

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
JUNE 6, 2024

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

I. Roll Call

Present: Darnell Brown  
Ronald Sulik  
Timothy DeGeeter  
Jack Bacci  
Sharon Dumas  
Samuel Alai  
Marjorie Chambers

The Secretary informed the 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 May 16, 2024, 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, introduced NEORS's new Director of Human Resources, Jeremy Short, and stated that Mr. Short has more than 23 years of human resources experience, most recently serving as the Chief Talent Officer for Baldwin Wallace University. Mr. Short obtained his undergraduate degree from Baldwin Wallace and a Master of Science in organizational leadership from Brenau University in Atlanta. Much of his career was spent with Sherwin Williams, working 17 years with the organization in a variety of roles, including Director of Diversity and Inclusion for over 30,000 employees. Mr. Short has established advanced leadership development programs, recruitment and retention efforts, and refined many HR IT processes, which is experience that will help shape the future for employees and NEORS's ability to meet the needs of its current and future employees.

Ms. Dreyfuss-Wells thanked Constance Haqq, Chief Administrative Officer, for her leadership and guidance of the Human Resources Department through this transition.

Ms. Dreyfuss-Wells advised that on May 30<sup>th</sup> the final mining milestone for the Shoreline Storage Tunnel was achieved. The project will control 350 million gallons of combined sewer overflow annually once it is operational in 2025. With this milestone, NEORSD successfully completed more than 600 days of mining over 2.5 miles of 23-foot diameter storage tunnel 100 or more feet below ground.

Ms. Dreyfuss-Wells provided a video of the boring machine coming through the last section of tunnel and read a quote from John Gonzalez, Senior Manager of Communications, "Guiding a burrowing behemoth nearly three stories tall and almost 400 feet long through soft ground takes skill and precision." Bob Auber, Construction Manager, described it as landing with perfect grade and alignment. Ms. Dreyfuss-Wells emphasized the degree of difficulty associated with threading something 2.5 miles through soft ground 100 or more feet below ground and hitting the target precisely. This is a testament to the construction management team, Bob Auber, Construction Manager, Ryan Sullivan, Construction Supervisor, Richard Depew, Construction Supervisor, and the Engineering and Construction department staff.

NEORSD began Pride month by participating in the Pride in the CLE event on June 1<sup>st</sup>. This was the largest Pride parade in Cleveland to date. More than 30 NEORSD staff participated, many bringing family and friends. There were more than 240 participating organizations including NEORSD partners Cleveland Metroparks, Cleveland Division of Water, Cuyahoga County, and RTA.

#### V. Action Items

##### Authorization to Advertise

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| Resolution No. 136-24 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the purchase of security camera equipment.  |
| Resolution No. 137-24 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for construction of the CSO-249-McCracken-East 112 <sup>th</sup> Sewer Improvements project with estimated probable construction costs of \$5,000,000.00. |

**MOTION** – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution Nos. 136-24 through 137-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that, regarding Resolution No. 137-24, the project will reduce the number of CSO overflows to zero and will improve the level of service in the area, including mitigating basement flooding.

Devona Marshall, Director of Engineering and Construction, explained that the project will achieve control of CSO-249, which currently overflows 57 times in a typical year, at approximately 10 million gallons. The project will completely eliminate the CSO through upstream sewer separation. NEORS D will put in new local sewers and rehabilitate some of the existing sewers. This will increase hydraulic capacity and reduce the risk of basement flooding in the area.

President Brown asked whether the new local sewers will be the responsibility of the community. Ms. Marshall answered affirmatively and explained that NEORS D will return to the Board to award the construction contract and to approve an agreement with the City of Garfield Heights for the city to take responsibility for the new sewers.

Ms. Marshall added that NEORS D is receiving \$2 million in federal funding for this project.

Authorization to Issue Request for Proposals (RFP)

- Resolution No. 138-24      Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for the Avaya Phone System Upgrade project.
  
- Resolution No. 139-24      Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, to implement the 2025 Green Infrastructure Grant Program for the Combined Sewer Area.
  
- Resolution No. 140-24      Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for various professional auditing services for the District's Risk and Assurance Department.

**MOTION** –Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 138-24 through 140-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding Resolution No. 138-24. Mohan Kurup, Director of Information Technology, explained that in addition to bringing the Avaya phone system to the most current supported level, this project will provide the ability to install a small piece of software on employee laptops that will display a virtual phone. When the phone on their desk rings, the phone on their laptop will also ring allowing them to answer the call. This is especially helpful for staff on a hybrid work schedule and will aid staff in better serving customers.

Authorization to Purchase

Resolution No. 141-24 Authorization to purchase a one-year contract renewal, with two extension options, from sole source vendor Ivanti, Inc. for the IT Service Management System, Cherwell Service Management, and the IT Asset Management System, Cherwell Asset Management, in amounts not-to-exceed \$37,673.60 for year 1, \$37,673.60 for the year 2 option, and \$19,871.26 for the second option covering June 2026 through December 2026, and including a general allowance in the amount of \$9,500.00, and further authorizing exercise of the renewal options at the CEO's discretion, for a total amount for the initial year, both options, and the general allowance not-to-exceed \$104,718.46.

**MOTION** – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 141-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 142-24 Authorization to enter into a project agreement with the City of Brecksville for the Flood Reduction at Riverview Road in Brecksville project to reimburse the City for easement acquisition costs and expenses, in an amount not-to-exceed \$250,000.00.

**MOTION** – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 142-24. Without objection, the motion carried unanimously.

Authorization to Amend Agreement

Resolution No. 143-24 Authorization to amend Professional Services Agreement No. 17002669 with Hazen and Sawyer for the Westerly Chemically Enhanced High-Rate Treatment project for changes in scope for additional level-of-effort during construction, and to increase the agreement amount by \$1,268,317.00, thereby bringing the total agreement amount not-to-exceed \$11,484,719.00.

**MOTION** – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 143-24. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik and President Brown requested an explanation of the delay and increased costs. Ms. Marshall explained that this is the second modification of this contract, the first being in early 2021, due to a three-year delay of the design contract while negotiations with the EPA for Consent

Decree modifications that saved NEORSD and its ratepayers approximately \$28 million were ongoing. At that time, the modification covered escalation for the three-year delay as well as extending the onsite resident engineering time for the project during construction.

As construction is ongoing, it has become apparent that additional efforts will be required including PLC programming which will require the design consultant to add approximately 900 additional input/output points to the programming based on the final design, review of 250 additional contractor submittals, development of 200 additional record drawings based on final design, and additional operational readiness meetings with District O&M staff. Additionally, significant undocumented site conditions were encountered during construction including a condition which required additional design evaluation in order to move forward with construction.

Authorization to Enter Into Contract

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| Resolution No. 144-24 | Authorization to enter into a three-year contract for maintenance and repairs of transfer switchgear equipment for stand-by generators with sole source vendor Russelectric, A Siemens Business, in an amount not-to-exceed \$75,000.00. |
| Resolution No. 145-24 | Authorization to enter into a two-year requirement contract with Schindler Elevator Corporation for elevator maintenance and repair services at all District facilities in an amount not-to-exceed \$251,673.80.                         |
| Resolution No. 146-24 | Authorization to enter into a public improvement contract with Triad Engineering & Contracting Company for construction of the Kingsbury Branch A Repair project in an amount not-to-exceed \$3,448,910.00.                              |

**MOTION** – Mayor Alai moved, and Mr. Sulik seconded to adopt Resolution Nos. 143-24 through 146-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding Resolution No. 146-24. Ms. Marshall explained that the related repair is to 350 feet of the Kingsbury Run Culvert. This was broken out from a larger project because the condition of the culvert is so poor that it is nearing failure as the result of loading on the surface by the previous property owner.

There were four bids received; two of which were significantly lower than the engineer's estimate. This will be the second time that NEORSD will implement permanent shotcrete to repair a culvert. Because NEORSD's local contractors do not have much experience with shotcrete, the poor condition of the culvert, and the anticipated difficulty of safely entering the culvert, NEORSD was conservative in its engineer's estimate. NEORSD has worked with the lowest bidder several times

and they brought in a subcontractor with extensive experience with shotcrete, making staff comfortable with awarding this contract.

President Brown asked whether any action has been taken to address the external loading. Ms. Marshall answered affirmatively and explained that the Legal Department is working with the property owner to come up with a permanent easement over the culvert to prevent this from happening in the future.

#### Authorization to Modify Contract

Resolution No. 147-24                      Authorization to modify Purchase Order No. 23008953 with sole source vendor Oracle America, Inc. for the District's enterprise Oracle software applications and databases, under multiple annual contracts, for additional perpetual licenses for the term June 1, 2024 through May 31, 2025, by increasing the contract amount by \$15,567.77, thereby bringing the revised contract amount not-to-exceed \$1,011,134.66.

**MOTION** – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution No. 147-24. Without objection, the motion carried unanimously.

#### Authorization to Close Out Public Improvement Contract

Resolution No. 148-24                      Authorizing the final adjusting change order to close out Public Improvement Contract No. 24001184 with Ohio Paving & Construction, Co., Inc. for the Paving Improvements at the Southerly and Easterly Wastewater Treatment Plants project to decrease the contract amount by \$27,440.00, thereby bringing the total contract amount to \$197,523.83.

Resolution No. 149-24                      Authorizing the final adjusting change order to close out Public Improvement Contract No. 23004925 with Sterling Professional Group, Inc. for the Southerly Training Center Renovation project to decrease the contract amount by \$79,484.75, thereby bringing the total contract amount to \$639,455.25.

**MOTION** – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 148-24 through 149-24. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 150-24 Authorization to acquire three parcels in fee simple known as PPNs 020-14-144, 020-14-145 and 020-14-146, located at 12025 Carrington Avenue, in the City of Cleveland, owned by John A. Abbott, necessary for the construction and maintenance of the Big Creek West Branch Problem Area 8 project, and to enter into an Assignment and Assumption Agreement with the Western Reserve Land Conservancy, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC, with total consideration of \$140,000.00 plus closing costs.

Resolution No. 151-24 Authorization to acquire one parcel in fee simple known as PPN 473-24-078, located at 6887 Maplewood Road, in the City of Parma Heights, owned by Frank Kuznik and Alice Kuznik, necessary for the construction and maintenance of the Big Creek SWMP Problem Area 5 – Detention Basin and Conveyance Improvements near Pearl Road project with total consideration of \$250,000.00 plus closing costs to be disbursed to Stewart Title Company, and to approve relocation assistance for the Kuzniks in the form of a replacement housing payment in an amount not-to-exceed \$17,000.00, for a total amount not-to-exceed \$267,000.00 plus closing costs.

Resolution No. 152-24 Authorization to acquire one parcel in fee simple known as PPN 457-30-042, located at 11525 West Pleasant Valley Road, in the City of Parma, owned by James L. Papp, 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 to be disbursed to Ohio Real Title Agency, LLC, with total consideration of \$235,000.00 plus closing costs.

**MOTION** – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 150-24 through 152-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that Resolution No. 154-24 includes a payment for \$17,000 and asked whether this is for relocation assistance. Matt Scharver, Director of Watershed Programs, explained that this home is located in Parma Heights, within a neighborhood that experiences frequent basement backups. There have been many efforts from the Cities of Parma and Parma Heights to address the flooding in the area. The related project will require a regional stormwater

detention basin to achieve flood control. There will need to be a new storm and sanitary sewer installed through Lawndale, in the location of this residence.

NEORSD worked with the property owner to obtain the property on a voluntary basis and offered relocation assistance to the couple who have lived in the residence for a number of years and raised their family there. The \$17,000 is a replacement housing price differential payment.

#### Hearing Officer Findings and Recommendations

Resolution No. 153-24                      Authorization to adopt the findings and recommendations of the Hearing Officer regarding the sewer account of Tollis Properties, Inc. ending in 9859, Sewer District Hearing No. 24-002, that no further adjustments be made.

**MOTION** – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 153-24. Without objection, the motion carried unanimously.

#### Authorization to Designate Hearing Officer

Resolution No. 154-24                      Authorization to designate Andrea Remias as an additional District Hearing Officer for appeal of administrative determinations to the Board of Trustees.

**MOTION** – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 154-24. Without objection, the motion carried unanimously.

#### VI. Information Items

Mr. Kurup provided the June 2024 IT update, beginning with active projects. There are several active projects, as the annual Capital Improvement IT project nominations process is complete. There are four projects nominated by HR, and others include nominations from Watershed Programs, the Laboratory, Health and Safety, as well as a social media archiving project for a total of 22 CIP nominations.

Mr. Kurup highlighted some projects beginning with the electronic bidding project, which came before the Board for authorization to issue an RFP. OpenGov was chosen as the vendor. IT worked closely with Jaqueline Williams, Manager of Procurement Services, and her team in order to digitize the bidding process to make it more accessible to vendors, as well as increase collaboration and centralize documentation. The project began in March and NEORSD is planning to publish its first electronic bid this month. NEORSD will be in what is called hyper care with OpenGov through July and August, and during this time the application will expand for use with bids from other departments throughout NEORSD.

Another ongoing project is the electronic bill payment services for NEORSD's approximately 2,000 direct bill customers. Currently, there is only payment by check available. The goal of the project is to provide credit card, debit card, and ACH options to customers to increase convenience, security, and accuracy.

The Government Accounting Standards Board has issued new rules for financial reporting that primarily deal with leased equipment and subscription-based software. NEORSD has implemented a piece of software from FinQuery that helps the Finance department with the new reporting requirements. The project is complete.

Mr. Kurup reminded the Board that the crisis assistance, rate reduction, and Homestead portions of the Cost Saving Program that were being managed by Cleveland Housing Partners have been brought in-house. Jacqueline Muhammad, Director of Government and Customer Relations, spearheaded the program along with Pauletta Hubbard, Manager of Customer Service. AST was the vendor partner, and Salesforce, which is the program that Customer Services currently utilizes, was configured for this purpose. The goals were to increase enrollment in the programs, eliminate barriers to the programs, increase awareness within the community, and ensure that customers receive assistance in a timely manner.

The use of Salesforce allows customers to register for cost saving programs through a portal on NEORSD's website in a more streamlined fashion. There have been as many as 26 applications submitted in one day. Since the system went live in February, 677 customers have been approved for the Rate Reduction Program and 311 have been approved for the Crisis Assistance Program.

NEORSD is looking to move performance reviews into the UKG system. Accordingly, a pilot is underway with HR, IT, Internal Audit, and the Finance Department as participants, in partnership with HR. Goal setting has been completed and midyear reviews will be completed by June 21<sup>st</sup>. Angelo Olmeda, HR Manager of Total Rewards and HRIS, and Heather Zabukovec, HRIS Analyst, have done an outstanding job in providing training to the groups in the pilot. The program is on track to deploy District-wide next year.

The IT Department has been deploying Ivanti Neurons Endpoint to replace ZENworks to manage laptops and desktops in the environment. The Ivanti product has more functionality than ZENworks and will improve remote desktop control and troubleshooting of NEORSD computers, meaning that IT staff will not need to travel to other sites to implement fixes. It enhances the visibility and diagnostics of servers and computers. Additionally, it has automation capabilities that will forewarn of problems allowing for prevention rather than reactions. There are also improved patch management and software distribution capabilities to better protect against cyber threats. The project will be completed later this month and ZENworks will be discontinued sometime thereafter.

Regarding DE&I-related activities, the IT Department continues to support the Utility Assistance Resource Fairs, wherein Salesforce is used to enroll customers into cost saving programs. IT

continues to develop tools and applications to assist with DE&I related goals and activities. In partnership with HR, IT has partnered with Trinity High School for their Preprofessional Internship Program, and IT has taken on an intern named Marcus Smith who comes in every Wednesday to work with department staff. Allan Velez, Manager of IT Service Delivery, reports back to the school on a quarterly basis.

Technical support needs are approximately 20% fixing something broken and 80% improving functionality. The Help Desk ticket counts remain steady and the Key Performance Indicator for overall satisfaction of the resolution of incidents goal of at least 4.8 out of 5 continues to be met.

Ms. Dumas requested clarification regarding the approximately 2,000 direct pay customers utilizing the system. Mr. Kurup explained that the program is in the early stages of implementation and is not yet in production. Ken Duplay, Chief Financial Officer, added that there are approximately 2,000 directly billed customers, primarily Rural Lorain County Water Authority customers or well water customers, most of which are residential. They currently pay via check through a lockbox. The updates will provide the opportunity for electronic payments in the method of their choosing.

Ms. Dumas asked if there is a support system in place for reduced rate customers that have issues with technology and may be unable to access the web portal. Mr. Kurup answered affirmatively and explained that when customers call the Customer Service Department, they are offered one-on-one assistance in creating a portal login.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

Mayor Bacci, pursuant to Ohio Revised Code Section 121.22 (G)(3) and (G)(4), moved, and Mayor DeGeeter seconded, to enter into executive session to consult with District legal counsel concerning disputes involving the District that are the subject of pending and/or imminent court action; to prepare for and review negotiations in bargaining sessions with District employees concerning their compensation and other terms and conditions of employment. By roll call vote, the Board voted unanimously to enter into executive session at 1:20 p.m.

The Board returned to open session at 1:56 p.m.

X. Approval of Items from Executive Session

Resolution No. 155-24      Approval of a Final Tentative Agreement dated May 8, 2024, between the Northeast Ohio Regional Sewer District and the Ohio Patrolmen's Benevolent Association (OPBA), and authorization to enter into an agreement between the District and OPBA for the period of August 1, 2024 – June 30, 2027 with substantive terms and conditions as set forth in the Final Tentative Agreement dated May 8, 2024, as presented, and any other mutually agreeable terms and conditions that are necessary and properly included in such labor agreement.

Resolution No. 156-24      Ratification of emergency expenditures incurred for services performed by Clean Harbors Environmental under the Kingsbury Run Petroleum-Based Oil Emergency Clean Up project and authorization to expend additional funds for work not yet realized under this emergency, in a total amount not-to-exceed \$225,000.00 for all expenditures combined, and to declare such authorization to be a real and present ongoing emergency awarded without formal bidding or advertising.

**MOTION** – Mayor Bacci moved, and Mr. Sulik seconded to adopt Resolution Nos. 155-24 through 156-24. Without objection, the motion carried unanimously.

XI. Adjournment

**MOTION** – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Mr. Sulik seconded the motion to adjourn at 1:58 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

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