

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
NOVEMBER 7, 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 Timothy DeGeeter.

I. Roll Call

Present:

Timothy DeGeeter
Jack Bacci
Samuel Alai
Sharon Dumas
Marjorie Chambers

Absent: Darnell Brown
Ronald Sulik

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

II. Approval of Minutes

MOTION – Ms. Chambers moved, and Mayor Alai seconded, to approve the Minutes of the October 17, 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 October 2nd, NEORS helped to reintroduce Lake Sturgeon back to the Cuyahoga River, where they have not had a sustainable presence since the 1850s. Lake Sturgeon are amongst the largest and longest living freshwater fish species in the world. They depend on rocky river sediments for reproduction and spend much of their lives in freshwater. As a result of the Cuyahoga River's ongoing water quality improvements, NEORS was able to partner with the Ohio Division of Wildlife, U.S. Fish and Wildlife Service, the Cleveland Metroparks, the Cuyahoga Valley National Park, Summit Metroparks, and U.S. Geological Survey to release 60 juvenile sturgeons at three locations along the river. The fish were tagged with transmitters to help the U.S. Fish and Wildlife Service track their movements and will inform the potential release of up to 1,500 juvenile sturgeons beginning in the Fall 2025.

On October 5th, NEORSD staff participated in Congresswoman Brown's Housing Expo at Cleveland State University's Wolstein Center. NEORSD staff members from the Customer Service and Government Affairs Departments attended along with federal, state, and local agencies and housing advocates to provide information to attendees regarding available resources for housing and utility assistance. Staff provided information regarding the cost savings programs and the upcoming November 16th Utility Assistance Resource Fair, which will be held at Cuyahoga Community College.

On October 17th, NEORSD joined the Cleveland Metroparks for the ribbon cutting ceremony for major enhancements to the Garfield Park Reservation. This park is located in Garfield Heights and includes the confluence of Wolf Creek and Mill Creek. While the Cleveland Metroparks oversaw a multi-year park restoration, NEORSD assisted with the restoration of 750 linear feet of Wolf Creek. NEORSD contributed \$33,000 for early feasibility studies assessing the removal of a pond at Garfield Park Reservation and \$2.7 million for the restoration of the stream.

Jennifer Elting, Senior Manager for Community and Media Relations, was honored in October at the Public Relations Society of America, Public Affairs and Government Section, with the Lloyd B. Dennis Distinguished Service Award. This award is given annually to an exemplary professional who has used their public affairs skills to promote truth, demonstrate high standards of integrity and honesty in business dealings, and who has helped effect positive change within an organization.

V. Action Items

Authorization to Advertise

Resolution No. 259-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a twelve-month requirement contract for the delivery of up to 2,500,000 wet pounds of sodium bisulfite solution for all District wastewater treatment plants with an estimated probable cost of \$400,000.00.

Resolution No. 260-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the Westerly Admin Building Roof and Windows Replacement project with estimated probable construction costs of \$1,250,000.00.

Resolution No. 261-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the Easterly Actuator and Skimmings Collection Trough

Replacement project with estimated probable construction costs of \$3,000,000.00.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 259-24 through 261-24. Without objection, the motion carried unanimously.

Authorization to Purchase

Resolution No. 262-24 Authorization to purchase as-needed Allen-Bradley replacement parts used in plant automation process repair, at the EMSC facility and all wastewater treatment plants, from sole source vendor Rexel USA, Inc., in an amount not-to-exceed \$300,000.00.

MOTION – Ms. Dumas moved, and Ms. Chambers seconded to adopt Resolution No. 262-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 263-24 Authorization to enter into a professional services agreement with Precision Multimedia, Inc. to provide installation, configuration, and hardware for the Major AV Systems Phase Two project in an amount not-to-exceed \$68,732.00.

Resolution No. 264-24 Authorization to enter into a design-build agreement with Cold Harbor Building Co., for pre-construction and design services for the EMSC Laboratory Air Handling Unit Replacement project in an amount not-to-exceed \$275,760.10.

Resolution No. 265-24 Authorization to enter into a professional services agreement with GPD Group for design and construction administration/resident project representation services for the District Wide HVAC Equipment and Systems Upgrades project in an amount not-to-exceed \$983,757.83.

Resolution No. 266-24 Authorization to enter into professional services agreements with Plante & Moran, PLLC; Protiviti, Inc.; and Experis US, LLC for its Jefferson Wells Division, for risk and assurance services in a total amount not-to-exceed \$1,550,000.00 for all agreements combined.

MOTION – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 263-24 through 266-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 267-24 Authorization to enter into a contract with Metrohm USA, Inc. to purchase a Combustion Ion Chromatograph to perform laboratory analyses of domestic and industrial wastewater samples, in an amount not-to-exceed \$155,344.26, using Infrastructure Investment and Jobs Act Principal Forgiveness funding from Ohio EPA, resulting in no cost to the District.

MOTION – Ms. Dumas moved, and Ms. Chambers seconded to adopt Resolution No. 267-24. Without objection, the motion carried unanimously.

Authorization to Modify Contract

Resolution No. 268-24 Authorization to modify public improvement Contract No. 21007136 with The Great Lakes Construction Co. for the Pearl and Jennings Storage Tank and Pump Station Upgrades project to extend the contract term by 400 non-compensable days due to differing and unforeseen site conditions and delayed delivery of electrical equipment, and to authorize a general allowance in excess of ten percent of the base contract price bid, excluding specific allowances, and to increase the contract amount by \$1,300,000.00, thereby bringing the total contract amount not-to-exceed \$23,011,913.20.

MOTION – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution No. 268-24. After the following discussion, without objection, the motion carried unanimously.

Mayor DeGeeter requested additional information regarding the project delays associated with Resolution No. 268-24.

Devona Marshall, Director of Engineering and Construction, explained that the project encountered significant differing and unforeseen site conditions, including hazardous and contaminated materials beyond expectation, and more efforts related to relocation of third-party utilities, necessitating a \$1.3 million increase in the General Allowance, taking it from the standard 10% to 16.82%. Additionally, it is necessary to extend the contract term by 400 non-compensable days, with a new completion date March of 2025, primarily due to electrical equipment delays. This project is Control Measure 23 of the Consent Decree.

Authorization to Amend Resolution

Resolution No. 219-24a Authorization to amend Resolution No. 219-24, adopted by the Board of Trustees on September 5, 2024, which authorized an agreement with First Energy in the amount of \$93,758.08 for facilities relocation in connection with the Flood Reduction at Riverview Road project, to reflect the vendor’s correct legal name, The Illuminating Company – A FirstEnergy Company, with all current terms and conditions of the agreement to remain unchanged.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 219-24a. Without objection, the motion carried unanimously.

Authorization to Approve and Adopt

Resolution No. 269-24 Authorization to approve and adopt the amended Northeast Ohio Regional Sewer District Audit Committee Charter, as presented.

MOTION – Ms. Dumas moved, and Ms. Chambers seconded to adopt Resolution No. 269-24. After the following discussion, without objection, the motion carried unanimously.

Mayor DeGeeter requested an explanation of the proposed changes to the Audit Committee Charter.

Eric Luckage, Chief Legal Officer, explained that the current Audit Committee Charter was adopted in 2013 pursuant to the requirement in the bylaws that the standing committees of the Board of Trustees have charters setting forth their scope and duties. The Audit Committee is requesting the revisions to change the word “District” in various places to “Sewer District”; to clarify that the Audit Committee members are appointed by the full Board of Trustees, not solely the Board President; to increase the annual stipend for non-Board members from \$100 to \$400; to update staff titles; and to increase the dollar amount that the Audit Committee could expend without Board authorization to \$75,000 currently, followed by an annual 3% increase, consistent with the updated Bylaws regarding the competitive bidding threshold.

Property Related Transaction

Resolution No. 270-24 Authorization to enter into a one-year lease agreement, with four District one-year renewal options, with The George Group, at the property known as PPN 103-17-008, located at 4190 Prospect Avenue, in the City of Cleveland, for the continued leasing of fifty parking spaces necessary for additional staff and visitor parking for

the George J. McMonagle Administration Building, in amounts not-to-exceed \$38,556.00 for the initial one-year term, \$39,327.12 for option year 2, \$40,113.66 for option year 3, \$40,915.94 for option year 4, and \$41,734.25 for option year 5, and further authorizing that the option years be renewed at the CEO's discretion without additional Board approval, for a total amount for the initial year and all option years not-to-exceed \$200,646.97.

MOTION – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution No. 270-24. Without objection, the motion carried unanimously.

Authorization to Grant Credit

- Resolution No. 271-24 Authorizing the District to issue a credit adjustment in the total amount of \$35,169.97 against sewer charges on the account of Fairmount Temple ending in 0003 at 23737 Fairmount Boulevard, Beachwood.
- Resolution No. 272-24 Authorizing the District to issue a credit adjustment in the total amount of \$170,180.31 against sewer charges on the account of Richmond Heights Town Square Owner, LLC ending in 7648, at 0 Richmond & Wilson Mills Roads, Richmond Heights.
- Resolution No. 273-24 Authorizing the District to issue a credit adjustment in the total amount of \$72,920.43 against sewer charges on the account of the Cuyahoga County Board of Health ending in 0001 at 5550 Venture Drive, Parma.
- Resolution No. 274-24 Authorizing the District to issue a credit adjustment in the total amount of \$31,800.74 against sewer charges on the account of General Sheet Steel & Plate ending in 0000 at 3344 East 80th Street, Cleveland.
- Resolution No. 275-24 Authorizing the District to issue a credit adjustment in the total amount of \$26,318.33 against sewer charges on the account of Parma Storage, LLC. ending in 4889 at 7800 Broadview Road, Parma.
- Resolution No. 276-24 Authorizing the District to issue a credit adjustment in the total amount of \$36,231.37 against sewer charges on the account of Biddulph Plaza Shopping Center, LLC. ending in 7436 at 6600 Biddulph Road, Brooklyn.

MOTION – Ms. Dumas moved, and Ms. Chambers seconded to adopt Resolution Nos. 271-24 through 276-24. Without objection, the motion carried unanimously.

Hearing Officer Findings and Recommendations

Resolution No. 277-24 Authorization to adopt the findings and recommendations of the Hearing Officer with regard to the sewer account of Majer Management ending in 5607, Sewer District Hearing No. 23-011, that no adjustments be made.

Resolution No. 278-24 Authorization to adopt the findings and recommendations of the Hearing Officer with regard to the sewer account of Steve Chabra ending in 0001, Sewer District Hearing No. 23-016, that no adjustments be made.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 277-24 through 278-24. Without objection, the motion carried unanimously.

VI. Information Items

Frank Foley, Director of Operation and Maintenance (O&M), provided the Quarterly Report for the Operation and Maintenance Department for the Third Quarter of 2024, beginning with safety. The lost and restricted workdays increased significantly, as during the period of August 15 to July 16, 2024, there were four lost time incidents; the most concerning of which was an employee's fingers being caught beneath a piece of sheet steel being cut at the Southerly Wastewater Treatment Center (WWTC). This increased the DART rate; however, it is below the internal threshold target of 2.0.

Because NEORS D takes safety very seriously, Mr. Foley along with Jeremy Short, Director of Human Resources; Matt Scharver, Director of Watershed Programs; and Deputy Directors Robin Halperin (Watershed Programs), Tom Madej (O&M), and Tracey Phelps (O&M), are conducting a series of interviews with staff to address safety concerns, with the objective of identifying actionable steps to improve employee safety going forward.

Ms. Dumas asked if the steps include physical fitness assessments for employees. Mr. Foley explained that it is too soon to know what the outcome of the interviews will be, however, department directors currently have the ability to request fit-for-duty examinations of employees.

On September 30th, there was an over-pressurization event at the REF. Staff were rotating feed pumps into service when the second feed pump was turned on, pressure built up and was released suddenly. Post-incident analysis determined there was a slug of sludge blocking the line. Pressure built up as the pump was pressing against that sludge. The sludge behind the blockage was released

suddenly in a large quantity into the incinerator which caused a failure in an expansion joint, released ash onto the operating floor and also released ash out through the stacks. The incident was reported to the Cleveland Division of Air Quality and changes were made to the SOP that any time a feed pump is started or changed, no one is allowed to be on the operating floor. There will be additional modifications that are still in process such as installing alarms and improvements to operator screens.

Regarding effluent quality, all plants are meeting permit limitations for total suspended solids, carbonaceous biochemical oxygen demand (CBOD), and phosphorus. Additionally, there were no issues with *E. coli* or chlorine during the six-month recreation season.

There was an issue at the Southerly WWTC in July wherein the mercury limits for both the monthly average concentration and the loading limits were exceeded. NEORS D has little to no control over mercury levels. The processes throughout the plant were reviewed; however, a source of the elevated mercury has not been identified and levels have been within limits since.

Mr. Foley provided graphics demonstrating maintenance costs and explained that maintenance costs excluding things like grounds maintenance and custodial duties total \$4.3 million for the Southerly WWTC, which is more than the remaining facilities combined.

Typically, the collection system has a higher percentage of costs spent on preventative maintenance, whereas there is a higher percentage of corrective maintenance costs in the WWTPs.

The collection system has had four dry weather overflows this year, three of which were caused by debris in the system, and one was due to equipment failure. The automated wet weather equipment in the collection system has been available 100% of the time when needed.

As for budget, through the third quarter, the O&M Department has spent approximately \$49.5 million. This is a variance of approximately \$4 million from straight-line expenditures, primarily due to electric and natural gas utility costs, hourly maintenance wages, and sludge hauling and disposal. Spending is up \$2.7 million equating to 5.8%, from this time last year.

Mr. Foley congratulated the 13 employees within O&M who were promoted during the third quarter as well as the 6 employees new to the organization.

Mr. Foley invited Travis Pitts, Superintendent of the Westerly WWTC, to discuss a series of environmental justice workshops that Mr. Pitts coordinated for Operation and Maintenance Department manages and administrative staff earlier this year.

Mr. Pitts advised that, in 2022, NEORS D began research to understand and define environmental justice to help guide current and future programs, policies, and projects. NEORS D adopted the commitment statement: "Environmental justice is the equitable treatment and meaningful

engagement of our residents, inclusive of all races, cultures, lifestyles, neighborhoods and incomes so we may advance our clean water work without placing disproportionate environmental or fiscal burdens on those we serve. Our work for environmental justice should be intentional and impactful.”

The team for the project included Mr. Pitts; Jarrod Lewis, SSMO Manager; Josh Dress, SSMO Assistant Manager; John Boyd, Easterly Maintenance Manager; Brandy Reischman, Southerly Assistant Superintendent; and Karen Sokolow, Maintenance Services Assistant Superintendent.

Before beginning the design of the workshop, the team met with employees to discuss what environmental justice means to them. Staff responded positively and expressed an interest in learning more. Many expressed viewing environmental justice as a core value of NEORSD.

The team held workshops at each of the WWTPs and EMSC with a focus on the core language of the commitment, which was interpreted as meaningful engagement, informed actions, and equitable treatment. The team highlighted some of NEORSD’s accomplishments such as the Business Opportunity Program, Good Neighbor Ambassadors, Project Clean Lake, the utility resource fairs as well as the O&M accomplishments such as odor control, CSO reduction, collection system management, and treatment facility management.

Mr. Pitts provided an example map used during the environmental justice workshops of the Southerly service area demonstrating what environmental justice issues residents face in each of the regions and how that relates to the locations of NEORSD’s Southerly CSO outfalls.

At present, the team has met with 80% of the O&M managers and will have met with all by year’s end. The workshops serve to move the discussion forward by introducing staff to the concept of and NEORSD’s commitment to environmental justice, as well as to engage in productive dialog that enabled the staff to better identify environmental justice in their own jobs and daily activities

The next step is to continue to encourage staff to become more involved in the Employee Resource Groups and continue to create an environment that is open to new ideas regarding environmental justice.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session


There were no items.

X. Approval of Items from Executive Session


There were no items.

XI. Adjournment

MOTION – Acting President DeGeeter stated business having been concluded, he would entertain a motion to adjourn. Ms. Dumas moved, and Ms. Chambers seconded the motion to adjourn at 1:14 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