

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
AUGUST 20, 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
Jack Bacci
Sharon Dumas
Samuel Alai

Absent: Marjorie Chambers

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

II. Approval of Minutes

MOTION –Mayor Bacci moved, and Mr. Sulik seconded, to approve the Minutes of the August 20, 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 on August 7th, NEORS said farewell to its 2026 Louis Stokes Scholar, Gabriella Falconer, who is now beginning her junior year at Central State University studying water resource management. Ms. Falconer spent her summer with NEORS, working in various departments. Since 1998 NEORS's Louis Stokes Environmental Scholarship program has provided Central State students with pathways to careers in water resource management, industrial technology, and environmental engineering. This scholarship is a pathway into NEORS, similar to the Clean Water Fellows, Good Neighbor Ambassador & Job Training program, as well as the various internships across NEORS. NEORS wishes Ms. Falconer the best and appreciates staff who supported her role over the summer.

On August 8th, NEORSD welcomed more than 250 families to its Utility Assistance Resource Fair. This was the third of four fairs to be held this year. There were 65 NEORSD staff and 25 external volunteers from organizations such as the National Association of Social Workers, Tri-C Community Health Worker students, and the National Council of Negro Women. Ms. Dreyfuss-Wells thanked staff and volunteers for their work on this event.

Other utilities in attendance included Enbridge, FirstEnergy, and Cleveland Public Power. Non-utility providers included Step Forward and the Cleveland Food Bank. Ms. Dreyfuss-Wells added that the event reached capacity by 10:30 a.m., and there were additional people that arrived after the line was closed, who provided their information to NEORSD and its partners for later follow up. NEORSD is adjusting in advance of the November Utility Assistance Resource Fair to accommodate the increasing need in the service area. Ms. Dreyfuss-Wells thanked Nichole Oocumma, Chief Administrative Officer, and her team for organizing the event.

NEORSD was well represented at the Ohio One Water Technical Conference, held in Cincinnati during the week of August 17th. Each year the Ohio Water Environment Association and the Ohio American Water Works Association jointly host this technical conference which focusses on drinking water, stormwater, and wastewater issues statewide. Doug Lopata, Program Manager for Planning and Design, presented regarding NEORSD's Chemically Enhanced High-Rate Treatment projects and the Westerly Tunnel Dewatering Pump Station.

V. Action Items

Authorization to Issue Request for Proposal (RFP)

Resolution No. 132-26

Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for design and construction administration/resident project representation services for the Westerly Headworks and Miscellaneous Improvements project.

MOTION – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution No. 132-26. Without objection, the motion carried unanimously.

Authorization to Purchase

Resolution No. 133-26

Authorization to renew annual software licenses, maintenance, and support services from sole source vendor Carahsoft Technology Corp. for the District's Salesforce cloud software, under the State of Ohio Cooperative

Purchasing Program, for the period August 23, 2026 through August 22, 2027, in an amount not-to-exceed \$212,144.64.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 133-26. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 134-26	Authorization to enter into a five-year requirement contract with Schindler Elevator Corp. for elevator preventative maintenance and repair services at all District facilities, under the OhioBuys Cooperative Purchasing Program, in an amount not-to-exceed \$748,770.00.
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Resolution No. 135-26	Authorization to enter into a public improvement contract with Shook Construction Co. to construct the Easterly Chemically Enhanced High-Rate Treatment Facility in an amount not-to-exceed \$217,339,024.00.
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MOTION – Ms. Chambers moved, and Mr. Sulik seconded to adopt Resolution Nos. 134-26 through 135-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the contract associated with Resolution No. 135-26. Robin Rupe, Director of Engineering and Construction, explained that the Easterly Chemically Enhanced High-Rate Treatment Facility (ECEHRT) is the last of the Consent Decree projects to be completed at the Easterly WWTP, and will be controlling CSO-001, located at the western portion of the WWTP, in order to address Control Measure 2 of the Consent Decree. NEORS listed the project with an engineer's estimate of \$220 million and is looking to award it to Shook Construction for \$217 million, with a Small Business Enterprise (SBE) goal of 15% and the contractor commitment is 15.1%.

There are two components to this project: the building of a new CEHRT facility, as well as a connection into the Euclid Creek Tunnel where it will divert some of the flow to receive full treatment in the Easterly WWTP. Under the Consent Decree, NEORS is required to begin construction before the September 9, 2026 deadline.

President Brown noted that there has been extensive work associated with the Easterly WWTP, including the deep tunnel among other infrastructure built there in order to capture and treat long-term CSO flow that has been problematic in the area, resulting in reduced basement flooding. President Brown offered kudos to NEORS staff for addressing both EPA requirements and quality of life concerns for local residents.

VI. Executive Session

Mayor Bacci, pursuant to Ohio Revised Code Section 121.22 (G)(3), moved, and Mayor DeGeeter seconded, to enter into executive session to consult with the District's legal counsel concerning disputes involving the District that are the subject of pending and immanent court action. By roll call vote, the Board voted unanimously to enter into executive session at 12:42 p.m.

The issue requiring executive session arose after the preparation of the meeting agenda.

The Board returned to open session at 1:10 p.m.

VII. Approval of Items from Executive Session

Authorization to Enter Into Contract

Resolution No. 136-26	Authorization to enter into a public improvement contract with Granite – Super Joint Venture for the Big Creek Tunnel project in an amount not-to-exceed \$324,821,130.00.
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MOTION – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 136-26. After the following discussion without objection, the motion carried unanimously.

President Brown advised that there had been a good discussion regarding this joint venture project and added that the project will provide significant CSO control as it relates to NEORSD's overall goals moving forward.

Authorization to Close Out Public Improvement Contract

Resolution No. 137-26	Authorizing the Final Adjusting Change Order to close out Public Improvement Contract No. 25003275 with Smith & Oby for the Easterly VRF Condensing Unit Replacement project, to decrease the contract amount by \$14,196.30, thereby bringing the total contract amount to \$141,963.00.
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MOTION – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution No. 137-26. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 138-26	Authorization to acquire one parcel in fee simple known as PPN 373-11-008, located at 7667 Eastland Road, in the City of Middleburg Heights, owned by The Vernon M. Madis and
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Bernice A. Madis Revocable Trust Dated August 31, 2000, by Susan D. Oros, Deborah A. Capretta, and Darrin A. Madis, Successor Trustees, necessary for the construction and maintenance of the Baldwin Creek Subwatershed – Problem Area 3 project, and to allow for the entirety of the payment to be disbursed to Innovative Title and Escrow Services, LLC with total consideration of \$280,000.00 plus closing costs.

Resolution No. 139-26

Authorization to acquire one subterranean easement, one temporary easement, and one parcel in fee simple by lot split from the parcel known as PPN 009-10-014, located on Henninger Road, in the City of Cleveland, owned by Melnik's Automotive, LLC, one subterranean easement from the parcel known as PPN 009-10-038, located at 3208 Broadview Road, in the City of Cleveland, owned by Melnik's Automotive, LLC, and one subterranean easement from the parcel known as PPN 009-10-037, located at 3112 Broadview Road, in the City of Cleveland, owned by MPG Properties Cleveland, LLC, 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, LLC with total consideration of \$100,000.00 plus closing costs.

Resolution No. 140-26

Declaration of intent to appropriate one fee simple parcel at the property known as PPN 014-15-088, located at 4270 W. 37th Street, in the City of Cleveland, owned by Michael P. Shaerban, necessary for the construction and maintenance of the Big Creek Tunnel project, and to provide for the consideration of \$150,000.00, determined by the fair market value, to be deposited with the Cuyahoga County Probate Court.

MOTION –Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 138-26 through 140-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the property acquisition associated with Resolution No. 138-26. Matt Scharver, Director of Watershed Programs, provided a map demonstrating the property's location and its proximity to Baldwin Creek along the Regional Stormwater System and explained that this is a voluntary acquisition with the property owner. The Regional Stormwater System is approaching the culvert and adjacent retaining wall near Eastland

Road that is in disrepair. NEORSD through the Stormwater Inspection and Maintenance workgroup has been monitoring this area for a number of years as this area was originally identified as a problem area under the Rocky River Stormwater Master Plan. The property owner approached NEORSD regarding the acquisition of the parcel. This is a good acquisition for NEORSD as it is very near a parcel previously acquired by NEORSD in partnership with Cleveland Metroparks in which Cleveland Metroparks performed a restoration project on Baldwin Creek removing a low-head dam, a private bridge crossing and reconnected the Regional Stormwater System to its floodplain addressing erosion and flooding in the immediate area.

Authorization to Grant Credit

Resolution No. 141-26

Authorizing the District to issue a credit adjustment in the total amount of \$67,619.20 against sewer charges on the account of Resin Ventures II LLC, 2120 Saint Clair Avenue, Cleveland, ending in 1551.

MOTION –Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution No. 141-26. Without objection, the motion carried unanimously.

VIII. Information Items

Ms. Rupe provided the July 2026 Capital Improvement Program Management Status Report, beginning with cashflow. The top seven projects account for approximately 77% of planned cashflow for the year and are currently at 89% spent on cashflow for the top seven projects and 87% overall.

Two projects are completing design activities, the ECEHRT and the Big Creek Tunnel project. The remaining projects are in the construction phase. Ms. Rupe added that the Kingsbury Run Consolidation Sewer and the Westerly Sludge Handling Improvements project are trailing slightly in terms of spending due to unforeseen site conditions. Both projects are recovering nicely.

Regarding project level key performance indicators (KPIs), the Districtwide Elevator Modernization project did not meet design completion within 60 days of planned, as there are new security camera regulations imposed by the City of Cleveland that needed to be addressed before the design was finalized and issued for bidding.

The MCT-3 Shaft 13 Flow Drop Structure achieved substantial completion within 90 days of the original contract date, meeting that KPI. This structure will hydraulically capture some of the existing Mill Creek Interceptor flow and will allow for future elimination of the Broadway Avenue Pump Station.

The Shoreline Storage Tunnel achieved substantial completion, unfortunately, not within 90 days of the original contract. There were substantial difficulties with the boring machine at the start of the project and continued throughout mining of the project. This contributed to an 180-day delay in project completion. The Tunnel now has successfully begun to receive flow.

The Easterly Actuator and Skimmings Collection Trough Replacement project replaced 67 gate and valve actuators that were past their useful life at the Easterly WWTP. The original SBE goal of 5.12% was far exceeded at 29.43%. The project did not meet the KPI for closing within 95% of its original contract amount, primarily due to owner-requested changes, as more issues were identified once the actuators were removed. The changes represented 5.69% of the overall \$132,400 in work orders.

Ms. Rupe invited A.J. Smith, Manager of Construction, to provide an update regarding the Kingsbury Run and Consolidation Sewer (KRCS) project.

Mr. Smith explained that the KRCS is the largest ancillary project associated with the Southerly Tunnel System and in conjunction with it, it will help control CSO-040, the largest CSO that discharges into the Cuyahoga River. Once completed, it should reduce CSO-040 to no more than three activations in a typical year and reduce CSO volume by approximately 260 million gallons annually.

The KRCS is being constructed by a joint venture of Triad and Super Excavators. NEORSD's Project Manager is Steve Janosko and Tony Vitale is the project's Construction Supervisor, though he will be retiring soon and Jeff Lazar will be taking over the project. The Notice to Proceed was issued on March 10, 2025 and substantial completion is planned for August 21, 2028, with a total cost just under \$104 million.

Mr. Smith provided a map outlining the mile-long project area and where its various components are situated. Mr. Smith explained that the KRCS includes four drop shafts, an emergency overflow at Branch 1, eight new regulators, twenty regulator mods, and approximately 1.5 miles of sewer rehabilitation. The mainline sewer at Branch 1 is primarily being dug using micro-tunneling, and they recently completed the longest branch at 2,100 feet. Structural work has commenced in multiple locations.

Mr. Smith explained that Branch 2 is being completed via conventional 2-pass tunneling and at almost 3,000 feet, tunneling is nearly completed. Other major active sites include Regulator S-20B at Grand Avenue, west of East 75th Street, requiring significant coordination with the Greater Cleveland Regional Transit Authority and Regulator S-94B at East 87th Street near Harris Avenue.

KRCS Branches 1 and 2 will converge and then connect into the Southerly Storage Tunnel via the Shaft 4 site at Hackensack and East 68th Street. The KRCS structural lining of the shaft is completed to the point where it can accept the tunnels from KRCS branches and the Southerly Storage Tunnel.

That portion will be handed off to the Southerly Storage Tunnel project for coordination within the next several weeks. There are two years of construction remaining, with the schedule and budget both on track.

IX. Open Session

There were no items.

X. Public Session (any subject matter)

Ms. Dreyfuss-Wells advised the Board that Gail Bromley had signed up regarding the Shaker Lakes.

Ms. Bromley posed the following questions and comments to the Board:

“Good afternoon, President Brown and the Board. Thank you for having us. You’ve always been very receptive to our questions and I have several again.

“About a month ago when The Land articles were mentioned at the Board meeting, statements were made that there were inaccuracies and I tried to find on the website what those inaccuracies were, and I wondered if someone could clarify what those are.

“...I’m wondering when you looked at the Horseshoe Lake Dam issues, were there other analyses that were brought forward? I couldn’t find those on the website. Another question that I had was: When did the project change from dealing with the safety problems at Horseshoe Dam to permanently remove the dam and eliminate the lake and what work had been done at that point to compare that choice with keeping the lake? And then, as you know, Ohio EPA is interested in talking to many of us. Is the project design that Ohio EPA is reviewing now the final design from the Sewer District? And if not, what parts are still changing? And my last question is: With the application materials for the current Ohio EPA review, 13 to 44 acres of existing wetlands are identified. What will actually happen to those wetlands and is it necessary for the project?”

There was a discussion as to whether the preference was to answer Ms. Bromley’s questions immediately or follow-up directly after the meeting. President Brown indicated his preference to answer questions publicly.

Ms. Dreyfuss-Wells explained to Ms. Bromley that the main inaccuracy contained in The Land article was that NEORSD was somehow out of compliance with state and federal requirements, which is false and NEORSD made that clear to the editors of The Land. Ms. Bromley asked if that applies to both the first and second publications from The Land and Ms. Dreyfuss-Wells answered affirmatively.

Ms. Dreyfuss-Wells further explained that, as it relates to Ms. Bromley's questions regarding analysis related to the Doan Brook Restoration at Horseshoe Park project, NEORSD has a very detailed website that NEORSD staff would provide a link to her, which includes direct links to the Ohio EPA project application. The way that permitting works for both Ohio EPA and the U.S. Army Corps of Engineers is that one cannot make a permit application until a project design is final. Both entities are reviewing the final design for the project, which was submitted to Ohio EPA on June 23, 2026.

Mr. Scharver added that, in terms of wetlands, there are numbers in the application that describe the wetlands that exist at the project site and NEORSD's proposed restoration project. Horseshoe Lake itself has reverted to a wetland, at a size of approximately 11 acres. NEORSD's website contains information which was provided to Ohio EPA in its full application for the Section 401 Water Quality Certification as well as the Section 404 Permit application submitted to U.S. Army Corps of Engineers. While the numbers are generally referenced in the public notice, they are very detailed within the Alternatives Analysis. Mr. Scharver offered to have NEORSD staff help Ms. Bromley navigate those numbers.

Ms. Dreyfuss-Wells encouraged Ms. Bromley to read the Alternatives Analysis, as it lays out the history of the Doan Brook Restoration at Horseshoe Park project, the alternatives, considerations, and wetland impacts. Ms. Bromley indicated that she has reviewed it several times and does not find the information to be clear. Ms. Dreyfuss-Wells advised that Ms. Bromley could meet with Mr. Scharver to review the information and gain a better understanding.

Mr. Scharver invited Ms. Bromley to attend one of NEORSD's public tours of the area, as they provide information that explains the application. The next tours are upcoming on September 1st and September 15th.

President Brown added that NEORSD received a media inquiry from The Land, NEORSD sent correct information and The Land published what they perceived to be an update, that was not a correction, as it still contained misinformation. As he previously stated, as a journalism major in college, he has a clear understanding of what media should do when they write an article. Whether the incorrect information was included intentionally or unintentionally provides the opportunity for misinformation to be disseminated and accepted by the public as fact. The public deserves accurate information and accordingly, NEORSD will continue to set the record straight when needed. Ms. Dreyfuss-Wells added that NEORSD has corrected inaccurate information from media in the past, as it did with The Land.

XI. Executive Session

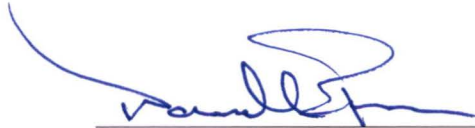
There were no scheduled items for the executive session agenda.

XII. 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 1:40 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