00.  |
| Resolution No. 41-22 | Authorization to acquire one parcel in fee simple known as PPN 457-34-015, located at 10807 Pleasant Valley Road, in the City of Parma, owned by the West Creek Conservancy, necessary for the construction and maintenance of the SWMP Project Area 6 – Flood and Erosion Reduction Near York and Pleasant Valley Roads project, and to allow for the entirety of the payment plus closing costs to be |



disbursed to Ohio Real Title Agency, LLC, with total consideration of \$180,000.00 plus closing costs.

Resolution No. 42-22      Authorization to acquire one permanent stormwater easement and one temporary easement at the property known as PPN 771-12-003, located at 4755 Derbyshire Drive, in the Village of North Randall, owned by Ernest E. Williams and Cheyenne Williams, necessary for the construction and maintenance of the Bear Creek Culvert Improvements project with total consideration of \$1,800.00.

Resolution No. 43-22      Authorization to acquire one permanent stormwater easement at the property known as PPN 392-35-058, located at 13792 Brigadoon Way, in the City of Strongsville, owned by David V. & Judith H. Newell, necessary for the construction and maintenance of the Blodgett Creek Bank Stabilization project with total consideration of \$1.00.

**MOTION** – Mr. Joyce moved, and Mayor Alai seconded to adopt Resolution Nos. 36-22 through 43-22. Without objection, the motion carried unanimously.

Sewer Use Code Matters

Resolution No. 44-22      Adopting the findings of the Hearing Officer with regard to the sewer account of Pedro Watson, Sewer District Hearing No. 21-012, that the customer's request be denied.

**MOTION** – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 44-22. Without objection, the motion carried unanimously.

Authorization of Appointment

Resolution No. 45-22      Appointing Mayor Samuel J. Alai to the Board of Trustees Finance Committee, joining continuing members Darnell Brown and Terence Joyce, and naming Mayor Alai the Committee Chairman.

**MOTION** – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution No. 45-22. Without objection, the motion carried unanimously.

VI. Information Items

Ms. Dreyfuss-Wells informed the Board that the information item will be presented at the second meeting in February 2022.

Open Session

There were no items.

VII. Public Session (any subject matter)

There were no items.

VIII. Executive Session

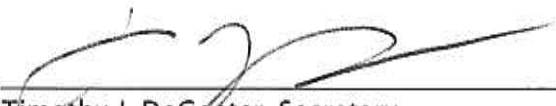
There were no items.

IX. Approval of Items from Executive Session

There were no items.

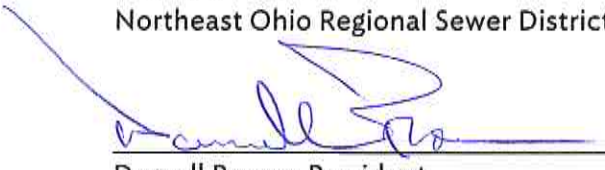
X. Adjournment

**MOTION** – Vice President Sulik stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 12:53 p.m. Without objection, the motion carried unanimously.



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Timothy J. DeGeeter, Secretary  
Board of Trustees  
Northeast Ohio Regional Sewer District



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Darnell Brown, President  
Board of Trustees  
Northeast Ohio Regional Sewer District