

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
AUGUST 15, 2024

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

I. Roll Call

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

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to approve the Minutes of the August 1, 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, explained that on August 6th there were high winds and four confirmed tornados which resulted in more than 470,000 residents and businesses losing power, making it the largest outage in 31 years. Despite being a significant weather event, it only resulted in approximately one inch of rain during the storm. NEORS's infrastructure and regional stormwater system did not have any significant operational issues. The Easterly Wastewater Treatment Plant (WWTP) suffered the most harm with approximately two dozen trees being damaged and the fallen tree limbs causing damage to the WWTP's fueling station, as well as the HVAC unit being lifted off of its base by the strong winds. The Euclid Creek Pump Station lost power and relied on a portable generator until it was brought back online Monday evening.

On August 8th the City of Hudson experienced 7.5 inches of rain in a three-hour period, which is being called a 1,000-year storm event. Hudson residents experienced basement flooding and individuals were rescued from their vehicles. On a positive note, the Bartlow Dam, which was a project that NEORSD partnered with the City in constructing, functioned as designed and there was no downstream road flooding below that infrastructure.

Ms. Dreyfuss-Wells thanked staff for their work while dealing with storm-related issues at home.

On August 3rd, NEORSD celebrated a ribbon cutting and dedication ceremony in the City of Parma for the Upper Ridgewood Basin Improvement Project during Parma's annual Picnic in the Park. The project captures 8.5 million gallons of stormwater during heavy rains to minimize downstream flooding. Ms. Dreyfuss-Wells thanked Mayor DeGeeter, Parma Proud, and Congressman Max Miller and his staff for hosting and supporting the event and expressed appreciation to Congressman Miller, Senator Sherrod Brown and State Senator Nickie Antonio for their role in obtaining \$1 million in federal funding for the project.

From August 5th through August 8th, the Ohio Water Environment Association and the Ohio Section of the American Water Works Association held their annual One Water Technical Conference in Sandusky. NEORSD staff presented at the conference with Galen Adams, Good Neighbor Ambassador Supervisor, and Crystal Davis, Government Affairs Program Manager, discussing NEORSD's workforce programs; Ben Coyle, Technical Solutions Functional Lead, discussing NEORSD's work for process data management; Brian Page, Project Manager, reviewing District efforts to capture federal, state, regional, and city resources for projects; and C.J. Onyak, Project Manager, discussing repair of the Brookside Culvert. Ms. Dreyfuss-Wells thanked all NEORSD staff who presented at the event.

On August 7th, Danielle Giannantonio, Manager of Legislative Affairs, presented on NEORSD's work to capture federal funding at the 2024 Water Finance Conference in Georgia. The Conference is the annual gathering of finance professionals focused on sustainable and innovative approaches to funding water infrastructure. Ms. Giannantonio spoke regarding NEORSD's ongoing and successful work with U.S. EPA, Ohio EPA, congressional offices, member communities, and others to capture both earmark funding and Infrastructure Investment and Jobs Act (IIJA) funding.

V. Action Items

Authorization to Advertise

Resolution No. 196-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a three-year contract for renewal of the Avaya Software Subscription for the District's Avaya Phone System.

Resolution No. 197-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the West Creek Veterans Basin Improvements in Parma project with estimated probable construction costs of \$5,100,000.00.

Resolution No. 198-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a two-year requirement contract for the excavation, removal, and hauling of up to 66,000 tons of biosolids incinerator ash from the Southerly Wastewater Treatment Center with an estimated probable cost of \$825,000.00.

MOTION – Mayor Alai moved, and Mr. Sulik seconded to adopt Resolution Nos. 196-24 through 198-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the project associated with Resolution No. 197-24 is in an area where residents have long experienced basement and surface flooding and requested an explanation as to what benefits the project will provide. Matt Scharver, Director of Watershed Programs, explained that the West Creek Veteran’s Basin is a regional basin located in the City of Parma. NEORSD has worked with the City over the past couple of years to develop an understanding of Veteran’s Basin and the longstanding flooding in the immediate area. The project will involve expanding the existing basin from its current capacity of 23-acre feet of storage to 45-acre feet of storage, which will bring the level of service to a range of 25 to 50-year level of service in the immediate downstream area. The basin will be a wetland style basin similar to the Upper Ridgewood Basin and will capture the 100-year event for the 24-hour design storm.

President Brown requested an explanation of the environmental benefits of the services associated with Resolution No. 198-24. Frank Foley, Director of Operation and Maintenance, explained that prior to 2018, NEORSD landfilled all of the ash that was generated in the incinerators at the Southerly WWTC. Robin Halperin, Deputy Director of Watershed Programs, led the effort in finding a beneficial reuse of ash. Mr. Foley invited Ms. Halperin to provide more information.

Ms. Halperin advised that NEORSD has procured the excavation and removal and reuse of the ash for the past seven years through one contract. The intent is to now separate the services into two separate contracts. The excavation, removal, and hauling will be competitively bid for a two-year contract to haul the ash to the beneficial reuse location. There will be an inclusion for alternate disposal, should there be a problem with the beneficial reuse and the need to landfill arise. Approximately 33,000 cubic yards of ash will be excavated and removed annually. NEORSD will not advertise this contract until after the contract has been awarded under Resolution No. 199-24 and the reuse location is known.

Under Resolution No. 199-24, NEORS is seeking a contract with a term of up to ten years to allow for more innovative and long-term reuse options, which may include uses such as flowable fill and low-strength mortar. The scope is to continue 100% reuse of the ash, increase cost savings, and reduce our environmental footprint.

Over the past seven years, no ash has been landfilled and 217,994 tons of ash has been beneficially reused, primarily as a topsoil amendment. Kurtz Brothers has provided the services thus far. The program has provided an estimated cost savings of \$6.5 million, approximately \$927,000 annually and reduced greenhouse gas emissions by 92%.

Authorization to Issue Request for Proposals (RFP)

Resolution No. 199-24 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for one or more professional services agreements for the beneficial reuse of biosolids incinerator ash generated at the Southerly Wastewater Treatment Center.

Resolution No. 200-24 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for professional services and related hardware to upgrade the audio/visual technology in the Board of Trustees Conference Room and EMSC Conference Rooms A, B, and C, under the Major AV Systems Upgrades Phase Two project.

Resolution No. 201-24 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for design and construction administration/resident project representation services for the Districtwide Elevator Modernization project.

MOTION – Ms. Chambers moved, and Mr. Sulik seconded to adopt Resolution Nos. 199-24 through 201-24. Without objection, the motion carried unanimously.

Authorization to Reject and Rebid

Resolution No. 202-24 Authorization to reject all bids and re-bid, in accordance with Ohio Revised Code Section 6119.10, for up to three (3) 12-month requirement contracts for liquid emulsion polymer solution at all wastewater treatment plants, with a total estimated probable cost of \$1,850,000.00.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 202-24. Without objection, the motion carried unanimously.

Authorization to Purchase

Resolution No. 203-24 Authorization to purchase security camera equipment from XTEK Partners, Inc., necessary for monitoring the George J. McMonagle, Environmental and Maintenance Services Center, Southerly Wastewater Treatment Center, and Easterly Tunnel Dewatering Pump Station facilities, in an amount not-to-exceed \$90,864.81.

MOTION – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution No. 203-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 204-24 Authorization to enter into an agreement with ConvergeOne, Inc. for the Avaya Phone System Upgrade project in an amount not-to-exceed \$134,833.00.

Resolution No. 205-24 Authorization to enter into a professional services agreement with GPD Group for design and construction administration/resident project representation services for the Renewal of Culverted Streams III project in an amount not-to-exceed \$998,634.93.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 204-24 through 205-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 206-24 Authorization to enter into a two-year requirement contract with Franzenberg, LLC for centrifuge rebuilding services at the Southerly Wastewater Treatment Center in an amount not-to-exceed \$416,496.85.

Resolution No. 207-24 Authorization to enter into a public improvement contract with Fabrizi Trucking & Paving Co., Inc. for construction of the CSO-249-McCracken-East 112th Sewer Improvements project in an amount not-to-exceed \$5,393,272.00.

Resolution No. 208-24 Authorization to enter into a public improvement contract with Independence Excavating, Inc. for construction of the Kinsman and East 149th Regulator and Relief Sewers project in an amount not-to-exceed \$4,586,300.00.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 206-24 through 208-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the project associated with Resolution No. 207-24 includes a sewer separation and requested an explanation as to whether there is an agreement in place as to ownership and operation of the infrastructure. Doug Lopata, Program Manager - Plan and Design, explained that the project was identified by the Local Sewer System Evaluation Studies (LSSES) program to have more overflow than expected. Through the separation, the dirty flow is directed to the Mill Creek Tunnel and the clean flow goes to the original CSO-249, which is being eliminated through this project. Once the project is complete, the City of Garfield Heights will own and maintain the local sewers and NEORSD will get rid of some of its facilities, including seven regulators.

President Brown requested additional information regarding the project associated with Resolution No. 208-24. Mr. Lopata explained that the project is associated with the Kingsbury Consolidation project. It was identified as part of a community project by the Jordan Center that was creating a green infrastructure serenity garden and a new parking lot which is located in the same area as a portion of NEORSD's project site. NEORSD is nearing an agreement with the property owner to obtain easements for its project and assist with the restoration as the green infrastructure project advances next year.

Authorization to Close Out Public Improvement Contract

Resolution No. 209-24 Authorizing the final adjusting change order to close out Public Improvement Contract No. 21006230 with Synergy, LLC for the Districtwide HVAC Equipment and Systems Upgrades project to reallocate funds from Bid Item 1 to the General Allowance for additional work that was necessary to complete the project and to decrease the contract amount by \$89,207.89, thereby bringing the total contract amount to \$7,017,792.11.

Resolution No. 210-24 Authorizing the final adjusting change order to close out Public Improvement Contract No. 21001426 with Shook Construction Co. for the Southerly Building Demolition project to extend the term of the contract by 260 non-compensable days to complete close-out paperwork and warranty documentation and to decrease the contract amount by \$649,042.56, thereby bringing the total contract amount to \$16,594,357.44.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 209-24 through 210-24. Without objection, the motion carried unanimously.

Hearing Officer Findings and Recommendations

Resolution No. 211-24 Authorization to adopt the findings and recommendations of the Hearing Officer with regard to the sewer account of Nuovo Pasta Productions, Ltd. ending in 9091, Sewer District Hearing No. 23-005, that no further adjustments be made.

Resolution No. 212-24 Authorization to adopt the findings and recommendations of the Hearing Officer with regard to the sewer account of Richard Vecchio ending in 7825, Sewer District Hearing No. 24-011, that no further adjustments be made.

Resolution No. 213-24 Authorization to adopt the findings and recommendations of the Hearing Officer with regard to the sewer account of Nathaniel Lombard Poirot ending in 9637, Sewer District Hearing No. 24-016, that no further adjustments be made.

MOTION – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution Nos. 211-24 through 213-24. Without objection, the motion carried unanimously.

Assist Member Communities in Project Nominations and Seeking Funding

Resolution No. 214-24 Authorization to assist member communities in nominating projects to the Ohio EPA for Supplemental Infrastructure Investment and Jobs Act funding, as presented, and authorization to substitute, add to, or remove from the presented projects list, if necessary, all at no cost to the District.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 214-24. 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

Mr. Lopata provided the monthly Capital Improvement Plan Update for July 2024, beginning with cashflow. As it relates to the Business Opportunity Program (BOP), through July 31st, \$23 million, equating to 21% of overall cashflow has been paid to BOP firms. Spending is currently approximately 91% planned for this point in the year.

As for Key Performance Indicators (KPIs), the CSO-249-McCracken-East 112th Sewer Improvements project did not meet the design KPI of 60 days of planned; however, the delay allowed for coordination with the City of Cleveland Division of Water for them to remedy lead service line issues in the project area prior to commencement of NEORSD's project. The Kingsbury Branch A Repair project met the design KPI as well as the KPI for the engineer's estimate being within 10% of the lowest three bids. The CSO/Culvert-Outfall Inspection and Repair 1 project did not meet the KPIs for the construction contract to be awarded within 60 days of planned or the KPI regarding engineer's estimate as the project has several site locations which changed during the design process. The Southerly Primary Heat Exchanger Replacement project achieved both the KPI for awarding the construction contract within 60 days of planned and within 10% of the engineer's estimate.

Mr. Lopata provided a construction update regarding the Westerly Tunnel Dewatering Pump Station and Westerly Storage Tunnel. The Westerly Storage Tunnel is 9,600 linear feet and the largest of NEORSD's tunnels at 25-feet in diameter, with three main shaft sites and a pump station located at Shaft 1 near the Soapbox Derby. The Tunnel has the capacity to store over 36 million gallons, with an annual average of 285 million gallons. Mr. Lopata provided photographs and schematics of the tunnel's various features and explained that the Westerly Storage Tunnel is capable of handling inflows of 500 million gallons per day (MGD) in a typical year storm and 900 MGD in a five-year level storm. The structure has dual inflow control gates, multiple level sensors, bar screen, and a grit sump. In the first month of operation, the bar screens saw significant debris from the Walworth Run Outfall and will require regular cleaning and maintenance.

The Westerly Tunnel Dewatering Pump Station is a \$27 million project constructed by Great Lakes Construction and designed by Stantec Consulting. Engineering and Construction Department staff members A.J. Smith, Manager of Construction, Nick Parisi, Manager of Construction, and Matt Waite, Commissioning Manager, were integral in this project. The facility is a 215-foot deep structure with a 36 MGD pumping capacity to dewater the Tunnel. The Pump Station was tested with a closed loop system to allow for the water to be recycled, afterwards the gates were open to allow CSO flow to come into the structure. During July and August, NEORSD filled the tunnel with 37 million gallons of flow and last week, dewatered it in under 24 hours at a max rate of 43 MGD. This had to be coordinated extensively with the Westerly WWTC to ensure that the plant can handle the flow and meet its permit limits.

Another critical aspect is the PLC programming and automation. During the dewatering process, it is necessary to ensure that the pumps are shut off at a calculated amount to remove the water without burning out the pumps. The facility also has a bar screen with a claw that will go all the way down the shaft to scoop up debris off of the rack and place it in a dumpster at the surface. There are a few remaining tests before the contractors can be released and the Westerly System is fully activated.

VII. Open Session

President Brown asked whether there is an update available regarding the customer request made at the August 1, 2024, meeting. Constance Haqq, Chief Administrative Officer, advised that she would provide an update during executive session.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

Mayor Bacci, pursuant to Ohio Revised Code Section 121.22 (G)(6) and (G)(3), moved, and Mr. Sulik seconded, to enter into executive session to discuss details relative to District security agreements and emergency response protocol, disclosure of which could reasonably be expected to jeopardize the District's security and to consult with District legal counsel concerning disputes involving the District that are the subject of pending and/or imminent court action. By roll call vote, the Board voted unanimously to enter into executive session at 1:13 p.m.

The Board returned to open session at 1:48 p.m.

X. Approval of Items from Executive Session

Resolution No. 215-24	Authorization to enter into agreement(s) with the confidential consultant(s) presented in executive session for an information security services project, for the period August 2024 to February 2025, in a total amount not-to-exceed \$109,570.00.
-----------------------	--


MOTION – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 215-24. Without objection, the motion carried unanimously.

XI. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Ms. Chambers moved, and Ms. Dumas seconded the motion to adjourn at 1:56 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