

Village resolves sinkhole dispute

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Developers agree to pay to fix roadway problems in Heritage Park, municipality to cover inspection cost

The sinkholes that have appeared in streets in the Heritage Park Subdivision on Belgium's southwest side will be fixed soon.

Mike-John Investment of Port Washington, which developed the subdivision, will pay for most of the work, but the Village of Belgium will pay for an inspector to be at the site while the work is done.

That decision was made Monday after months of negotiations between an attorney for Mike and John Ansay and Village Attorney Gerald Antoine.

Ansay contends the one-year guarantee on the streets expired and the roads now belong to the village. But the village contends poor workmanship and materials caused manholes to sink and other holes to develop and not normal use.

Ansay eventually agreed to pay for the repairs, but wanted other concessions that village officials didn't agree with.

Last month, the two sides were able to work out all concerns in a proposed agreement except the cost for the inspection. Matt Greeley of McMahan Associates said it would cost about \$2,500 for an engineer familiar with road construction to be at the site for one week.

The Ansays contend McMahan didn't do a sufficient inspection when the streets were being built.

In an effort to reach an agreement and save the village some money, Trustee Vickie Boehnlein proposed splitting the cost with the Ansays, but they refused to do that, Antoine said.

"Ansay's position is that they're fixing things they don't have to fix — which we disagree with — but the least the village can do is pick up the tab for the inspection," Antoine said. "We're talking \$1,200. My advice is to pick up the cost."

Village President Kevin Kowalkowski said he received numerous calls from residents who said the village shouldn't pay anything toward the repairs.

"I told them I understand their concerns, but we can far exceed the inspection costs in attorney fees if we continue going back and forth," Kowalkowski said.

Antoine said, "If you don't have an agreement, there will be litigation. Either we're going to sue them or they're going to sue us, and \$1,200 isn't going to cover anything."

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“My recommendation is to get this behind you and maybe you can save some money by working with Matt and Danny (Birenbaum, public works director) to do some of the inspections.”

The board agreed to pay for the inspection.