

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
MAY 2, 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 April 18, 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, advised that on April 19<sup>th</sup>, NEORS held its 9<sup>th</sup> Good Neighbor Ambassador (GNA) graduation ceremony. Dr. Kenneth D. Hale, Project Manager in Community Relations for Cuyahoga Community College, provided the keynote address. This was the first time all the GNA cohort secured employment with NEORS. Ms. Dreyfuss-Wells introduced some of the recently graduated GNAs: Bishop Crosby, Customer Service Representative, Grant Beard, Facility Technician, James Collins, Southerly Custodian, and Robert Randall, Customer Service Representative.

The closing ceremony for the Cleveland STEP Program was held on April 20<sup>th</sup>. The program is celebrating 30 years of working with students in the area, and NEORS has been involved with the program for several years. There were over 120 people in attendance, supporting 45 students. Jasmine Hagan, former STEP student, former NEORS employee, and current City of Cleveland

employee, provided the keynote address. The program has inspired over 1,500 students to consider STEM career opportunities. Ms. Dreyfuss-Wells thanked Angela Jones, Government Affairs Specialist, for her continued leadership within the program.

NEORSD participated in several Earth Day activities, including Party for the Planet at Cleveland Metroparks Zoo and Wave Maker Cleanup, hosted by NEORSD longtime partner, Drink Local Drink Tap.

On April 22<sup>nd</sup> and 23<sup>rd</sup>, NEORSD partnered with the U.S. Water Alliance to host the Regional Partnerships Institute. The U.S. Water Alliance is an organization that NEORSD has been a member of for quite some time. They host institutes across the country on a number of topics and selected Cleveland for the institute related to regional partnerships. Colleagues from utilities and non-profits from across the country attended, including Louisville, Washington, D.C., and San Antonio. Monday's institute was held at the Botanical Gardens, with Mayor Alai, Mayor Blackwell of Maple Heights, and Ms. Dreyfuss-Wells holding a panel discussion regarding regional collaboration. Tuesday's institute was held at the Watershed Stewardship Center in Parma, with a focus on larger partnerships and collaboration. Ms. Dreyfuss-Wells thanked Donna Friedman, Manager of Community Watershed Coordination, and Dan Neelon, Community Relations Specialist, for their efforts in organizing the event, and thanked Mayor Alai for participating in the panel discussion.

Ms. Dreyfuss-Wells reminded the Board that during the April 4<sup>th</sup> meeting, they authorized NEORSD to issue an RFP for a 3, 5, 7, or 10-year long electricity contract with a range of renewable energy credit options, and authorized Ms. Dreyfuss-Wells to enter into a contract without returning to the Board for additional approval. NEORSD received four proposals with WGL Energy Services providing the lowest and best proposal and entered into a 3-year contract with them for \$15,331,664.10, which includes 100% Green-e certified renewable energy credits, which is significant in helping NEORSD achieve its sustainability goals.

#### V. Action Items

##### Authorization to Advertise

Resolution No. 110-24

Authorization to publish notice calling for bids for liquid emulsion polymer solution at all wastewater treatment plants, in accordance with Ohio Revised Code Section 6119.10, with an estimated probable cost of \$1,850,000.00.

**MOTION** – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 110-24. Without objection, the motion carried unanimously.

Authorization to Issue Request for Proposal (RFP)

Resolution No. 111-24      Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for software and professional services for the Electronic Bill Payment Software Implementation project.

**MOTION** – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution No. 111-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the program. Mohan Kurup, Director of Information Technology, explained that this project affects only NEORSD’s approximately 2,000 direct bill customers, who are currently only able to issue payment by mailing a physical check, as opposed to the indirect bill customers who have the ability to pay via check, debit card, credit card, or ACH payment.

President Brown asked how long implementation will take. Mr. Kurup indicated that implementation is anticipated to take two to three months.

Authorization to Purchase

Resolution No. 112-24      Authorization to purchase annual software license, maintenance, and support services from sole source vendor NEXGEN Asset Management for the District’s NEXGEN AM software for the period beginning July 1, 2024 through June 30, 2025 in an amount not-to-exceed \$175,400.00.

Resolution No. 113-24      Authorization to purchase PC desktops, laptops, monitors, and accessories from Dell Marketing, L.P. under the State of Ohio Cooperative Purchasing Program in an amount not-to-exceed \$337,800.00.

**MOTION** – Ms. Chambers moved, and Ms. Dumas seconded to adopt Resolution Nos. 112-24 through 113-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 114-24      Authorization to enter into a one-year contract with sole source vendor Ohio Machinery Co. dba Ohio CAT for stand-by generator maintenance and repair services in an amount not-to-exceed \$524,352.14.

**MOTION** – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 114-24. Without objection, the motion carried unanimously.

Authorization to Close Out Public Improvement Contract

Resolution No. 115-24      Authorizing the final adjusting change order to close out Public Improvement Contract No. 23007756 with D&R Commercial Flooring, Inc. for the George J. McMonagle East Side Second Floor Carpet Replacement project, to decrease the contract amount by \$4,471.25, thereby bringing the total contract amount to \$44,712.50.

Resolution No. 116-24      Authorization to close out Public Improvement Contract No. 23007167 with Synergy, LLC for the Westerly Wastewater Treatment Plant Administration Building Boiler Flue Replacement project, with no final adjusting change order due to exhaustion of the contract funds.

**MOTION** – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution Nos. 115-24 through 116-24. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 117-24      Authorization to appropriate one subterranean easement at the property known as PPN 125-08-015, located at 6512-6516 Hubbard Avenue, in the City of Cleveland, owned by TG Holdings, LLC, necessary for the construction and maintenance of the Southerly Tunnel and Consolidation project and to provide for the consideration of \$1,700.00 determined by the fair market value to be deposited with the Cuyahoga County Probate Court.

Resolution No. 118-24      Authorization to appropriate one subterranean easement at the property known as PPN 125-10-025, located at 3186 East 66<sup>th</sup> Street, in the City of Cleveland, owned by Eric E. Goldsworth and Tiffany Van Niel, now known as Tiffany Myers, necessary for the construction and maintenance of the Southerly Tunnel and Consolidation project and to provide for the consideration of \$1,500.00 determined by the fair market value to be deposited with the Cuyahoga County Probate Court.

Resolution No. 119-24      Authorization to appropriate one subterranean easement at the property known as PPN 131-20-073, located at 3470 East 52nd Street, in the City of Cleveland, owned by Diane Zajac and Sharon Roberts, necessary for the construction and maintenance of the Southerly Tunnel and Consolidation project and to provide for the

consideration of \$300.00 determined by the fair market value to be deposited with the Cuyahoga County Probate Court.

Resolution No. 120-24

Authorization to acquire one parcel in fee simple known as PPN 264-02-010, located at 6989 Stearns Road, in Olmsted Township, owned by the Romanian Orthodox Cathedral Buna Vestira, necessary for the construction of the Baldwin Creek Dell Haven Basin Near York Road project to enter into an environmental covenant with the Ohio Environmental Protection Agency and also to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC with total consideration of \$320,000.00 plus closing costs.

Resolution No. 121-24

Authorization to appropriate one subterranean easement at the property known as PPN 125-10-023, located at 3194 East 66<sup>th</sup> Street, in the City of Cleveland, owned by Mike Bugarcic, necessary for the construction and maintenance of the Southerly Tunnel and Consolidation project and to provide for the consideration of \$950.00 determined by the fair market value to be deposited with the Cuyahoga County Probate Court.

Resolution No. 122-24

Authorization to acquire one parcel in fee simple known as PPN 831-34-083, located at 1003 Woodlane Drive, in the Village of Mayfield, owned by Andrew Rindfleisch, necessary for the construction and maintenance of the Worton Park Phase 2 Culvert Replacement 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 \$349,000.00 plus closing costs.

**MOTION** – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 117-24 through 122-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the acquisition associated with Resolution No. 120-24. Matt Scharver, Director of Watershed Programs, explained that this resolution is related to wetland mitigation. NEORSD goes to great lengths to avoid impacts to wetlands, however, there are rare instances where wetlands must be impacted to optimize improvements. Mr. Scharver provided a map demonstrating the location of the project area, which is the Baldwin Creek Dell Haven Basin near York Road project in the City of Parma. The project involves a regional stormwater basin, which is currently 90% designed and will capture the 100-year event rainfall from the neighborhood. It is part of a four-phase project to deliver a 25-year level of

service to the intersection of Pleasant Valley and York Road, as well as the surrounding area which is prone to basement backups. Within the basin, there are some category one isolated wetlands, which are unavoidable in order to optimize the basin.

Through partnership with Ohio EPA, NEORSD identified a parcel in Olmsted Township that will allow NEORSD to capture an 8.5-acre parcel with 7 acres of category three isolated wetlands to use as in-watershed mitigation and will be protected with an environmental covenant in perpetuity.

President Brown requested additional information regarding Resolution No. 122-24. Mr. Scharver explained that this is a common transaction with Western Reserve Land Conservancy as one of NEORSD's property acquisition consultants. This particular acquisition is in partnership with the Village of Mayfield to acquire the parcel in order for the Village to implement a project for floodplain expansion that builds upon their prior culvert upsizing. All of these elements were recommendations arising from the Lake Erie Direct Tributaries & Chagrin River Master Plan. There will likely be the need for one additional acquisition to allow for daylighting of an adjacent culverted stream.

#### Authorization to Adopt Changes

Resolution No. 123-24      Adopting revisions to Title I – Sewer Use Code and Title V – Stormwater Management Code of the *District's Code of Regulations*, as presented.

**MOTION** – Mr. Sulik moved, and Mayor Chambers seconded to adopt Resolution No. 123-24. After the following discussion, without objection, the motion carried unanimously.

President Brown commented that presumably there are changes being made to align with existing procedures. Mr. Scharver replied affirmatively and explained that this resolution is to adopt the changes which were discussed in the March 21, 2024, Board meeting and sent to the member communities for review and comment. There were no comments from the member communities.

#### Authorization to Amend Resolution and Agreements

Resolution No. 124-24      Authorization to amend Resolution No. 203-23, adopted by the Board on August 3, 2023, authorizing the District to enter into agreements with Member Communities to fund Member Community Infrastructure Program (MCIP) projects for the 2024 round of funding, to:

- enter into a new agreement with the Village of Oakwood for the Alexander Road Septic Conversion Project in an amount not-to-exceed \$328,500.00 and

- to enter into a new agreement with the City of Parma for the Krueger Avenue Area Sewer Improvements Phase 3 project in an amount not-to-exceed \$1,500,000.00; and
- to further authorize:
- an amendment to Agreement No. 24002850 with the City of East Cleveland for the Target Area Sewer Replacement Phase 2 project to increase the grant by an amount not-to-exceed \$2,978,463.00; and
  - an amendment to Agreement No. 22008266 with the City of Garfield Heights for the East 126<sup>th</sup> Street and Wolf Creek Interceptor Relocation project to increase the grant by an amount not-to-exceed \$2,354,825.00; and
  - an amendment to Agreement No. 23001392 with the City of Parma for the Krueger Avenue Sewer Improvements Phase 2 project to increase the grant by an amount not-to-exceed \$475,000.00; and
  - an amendment to Agreement No. 22000601 with the City of Parma for the Green Acres Area Sewer Improvement project by an amount not-to-exceed \$775,000.00,
- for a cumulative increase of \$8,411,788.00, thereby bringing the total 2024 Member Community Infrastructure Program funding to a total amount not-to-exceed \$23,312,752.98.

**MOTION** – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 124-24. After the following discussion, without objection, by roll-call vote, with all present members voting yes, and recusal from discussion and abstention from voting by Mayor DeGeeter, the motion carried.

President Brown noted that the changes relate to the amount of money that is now available and presumably, there are projects that NEORSD did not fund, and requested additional discussion. Mr. Scharver answered affirmatively and explained that this opportunity arose from NEORSD's efforts to continually review its financial assets. This is to provide for two new awards under the Member Community Infrastructure Program (MCIP) to the Village of Oakwood and the City of Parma, both of which submitted applications for 2024 funding. NEORSD initially was not able to fund the projects and is now able.

Additionally, there are four amended agreements with additional funds provided to projects that are already underway, to help those projects move into construction. All of the projects address either residential basement backup remediation or removal of home sewage treatment systems in the service area.

## VI. Information Items

President Brown noted that the Financial Report Investment Advisor Performance Report for the three-month period ending March 31, 2024, was included in the meeting materials and any questions should be directed to Ken Duplay, Chief Financial Officer, separately.

Frank Foley, Director of Operation and Maintenance, provided the Operation and Maintenance (O&M) quarterly report for the first quarter of 2024, beginning with safety. Through Q1, there have been two lost workdays, due to an employee having an allergic reaction to a dog that was brought into EMSC to sniff out bedbugs. The DART rate, which is the number of incidents per 200,000 work hours, is just under 1 for O&M and at or about .5 for NEORS as a whole. The internal threshold is 2.

Mr. Foley provided graphics demonstrating effluent quality measurements and explained that all permit limits were met at all wastewater treatment facilities, including suspended solids concentrations, CBOD, and phosphorus. In February, phosphorus was approaching NPDES permit limits at the Westerly WWTC, and staff continues to optimize ferric chloride feed to regulate levels. There were incidents of higher-than-normal influent phosphorus. There was also an issue of an inline phosphorus meter that is used to measure phosphorus in the WWTC. There is no reporting for *E. coli* for the first quarter, as that is only monitored during recreation months, beginning May 1, and ending October 31 each year.

Mr. Foley provided graphics demonstrating maintenance costs at each facility and explained that the Southerly WWTC has the highest costs. Going forward there will be an effort to separate the costs from the Renewable Energy Facility (REF) and the Southerly WWTC.

The collection system and the Westerly WWTC had higher preventative maintenance costs than corrective maintenance costs. Accordingly, labor costs were higher than material and equipment maintenance costs at these locations.

There was one dry weather overflow in the collection system in the first quarter of 2024, due to debris in the system. The automated wet weather collection system equipment was available 100% of the time.

O&M created another budget center this year by separating building maintenance into building maintenance and building systems. The building systems budget center is responsible for maintaining the District's HVAC systems. There are eleven O&M budget centers total, with a combined operating budget of \$71.25 million for the year. Through the first quarter, \$15.7 million was spent, with the bulk of the variance between budget and actual spending attributable to electricity, chemicals, maintenance hourly wages, and sludge hauling and disposal. Spending this year is on track with this time last year at just under \$250,000 more spent than last year.



As for staffing, there were 10 position changes in the first quarter, nine of which were promotions and one employee who chose to return to their previous position. Travis Pitts was promoted to Superintendent of the Westerly WWTC, and Grant Beard was promoted to Facility Technician. Mr. Foley congratulated all of the promoted staff members. There are 8 new employees in O&M, including difficult-to-fill positions such as Fleet Services Mechanic, Instrument Technician, and Plant Maintenance Electrician.

Mr. Foley invited Joseph Yance, Superintendent of Plant Maintenance, to discuss the Gravity Thickener Weir Bubbler System project, which is an enhancement to the treatment process, and the Cake Bin Floor Replacement project, which is a cost savings project. Both projects are located at the Southerly WWTC.

The Southerly WWTC handles 115 dry tons of solids per day and has six gravity thickener tanks that receive flow from primary sludge. Typically, solids are pulled to the bottom of the tank and clean water overflows the weirs through the top. Floatable debris was blocking the weirs, causing short circuits, and decreasing efficiency. Attempts at hosing away the debris were unsuccessful. A maintenance manager came up with the idea to install an air bubbler system to break up debris and keep the weirs clean. Staff installed a bubbler header in the system which is comprised of 270 feet of pipe with approximately 180 air nozzles, as well as air control valves to run two tanks at a time. The bubbler runs for five minutes per hour in each tank and has been very effective.

Regarding the Cake Bin Floor Replacement project at the Southerly WWTC, sludge is dewatered to approximately 30% solids. It is dewatered through centrifuges before going to the cake bins, then to the incinerator. The cake bin is approximately 13.5 feet in diameter and 10 feet high. Once the cake is in the bin, it is manipulated by a sliding frame, which causes wear on the floor. This created an issue with cake leaking out of the bottom of the bin. Staff requested several quotes to repair the issue, but it would be extremely expensive to hire an outside contractor. Staff determined that they could complete the repairs in-house. Mr. Yance provided photographs of various stages of the project including the end result. The quote from the manufacturer to perform the repairs was \$152,000, and NEORSD spent \$55,900 on materials and labor to perform the repairs in-house, for a savings of \$96,000 for this tank alone. There are two other tanks that will require similar repairs.

The team that performed the Cake Bin Floor Replacement project received the Employees of the Quarter Award and was comprised of Tom Ford, Plant Maintenance Manager; Za-Non Miller, Maintenance Worker; Rickey Tanno, PUMP Welder; Rafael Torres, PUMP Maintenance; Frank Kasmerski, UMP Systems Utility Maintenance; Chris Daniel, PUMP Maintenance; Kevin Runyeon, PUMP Maintenance; Joseph Michnicki, UMP Plant Utility Maintenance; Daniel Schoeffler, UMP Plant Utility Maintenance; and Efrain Fernandez, PUMP Maintenance.

VII. Open Session

Mayor DeGeeter recognized two City of Parma employees that were in attendance, Patel Hasmukh, Chief Engineer, and Paul Shirley, Assistant Engineer. Mayor DeGeeter added that the City's motto is progress for partnership, which the engineers embody in their work, and thanked them for attending. Mr. Foley accredited filling the positions to the new collective bargaining agreement and the hard work of existing staff. Mr. Foley welcomed the new employees to NEORSD.

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), (G)(4), and (G)(1), 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; and to consider the employment and appointment of a public employee. By roll call vote, the Board voted unanimously to enter into executive session at 1:18 p.m.

The Board returned to open session at 2:03 p.m.

X. Approval of Items from Executive Session

Resolution No. 125-24	Authorization to enter into two-year requirement contracts for sludge cake removal services with Ohio Bulk Transfer Company in an amount not-to-exceed \$510,324.66 for the Southerly Wastewater Treatment Center and with Kimble Company in an amount not-to-exceed \$2,818,808.30 for the Westerly Wastewater Treatment Center, in a total amount not-to-exceed \$3,329,132.96 for both contracts combined.
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**MOTION** – Mr. Sulik moved, and Mayor Chambers seconded to adopt Resolution No. 125-24. Without objection, the motion carried unanimously.

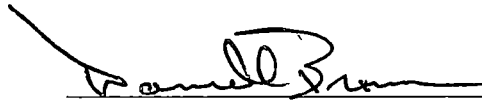
XI. Adjournment

**MOTION** – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 2:05 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