

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
FEBRUARY 2, 2023

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
Jack Bacci
Marjorie Chambers
Samuel Alai

Absent: Timothy DeGeeter
Sharon Dumas

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Mayor Alai seconded to approve the Minutes of the January 19, 2023 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's efforts to assist member communities in obtaining funding under the Infrastructure Investment and Jobs Act (IIJA). NEORS focused on the portion of funding that is available as principal forgiveness as opposed to low interest loans.

Twenty member communities are considered disadvantaged under Ohio EPA's updated definition. NEORS offered assistance to apply for funding, using the information attained from the Local Sewer System Evaluation Studies (LSSES), and offered to implement the projects, should the communities succeed in obtaining the funding. Eight projects were submitted on behalf of seven communities, with a combined total cost of \$8.3 million, and three projects received principal forgiveness funding for a total of \$2.9 million. The approved projects are Taylor Road Sewer Project

in East Cleveland; Blossom and Southerland Sewer Project in Parma Heights; and Sewer Capacity improvements in Richmond Heights.

Ms. Dreyfuss-Wells provided a list of the communities that qualified for loans as well and advised that NEORSD is discussing with them whether they are interested in proceeding with the loans or reapplying next year, in hopes of receiving principal forgiveness.

NEORSD will draft agreements with the three communities that obtained principal forgiveness funding and will return to the Board for authorization to issue Requests for Proposals for professional services to design the projects.

Ms. Dreyfuss-Wells acknowledged Lita Laven, Project Manager for Engineering and Construction, and participating staff for their efforts.

President Brown asked if there is an opportunity to revisit the unsuccessful applications to determine how they can be improved to increase their chances of obtaining funding in the future. Frank Greenland, Director of Watershed Programs, explained that NEORSD does not know what the scoring procedure is, but NEORSD will attempt to gather information and try to get a better understanding of how to strengthen the applications.

Ms. Dreyfuss-Wells advised the Board that NEORSD has concluded its Employee Information Sessions, wherein 660 staff attended over 18 sessions to allow employees from across the organization that would not normally have an opportunity to interact, to meet in small groups and discuss their work. Ms. Dreyfuss-Wells thanked Jean Smith, Director of Administration and External Affairs, and her team for their efforts in organizing the sessions.

Ms. Dreyfuss-Wells invited Jim Bunsey, Chief Operating Officer, to discuss the accomplishments of Doug Reichlin, Deputy Chief Operating Officer, who is retiring.

Mr. Bunsey explained that in 2017, Veolia performed an Operational Readiness Assessment for NEORSD, in order to assist Operation and Maintenance (O&M) in managing the loss of senior leadership and skilled labor. It was a comprehensive study reviewing current operations, establishing targets for improvement, and developing an implementation plan focused on improving operations. The study resulted in 23 recommended initiatives under three categories: strength in human capital; implement operations and management best practices; and achieve efficiency and effectiveness as daily business operations.

The study further recommended that NEORSD engage a Phase 2 consultant at a cost of approximately \$2 million over an 18-month period. NEORSD decided instead to manage the Phase 2 implementation internally, in order to learn from the process and further create opportunities for existing staff. NEORSD brought in Mr. Reichlin approximately 5 years ago to lead the Operational Readiness Implementation (ORI). Under his leadership, with the support of O&M and Engineering

and Construction (E&C), much has been accomplished including the replacement of the data management system and the asset management system, and the formation of the Technical Services Group. Additionally, plant generators have been made reliable and electrical usage has been improved resulting in hundreds of thousands of dollars in savings annually. Key Performance Indicators are routinely tracked and discussed as standard course of business. In anticipation of Mr. Reichlin's retirement, staff has planned and carried out ORI staff transitions.

Ms. Dreyfuss-Wells and Mr. Bunsey expressed their appreciation to Mr. Reichlin for his contributions during his time with NEORS and noted that he has made a significant impact.

V. Action Items

Resolution of Acknowledgement

Resolution No. 35-23 Resolution of Acknowledgement presented to Douglas B. Reichlin in recognition of his more than five years of outstanding service and noteworthy contributions to the Northeast Ohio Regional Sewer District.

MOTION – Mr. Sulik moved, and Mayor Bacci seconded to adopt Resolution No. 35-23. After the following discussion, without objection, the motion carried unanimously.

President Brown, on behalf of the Board, congratulated Mr. Reichlin on his retirement and read a section of the Acknowledgment into the record as follows: "Board of Trustees on behalf of the users and employees of the Northeast Ohio Regional Sewer District hereby acknowledges the contribution of Douglas Reichlin to the growth and development in Northeast Ohio Regional Sewer District adhere and expresses thanks and appreciation to Douglas Reichlin for dedicated public service. And the Board further expresses its best wishes to Doug Reichlin and his family, and all they seek. And that the secretary is hereby directed to forward a copy of the resolution to Douglas Reichlin."

Authorization to Advertise

Resolution No. 36-23 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the Southerly Wetland Forebay Dredging project with an anticipated expenditure of \$125,000.00.

Resolution No. 37-23 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the Southerly FST 7-11 Launder Support Concrete Repair project with an anticipated expenditure of \$750,000.00.

MOTION – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 36-23 through 37-23. Without objection, the motion carried unanimously.

Authorization to Amend Resolution

Resolution No. 38-23 Authorization to amend Resolution No. 404-22, adopted December 15, 2022, which authorized an agreement with Gallagher & Co. to assist in the review of the existing compensation structure for the District's union and non-union employees, including Board of Trustees members, in an amount not-to-exceed \$98,000.00, to reflect the consultant's correct legal name, Gallagher Benefit Services, Inc., with all current terms and conditions of the agreement to remain unchanged.

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 38-23. Without objection, the motion carried unanimously.

Property Related Transactions

Resolution No. 39-23 Authorizing the District to deposit additional funds in the amount of \$2,945.00 with the Cuyahoga County Probate Court, pursuant to settlement, in the District's appropriation action for two permanent sewer easements and three temporary easements on the property known as PPNs 009-08-004 and 009-08-010, located at 3680 Valley Road, in the City of Cleveland, owned by Phillip Gardner, necessary for the construction and maintenance of the Pearl Road and Jennings Road Storage Tanks project, for a total settlement amount of \$5,000.00.

Resolution No. 40-23 Authorization to acquire one permanent stormwater easement at the property known as PPN 454-32-001, located on State Road, in the City of Parma, owned by the Arlington Place Homeowners Association, necessary for the construction and maintenance of the Big Creek Stream Restoration Upstream and Downstream of Ridge Road in Parma project with total consideration of \$440.00.

Resolution No. 41-23 Authorization to acquire one permanent stormwater easement at the property known as PPN 552-04-016, located at 6710 Cheryl Ann Drive, in the City of Seven Hills, owned by Dale Rauch and Paula O. Rauch, necessary for the construction and maintenance of the Hemlock Creek Bank Stabilization in Seven Hills Phase 1 project with total consideration of \$30,778.00.

Resolution No. 42-23 Authorization to acquire one permanent stormwater easement and one temporary easement at the property known as PPN 552-11-111, located at 3323 Forest Overlook Drive, in the City of Seven Hills, owned by Carlos Torres and Lenka Torres, necessary for the construction and maintenance of the Hemlock Creek Bank Stabilization in Seven Hills Phase 1 project with total consideration of \$10,610.00.

Resolution No. 43-23 Authorization to acquire one permanent stormwater easement at the property known as PPN 454-32-002, located on Sprague Road, in the City of Parma, owned by the Peachtree Homeowners Association, doing business as the Peachtree Place Homeowners Association, necessary for the construction and maintenance of the Big Creek Stream Restoration Upstream and Downstream of Ridge Road in Parma project with total consideration of \$2,700.00.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 39-23 through 43-23. Without objection, the motion carried unanimously.

VI. Information Items

Frank Foley, Director of Operation and Maintenance, provided the O&M Quarterly Update for Fourth Quarter 2022, beginning with safety. Through the third quarter, there were only 2 lost or restricted workdays. Early in the quarter, two Sewer System Maintenance and Operation staff were injured in a rearend collision and have not yet returned to work, bringing the total to 162 lost workdays.

Mr. Foley provided a chart demonstrating the types of incidents which led to lost or restricted time. Three incidents were motor vehicle accidents. There was a strain, a slip, and a splash with a chemical, wherein a Good Neighbor Ambassador was splashed in the eye with fuel while working. Five of the incidents were within O&M.

The DART rate is the number of incidents per 100 full-time employees or 200,000 work hours that result in lost or restricted time. For 2022, the DART rate for O&M was 1.28 and 0.79 for all staff, which is below the internal threshold of 2.0.

Regarding effluent quality, all three WWTPs met permit limits for the fourth quarter. October is the only month of the fourth quarter that *E. coli* is monitored, as the limits are only in effect for the recreation season.

In 2022, NEORS D treated approximately 85 billion gallons of wastewater at its three WWTPs, removing approximately 96 million pounds of total suspended solids, approximately 33 million pounds of carbonaceous biochemical oxygen demand, and 1.3 million pounds of phosphorus.

The plant effluents are monitored 24 hours a day, 7 days a week. Throughout the year, there are almost 5,000 compliance points. NEORS D did well in meeting its permit limits, with only one excursion at the Southerly plant, for an approximate compliance rate of 99.98%. Mr. Foley acknowledged O&M staff for the good result.

Regarding maintenance, as expected, the Southerly WWTC had the highest expenses for the most critical assets at \$2.3 million, followed by the collection system, Easterly WWTP, then Westerly WWTC. In the collection system, the majority of costs are preventative maintenance. In the WWTPs, the corrective maintenance is higher than the preventative maintenance.

There were four dry weather overflows in 2022, compared to nine in 2021. The causes of the overflows include debris blockages in the system and a weir wall that was leaking and was repaired. Four is the lowest number of dry overflows on record, which is a testament to the capital improvements made to the collection system and good work of staff.

In wet weather, the automated collection system performed very well at almost 100%. In July, there was one event with two pump failures during wet weather.

As for budget performance, the ten O&M budget centers had a total budget for 2022 of \$63.1 million and approximately \$57.9 million was spent. Approximately 64% of the variance is due to wages, electricity, and chemicals. Spending was up \$1.3 million from 2021.

O&M has experienced staffing challenges and at times had nearly 30 open positions. Currently, there are 13 open positions, the most difficult to fill being skilled craft positions such as electricians, instrument technicians, HVAC technicians, and stationary engineers. In 2023, O&M will request nine new maintenance trainees, in order to train staff in-house and move them into the skilled positions.

O&M has experienced challenges in vehicle procurement, as it requested to advertise or purchase 14 vehicles in 2022, but only acquired one vehicle. Going forward, the plan will be to assess the most critical needs first and purchase individual vehicle types more frequently, rather than a few large purchases to acquire vehicles.

Mr. Foley invited Kevin Zebrowski, Superintendent of Maintenance Services, to provide an update regarding the HVAC program.

Mr. Zebrowski advised the Board that in 2019, with ORI in full swing, NEORS D began evaluating its maintenance costs. That year saw the highest spending for preventative and contract maintenance of over \$930,000. It was determined that HVAC maintenance could be brought inhouse to improve efficiency and decrease reliance on outside vendors, and the HVAC Maintenance Program was initiated in 2020.

The program began with hiring David Pastorius, Building Systems Supervisor, who brought over thirty years of experience. Mr. Pastorius began by evaluating the overall condition of the assets, reviewing O&M manuals, and developing preventative maintenance checklists that would be implemented into the new computerized maintenance management system. There was a rooftop safety analysis performed that determined the need for fall prevention equipment near HVAC machinery.

By the end of 2020, the first four HVAC technicians were hired, and the first task was to transition from the old paper-based program to the computerized maintenance program, NEXGEN. The staff was trained on iPads to be used for QR coding and transferring data and documented approximately 1,100 assets into the system to perform preventative maintenance. The team also identified 2,507 HVAC assets, representing 50 different class types.

In 2021, NEORS D had an existing contract for HVAC maintenance services, and began performing corrective maintenance inhouse to offset costs.

In the second quarter of 2021, the team successfully corrected control issues within a new air handling unit at the Westerly WWTP.

In June 2022, the transition to preventative maintenance began, as the existing contract was expiring. This was a collaborative effort amongst WWTP maintenance staff and HVAC technicians. The HVAC technicians began performing daily chemical analysis and boiler blow downs for the steam boilers at the Easterly and Westerly WWTPs, allowing for as-needed chemical adjustments to maintain the internal components of the boilers and piping distribution centers. Additionally, operators began making daily rounds to inspect the 48 boilers at the WWTPs in order to respond to any looming issues.

Also in 2022, E&C completed a building automation system upgrade, which provided more visibility of the HVAC assets by increasing capabilities and alarming maintenance management staff to critical issues and allowing staff to remotely log in and address situations. The project also allowed for the elimination of sole source controls.

The program has been in existence for two years, allowing for the transition from contractor resources to inhouse, increasing standard maintenance of NEORS D equipment as well as preventative maintenance, while decreasing expenditures.

Mr. Zebrowski explained that there were significant collaborative efforts from multiple departments, and expressed appreciation to Tom Shively, Program Manager; Anthony Parone, System Integration Specialist; and from E&C staff, Dan Pacek, Project Manager; Angela Macner, Construction Supervisor; and Greg Blatnik, Manager of Construction. Mr. Zebrowski also expressed

appreciation to James Knill, Building Maintenance Manager; Dave Pastorius, Building Systems Supervisor; as well as HVAC Technicians Scott Davison, Matt Buterbaugh, and Michael Dasko.

President Brown thanked the team for a job well done and added that he looks forward to seeing the quantified benefit of moving services inhouse.

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), moved, and Mr. Sulik seconded, to enter an executive session to consult with the District legal counsel concerning disputes involving the District that are subject to or are pending imminent court action. By roll call vote, the Board voted unanimously to enter into executive session at 1:15 p.m.

The Board returned to open session at 1:41 p.m.

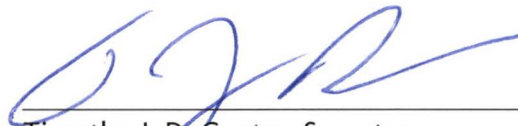
X. Approval of Items from Executive Session

Resolution No. 44-23 Authorize the Chief Legal Officer to enter into a settlement agreement on behalf of the District with Plaintiffs Jump City USA, LLC; Christian Kingdom Assembly; Brian Kilgallon; Quality Carpentry Service of Northeast Ohio, LLC; and Callahan Painting & Home Improvements, LLC, and Co-Defendant City of Garfield Heights in connection with *Jump City USA, LLC, et al. vs. Northeast Ohio Regional Sewer District, et al.*, Cuyahoga Common Pleas Case No. CV-22-961148, under such terms and conditions as are approved by the Chief Executive Officer and acceptable to the Chief Legal Officer, including a \$67,500.00 District payment to the Plaintiffs, payable to their attorney, Ehrenreich & Associates, and an additional contribution by the City of Garfield Heights.

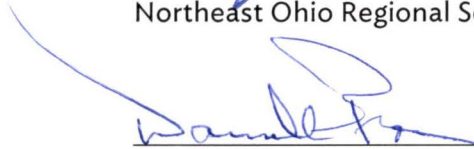
MOTION – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 44-23. Without objection, the motion carried unanimously.

XI. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Chambers seconded the motion to adjourn at 1:43. 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