



## Committee on Claims and Pending Suits

### Regular Meeting

~ Agenda ~

Wednesday, September 2, 2015

6:00 PM

Committee "B" (City Hall 3rd Floor)

### WATER SUPPLY BOARD

1. ANN MARIE DECOSTA, 15-388. Compensation for damages sustained on February 9, 2015, whereby petitioner alleges a water main break caused property damage. (Continued July 7, 2015)

Raddy, Inc.	\$36,314.00
Custom Construction Service4s, LLC	\$33,234.00

2. JOANNE M. DOYLE, 14-666. Compensation for damages sustained on July 4, 2014, whereby petitioner hit a large crater on Summit Street.

D'Ambra Service Station, Inc.	\$123.58
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3. HANOVER INSURANCE COMPANY a/s/o CHESTNUT HILL REALTY, 15-567. Compensation for damages sustained on December 29, 2013, whereby petitioner alleges the water main pressure was not properly monitored by Providence Water and the break was due to a spike in water pressure.

4. DAVID HYLAND (Raymond J. Haskell, Jr., Esquire), 15-494. Compensation for damages sustained on or about November 14, 2015, whereby petitioner's property was flooded allegedly due to a broken main pipe and/or lateral pipe.

Bilray Corporation	\$4,560.00
TRL Services	\$5,200.00

5. JAMES C. RUTAN, 14-746. Compensation for damages sustained on September 8, 2014, whereby petitioner hit a pothole at the intersection of Hartford Avenue and Killingly Street. (Settled up to an amount March 24, 2015)

## DEPARTMENT OF PUBLIC WORKS

6. STEVEN ADAMCZYK, 15-551. Compensation for damages sustained on July 10, 2015, whereby petitioner's car struck a pothole at the intersection of West River and Charles Street.

Monro Muffler/Brake & Service	\$136.61
Courtesy Hyundai	\$138.00

7. FATIMA ALVES, 15-553. Compensation for damages sustained whereby petitioner's car struck a pothole on Memorial Boulevard.

Autopart International	\$71.90
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8. IRENE AUSTIN-GILLIS, 15-536. Compensation for damages sustained on July 1, 2015, whereby petitioner's car struck a pothole on Eddy Street.

Eastside Servicenter	\$1,909.12
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9. JOSEPH CAPUANO, 15-213. Compensation for damages sustained on March 8, 2015, whereby petitioner's car struck a pothole on Gano Street.

hubcaphaven.com	\$54.95
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10. BROOKE K. CHURAS, 15-41. Compensation for damages sustained on January 14, 2015, whereby petitioner's car struck a pothole on Angell Street.

Banchwerks, LLC	\$267.70
South County Motors, Inc.	\$395.00

11. FRANCIS A. COLA, 15-539. Compensation for damages sustained on April 22, 2015, whereby petitioner's car struck an unmarked island on Cypress Street.

Anchor Nissan	\$410.20
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12. SCOTT A. CORBIN, 15-526. Compensation for damages sustained on June 24, 2015, whereby petitioner's car struck a pothole on Vinton Street.

Town Fair Tire	\$182.75
D & M Automotive Service Center	\$152.10

13. GINA M. COSTA, 14-908. Compensation for damages sustained on November 14, 2014, whereby petitioner's car struck a raised structure on Atwells Avenue.

Park City Ford	\$1,869.06
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14. CRAIG/is Ltd. a/s/o MICHAEL AND MICHELLE BOUCHARD, 15-547. Compensation for damages sustained on June 6, 2015, whereby petitioner's car struck a manhole cover on South Court Street.

15. ROBERT DIMMICK, 15-495. Compensation for damages sustained on May 26, 2015, whereby petitioner's car struck a pothole on Lloyd Avenue.

Arrow Auto Glass	\$200.00
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16. HARRIET L. DORAN, 13-542. Compensation for injuries sustained on November 12, 2013, whereby petitioner tripped and fell at the corner of Point Street and Beacon Avenue.

17. THOMAS ELIAS, 15-518. Compensation for damages sustained on February 2, 2015, whereby petitioner's property was struck allegedly by a City plow.

J. Bilsky Construction Company	\$600.00
Taurus Construction, Inc.	\$675.00

18. PETER FITZSIMMONS, 15-557. Compensation for damages sustained on July 18, 2015, whereby petitioner's car struck a manhole cover on South Main Street.

Lopez Metal Fabricator & Mufflers	\$175.00
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19. ALEX A. GONSALVES, 15-537. Compensation for damages sustained on July 6, 2015, whereby petitioner's car struck a hole at the intersection of Branch Avenue and Charles Street.

Petro Mobile, Inc. \$81.49

20. BRYAN S. MELGAR GONZALEZ, 15-129. Compensation for damages sustained on March 1, 2015, whereby petitioner's parked car was allegedly involved in an accident with a Public Works plow. (Continued July 7, 2015)

21. DONNA GRAHAM, 15-575. Compensation for damages sustained on August 7, 2015, whereby petitioner's car struck a pothole on Pleasant Valley Parkway.

Finest Car Wash \$99.39

22. TERESA GUABA, 15-354. Compensation for injuries and damages sustained on March 26, 2015, whereby petitioner's car struck a pothole on Service Road 1 and Wendell Street.

Manny's Auto Repair \$1,683.00  
Reyes Gas Station, Inc. \$1,736.61

23. BARBARA M. HANNAH, 15-167. Compensation for damages sustained on March 9, 2015, whereby petitioner's car struck a pothole at the intersection of Butler Avenue and East Orchard Street.

24. THOMAS HARDMAN, 15-179. Compensation for damages sustained on February 23, 2015, whereby petitioner's car struck a pothole on Eddy Street.

Audi Warwick \$1,156.51

25. CHRISTOPHER J. ISE, 15-556. Compensation for damages sustained on July 21, 2015, whereby petitioner's car struck a pothole on Prospect Street.

BTS Tire & Service Stores \$159.10

26. VIRGINIA JALBERT, 15-497. Compensation for damages sustained on May 19, 2015, whereby petitioner's car struck a sinkhole on Edgeworth Drive.

Central Motor Sales \$540.67

27. CARL JOHNSON, 15-508. Compensation for damages sustained on May 30, 2015, whereby petitioner's car struck a pothole on Hope Street.

Firestone \$932.76  
Pep Boys \$852.79

28. STEVEN KOTLER, 15-9. Compensation for damages sustained on January 3, 2015, whereby petitioner's car struck a pothole on Blackstone Boulevard.

All Factory Wheel \$165.00  
Midwest Tire \$149.00

29. LESLEY A. LEARY, 15-483. Compensation for damages sustained on April 28, 2015, whereby petitioner's car struck a pothole at gate E-1, at the entryway on Rhodes Street.

D & H Collision \$358.81

30. RICHARD LEONARD, 15-554. Compensation for damages sustained on July 13, 2015, whereby petitioner's car struck a pothole on Eddy Street.

Chuck & Sons Towing, Inc. \$300.56

31. FABIEN LETAILLEUR, 15-576. Compensation for damages sustained on August 6, 2015, whereby petitioner's car struck a pothole on Pleasant Valley Parkway.

Scott Volkswagen \$344.32

32. BRENDA L. MARCHWICKI, & EDWARD J. MARCHWICKI, 15-439. Compensation for damages sustained on November 17, 2014, whereby petitioner's property was damaged allegedly due to sewerage backup.

Providence Fire Restoration, Inc.	\$2,752.69
AMS Floors & Home Improvement	\$4,740.00

33. ANGELA MAZZONE, 15-37. Compensation for damages sustained on January 14, 2015, whereby petitioner's car struck a lifted drainage grate on Smithfield Avenue.

Travelers Appraiser	\$4,093.89
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34. MARY E. MILLER, 15-74. Compensation for damages sustained on February 5, 2015, whereby petitioner's parked car was struck allegedly by a Public Works sander/snow plow.

Mobile Car Care, Inc.	\$1,626.04
West Fountain Auto Sales & Body, Inc.	\$2,187.50

35. MELISSA PRAGANA, 15-88. Compensation for damages sustained on February 15, 2015, whereby petitioner's car struck a pothole on Plain Street.

Mid Cape Tire	\$299.98
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36. SCOTT PRAY (Dino A. Brosco, Esquire), 15-524. Compensation for injuries and damages sustained on May 26, 2015, whereby petitioner, while riding his motorcycle, struck a manhole cover and broken pavement surrounding the manhole cover on Waterman Street.

Claim	\$100,000.00
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37. ERIC RAMOS (Laura S. Cameron, Esquire), 15-131. Compensation for injuries and damages sustained on February 12, 2015, whereby petitioner slipped and fell on ice on Touro Street.

38. DONNA M. ROGERS, 15-456. Compensation for damages sustained on May 4, 2015, whereby petitioner's car struck a piece of metal on Richmond Street.

Steingold Volvo \$263.95

39. DANIELA SALAZAR, 15-360. Compensation for damages sustained on March 6, 2015, whereby petitioner's car struck a pothole on Hope Street.

Town Fair Tire \$142.82

40. RICHARD V. SHAPPY, 15-560. Compensation for damages sustained on July 13, 2015, whereby petitioner's car struck a pothole at the intersection of West River Road and Charles Street.

Leo's Tire sales, Inc. \$1,207.00

41. DANPHARGIE ST. FRANC, 14-868. Compensation for damages sustained on November 9, 2014, whereby petitioner's car struck a gas cover at the intersection of Atwells Avenue and Academy Avenue.

Town Gulf \$145.00

42. GREGORY TUCKER, 15-211. Compensation for damages sustained on March 8, 2015, whereby petitioner's car struck a pothole on Hope Street.

Boch Collision Center \$1,087.15  
Cumberland Collision, Inc. \$1,945.91

43. ANTHONY J. VALLONE, 15-548. Compensation for damages sustained on July 12, 2015, whereby petitioner's car struck an unmarked sinkhole on Harris Avenue.

44. CHARLANN WALKER, 15-528. Compensation for damages sustained on June 22, 2015, whereby petitioner's car received a tire blowout on Allens Avenue.

Town Fair Tire Centers \$243.43

45. WILBER & ASSOCIATES a/s/o USAA/LAUREN HALVORSON, 15-534. Compensation for damages sustained on February 10, 2015, whereby petitioner alleges her parked and unoccupied car was struck by a City of Providence snow plow operated by Jason Bowie.

Claim \$1,090.42

### FIRE DEPARTMENT

46. ALLSTATE a/s/o DAVID CHIANESE (Erin Illuzzi, Esquire), 15-502. Compensation for damages sustained on June 18, 2014, whereby petitioner's parked vehicle was involved in an accident with a Fire Department vehicle driven by Ronald Lefavre. (Denied July 7, 2015)

Claim \$2,051.82

47. ALLSTATE a/s/o VERA TARLEY, 15-535. Compensation for damages sustained on February 18, 2015, whereby petitioner was involved in an accident with a Fire Department vehicle.

Claim \$1,564.49

48. HEIDI P. GERVAIS, 15-434. Compensation for damages sustained on November 30, 2014, whereby petitioner's car was damaged allegedly by the Fire Department's equipment.

Leer's Auto Body \$766.30  
James Auto Body \$838.98

49. JUAN A. REYNOSO, 15-350. Compensation for damages sustained on February 1, 2015, whereby petitioner was involved in an accident with a Fire Department vehicle operated by Michael Mitso.

Maaco \$2,265.42  
A-1 Custom Auto Body \$2,719.87

50. TRAVELERS INSURANCE a/s/o ADEYINKA ODUNLAMI, 15-107. Compensation for damages sustained on December 28, 2014, whereby petitioner's parked car was involved in an accident with a Fire Department vehicle driven by Robert Taylor.

Travelers Insurance \$5,506.31

51. USAA a/s/o JAMES P. MITCHELL, 15-75. Compensation for damages sustained on January 29, 2015, whereby petitioner was involved in an accident with a Fire Department truck.

Dean Auto Collision \$8,346.11

52. WILBER & ASSOCIATES a/s/o USAA/NICOLE M. BRISSETTE, 15-563. Compensation for damages sustained on February 19, 2015, whereby petitioner was involved in an accident with a Fire Department vehicle operated by Wayne Oliveira on Memorial Boulevard.

Claim \$1,766.00

53. WILBER & ASSOCIATES a/s/o USAA/JAMES MITCHELL, 15-448. Compensation for injuries and damages sustained on January 29, 2015, whereby petitioner, while stopped, was struck by a Fire Department vehicle driven by Zachary Araujo.

Claim \$8,346.11

#### **LAW DEPARTMENT**

54. RAYMOND A. TOMASSO, TRUSTEE OF THE ROSEMARIE M. TOMASSO MARITAL TRUST, 14-780. Compensation for damages sustained on or about February 2, 2014, whereby petitioner's property was condemned and demolished by the City of Providence.

Claim \$35,200.00

#### **PARKS DEPARTMENT**

55. LUCIA NEWTON (Edward A. Shapira, Esquire), 15-73. Compensation for injuries and damages sustained on February 9, 2015, whereby petitioner was involved in an accident with a Parks Department vehicle operated by Anthony Arnold.

Claim \$100,000.00

56. KIATREL REID, 15-529. Compensation for damages sustained on June 28, 2015, whereby petitioner's car roof was dented by a fallen tree branch on Ohio Avenue.

Progressive Premier Insurance Co. of Illinois          \$2,940.76

#### **PARKS DEPARTMENT & DEPARTMENT OF PUBLIC WORKS**

57. DEBORAH R. COLLAZO, AND WILLIAM COLLAZO, 15-549. Compensation for damages sustained on July 9, 2015, whereby petitioner alleges basement sustained severe sewer backup due to tree roots that cracked the sewer pipe.

Kwik Plumbing and Heating, Inc.                                  \$550.00  
RI Rooter & Plumbing, Inc.    \$3,850.00

#### **POLICE DEPARTMENT**

58. DOWNS AND ASSOCIATES a/s/o 21ST CENTURY CENTENNIAL INSURANCE COMPANY/BRIAN BOYER, 15-552. Compensation for damages sustained on March 10, 2015, whereby petitioner was involved in an accident with a Police Department vehicle driven by Joshua Greeno.

59. RAYMOND DURAN, 15-387. Compensation for damages sustained on April 3, 2015, whereby petitioner was involved in an accident with a Police Department vehicle.

New Century Auto Body    \$5,000.00  
State Auto Body    \$6,112.93

60. ARIZMENDI GARCIA (Joseph J. Voccola, Esquire), 13-535. Compensation for injuries and damages sustained on November 2, 2013, whereby petitioner was involved in an accident with a Police vehicle.

Claim    \$100,000.00

61. GOVERNMENT EMPLOYEES INSURANCE COMPANY a/s/o JENNIFER JAVIER (Lynda L. Laing, Esquire), 15-530. Compensation for damages sustained on or about April 19, 2014, whereby petitioner was involved in an accident with a Police Department vehicle operated by Anthony Hampton.

Richmond Motor sales and Rental	\$1,857.82
Geico	\$1,781.98

62. JOHN MORGAN, 15-368. Compensation for damages sustained on March 1, 2015, whereby petitioner's parked and unattended car was struck by a Police Department Animal Control vehicle.

Richard's Body & Fender Repairs, Inc.	\$139.67
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63. PROGRESSIVE a/s/o KEVIN DEMARCO, 15-3. Compensation for damages sustained on October 24, 2014, whereby petitioner was allegedly involved in an accident with a Police Department vehicle.

Progressive	\$500.00
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64. STEPHANIE RIVERA, 15-574. Compensation for damages sustained on August 5, 2015, whereby petitioner alleges car was stolen.

65. THOMAS GEORGE ASSOCIATES, LTD. a/s/o LIBERTY MUTUAL INSURANCE/CAROLINE WILSON, 15-306. Compensation for injuries and damages sustained on April 30, 2013, whereby petitioner's car was struck by a Police Department vehicle driven by Jonathan Kantorski.

Claim	\$7,021.63
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#### **SCHOOL DEPARTMENT**

66. ADELINA MENDEZ, 15-569. Compensation for damages sustained on April 20, 2015, whereby petitioner alleges damage to her car while parked in the rear parking lot of Mount Pleasant High School.

Navedo's Auto Body Clinic	\$730.77
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## TRAFFIC ENGINEERING

67. LISSETTE FERNANDEZ (Christopher E. Fay, Esquire), 15-505.  
Compensation for injuries and damages sustained on May 20, 2015, whereby petitioner was involved in an accident at the intersection of Westminster Street and Route 10 off ramp.

68. GEICO a/s/o JESSIE POLANCO AND JOSE DONES, JR., 15-558.  
Compensation for injuries and damages sustained on June 30, 2015, whereby petitioner was involved in an accident at the intersection of Homestead Avenue and Anthony Avenue.

Claim \$3,316.79

69. NATALIE MUNOZ (Dino A. Brosco, Esquire), 15-471. Compensation for injuries and damages sustained on or about April 23, 2015, whereby petitioner was involved in an accident on Potter Street at or near its intersection with Bucklin Street.

Claim \$100,000.00

## SUITS

70. DAVID BALASCO (Richard B. Applebaum, Esquire) vs. the CITY OF PROVIDENCE, 11-519. Compensation for injuries and damages sustained on July 21, 2008, whereby petitioner alleges false arrest, false imprisonment, assault and/or battery and deprivation of his civil rights.

Claim \$1,000,000.00

71. GEORGE S. FARRELL (Rachelle R. Green, Esquire) vs. the CITY OF PROVIDENCE, 13-436. Compensation for damages sustained, whereby petitioner alleges the City failed to pay him for unused sick time at the time of his retirement.

72. JOANNE MARTINEZ (John A. McQueeney, Esquire) vs. the CITY OF PROVIDENCE, 11-583. Compensation for injuries sustained on June 10, 2011, whereby petitioner tripped and fell in the crosswalk area of Culver Street.

73. Review of the following pending suit:

Doughty v. City of Providence, PC2015-2534

And Review of other associated claims and pending actions

74. Discussion relative to the following claims, settled up to an amount by the Law Department pursuant to Section 2-99 of the Code of Ordinances:

John Cummings	14-337	Brian Chmielewski	15-326
Jessica Perez	15-122	Denise Defusco	15-427
Sharon Ruizzo	14-791	Asterios Zisiades	15-175
Tracey Cheves	15-403	Irene Gillis	15-446
Harriet R. Frank	15-223		

**PER ORDER THE COMMITTEE ON CLAIMS AND PENDING SUITS**  
Councilman Samuel D. Zurier, Chairman

**The Committee will seek to enter into Executive Session pursuant to Rhode Island General Laws Section 42-46-5 (a) (2).**

**Offices and City Council Chambers are accessible to individuals with disabilities. If you are in need of interpreter services for the hearing impaired, please contact the Office of Neighborhood Services at 421-7768 not less than 48 hours in advance of the hearing date.**