

Three years later, Brookfielders get alley refunds

Those in special assessments will get cash or see payments adjusted

By BOB UPHUES
Editor

Property owners living in one of Brookfield's special assessment districts received refund checks from the village in recent weeks for the amounts they had been **overcharged on new alley construction back in 2007.**

Refunds went to 17 property owners on the 4100 blocks of Raymond/Madison and the 9300 block of Ogden Avenue, who back in January 2008 had paid in full their share of the estimated cost to complete the alley.

In all, Brookfield refunded almost \$14,000 to those property owners.

The property owners in that district, Special Assessment 344, who didn't pay the entire amount upfront will receive adjustments to their annual payment schedules to account for the initial overcharge.

But the checks approved by village trustees on March 14 are just the start. In all, the village stands to refund some portion of the funds it has already collected in 19 special assessment areas, all related to alley projects completed between 2007 & 2009.

It's **unclear** just how much actual cash will be refunded because a good portion of the overcharges will be reconciled as adjustments to future payments. **But village records indicate the village overcharged property owners in those special assessments districts by \$193,223.**

According to the village's finance director, Doug Cooper, the refunds are being paid out of its special assessment fund, which is kept separate from the village's general operating fund. When payments need to be made from that fund, they are transferred to the general fund for disbursement.

"Hopefully, by the end of April we'll be through everything," said Cooper, who has begun sending letters to property owners notifying them either of a pending refund or an adjustment in their payments.

The refund/adjustment process will finally close the book on a **3-year investigation into the way special assessments were beng administered.**

In large part, those property owners can thank Steve Campbell - a major village property owner and burr under the saddle of Brookfield officials through the years. Campbell first brought the matter to the attention of village officials in March 2008.

At the time, Campbell was questioning another matter related to Special Assessment 334, where he owns property. SA334 was created in 2006 for the construction of an alley between the 3200 blocks of Arthur/Maple.

Campbell paid his assessment in full. But in 2008, when he talked to the contractor who performed the work, the contractor told him he hadn't been paid yet by the village, even though the village in February 2008 knew the final cost of the work performed for SA334.

Traditionally, a contractor who performs work for a Special Assessment in Brookfield holds the note. The work is done and then property owners pay the contractor over 10 years at 6% interest, using the village as a collection agency.

Campbell additionally learned that the village made payments to a different contractor for work on SA344, which was completed the following year. The difference, Campbell found was that the village held the note on the alley, not the contractor.

The contractor for SA344 was paid out of the special assessment fund, which presumably held funds meant to pay the contractor for SA334. The latter was eventually paid most of what he was owed; the village is still working out final details on remaining payments.

Explaining the late payments, Assistant Village Manager Keith Sbiral said that the contract hadn't submitted vouchers for payment. Since that time, the village has amended the way it pays alley contractors who hold the note. They are paid on a schedule, not as the result of submitting vouchers.

In his quest to get an answer about the fate of the money he already paid, **Campbell also discovered that the village was charging property owners is the SAs more than the cost of the project.** In addition to being charged the estimated cost instead of the final cost, Campbell learned that the village was charging some SAs a 5% premium over and above the construction estimate.

Illinois state law allows such a charge, called an "interest deficiency," as a way for the village to protect itself against people who don't pay their assessments, but Campbell was outraged.

"The village overbilled substantially. They knew it," said Campbell. "They threw in the 5% as a capital cost, so everyone paid interest on it. The 5% if you run it out 10 years, turns into 8%. And for what? My contention from the beginning is that the village had no right to increase the interest exposure or interest cost to the private-sector participants just because they couldn't get their act together."

Cooper, who began unraveling the SA issue after he was hired in January 2009, admits the village didn't have a handle on how to administer the 19 SAs when they created them. The prior finance director, John Dolasinski, had put together detailed spreadsheets and processes (he was the one who set up the separate special assessment fund, said Cooper) for tracking estimated vs. final costs and refunds.

Dolanski was ousted from his post in early 2006. Until Cooper's arrival in 2009, no one knew how to handle the SAs, because the village didn't have a full-time finance director.

"John Dolanski was actually on top of this," Cooper said. "From 2007 to 2008... there were a lot of special assessments being established. They really didn't have a full-time finance director here, so I don't understand if (then part-time finance advisor) Mark Tomassini understood the implications of what needed to be done."

The Secret Overcharges that the P.E.P. Party orchestrated will bring a criminal Investigation to Brookfield.

Village President Mike Garvey and his Village Board tried to pull a fast one on the property owners in the Special Assessment Areas. They overcharged over 600 property owners in the alley paving projects and then added an additional 5% fee on top of the 6% interest charge!

This massive overbilling came to **\$193,223.00** and if not for a diligent property owner it would have gone undiscovered! They now say that they were going to pay it back ... Why than did they hide it?

Finance Chairman Kit Ketchmark knew about this and like a "good boy" kept his mouth shut for 3 or 4 years. Now the Village of Brookfield has to pay back thousands of dollars to unravel this massive fraud.

"WHAT A WEB WE WEAVE ... WHEN WE SEEK TO DECEIVE"

Special Assessment Alert

If you live in any of the listed areas that have an alley Special Assessment, you have been overcharged by the Village of Brookfield and are due a refund.

SSA 323	SSA 334	SSA 342	SSA 357
SSA 324	SSA 335	SSA 344	
SSA 328	SSA 336	SSA 350	
SSA 330	SSA 338	SSA 353	
SSA 331	SSA 339	SSA 354* (undercharged)	
SSA 332	SSA 341	SSA 355	

The Village of Brookfield overcharged the residents in these SSA Areas and is using your money interest free! Now they got caught with their hands in the till.

SECRET PEP PARTY COVER-UP EXPOSED . . .

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APRIL 5th



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