

## Drainage fix draws trustees' scrutiny

Written by Mark Jaeger

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Public works director criticized for installing ditch on private property to correct recurring flooding

Fredonia Director of Public Works Al Neumann found himself on the hot seat at the last Village Board meeting when asked to justify drainage work he ordered on a Fillmore Street property.

The problem, according to trustees, is that the drainage ditch was on private property and without prior board approval.

John Donald, 167 Fillmore St., defended the work, saying he has been complaining to the village for the past 15 years about ongoing flooding problems.

Donald said the flooding began when neighbor Peter Watry put in a driveway to reach the home he built behind Donald's at 163 Fillmore St.

"For the past 15 years, I have referred to it as the Peter Watry dam driveway," Donald said.

"Every time it rains, I have several inches of rain in my basement. I've spent tens of thousands of dollars replacing refrigerators and drywall in the basement. I've replaced five or six sump pumps over the years."

Donald said he has lived in his home for 25 years and never had water problems until the driveway was installed.

"In my humble opinion, this is something that should have been taken care of 15 years ago. The village should never have allowed that driveway to go in without knowing where the water was going to go," he said.

He routinely contacted the village about the drainage concerns, and earlier this fall Neumann had village workers install a culvert at the property line.

To complete the fix, Donald will run a drainage tile to the culvert, drawing storm runoff away from his house.

Village President Joe Short said he has fielded several questions from residents asking why the village got involved in the matter.

"I have been asked why the village fixed the problem. We spent tax dollars on private property, and that is not acceptable," Short said.

The cost of the work is not final, but it is expected to be more than \$6,000. The simple drainage project was complicated when utility lines were inadvertently cut.

Neumann defended the project as being within his discretion as head of the Public Works Department.

"I felt the village had some responsibility there," he told the board. "The implication was that litigation was a possibility, and I felt there was a relatively inexpensive way to solve the problem

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without the negative PR or the cost of litigation.”

Neumann said village officials scrutinized the driveway plan at least six times before it was installed, so the village shares some responsibility for problems it created.

“It is pretty hard to deny there was a problem there,” he said.

Trustee Don Dohrwardt tried to defuse what he saw as an emotional discussion aimed at Neumann and his authority.

“I don't believe this should be seen as an inquisition,” Dohrwardt said. “If this was a modern development, we would have required that a plan show where the water was going to go. We need to remember that the modern way of doing things didn't start that long ago, and maybe even more recently in Fredonia.”

However, he challenged Neumann decision not to consult the board ahead of time.

“I feel disappointed that you didn't trust the Village Board to agree with your logic before getting the job done,” Dohrwardt said.

“This is not as egregious as you taking a backhoe and digging out a basement and then getting paid \$1,000 for the work.”

Neumann countered that he makes many decisions on behalf of the village without prior board approval.

“When I call the snowplows out at 3 a.m., do you want me to call the board first? Each time that decision is made, it is going to cost considerably more than this project,” he said.