



MINUTES OF THE EXECUTIVE SESSION FOR
GARY SANITARY DISTRICT BOARD OF COMMISSIONERS
HELD ON **DECEMBER 20, 2021** AT 10:00AM – Virtual Meeting

1. The meeting was called to discuss the following, as authorized under Indiana Code Section 5-14-1.5-6:
 - The initiation of litigation, pending litigation, or written notice of threatened litigation.
2. The following persons were in attendance at the Executive Session:

PRESENT

Maurice G. Mabon, President
Ola V. Morris, Secretary
Charles W. Jackson, Jr., Member
Daniel F. Vicari, Executive Director
Jerome Foster, Finance Manager

ABSENT

Charles G. Peller, Jr., Vice President
Darnail Lyles, Member

OTHER INVITED ATTENDEES

3. The following matters were discussed and information received by the Board during its advertised Executive Session, and NO OFFICIAL ACTION was taken.
 - Collective Bargaining
 - The purchase or lease of real property by the governing body up to the time a contract, or option to purchase or lease is executed by the parties
 - Discuss job performance evaluation or individual employees, excluding salary, compensation, or benefits of employees during the budget process

**GARY SANITARY DISTRICT
BOARD OF COMMISSIONERS**

Daniel F. Vicari

Daniel F. Vicari, President

Ola V. Morris

Ola V. Morris, Secretary



MINUTES OF THE GARY SANITARY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING HELD ON **DECEMBER 20, 2021**

BOARD OF COMMISSIONERS MEETING

DATE: Monday, December 20, 2021
TIME: 11:00AM
LOCATION: Virtual Meeting

TYPE: Regular Meeting
NOTICE PROVIDED IN ADVANCE: YES
QUORUM: YES

BOARD MEMBERS PRESENT

Maurice G. Mabon, President
Ola V. Morris, Secretary
Charles W. Jackson, Jr., Member
Darnail Lyles, Member

ABSENT MEMBERS

Charles G. Peller, Jr.

OTHERS PRESENT

Daniel F. Vicari, Executive Director
Tony Walker, Attorney
Jerome Foster, Finance Manager

OTHERS ABSENT

ZOOM

<https://us02web.zoom.us/j/6677681093>

Meeting ID: 667 768 1093

Call to Order: 11:10AM by Commissioner Mabon

Commissioner Mabon began the Meeting with Roll-Call. He then certified that prior to the start of the December 20, 2021 Board Meeting, there was an EXECUTIVE SESSION held. Commissioner Mabon asked if any Board Member dissented to the certification. Hearing none, he then proceeded with the meeting.

1. MINUTES

As per the Executive Session and Regular Meeting Minutes of the December 6, 2021, Commissioner Mabon called for the Board's pleasure with respect to approving the minutes.

A motion to accept the Executive Session and Regular Meeting Minutes of the December 6, 2021 Meeting, with any/all noted corrections; was given by Commissioner Morris. The motion for approval of the minutes was seconded by Commissioner Lyles and passed without dissent.

The vote: Four (4)-Ayes / Zero (0)-No



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2. NEW BUSINESS

2.1 A Motion to Approve GSD's Payroll Earnings for Period Ending: October 25, 2021 through November 7, 2021, in the amount of \$224,310.30.

Finance Manager Jerome Foster recommended approval of the GSD Payroll Earnings Report submitted as GSD Agenda Item 2.1.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.1. Commissioner Jackson gave the motion to approve. The motion to Approve GSD's Payroll Earnings for Period Ending: October 25, 2021 through November 7, 2021 was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.2 A Motion to Approve GSD's Payroll Earnings for Period Ending: November 8, 2021 through November 21, 2021, in the amount of \$221,249.98.

Finance Manager Jerome Foster recommended approval of the GSD Payroll Earnings Report submitted as GSD Agenda Item 2.2.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.2. Commissioner Jackson gave the motion to approve. The motion to Approve GSD's Payroll Earnings for Period Ending: November 8, 2021 through November 21, 2021 was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.3 A Motion to Approve GSD's Payroll Earnings for Period Ending: December 10, 2021, in the amount of \$408,943.00.

Overview: Finance Manager Jerome Foster stated GSD Agenda Item 2.3 is Premium Pay Funds allocated by the City of Gary, via the Government for all City of Gary and Gary Sanitary District employees who worked through the Covid-19 Pandemic.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.3. Commissioner Lyles gave the motion to approve. The motion to Approve GSD's Payroll Earnings for Period Ending: December 10, 2021 was seconded by Commissioner Morris and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.4 A Motion to Approve GSD Resolution No.: SD21-08, Approving the Year 2022 Gary Sanitary District Operating Budget (Fund 670).

Overview: Finance Manager Jerome Foster stated the Year 2022 revenues are budgeted for \$36 Million; and \$35 Million is budgeted for Year 2022 expenditures.



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Finance Manager Foster recommended approval of the GSD Resolution No.: SD21-08, submitted as GSD Agenda Item 2.4.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.4. Commissioner Lyles gave the motion to approve. The motion to Approve GSD Resolution No.:SD21-08, Approving the Year 2022 Gary Sanitary District Operating Budget was seconded by Commissioner Morris and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.5 A Motion to Approve Amendment No. 10 to the Master Services Agreement between American Structurepoint, Inc. and Gary Sanitary District for Engineering Services.

Overview: Executive Director Vicari stated said contract Amendment No. 10 is a Year 10 contract amendment to American Structurepoint's Master Services Agreement which gives a contract for Engineering Services. Per Attorney Tony Walker, the Engineering Contracts final versions are not complete at this time, however, it is recommended that approval be granted.

Executive Director Vicari recommended approval of GSD Agenda Item 2.5.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.5. Commissioner Lyles gave the motion to approve. The motion to Approve Amendment No. 10 to the Master Services Agreement between American Structurepoint, Inc. and Gary Sanitary District for Engineering Services was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.6 A Motion to Approve Task Order No. 45 to the Master Services Agreement between American Structurepoint, Inc. and Gary Sanitary District for On-Call Engineering Services.

Overview: Executive Director Vicari stated Task Order No. 45 is not to exceed \$25,000 for smaller, as needed Engineering tasks – described as On-Call Engineering. Services only requested by Contractor at the request of the Executive Director.

Executive Director Vicari recommended approval of GSD Agenda Item 2.6.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.6. Commissioner Lyles gave the motion to approve. The motion to Approve Task Order No. 45 to the Master Services Agreement between American Structurepoint, Inc. and Gary Sanitary District for On-Call Engineering Services was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.7 A Motion to Approve Amendment No. 6 to the Master Services Agreement between CDM Smith, Inc. and Gary Sanitary District for Engineering Services.



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Overview: Executive Director Vicari stated contract Amendment No. 6 is a Year 6 contract amendment to CDM Smith's Master Services Agreement which gives a contract for Engineering Services. Per Attorney Walker, the Engineering Contracts final versions are not complete at this time, however, it is recommended that approval be granted.

Executive Director Vicari recommended approval of GSD Agenda Item 2.7.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.7. Commissioner Lyles gave the motion to approve. The motion to Approve Amendment No. 6 to the Master Services Agreement between CDM Smith, Inc. and Gary Sanitary District for Engineering Services was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.8 A Motion to Approve Task Order No. 45 to the Master Services Agreement between CDM Smith, Inc. and Gary Sanitary District for On-Call Engineering Services.

Overview: Executive Director Vicari stated Task Order No. 45 is not to exceed \$25,000 for smaller, as needed Engineering tasks – described as On-Call Engineering. Services only requested by Contractor at the request of the Executive Director.

Executive Director Vicari recommended approval of GSD Agenda Item 2.8.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.8. Commissioner Jackson gave the motion to approve. The motion to Approve Task Order No. 45 to the Master Services Agreement between CDM Smith, Inc. and Gary Sanitary District for On-Call Engineering Services was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.9 A Motion to Approve Amendment No. 10 to the Master Services Agreement between Robinson Engineering, Ltd. and Gary Sanitary District for Engineering Services.

Overview: Executive Director Vicari stated contract Amendment No. 10 is a Year 10 contract amendment to Robinson Engineering's Master Services Agreement which gives a contract for Engineering Services. Per Attorney Walker, the Engineering Contracts final versions are not complete at this time, however, it is recommended that approval be granted.

Executive Director Vicari recommended approval of GSD Agenda Item 2.9.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.9. Commissioner Jackson gave the motion to approve. The motion to Approve Amendment No. 10 to the Master Services Agreement between Robinson Engineering, Ltd. and Gary Sanitary District for Engineering Services was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No



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2.10 A Motion to Approve Task Order No. 16 to the Master Services Agreement between Robinson Engineering, Ltd. and Gary Sanitary District for On-Call Engineering Services.

Overview: Executive Director Vicari stated Task Order No. 16 is not to exceed \$25,000 for smaller, as needed Engineering tasks – described as On-Call Engineering. Services only requested by Contractor at the request of the Executive Director.

Executive Director Vicari recommended approval of GSD Agenda Item 2.10.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.10. Commissioner Jackson gave the motion to approve. The motion to Approve Task Order No. 16 to the Master Services Agreement between Robinson Engineering, Ltd. and Gary Sanitary District for On-Call Engineering Services was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.11 A Motion to Approve Amendment No. 1 to the Master Services Agreement between Shrewsberry & Associates, LLC and Gary Sanitary District for Engineering Services.

Overview: Executive Director Vicari stated contract Amendment No. 1 is a Year 1 contract amendment to Shrewsberry's Master Services Agreement which gives a contract for Engineering Services. Per Attorney Walker, the Engineering Contracts final versions are not complete at this time, however, it is recommended that approval be granted.

Executive Director Vicari recommended approval of GSD Agenda Item 2.11.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.11. Commissioner Lyles gave the motion to approve. The motion to Approve Amendment No. 1 to the Master Services Agreement between Shrewsberry & Associates, LLC and Gary Sanitary District for Engineering Services was seconded by Commissioner Morris and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.12 A Motion to Approve Task Order No. 3 to the Master Services Agreement between Shrewsberry & Associates, LLC and Gary Sanitary District for On-Call Engineering Services.

Overview: Executive Director Vicari stated Task Order No. 3 is not to exceed \$25,000 for smaller, as needed Engineering tasks – described as On-Call Engineering. Services only requested by Contractor at the request of the Executive Director.

Executive Director Vicari recommended approval of GSD Agenda Item 2.12.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.12. Commissioner Lyles gave the motion to approve. The motion to Approve Task Order No. 3 to the Master Services Agreement between Shrewsberry & Associates, LLC and Gary Sanitary District for On-Call Engineering Services was seconded by Commissioner Morris and passed/approved.



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The vote: Four (4)-Ayes / Zero (0)-No

2.13 A Motion to Approve a Professional Services Contract between Cender & Company, LLC and Gary Sanitary District for Financial Consulting Services.

Overview: Executive Director Vicari stated the Gary Sanitary District has utilized the services of Cender & Company consecutively for the past three (3) years. Per Attorney Walker, the contract submitted for Cender & Company, LLC is in Final Form.

Executive Director Vicari recommended approval of GSD Agenda Item 2.13.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.13. Commissioner Jackson gave the motion to approve. The motion to Approve a Professional Services Contract between Cender & Company, LLC and Gary Sanitary District for Financial Consulting Services was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.14 A Motion to Approve a Professional Services Contract between Harris Law Firm, PC and Gary Sanitary District for Professional Legal Services.

Overview: Executive Director Vicari stated Harris Law Firm, PC has worked with GSD on various legal matters such as land acquisitions, Union Negotiations and Human Resource issues (i.e. Covid policy and unemployment hearings). Per Attorney Walker, the contract submitted for Harris Law Firm, PC is in Final Form.

Executive Director Vicari recommended approval of GSD Agenda Item 2.14.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.14. Commissioner Jackson gave the motion to approve. The motion to Approve a Professional Services Contract between Harris Law Firm, PC and Gary Sanitary District for Professional Legal Services was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.15 A Motion to Approve a Professional Services Contract between The Walker Law Group, PC and Gary Sanitary District for Professional Legal Services.

Overview: Executive Director Vicari stated The Walker Law Group, PC has worked with GSD on various legal matters as GSD's Lead Legal Counsel.

Executive Director Vicari recommended approval of GSD Agenda Item 2.15.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.15. Commissioner Lyles gave the motion to approve. The motion to Approve a Professional



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Services Contract between The Walker Law Group, PC and Gary Sanitary District for Professional Legal Services was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (o)-No

2.16 A Motion to Approve an Award of Bid to Flow Technics for the Repair of Pump No. 3 at the 54th & Tyler Street Pumping Station, in an amount not-to-exceed \$17,325.00.

Overview: Executive Director Vicari stated the 54th & Tyler Street Pumping Station is in the city/town of Merrillville, Indiana; yet maintained by Gary Sanitary District with Pump No. 3 being in need of repair.

Executive Director Vicari recommended approval of GSD Agenda Item 2.16.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.16. Commissioner Jackson gave the motion to approve. The motion to Approve an Award of Bid to Flow Technics for the Repair of Pump No. 3 at the 54th & Tyler Street Pumping Station was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (o)-No

2.17 A Motion to Approve and Ratify an Award of Bid to LGS Plumbing Inc. for Additional work associated with the Emergency Sewer Point Repair at the vicinity of 8641 Lakewood Avenue, in an amount not-to-exceed \$138,352.00.

Overview: Executive Director Vicari stated the Board previously approved a point repair at the referenced location, however the point repair was only to repair approximately 14 feet of sewer. The area has been re-excavated as a new section of sewer at said location has developed sinkholes and collapses.

Executive Director Vicari recommended approval of GSD Agenda Item 2.17.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.17. Commissioner Lyles gave the motion to approve. The motion to Approve and Ratify an Award of Bid to LGS Plumbing, Inc. for additional work associated with the Emergency Sewer Point Repair at the vicinity of 8641 Lakewood Avenue was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (o)-No

2.18 A Motion to Approve the Hiring of Charles G. Peller, Jr. as Executive Director for the Gary Sanitary District.

Overview: Attorney Tony Walker stated as of January 1, 2022, Daniel Vicari will be vacating the Executive Director position with Gary Sanitary District. Daniel Vicari will serve as a GSD Board Member in year 2022. Discussions with Mayor Prince and the Board, it has been decided to appoint



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Charles G. Peller, Jr. as Executive Director (note: Mayor Prince has received Charles Peller's resignation from his position as a GSD Board Member).

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.18. Commissioner Lyles gave the motion to approve. The motion to Approve the Hiring of Charles G. Peller, Jr., as Executive Director for the Gary Sanitary District was seconded by Commissioner Jackson and passed/approved.

The vote: Three (3)-Ayes / One (1)-Abstention (Morris)

3. CLAIMS

3.1 GSD Claims Numbers: 3943 thru 4145, in the amount of \$3,173,583.97

Overview: Finance Manager Jerome Foster recommended approval and ratification of the GSD Claims.

Commissioner Mabon called for the Board pleasure with respect to approving GSD Agenda Item 3.1. Commissioner Lyles gave the motion to approve. The motion for approval and ratification of GSD Claims Numbers 3943 thru 4145 was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

4. INFORMATION UPDATES

4.1 Plant Superintendent Updates

Rhonda Anderson, Plant Superintendent, was absent for the meeting. No updates were reported.

4.2 Construction Activity Updates

Eric Tonk, Engineer, provided the Board with Construction Activity Updates:

- **Project: Grit Improvements Project**
Wiring being done
- **Project: Aeration Systems Improvement Project**
Project is coming to a close. Owner's manuals are still needed.
- **Project: Oak Avenue Project (Gary Material Supply)**
Storm sewers have been installed. Project will be closed out after other drainage materials are received/installed (gutter drains).

5. DISCUSSION

There were not discussion items.

6. REQUEST TO SPEAK

There was no one present requesting to speak.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 12:02PM.



MINUTES OF THE GARY SANITARY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING HELD ON **DECEMBER 20, 2021**

ADOPTED BY THE BOARD DURING THE MEETING ON:

01/21/2022

Daniel F. Vicari

Daniel F. Vicari, President

Ola V. Morris

Ola V. Morris, Secretary

BOARD OF COMMISSIONERS

Daniel F. Vicari, President
Maurice G. Mabon, Vice-President
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