

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Wednesday, April 8, 2026, in the Town Hall and streamed electronically with YouTube. The meeting was called to order by Council President Toni Biancardi at 7:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call: Councilwoman Roseann Bozak ----- Absent
 Councilwoman Lisa Draves -----Present
 Councilwoman Jennifer McHargue-----Present
 Councilman John (Jack) McGraw -----Present
 Councilwoman Toni Biancardi ----- Present

Clerk-Treasurer Nick Loving was present. A quorum was attained.

Additional Officials Present: Attorney Clay Patton, Police Chief McHargue, Building Commissioner Lawson, Park Board member Tumblin, Fire Chief Nowacki, and Shared Ethics Neil Stout.

Councilwoman Biancardi stated that I apologize, we do not have video of our meeting tonight, but there is audio. We have been making some changes to the system.

Approval of Minutes

Councilwoman McHargue made a motion to approve the meeting minutes of March 11, 2026. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Consideration of Claims, Purchase Orders, and Financial Reports

Approval of Pay Claims with 3 or More Signatures

Councilwoman McHargue made a motion to pay claims with 3 or more signatures. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Approval of Purchase Orders Submitted with 3 or More Signatures

Councilwoman Biancardi stated that we have two: PO #3408 for Brown equipment, which will be for the sweeper, and we also have an agreement for this evening. Councilwoman Biancardi asked Attorney Patton if he had a chance to review that agreement. Attorney Patton stated that I did, and it appears to be the same agreement as in the past. When the sweeper is delivered, we need to make sure Superintendent Downey inspects it. Other than that, there are no issues. Councilwoman Biancardi stated that for a 7-day rental, it is \$4,600. There is a drop-off fee of \$400 and a pickup fee of \$400. I would recommend that we approve the contract for me to sign and for the PO.

Councilwoman McHargue made a motion to approve PO #3408 for Brown Equipment and for Council President Biancardi to sign the agreement for the street sweeper. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated the second PO is an after-the-fact PO. Superintendent Downey had a leaf vac in the shop, and it ended up needing more work. The PO is Brown Equipment PO #3405 for \$18,325.79. There is money in his equipment repairs, and there will be a transfer later that will make up the difference. Councilman McGraw made a motion to approve PO #3405 for Brown Equipment for the additional repairs on the leaf vac. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Approval of Financial Reports (Fund Report, Appropriation Report, and Revenue Report)

Councilwoman Biancardi asked if there were any questions regarding the financial reports. There were none.

Reports:

Clerk-Treasurer

Clerk-Treasurer Loving stated that we received word back that we are not allowed to waive my salary mid-year; it needs to be done by January 1st. There is absolutely nothing that can be done to adjust a salary mid-year. I spoke with Senator Pol again, and he presented it to a few legislators on the tax committee in Indianapolis, and it will be under consideration in the spring session in spring of 2027, but he said most likely it will not make it into the tax bill for next year. I am going to be out for a significant amount of time over the summer, so I think it is inappropriate to continue in a role with me being gone as much as I am. Therefore, my last day as Clerk-Treasurer is going to be May 15, 2026, which is the Friday after the next council meeting. Attorney Patton asked if this is something the Clerk-Treasurer is going to put into writing. Clerk-Treasurer Loving stated yes, I am going to submit it to Clerk Bailey to make it official.

Clerk-Treasurer Loving stated, regarding employees' county tax corrections, the changes have all been made in our system. The problem is the filing. We have gotten instructions for the following employees on what they need to do when filing and how to correct it. Just a reminder to the liaisons and department heads: if an employee moves and changes their county of residence, they must inform the Clerk-Treasurer's office.

Clerk-Treasurer Loving stated that I just filed the March intime for state and local taxes, so that is complete. I think I have everything ready for the liens filed, and have the letter drafted and sent letters to all listed.

There was a resolution last month that was double-numbered, so I need a motion to amend the name of Resolution 2026-03 to Resolution 2026-04 for Additional Appropriations. Councilwoman McHargue made a motion to rename Resolution 2026-03 for Additional Appropriations to Resolution 2026-04. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

The reimbursement for ILMCT training that was not attended because I was ill is not permitted. The SAM (System for Award Management) is expiring. I have requested access to be the system administrator and will get that changed once I have access. We paid the balance on the card for TeamViewer, and I explained to the customer service rep that we do not pay late fees, and I have not heard back. But, as of now, it should all be good.

The deadline for the RDC reporting deadline is the 15th. As soon as we have that, we will click the button to submit. Councilwoman Biancardi stated at the Redevelopment Commission meeting, they said that Baker Tilley is helping with this. Regarding the Scholarship board and if there is reporting to do, yes, there is. This hasn't been done for two years, so when I went in to do it, I did not have access to do so. I filled out the paperwork for the ability to do it, so as soon as I do, I will make the changes.

I will have to investigate how to manage developers' paying for professional services fees to the Plan Commission. Councilwoman Biancardi stated that we have several developments coming through the Plan Commission, and the code states that they pay us for those fees.

Town Council

Councilwoman Biancardi stated that we will be starting the user acceptance shortly for the website update, with a production launch tentatively for the end of April. We will be rolling over to a new website. Anton dropped off a binder full of information, and I asked him to sit down and meet with him. There is a link to the notes from that meeting if anyone is interested. One of the outcomes from our conversation regarding insurance is that because our automobiles are insured by automobile, not driver, we should be submitting driver reports for everyone who drives a town vehicle once a year.

Voting will be held at the Burns Harbor Town Hall on Tuesday, May 5, 2026. They will be delivering the equipment on the 4th, so we will be moving the Plan Commission meeting to the Fire Station.

Staff Anniversaries

Councilwoman Biancardi stated Dathan Bennett has been with the Police Department for one year. Councilwoman McHargue stated that Adrienne L Vukas in the Building Department has been with the Town of Burns Harbor for seven years.

Shared Ethics Advisory Commission Representative

Stout stated there is training for managers to train their employees. It is free for member communities, like us. This is for department heads and people managers. You can register online. That is scheduled for May 22, 2026, at the Avalon in Merrillville. Also, if you know anyone, have them fill out the ethics pledge.

Building Commissioner

Nothing to report.

GM/Street/Sanitation Superintendent

Councilwoman Biancardi stated that Oak Leaf Lane had a water main break in December, and it was patched. It is not in great condition, and Brandon spoke with Indiana American, and they are going to come back when the weather is better to do a full fix. We also had a resident contact us about some power lines that were caught in trees, so Brandon and the staff did a visual inspection, and it ended up being an NIPSCO line. They called and let them know to come and fix that.

With our budget last year, we budgeted in a 4th person for the Street Department, and we have spoken in the past about making it Public Works, so combining general maintenance, street, and sanitation. We have been working with Brandon to figure out what the position is going to look like for that person, so we are close to being ready to advertise for that position. Since it is a full-time position, it will come back to this board to make the final decision.

Police Chief

Police Chief McHargue stated that, just an update, Dathan has 4 weeks and 2 days left of the academy.

Councilwoman Biancardi stated that I would like to propose to you all that the back office that is currently labeled BZA/Plan office, be changed to Tony, the Indiana State Police officer's new office. That would then allow the Police Department to move Jeremy and Tim into the office with windows, and the interview room will be Police Chief McHargue's current office. Currently, if they must interview, they use the meeting room. Councilman McGraw asked what would happen to the files in the BZA office.

Councilwoman Biancardi stated that we will have those moved into the Clerk-Treasurer's office, where Secretary Sherrill's desk is.

Fire Chief

Fire Chief Nowacki stated that our administrative assistant, Arielle Blankenship, is now a certified grant writer. She is currently preparing a grant for the Fire Department to attempt to replace our mobile radios. The portable radios are now at the end of their life cycle, and we cannot get spare parts for them. So, we are going to try to get those replaced because they are extremely expensive. The five participants whom we put through the emergency vehicle technician course all passed their tests. There were two sections; only two of the guys passed the fire pump test. It was extremely hard. They are all certified in basic maintenance.

I have a statement that I wanted to read out loud regarding financials for the Fire Department INCORP and the Fire Department itself. The Burns Harbor Volunteer Fire Department and the Burns Harbor Volunteer Fire Department Incorporation do not charge property owners for fire service, and as a result, there are no service charges to report.

"The Burns Harbor Volunteer Fire Department and the Burns Harbor Volunteer Fire Department, Inc. do not bill property owners for fire services provided to residents of the Town of Burns Harbor. In 2001, the Town Council clearly established its position that residents should not be billed for fire services provided by the department. To date, neither the Burns Harbor Volunteer Fire Department nor the Burns Harbor Volunteer Fire Department, Inc. has issued billing to property owners for fire services. Any such action, if it were to occur, would require the approval of the Fire Chief. Furthermore, neither the Burns Harbor Volunteer Fire Department nor the Burns Harbor Volunteer Fire Department, Inc. has received any correspondence or inquiries from property owners regarding billing for fire services.

If a schedule of charges for services were ever adopted, any payments would be directed to the governmental entity providing the service—in this case, the Town of Burns Harbor. Such payments would be processed through the Clerk-Treasurer's Office, which is responsible for managing the town's finances, including administration of the Violations Bureau. The Burns Harbor Volunteer Fire Department and Burns Harbor Volunteer Fire Department, Inc. have not received any information from the Clerk-Treasurer regarding billing or payments for fire services.

Additionally, the Burns Harbor Volunteer Fire Department and Burns Harbor Volunteer Fire Department, Inc. do not maintain policies or procedures related to billing or collection of payments from property owners, nor do they process or receive such funds. The Burns Harbor Volunteer Fire Department and Burns Harbor Volunteer Fire Department, Inc. do not collect revenues exceeding 25% of the department's annual budget from service-related charges.

In accordance with applicable Indiana law, the Burns Harbor Volunteer Fire Department and Burns Harbor Volunteer Fire Department, Inc. do not charge property owners for fire services. As a result, there are no service charges to report."

Councilman McGraw stated that a while back, we talked about the AEDs, and the batteries were going to be expiring. Fire Chief Nowacki stated that it is not just the battery, the whole AED's themselves are end of lifecycle for 2027. We were awarded a grant and replaced one so far for the Fire Department. We will have to start looking for replacements for that. Councilwoman Biancardi asked for a list of how many devices town-wide we have. Fire Chief Nowacki stated that I will compile a list of those that need to be replaced.

Park Board Representative

Park Board Representative Tumblin stated on April 25, 2026, that Lakeland Park will be participating in the Rebuild Together Duneland again. If anyone would like to volunteer, please go to our Facebook page and click the link. Their focus is weeding, mulch, planting, flowers, sand, and working on the softball field.

Correspondence

Clerk-Treasurer Loving stated we had two, the first is NIPSCO's new meter installation, and the second is Jet Corr Inc/Pratt Paper (IN) LLC

Public Hearing

Ordinance 327-2026 to Establish the Unsafe Building Fund

ORDINANCE 327-2026**AN ORDINANCE OF TOWN OF BURNS HARBOR
ESTABLISHING AN UNSAFE BUILDING FUND**

WHEREAS, the Town of Burns Harbor anticipates being reimbursed for liens for demolition of an unsafe property; and

WHEREAS, the State of Indiana allows an enforcement authority to establish an unsafe building fund under IC 36-7-9-14.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Burns Harbor, Indiana as follows:

Section 1: The Town of Burns Harbor shall establish an unsafe building fund and receipt into it the money received from the sources listed in Section 2.

Section 2: Money for the unsafe building fund may be received from any source, including appropriations by local, state, or federal governments, and donations. The following money shall be deposited in the fund:

- a. Money received as payment for or settlement of obligations or judgments established under IC 36- 7-9-7 through IC 36-7-9-13 and IC 36-7-9-17 through IC 36-7-9-22;
- b. Money received from bonds posted under IC 36-7-9-7;
- c. Money received in satisfaction or receivers' notes or certificates that were issued under IC 36-7-9- 20 chapter and were purchased with money from the unsafe building fund;
- d. Money received for payment or settlement of civil penalties or fines imposed under IC 36-7-9-7 of this chapter.

Section 3: Money in the Unsafe Building Fund may be used for the expenses incurred in carrying out the purposes of IC 36-7-9, including:

- a. The cost of obtaining reliable information about the identity and location of each person who owns a substantial property interest in unsafe premises;
- b. The cost of an examination of an unsafe building by a registered architect or registered engineer not employed by the department;
- c. the cost of surveys necessary to determine the location and dimensions of real property on which an unsafe building is located;
- d. the cost of giving notice of orders, notice of statements of rescission, notice of continued hearing, and notice of statements that public bids are to be let in the manner prescribed by IC 36-7-9-25;
- e. the bid price of work by a contractor under IC 36-7-9-10 or IC 36-7-9-17 through IC 36-7-9-22;
- f. the cost of emergency action under IC 36-7-9-9; and
- g. the cost of notes or receivers' certificates issued under IC 36-7-9-20 of this chapter.

Section 4: Payment of money from the unsafe building fund must be made in accordance with applicable law.

PASSED AND ADOPTED by the Town Council of the Town of Burns Harbor, Indiana this 8th day of April, 2026.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Toni Biancardi, President

Jennifer McHargue, Vice-President

Roseann Bozak

Lisa Draves

John "Jack" McGraw

Attest: _____
Nicholas Loving, Clerk-Treasurer

Councilwoman Biancardi stated that tonight is the first reading for this. I will open the Public Hearing. Councilwoman Biancardi asked Clerk-Treasurer Loving to give a general explanation of the ordinance. Clerk-Treasurer Loving stated that the state code establishes that we are allowed to have one. I have worked on the wording with Attorney Patton. It is essentially allowing us to go into Gateway to create a new home fund where we will be able to put monies for unsafe funds. Councilwoman Biancardi asked if the funds that will go into this specifically come from violations. Clerk-Treasurer Loving stated that Sec. 2, money for the unsafe building fund may be received from any source, including appropriations by local/state/federal governments and donations. The money shall be deposited into the fund. Any money that comes into the general fund or is paid by a fine can be transferred into this account.

Councilwoman Biancardi asked if there was any public comment in favor. There were no comments in favor.

Councilwoman Biancardi asked if there was any public comment in opposition. There were no comments in opposition.

Councilwoman Biancardi asked if there was any other discussion by the board. I will now close the Public Hearing.

Councilwoman Biancardi stated, just for reference, when we hear ordinances at the council level, we generally have two readings, which generally happen in two separate meetings. However, there is a provision that we can adopt them in one meeting, and we have done something like this in the past. There will need to be a motion to suspend the rules, and it must be a unanimous vote. Right now, the decision is based on the first reading. Councilwoman McHargue made a motion to adopt Ordinance 327-2026 on the first reading. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Councilman McGraw made a motion to suspend the procedure for Ordinance 327-2026 and pass it. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Councilwoman Biancardi stated the final would be to adopt on a second reading for Ordinance 327-2026 to establish the Unsafe Building Fund. Councilman McGraw made a motion to surpass the second reading and adopt Ordinance 327-2026 to establish an unsafe building fund. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Ordinance 328-2026 to Reestablish the Cumulative Capital Development Fund

APPENDIX A PROCEDURE CHECKLIST

All units seeking to establish or reestablish a cumulative fund must complete and submit this form with the following supplemental documentation:

1. Resolution/Ordinance signed by adopting body (Appendix C)
2. Certificate of No Remonstrance (Appendix E)

All submissions must be made no later than June 1, 2026. Units may submit electronically to their [Department Field Representative](#). Additional information regarding the submission of required materials can be found on the Department's memo.

UNIT INFORMATION

Taxing Unit Name:	Town of Burns Harbor
County:	Porter
Primary Contact Name:	Toni Biancardi
Phone Number: (XXX) XXX-XXXX	(219) 771-3910
Email:	tbiancardi@burnsharbor-in.gov

FUND INFORMATION	
Fund Name:	
Relevant Code Citation:	
Check one of the following: ☐ Establishing new fund ☒ Reestablishing existing fund	
ADOPTION INFORMATION	
Date of Public Hearing (DD/MM/YYYY)	04/08/2026
Date of Adoption (DD/MM/YYYY)	04/08/2026
Adopted Rate: (\$X.XXXX)	\$ 0.05

APPENDIX D
ORDINANCE 328-2026 REESTABLISHING CUMULATIVE
CAPITAL DEVELOPMENT FUND
Under Indiana Code 36-9-15.5

BE IT ORDAINED/RESOLVED by the **Town Council of the Town of Burns Harbor of Porter,** County, Indiana that a need now exists for the **reestablishment** of **the** Cumulative Capital Development Fund for the following purposes:

For all uses as set out in IC 36-9-15.5

BE IT FURTHER ORDAINED/RESOLVED that this Board will adhere to the provisions of Indiana Code **36-9-15.5**

The proposed fund will not exceed \$ **0.05** on each \$100 of assessed valuation for taxes payable in **2027**; \$ **0.05** on each \$100 of assessed valuation for taxes payable in **2028**; \$ **0.05** on each \$100 of assessed valuation for taxes payable in **2029** and thereafter, continuing until reduced or rescinded.

BE IT FURTHER ORDAINED that a certified copy of this ordinance shall be submitted to the Department of Local Government Finance of the State of Indiana as provided by law. The tax rate for this Fund is subject to certification by the Department of Local Government Finance.

Duly adopted by the following vote of the members of said **Town Council of the Town of Burns Harbor** this **8th** day of **April 2026**.

Official Vote				Name	Signature
Aye		Nay			
☐		☐		Toni Biancardi	
☐		☐		Jennifer McHargue	
☐		☐		Roseann Bozak	
☐		☐		Lisa Drave	
☐		☐		Jack McGraw	

Attestation (Fiscal Officer)	
Nick Loving, Clerk Treasurer	

APPENDIX F NOTICE OF ADOPTION

To the taxpayers of **Burns Harbor**, Indiana.

You are hereby notified that on **April 8, 2026**, the **Town of Burns Harbor, Porter County, Indiana**, pursuant to notice heretofore given, and under and by virtue of IC **36-9-15.5**, duly adopted a plan whereby a Cumulative **Capital Development** Fund was **reestablished** to provide for the following:

For all uses as set out in IC 36-9-15.5

The fund will be provided for by a property tax rate of \$ **0.05** per one hundred dollars (\$100.00) of taxable real and personal property within the taxing unit beginning in **2026** payable **2027** and thereafter, continuing until reduced or rescinded.

Twenty-five (25) or more taxpayers in the taxing unit who will be affected by the tax rate and corresponding levy may file a petition with the **Porter** County Auditor not later than noon 30 days after the publication of this Notice setting forth their objections to the proposed cumulative fund. Upon the filing of the petition, the County Auditor shall immediately certify the same to the Department of Local Government Finance, at which point the Department will fix a date for and conduct a public hearing on the proposed cumulative fund before issuing its approval, disapproval, or modification thereof.

Dated this _____ day of _____, 20__.

Town Council of the Town of Burns Harbor

Toni Biancardi

Jennifer McHargue

Roseann Bozak

Lisa Draves

Jack McGraw

TBD
APPENDIX G
CERTIFICATE OF NO REMONSTRANCE

I, _____, Auditor of _____,
 (Auditor's Name) (County Name)

do hereby certify that there were no remonstrances filed against the proposed _____
 (Name of Fund)

adopted by the _____ on _____, 20____.
 (Name of Adopting Body) (Date)

A Notice of Adoption was published on _____ in the
 (Date(s) of Publication)

_____ newspaper(s).
 (Name of Newspaper(s))

Dated this _____ day of _____, 20____.

 (Auditor's Name)

**NOTICE TO TAXPAYERS OF HEARING ON REESTABLISHING
 CUMULATIVE CAPITAL DEVELOPMENT FUND**

Notice is hereby given to the taxpayers of Burns Harbor Civil Town, Porter County, Indiana, that the Town Council will consider at 1240 North Boo Road Burns Harbor, IN 46304 at 7:00 p.m. on April 8, 2026, the reestablishment of cumulative capital development fund under the provisions of Indiana Code 36-9-15.5 for all uses as set out in 36-9-15.5.

The tax will be levied on all taxable real and personal property within the taxing district and will not exceed \$0.0500 per \$100 of assessed valuation. The proposed fund will be levied beginning with taxes due and payable in the year 2027. Taxpayers appearing at such hearing shall have the right to be heard thereon. The proposed tax rate for the cumulative capital development fund is subject to approval by the Department of Local Government Finance.

Within 30 days after the date of the adoption of the cumulative fund by the Town Council, the Porter Civil Town will publish a Notice of Adoption. Upon publication of the Notice of Adoption, twenty-five (25) or more taxpayers in the taxing district may file a petition with the Porter County Auditor not later than noon 30 days after the publication of the Notice of Adoption setting forth their objections to the proposed fund.

Dated March 23, 2026

Burns Harbor Town Council, Burns Harbor Civil Town

Councilwoman Biancardi stated that our current rate is 4 cents and Indiana Code allows us to increase that to 5 cents. The CCD is where we pay for vehicles and bunker gear, and there is a process to reestablish, which would increase the rates. The first is the publication of a notice to taxpayers, which we have done. Once it is adopted, we would need to do a publication notice of adoption, and then submission to the DLGF, and that must be done on or before June 1, 2026, for them to consider it. This allows for a time of publication notice; there is a 30-day window where there can be petitions made against it, so this one is a little bit of a time crunch. We would be requesting them to increase our CCD from 4 cents to 5 cents. That could be an additional \$60,000 in CCD next year, potentially.

Councilwoman Biancardi asked if there was any public comment in favor.

Councilwoman Biancardi asked if there was any public comment in opposition.

Councilwoman Biancardi asked if there was any other discussion by the board. I will now close the Public Hearing.

Councilwoman McHargue made a motion to adopt Ordinance 328-2026 on the first reading. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated that because of the deadline, this would necessitate suspending the rules. Councilwoman McHargue made a motion to suspend the rules for Ordinance 328-2026. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman McHargue made a motion to adopt on the second reading of Ordinance 328-2026 to reestablish the cumulative capital development fund. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

New Business

Resolution 2026-05- Additional Appropriations for Park, Fire, and Police Donation Funds

Councilwoman Biancardi stated that this additional appropriation would make all the current donation funds available to be used by our departments when we want to; however, I found in the town code in Chapter 1, Section. 1-13 donations, the last thing in there it says is that the fiscal officer shall receipt the donations into the individual department, and it shall be expended specifically for which it was donated, or if unspecified, at the discretion of that department head: without appropriation. All expenditures made from these funds shall be processed, claimed, and allowed in the same manner as other claims of the municipality.

Clerk-Treasurer Loving read out loud Resolution 2026-05 Additional Appropriations for Park, Fire, and Police Donation Funds. Councilwoman Draves made a motion to adopt Resolution 2026-05. Councilman McGraw seconded the motion. Councilwoman McHargue – Abstain, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

2026-05

**A RESOLUTION RELATED TO AN
ADDITIONAL APPROPRIATION FOR THE
PARK DONATION NONCAPITAL, POLICE DONATION CAPITAL, FIRE
DONATION CAPITAL, AND PARK DONATION CAPITAL FUNDS**

WHEREAS the proper officers of the Town Council of Burns Harbor, Porter County, Indiana, have determined that it is now necessary to appropriate more money for calendar year 2025 than the amount that was fixed by the 2025 approved budget and finally determined in the annual budget under Indiana Code 6-1.1; and

WHEREAS notice was duly given to the public in accordance with IC 6-1.1-18-5(a) and IC 5-3-1-2(b) for a public hearing on a proposed additional appropriation, and a public hearing was held on April 8, 2026, at 7:00 pm by the Burns Harbor Town Council regarding the same:

THEREFORE, BE IT ORDAINED (RESOLVED) by the Town Council of Burns Harbor, Porter County, Indiana that a need now exists for an additional appropriation out of the following fund or funds named, and for the purposes specified, subject to laws governing the same:

Fund Name: Park Donation Restricted Noncapital	AMOUNT
Major Budget Classification:	
Park Donation Noncap Restricted Non-Appr	\$7,228.53
 Fund Name: Police Donation Restricted Capital	
Major Budget Classification:	
Police Donation Capital Unappropriated	\$5,281.25
 Fund Name: Fire Donations Restricted Capital	
Major Budget Classification:	
Fire Donation Capital Unappropriated	\$5,662.54
 Fund Name: Park Donation Restricted Capital	
Major Budget Classification:	
Park Donation Capital Unappropriated	\$4,819.69
 Fund Name: Park Non-Reverting Operating	
Major Budget Classification:	
Park Non-Reverting Operating Misc. Services	\$10,000.00

Duly adopted by the following vote of the members of said Burns Harbor Town Council, this 8th day of April 2026.

ADOPTION INFORMATION		
Official Vote Nay Aye	Name	Signature
☐ ☐		
☐ ☐		
☐ ☐		
☐ ☐		
☐ ☐		

Attestation by Clerk-Treasurer	
Signature:	Nicholas Loving
Date:	

Resolution 2026-06- MVH & Building Transfers

Clerk-Treasurer Loving read out loud Resolution 2026-06 MVH & Building Transfers. Councilwoman McHargue made a motion to adopt Resolution 2026-06. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

RESOLUTION 2026-06 TOWN OF BURNS HARBOR APPROPRIATIONS TRANSFER

BE IT HEREBY RESOLVED THE TOWN COUNCIL of the TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA that the following transfers of funds be made from the 2026 budget.

MVH:

\$10,000.00 from Other Equipment, MVH 6-444, into Equipment Repairs, 6-362

Building:

\$150.00 from Promotion of Business, Bldg 5-396, into Other Equipment, 5-444.

PASSED AND ADOPTED this 8th day of April 2026.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Jennifer McHargue, President

Roseann Bozak, Vice-President

Lisa Draves

Toni Biancardi

John, "Jack", McGraw

ATTEST:

Nicholas Loving
Clerk-Treasurer

Fiscal Sustainability Plan- Baker Tilley Proposal

Councilwoman Biancardi stated that Baker Tilley has provided different proposals on a fiscal sustainability plan to help us evaluate the different funds that we have and the impacts of the future of different laws. They help in budgeting, and if you can just look over everything I sent over, and let me know if you have any questions.

Town Hall FOB Project

Police Chief McHargue stated that I have a couple of meetings set up this month with a couple of different vendors to discuss. I think that with what we are looking to do, we can do with 8 or fewer doors. So, besides a little bit of labor, it wouldn't change a lot. I am hoping to have more on that next month.

Town Wide Yard Sale

Councilwoman Biancardi stated that it is typically the last weekend in July, and historically, the town has promoted that and organized a map of participating homes. Do we want to continue that this year? Councilwoman Draves stated I think we should just keep it the last weekend of July. Councilwoman Biancardi stated I think the Park Department discussed renting spaces at the park, so we can discuss that a little bit more. We will plan on July 24th and July 25th.

Old Business

1182 Salt Creek Road, Anaya Property

Councilwoman Biancardi stated that we have received 3 quotes for demolition. Are there any questions about this? Building Commissioner looked at the quotes again and recommended David's Lawncare bid. Where would those funds come from? Clerk-Treasurer Loving stated that, per Indiana Code, I would say we could pull the money from CEDIT and transferred to the general fund or any other fund of the county, city, or town. Councilwoman Biancardi stated can't we just spend the money from CEDIT? Building Commissioner Lawson asked if it needs to come from the unsafe building fund to follow compliance. Attorney Patton stated that it would probably be best to be

transferred from CEDIT to this new fund. Councilwoman Biancardi stated that we will need to get that fund created and then transfer money. The recommendation is for David's Lawncare for \$15,500, funded from CEDIT with a transfer to the unsafe building fund. Attorney Patton stated I would just ask that this entity is licensed, bonded, and insured. Has there been any communication with Mr. Anaya in the last 6-12 months? Building Commissioner Lawson stated no, but I did have someone reach out to me and ask if there were any outstanding violations for the property. I explained that there was, and then I never heard back from them. But I have not heard anything from Mr. and Mrs. Anaya at all. Councilwoman Biancardi stated I would just ask that you try and contact them, not just by letter, but in person, to say that this demolition will be happening on this date. Councilwoman Draves questioned whether it needs to be posted. Building Commissioner Lawson stated that a letter was sent to them notifying them that the Town Council had approved the demolition of the house. Councilwoman Biancardi stated that I would now send them a letter stating that we have awarded a bid for the demolition of the property, because it may allow them to do something. Attorney Patton stated we should let them know when it is happening and when it's done, and the cost has been incurred to clean up the property and collect the money from them. Councilwoman Biancardi stated that as soon as the work is done, we need to lien the property. Building Commissioner Lawson asked whether this allows the process to proceed with the collection of the civil penalties as well. Councilwoman Biancardi asked whether you are asking if the collection can also be done as a lien? Attorney Patton stated that we would rather lien the property, because that puts it on immediately. If we do the collection proceedings, it could drag out through litigation. Building Commissioner stated that the civil penalties are in addition to, so if the Town of Burns Harbor puts out money to demolish the building, then we could lien, but the civil penalties are still out there and could be pursued. Attorney Patton stated I would suggest we put the civil penalties as part of the lien. Councilwoman Draves questioned whether that would just be added on to whatever it costs to demolish? Councilwoman Biancardi stated that when we file the lien, we would include everything. Councilman McGraw stated there is a home and garage on the property. Does this demolition include both? Building Commissioner stated yes, and the shed. Councilwoman Biancardi stated that it includes the house, garage, and shed. Councilman McGraw made a motion to award David's Lawncare for \$18,500 for the demolition of 1182 Salt Creek Rd., with funds coming from CEDIT transferred into the Unsafe Building Fund. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Councilwoman Biancardi asked Building Commissioner Lawson to reach out to the property owners to let them know. Building Commissioner Lawson asked whether it would be better to do that once we have the date? Councilwoman Biancardi stated I am sure you will reach out to them tomorrow for a date.

Sanitary Bonds

Councilwoman Biancardi stated there are three board members, each board member would be bonded for \$15,000 because it is a position scheduled every year annually; it will be a \$151. We paid \$118 for the remainder this year, and it will just keep rotating.

Rig Doctors Payment Plan

Clerk-Treasurer Loving stated that we have the payment plan in place that we agreed upon on September 11, 2025. Payments have not been received since January. I sent a letter to Rig Doctors and got the receipt back, but I can't read the signature. The letter stated that if the payments were not received today, the Town Council would consider putting a lien for the amount that is owed. Councilwoman McGraw stated that every time we have had a council meeting, two days before the meeting, we receive an email from Rig Doctors stating they are going to come in and pay. Then we push it off til the next meeting, and nothing is done. Councilwoman Biancardi stated that the owner has stated that he is going to make a payment on Friday. We are expecting payment. Building Commissioner Lawson stated the amount owed is still \$6,750. Councilwoman Biancardi stated he needs to make a payment and be current on what is owed. Clerk-Treasurer stated he is supposed to pay \$250 each month on the 1st. Councilwoman Biancardi stated I would say next month, if he doesn't pay on the 1st, then we should decide what we want to do at that point. If he doesn't make the payment as he has presented in his email, then we follow up, and that's where we go. Building Commissioner Lawson asked Attorney Patton if anything had changed since he entered into an agreement. Attorney Patton stated I would have to look at the terms of the agreement.

Good of the Order and Any Other Business

Councilwoman Biancardi stated that we are ready to start taking Burns Harbor scholarship applications, starting on Friday. The deadline is going to be May 29th, and we will award those at the June council meeting. We have an online application; however, I can do a printed one as well if requested. This is for learners of all ages; it's not just for college. They do need to be a Town of Burns Harbor resident.

I did get some more communication again from the cell tower lease agreement. I did let them know that we rejected the agreement last month, amendment #4, and said at that point we are staying with #3. They have requested that we consider some recent changes that they have made. I have linked that for you all to read through. I would read the red line. I would also like to discuss this with Attorney Patton. What I would like to do is I am going to request the person representing them to either appear in person or on Zoom so that we can talk about it and ask questions.

Councilwoman McHargue stated that we still have brush pickup every Monday and after every major storm, but our leaf vac is currently being worked on. So, once we get that back, the guys will be out there.

Fire Chief Nowacki stated the pancake breakfast for the Fire Department is scheduled for May 2, 2026, from 8-11 am.

Councilman McGraw stated that we are working on the sound system. I will contact Brainstorm tomorrow. Hopefully, by the next meeting, we will have all these issues resolved.

Adjournment

Councilwoman Draves made a motion to adjourn. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Absent, Councilwoman McHargue – Yes, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye.
Motion passed.

There being no further business to discuss, the meeting concluded at 8:07 p.m.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Toni Biancardi, President

Jennifer McHargue, Vice-President

Lisa Draves

John (Jack) McGraw

Roseann Bozak

ATTEST:

Nick Loving
Clerk-Treasurer