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Problems have surfaced on private roads within Heritage Park complex

About a dozen or more sinkholes have appeared in streets in the Heritage Park subdivision developed by A.N. Ansay & Associates on Belgium's southwest side.

After initially saying the two-year guarantee on the streets had expired, Ansay agreed to have its contractor fix the problem, but refused to pay an estimated $3,000 to $5,000 for an engineer to inspect the work, Village Attorney Gerald Antoine told the Village Board Monday.

"He blames McMahon (Associates, the village's engineering firm) for the problems," Antoine said.

"The attorney (for Ansay) included all kinds of things in the agreement and basically said Ansay wants to be released from all agreements with the village."

The attorney also asked that his client's letter of credit be reduced from $250,000 to $120,000 and the developer's agreement be voided when the final lift of asphalt is laid.

The letter of credit was based on Ansay's estimate of the cost of the work to be done. Ansay must justify reducing the amount, Antoine said.

"I told him we're not going to ask for anything more than what it will cost them, but we don't want anything less," he said.

The developer's agreement protects Ansay as much as the village, Antoine said, noting a portion that deals with the retention pond details how Ansay can recover the cost for the installing the regional pond.

To void the contract would require a detailed review of the long document, he said.

Trustee Vickie Boehnlein said the village may find it cheaper to pay McMahon's inspection fees than fight Ansay in court or through attorneys.

Trustee Jeff Ritter questioned whether the potholes are due to the quality of the work or the soil conditions.

Wastewater Supt. Neil Anderson said inferior fill was used in some areas, causing the depressions.

"Drive through it after a good rain and you'll see where they are," he said.

Matt Greeley of McMahon said a person trained in road inspection should be assigned to the site while the work is being done. He estimated it would take about a week.

It was decided Antoine should propose the village and developer equally share the inspection

cost.