

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
DECEMBER 21, 2017

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District was called to order at 12:37 p.m. by Darnell Brown.

I. Roll Call

PRESENT: D. Brown  
R. Sulik  
T. DeGeeter  
J. Bacci (arrived 12:45 p.m.)  
J. Ciaccia  
R. Stefanik

ABSENT: S. Dumas

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

II. Approval of Minutes

**MOTION** – Mr. Sulik moved and Mayor Stefanik seconded to approve the minutes of the December 7, 2017, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

CEO Dreyfuss-Wells began her report by announcing that this year's Charity Choice campaign resulted in staff donations of \$96,747 through pledges and events to partner agencies which include the United Way of Greater Cleveland, Greater Cleveland Community Shares and the UNCF of Cleveland. Staff continued to be very generous and she recognized the leadership of Charity Choice co-chairs Cheryl Soltis-Muth and Shawn Hageman.

The Southerly Wastewater Treatment Plant achieved an Envision Silver Award from The Institute for Sustainable Infrastructure. Envision is focused on fostering the sustainable performance and resiliency of infrastructure and it is usually focused during the design and construction phases of projects. Southerly is the first long-term pre-existing facility to receive an Envision award and this was done through a peer-reviewed process that considered six areas and the basic sustainability mantra of people, plant, and profits. Under the idea of economic growth and development Envision recognized that approximately 200 people work at Southerly across District departments and

appreciated the training, education, tuition assistance and hiring programs in place. Envision also noted the operation and maintenance training center at Southerly.

Envision focused on the long-term monitoring and maintenance at Southerly. Southerly has been operational for decades and has a well-established history of upgrades and rehabilitation; these investments were viewed very favorably. The Renewable Energy Facility was noted for the reduction in natural gas and electricity to which the LED lighting upgrades contributed. Next year staff will take the Envision checklist and look at two capital projects through this lens to see if there are additional sustainability factors.

CEO Dreyfuss-Wells closed the report with the November financial summary which indicated that sewer revenue is now 4.8% below budget due to the projected 5.57% decrease in consumption. Operating expenses are accordingly below budget and there is no concern about meeting key financial metrics. Stormwater revenue continues to hold steady and there has been an increase in reimbursement requests under the Community Cost Share Program.

Mr. Ciaccia requested information regarding last year's revenue figures after the meeting.

#### V. Action Items

##### Authorization to Purchase

Resolution No. 352-17

Authorize the purchase of seven sedans and eighteen SUVs through the State of Ohio Procurement Program, for a total amount not-to-exceed \$813,000.00.

Resolution No. 353-17

Authorize the purchase of telecommunication services from AT&T and Verizon Wireless for the period of January 2018 to December 2018 in an amount not-to-exceed \$1,097,145.00.

**MOTION** – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution Nos. 352-17 through 353-17. Without objection, the motion carried unanimously.

##### Authorization to Enter into Agreement

Resolution No. 354-17

Authorization to enter into agreements with Big Creek Connects; Chagrin River Watershed Partners, Inc.; Doan Brook Watershed Partnership; Friends of Euclid Creek; Bluestone Heights; Mill Creek Watershed Partnership; Rocky River Watershed Council; Tinker's Creek Watershed Partners; and West Creek Conservancy to provide technical services in the 2018 Watershed Partners

Service Agreement Program, with a total cost, for all agreements, not-to-exceed \$340,000.00.

**MOTION** – Mr. Sulik moved and Mr. Ciaccia seconded to adopt Resolution No. 354-17. Without objection, the motion carried with one abstention by Mr. Brown.

Resolution No. 355-17

Authorization to enter into agreements with Fairhill Partners; Boys & Girls Club of Cleveland; Cleveland Metroparks; and Detroit Shoreway Community Development Organization to implement projects under the 2018 Green Infrastructure Grants Program in the total amount of \$1,000,000.00.

Resolution No. 356-17

Authorization to enter into agreement with the Chagrin River Watershed Partners, Inc. as fiscal agent for the Central Lake Erie Basin Collaborative in an amount not-to-exceed \$180,000.00.

Resolution No. 357-17

Authorization to enter into a Memorandum of Agreement with the United States Army Corps of Engineers and Ohio's State Historic Preservation Office for mitigation of adverse effects on historic properties impacted by the Shaker Lakes Dam Rehabilitation Project, including signage and a virtual exhibit.

Resolution No. 358-17

Authorization to enter into a Memorandum of Agreement with the United States Army Corps of Engineers and Ohio's State Historic Preservation Office for mitigation of adverse effects on historic properties impacted by the Doan Brook Bank Stabilization Project, including the reuse of sandstone wall material and stockpiling of remaining material.

Resolution No. 359-17

Authorization to enter into a two-year contact with Andrew J. Futey & Associates for federal advocacy services at a total cost, for both years, not-to-exceed \$180,000.00, and including three additional one-year District options.

Resolution No. 360-17

Authorization to enter into a contract for professional services with The Ultimate Software Group for the Integrated Human Resources

Information System, Payroll, and Timekeeping  
Project in the amount of \$1,290,589.00.

**MOTION** – Mr. Sulik moved and Mr. Ciaccia seconded to adopt Resolution Nos. 355-17 through 360-17. After the following discussion, without objection, the motion carried unanimously.

Mr. Ciaccia referenced Resolution No. 356-17 and inquired who is the Central Lake Erie Basin Collaborative and whether the District is the entire provider of revenues. Frank Greenland, Director of Watershed Programs, stated that the District is not the entire provider of the money for support of that group. The resolution provides specific strategic services to the District led by that group.

Heather Elmer, a member of the Central Lake Erie Basin Collaborative steering committee, explained that it is a network of watershed organizations working together to preserve and restore watersheds draining to Lake Erie in Northeast Ohio. Several are within and upstream of the District's service area and this proposal pulls together a range of programs that would help improve and enhance the benefits of the District's Regional Stormwater Management Program. These programs would include developing residential green infrastructure incentive programs, increasing the participation of commercial properties in the fee credit program and providing more direct assistance to residents and other landowners. These services could be provided by Chagrin River Watershed Partners, West Creek Conservancy and Tinker's Creek Watershed Partners working with all of the collaborative watershed organizations.

Amy Brennen, also with the Collaborative, further explained that this group has been collaborating for over three years and originally started with support from The Gund Foundation but has also received support from The Cleveland Foundation, the Ohio EPA through their Section 319 grant funds and other public and private grant-funding sources. Overall there has been over \$700,000 to help support this collaborative.

Mr. Ciaccia noted a credit program for trees and inquired how that might work while continuing to generate sufficient funds for a viable stormwater program. Mr. Greenland advised that the stormwater benefits of trees are well documented and the details of the credit program will be formed with the assistance of the Collaborative.

Moving discussion to Resolution No. 355-17, Mr. Brown questioned the success measures. Mr. Greenland stated that the funding stream is for green infrastructure projects at the local level that demonstrate they are removing stormwater flows from the combined sewer system. The projects are smaller scale and the project recommendations come through a competitive process. They provide estimates of stormwater volume reduction and there are long-term maintenance requirement and reporting requirements.

CEO Dreyfuss-Wells clarified that these green infrastructure grants are outside and separate from the consent decree, so it is not a compliance issue.

Mr. Greenland further indicated that staff could develop summaries of the awarded projects, the

estimated volume reductions and report how that builds over time.

Mr. Brown noted that Resolution No. 357-17 indicates that the District is having an adverse impact on the Shaker Lakes Dam. Mr. Greenland explained that the dams were constructed between 1836 and 1911. The fact that the site has historic significance makes it a time-consuming process through the State Historic Preservation Office. An agreement has been reached on the mitigation measures for the impact.

Moving to Resolution No. 360-17, Mr. Sulik explained that for the past year the Audit Committee has discussed consolidating various aspects of timekeeping and payroll with one process. This proposal does that and provides much better internal control over payroll, timekeeping and employee benefits.

#### Authorization of Pay Dues

Resolution No. 361-17	Authorization to renew the District's Water Environment & Reuse Foundation (WE&RF) membership in the amount of \$96,140.00.
-----------------------	---

**MOTION** – Mayor Bacci moved and Mr. Sulik seconded to adopt Resolution No. 361-17. The motion carried with one abstention by Mr. Ciaccia.

#### Authorization of Contract Modification

Resolution No. 362-17	Authorize the final adjustment modification of Contract No. 17002260 with Tuscon, Inc. for the Cuyahoga River Towpath Bank Stabilization Project by decreasing the contract amount by \$334,522.61 bringing the total contract price to \$1,280,399.20.
-----------------------	---

Resolution No. 363-17	Authorize the Modification of Contract No. 14004219 for assignment of the contract with Salini-Impregilo Healy JV to Salini-Impregilo Lane JV for the Dugway Storage Tunnel Project with no change in the contract amount.
-----------------------	--

**MOTION** – Mayor Bacci moved and Mr. Ciaccia seconded to adopt Resolution Nos. 362-17 through 363-17. After the following discussion, without objection, the motion carried unanimously.

#### Sewer Use Code Matters

Resolution No. 364-17	Authorization to adopt the findings of the Hearing Examiner in Sewer District Case No. 17-009 with
-----------------------	--

regard to stormwater fees and requested credits on the account of Ms. Bonnie Jasiunas, and to deny the customer's request.

Resolution No. 365-17

Authorization to adopt the findings of the Hearing Examiner in Sewer District Case 17-011 with regard to sewer charges on the account of Ms. Misty Jacobs, and to deny the customer's request.

**MOTION** – Mayor Stefanik moved and Mr. Ciaccia seconded to adopt Resolution Nos. 364-17 through 365-17. Without objection, the motion carried unanimously.

Mr. Ciaccia inquired how do summer sprinkling program participants are proactively notified of the need to apply for the program at a new address if they move, since the program is applicable to an address rather than a person.

Constance Haqq, Director of Administration & External Affairs, stated that Mr. Ciaccia was correct in that the District does not speak with every customer about that aspect of the summer sprinkling program.

The City billing department now provides the District a weekly report of new accounts and then the District's customer service team sends a postcard including program information to those new accounts.

CEO Dreyfuss-Wells indicated that the topic would be further discussed.

Authorization to Issue Credit

Resolution No. 367-17

Authorize a sewer credit adjustment in the amount of \$32,596.38 to be approved against outstanding sewer charges on NEORSD Account #8140880001 for Graybar Corp. at 6161 Halle Drive, Valley View, Ohio 44125 for a like and consistent credit adjustment already granted by the Cleveland Division of Water on the customer's water charges.

Resolution No. 368-17

Authorize a sewer credit adjustment in the amount of \$210,808.97 to be approved against outstanding sewer charges on NEORSD Account #0447390001 for Heinen's Supermarket AT 2180 S. Green Road, University Heights, Ohio 44121 for a like and consistent credit adjustment already granted by the Cleveland Division of Water on the customer's water charges.

Resolution No. 369-17

Authorize a sewer credit adjustment in the amount of \$92,657.94 to be approved against outstanding sewer charges on NEORS Account #8974800004 for Gates Milles Place at 6805 Mayfield Road, Mayfield Heights, Ohio 44124 for a like and consistent credit adjustment already granted by the Cleveland Division of Water on the customer's water charges.

**MOTION** – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution Nos. 367-17 through 369-17. Without objection, the motion carried unanimously.

Mr. Sulik referenced Resolution No. 368-17 and questioned how such large bills could occur for years. Kenneth J. Duplay, Chief Financial Officer, stated that the Cleveland Water Department (CWD) entered into a systematic approach to identify these issue accounts and are making adjustments to get the accounts corrected. In most of the cases no one is getting refunds because the billings have not been sent out; rather, they are adjustments against newly-created balances. The District is seeing additional revenue as the accounts are caught up. Since most of the issues are not necessarily the customer's fault, the credit is granted back to them and the District working closely with CWD to make sure these accounts are identified and corrected.

Mr. Ciaccia inquired whether the systematic approach is finding bills that CWD had historically estimated and now they are actual readings. Mr. Duplay advised that there are a variety of reasons why these accounts have billing issues. Some have estimated bills, leak issues or combinations, but there is a team in place identifying and working through them so they do not linger.

Property-Related Transaction

Resolution No. 370-17

Authorization to acquire a permanent easement at 2920 Detroit Avenue in the City of Cleveland owned by TMS Holding Company necessary for the construction of the Westerly Storage Tunnel Project for total consideration of \$2,750.00.

**MOTION** – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 370-17. Without objection, the motion carried unanimously.

Authorization to Amend

Resolution No. 371-17

Authorize the Chief Executive Officer to execute a *Stipulation and Agreed First Amendment to Consent Decree*, as negotiated with the U.S.EPA and the State of Ohio, to memorialize agreed non-material modifications to the District's Consent Decree.

**MOTION** – Mr. Sulik moved and Mr. Ciaccia seconded to adopt Resolution No. 371-17. Without objection, the motion carried unanimously.

Authorization of Compensation

Resolution No. 372-17

Authorize the movement of salary ranges up by 2% for all non-union grades in 2018.

**MOTION** – Mayor Bacci moved and Mr. Sulik seconded to adopt Resolution No. 372-17. Without objection, the motion carried unanimously.

VI. Information Items

1. Program Management Status Report and Update – November 2017

Devona Marshall, Director of Engineering & Construction, stated that cash flow ended November at 92% of planned which is the highest to date in 2017. There was \$23 million of payout in November and year-to-date is just over \$198 million.

Moving to Key Performance Indicators (KPIs), staff completed the second phase of the annual Capital Improvement Program planning process which is prioritization. This process includes the development of business risk exposure for non-CSO consent decree projects which is critical in prioritizing the projects.

Staff completed the design of the Westerly Storage Tunnel within the KPI of 60 days and bid and awarded the Westerly Fiber Replacement Project. Staff did not meet the KPI for the engineer's estimate as the three lowest bids came in 30% below but did meet the KPI related to the construction award. The Westerly Ferric Project did not meet its KPI for substantial completion coming in around 200 days later than planned due to the delay in delivery of equipment.

Staff completed the construction of the Southerly Low Voltage Equipment Replacement Project at 88% of the original contract amount due to de-scoping of some of the work.

Ms. Marshall explained that in 2008 the District completed the comprehensive facilities plan of the Southerly Wastewater Treatment Plant. The output identified many improvements that were needed and over the past 10 years many of those capital improvements have been implemented.

One such project is the second stage lift station project currently in construction. The pump station was constructed and started operation in 1977. This is the first major rehabilitation of that pump station, which includes rehab to the internal and the external components. A ferric chloride feed for phosphorous removal is also being installed and the pump capacity is being increased from 450 mgd to 480 mgd. A new electrical building is being constructed to centralize the lift station's electronic components and allow for the lift station to remain operational during the construction. Substantial completion is scheduled for February 2019.



The First Stage Aeration Tank Improvement Project included upgrades to the existing aeration tanks, the equipment comprising those tanks and the associated compressor building both internally and externally. Substantial completion is scheduled for January 2019.

Moving to green infrastructure projects, Ms. Marshall stated that the Union/Buckeye GI Project is actually two projects which includes the construction of seven stormwater basins and a total length of 2,300 feet of new storm sewers. Five basins will be part of the Buckeye portion of the project that includes one subsurface storage system. That basin will be located on the gateway feature to the Buckeye/Shaker area which will include a piece of public art with Trust for Public and Land Studio. Four basins will run along the Buckeye area. All of these facilities have been constructed on the Buckeye portion of the project; the focus over the next few months will be repairs of sidewalks and the plantings within the basins in Spring. Ms. Marshall stated that the Union portion of the project will have two basins with 1,100 feet of new storm sewers. This project will reach substantial completion in August 2018 and the estimated stormwater capture will be 10 million gallons. When related to additional CSO control, it results in about 1 million gallons of additional CSO control towards the 44 million gallons the District is required to achieve under the consent decree.

The Woodland Central GI project is taking place in an area where there was a lot of illegal dumping, so there will be additional environmental benefits to this project beyond CSO control. The District got a Brownfield grant from U.S. EPA in the amount was \$600,000 to support clean-up on this site. Substantial completion is scheduled for September 2019.

The Kingsbury Run Culvert Repair Project was to build a bypass sewer around a collapsed portion of the existing Kingsbury Run Culvert. This new sewer will be the outfall location for the future Woodland Center GI basins. Micro tunneling has been completed and it is the longest known double curve run in North America. Substantial completion for this project is scheduled for February 2019.

The Tunnel Dewatering Pump Station Project had extensive testing on the pumps due to start-up issues with vibration and cavitation. A plan has been developed to rectify those issues with the first phase being implementation of a solution for vibration on one of the pumps so staff can verify it works and then implement that solution on the remaining pumps.

The cavitation issue will be addressed with the induction of air.

Discussion continues regarding the commercial issues internally and with the outside entities, but they hope the pump station will be online by the end of summer.

## VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

There were no items.

XI. Adjournment

**MOTION** – Mr. Brown stated business having been concluded, he would entertain a motion to adjourn. Mr. Sulik moved and Mayor Bacci seconded the motion to adjourn at 1:21 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