

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
MAY 21, 2026

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
Samuel Alai
Jack Bacci
Sharon Dumas
Marjorie Chambers

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Ms. Chambers seconded, to approve the Minutes of the May 7, 2026 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, advised the Board of Trustees that from May 6th through May 8th, NEORS staff participated in the annual Ohio Stormwater Conference. Each year the event features discussions between stormwater subject matter experts from across the state and the country. This year's event had record attendance, with over 1,000 attendees. NEORS staff presented in five different sessions discussing stream restorations in neighborhoods, including the improvements to the Chevy Branch of Big Creek in the City of Cleveland, maintenance of green infrastructure projects, modeling of local infrastructure improvements under the Member Community Infrastructure Program, and the Veteran's Basin project in the City of Parma. It was an informative event, with NEORS staff and others from around the country sharing knowledge and expertise about vegetation management, tree protection, and overall watershed management.

On May 12th, NEORS D welcomed the Ambassador of Denmark, Jasper Sorensen, and representatives of the Danish Water Technology Alliance for a seminar and a tour of the Westerly WWTC. The seminar brought together Danish water representatives and NEORS D staff to share experiences and discuss issues surrounding energy efficiency, resource recovery, digitization, non-revenue water, and water efficiency. The seminar included staff from other wastewater utilities from Canton, Clyde and Ottawa, Ohio. The event was organized by Marie Fechik-Kirk, Manager of sustainability and special projects, and the tour was led by Bruce Haughwout, Assistant Superintendent of Plants. Ms. Dreyfuss-Wells thanked all NEORS D staff who participated in the event, including Devona Marshall, Chief Operating Officer.

On May 15th, 16th, and 19th, NEORS D held a series of tours and events at Horseshoe Park to discuss the Doan Brook Restoration at Horseshoe Park project. The tours included residents and council members from both the Cities of Shaker Heights and Cleveland Heights. There were productive conversations, wherein NEORS D staff were able to answer questions and provide resources guiding attendees to the most current and accurate information available regarding the project. There are now a waiting list and additional tours to be scheduled in June, July, and August, with the next event scheduled for June 16, 2026 from 11:00 a.m. to 1:00 p.m. Ms. Dreyfuss-Wells encouraged interested residents to attend the event. .

V. Action Items

Authorization to Advertise

Resolution No. 80-26	Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the Easterly Fire Alarm System Replacement project with an estimated probable construction cost of \$4,800,000.00.
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MOTION –Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 80-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested an explanation of the related project. Doug Lopata, Program Manager of Planning and Design, explained that the fire alarm system at the Easterly WWTP is no longer supported by the manufacturer, and has proprietary and other maintenance agreements that NEORS D is using to keep it functioning. The number of service requests is increasing and expensive. The project will replace the aging system with a system that better suits the needs of the facility and improve communication with the security system at the Southerly WWTC.

Authorization to Reject and Re-bid

Resolution No. 81-26 Authorization to reject all bids and publish a revised notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract to construct the Easterly Chemically Enhanced High-Rate Treatment Facility, with a revised estimated probable construction cost of \$220,000,000.00.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 81-26. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the engineer’s estimate has increased and asked what has been learned since the initial request for bids. Mr. Lopata explained that the Easterly Chemically Enhanced High-Rate Treatment Facility (ECHRT) that controls CSO-001 is required in order to meet Control Measure 2 of the Consent Decree. It will fully treat and capture 623 million gallons of CSO annually.

The project was put out to bid earlier this year, with an engineer’s estimate of \$200 million, though the engineer’s original estimate range extended to \$220 million. The decision was made to use the lower estimate because it was completed early in 2026, before some of the unsettling bidding conditions materialized. NEORS D would like to have the project re-bid with a higher estimate that is in line with the engineer’s estimate and would also like to allow for bids within 20% of the engineer’s estimate to make sure that an awardable amount has been captured.

The project will have a quick turnaround with the bids opening in mid-June, due to a Consent Decree deadline to award the contract in early September.

Authorization to Purchase

Resolution No. 82-26 Authorization to purchase annual software licenses, maintenance, and support services from sole source vendor OSIssoft, LLC, for the District’s Process Data Management System application, for the period June 1, 2026 through May 31, 2027, in an amount not-to-exceed \$85,119.00.

MOTION – Ms. Chambers moved, and Mr. Sulik seconded to adopt Resolution No. 82-26. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 83-26 Authorization to enter into a Cooperative Agreement with the Counties of Summit and Cuyahoga, for the Counties' Vaughn Roadway – Highland Roadway and the Cuyahoga River Bridge Improvement project, also known as the District's Vaughn Road Flood Mitigation project, with a District contribution not-to-exceed \$2,600,000.00 toward raising the roadway profile, and contributions by the Counties of \$2,300,000.00 each toward the bridge replacement, for a total project cost not-to-exceed \$7,200,000.00.

Resolution No. 84-26 Authorization to enter into an agreement with Ohio Bell Telephone Company dba AT&T for facilities relocation for the Mill Creek Restoration near Cricket Lane in Warrensville Heights project in an amount not-to-exceed \$84,788.45.

MOTION –Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 83-26 through 84-26. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the project goal seems to be two-fold in raising the roadway and reducing flooding and requested additional information. Matt Scharver, Director of Watershed Programs, responded affirmatively and explained that this area experiences repeated flooding events and the goal of the project is to increase the level of service to a ten-year storm event, equivalent to approximately 3.5 inches of rainfall in a 24-hour period. Currently, this roadway floods annually and repetitively.

This project is a good example of an inter community drainage issue that the Regional Stormwater Management Program (RSMP) can address. It involves Cuyahoga County, with the City of Brecksville on one side and Summit County with Sagamore Hills Township on the other side. The counties will address the structural issues of the bridge and NEORS will address the flooding issue under the RSMP by raising the roadway approximately five feet to increase service.

Mayor Alai asked for clarification regarding the raising of the roadway and noted that he has encountered flooding on the nearby towpath. Mr. Scharver clarified that the roadway will be raised by five feet, as the frequent and significant flooding creates a transportation hazard.

President Brown asked whether there is green space surrounding the road and whether the project will impact surrounding properties. Mr. Scharver answered affirmatively and explained that there would be no impact on the surrounding properties; only the grading of the five-foot increase immediate to the roadway.

Authorization to Enter Into Contract

Resolution No. 85-26 Authorization to enter into a four-year requirement contract with Building Integrated Services for Substation Preventative Maintenance and Repair Services on all District electrical substation assets in an amount not-to-exceed \$1,341,600.04.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 85-26. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 86-26 Authorization to acquire one parcel in fee simple known as PPN 009-10-019, located at 4212 West 24th Street, in the City of Cleveland, owned by William Douglas Gullett, also known as William D. Gullett, Trustee of the ATM Specialists Retirement Plan Trust dated January 29, 2019, necessary for the construction and maintenance of the Big Creek Tunnel project, 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. 87-26 Authorization to acquire one parcel in fee simple known as PPN 009-10-018, located at 4206 West 24th Street, in the City of Cleveland, owned by Andrew C. Hart, necessary for the construction and maintenance of the Big Creek Tunnel project, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC with total consideration of \$170,000.00 plus closing costs.

Resolution No. 88-26 Authorization to acquire one parcel in fee simple known as PPN 489-14-032, located at 4730 Oak Ridge Drive, in the City of North Royalton, owned by William H. Zofcin, Jr. and Elaine Zofcin, necessary for the construction and maintenance of the Big Creek Flood Mitigation Near Oakridge Drive project, and to enter into an Assignment and Assumption Agreement with the Western Reserve Land Conservancy, and to enter into a six-month no-cost lease agreement with the Zofcins, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC with total consideration of \$310,000.00 plus closing costs.

MOTION – Ms. Chambers moved, and Mr. Sulik seconded to adopt Resolution Nos. 86-26 through 88-26. Without objection, the motion carried unanimously.

VI. Information Items

Mr. Lopata provided the April 2026 Capital Improvement Program update, beginning with cashflow. Overall, cashflow is behind as some larger invoices missed the April deadline for payment. The Business Opportunity Program (BOP) spending is at approximately 12%, and the hope is that will increase as the year progresses.

As for design level key performance indicators (KPIs), the Southerly Solids Handling Improvement Project achieved design completion within 60 days of planned, meeting that KPI. The project will be presented to the Board to approve calling for bids later this summer, with an estimated project cost of \$27 million.

The Easterly Fire Alarm project that was discussed earlier in the meeting achieved design completion within 60 days of planned, meeting that KPI.

There are currently 27 active construction projects under the CIP, totaling just below \$1 billion. Eight of those projects are Consent Decree related, and 19 are non-Consent Decree projects, with the non-Consent Decree projects totaling approximately \$158 million.

Mr. Lopata provided a list of the several projects that are anticipated to close in 2026, with a combined total cost of \$317 million. Additionally, the Shoreline Storage Tunnel project will close at a total cost of approximately \$201 million, although the project may close as much as \$8 million below that estimate due to the unused general allowance item.

There are several projects slated to have the construction contracts awarded this year, including the ECHRT at \$220 million, the Southerly Tunnel Dewatering Pump Station at \$71 million, and the Big Creek Tunnel at \$300 million. Additional projects will include the Kingsbury Asset Renewal Project, a culvert rehabilitation project, the District-wide Space Improvements project, and the CSO-203 Relocation project.

Mr. Lopata invited Dan Pacek, Project Manager III, to further discuss the District-wide Fire Alarm Upgrades.

Mr. Pacek advised that initially, each facility had a fire alarm from a different manufacturer, with at least five different brands across the three WWTPs, GJM and EMSC. Several of them are obsolete and no longer supported by the manufacturers, and there are many maintenance agreements amongst the manufacturers. Additionally, there was no centralized monitoring for the various facilities. Once this project is completed, all of the fire alarms will be under one manufacturer,

Honeywell Notifier Alarm Systems, and they will be centrally monitored at one location within the Southerly WWTC.

The fire alarm system at the Westerly WWTC was completely replaced in 2019, and the project at the Easterly WWTP that was discussed earlier in the meeting will also be a complete replacement. The Southerly WWTC system updates are ongoing and include 17 existing buildings tied into a central monitoring system and 3 buildings that require complete system replacements. In the coming months, the fire alarm system at GJM will be completely replaced and the work at the remaining nine buildings within the Southerly WWTC will be completed.

Mr. Pacek provided photographs of some of the old systems that are being replaced and explained the advantages of improved monitoring providing reduced false alarms and improved safety with decreased installation and maintenance costs.

In addition to the District-wide fire alarm upgrades, NEORSD recently created the Fire, Life Safety Coordinator position, which is occupied by Dan Coyle. Mr. Coyle reviews designs and monitors construction to ensure completion of life safety systems, occupancy and fire classifications, in addition to the inspection and maintenance of safety systems and support of the CMMS system.

Ken Duplay, Chief Financial Officer, explained that NEORSD's rates are implemented through the changes to the Sewer Use Codes, Title I for sanitary sewer and Title V for stormwater services. The process requires the Board to provide a 30-day notice to the member communities followed by a formal adoption of the changes to the Code. As the process is ongoing, NEORSD staff took the opportunity to review Title I for other potential updates and modernizations to be included along with the changes proposed to the Board with the rate changes to send to the community members.

Mr. Duplay invited Scott Broski, Superintendent of Environmental Services, to provide an overview of the proposed changes to NEORSD's Code of Regulations Title I Sewer Use Code.

Mr. Broski provided a detailed review of the proposed changes which include simplifying the language regarding hearings to eliminate redundant language in Title I and the administrative rules. Additionally, language is being added to for the allowance estimated billing when an approved metering system has failed, as well as language regarding how customer hearings are handled and rate adjustments are made.

Language around the use of pollutant concentration data in calculating industrial rates will be clarified and made more consistent with current practice, as well as the addition of a schedule of charges and fees.

There are proposed changes to language surrounding hauled waste, including a proposed increase in fees from \$0.08 per gallon to \$0.14 per gallon in order to cover NEORSD's costs.

There are proposed changes to the business programs, including the non-discharge status program, which will allow credits up to six years prior to the date of application, and the sewer service charges based on usage of the system (SSCBOUTS) program no longer allowing for accounts to become transferrable so that the District can ensure that water usage in a facility is consistent with how it was metered in the past.

Additionally, there are proposed changes to the scavenger waste acceptance rules and how waste is regulated by NEORSD.

At the June 4th Board of Trustees meeting, NEORSD will seek approval to send Titles I and V to communities to review, and hopefully, return to the Board on July 16th to accept the proposed changes.

Ms. Dreyfuss-Wells added that NEORSD has been performing extensive outreach to customers about the proposed rate increase. She and Mr. Duplay are holding meetings in person and virtually with industrial and residential customers for sanitary sewer and stormwater charges, which have been productive.

President Brown added that, as it relates to discussions regarding rate increases, years ago, rate increases were as high as 12%, and now the proposed increases are only 2%. Perhaps there should be more discussion of the work and value engineering performed by NEORSD. NEORSD has reduced its engineering and construction costs related to the Consent Decree by \$700 million, which has a direct impact on customer rates. Perhaps NEORSD does itself a disservice in not discussing where the rates could be, given the 25-year program that NEORSD has undertaken to improve the quality of life for its ratepayers.

There is much discussion surrounding rates, but not much discussion surrounding the benefits provided by those rates and the significant improvements provided under the Consent Decree. There are aspects that are overlooked that directly affect how and why NEORSD is able to only increase rates by 2% annually over a five-year period, which is significant considering the affordability programs offered and the heavy lift of doing work that positively impacts the environment and mitigates issues for the public.

When NEORSD entered into the Consent Decree, there was only one other community in the country that had a more than 20-year period to enter into an agreement. If NEORSD had been required to comply within a 12- or 14-year period, the rates would certainly be significantly different than they are today.

Ms. Dreyfuss-Wells thanked President Brown for his comments and added that NEORSD has been working to highlight those issues related to cost savings on the Consent Decree and the environmental benefits provided. For example, just under the Regional Stormwater Management Program, there have been 69 stream restorations with over 47,000 linear feet of stream and

floodplain restoration. Ms. Dreyfuss-Wells invited meeting attendees to stop by and review the boards and materials set up outlining the successes of NEORS.

Ms. Dreyfuss-Wells added that the rates are like the lake; the rates are the result of the work performed, just as the health of the lake is the result of the work performed; they are the end of the cycle, not the beginning.

VII. Open Session

Jim Nemastil provided the following statement to the Board:

“Thank you, Mr. President, the Board. So, we’ll start that a pipe is not a lake. So, let’s be clear about the contradiction sitting in front of us. For years the Sewer District told the community in writing, in public meetings and their own modeling that Lower Shaker Lakes is a significant downstream flood control valve for the Doan Brook. That was the justification for Class 1 Dam Rebuilt.

“Suddenly in 2025 they told us the opposite, Lower Lake doesn’t matter anymore because we’re adding a new culvert at the Museum of Art. This is not hydrology. It’s revisionism. A downstream culvert does one thing; it moves water faster. An upstream lake does not -- does something entirely different. It stores water. These are not interchangeable functions. You cannot replace storage with a pipe. You cannot replace the tension with conveyance. You cannot replace upstream flood control with a downstream trench. And yet this is exactly what the District is now asking us to believe.

“Let me put it plainly, if your bathtub is overflowing, you don’t fix the widening or make a bigger drain. You turn off the faucet. Okay? Lower Lake is a faucet, is the faucet. The Museum of Art culvert is the drain. This is hydrology 101. The Sewer District, I presume they know this, they also know this the Museum of Art project is a local fix at one show-point. Not a watershed to scale solution. It does not slow water. It does not store water. It does not delay peak flows. It does not reduce erosion energy. It does not protect University Circle in the storms that actually flood, 10 year, 25, 50, 100-year events.

“So, when the District tells us that a downstream culvert eliminates the need for an upstream detention, they are not giving us science. They are giving us a post-justification for a decision that they’ve made. The Board should not accept this. Residents should not accept it, and, frankly, the District should not be allowed to rewrite the laws of physics to suit this plan.

“Citizens simply want to know the truth. They simply want to know the regulatory basis, and until those are provided, do not be led to believe that a culvert in University Circle replaces a lake in Shaker Heights. And something else I just want to add that the CEO said, something about Doan Restoration project and the pop-ups and the tours they are having, and I’d like to just make a point that the Army Corps of Engineers has now required alternative analysis to be done. And alternative

analysis could go each way. And nothing -- this is not a fait accompli. The District is approaching that this park at Horseshoe Park is a fait accompli. It is not and I think it's disingenuous, misleading to tell the public that this park is going to be built. It's not necessarily going to be built. Thank you."

President Brown thanked Mr. Nemastil for his comments and added that, inasmuch as this is a public record, NEORSD should respond to these comments and added that there is a difference between what he heard and what he knows to be true. This is an opportunity for NEORSD to ensure that people have the best available and most accurate information. President Brown and Ms. Dreyfuss-Wells agreed that NEORSD will follow up.

Gail Bromley provided the following statement to the Board:

"Good afternoon, President Brown and Board members. Thanks for letting the public ask questions and speak to you. I'm here for a couple of issues. One is that as you know when the riprap was put on Lower Lake there were also many trees taken down over on the southeast corner of North Park and Coventry.

"I don't know -- I'm asking because it's not clear who did that, but you can -- for those of you who drive past that area, you can see that limbs are all on the tree lawn area. So, I would be curious if you could help us understand how that happened. And I -- you know, not today. I imagine you'll have to investigate that.

"I also understand there is a new timeframe as a result of the Army Corps of Engineers' communication with you. Is that possible for us to get a copy of that and learn what the timeframe is?"

President Brown answered affirmatively.

Ms. Dreyfuss-Wells added that NEORSD did not remove any trees during the Lower Lake maintenance. NEORSD only performed repairs to the riprap and does not have any information about the tree removal. Ms. Dreyfuss-Wells explained that NEORSD has a page on its website with the most update information regarding Doan Brook and Shaker Lakes, including the implementation update with the Army Corps of Engineer's changes. Additionally, Mr. Scharver is always available to answer questions.

Ms. Bromley asked if it is possible to obtain copies of what NEORSD submitted to the Army Corps and their response, as well as future submissions. Ms. Dreyfuss-Wells answered affirmatively and explained that she may request that Mr. Scharver provide such materials.

Ms. Bromley stated: "Okay. So, he'll provide that. I think what we would like to do is continue to get facts, be able to talk to people from the Sewer District so we can learn what's really happening

because there is a disconnect in my perception and many of the members of the community. So, I thank you for having us today.”

President Brown thanked Ms. Bromley for her comments and added that NEORSD’s goal and intent is to provide open and honest information to the public so that they are able to understand what drives the process.

President Brown advised Ms. Dreyfuss-Wells that it may be necessary for NEORSD to hold a public meeting to discuss the genesis of the project and the fact that while NEORSD is working with the Cities of Shaker Heights and Cleveland Heights along with the Ohio Department of Natural Resources (ODNR), as ODNR is the primary driver behind these projects, not NEORSD.

President Brown added that, moving forward, NEORSD needs to be clear about its role and limitations based on what the stormwater requirements allow, as well as working to combat misinformation.

Ms. Dreyfuss-Wells thanked everyone for their comments and reiterated that pertinent and current information is available on NEORSD’s website and staff are always available to answer questions and address concerns.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

There were no items.

X. Approval of Items from Executive Session

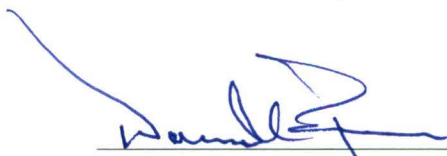
There were no items.

XI. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 1:37 p.m. Without objection, the motion carried unanimously.



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



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