MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
SEPTEMBER 17, 2026

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District (NEORSD) was called to order at 12:30 p.m. by Darnell Brown.

I. Roll Call

Present: Darnell Brown
Ronald Sulik
Timothy DeGeeter
Sharon Dumas
Samuel Alai
Jack Bacci

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 September 3, 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 31st Cleveland City Councilman Richard Starr joined NEORSD staff for a tour of the Kingsbury Run Consolidation Sewer Construction site, which is located within his ward. The tour was scheduled as part of NEORSD's ongoing efforts to educate elected officials about its work. Councilman Starr has joined NEORSD staff for several presentations on projects in his ward over the years and noted that he looks forward to engaging in the restoration of these sites with community partners. Ms. Dreyfuss-Wells thanked staff from Government Affairs and Engineering and Construction for organizing and participating in the event.

Ms. Dreyfuss-Wells reminded the Board that during Sturgeon Fest 2025 more than 2,000 juvenile Lake Sturgeons were reintroduced into the Cuyahoga River. This was an important milestone in

the recovery of the Cuyahoga River, that it is clean enough to provide a healthy habitat for this endangered fish species. Last month crews from U.S. Fish and Wildlife Service recaptured three of the released sturgeon near the river mouth, for examination before returning them to the water. This is significant because it means that the fish survived their first year. Lake Sturgeon can live for more than 100 years. This is a historic environmental achievement and NEORSD is happy to join its clean water partners for Sturgeon Fest 2026 on September 19th.

NEORSD's signature outreach event, Clean Water Fest, is also scheduled for Saturday, September 19, 2026. The event will begin at EMSC at 9:00 a.m. There were more than 2,000 guests in attendance last year. As always, there will be tours of the Southerly WWTC and lab, games, food, and education. It is an opportunity to engage with NEORSD staff and learn more about the District's work.

V. Action Items

Authorization to Advertise

Resolution No. 156-26	Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the Easterly Bar Rakes and Bar Screens Rehabilitation project, with an estimated probable construction cost of $1,800,000.00.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 156-26. Without objection, the motion carried unanimously.

Authorization to Re-Bid

Resolution No. 157-26	Authorization to publish a revised notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the Southerly Tunnel Dewatering Pump Station project, with a revised estimated probable construction cost of $82,000,000.00.

MOTION – Mayor Alai moved, and Mayor Bacci seconded to adopt Resolution No. 157-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the project associated with Resolution No. 157-26.

Robin Rupe, Director of Engineering and Construction, explained that the Southerly Tunnel Dewatering Pump Station is the remaining project under Control Measure 21 of the Consent Decree. This structure will collect the water from the Kingsbury Run Consolidation Sewer and the Southerly Tunnel and pump it into the Southerly WWTC for full treatment, once the WWTC is able to provide such capacity.

The project was advertised for bids in early April, with an engineer's estimate of $71 million, which was at the lower end of the engineer's estimate; however, NEORSD staff was comfortable with that number. Since that time, NEORSD extended the bid period to approximately four months, because NEORSD had other large-scale projects open for bids at the same time. Due to more recent geopolitical instability, there have been major increases in electrical, fuel and steel costs, contributing to the increased engineer's estimate of $82 million. With the ability to award bids that are up to 20% over the engineer's estimate, staff are confident that NEORSD should be able to move forward with the construction of the project.

Authorization to Issue Request for Proposal (RFP)

Resolution No. 158-26	Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for professional testing and construction inspection services for 2027-2031 under the Engineering & Construction Department's Capital Improvement Program.
Resolution No. 159-26	Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for design and construction administration/resident project representation services for the BCSO-3 Tunnels and Regulators project.
Resolution No. 160-26	Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for software and professional services for stormwater billing support services.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 158-26 through 160-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the services associated with Resolution No. 158-26.

Ms. Rupe explained that NEORSD has relied on these support services for several years under Project Clean Lake. The additional staff augment both an oversight on the construction projects as well as testing and inspection services, across various specialties such as steel, soil testing, painting, and asphalt. This staff will help to supplement existing staff for a five-year period.

NEORSD currently has five contracts for such and support and anticipates having approximately three to five contracts to support the CIP over the next five years.

Authorization to Purchase

Resolution No. 161-26	Authorization of $300,000.00 to purchase as-needed spare parts from sole source vendor Schwing Bioset, Inc. to repair and maintain Schwing Bioset material handling equipment at the Southerly and Westerly Wastewater Treatment Centers.

MOTION –Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 161-26. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 162-26	Authorization to enter into a professional services agreement with Stantec Consulting Services, Inc., for design and construction administration/resident project representation services for the Southerly Generator #5A Permanent Replacement project in an amount not-to-exceed $1,698,354.09, all of which will be submitted to the District's insurance carrier as part of the fire loss claim.
Resolution No. 163-26	Authorization to enter into a project agreement with West Creek Conservancy to provide funding toward the acquisition of the 10.55-acre property known as PPN 551-08-001, located at 2338 Rockside Road, in the City of Seven Hills, owned by Daniel A. Dabrowski, necessary for the operation of culverted stormwater assets within West Creek-Seven Hills Problem Area 7, as identified by the Cuyahoga River North Stormwater Master Plan, in an amount not-to-exceed $750,000.00.

MOTION – Mayor Alai moved, and Mr. Sulik seconded to adopt Resolution Nos. 162-26 through 163-26. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that Resolution No. 162-26 relates to the permanent replacement of the temporary generator that has been in place since the original generator caught fire and requested additional explanation.

Ms. Rupe explained that this project will be designed for a permanent generator to be installed as well as to demolish and remove the existing generator which caught fire. Additionally, there will

be an effort to provide a more permanent installation for the temporary generator to provide additional support to the plant during the curtailment programs going forward.

Authorization to Amend Agreement

Resolution No. 164-26	Authorization to amend Agreement No. 26000772 with MKA International, Inc. for Southerly Generator No. 5 cause and origin investigation services, to increase the agreement amount by $50,000.00, thereby bringing the total agreement amount not-to-exceed $125,000.00, all of which will be submitted to the District's insurance carrier as part of the fire loss claim.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 164-26. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that this Resolution also pertains to the fire of Generator #5 and requested additional information.

Eric Luckage, Chief Legal Officer, explained that MKA International is NEORSD's investigator as to the cause and origin of the generator fire. They were retained with the recommendation of their services from NEORSD's insurance broker, Willis Towers Watson. The other parties involved, Ohio CAT, Caterpillar, and the insurance carrier AIG, each have their own investigators.

The original engagement with MKA International to try to understand the cause of the fire was for an estimate of $22,700. It became apparent that additional work was necessary and NEORSD increased the contract amount to $75,000. As the process has continued, there is more work than was initially anticipated. The investigation has required various phases, including a trip to a lab in Dayton for inspections. MKA International is currently working on drafting their report as to the cause and origin of the fire. There may be additional work required after the report is completed for additional investigation or subrogation claims.

NEORSD is requesting an additional $50,000, with the belief that $125,000 will be enough to complete the process. All costs related to the matter will be submitted under the insurance claim for reimbursement.

President Brown added that this process should also help to inform prevention of such an event happening again and asked if the consultant is doing any work in this regard.

Devona Marshall, Chief Operating Officer, explained that the information that is being gathered will inform both the design of the new generator and any necessary improvements to the existing generators.

Property Related Transaction

Resolution No. 165-26	Authorization to acquire one parcel in fee simple known as PPN 457-29-005, located at 11605 W. Pleasant Valley Road, in the City of Parma, owned by Gina Wright, necessary for the construction and maintenance of the SWMP Project Area 6 – Flood and Erosion Reduction Near York and Pleasant Valley Roads (BDPA06) project, and to allow for the entirety of the payment to be disbursed to Innovative Title and Escrow Services, LLC, with total consideration of $230,000.00 plus closing costs
Resolution No. 166-26	Authorization to acquire two subterranean easements, one permanent sewer easement, and two temporary easements, at the parcel known as PPN 022-17-013, located on Emery Road and being part of Emery Park, in the City of Cleveland, owned by the City of Cleveland, necessary for the construction and maintenance of the Big Creek Tunnel project, with total consideration of $220,400.00, and further authorization to enter into a project agreement with the City of Cleveland for post project construction site restoration at Emery Park, in a total amount not-to-exceed $450,000.00, for a total amount not-to-exceed $670,400.00.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 165-26 through 166-26. Without objection, the motion carried unanimously.

Authorization to Grant Credit

Resolution No. 167-26	Authorizing the District to issue a credit adjustment in the total amount of $32,554.70 against sewer charges on the account of Margaret Cassidy (Trustee), 8963 Brecksville Road, Brecksville, ending in 5685.

MOTION – Mayor Alai moved, and Mayor Bacci seconded to adopt Resolution No. 167-26. Without objection, the motion carried unanimously.

Assist Member Communities in Project Nominations and Seeking Funding

Resolution No. 168-26	Authorization to assist member communities Cleveland Heights, Parma, and East Cleveland in nominating projects to the Ohio EPA for Supplemental Infrastructure Investment and Jobs Act funding, as presented, and authorization of the CEO to substitute, add to,

or remove from the presented projects list, if necessary, all at no cost to the District.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 168-26. 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.

VI. Information Items

President Brown informed the Board that the Certification of Direct Bill Delinquent Sewer and Stormwater Accounts to Cuyahoga and Lorain Counties as well as the Municipality Breakdown 2026 Final Certification were contained in the meeting materials and any questions should be directed to Ken Duplay, Chief Financial Officer.

Ms. Rupe provided the Program Management Status Report and Update for August 2026, beginning with cashflow. Through the end of August, the CIP cashflow at the program level totaled almost $165 million, of which 12.46% or $20.5 million was reported under the Business Opportunity Program (BOP).

Regarding key performance indicators (KPIs) at the project level, the Easterly Headworks Bar Rakes and Bar Screens Rehabilitation project achieved design completion within 60 days of planned, meeting that KPI, as did the project to relocate and replace the outfall of CSO-203 located at the East 55th Street Marina.

The Westerly Trickling Filters and Solids Contact Aeration Improvements project did not meet the KPI for engineer's estimate being within 10% of the three lowest bids, as only one bid was received at 16.65% above the engineer's estimate; however, the construction contract was awarded within 60 days of the average of planned, meeting that KPI.

The Easterly Fire Alarm System Replacement did not meet the KPI for engineer's estimate which was $4.8 million, because the project came in under budget at $3.2 million. The construction contract was awarded within 60 days of the average of planned, meeting that KPI.

The Easterly Chemically Enhanced High-Rate Treatment project, which will reduce the untreated CSO entering Lake Erie by 623 million gallons annually, met the KPI for the engineer's estimate being within 10% of the three lowest bids; however, the project was re-bid a couple of times and as a result, the construction contract was not awarded within 60 days of planned.

The Big Creek Tunnel is NEORSD's 7th large tunnel included in Project Clean Lake. It did not meet the engineer's estimate within 10% of the lowest three bids, but there were two bids within that range. The construction contract was awarded within 60 days of planned.

The Southerly Fluidized Bed Incinerator No. 1 Refractory Replacement project achieved substantial completion within 90 days of the original contract, meeting that KPI.

Ms. Rupe invited Tom Rundle, Construction Supervisor I, to discuss the Southerly Second Stage Aeration project.

Mr. Rundle explained that the project was designed to renew aging process infrastructure and design long-term treatment with reliability. Mr. Rundle provided a map of the Southerly WWTC, and the project area, as well as a description of the various machinery involved.

The project required a synchronized effort to coordinate two 28-day outages of the influent channels and the return activated sludge (RAS) headerpipe, while maintaining multiple workstreams running simultaneously to keep the tunnel, influent channels and aeration tanks moving forward together. This required close daily coordination between contractors, plant operations, and maintenance teams to ensure a smooth, on-schedule execution. The outages effectively cut the WWTC's capacity in half. This required the compliance team to formally notify the Ohio EPA and establish a regulatory framework to execute the work without violating permits.

Mr. Rundle explained that one of the benefits of the project was replacing stop logs with slide gates, which allow for safer and more reliable channel isolation, resolving a challenging maintenance issue, while improving safety. Ten new rectangle butterfly valves were installed which improved control and aeration.

Mr. Rundle provided before and after photos of the coarse diffuser upgrades, which improve biological treatment performance while reducing overall energy consumption for process air. Mr. Rundle provided additional before and after photos of improvements to the RAS System, which requires precision for maintaining the right biological solids inventory in the treatment process. There were also significant repairs made to the mortar and coatings in the surrounding areas.

The time constraints of the project required significant coordination and real-time problem solving. For example, a 12-foot section of 12-inch ductile iron pipe was identified as needing immediate replacement. The lead time for a commercially available replacement was 12 weeks, which would have breached the EPA compliance window. Staff were able to identify and salvage an appropriate replacement pipe which was recently taken out of service. This resulted in a 24-hour turnaround time, rather than a potentially costly three-month delay.

The completion of this project within the time allotment is a testament to the hard work of a cross functional team working with contractors collaboratively toward a common goal.

VII. Open Session

Jennifer Whitner provided the following statement to the Board:

"Good afternoon. Because of recent Crain's Cleveland article highlighted the dire predictions pertaining to the Shaker Lakes that Matt Scharver presented to this board in April, it is appropriate to request answers to questions those predictions raised.

"Mr. Scharver stated the failure of the Horseshoe Lake Dam and presumably the Lower Lake Dam could put University Circle under 20 feet of water in a matter of mere minutes. When Horseshoe Lake was filled it and Lower Lake occupied maybe 40 acres with an average water depth of about two feet. Water is going to travel two or so miles from the lakes, through the culverts and the long stretch of gorge with its banks with heights of up to 20 feet and flood University Circle in a few minutes.

"Common sense dictates that massive flooding in University Circle could come only from a climate change induced storm that is stronger by multiples of force than any storm Cleveland has witnessed. And with a storm so powerful, what would the marginal effect of failed Shaker Lakes Dams be? But it would be as wrong to base public policy and Sewer District decisions solely on common sense as it would to base them on catastrophizing.

"We need to know the science and engineering between -- behind the Sewer District's projections and designs. What is the basis for claiming the dam failure would flood University Circle? Where are the hydrology and geology studies? Where is the modeling and what assumptions were used in putting it together? What is the statistical likelihood of massive flooding in University Circle? If there is flooding, what is the likelihood the Shaker Lakes would play any significant cause?

"Unless and until Mr. Scharver can back his predictions up with solid science and engineering, he is engaging in nothing but damaging fear mongering. Thank you."

Ms. Dreyfuss-Wells responded that the two important pieces of data from the Crain's article is information that has been presented multiple times. This is both the Ohio Department of Natural Resources (ODNR) modeling related to the probable maximum flood, which is a regulatory standard that both Horseshoe Lake Dam and Lower Lake Dam are required to meet by the regulator, which is ODNR. Both of those dams are classified as Class 1 high hazard dams, which are required by ODNR to pass the probable maximum flood.

The operators of those two dams, which are the Cities of Shaker Heights and Cleveland Heights, per their permit, are required to have dam break analysis as part of their emergency action plan. This dam break analysis has also been presented multiple times, and it demonstrates through modeling of flooding as it goes from a catastrophic breach at either dam into University Circle. It has been well modeled and presented, and the information is publicly available.

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) and (G)(4), 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 and to prepare for and review negotiations bargaining sessions with District employees concerning their compensation and other terms and conditions of employment. 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 2:06 p.m.

X. Approval of Items from Executive Session

There were no items.

XI. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 2:07 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