

COMMITTEE ON CLAIMS AND PENDING SUITS

AGENDA

SEPTEMBER 27, 2010

Committee Room "A"

6:00 o'clock P.M.

WATER SUPPLY BOARD

1.) COREY BARRIERA, 09-419. Compensation for damages sustained on August 8, 2009, whereby petitioner struck a sinkhole on South Main Street.

2.) IDANNIS CARDONA, 10-225. Compensation for damages sustained on February 16, 2010, whereby petitioner hit a pothole in front of 1125 Pontiac Avenue.

Town Fair Tire \$180.92

Rodolfo Auto Repair \$295.00

3.) BARBARA FURIA, 09-209. Compensation for damages sustained on March 24, 2009, whereby petitioner hit a pothole on Daniel Avenue.

4.) BRYANT LAGASSE, 09-485. Compensation for damages sustained on October 28, 2009, whereby petitioner hit a pothole on Admiral Street.

Hi-Tech Auto Salon \$342.00

5.) NATIONAL GRID (Thomas A. Murphy, Esquire), 10-291. Compensation for damages sustained on December 12, 2007, whereby petitioner alleges damage to a gas service by Providence Water.

Claim \$4,394.02

6.) NATIONWIDE MUTUAL INSURANCE COMPANY a/s/o A & G PROPERTIES LLC d/b/a SONIA'S NEAR EAST MARKET DELI (Steven

J. Pfefferle, Esquire), 10-277. Compensation for damages sustained on May 8, 2009, whereby water, allegedly from a broken water meter, damaged petitioner's property.

Claim \$39,550.00

7.) HEIDI C. O'GRADY, 10-345. Compensation for damages sustained on June 2, 2010, whereby petitioner hit a water pipe on Framingham Avenue in Cranston.

8.) JOSEPH TIROCCHI, 10-372. Compensation for damages sustained in the first week of August, whereby petitioner alleges the Water Supply Board damaged the asphalt on his property when turning on the water.

All-Phase Asphalt Driveways \$12,187.00

Patch-It \$10,687.00

9.) KAURIS R. VARGAS, 10-215. Compensation for damages sustained on April 3, 2010, whereby the cement under petitioner's

parked vehicle collapsed.

Solution Auto Body \$362.00

Reservoir Auto & Alignment \$281.95

10.) VERIZON, 07-236. Compensation for damages sustained on March 20, 2007, whereby petitioner's underground cable and conduit were struck/damaged by workers from the Water Supply Board. (Denied February 25, 2008)

Claim \$5,263.44

11.) NELSON YEPEZ (Christopher E. Fay, Esquire), 05-458. Compensation for injuries sustained on October 20, 2005, whereby petitioner was involved in an accident with a Water Supply Board vehicle driven by Bryan Stetson. (Denied December 15, 2006)

DEPARTMENT of PUBLIC WORKS

12.) AMANDA ALLARD, 10-286. Compensation for damages sustained on June 2, 2010, whereby a rock from a lawn mower broke petitioner's window.

AAA Auto Glass Inc. \$187.25

Alteri Glass \$153.48

13.) JIE BAI, 10-319. Compensation for damages sustained on May 13, 2010, whereby petitioner hit a pothole on Allens Avenue.

Jack & D's Auto Sales \$390.00

14.) MICHELLE BALLOU, 10-351. Compensation for damages sustained on July 8, 2010, whereby petitioner's parked vehicle was allegedly damaged during sidewalk repair on Whittier Avenue.

Distinctive Auto Body, Inc. \$1,784.01

Fiore Pontiac \$2,445.24

15.) KENISE BARRON (John S. Coughlin, Esquire), 10-227. Compensation for damages sustained on March 5, 2010, whereby petitioner tripped and fell, allegedly due to a defective sidewalk, on Broad Street.

16.) NICHOLAS BERARDINELLI, 09-488. Compensation for damages sustained on October 31, 2009, whereby petitioner hit a pothole on the corner of Branch Avenue and Metcalf Street.

17.) JOHN BOUCHARD, 10-300. Compensation for damages sustained on April 22, 2010, whereby a DPW truck allegedly struck telephone wires connecting to 2 Roger Williams Avenue, and the wires then struck petitioner's parked vehicle.

Greystone Auto Center, Inc. \$902.80

Rossi Auto Body Inc. \$848.32

18.) ELIZABETH S. BRITO, 10-336. Compensation for damages sustained on July 20, 2010, whereby petitioner hit a pothole.

G's Auto Sale & Repair \$370.00

19.) DONALD CASSOLA & DANIEL KANE, 10-135. Compensation for damages sustained, whereby petitioner alleges a snow plow lifted its blade over the curb and damaged their law and the sprinkler system.

20.) GEORGE CHICOINE (Robert J. Levine, Esquire), 10-282. Compensation for injuries sustained on May 26, 2010, whereby a piece of metal from the South Water Street overpass allegedly fell on petitioner's back.

21.) COMMERCE INSURANCE a/s/o LORETTA SOUZA, 10-333. Compensation for damages sustained on January 14, 2010, whereby petitioner was involved in an accident with a City vehicle.

Claim \$1,050.28

22.) JOHN E. DERENSIS, JR., 10-299. Compensation for damages

sustained on April 22, 2010, whereby a DPW truck allegedly struck telephone wires connecting to 2 Roger Williams Avenue, and the wires then struck petitioner's parked vehicle.

North East Auto Body \$967.82

Rossi Auto Body Inc. \$1,564.78

23.) OWEN B. DEVINE, JR., 10-247. Compensation for damages sustained on March 18, 2010, whereby petitioner hit a pothole on Benefit Street.

New England Tire \$383.97

Tire Pros \$326.60

24.) FRANKLIN A. DIAZ, 10-261. Compensation for damages sustained on May 9, 2010, whereby petitioner hit a pothole on Branch Avenue.

25.) GIAN-MIKEL FACENDA, 09-383. Compensation for damages sustained on July 22, 2009, whereby petitioner hit a pothole at the

corner of Charlesfield and Benefit Streets.

Town Fair Tire \$204.44

26.) GARY FERRARA, 10-297. Compensation for damages sustained on April 22, 2010, whereby a DPW truck allegedly struck telephone wires connecting to 2 Roger Williams Avenue, and the wires then struck petitioner's parked vehicle.

Rossi Auto Body Inc. \$1,536.89

North East Auto Body \$1,833.28

27.) GREGORY GARNETTO, 10-321. Compensation for damages sustained on June 27, 2010, whereby petitioner hit a pothole on South Street.

Gil's Automotive Services Inc. \$270.36

28.) ROBERT T. GRILLO, 10-313. Compensation for damages sustained on May 1, 2010, whereby petitioner hit a pothole on Meeting

Street.

Balise \$449.95

29.) JOSE GUARCAS, 10-266. Compensation for damages sustained on May 17, 2010, whereby petitioner struck a hole on Delaine Street.

Sears \$195.69

30.) DAQUAN HARDY, 10-332. Compensation for damages sustained on July 10, 2010, whereby petitioner hit a pothole.

High Tech Auto Salon \$401.25

31.) HARLEYSVILLE INSURANCE COMPANY a/s/o DAVID NETES, 10-318. Compensation for damages sustained on April 22, 2010, whereby a DPW truck allegedly struck telephone wires connecting to 2 Roger Williams Avenue, and the wires then struck petitioner's parked vehicle.

Claim \$996.09

32.) ANNETTE HOLLOWAY, 09-279. Compensation for damages sustained on April 19, 2009, whereby petitioner hit a low driveway at 1515 Broad Street.

Coastal Collision \$2,209.87

Rego's Auto Body \$1,660.32

33.) GLEN JOHNSON, 10-96. Compensation for damages sustained on February 27, 2010, whereby petitioner hit a pothole on Reservoir Avenue.

34.) CYNTHIA JONES, 10-267. Compensation for damages sustained on March 30, 2010, whereby petitioner hit a pothole on Exchange Street.

Firestone Complete Auto Care \$272.57

35.) KEVIN KEHOE, 10-11. Compensation for damages sustained on October 10, 2009, whereby petitioner struck a compromised section of pavement.

36.) MICHAEL LARSON, 10-354. Compensation for damages sustained on July 22, 2010, whereby petitioner struck an exposed sewer cap on Oakland Avenue.

37.) GEORGE J. LEWIS, 10-134. Compensation for damages sustained on February 9, 2010, whereby petitioner alleges a show plow lifted its blade over the curb and cut petitioner's sprinkler heads and tore up the lawn. (Denied July 27, 2010)

JMG Inc. \$570.00

D.R. Crea, Jr. Corporation \$741.00

38.) PATRICIA A. LORENSON, 10-274. Compensation for damages

sustained on March 1, 2010, whereby petitioner hit a pothole near the intersection of Corliss Street and Industrial Drive.

39.) KYLE MCDONNELL, 10-251. Compensation for damages sustained on April 27, 2010, whereby petitioner hit a pothole on Eddy Street.

Protech Automotive Services \$214.00

40.) MARY C. MAHMOUD, 10-320. Compensation for damages sustained on June 15, 2010, whereby petitioner hit a pothole on Sunbury Street.

Joe's Automotive Service \$268.76

41.) SANDRA MASTRANGELO, 10-285. Compensation for damages sustained on June 3, 2010, whereby petitioner hit a pothole on Waterman Street.

Mavis Discount Tire \$408.67

42.) AKANKSHA MENTA, 10-331. Compensation for damages on March 24, 2010, whereby petitioner hit pothole.

Balise \$244.48

43.) LESLIN MERCADO, 10-309. Compensation for damages sustained on June 20, 2010, whereby petitioner hit a pothole on Elmwood Avenue.

J.S.K. \$70.00

44.) NARRAGANSETT BAY COMMISSION, 10-339. Compensation for damages sustained on March 20, 2010, whereby petitioner alleges an electrical service disconnect was damaged by a dog officer in pursuit of a stray dog.

Claim \$2,187.09

45.) DAVID NETES, 10-298. Compensation for damages sustained on April 22, 2010, whereby a DPW truck allegedly struck telephone wires connecting to 2 Roger Williams Avenue, and the wires then struck petitioner's parked vehicle.

46.) JUAN OTERO, 10-127. Compensation for damages sustained on March 11, 2010, whereby petitioner hit a pothole.

G's Auto Sale & Repair \$160.00

47.) LINDSAY PALUMBO, 10-355. Compensation for damages sustained on July 23, 2010, whereby petitioner hit a pothole at the corner of Atwells Avenue and Dean Street.

48.) PATRICIA RAMIREZ (Christopher E. Fay, Esquire), 09-489. Compensation for injuries sustained on September 18, 2009, whereby petitioner fell on the sidewalk on Melissa Street.

49.) ALEX RANDALL, 10-361. Compensation for damages sustained on July 29, 2010, whereby petitioner hit a sewer grate at the intersection of Chalkstone Avenue and Raymond Street.

Scott Volkswagen \$608.77

Auto Dynamics \$361.11

50.) GABRIELLE REGENSTEIN, 10-279. Compensation for damages sustained on April 27, 2010, whereby petitioner hit a pothole on Abbott Street.

Goodyear Auto Service Center \$165.11

51.) ROGER WILLIAMS MEDICAL CENTER, 10-296. Compensation for damages sustained on April 22, 2010, whereby a DPW truck allegedly struck telephone wires connected to petitioner's building.

52.) FLORETTE RUGGIERO, 10-242. Compensation for damages sustained on April 28, 2010, whereby petitioner hit a pothole on

Dodge Street.

Armand's Service Station Inc. \$129.76

53.) FRANK SIMEONE, JR., 10-363. Compensation for damages sustained on July 28, 2010, whereby petitioner hit a large pothole at the intersection of Branch Avenue and Charles Street.

Rodi's Sunoco Inc. \$383.10

54.) WILLIAM I. & MARY M. SWIFT, 09-464. Compensation for damages sustained in Fall 2008-July 2009, whereby the line to petitioner's sprinkler system was allegedly cut during the repair of the sidewalk.

Ocean State Lawn Sprinkler \$205.00

55.) RENATA TEJADA, 10-138. Compensation for damages sustained on March 10, 2010, whereby petitioner hit a hole on Broad Street.

Herb Chambers Lexus \$651.24

Inskip Lexus \$655.84

56.) LEANN TINGLEY, 10-310. Compensation for damages sustained on June 17, 2010, whereby petitioner hit a pothole.

Inskip Audi \$234.20

Town Fair Tire \$251.56

57.) DIEVER TORRES, 10-164. Compensation for damages sustained on March 21, 2010, whereby petitioner hit a pothole on Branch Avenue.

Colonial \$1,507.69

Boch Toyota \$1,490.26

58.) JOHN TUTTOBENE, 09-219. Compensation for damages sustained on March 31, 2009, whereby petitioner hit a sunken drain hole on Eddy Street.

59.) GANESH M. VAN ZUIDEN, 10-253. Compensation for damages sustained on May 6, 2010, whereby petitioner hit a pothole on South Court Street.

Mobile Car Care, Inc. \$929.37

Town Fair Tire \$946.15

60.) CHRISTOPHER R. WATSON, 10-294. Compensation for damages sustained on June 16, 2010, whereby petitioner hit a pothole.

LAW DEPARTMENT

61.) KENNETH MCNEIL (Priscilla Facha DiMaio, Esquire), 10-322. Compensation for injuries sustained on July 2, 2010, whereby petitioner was involved in an accident with a Town of Westerly truck.

FIRE DEPARTMENT

62.) KEVIN R. CADY, 10-311. Compensation for damages sustained on June 17, 2010, whereby petitioner's parked vehicle was struck by a Fire Department vehicle.

63.) THE EGIS GROUP a/s/o MICHAEL & LINDA RUBINSTEIN, 10-278. Compensation for damages sustained on May 4, 2010, whereby petitioner was involved in an accident with a Fire Department vehicle.

64.) PHILIP E. LEIS, 10-364. Compensation for damages sustained on August 4, 2010, whereby petitioner was involved in an accident with a fire truck.

Rego's Auto Body \$3,330.70

65.) MARK NICHOLS, 10-326. Compensation for damages sustained on June 15, 2010, whereby petitioner was involved in an accident with

a Fire Department vehicle.

66.) 21ST CENTURY INSURANCE a/s/o JOSEPH & JOAN PICCARDI, 10-268. Compensation for damages sustained on October 13, 2009, whereby petitioner's parked vehicle was struck by a Fire Department Vehicle

Claim \$3,645.72

PARKS DEPARTMENT

67.) KERRI COSTIGAN, 10-356. Compensation for damages sustained on July 22, 2010, whereby a tree limb fell on petitioner's parked vehicle.

East Side Collision Center, Inc. \$3,780.81

Lindbergh Auto Body, Inc. \$3,939.06

68.) BARRY W. FAIN, 10-275. Compensation for damages sustained on April 29, 2010, whereby a tree branch fell onto petitioner's roof.

69.) JONATHAN ROMAN, 10-281. Compensation for damages sustained on June 1, 2010, whereby petitioner's window was shattered, allegedly by a rock thrown from a weed whacker.

70.) FAUD R. SAID, 10-357. Compensation for damages sustained on July 30, 2010, whereby petitioner's window was shattered by a rock thrown from a lawn mower.

71.) MARTHA H. ZNOSKO (Darin M. Colucci, Esquire), 10-334. Compensation for injuries sustained on June 26, 2010, whereby petitioner fell at the Haines Memorial State Park.

POLICE DEPARTMENT

72.) M. BARLOW, 10-376. Compensation for damages sustained on June 25, 2010, whereby petitioner received a traffic citation, allegedly without cause.

Claim \$85.00

73.) DELL JOHNNY (Richard C. Tallo, Esquire), 09-262. Compensation for injuries sustained on February 27, 2009, whereby petitioner was involved in an accident with a Police Department vehicle.

74.) MILAGROS MEDINA, 10-360. Compensation for damages sustained on July 28, 2010, whereby petitioner alleges the Providence Police Department wrongly broke the window to her vehicle.

Bills Auto Parts \$60.00

Premium Auto Glass \$50.00

75.) THERESA E. MURPHY, 10-270. Compensation for damages sustained on May 17, 2010, whereby petitioner's door was broken,

allegedly by members of the Police Department.

76.) PROGRESSIVE NORTHERN INSURANCE COMPANY a/s/o JESSICA GUARINO, 10-327. Compensation for damages sustained on June 6, 2010, whereby petitioner was involved in an accident with a Police Vehicle.

Claim \$2,850.46

SCHOOL DEPARTMENT

77.) ALEXANDRA DEBERARDIS, 10-307. Compensation for damages sustained on February 22 and February 23, whereby petitioner's vehicle was vandalized while parked at the Veazie Street School.

SUITS

78.) CAROL CRUZ (Howard C. Johanson, Esquire) vs. the CITY of PROVIDENCE, 03-497. Compensation for injuries sustained on September 11, 2003, whereby petitioner was a passenger in a vehicle involved in an accident with a Parks Department vehicle driven by John R. Matera. (Continued May 3, 2010; Continued July 27, 2010)

79.) ROSINA DILONE p.p.a. DAVID ARROYO (Christopher E. Fay, Esquire) vs. CITY of PROVIDENCE, 98-309. Compensation for injuries sustained on August 27, 1998, whereby petitioner slipped and fell allegedly due to a neglected and/or poorly maintained sidewalk at the corner of Niagara and Ontario Streets.

80.) ANIUSKA FERREIRA (James W. Tobak, Esquire), 02-65. Compensation for injuries and damages sustained on January 28, 2002, whereby petitioner was involved in an accident with a Public Works vehicle driven by John Dilibero, Jr. (Denied September 25, 2002; Continued March 31, 2009; Continued May 3, 2010; Continued July 27, 2010)

81.) ANIUSKA FERREIRA (Vincent A. Decesare, Esquire), 04-389. Compensation for injuries and damages sustained on January 28, 2002, whereby petitioner was involved in an accident with a Public Works vehicle driven by John DiLibero. (Continued March 31, 2009; Continued May 3, 2010; Continued July 27, 2010)

82.) KEVIN KOBANI (Charles J. Vucci, Esquire) vs. the CITY of PROVIDENCE and PLAYCORE INC. d/b/a GAMETIME INC. and ROBYN NOBLE, 02-77. Compensation for injuries sustained on March 1, 2002, whereby petitioner was injured on the jungle gym at the Martin Luther King Elementary School playground.

Claim \$100,000.00

83.) OMayra Martinez (Richard P. Brederson, Esquire) vs. the CITY of PROVIDENCE, 05-303. Compensation for injuries sustained on May 28, 2005, whereby petitioner stepped on a sewer grid and/or cover

that was allegedly defective.

84.) MICHAEL OLIVEIRA (V. Edward Formisano, Esquire) vs. the CITY of PROVIDENCE, 06-220. Compensation for injuries and damages sustained on January 8, 2006, whereby petitioner alleges search, seizure and arrest effectuated with unnecessary and excessive force by members of the Providence Police Department.

Claim \$250,000.00

85.) RICHARDO TAVARES (Michael F. Drywa, Esquire) vs. R. KELLS and the CITY of PROVIDENCE, 05-425. Compensation for injuries and damages sustained on December 15, 2004, whereby petitioner alleges false imprisonment, defamation, invasion of right of privacy, intentional infliction of emotional distress, assault and battery and civil conspiracy by Officer Robert Kells, Jr. (Continued January 11, 2010)

Claim \$50,000.00

86.) MARIA YNOA-VEGA (Charles J. Vucci, Esquire) vs. NAPOLITANO and the CITY of PROVIDENCE, 06-244. Compensation for injuries sustained on June 12, 2006, whereby petitioner tripped and fell on the sidewalk on Ellery Street. (Continued May 3, 2010; Continued July 27, 2010)

Claim \$100,000.00

**PER ORDER OF THE COMMITTEE ON CLAIMS AND PENDING SUITS
Councilman Nicholas J. Narducci, Jr.
Chairman**