

02014-32

Subject: FW: Ordinance 2014-32

-----Original Message-----

From: Paula Keohane [<mailto:pkeohane@frontier.com>]

Sent: Tuesday, December 08, 2015 1:36 PM

To: Navarre, Mike

Cc: Gilman, Blaine; Johnson, Brent; Ostrandér, Paul; Thompson, Colette

Subject: Re: Ordinance 2014-32

Mike,
Tim and I have considered the 2 approaches to solving this issue outlined in your email. We are in agreement that either of these approaches will accomplish the original goal. We support your efforts to finalize this and hope to hear results soon.

Paula

> On Dec 8, 2015, at 11:59 AM, Navarre, Mike <mnavarre@kpb.us> wrote:

>

> Paula,

>

> Thank you for your message and support for Brent Johnson's substitute ordinance. I appreciate your patience and can certainly understand your frustration. While we have not met, in person, we have had numerous phone discussions about this issue. I'll pass your communication on to the Clerk for distribution to the other Assembly members.

>

> The Johnson substitute does not include a fair market appraisal, rather it seeks to establish a fair market price essentially through a facilitated negotiation between the parties. As we discussed several weeks ago, establishing a fair market value absent a fair market appraisal is a bit problematic.

>

> I intend to ask the Assembly to adopt one of the following approaches:

> 1) Include a fair market appraisal with an option for Mr. Sterchi to purchase the parcel for the appraised value. If Mr. Sterchi chooses not to purchase the parcel it would be conveyed to you.

> 2) Adopt the original ordinance and transfer the parcel to you. In order to gain support for this approach, I would ask that you agree to provide Mr. Sterchi the option to purchase the property from you at a fair market appraisal price. You could limit the option to a proscribed period of time.

>

> I think both approaches get to similar results. The KPB achieves the original goal of a perpetual easement on your parcel, Mr. Sterchi has the option to purchase the parcel adjacent to his property at a fair market price, and you are compensated for the perpetual easement on your property. If you are in agreement, please respond to this communication and I'll provide your response to the Assembly.

>

> Thank you again for your patience.

>

> Best regards,

>

> Mike Navarre

> Mayor

>

> -----Original Message-----

> From: Paula Keohane [<mailto:Pkeohane@frontier.com>]

> Sent: Tuesday, December 08, 2015 10:17 AM

> To: Navarre, Mike

> Cc: Gilman, Blaine; Johnson, Brent

> Subject: Ordinance 2014-32

>

> Mayor Navarre,

> We remain patient, though perplexed, following the latest postponement to this ordinance.

> We were able to listen to the Nov. 10th assembly meeting via webcast and understand that action on the (Johnson)Substitute Ordinance was postponed for 2 weeks pending further negotiations between you and the "interested parties". We have not met with you as of this date but would like to present this information.

>

> Our first preference is to proceed with the trade as proposed in the original Ordinance 2014-32. However we recognize the intent of the Substitute Ordinance is to accommodate the claim made by Mr. Sterchi and we have considered the proposal. Although no dollar amount was stated, our assumption is that the Borough would have an independent appraisal done and that would establish Market Value as stated in the ordinance.

>

> Therefore we support the (Johnson) Substitute Ordinance as presented at the Nov.10, 2015 meeting.

>

> We hope the Assembly can finally put this issue to rest and all parties can proceed with the understanding that the best interests of the Borough and it's citizens are served.

>

> Sincerely,

> Tim and Paula Keohane