

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
August 1, 2019

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District was called to order at 12:33 p.m. by Darnell Brown.

I. Roll Call

PRESENT: D. Brown
R. Sulik
R. Stefanik
T. DeGeeter
J. Bacci

ABSENT: J. Ciaccia
S. Dumas

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 July 18, 2019, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

CEO Kyle Dreyfuss-Wells began with an update on Irishtown Bend. The District's Westerly Low Level Interceptor (WLLI) sewer runs through this area of slope instability in the City of Cleveland, along the Cuyahoga River. The District has been working with the Port Authority, the City, NOACA, ODOT and others to figure out a solution and funding source for this issue of instability which is again causing structural problems for the sewer.

Ms. Dreyfuss-Wells noted two big developments from the last couple of weeks: (1) the Port Authority has entered into a contract with Osborne Engineering to design the stabilization and bulk-heading fix and the District, through Doug Lopata, Program Manager for the Engineering and Construction Department (E&C), is part of that team; and (2) NOACA was awarded \$9 million last week from the U.S. Department of Transportation as part of an Infrastructure for Rebuilding American ("INFRA") grant. The grant is focused on rebuilding the bulkheads and stabilizing the hillside at Irishtown Bend. The grant will help toward the funding for this fix. In September, a

resolution will be presented for Board consideration requesting approval to participate financially in this fix, to the extent that it protects the District's sewer.

Next, Ms. Dreyfuss-Wells noted that last week the State passed its biennial operating budget in the amount of \$69.8 billion. The H2Ohio Fund is now in effect. This includes funding for wetlands, best management practices for farmers and some additional planning and research work with a total of about \$90 million for this fiscal year 2020. The second year is also funded with less specificity about the funding and the District will continue to work with the Ohio Lake Erie Commission to make the pitch for local infrastructure issues as part of that funding solution. The budget bill also included some amendments to Ohio Revised Code Chapter 6119 that the District has been working on with the good work of the Legal Department and the help of our state advocates, with support from Senator Dolan. These amendments give 6119 districts greater financial and contracting flexibility to work with non-governmental entities as well as others on water resource projects. For the District, in particular, it gives clarity to the green infrastructure grants, our affordability programs and partner projects.

During the months of May, June and July, the District received a series of awards including on May 23rd Kathryn Crestani, Enterprise Biosolids and Residuals Superintendent, received the 2019 Merrill L. Riehl Award which recognizes an individual dedicated to education and professional advancement of wastewater treatment plant operators. Also, at the Ohio Water Environment Association's (OWEA) Annual Conference SSMO received the Collection System of the Year Safety Award and Southerly, Easterly and SSMO were recognized with safety certificates. Kristen Greenwood, a supervising biologist, received the Crystal Crucible Award which honors individuals working to promote increased professionalism in the wastewater laboratory field. At National Association of Clean Water Agencies (NACWA) summer conference the District received the 2019 Clean Water Advocate Award for work on the 50th anniversary and NACWA highlighted that the District exhibited proactive and multi-tiered approach to advocacy related to that work.

V. Action Items

Authorization to Advertise

Resolution No. 191-19

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for snow plowing services at District facilities with an anticipated expenditure of \$75,000.00.

Resolution No. 192-19

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for up to 2,220,000 dry pounds of Ferric Chloride Solution at all Wastewater Treatment Plants as a twelve-month

requirement contract and an anticipated expenditure of \$570,000.00.

MOTION – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution Nos. 191-19 and 192-19. Without objection, the motion carried unanimously.

Authorization to Issue Request for Proposals (RFP)

Resolution No. 193-19

Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for the Avaya Phone System Upgrade project.

MOTION – Mr. Sulik moved and Mayor Stefanik seconded to adopt Resolution No. 193-19. Without objection, the motion carried unanimously.

Resolution No. 194-19

Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for the Easterly/Westerly Electrical Service Improvements project.

MOTION – Mr. Sulik moved and Mayor Bacci seconded to adopt Resolution No. 194-19. Without objection, by roll call vote, the motion carried with all present members voting yes and recusal from discussion and voting abstention by Mr. Brown.

Authorization to Purchase

Resolution No. 195-19

Authorization to purchase replacement parts, as-needed, for replacement of metallic sludge collector parts for the primary settling tanks at the Easterly and Southerly Wastewater Treatment Plants from sole source vendor Polychem Systems in a total amount not-to-exceed \$200,000.00.

MOTION – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution No. 195-19. Without objection, the motion carried unanimously.

Authorization to Enter into Agreement

Resolution No. 196-19

Authorization to enter into a loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development

Authority to accept WPCLF funding for design and construction costs related to the Barberton Creek/Dille Pump Station Upgrades project for a total amount up to \$2,177,198.00.

Resolution No. 197-19

Authorization to enter into a loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority to accept WPCLF funding for design and construction costs related to the Easterly and Westerly Low Voltage Equipment Replacement project for a total amount up to \$11,094,242.12.

Resolution No. 198-19

Authorization to enter into a loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority to accept WPCLF funding for design costs related to the District-Wide Solids Handling Improvements Study for a total amount up to \$582,540.00.

Resolution No. 199-19

Authorization to enter into a two-year agreement with RoviSys for assistance with workload and professional staff augmentation for the Process Control and Automation Department under the Support Services for Controls project in an amount not-to-exceed \$1,000,000.00.

Resolution No. 200-19

Authorization to enter into a one-year agreement with Paladin Protective Systems, Inc. for upgrade of video surveillance security systems and related maintenance and support under the Southerly Security Systems Upgrade project in an amount not-to-exceed \$426,340.20.

MOTION – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution Nos. 196-19 through 200-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested further explanation on the work to be accomplished in reference to Resolution No. 198-19. Devona Marshall, Director of Engineering and Construction stated that under this project, which the Board approved at the last meeting by authorizing the District to enter

into a contract with Black & Veatch, the District will perform a study of issues identified at Southerly relating to the solids handling system. These problems were identified during the annual capital planning process. Under this project, the issues will be evaluated and recommendations will be made related to capital improvement projects and, potentially, operation and maintenance projects. In addition, the District has a task in this project to look at Westerly sludge, including the potential of bringing the sludge to Southerly for treatment in the REF facility. As part of that, the District will also evaluate a related opportunity to have a potential merchant facility that would allow the District to take sludge or other materials from outside vendors.

Next, Mr. Brown requested an explanation on Resolution 200-19. Mohan Kurup, Director of Information Technology, stated that this resolution deals primarily with the cameras at Southerly. Southerly has the largest number of cameras and was the location that was implemented first for video surveillance. The useful life of the cameras is approximately five (5) years. Easterly and Westerly cameras are expected to need replacement in 2022.

Mr. Brown asked if this is for cameras at door entrances. Mr. Kurup agreed that this is primarily cameras used by both Security and Operations. Also, things like door swipes and electronic key card access are handled by Security through O&M which does analysis of security needs and participates with IT for security system and business network requirements for new buildings or facility updates that may affect these systems.

Authorization to Amend Agreement

Resolution No. 201-19

Authorization to Amend Agreement No. 18003974 with GPD Group for the West Creek Bank Stabilization in Brooklyn Heights project to increase the agreement amount by \$681,062.38, thereby bringing the revised total agreement amount to \$2,222,092.38.

Resolution No. 202-19

Authorization to Amend Agreement No. 13000804 with Brown & Caldwell for the CEHRT Preliminary Design Development project to increase the total agreement amount by \$200,000.00, thereby bringing the revised total agreement amount to \$4,447,980.00.

Resolution No. 203-19

Authorization to Amend Agreement No. 19000231 with Kokosing Industrial, Inc. for the Easterly Bar Screen Conveyor Belt Rehabilitation project to incorporate a Guaranteed Maximum Price of \$3,109,974.00, thereby bringing the revised total agreement amount to \$3,306,974.00.

MOTION – Mr. Sulik moved and Mayor Bacci seconded to adopt Resolution Nos. 201-19 through 203-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested further explanation on Resolution No. 202-19. Frank Greenland, Director of Watershed Programs, stated that there is some history at the West Creek site. There are significant erosion issues that are threatening multiple structures and there are also structures in place in the stream that provide water quality impediments. He said that funding was requested for the WRRSP project about 15 years ago to address these issues and the hold-up was with ODOT not being comfortable with certain project elements that would remove a flume under I-480. Now the situation has worsened. Mr. Greenland then introduced Kim Colich, Stormwater Design Manager, to discuss this project.

Ms. Colich displayed a slide showing a map of West Creek and the areas that were targeted for repair under the original agreement with GPD. During the pre-design phase of that project, data was collected, evaluated, surveyed, and modeling and geotech was performed. A lot of inspection was done and a recommendation was made to do a more wholistic fix to stabilize this stretch of West Creek which is approximately 6,000 feet long. The original contract amount was just over \$1.5 million. This contract amendment is for an additional \$680,000. The amendment would change the BOP commitment of the project to 19.6 M/WBE and 7.6 SBE. The original overall contract BOP goals are still being exceeded in this contract amendment. Through the pre-design, the District noticed that the preferred alternative would be to a more wholistic approach or a raised grade approach.

Next, Ms. Colich provided slides showing the infrastructure that is being threatened by the erosion, specifically Lancaster Road Bridge as well as the concrete channel along I-480. A raised grade approach would raise up the invert of the stream anywhere between 2 and 8 feet, which will be determined during design phase. This will elevate the stream channel closer to pre-development conditions. The channel has been incised and degraded through time because of the stream energy, due to the increased imperviousness upstream from development. The design would lower the stream gradient so energies would be reduced by reducing the slope of the creek. Raising the grade would also create a larger cross-sectional area to allow access to some of the floodplain which would reduce the velocities and energies. It would also remove all fish passage barriers. An additional benefit would be possible elimination of the need for any structural walls at the ODOT channel. Ms. Colich stated that there have been projects in the past that have not gone so well in this particular stretch of West Creek, so this approach would set the project up for future success. The original construction estimate was just over \$7 million and the revised construction estimate is just over \$18 million. For design and construction there will be about a six-month delay. Construction duration will be a little bit longer because of the increase in the work.

Mr. Brown stated that he thought the increase in engineering costs was significant but the District is tripling what the construction costs will be based on what is expected to be discovered and what has to occur not only for remediation but also for the fish passage and everything else associated

with this project. He is concerned with what happens in the aftermath. He has seen the effects of what happens when water gets behind walls, etc.

Mr. Greenland stated that the trick is to keep the rocks in place. This area looks a lot like Big Creek along I-71 and there was a similar approach there. Erosion in these areas is significant and it is getting worse daily. He said the regional stormwater management program (RSMP) will move into larger projects to tackle erosion issues and/or flooding and these will all be consistent with master plan findings.

Ms. Dreyfuss-Wells added that it is important to pick up on one point that Ms. Colich raised which is the restoration of floodplain function that is non-existent here. The idea of raising up the stream to meet its floodplain is a good in terms of limiting the need for maintenance and the need for these walls.

Mr. Greenland stated that the discussions with ODOT have been favorable. This project is one of ten on a list for the Cuyahoga River Area of Concern ("AOC").

Authorization of Contract Modification

Resolution No. 204-19

Authorizing final adjusting change order for Contract No. 18002691 with ABC Piping Co. for the Easterly Grease Handling Improvements project by decreasing the contract amount by \$137,142.98, thereby bringing the total contract amount to \$1,832,357.02.

MOTION – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution No. 204-19. Without objection, the motion carried unanimously.

Sewer Use Code Matters

Resolution No. 205-19

Adopting the findings of the Hearing Officer with regard to the sewer charges on the account of Ms. Valerie Burkes, Sewer District Hearing No. 19-019, that the customer's request be denied.

MOTION – Mr. Sulik moved and Mayor Bacci seconded to adopt Resolution No. 205-19. Without objection, the motion carried unanimously.

Authorization to Reject and Re-Bid

Resolution No. 206-19

Authorization to reject bids and re-bid the Jennings and Old Denison Combined Sewer

Cleaning 2019 project, with an anticipated expenditure of \$1,200,000.00.

MOTION – Mayor Bacci moved and Mr. Sulik seconded to adopt Resolution No. 206-19. Without objection, the motion carried unanimously.

Authorization to Enter into Memorandum of Understanding

Resolution No. 207-19

Authorization to enter into a Memorandum of Understanding with the Ohio Patrolman's Benevolent Association (OPBA) to Amend Appendix A of the OPBA Collective Bargaining Agreement by increasing the standard hourly rate for Security Officers by \$0.01 higher in 2018, \$0.02 higher in 2019, and \$0.04 higher in 2020.

MOTION – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution No. 207-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested a brief discussion on Resolution 207-19.

Angie Smith, Director of Human Resources, responded that the District is correcting a mistake in the way rates were calculated which was different than past practice. The rates included the shift premium in a place where it should not have been included which made the rates higher for certain classifications. Instead of lowering those classification rates, the District wants to increase the standard hourly rate.

Property Related Transaction

Resolution No. 208-19

Authorizing the District to acquire one permanent stormwater easement on a portion of PPN 583-25-002, located on Harris Road in the City of Broadview Heights, owned by the Board of Education of the Brecksville School District, necessary for the construction and maintenance of the Chippewa Creek at Harris Road, Broadview Heights project with total consideration of \$1.00.

Resolution No. 209-19

Authorization to acquire one parcel in fee simple, located at 9186 North Bedford Road in the City of Macedonia, and known as Summit County PPN 33-02530, owned by Thomas and

Catherine Loya, necessary for the construction and maintenance of the Indian Creek SWMP Project Area 2-Bedford/Ledge Flooding project and to enter into a lease agreement with the Loyas with total consideration of \$168,000.00 plus closing costs.

Resolution No. 210-19

Authorizing the District to acquire one permanent easement and four temporary easements on a portion of PPN 008-29-004, located on West 11th Street in the City of Cleveland, owned by the City of Cleveland, necessary for the construction of the W. 3rd Quigley/Westerly Miscellaneous CSO Control project with total consideration of \$15,200.00.

MOTION – Mr. Sulik moved and Mayor Bacci seconded to adopt Resolution Nos. 208-19 and 209-19. After the following discussion, without objection, the motion carried unanimously.

MOTION – Mr. Sulik moved and Mayor Stefanik seconded to adopt Resolution No. 210-19. Without objection, by roll call vote, the motion carried with all present members voting yes and recusal from discussion and voting abstention by Mr. Brown.

VI. Information Items

1. Financial Investment Advisor Performance Reports for the 2nd Quarter 2019.

Ken Duplay, Chief Financial Officer, stated that the District is tracking well against the budget revenue and expenses, meeting all financial metrics and the requirements of the investment policy.

2. Operations and Maintenance Quarterly Board Update

Frank Foley, Director of Operation and Maintenance (O&M), began his update on safety by presenting a chart to the Board with the total lost workdays and the total restricted workdays for the years 2016 through 2019. The number of lost and restricted workdays for 2019 has been driven primarily by the number of accidents that occurred in the first quarter. There were seven lost-time accidents during the first quarter and another three during the second quarter. Approximately three-quarters of the lost work days shown in the chart, were driven by those accidents that occurred in the first quarter and approximately two-thirds of the restricted work days were driven by accidents that occurred in the first quarter. Mr. Foley stated that the District is doing better but not where he would like to be.

Next, Mr. Foley showed a chart with a breakdown of the types of safety events that have occurred, including one caught-between, four slips, trips and falls, three strains or sprains, one struck by and one motor vehicle accident that resulted in lost or restricted time. He showed a slide on the days

away restricted or transferred (“DART”) rate, which is the number of incidents per 100 full-time employees that result in lost or restricted workdays – the District’s target being a DART rate of 2.0. He said the District is currently over the target for both District-wide and O&M, mostly because of events of the first quarter. For the second quarter, the DART rate for the District is about 1.0 and the DART rate for O&M is right around the goal of 2.0.

Mr. Foley said there are a number of risk reductions that the Health and Safety group is taking on this year including developing a training reference guide for supervisors and managers, providing new manager and supervisor hazard awareness and responsibility training, developing Safety 101 and 102 courses for new hires, publishing a calendar of regularly-scheduled safety classes, improving training methodologies and also revising health and safety policies as needed.

Next, Mr. Foley discussed effluent quality related to total suspended solids at each of the plants. A chart was presented to the Board demonstrating that for the second quarter, the District was below the monthly limits at all 3 plants. Mr. Foley pointed out that Westerly, during the month of June, showed 15 for the month which is approaching the 20 milligram per liter and NPDES permit limitation. He noted that in the third week of June at Westerly, the plant exceeded the weekly limitations for suspended solids due to a buildup of solids in the plant and a number of wet weather events.

Similar charts for carbonaceous biochemical oxygen demand (CBOD), phosphorus, and *E. coli* also show the District was below the allowable limits for the second quarter at all 3 plants. Mr. Foley stated that this year the District is utilizing a more stringent, sensitive method to detect *E. coli* densities in the plants so there were some challenges early on, but he is proud of the job done by plant staff. He also noted that because of the more sensitive method that O&M is using, the District is using more sodium hypochlorite and more sodium bisulfite to disinfect and then dechlorinate the effluents.

Mr. Foley stated that in June, at the Easterly plant, a notice of violation was received from the Cleveland Division of Air Quality for a flag retirement ceremony that actually happened in June of 2018. Plant staff filled out the paperwork for the permit and received clearance from the Cleveland Fire Prevention Bureau, created a purchase requisition and went through the District’s process. The Division of Air Quality needed a hard copy check so, despite the fact that our process is electronic, a manual step was required for the check and the application to be sent. This step did not occur. During a review of outstanding purchase orders, it was discovered that the District owed the Division of Air Quality \$50.00. The District issued the check and sent it to the Division of Air Quality and they, in turn, issued the notice of violation.

Moving on to maintenance and dry weather overflow minimization, the District has four dry weather overflows within the collection system for the year so far compared to 11 for last year. A slide was presented that showed the automated equipment wet weather performance at almost 100 percent, with only a couple of minor issues in June.

Mr. Brown noted that a comparison of precipitation would also be interesting. Mr. Foley said he did not have that information, but he can look into it.

Mr. Greenland added that this is dry weather overflows. The significance here is that many years ago the numbers were not in single digits, they were much higher. Systematic investments that the District made to raise weirs and replace weirs and do the things to dramatically reduce this total is a tribute to the SSMO staff. They are cleaning out the regulators that are most prone to blockage so this number is well below what it used to be.

Mr. Brown said context is always what he is looking for and Mr. Foley said he will try to provide historical context going forward.

Mr. Foley next provided a slide regarding planned maintenance by facility that shows improvement at Southerly and Easterly compared to last year at this time but about the same at Westerly in the collection system.

Next, a slide was presented showing the budget performance for 2019 within O&M. The slide shows the 2019 budget at \$69.4 million, the actual spending for 2019 at \$29,792,000.00 and 2018 actual at \$62.9 million. The chart shows that the District is almost dead-on with spending through the second quarter of 2019 with what was spent for the same time period in 2018.

Mr. Foley moved to issues that could be potentially impacting morale within O&M. O&M is going through a lot of change right now with Operational Readiness Implementation. This is about changing the way facilities are operated. It is also about looking at process components and making decisions as they come to the end of their useful life as to whether they need to be replaced or if the District can save capital by not replacing. This is a big change for people that are not used to change. Also within the last couple of years there has been a lot of turnover in O&M staff in terms of staff retiring and some being promoted. Some view this as a good thing for morale and some see it as a negative thing.

Mr. Foley recapped some of the recent events, including the 50th anniversary of the Cuyahoga River fire event on June 22nd at Settler's Landing. There was an event on June 30th at Westerly which was a Cleveland Foundation Common Ground discussion. On this date, the plant was open to the public for tours. Just about every manager and members of the union staff were there. District employees sat with the public and had discussions about the environment. Mr. Foley said his point in bringing these events up in terms of morale discussion is that all of the events go to the pride that a lot of District employees have in the work they do and to be able to bring people into the facilities and show them the good work that is done is a source of pride for many employees.

Next, Mr. Foley introduced Doug Reichlin, Deputy Chief Operating Officer, to speak about Operational Readiness Implementation (ORI). Mr. Reichlin provided an update on the activities of the ORI project. The three components of the project being people, process and performance working towards continuous improvement and sustainability of that culture. There are about 86 tasks now and 32 of those have been completed for a total savings of about \$4 million per year on an ongoing basis. One of the projects is a follow up on something that was talked about last year

called the Prius mode for the incinerators and the second is potable water savings identified and implemented at Southerly.

The Prius Mode Savings is where the District runs one incinerator initially and then fills up storage because one incinerator is not adequate to take the full capacity of the sludge production. When storage is full, the second incinerator is turned on, the storage is backed down and the cycle repeats with the idea that there is some energy savings potential in that process. Mr. Reichlin showed a slide showing the cost areas of savings in natural gas, electricity and maintenance. So far, there have been 3 successful cycles this year and the savings gleaned out of that is summarized on the slide. Because the District is constantly loading each incinerator at a higher level, there is a higher level of autogeny which means they burn on their own without the addition of natural gas. The sludge itself has enough energy to sustain the burning. The net savings is about \$175,000.00 per year.

Mr. Reichlin moved to fluid bed incinerator electricity and indicated that each incinerator train consumes about 800 kilowatts of electrical draw when operating. If the District is running 2 incinerators at 60% versus 1 at 100% and then 2, there is downtime where the savings is 800 kilowatts or \$100,000.00 to \$200,000.00 savings. Because the District is running the rotating equipment, incinerators and boilers, etc. with less run time hours in a year, the District expects to see long term savings in the maintenance projected at about \$125,000.00 per year. The total savings that is expected from this project is about \$400-\$500,000.00 per year.

Moving on to the Southerly Seal Water System Savings Performance project, Mr. Reichlin said that this is actually a facility that was installed several years ago and for a variety of reasons was not in service. Since then, a team has been working on this and the bugs have been worked out. Leaks were fixed and modifications were made. The system is up and running and supplied by non-potable water that comes from effluent – which is free. The District is recycling water internally and saving about \$200,000.00 a year in city water consumption prices. He said the District is also looking to extend the system to some remaining areas of the plant and increase those savings by another \$50,000.00 per year.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session


MOTION - Mayor Bacci moved pursuant to Ohio Revised Code 121.22(G)(1) to enter into Executive Session to consider the compensation of public employees. Roll call vote: all yes, enter into executive session at 1:27 p.m.

X. Approval of Items from Executive Session (if necessary)


There were no items.

XI. Adjournment

MOTION – Mr. Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved and Mr. Sulik seconded the motion to adjourn at 2:08 p.m. Without objection, the motion carried unanimously.



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



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