

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
DECEMBER 5, 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  
Jack Bacci  
Samuel Alai  
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 November 21, 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 for the fifth year in a row, NEORS has received the Ohio Auditor of State Award with Distinction, most recently awarded for the 2023 Annual Comprehensive Financial Report. Ms. Dreyfuss-Wells provided a quote from the Auditor of State which read: "By keeping accurate financial records, governing bodies demonstrate their commitment to efficient, effective and transparent service. This award honors public entities that have put in the hard work to keep their finances in order." and offered congratulations to Ken Duplay, Chief Financial Officer, Majlinda Marku, Manager of Accounting and Reporting, and the Finance Department for a job well done.

Ms. Dreyfuss-Wells offered congratulations to Jean Smith, Director of Administration and External Affairs, for her inclusion among Crain's Cleveland Business Notable Leaders in Communications. The award recognizes top leaders in communication across Northeast Ohio. Ms. Smith has shaped

NEORSD's communications strategy for engaging stakeholders and oversees internal and external communications, public outreach, media relations, and the nationally recognized social media presence. Ms. Smith also serves as Co-Chair of the National Association of Clean Water Agencies' (NACWA) Communications Committee.

Ms. Dreyfuss-Wells advised that Chief Shawn Hageman is retiring and on December 9, 2024, Lieutenant Singleton Grant will step into the roll as Chief. Lt. Grant has been with NEORSD for 20 years and has worked closely with Chief Hageman since 2015. Prior to coming to NEORSD, Lt. Grant graduated from the University of Akron, served in the U.S. Army, and as a police officer for the City of Cleveland. Ms. Dreyfuss-Wells congratulated Lt. Grant for this promotion.

V. Action Items

Authorization to Advertise

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| Resolution No. 290-24 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the Southerly Wastewater Treatment Center 2025 Paving Improvements project with estimated probable construction costs of \$225,000.00. |
| Resolution No. 291-24 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract to construct the Westerly Sludge Handling Improvements project with estimated probable construction costs of \$17,150,000.00.              |

**MOTION** – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution Nos. 290-24 through 291-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that it appears that modifications were made to the scope of the project associated with Resolution No. 291-24 and requested additional information.

Devona Marshall, Director of Engineering and Construction, explained that the project was originally called the Westerly Sludge Pump Station and Force Main Project. It was a two-part project which included the repair and renewal of the existing solids and sludge handling process, which were aging and failing; and a long-term solution for solids handling at the Westerly Wastewater Treatment Center (WWTC), including a sludge pump station and force main to transport sludge from the Westerly WWTC to the Southerly WWTC. As the project progressed, complexities with cost and scheduling made it apparent that it was best to halt the focus on the long-term portion of the project and remove it from the scope while the repair and renewal portion of the project became the primary focus.

NEORS staff is revisiting its business case evaluation of the long-term options for solids handling. The pump station and force main are still part of the options being evaluated and staff is working to ensure that it is the right solution.

Another reason for the one-year halting of the project design was that the construction of the Chemically Enhanced High-Rate Treatment Facility needed to be completed within the time constraints of the Consent Decree, giving it precedence to achieve the critical milestone.

President Brown noted that there are several complexities, and the long-term outcome is to-be-determined. Ms. Marshall agreed and added that the Westerly WWTC has a small footprint, allowing only for limited construction at one time. Staff hopes to present a recommendation for a path forward in the coming months; however, the current solution is to haul solids to the landfill in the short-term.

Authorization to Issue Request for Qualifications (RFQ)

Resolution No. 292-24      Authorization to issue an RFQ, in accordance with Ohio Revised Code Chapter 153, for engineering services and technical support for Consent Decree and CSO NPDES Permit compliance under the CSO Consent Decree and National Pollutant Discharge Elimination System Performance Compliance Project Phase 3.

**MOTION** – Mayor Bacci moved, and Mr. Sulik seconded to adopt Resolution No. 292-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the contracts historically and what is expected for this phase of the project.

Ms. Marshall explained that this is the third of four planned contracts over the life of the Consent Decree to provide technical support, specifically for compliance activities, flow monitoring, hydraulic modeling, and report development, all occurring post-construction to demonstrate compliance with Consent Decree requirements.

The services will include hydraulic modeling compliance activities related to CSO Consent Decree and the CSO NPDES permit for the period of 2025 to 2029. Specifically, there are nine Consent Decree Control Measures requiring post-construction performance demonstration in addition to the annual CSO NPDES modeling requirements performed in support of permit requirements. The successful consultant will also be responsible for maintaining the master hydraulic models which are used to demonstrate Consent Decree compliance.

The prior two contracts were both awarded to Wade Trim, which was the only consultant to submit a proposal for the most recent contract. This is a very unique contract. It would not be surprising if only one or two proposals are received; however, NEORSD has had good results with Wade Trim, which has brought in multiple subcontractors and allows NEORSD to meet its Business Opportunity Program goals.

Authorization to Enter Into Agreement

Resolution No. 293-24 Authorization to enter into a project agreement with the City of Macedonia to repair a City-owned culvert located on the Regional Stormwater System under the City-managed Renewal of Culverted Stream IC00053 project, with the City funding 25% of the total project costs, and the District reimbursing the City the remaining 75% of project costs in an amount not-to-exceed \$216,000.00.

**MOTION** – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution No. 293-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 294-24 Authorization to enter into a 12-month requirement contract with PVS Technologies, Inc. for the delivery of up to 1,050,000 dry pounds of ferric chloride solution to all District wastewater treatment plants in an amount not-to-exceed \$648,900.00.

Resolution No. 295-24 Authorization to enter into a public improvement contract with ABC Piping Co. for the Steam Sample Panel Installation project in an amount not-to-exceed \$277,500.00.

Resolution No. 296-24 Authorization to enter into a public improvement contract with Chieftain Trucking & Excavation, Inc. for construction of the Baldwin Creek Dell Haven Basin near York Road project in an amount not-to-exceed \$4,110,368.00.

Resolution No. 297-24 Authorization to enter into a public improvement contract with Independence Excavating, Inc. for construction of the West Creek Veterans Basin Improvements in Parma project in an amount not-to-exceed \$3,517,914.65.

**MOTION** – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 294-24 through 297-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that, regarding Resolution No. 296-24, the engineer's estimate was \$5.5 million, and the contract award is \$4.1 million, and asked for an explanation as to what parameters were set for the project.

Matt Scharver, Director of Watershed Programs, provided background on the project, explaining that the project reas is to construct the Dell Haven Basin in the City of Parma, a regional stormwater detention basin which provide 21.5-acre feet of storage volume. It is important to the intersection of York Road and West Pleasant Valley Road. This is phase one of a four phase project. The project will include a relief culvert, additional floodplain expansion requiring property acquisition, and the upsizing of three culverts on local roadways that this tributary of Baldwin Creek flows underneath.

As for the bidding process, the engineer's estimate was \$5.5 million, and the contract will be \$4.1 million for a savings of \$1.4 million. While NEORS D set the bid threshold to within 20% of the engineer's estimate, there is no award threshold for percent under the engineer's estimate. The average of all eleven bidders was 7.4%. This is an excavation project to create a new stormwater basin in native soil. Many of the competing firms are excavation companies, which allows them to bid at certain numbers or opportunities based on their circumstances to perform the work. The District wanted to ensure that there was coverage in the event that those opportunities did not exist with any particular contractor, which allowed for the savings to be captured, which is important for the cash-driven stormwater program.

President Brown stated that is a good outcome and noted that there are times that contractors will bid at a certain level but there will be circumstances that should have been accounted for in the bidding process, requiring the contractor to request additional funding. Similarly, the project associated with Resolution No. 297-24 had an engineer's estimate of \$5.1 million and the contract award is \$3.5 million.

Mr. Scharver explained that this is a similar circumstance in the City of Parma. This is an existing facility, a stormwater detention basin, that was dewatered and difficult to maintain. NEORS D entered into a partnership with the City of Parma to revamp the stormwater basin, which is important to the West Creek regional stormwater system. The properties to the north have significant residential and street flooding. This is an excavation project that had eleven bidders, and an engineer's estimate within 11.9% average of the bids, and \$1.5 million in savings for Watershed Programs.

#### Authorization to Pay Fees

Resolution No. 298-24 Authorizing the expenditure of \$129,400.00 to the Treasurer, State of Ohio, for the Ohio Environmental Protection Agency calendar year 2024 Annual Discharge Fees for the Easterly, Southerly, and Westerly Wastewater Treatment Plants.

**MOTION** – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 298-24. Without objection, the motion carried unanimously.

Authorization to Amend Agreement

Resolution No. 299-24      Authorization to amend Agreement No. 3163, the “*Great Lakes Legacy Act Project Agreement between the United States Environmental Protection Agency and the Ohio Environmental Protection Agency for the Remedial Design of the Cuyahoga River Gorge Dam GLLA Contaminated Sediment Project*”, to increase by \$11,400,000.00 the District’s cost-share toward the project through in-kind credit for non-federal habitat restoration work already under design or construction with District Regional Stormwater Management Program funding, for an amended District in-kind credit total of \$19,700,000.00, and to increase the estimated Project costs by \$58,322,392.00 to account for an increase in the volume of estimated dredged sediment to be removed under the Project and for higher-than-anticipated construction bids received by USEPA, for a new Estimated Total Project Cost of \$238,922,297.00, with no cost to the District beyond the in-kind contribution.

**MOTION** – Mayor Bacci moved, and Mr. Sulik seconded to adopt Resolution No. 299-24. After the following discussion without objection, the motion carried unanimously.

President Brown requested additional information regarding the project. Mr. Scharver provided photographs of the Gorge Dam on the Cuyahoga River and explained that the agencies involved in the project are the U.S. EPA and Ohio EPA. The project is a large effort under the Great Lakes Legacy Act Program to remove the Gorge Dam and the contaminated sediment behind the dam, which was a hydroelectric dam that is no longer in use or serving a purpose to the Cuyahoga River. In addition to the obvious benefit of removing contaminated sediment, removal of the dam will provide recreational opportunities on that portion of the River and improve fish passage. This is the last dam on the Cuyahoga River within the Area Of Concern.

The quantity of contaminated sediment has increased from 800,000 tons to over 1 million tons, which drove up the bidding process. In order to provide the needed assistance to U.S. EPA and Ohio EPA, NEORSD will increase its non-federal in-kind match for the project, which has already been captured under the Regional Stormwater Management Program. The removal of the contaminated sediment is the first phase of the project with a cost of \$238 million. There will be additional monies required to remove the dam.

The sediment removal process will begin early in 2025 and continue through 2027. NEORS has provided \$8.3 million worth of in-kind matcher through projects that have already been completed in the Area Of Concern with stream restoration projects. The project requires an additional \$11.4 million in funding, for a total of \$19.7 million of in-kind nonfederal match funding.

#### Authorization of Contract Modification

Resolution No. 300-24 Authorization to modify public improvement Contract No. 20005176 with The Great Lakes Construction Co. for the Westerly Tunnel Dewatering Pump Station project to extend the contract term by 60 non-compensable calendar days for the administrative closeout of the project, with no change in the total contract amount.

**MOTION** – Mayor Bacci moved, and Mr. Sulik seconded to adopt Resolution No. 300-24. Without objection, the motion carried unanimously.

#### Authorization to Amend Resolution

Resolution No. 191a-24 Authorization to amend Resolution No. 191-24, adopted by the Board of Trustees August 1, 2024, which authorized agreements for the 2025 Member Community Infrastructure Program projects in the total amount not-to-exceed \$24,945,396.94, to correct the City of Cleveland's project name from *Emery Avenue Sewer Project* to the correct *Courtland Ave/Victory Blvd Area (Emery Ave) Sewer Project – Phase 2*, with all current terms and conditions of the agreement to remain unchanged.

**MOTION** – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution No. 191a-24. Without objection, the motion carried unanimously.

#### Rescission of Resolution, and Authorization to Reject and Rebid

Resolution No. 301-24 Rescission of Resolution No. 267-24, adopted November 7, 2024, which authorized the District to enter into a contract with Metrohm USA, Inc. to purchase a Combustion Ion Chromatograph, and further authorization to reject all bids and re-bid with revised specifications, in accordance with Ohio Revised Code Section 6119.10, for the purchase of a Combustion Ion Chromatograph with an estimated probable cost of \$250,000.00.

**MOTION** – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 301-24. After the following discussion, without objection, the motion carried unanimously.

Ms. Dumas noted that it appeared that there was a specification that was proprietary to one of the bidders and that specification turned out to be unnecessary and requested an explanation.

Mr. Scharver answered affirmatively and explained that the intent is to reject the bids, clarify the acceptable specifications, including those that pertain to the continuous eluent generation, which is a part of the analysis process, before again advertising for bids.

#### Property Related Transaction

Resolution No. 302-24      Authorization to acquire one parcel in fee simple known as PPN 457-29-018, located at 11813 West Pleasant Valley Road, in the City of Parma, owned by the Estate of Marcella L. Ferraro, necessary for the construction and maintenance of the SWMP Project Area 6 – Flood and Erosion Reduction Near York and Pleasant Valley Roads project, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC, with total consideration of \$190,000.00 plus closing costs.

**MOTION** – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution No. 302-24. Without objection, the motion carried unanimously.

#### Hearing Officer Findings and Recommendations

Resolution No. 303-24      Adoption of the findings and recommendations of the Hearing Officer regarding the sewer account of Shannon and Christopher Kuhrt ending in 0092, Sewer District Hearing No. 24-013, that no further adjustments be made.

**MOTION** – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution No. 303-24. Without objection, the motion carried unanimously.

#### VI. Information Items

Mohan Kurup, Director of Information Technology, provided the December 2024 IT update. The IT Department completed 17 projects in 2024, including the VMware Upgrade, ZENworks Replacement Project, and electronic bidding, which replaced NEORS D's manual bidding process with the OpenGov system which centralized bidding into one electronic system. Early in the process, there were concerns that the project could potentially negatively impact small firms, which has not been an issue thus far.



The Government Accounting Standards Board (GASB) put forth some regulations that change the way subscription-based assets are managed. Lease Query GASB Software automates the process, which had been a challenge for the Finance Department because the new requirements generated a lot of work as a result of separate categorization and amortization and depreciation rules.

The UKG Performance Appraisal pilot project was implemented in four departments, Finance, IT, HR, and Internal Audit, and was successful. Mr. Kurup thanked Angelo Olmeda, Manager of HR Operations, and Heather Zabukovec, HRIS Analyst, for their assistance and noted that the UKG Performance Management tools will be expanded and implemented performance management District-wide with the improvements identified in the pilot.

The IT Department has ten projects currently active. The Electronic Direct Bill project is underway and currently, staff is selecting a vendor for the Oracle integration of Paymentus with Huntington Bank and NEORSB's EBS system, which will allow direct-bill customers to use credit cards or ACH debit and set up recurring electronic payments. The project is anticipated to be completed in the first half of 2025.

Sr. Oracle Technical Manager Satish Krishnan's team built an application in the Oracle APEX tool to simplify and automate billing for customers moving in and out of the service area.

The Sewer Services Charges Based on Use of the System (SSCBOUTS) is a program that applies to customers that use more than 50,000 cubic feet of water per year but discharge to the system is less than what is consumed, which makes it difficult to determine fair charges. The program allows users to install meters for a fee to accurately measure discharges into the sewer system. The program is administered by WQIS with support from the Finance Department. A new application process available on the website was created. This was done through the Salesforce Application, which the Customer Service Department utilizes for customer interactions, records, and the in-house cost savings programs.

The Oracle Analytics Cloud Reports Conversion to Power BI project is intended to give employees better visualization tools, standard reporting templates, and dashboards. The Power BI tool is part of the Microsoft Office 365 Suite, providing good compatibility with other Office 365 products such as Word and Excel. It is more intuitive for staff and roughly 1/6 the cost of Oracle Analytics Cloud (OAC), \$9,000 versus \$56,000, for 40 active user licenses, because OAC transitioned to a billing model based on usage and the District's usage is increasing, while Power BI uses less expensive, fixed cost licenses. Mr. Kurup noted that IT is working on governance to control the deployment of the tool and provided an example of a Power BI report for reference, highlighting the various ways to visualize and filter data.

In July 2024, the Ivanti Neuron Endpoint System was implemented to replace ZENworks. This streamlined several processes, particularly for staff working remotely to receive improved IT

assistance, and IT's ability to image new computers, deploy patch management, distribute software, and improve cyber security.

Scott Horvath, Sr. Manager of IT Infrastructure and Security, and his team implemented the VMware Upgrade across the 18 physical computing devices and 468 individual virtual servers, improving security and functionality at no cost, as it was completed all by internal staff.

Each year, there is a Capital Improvement Process (CIP) to nominate IT projects. There were more than 45 projects nominated overall, and the IT Department nominated 7 of those projects, notably the Cherwell IT Service Management system replacement, used for the HelpDesk and change controls, which is integral to the organization and is going to sunset at the end of 2026. Additionally, IT is going to work with the Administration and External Affairs Department to look for ways to improve the District's intranet.

There were several project nominations from WQIS looking to automate manual and paper processes, with the primary project being the replacement or upgrade of the Pretreatment Information Management System.

Human Resources had several project nominations including improvements to UKG, the Tuition Assistance Program, and the integration of background checks and I-9 employment authorization verifications to UKG as well. In comparison, there were a total of 17 IT projects nominated for 2024. The significant uptick for demand in functionality and projects will require a prioritization of projects, as well as efforts to identify short-duration and lesser expense projects, in order to properly delegate resources.

Regarding Diversity, Equity, and Inclusion (DEI) activities, the IT Department submits a representative for a two-year rotating assignment to the DEI Advisory Committee, in order to help shape and guide the processes. The IT Department has been working closely with the DEI Advisory Committee to develop a new Asian American Employee Resource Group. Additionally, the department continues to provide support for the Utility Assistance Resource Fairs, as well as maintain the relationship with Trinity High School for their pre-professional internship.

As for technical support, as of November 6<sup>th</sup>, IT had received and handled over 10,000 incident and service request tickets with a breakdown of approximately 80% for new functionality requests and 20% for break-fix.

The department maintains very strict control of the change management process for all IT changes and has handled 262 change requests so far this year. It minimizes the disruption of services and provides for proper communications in the right level of approvals for business-critical systems. Mr. Kurup provided a chart demonstrating that IT's volume of tickets remains constant and has seen the level of work increasing and maintaining its level of support over the past several years.

The IT Department continues to meet its Key Performance Indicators for customer satisfaction, customer service, and timeliness with a rating of 4.86 exceeding the targeted 4.80 rating.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

Mayor Bacci, pursuant to Ohio Revised Code Section 121.22(G)(1), moved, and Mayor DeGeeter seconded, to enter into executive session to consider the appointment and employment of a public employee. By roll call vote, the Board voted unanimously to enter into executive session at 1:23 p.m.

The Board returned to open session at 1:58 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. Ms. Dumas moved, and Mayor Alai seconded the motion to adjourn at 1:58 p.m. Without objection, the motion carried unanimously.



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



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