

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Wednesday, November 12, 2025, in the Town Hall and streamed electronically with YouTube. The meeting was called to order by Council President Jennifer McHargue at 7:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

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

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

Additional Officials Present: Attorney Clay Patton, Police Chief Jeremy McHargue, Fire Chief Ryan Nowacki, Street Superintendent Brandon Downey, Park Board Member Kyla Tumblin, Shared Ethics Neil Stout, and Building Commissioner Joe Lawson.

Approval of Minutes:

Councilwoman Bozak made a motion to approve the meeting minutes of October 8, 2025. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. Motion passed.

Councilwoman Biancardi made a motion to approve the meeting minutes of October 13, 2025. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. Motion passed.

Councilwoman Bozak made a motion to approve the meeting minutes of October 27, 2025. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. Motion passed.

Reports:

Nothing to report.

Town Council:

Nothing to report.

Town Attorney:

Nothing to report.

Shared Ethics Advisory Commission Representative:

Stout gave a brief overview of the shared ethics summit that took place on October 30, 2025.

Town Engineer:

Absent

Building Commissioner

Building Commissioner Lawson stated that the new fee schedule will go into effect on November 27, 2025. I sent an email out to the Town Council regarding imposing additional civil penalties regarding 1182 Salt Creek Rd., and I was just wondering if you had a chance to review that. Councilwoman Biancardi asked if any of the penalties have been paid currently. Building Commissioner Lawson stated no, they have not. I have reached out to Mr. Martin and have not heard anything back. Under IC 367-97-E, the hearing authority can impose one or more additional civil penalties in the amount not to exceed \$5,000 per civil penalty. An additional civil penalty may be imposed if the hearing authority finds that significant work on the premises to comply with the affirmed order has not been accomplished, and the premises hurt property value or quality of life of the surrounding area, or the premises require the provisions of services by local government in excess of the services required by ordinary properties. Councilwoman Biancardi asked how often you can access the penalty. Building Commissioner Lawson asked Attorney Patton if he knew. Attorney Patton stated I am trying to look that up right now to see if the property owner paid his property taxes. Councilwoman Biancardi stated we have already imposed \$5,000, so we have two more \$5,000 penalties that we can impose. Councilwoman Biancardi made a motion to impose another penalty of \$5,000. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. **Motion passed.**

Councilwoman Biancardi asked Building Commissioner Lawson what his next step is now. Building Commissioner Lawson stated I have to send the penalty out by mail, and once he gets that, he will have a period of time when he can come in and make payments. If he doesn't, then I guess Attorney Patton can pursue collections. If it is possible, I would suggest imposing both \$5,000 penalties, and then that money would just about pay for the demolition of the property. Councilwoman Biancardi amended her motion to impose two \$5,000 fines for 1182 Salt Creek Rd. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. **Motion passed.**

Councilwoman Biancardi withdrew her motion.

Councilman McGraw made a motion to impose two separate \$5,000 penalties. The first is for section one and the second fine for section two, making the total imposed amount \$10,000. The penalties will be due by December 31, 2025. Councilwoman Biancardi seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye.

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

Attorney Patton stated at the January meeting that the council can let me know what they would like to do regarding the collection of those fines. Councilman McGraw amended his motion, and the penalties will be due by December 30, 2025. Councilwoman Biancardi seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. Motion passed.

Clerk-Treasurer Loving stated here is a copy of the October lien list. There are two listed, one for \$250 and the other for \$23.55. Building Commissioner Lawson stated I sent an email regarding 301 Melton Rd. I issued an order to repair and rehabilitate under the IC code for an unsafe building code, and it was supposed to be paid by November 10, 2025, for \$2,500, but it was not. Can we put a lien on that property?

Building Commissioner Lawson stated the \$23.55 lien is incorrect; a \$50 violation ticket was given and not paid, so that should be added to that total. Also, the property owner's name on this is incorrect. Councilwoman McHargue stated that we are not going to put a lien on a property if we do not have the correct property owner. We will get the list updated for the December meeting. We will also need 301 Melton Rd added to it. Attorney Patton stated I am looking at the email regarding 301 Melton Rd, and I replied and said there is nowhere in Indiana code or town code that permits us to record a lien for the fine. We must pursue our case in the courts. So, I don't know what the question is. The Building Commissioner asked if the property can be put on lien because he has not complied with repairing and rehabilitating it. Councilwoman Biancardi stated I think we need to investigate what we can lien and what we cannot. Clerk-Treasurer Loving stated that there is a document in the folder that outlines the process. I will figure this one out and have it for the December meeting. Councilwoman McHargue asked if we can move forward with 292 Haglund Rd., which is listed on the lien list. Building Commissioner Lawson stated that the property is still in violation, and another fine could be given. Councilwoman Draves asked how much the violations increase with each one, and whether there is a cap that we can impose? Building Commissioner Lawson stated I will have to look into that. Councilwoman Draves stated can we table these liens until we know all of the information. A discussion was held regarding liens and fines. Councilwoman McHargue stated we will hold off on this until we get a better understanding and will discuss it at the December meeting.

GM/MVH Superintendent

Superintendent Downey stated that our fall street sweeping was a success, even though the schedule was thrown off by late delivery. Our last brush pickup date will be Monday, November 17, 2025. Our leaf pickup has started, and we will be picking up leaves on Mondays and Tuesdays until most of the leaves have fallen. Just a reminder to keep leaves clear of any brush, grass, or any other debris. We do not pick up any grass clippings or leaf piles with debris mix. We survived the first snow of the year; it was a little rough that night and day. I want to thank everyone for their patience. Just a

reminder to the public, if there is more than 2 inches of snow on the roadways, they need to park off the streets, so we can snowplow curb to curb. I don't know if we need to have a future conversation about citations and ticketing, because a lot of these residents do not abide by the signs, and it makes it difficult to plow the neighborhoods. Police Chief McHargue stated we can go around and cite \$10 tickets, but if the Town of Burns Harbor is going to enforce something, we need to discuss that. Even if we issue a \$10 ticket, they don't have to move the car. They have 24-48 hours per town code to move it afterwards. If this is that big of a problem, then we need to write an ordinance that states that if we cannot contact the owner, we are just going to tow the vehicle. All the surrounding communities are doing that around us. Superintendent Downey stated that if any mailbox damage or repairs need to be made, I ask the residents to reach out to the Street Department or Town Hall, and we will be more than happy to fix it or replace it. Sometimes the snow is so heavy, and during whiteouts, the snow will topple over the mailboxes and damage them.

Councilwoman Biancardi asked Superintendent Downey about a PO for street signs and if they were starting to be replaced. Superintendent Downey stated yes, I just want to get some new posts and hardware for different ways to put signs in.

Councilman McGraw asked about a PO for lights. Superintendent Downey stated the Street Department's truck was wired up with lights in-house, and there are a lot of faults happening with the radio communication. So, there is a PO to have Bartronics fix that.

Superintendent Downey stated that I have reached out to five companies about flooring and painting for the town hall complex. Four of them came in and took measurements, but I have only received one quote back. As soon as I get that in, I will let the council know.

Councilman McGraw brought up the lighting in the Village. Superintendent Downey stated that I am going to get with Greg, the electrician that I work with, to go through them and see what needs to be done.

Police:

Police Chief McHargue stated that on Halloween, we had four officers out and we had no reported issues. The Graff Ford, Chevy, Kia, Toyota trunk-or-treat was on October 29th, and we had two officers working security there. I attended the grand opening for Taco Bell that I was invited to on October 28, 2025. On October 1, 2025, we hired a new part-timer, Officer Joe Creed. He is a full-time officer for the Town of Porter Police Department. He is fitting in well and already working shifts for us. Officer Dathan Bennett's field training is complete, besides being certified in standardized field sobriety, which he will get in the academy. He is registered for the academy, which will begin on January 19, 2026. We also have potential sponsorship for another officer who could potentially be another part-timer. If we were to sponsor this individual, his name is Alex Miles, and he wouldn't be at any cost to the Town of Burns Harbor. He would be paying for the police academy, so that is a possibility as well.

Fire:

Fire Chief Nowacki stated that the Fire Department attended the trunk-or-treat at Graff as well. We sent out four fire vehicles and a total of nine firefighters out there. We had 31 calls of service last month, so we averaged about one a day. The Fire Department applied for and was awarded a \$2,500 grant from Indiana Homeland Security for either the replacement of an AED or AED parts. I know in 2027, we are going to have a problem when all the AEDS that the Town of Burns Harbor currently has come to the end of their life cycle. We were recently contacted by the Park Department because they had an AED beeping in their building, and it was determined that it had a bad battery. We are not 100% sure how we are going to spend the funds yet.

Councilwoman Biancardi stated regarding the ambulance, I had talked to the council about the potential of someone interested in it. Fire Chief Nowacki stated I contacted him today, after several attempts. I gave him the Town of Burns Harbor contact information in addition to mine, so I just want to make sure he hasn't reached out to anyone else regarding this. There is also another interest in it from another government entity next door. Kouts Fire Department has a walk-in rescue truck that they want to get rid of, and that would be perfect, but I just need to get rid of our ambulance and possibly our medium-sized rescue truck to acquire. They are asking \$60,000 for this truck, and it is perfect. It would give our dive team exactly what the ambulance can do. But it would also eliminate our 30-year-old truck that we acquired from Chesterton. So, let's wait until the end of the year to see if the council is okay with that. Councilman McGraw stated that we should get advertisements out about the ambulance by the end of the year to get the word out there. Fire Chief Nowacki stated that the way I would approach it would be to reach out to ambulance services that are governed by a town, city, or township. We only have three options for moving away from the vehicle: trading it in, going to auction, or drafting a resolution between another town, city, or township.

Sanitation/Stormwater Superintendent:

Superintendent Downey stated that I will have a full report at next week's meeting, but right now, there were some issues at certain lift stations, but everything is working as it should now.

Park:

Park Board member Tumblin stated that the Park Department would like to thank the council for assisting with our furnace. On behalf of the park board, we would like to request permission to place a donation box inside the town hall to collect non-perishable food items for our community micro-pantry. Councilwoman McHargue stated that we have been talking about setting up a food drive at town hall for December to help fill the micro-pantry, as well as having items available at town hall. So, we will share with the micro-pantry.

Redevelopment Commission:

Councilwoman Bozak stated that things are moving and shaking, that is about all I have.

Correspondence:

None

Presentations of Resolutions, Petitions, Communications, Ordinances, and Remonstrance:

Clerk-Treasurer Loving read out loud Resolution 2025-19 Appropriations Transfer.

**RESOLUTION 2025-19
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 2025 budget.

Sewage Utility:

\$7,740.21 from Secretary/Clerk, 12-112, into Superintendent, 12-111

\$11,757.60 from Part-Time, 12-115, into Labor, 12-113

\$5159.17 from Overtime, 12-116, into Labor, 12-113

\$1,000.00 from Longevity, 12-122, into Freight, 12-321

\$270.00 from Longevity, 12-122, into Cell Phone, 12-128

\$300.00 from Furniture & Fixtures, 12-441, into Medicare, 12-126

\$390.00 from Furniture & Fixtures, 12-441, into Cell Phone, 12-128

\$4,500.00 from Oper/Wastwater Treat., 12-355 into Repair Parts, 12-236

\$500.00 from Other Materials, 12-237, into Other Supplies, 12-243

\$4,310.00 from Furniture & Fixtures, 12-441, into Engineering Services, 12-315

\$20,000.00 from Miscellaneous Services, 12-392, into Engineering Services, 12-315

PASSED AND ADOPTED this 12th day of November , 2025.

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

Councilwoman Biancardi made a motion to approve Resolution 2025-19 Sewage Utility Fund Appropriations Transfer. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. Motion passed.

Clerk-Treasurer Loving read out loud Resolution 2025-20 Appropriations Transfer.

RESOLUTION 2025-20 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 2025 budget.

General Maintenance:

\$700.00 from Part-Time Laborer, 3-113, into Clerk, 3-114
\$600.00 from Part-Time Laborer, 3-113,, into Equipment Operator, 3-117
\$700.00 from Part-Time Laborer, 3-113, into Perf, 3-127
\$1,200.00 from Part-Time Laborer, 3-113, into Office Supplies, 3-213
\$700.00 from Part-Time Laborer, 3-113, into Other Supplies, 3-243
\$1,200.00 from Part-Time Laborer, 3-113, into Uniforms, 3-244
\$150.00 from Part-Time Laborer, 3-113, into Rentals, 3-371
\$1,800.00 from Part-Time Laborer, 3-113, into Furniture & Fixtures, 3-441
\$200.00 from Part-Time Laborer, 3-113, into Other Equipment, 3-444

Motor Vehicle Highway:

\$5,000 from Street Lights, 6-534, into Miscellaneous Services, 6-392

PASSED AND ADOPTED this 12th day of November , 2025.

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TOWN OF BURNS HARBOR

Jennifer McHargue, President

Roseann Bozak, Vice-President

Lisa Draves

Toni Biancardi

John, "Jack", McGraw

ATTEST:

Nicholas Loving
Clerk-Treasurer

Councilwoman Biancardi made a motion to approve Resolution 2025-20 General Maintenance Fund Appropriations. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. Motion passed.

Clerk-Treasurer Loving read out loud Resolution 2025-21 Appropriations Transfer.

RESOLUTION 2025-21 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 2025 budget.

General Building:

\$100.00 from Miscellaneous Services, 5-112, into Longevity, 5-122
 \$400.00 from Miscellaneous Services, 5-112, into Health Insurance, 5-123
 \$1,000.00 from Miscellaneous Services, 5-112, into Telephone, 5-323
 \$500.00 from Office Equipment, 5-443, into Office Supplies, 3-213
 \$150.00 from Other Equipment, 5-444, into Overtime, 5-116
 \$4,917.93 from Gen-Town Engineering Services 1-315, into Gen-Bldg. Perf, 5-127

PASSED AND ADOPTED this 12th day of November, 2025.

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

Councilwoman Biancardi made a motion to approve Resolution 2025-21 General Building Fund Appropriation Transfers. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Aye. Motion passed.

Amendment to Ordinance 312-2002 Uniform Allowance

Clerk-Treasurer Loving stated that the amended ordinance is in front of you, and the highlighted areas are the additions, so the final version will be cleaned up. Councilwoman Biancardi asked if it still had two installments. Police Chief McHargue stated that I do not want to disperse \$1,500 for uniforms in January and then lose them in February. I am completely fine with it saying two installments. Councilwoman McHargue stated that the ordinance does state that. Councilwoman Bozak made a motion to approve the amendment to Ordinance 312-2002 Uniform Allowance. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilman McGraw – Aye, Councilwoman Biancardi- Aye, Councilwoman Draves – Aye, Councilwoman McHargue- Abstain. Motion passed.

New Business:

Staff Anniversary Recognition:

Councilwoman McHargue stated that Andrew Skalku has been with the Town of Burns Harbor for two years.

Food Pantry Options

Clerk-Treasurer Loving stated that Councilwoman Bozak and I have been throwing around that we need to do something. We talked about maybe using the kitchen in the back to put some shelves up and keep them in there. Any donations can go to the micro-pantry at the Park Department. We are open to any ideas. Councilwoman Bozak stated that items that cannot fit in the micro-pantry can be taken over to the Westchester food pantry as well. I don't know if anyone has any ideas about staging a collection day and letting the public know about all the options they can help support.

Approval Financial Report (Fund Report, Appropriation Report, & Revenue Report)

Clerk-Treasurer Loving stated that I am still trying to figure out how this was done historically, without manually entering numbers into cells. Reconciling started yesterday, and I do not think there will be any issues. Councilwoman Biancardi made a motion to approve the financial reports. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Biancardi- Aye, Councilman McGraw – Abstain, Councilwoman Draves- Aye, Councilwoman McHargue –Aye. Motion passed.

Approval to pay vouchers with 3 or more signatures:

Councilwoman Bozak moved to approve vouchers with three or more signatures. Councilwoman Biancardi seconded the motion. Councilwoman Bozak – Aye, Councilwoman Biancardi- Aye, Councilman McGraw – Aye, Councilwoman Draves- Aye, Councilwoman McHargue –Abstain. Motion passed.

Approval of purchase orders submitted with 3 or more signatures:

Councilwoman Bozak moved to approve purchase orders submitted with three or more signatures. Councilwoman Biancardi seconded the motion. Councilwoman Bozak – Aye, Councilwoman Biancardi- Aye, Councilman McGraw – Aye, Councilwoman Draves- Aye, Councilwoman McHargue –Abstain. Motion passed.

Councilwoman Biancardi stated that we have the Frontier bill 7871116 for \$175, which I think was for the old phone tree. Clerk-Treasurer Loving stated that I will investigate that tomorrow and get you an answer.

Councilwoman Biancardi stated that we have a bill for Global Engineering to talk about the CIT Trucking with Building Commissioner Lawson and Fire Chief Nowacki about hydrants. This bill is \$1,200, and I'm just wondering what this is for. Building Commissioner Lawson stated that it is to initiate compliance with the fire code by putting in more fire hydrants.

Old Business:

Fill Open Positions/Board Members

Councilwoman McHargue asked Clerk-Treasurer Loving to have one of the clerks send letters or emails to all the board members whose terms are expiring on December 31, 2025.

ADA Complaint

Councilwoman Draves stated that we are currently working on that. I met Building Commissioner Lawson, and we have reached out to Attorney Patton with some recommendations. We have also reached out to other agencies, and we are waiting to hear back.

Anthem Policy & Rebate Check

Councilwoman Biancardi stated that Anthem had a projected increase of 10% and it came back at 11.2%. They have different plan options, so we are going to pass them on to all the department heads to discuss them with their full-time staff members. The other two plan options are significant plan savings, so we just want everyone's thoughts. We do need to decide not later than the December meeting.

Cell Tower Lease Agreement

Councilwoman Biancardi stated that Superintendent Downey has been looking into this. Yes, we have the space, but I do not want to put up the money to test the ground, so we can always put that out to them. I can report back and see what they want to do.

Items of Closed Bids

Clerk-Treasurer Loving stated that we had two items that were submitted for closed bids. We have one bid for the generator and three bids for the Ford F-250. The bid for the generator is from Superior Engine, 11055 Virginia Street in Crown Point, for \$1,052. Councilwoman Biancardi approved the motion to accept the bid for the generator. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Biancardi- Aye, Councilman McGraw – Aye, Councilwoman Draves- Aye, Councilwoman McHargue – Aye. **Motion passed.**

Clerk-Treasurer Loving stated that we had three bids for the Ford F-250. The first bid is \$5,700, the second is \$5,150, and the third bid is \$3,000. Councilwoman Biancardi made a motion to approve the first bid for \$5,700. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Biancardi- Aye, Councilman McGraw – Aye, Councilwoman Draves- Aye, Councilwoman McHargue – Aye. **Motion passed.**

Councilwoman Draves stated that Fire Chief Nowacki needs to pay the Incorp by sometime in December, so we need to discuss that. We will add this to the December agenda.

Fire Chief Nowacki asked if the discussion could be reopened regarding the fire guys bringing their cars to the station to vacuum and clean out. Councilwoman McHargue stated no, for personal liabilities, we cannot.

Good of the Order of the Community:

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

There being no further business to discuss, the meeting concluded at 8:38 p.m.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Jennifer McHargue, President

Roseann Bozak, Vice-President

Lisa Draves

John (Jack) McGraw

Toni Biancardi

ATTEST:

Nick Loving
Clerk-Treasurer