

## CITY COUNCIL CLAIMS COMMITTEE

Regular meeting of the Claims Committee was held on Monday, April 4, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

### **CALL MEETING TO ORDER:**

The meeting was called to order at 6:00 P.M. by the Chair.

Present: Councilman Steven A. Stycos, Chair  
Councilwoman Leslie A. Luciano, Vice-Chair  
Councilman Michael W. Favicchio  
Councilman Paul H. Archetto (appeared at 6:10 p.m.)  
Council Vice-President Robert J. Pelletier

Also Present: Evan Kirshenbaum, Assistant City Solicitor  
Anna Marino, Claims Examiner  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees

### **MINUTES OF THE LAST MEETING:**

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

### **CORRESPONDENCE:**

None.

### **OLD BUSINESS:**

- *Amount of mailbox claims per year for the last three years.*

**Chair** asked that since this item was discussed last month, it be removed from agenda.

- *Amount the City has paid in Police vehicle damage claims.*

**Chair** asked that since this item was discussed last month, it be removed from agenda.

### **PUBLIC HEARING:**

*Providence Journal Request for information dated March 10, 2011*

*Re: Claims dating to Jan. 1, 2009 including sealed minutes*

**Solicitor** stated that the Providence Journal has made requests for records and pursuant to Records Act, the Solicitor has responded to their request. A meeting has been set up between the Solicitor, Director of Administration and the Journal next week. Chair asked that an update be given on this item next month.

*Discussion of transferring mailbox claims to Public Works Dept.*

**Chair** asked that since this item was discussed last month, it be removed from agenda.

**Chair** indicated that there were no members of the public in the audience.

**Executive Session Pursuant to RIGL 42-46-5(a)(2)**

- **Introduction of new claims and review of pending claims:**

**Chair** asked that Ms. Marino read for the record the names of the claimants and the nature of the claim.

<b>Claimant</b>	<b>Date of Incident</b>	<b>Nature of Claim</b>
Theresa Gelfuso	06/25/10	recovery of stolen items
Sharon Fratantuono	12/27/10	snow plow damage
Susan Diaz	01/15/11	trip & fall
Parks & Recreation vehicle 14	01/28/11	auto accident
Parks & Recreation vehicle 2438	01/14/11	auto accident
Andrew Lutynski & Amica	01/12/11	auto damage
Daniel & Suzan Beardsley	01/12/11	mailbox
Evelyn Tagliaferri	01/15/11	potholes
Meredith & Edward Nowak	01/19/11	mailbox
Verizon	01/21/11	utility pole damage
Daniel Shammas	02/19/11	auto accident
Fire vehicle Engine 3	02/16/11	auto accident
Virginia Gammino	02/25/11	pothole
Paul Celani	02/09/11	pothole
Tiffany Court	02/25/11	pothole

Donna Scuncio	02/25/11	pothole
Bruce Villella	02/25/11	pothole
Jean-Dady & Marie Saint Nelus	03/07/11	auto accident
Julie Henry	03/13/11	pothole
Peter Beaudoin	03/04/11	auto damage
Richard Viti	03/05/11	pothole
Suzanne Downing	03/03/11	pothole

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to go into Executive Session pursuant to RIGL 42-46-5(a)(2) Collective Bargaining/Litigation. Motion passed unanimously.

The meeting went into Executive Session at 6:11 P.M.

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to come out of Executive Session. Motion passed unanimously.

The meeting came out of Executive Session at 6:55 P.M.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to add to the minutes the following motions of settlement offers this Committee made in Executive Session. Motion passed unanimously.

**Theresa Gelfuso**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to deny this claim. Motion passed unanimously.

**Sharon Fratantuono**

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to re-offer claimant the original offer made by this Committee last month. Motion passed unanimously.

**Susan Diaz**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to deny this claim and refer it to Providence Water. Motion passed unanimously.

**Parks & Recreation vehicle 14**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve \$1,153.92 to repair City vehicle. Motion passed unanimously.

**Parks & Recreation vehicle 2438**

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve \$3,977.72 to repair City truck. Motion passed unanimously.

**Andrew Lutynski & Amica**

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to deny this claim. Motion passed unanimously.

**Daniel & Suzan Beardsley**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to offer claimant \$50.00. Motion passed unanimously.

**Evelyn Tagliaferri**

On motion by Councilman Archetto, seconded by Council Vice-President Pelletier, it was voted to offer claimant \$300.00. Motion passed on a vote of 4-1. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Archetto, Favicchio and Council Vice-President Pelletier -4. The following being recorded as voting "nay": Councilman Stycos -1.

**Meredith & Edward Nowak**

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to offer claimant \$50.00. Motion passed unanimously.

**Verizon**

On motion by Councilman Favicchio, seconded by Council Vice-President Pelletier, it was voted to continue this claim. Motion passed unanimously.

**Daniel Shammas**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to offer claimant \$1,673.89 for damage to vehicle. Motion passed unanimously.

**Fire vehicle Engine 3**

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, it was voted to approve \$4,806.25 to repair fire truck. Motion passed unanimously.

**Virginia Gammino**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to offer claimant \$300.00. Motion passed on a vote of 3-2. The following being recorded as voting "aye": Councilmen Archetto, Favicchio and Council Vice-President Pelletier -3. The following being recorded as voting "nay": Councilman Stycos and Councilwoman Luciano -2.

**Paul Celani**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to offer claimant \$175.00. Motion passed unanimously.

**Tiffany Court**

On motion by Councilman Archetto, seconded by Council Vice-President Pelletier, it was voted to offer claimant \$300.00. Motion passed on a vote of 4-1. The following being recorded as voting "aye": Councilmen Stycos, Archetto, Favicchio and Council Vice-President Pelletier - 4. The following being recorded as voting "nay": Councilwoman Luciano -1.

**Donna Scuncio**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to offer claimant \$300.00. Motion passed on a vote of 4-1. The following being recorded as voting "aye": Councilmen Stycos, Archetto, Favicchio and Council Vice-President Pelletier - 4. The following being recorded as voting "nay": Councilwoman Luciano -1.

**Bruce Villella**

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$86.70. Motion passed unanimously.

**Jean Dady & Marie Saint Nelus**

On motion by Councilman Favicchio, seconded by Council Vice-President Pelletier, it was voted to approve \$3,011.18 to repair City vehicle. Motion passed unanimously.

On motion by Councilman Archetto, seconded by Council Vice-President Pelletier, it was voted to approve \$3,179.00 for damage, towing and storage of claimant's vehicle. Motion passed unanimously.

**Julie Henry**

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to offer claimant 50% of \$197.75. Motion passed unanimously.

**Peter Beaudoin**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to offer claimant \$249.76. Motion passed unanimously.

**Richard Viti**

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to continue this claim. Motion passed unanimously.

*Suzanne Downing*

On motion by Councilman Favicchio, seconded by Council Vice-President Pelletier, it was voted to offer claimant 50% of the claim. Motion passed unanimously.

**MISCELLANEOUS BUSINESS:**

- *Yearly Liability Insurance for Baseball Season*

**Ms. Marino** stated that approval is needed for liability insurance for the baseball season. This amount is \$300 for the year.

On motion by Councilman Favicchio, seconded by Council Vice-President Pelletier, it was voted to approve this payment. Motion passed unanimously.

- *Verizon Claim*

**Ms. Marino** stated that she has received a claim from Verizon, which does not belong to the City of Cranston. It needs to be referred to the City of Providence.

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to refer this claim to the City of Providence. Motion passed unanimously.

**Chair** asked that the following item be placed on next month's agenda:

- Discussion of validity of pot holes on side streets and a representative, possibly from Police Department, appear to discuss whether speeding is a factor in the pot hole claims.

The meeting adjourned at 7:05 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committee