

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Monday, June 29, 2026, in the Town Hall and streamed electronically with YouTube. The meeting was called to order by Council President Toni Biancardi at 6:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

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

A quorum was attained.

Additional Officials Present:

Tina Rongers of Karner Blue and Madeline Parker Deputy Clerk. Attorney Clay Patton was present via Zoom.

New Business

Norfolk Southern Easement Offer

Councilwoman Bozak stated that, at the RDC meeting, they voted to pay \$5,000 to NS for use of the easement property- where the construction is going on for the Trail. There was silk fencing that needed to go up where the NS easement is. This is the remedy to be allowed on the property to finish the project. We need to discuss this at the Council level, as the RDC cannot enter into this agreement because it has to do with property purchase. The Council will have to approve it.

Councilwoman Biancardi noted that, under the purpose of the easement, there are two items: one being a temporary use for during the trail design process, and secondly a permanent easement for recreational use. Biancardi asked Tina Rongers if there was anything that she would like to add to that point for discussion. Rongers confirmed the two purposes of the easement as one for the temporary construction and the second for a permanent easement once the trail is constructed. She also stated that we are accessing a portion of their right of way, so the \$5,000 is an offer to Norfolk Southern for that easement access. Biancardi stated that the letter is something that she would sign if the Council chooses to allow it. It states that upon acceptance of the offer, we will prepare a formal easement agreement outlining specific responsibilities of both parties. This offer would be open for acceptance until July 22nd, and if they accept, we would complete the transaction and issue payment within 30 days of receiving the executed easement agreement- clearing any necessary title or survey requirements. Biancardi clarified that the Council may allow her to sign the letter, and she would sign it, and we would send it to them. She then asked Attorney Patton if he had been working on this purchase agreement. Patton stated that he does not feel like it is necessary, and that the letter and easement documents should be sufficient. He would be happy to prepare one if it is the pleasure of the Town and/or Norfolk Southern. Biancardi clarified in the document that it said "... acceptance of this offer... will prepare a formal easement agreement..." She asked Patton if he is saying that is what all of this is- with the pictures. Patton said yes, and that he has already prepared those documents. She asked if it is not a purchase agreement- is it an easement agreement. Patton said that is his understanding. Biancardi asked what the Council would like to do.

Councilwoman Bozak made a motion to approve Council President Biancardi to sign the Offer for Easement to Norfolk Southern, Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye.
Motion passed.

Discussion was had about communication with Norfolk Southern regarding sending the letter and whether any revisions would need to be made on their behalf or the Town's. It

was decided that Biancardi would sign the letter and Tina Rongers would send it to Norfolk Southern via email. Biancardi asked Bozak how she would like to handle the communication moving forward. Bozak stated that we would continue on communication with Tina Rongers, Abon Marche, and Norfolk Southern. Tina Rongers clarified that the easement language was prepared by Abon Marche, so in terms of needing them to review it, we should be in good shape. She stated that while sending the letter to Norfolk Southern, we will attach those easement documents that were also submitted with the email to the Town. Rongers added that she will merge the easement language for the temporary and the permanent to that letter and send it. Biancardi asked if Attorney Patton should be included in the communication. Bozak asked Patton if he would like to be included, and he stated that he could be included, of course.

Resolution 2026-07: Park Transfer

Councilwoman Biancardi read out Resolution 2026-07:

**RESOLUTION 2026-07
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.

Park Non-Reverting Operating:
\$1800.00 from Misc Services, Park 009-392, into Other Equipment, 009-444

PASSED AND ADOPTED this 29th day of June 2026.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Toni Biancardi

Jennifer McHargue

Roseann Bozak

Lisa Draves

John, “Jack”, McGraw

ATTEST:

Madeline Parker
Deputy Clerk

Biancardi stated that this is for the purchase of disc golf baskets. They have already received the baskets, and the Park Foundation paid for half of those. It is just moving the money so that it is in a line to pay.

Councilwoman McHargue made a motion to approve Resolution 2026-07, Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman

Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye.
Motion passed.

Good of the Order

Councilwoman McHargue stated that she has a meeting set up with Kim Kitter for the Cell Tower Lease Agreement this Thursday at 9:30, if another Council Member would like to join in. Biancardi thanked McHargue for bringing it up and said that it would be great for Council Members to meet with them before the next meeting. She noted that only two Council members could meet them at a time. Councilman McGraw said that he will join in that meeting, and Councilwoman McHargue said that she will share the Zoom link to the meeting with him.

Adjournment

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

There being no further business to discuss, the meeting concluded at 6:11 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:

Deputy Clerk