

# **COMMITTEE ON CLAIMS AND PENDING SUITS**

## **AGENDA**

**SEPTEMBER 28, 2005**

**The Conference Room            5:00 o'clock P.M.**

### **WATER SUPPLY BOARD**

**1.) JUDITH DICKSON, 36 Henrietta Street, Providence, RI 02904, 05-307. Compensation for damage sustained, whereby petitioner's water pressure regulator had to be replaced, allegedly after work was done on the water line on Henrietta Street.**

**2.) EAST COAST CLAIMS SERVICE, INC. a/s/o AMERICO AURECCHIA, P.O. Box 629, Wakefield, RI 02880, 05-376. Compensation for damages sustained on June 30, 2003, whereby petitioner alleges firefighters had significant difficulty fighting a fire at 13 Pezzullo Street, Johnston, RI, due to a lack of water.**

**Claim            \$215,347.00**

**3.) PROGRESSIVE INSURANCE a/s/o DAVID HORTA, P.O. Box 84621, Cleveland, OH 44101, 05-339. Compensation for damages sustained on June 21, 2005, whereby petitioner's windshield was chipped, allegedly by rocks/gravel from a Water Supply Board truck he was traveling behind.**

**Claim        \$50.00**

**4.) CLARICE SMITH, 362 Adelaide Avenue, Providence, RI 02907, 05-344. Compensation for damages sustained on February 16, 2005, whereby during the installation of a water meter workers from the Water Supply Board allegedly cracked a pipe at 362 Adelaide Avenue.**

**Roto-Rooter        \$4,150.00**

**Statewide Plumbing    \$3,999.00**

**5.) STATE OF RHODE ISLAND, DEPARTMENT OF TRANSPORTATION (Charles D. Wick, Esquire), 58 Weybosset Street, Suite 600,**

**Providence, RI 02903, 05-315. Compensation for damages sustained, whereby petitioner alleges the City of Providence, through its Water Supply Board, owes the State of Rhode Island, through its Department of Transportation, for unpaid amounts in connection with Water Supply Board contract 8931, concerning improvements to Cranston Street from August 1990.**

**Claim \$61,580.00 plus interest,  
plus costs**

**6.) ASTERIOS ZISIADES, 105 Nelson Street, Providence, RI 02908, 05-329. Compensation for damages sustained on June 1, 2005, whereby petitioner damaged his vehicle on Nelson Street.**

**Pate's Service Station \$943.51**

## **DEPARTMENT OF PUBLIC WORKS**

**7.) RONALD C.F. ANTONY, 130 Congdon Street, #1, Providence, RI 02906, 05-187. Compensation for damages sustained on February 22, 2005, whereby petitioner hit a pothole on Benefit and South Street.**

**8.) DOUG ASERMELY, 43 Curran Road, Cumberland, RI 02864, 05-114.  
Compensation for damages sustained on February 13, 2005, whereby  
petitioner hit a pothole on Nashua Street.**

**Lindbergh Auto Body, Inc.    \$289.15**

**9.) JAMES A. BRANCH, 17 Fruit Street, Pawtucket, RI 02860, 05-144.  
Compensation for damages sustained on February 22, 2005, whereby  
petitioner hit a pothole on Branch Avenue.**

**10.) JOSEPH L. BRONK, 247 Mulberry Drive, Wakefield, RI 02879,  
05-366. Compensation for injuries sustained on July 7, 2005, whereby  
petitioner broke his foot when he stepped into a pothole.**

**Claim        \$833.37**

**11.) ANDREW J. BUCCI, Three Newton Street, Providence, RI 02903,  
05-235. Compensation for damages sustained on March 30, 2005,**

**whereby petitioner hit a pothole.**

**Inskip Audi      \$201.85**

**12.) JEFFREY G. CABRERA, P.O. Box 1346, Providence, RI 02901-1346, 05-358. Compensation for damages sustained, whereby roots from a City tree allegedly broke the sewer pipe in front of petitioner's home at 21 Marshall Street.**

**13.) RAYMOND CANTONE, 22 Rosewood Street, Pawtucket, RI 02860, 05-318. Compensation for damages sustained on June 20, 2005, whereby petitioner hit a pothole on Angell Street.**

**14.) PANFILO D'ARTISTA, 1401 Seven Mile Road, Hope, RI 02831, 05-212. Compensation for damages sustained on February 2, 2005, whereby petitioner's parked vehicle was struck by a Public Works vehicle.**

**Ricci's      \$1,691.40**

**Hillview Auto Body      \$1,865.10**

**15.) CAROLS DAVILA, 10 Bernard Street, Providence, RI 02905, 05-229. Compensation for damages sustained on April 2, 2005, whereby petitioner hit a pothole. (Denied by the Law Department May 18, 2005)**

**16.) ROBERT DUBOIS, 31 Pocahontas Drive, Warwick, RI 02888, 05-221. Compensation for damages sustained on March 19, 2005, whereby petitioner struck an upturned manhole cover on Olney Street.**

**17.) JACOB FEENEY, Six Jackson Avenue, Johnston, RI 02919, 05-179. Compensation for damages sustained on March 1, 2005, whereby petitioner alleges his vehicle was struck by a City plow.**

**18.) LOUIS M. FERRETTI (Joseph Palmieri, Esquire), 260 Westminster Street, Providence, RI 02903, 05-359. Compensation for damages sustained on August 4, 2005, whereby allegedly debris and stones from a weed whacker struck petitioner's vehicle.**

**Claim      \$1,231.48**

**19.) JARED FIGUEIRA, 30 Blanding Road, Rehoboth, MA 02769, 05-290. Compensation for damages sustained on March 25, 2005, whereby petitioner hit a pothole on President Avenue.**

**20.) SARAH H. FORRESTER, 200 Woodlawn Avenue, Unit 213, North Providence, RI 02904, 05-138. Compensation for damages sustained on February 16, 2005, whereby petitioner hit a pothole.**

**Volkswagen Gallery      \$123.25**

**21.) JENNIFER E. HAMEL, 260 Crossing Drive, #103, Cumberland, RI 02864, 05-154. Compensation for damages sustained on February 1, 2005, whereby petitioner hit a pothole on Nashua Street.**

**Ocean State Mitsubishi      \$278.22**

**22.) LORNA M. HOGAN, 499 Chestnut Hill Road, Wakefield, RI 02879, 05-96. Compensation for damages sustained on February 7, 2005, whereby petitioner hit a pothole.**

**Tire Pro      \$854.76**

**23.) ERNESTINE HOLMES, 66 Charlotte Street, North Providence, RI 02904, 05-278. Compensation for damage sustained on February 14, 2005, whereby petitioner hit a pothole on Nashua Street.**

**24.) RICK JACE, 898 Branch Avenue, Providence, RI 02904, 05-104. Compensation for damages sustained on February 13, 2005, whereby petitioner hit a pothole on Cranston Street.**

**Midas      \$331.23**

**Speedy Auto Service      \$454.18**

**25.) JOYCE P. KRABACH, 411 Lloyd Avenue, Providence, RI 02906, 05-136. Compensation for injuries sustained on March 24, 2004,**

**whereby petitioner tripped on the uprooted sidewalk located in front of 361-369 South Main Street.**

**26.) JOSEPH LOBIANCO, 24 Sorrell Road, North Providence, RI 02908, 05-91. Compensation for damages sustained on February 5, 2005, whereby petitioner struck a pothole on Academy Avenue.**

**27.) RHONA LOPEZ, 628 Manton Avenue, Providence, RI 02909, 05-347. Compensation for damages sustained on July 25, 2005, whereby a rock from a week whacker struck petitioner's car window.**

**Binswanger Glass \$317.76**

**Diamond Triumph Auto Glass \$335.53**

**28.) LINDA S. MANNI, 18 Fisher Street, North Providence, RI 02911, 05-149. Compensation for damages sustained on March 2, 2005, whereby petitioner hit a pothole on the corner of Hope Street and Doyle Avenue.**

**29.) MARGARET MARTIN, 3227 Sharp's Lot Road, Dighton, MA 02715, 05-240. Compensation for injuries sustained on March 31, 2005, whereby petitioner tripped and fell on North Main Street.**

**30.) KELLY MORRIS, 417 Pine Street, Apt. 4, 05-248. Compensation for damages sustained on April 6, 2005, whereby petitioner hit a huge pothole on Holden Street.**

**31.) SELMA MOSS-WARD, 195 Medway Street, Providence, RI 02906, 05-59. Compensation for damages sustained on January 24, 2005, whereby petitioner hit a pothole on Hope Street.**

**32.) MARK NIMIROSKI, 70 Pine Street, Pascoag, RI 02859, 05-311. Compensation for damages sustained on June 16, 2005, whereby a rock allegedly thrown from a lawnmower struck the passenger side window of petitioner's vehicle.**

**Capital Exxon      \$230.05**

**33.) RACHEL PALIOTTI, 41 Hyde Street, Cranston, RI 02920, 05-111. Compensation for damages sustained on February 14, 2005, whereby petitioner hit a pothole.**

**34.) MARIA F. PEREIRA, 134 Doyle Avenue, Providence, RI 02906, 05-101. Compensation for damages sustained on February 14, 2005, whereby petitioner hit a pothole on Wickenden Street.**

**Town Fair Tire      \$176.48**

**35.) LILLIAN J. PERREAULT, 13 Beverly Drive, Lincoln, RI 02865, 05-237. Compensation for damages sustained on April 3, 2005, whereby petitioner hit a pothole on West River Street.**

**Town Fair Tire      \$88.50**

**36.) SUSAN S. RAESNER, 95 Lakewood Drive, P.O. Box 3295, Narragansett, RI 02882, 05-134. Compensation for damages**

sustained on January 27, 2005, whereby petitioner hit a rectangular, deep hole on Allens Avenue.

**Broadway Tire, Inc.     \$236.64**

**37.) ANN M. RICCI, 28 Angell Road, North Providence, RI 02904, 05-365. Compensation for damages sustained on July 19, 2005, whereby petitioner struck a piece of metal in the road on Douglas Avenue.**

**K.B. Motors, Inc.     \$825.09**

**Tasca Collision Center     \$903.36**

**38.) EDWARD D. ROSE, 2880 Diamond Hill Road, Cumberland, RI 02864, 05-168. Compensation for damages sustained on March 9, 2005, whereby petitioner hit a pothole over the bridge on Atwells Avenue.**

**Town Fair Tire     \$169.00**

**39.) JAMES RUA, 494 Hunt Street, Central Falls, RI 02883, 05-337. Compensation for damages sustained on July 5, 2005, whereby petitioner hit a pothole.**

**40.) NIKHIL A. SHAH, 500 Stone Ridge Drive, East Greenwich, RI 02818, 05-234. Compensation for damages sustained on April 4, 2005, whereby petitioner hit a pothole on Olney Street.**

**41.) SUE-PORT REALTY, INC. a/s/o NORTH MAIN PAWN BROKERS/MELANIE BEAUCHAMP (Jeffrey F. Richardson, Esquire), 571 Pontiac Avenue, Cranston, RI 02910, 05-333. Compensation for injuries sustained on December 4, 2002, whereby while exiting North Main Street Pawnbrokers at 1275 North Main Street, Melanie Beauchamp tripped and fell on a pole that was located on the sidewalk.**

**Claim      \$70,000.00**

**42.) MARTA P. TAYLOR, Ten Franklin Street, P.O. Box 206, Lincoln, RI 02865, 05-62. Compensation for damages sustained on January 21,**

**2005, whereby petitioner hit a pothole on Smithfield Avenue.**

**Warren Tire Inc.      \$61.81**

**43.) PHYLLIS G. THOMPSON, 125 Wilmarth Avenue, East Providence, RI 02914, 05-300. Compensation for damages sustained on June 4, 2005, whereby petitioner hit a sheet of metal and existing potholes and bumps on Point Street.**

**East Providence Mitsubishi      \$652.98**

**44.) NICHOLAS TOTI, 21 Forest Street, Providence, RI 02906, 05-141. Compensation for damage sustained on February 14, 2005, whereby petitioner hit a pothole on Branch Avenue.**

**Town Fair Tire      \$215.10**

**45.) STEVEN WALDMAN, 11 John F. Kennedy Circle, North Providence, RI 02904, 05-269. Compensation for damages sustained on April 27, 2005, whereby petitioner hit a pothole at the intersection**

**of Cranston Street and Potters Avenue.**

**46.) ALEXANDRA WASHUK, 46 Melba Street, Milford, CT 06460, 05-331. Compensation for damages sustained on March 25, 2005, whereby petitioner hit a pothole.**

**Firestone        \$223.78**

**47.) PAUL D. WELLS, 115 Brunswick Drive, Warwick, RI 02886, 05-336.**

**Compensation for damages sustained on July 7, 2005, whereby petitioner's window was shattered allegedly by City workers using a weed whacker.**

**Bristol Glass     \$350.70**

## **FIRE DEPARTMENT**

**48.) GEORGE CARNRIKE, 67 South Broad Street, Norwich, NY 13815, 05-371. Compensation for damages sustained on August 20, 2005,**

whereby petitioner's parked vehicle was struck by a Fire Department vehicle.

Exclusive Auto Body     \$807.27

Fogarty Auto Body, Inc.     \$718.34

49.) CENTREX DISTRIBUTORS, 119 Hopkins Hill Road, West Greenwich, RI 02817, 05-299. Compensation for damages sustained on May 27, 2005, whereby petitioner was involved in an accident with a Fire Department vehicle.

Colletta's Collision Center     \$1,980.45

D'Agostino's Auto Body     \$2,597.91

50.) GEICO a/s/o ROBIN BURNUM, One Geico Boulevard, Fredricksburg, VA 22412, 05-264. Compensation for damages sustained on October 3, 2004, whereby petitioner was involved in an accident with a Fire Department vehicle.

Claim     \$4,952.79

51.) DARRELL LEE WILSON, 50 Depinedo Street, Providence, RI

**02904, 05-330. Compensation for damages sustained on November 20, 2004, whereby petitioner's parked vehicle was struck by a Fire Department vehicle.**

**PARKS DEPARTMENT**

**52.) BEVERLY P. HALL, 50 Stedman Road, Wakefield, RI 02879, 05-328. Compensation for damages sustained on April 21, 2005, whereby a large branch broke off from a tree and landed on petitioner's vehicle.**

**Hal's Garage & Auto Body    \$1,648.75**

**Tasca Collision Center    \$1,122.71**

**53.) BERNADETTE HART, 54 Colonial Road, Providence, RI 02906, 05-257. Compensation for damages sustained on November 5, 2004, whereby a tree branch fell onto petitioner's parked vehicle.**

**Frank's Auto Top, Inc.    \$232.87**

**54.) FRANCISCO A. LORA, 687 Lonsdale Avenue, Central Falls, RI 02863, 05-327. Compensation for damages sustained on June 25, 2005, whereby petitioner was involved in an accident with a Parks Department vehicle.**

**Solution Auto Body     \$5,703.00**

**Washington Collision Center     \$4,268.00**

**55.) ALEC MC LEOD, 75 Knowles Street, Providence, RI 02906, 05-295. Compensation for damages sustained on May 13, 2005, whereby a piece of metal pipe, allegedly hit by a Parks Department lawn mower, smashed through his window.**

**56.) VALERIO PEREZ, 81 Waverly Street, 1st Floor, Providence, RI 02907, 05-343. Compensation for damages sustained on July 19, 2005, whereby a tree branch fell onto petitioner's car on Waverly Street.**

**57.) JANET DOWNING TAYLOR, 147 Williams Street, Providence, RI**

**02906, 05-306. Compensation for damages sustained on April 2, 2005, whereby a tree on Brook Street fell, taking down all the electrical connections to petitioner's home.**

**Express Electric      \$1,096.40**

**58.) MARIO AGUIRRE (Seth Adam Perlmutter, Esquire), 949 Park Avenue, Cranston, RI 02910, 05-19. Compensation for injuries and damages sustained on December 11, 2004, whereby petitioner was involved in an accident with a Police vehicle.**

**59.) JAMILKA RAMOS, 38 Mawney Street, #4, Providence, RI 02907, 05-326. Reimbursement for towing fees paid, whereby petitioner alleges improper notification of the recovery of her stolen vehicle.**

## **SCHOOL DEPARTMENT**

**60.) PATRICIA HILLERY, Six Kimberly Ann Drive, Greenville, RI 02828,**

**05-319. Compensation for damages sustained on June 9, 2005, whereby somebody attempted to steal petitioner's vehicle while parked in the Nathanael Greene Middle School parking lot.**

**61.) ALVARO J. RUIZ p.p.a. ALVARO A. RUIZ, 39 Sibley Street, 2nd Floor, Providence, RI 02907, 05-219. Compensation for injuries sustained on December 21, 2004, whereby petitioner slipped and fell while playing basketball during gym class at the Gilbert Stuart School.**

**62.) TIFFANY TAYLOR (Leslie N. Tuchapsky, Esquire), 88F Jefferson Boulevard, Warwick, RI 02888, 04-394. Compensation for injuries sustained on September 8, 2004, whereby petitioner slipped and fell on a wet staircase at the Charles N. Fortes Elementary School. (Denied October 27, 2004)**

**TRAFFIC ENGINEERING**

**63.) MIGUEL CHAVEZ (Christopher E. Fay, Esquire) 917 Reservoir Avenue, Cranston, RI 02910, 05-351. Compensation for injuries and damages sustained on February 2, 2004, whereby petitioner was involved in an accident allegedly due to a missing stop sign.**

**64.) RAMON COLLADO and PEGGY OLAVERRIA (Anthony Vacca, Esquire), 959 Mineral Spring Avenue, North Providence, RI 02904, 05-345. Compensation for injuries and damages sustained on July 2, 2005, whereby petitioner was involved in an accident at the intersection of Rugby Street and Thurbers Avenue, allegedly due to a missing stop sign.**

**Claim        \$50,000.00**

**65.) ARNOLD DOUGBE (Clare T. Jabour, Esquire), 151 Broadway, Providence, RI 02903, 05-321. Compensation for injuries sustained on or about June 17, 2005, whereby petitioner was involved in an accident at the intersection of Chester Street and Prairie Avenue, allegedly due to a missing stop sign.**

**66.) MARIO GONZALEZ (Dino A. Brosco, Esquire), 312 South Main Street, Providence, RI 02903, 05-349. Compensation for injuries and damages sustained on or about June 17, 2005, whereby petitioner was involved in an accident at the intersection of June and Filmore Streets, allegedly due to a missing stop sign.**

**Claim        \$100,000.00**

**67.) BETHANY LYFORD, 173 Stone Dam Road, North Scituate, RI 02857, 05-348. Compensation for damages sustained on July 19, 2005, whereby a “no parking” sign fell onto petitioner’s parked vehicle.**

**Rhode Island Collision Service, Inc.    \$612.75**

**State Auto Body        \$949.15**

**68.) PROGRESSIVE a/s/o DAVID GABORIAULT, P.O. Box 89440, Cleveland, OH 44101, 05-143. Compensation for damages sustained on December 23, 2004, whereby petitioner was involved in an accident, allegedly due to a missing stop sign.**

**Claim      \$2,645.00**

**69.) ALFRED SAA and MILTON TAYLOR (Jimmy Burchfield, Jr., Esquire), 536 Atwells Avenue, Providence, RI 02909, 05-346. Compensation for injuries and damages sustained on June 17, 2005, whereby petitioners were involved in an accident at the intersection of Chester and Prairie Avenues, allegedly due to a missing stop sign.**

**Claim      \$60,000.00**

## **SUITS**

**70.) JON BADWAY vs. the CITY of PROVIDENCE.**

**71.) LIVIA MASTROGIUSEPPE (Martin K. Donovan, Esquire) vs. NAPOLITANO and the CITY of PROVIDENCE, 99-237. Compensation for injuries sustained on June 11, 1999, whereby petitioner was**

walking on the sidewalk on Kennedy Plaza and stepped into a hole.

**Claim      \$25,000.00**

## **TAXES**

**Certificates from City Assessor (No. 9J), recommending the same be Severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.**

**Certificates from City Assessor (No. 10F), recommending the same be Severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.**

**PER ORDER OF THE COMMITTEE ON CLAIMS AND PENDING SUITS**

**Councilman Peter S. Mancini**

**Chairman**