



## Committee on Claims and Pending Suits

### Regular Meeting

~ Agenda ~

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Wednesday, June 8, 2016

5:00 PM

Committee "A" (City Hall 3rd Floor)

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### 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; September 2, 2015; October 27, 2015; December 16, 2015 and March 9, 2016)

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

2. LEE W. JOHNSON, 16-99. Compensation for damages sustained on February 5, 2016, whereby petitioner's car struck a fallen tree limb laying across Plainfield Pike in Scituate.

### DEPARTMENT OF PUBLIC WORKS

3. STEFANI BARNES, 16-130. Compensation for damages sustained on April 13, 2016, whereby petitioner's car struck a large metal object sticking up from the tracks on Allens Avenue.

Firestone	\$748.57
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4. SEAN BELCHER, 16-77. Compensation for damages sustained on February 23, 2016, whereby petitioner's car struck a pothole on South Street.

Town Fair Tire	\$191.53
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5. BRIAN C. BOISSE, 16-79. Compensation for damages sustained whereby petitioner's car struck a hole on Allens Avenue.

6. ANTHONY CATTANI, 16-117. Compensation for damages sustained on April 7, 2016, whereby petitioner's car struck a pothole on Allens Avenue.

Sears Auto Center	\$447.87
D & M Tyre Automotive Service Center	\$411.48

7. JANE E. MCCAUGHEY CANNATA, 16-101. Compensation for damages sustained on February 17, 2016, whereby petitioner's car was covered with tar as a result of the street being tarred on Fountain Street.

Autosport Sales & Collision	\$300.00
Miracle Car Wash, Inc.	\$200.00

8. MATTHEW CHUDY, 16-118. Compensation for damages sustained on April 7, 2016, whereby petitioner's car struck a pothole on Allens Avenue, directly in front of Rhode Island Recycled Metals just after the overpass on-ramp to I-95.

Herb Chambers Honda of Seekonk	\$181.37
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9. STACEY A. COELHO, 16-129. Compensation for damages sustained on April 17, 2016, whereby petitioner's car struck a pothole on the on ramp to I-95 South off of Memorial Boulevard.

Viti, Inc.	\$600.00
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10. JAMES C. CROOKS, 16-138. Compensation for damages sustained on April 20, 2016, whereby petitioner's car struck a pothole on President Avenue between Tabor and Elmgrove Avenue.

Midas	\$265.15
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11. CAROLYN DANIEL, 16-137. Compensation for damages sustained on April 20, 2016, whereby petitioner's car struck a pothole at 155 Washington Street.

Firestone	\$153.97
Melvin's Tire Pros-Seekonk	\$101.40

12. STEPHANIE DORAK, 16-125. Compensation for damages sustained on April 13, 2016, whereby petitioner's car struck a pothole on Allens Avenue.

Balise Volkswagen	\$163.55
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13. RUBY VAIL DORCHESTER, 16-80. Compensation for damages sustained on February 27, 2016, whereby petitioner's car struck a pothole at the northeast corner of Francis Street and Memorial Boulevard.

Barbosa & Son Auto repair, Inc.	\$578.24
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14. MARY A. DUNCAN, 16-17. Compensation for damages sustained on December 8, 2015, whereby petitioner's car struck a metal pole at the intersection of Warrington Street and Elmwood Avenue.

Arlington Auto Body, Inc.	\$3,023.79
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15. TERESA ELLIS, 16-93. Compensation for damages sustained on December 31, 2015, whereby petitioner's car struck a large metal object in the parking lot at Mount Fuji Restaurant on Dean Street.

Hope Valley Auto Body	\$2,809.50
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16. TERESA A. ELLIS, 16-97. Compensation for damages sustained on December 31, 2015, whereby petitioner's car struck a large metal object in the parking lot at Mount Fuji Restaurant on Dean Street.

Hope Valley Auto Body	\$2,809.50
Grimes Auto Body	\$4,093.98

17. PHILIP FARAONE, 15-139. Compensation for damages sustained, whereby petitioner's car struck a pothole on Allens Avenue. (Denied March 24, 2015)
- Herb Chambers Cadillac \$242.30
18. GINO N. FEDERICI, 16-121. Compensation for damages sustained on April 7, 2016, whereby petitioner's car struck a pothole on Third Street.
- Town Fair Tire Centers of RI \$701.42  
First Hyundai \$632.80
19. CHRISTIANA GUGLIETTA, 16-124. Compensation for damages sustained on April 10, 2016, whereby petitioner's car struck a pothole on Woodward Road near Squanto Street.
- Express Muffler \$311.20
20. ANDREW PAUL HARRIS, 16-56. Compensation for damages sustained on February 18, 2016, whereby petitioner's car struck a pothole on Chalkstone Avenue.
- Pawtuxet Sunoco \$203.88
21. HARTFORD INSURANCE COMPANY OF THE MIDWEST a/s/o JOHN AND MARGARET KENNEDY (Lynda L. Laing, Esquire), 16-106. Compensation for damages sustained on or about June 20, 2015, whereby petitioner's car struck a raised, unmarked manhole cover on Valley Street.
- Claim \$14,199.49
22. MANOJ KUMAR JAGADEESAN, 16-139. Compensation for damages sustained on April 21, 2016, whereby petitioner's car struck a pothole on Harris Avenue, just below the Dean Street bridge.
- Balise Toyota \$330.24  
Boch Toyota \$418.70

23. SUSAN KAZMER, 16-147. Compensation for damages sustained on February 21, 2016, whereby petitioner's car struck a pothole on 80 Pleasant Valley Parkway.
- STS Tire & Auto Centers \$381.72
24. SPENCER MOORE, 16-135. Compensation for damages sustained on April 13, 2016, whereby petitioner's car struck a pothole while driving northbound on Rt. 1A in the right hand lane shortly past Honey Dew Donuts.
25. ALEX NATALE, 16-59. Compensation for damages sustained on February 24, 2016, whereby petitioner's car struck a pothole at the corner of Dean Street and Chalkstone Avenue.
26. JANET E. NOKE, 16-126. Compensation for damages sustained on April 10, 2016, whereby petitioner's car struck a pothole on Allens Avenue after taking the Thurbers Avenue exit from Route 95.
- Balise Volkswagen \$158.00
27. BROCK PEEK, 16-132. Compensation for damages sustained on April 18, 2016, whereby petitioner's car struck a pothole on Dexter Street by the Blackstone Valley Prep Academy.
- Balise Volkswagen \$473.10
28. PROVIDENCE MUTUAL a/s/o ANNA M. STETSON, 16-142. Compensation for damages sustained on April 4, 2016, whereby petitioner's retaining wall was damaged allegedly by a Department of Public Works plow truck.
- Claim \$5,108.80

29. WILL G. RADIN, 16-34., Compensation for damages sustained on February 5, 2016, whereby petitioner's car struck a pothole on Parade Street.

BTS Tire & Service Stores	\$241.31
Capital Gulf (PEM)	\$151.82

30. LORETTA REGO, 16-105. Compensation for damages sustained on March 23, 2016, whereby petitioner's car struck a pothole on 265 Collyer Street.

New England Auto, Inc.	\$1,170.06
Jimmy's Auto Service	\$1,177.72

31. JEFFERSON REILLY, 15-629. Compensation for damages sustained on October 19, 2015, whereby petitioner's car struck a joint on Dean Street. (Settled up to an Amount December 16, 2015)

Monro Muffler/Brake & Service	\$125.18
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32. ANDREW ROGERS, 16-131. Compensation for damages sustained on April 5, 2016, whereby petitioner's car struck a pothole at Atwells Avenue and Valley Street.

Town Fair Tire Centers of Rhode Island	\$397.59
Tire Warehouse	\$508.23

33. ANGELA N. ROMANS, 16-63. Compensation for damages sustained on February 18, 2016, whereby petitioner's car struck a pothole on Reservoir Avenue.

Balise Volkswagen	\$203.32
Tire Warehouse	\$135.48

34. ELLEN ROONEY AND KHACHIG TOLOLYAN, 16-119. Compensation for damages sustained on April 10, 2016, whereby petitioner's car struck a pothole at the light at the bottom of the hill on Thurbers Avenue after exiting Route 95.
35. MARIANNY ROSARIO, 16-112. Compensation for damages sustained on April 2, 2016, whereby petitioner's car struck a pothole on Route 10.
- J.S.K. Tire Muffler Shop \$120.00
36. SELECTIVE INSURANCE COMPANY a/s/o R.B. DONUTS d/b/a HONEY DEW DONUTS, 16-107. Compensation for damages sustained on November 17, 2014, whereby petitioner's parked, unattended vehicle was struck by a City of Providence vehicle operated by Donald Masi.
- Claim \$1,643.57
37. ALEX SPEREDELOZZI, 16-127. Compensation for damages sustained on April 7, 2016, whereby petitioner's car struck a curb near Worcester Street and Dorrance Street.
- Eastside Servicenter \$543.55
38. KEVIN SOARES, 16-90. Compensation for damages sustained on March 11, 2016, whereby petitioner's car struck a pothole on Calla Street.
- Tarbox Hyundai \$158.56
39. LISA SPIRITO, 16-73. Compensation for damages sustained on February 25, 2016, whereby petitioner's car struck a pothole on Blackstone Street.
- Route 5 Auto Repair \$170.00  
Sears Auto Center \$177.01

40. ANNA STETSON, 16-115. Compensation for damages sustained on April 4, 2016, whereby petitioner's retaining wall was damaged allegedly by a Department of Public Works plow truck.

41. LAURA M. SULLIVAN, 16-122. Compensation for damages sustained on April 1, 2016, whereby petitioner's car struck a pothole on Gentian Avenue.

Anchor Subaru \$327.66

42. LIONEL M. TESSIER, 16-96. Compensation for damages sustained on March 21, 2016, whereby petitioner's car struck a pothole on Blackstone Boulevard.

43. ALEXANDER H. TRAN, 16-100. Compensation for injuries and damages sustained on August 30, 2015, whereby petitioner, while cycling, struck a pothole around Blackstone Avenue and President Avenue.

Claim \$490.30

44. NATHANIEL PARKER VANVALKENBURGH, 16-120. Compensation for damages sustained on March 23, 2016, whereby petitioner's car struck a jagged edge of a granite curb outside 501 Angell Street in Wayland Square.

Tony's Tire Service \$187.65

45. RICHARD WADLAND, 16-48. Compensation for damages sustained on February 16, 2016, whereby petitioner's car struck a pothole on Branch Avenue.

Pep Boys \$520.46  
Town Fair Tire \$502.64

46. BARRY WALL, 16-109. Compensation for damages sustained on March 28, 2016, whereby petitioner's car struck a pothole in the northbound lane of Blackstone Boulevard.

BTS Tire & Service Stores \$111.22

47. DOROTHY ZALOMSKY, 16-83. Compensation for damages sustained on February 10, 2016, whereby petitioner's car struck a pothole on Howland Street.

Devaney Tire, Inc. \$658.20

#### **FIRE DEPARTMENT**

48. MARY BISHAY, 16-68. Compensation for damages sustained on January 12, 2016, whereby petitioner was involved in an accident with a Providence Fire Department vehicle.

Spencer Collision Center, Inc. \$1,263.00  
C & E Auto Collision North, LLC \$1,994.96

49. COMMERCE INSURANCE COMPANY a/s/o KEITH MACWHORTER, 15-680. Compensation for damages sustained on October 30, 2015, whereby petitioner was involved in an accident with a Fire Department vehicle

Claim \$1,969.13

50. COMMERCE INSURANCE COMPANY a/s/o DENNIS J. O'GRADY, 15-607. Compensation for damages sustained on June 25, 2015, whereby petitioner was involved in an accident with a Fire Department vehicle operated by Mark Livingsten.

Claim \$20,599.19

51. WILBER & ASSOCIATES a/s/o USAA/KRISTEN M. BENEDETTI, 15-676. Compensation for damages sustained on November 2, 2015, whereby petitioner was involved in an accident with an Emergency Fire Truck operated by Seth G. Blais.

Claim \$9,120.35

#### MUNICIPAL COURT

52. GEORGINA BALEMIAN, 16-156. Compensation for damages sustained on January 15-19, 2016, whereby petitioner, involved in an active bankruptcy case, alleges motor vehicle was illegally booted for unpaid parking tickets and is in violation of the automatic stay.

#### PARKS DEPARTMENT

53. COREY DUEFIELD, 16-149. Compensation for damages sustained on May 4, 2016, whereby petitioner was involved in an accident with a City of Providence truck on Pleasant Valley Parkway.

A-1 Custom Auto Body \$1,983.36  
Vinny's Auto Body, Inc. \$1,658.01

54. HELEN PAMELA FITCH, 16-153. Compensation for damages sustained on May 11, 2016, whereby petitioner drove over a tree stump on the south side of Lloyd Avenue between Thayer Street and Brook Street.

Geico \$3,205.00

55. GOVERNMENT EMPLOYEE INSURANCE COMPANY a/s/o ROBERT AND MILDRED O'BRIEN, 16-84. Compensation for injuries and damages sustained on or about December 16, 2014, whereby petitioner was involved in an accident operated and owned by the City of Providence on Orms Street.

Claim \$12,799.74

56. TAMMY LOMBARDI, 16-28. Compensation for damages sustained on January 6, 2016, whereby petitioner struck a tree branch hanging on wires in the middle of the road while driving on Silver Lake Avenue.

Balise Collision Repair Center of Warwick	\$2,351.80
Geico	\$3,412.58

57. TRAVELERS INSURANCE a/s/o ELIZABETH FISHMAN, 15-566, Compensation for damages sustained on July 10, 2015, whereby petitioner's vehicle was struck by a fallen tree limb on Lloyd Avenue.

Claim	\$4,324.25
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#### **POLICE DEPARTMENT**

58. RAYMOND DURAN (William L. Wheatley, Esquire), 15-509. Compensation for injuries and damages sustained on April 3, 2015, whereby petitioner was involved in an accident with a Police Department vehicle operated by Peter Tesseris.

Claim	\$100,000.00
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#### **RECREATION DEPARTMENT**

59. NIKHIL MEHTA, 16-111. Compensation for damages sustained on April 4, 2016, whereby petitioner's parked car was struck by a City van near 438 Hope Street.

#### **SCHOOL DEPARTMENT**

60. SHERRI IOZZI SHARPE, 16-150. Compensation for damages sustained on April 27, 2016, whereby petitioner's parked, unattended car, had the wheels stolen from the parking lot of the Gilbert Stuart Middle School.

Grieco KIA	\$4,948.02
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**SUITS**

61. ANTHONY CARAMAN (V. Edward Formisano, Esquire) vs. the CITY of PROVIDENCE, 15-151. Compensation for injuries and damages sustained on or about October 15, 2014, whereby petitioner was arrested allegedly with unnecessary and excessive force and struck by a Providence Police officer. (Continued March 9, 2016 and April 11, 2016)

62. NANCY HAWKSLEY (Ronald J. Creamer, Esquire) vs. the CITY of PROVIDENCE, 14-699. Compensation for injuries sustained on June 3, 2014, whereby petitioner tripped and fell on Hope Street due to a raised and unexpected sidewalk.

63. DAVID LUSSIER vs. the CITY of PROVIDENCE. Dispute relative to retirement benefits.

64. METLIFE AUTO & HOME a/s/o NORMA SANTOS vs. The CITY OF PROVIDENCE, 10-427. Compensation for damages sustained on August 27, 2010, whereby petitioner was involved in an accident with a Police vehicle. (Denied January 31, 2011)

Claim	\$9,210.60
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65. JAMES MORRIS (Jimmy Burchfield, Jr., Esquire) vs. GAMMINO and the CITY of PROVIDENCE, 10-385. Compensation for injuries and damages sustained on September 2, 2010, whereby petitioner was involved in an accident with a Police vehicle driven by Officer Michael Gammino. (Continued September 24, 2014 and October 20, 2014)

Claim	\$100,000.00
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66. CHRISTOPHER OWENS AND TYLER OWENS, (Christopher J. O'Connor, Esquire) vs. the CITY of PROVIDENCE, 15-573. Compensation for injuries and damages sustained on September 19, 2012, whereby petitioner alleges civil rights and constitutional rights were violated. (Continued April 11, 2016)

Claim \$1,000,000.00

67. SANTIAGO PAULINO (Christopher E. Fay, Esquire) vs. the CITY of PROVIDENCE, 13-453. Compensation for injuries sustained on August 28, 2013, whereby petitioner was involved in an accident with a Fire Department vehicle. (Continued March 9, 2016)

68. ELAINE PETRONIO (Thomas M. Petronio, Esquire), vs. the CITY of PROVIDENCE, 10-405. Compensation for damages sustained on September 15, 2010, whereby petitioner fell on the sidewalk on Pine Street.

69. JOHN PRINCE (Richard A. Sinapi, Esquire) vs. the CITY of PROVIDENCE, 15-587. Compensation for injuries and damages sustained on or about September 10, 2015, whereby petitioner alleges unlawful interference of rights to freedom of speech and freedom from unreasonable search and seizure and for trespass, excessive and unreasonable force and assault by officers in the City Police Department. (Continued April 11, 2016)

Claim \$350,000.00

70. ANTHONY REIS (Augustus Charos, Jr., Esquire) vs. the CITY of PROVIDENCE, 14-724. Compensation for injuries sustained on August 16, 2014, whereby petitioner hit a depression in the road while driving his motorcycle on Burnett Street.

Claim \$100,000.00

71. ANTHONY REIS p.p.a. EMMA REIS (Augustus Charos, Jr., Esquire) vs. the CITY of PROVIDENCE, 14-729. Compensation for injuries sustained on August 16, 2014, whereby petitioner, Anthony Reis, hit a depression in the road while driving his motorcycle on Burnett Street. Emma Reis, a minor child, claims loss of consortium.

Claim \$50,000.00

72. VEASNA KIM REIS (Augustus Charos, Jr., Esquire) vs. the CITY of PROVIDENCE, 14-730. Compensation for injuries sustained on August 16, 2014, whereby, Anthony Reis, the petitioner's husband, hit a depression in the road while driving his motorcycle on Burnett Street. Petitioner, Veasna Kim Reis, his wife, claims loss of consortium.

Claim \$50,000.00

73. MANUEL F. SOUSA (Randall J. Levesque, Esquire) vs. the CITY of PROVIDENCE, 09-453. Compensation for injuries and damages sustained on August 23, 2009, whereby a tree fell onto petitioner's vehicle while driving on Elmwood Avenue. (Continued October 27, 2015)

Claim \$100,000.00

74. STATE of RHODE ISLAND vs. The CITY of PROVIDENCE. Dispute relative to Custom House sidewalk maintenance.

75. JOSEPH WALMSLEY (Christopher E. Fay, Esquire) vs. the CITY of PROVIDENCE, 09-397. Compensation for injuries sustained on June 15, 2009, whereby petitioner fell on an open storm drain, allegedly due to a missing drain cover, on Wayne Street.

76. Review of the following pending suit: Doughty v. Elorza, SU 16-0013

**PER ORDER THE COMMITTEE ON CLAIMS AND PENDING SUITS**  
Councilman Samuel 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.**

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