

CLAIMS COMMITTEE

Regular meeting of the Claims Committee was held on Monday, June 4, 2007 in the Conference Room, third floor, City Hall, Cranston, Rhode Island.

The meeting was called to order at 5:30 P.M. by the Chair.

Present: Councilman Anthony J. Lupino, Chair
Councilman Richard D. Santamaria, Jr.
Councilman Emilio L. Navarro
Council President Aram G. Garabedian

Absent: Councilman John E. Lanni, Jr., Vice-Chair
Councilman Jeffrey P. Barone

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

CORRESPONDENCE:

OLD BUSINESS:

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to go into Executive Session to address pending claims. Motion passed unanimously.

The meeting went into Executive Session at 5:30 P.M.

Present in Executive Session: Councilmen Lupino, Santamaria, Navarro and Council President Garabedian; Vito Sciolto, City Solicitor; Anna Marino, Claims Examiner and Rosalba Zanni, Assistant City Clerk/Clerk of Committees.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to come out of Executive Session. Motion passed unanimously.

The meeting came out of Executive Session at 6:10 P.M.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to seal the minutes of the Executive Session. Motion passed unanimously.

Chair announced that there will be no meeting in July. The next meeting will be August 6, 2007.

The meeting adjourned at 6:13 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

EXECUTIVE SESSION MINUTES

0703-053

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to approve this claim. Motion passed unanimously.

0704-046

Ms. Marino stated that at the last meeting, Chair asked that she research whether Phenix Ave. is a City road or a State road. She stated that per the City's Highway Department, Phenix Ave. is a City road. All of Phenix Ave. belongs to the City.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to offer claimant \$300. Motion passed unanimously.

0704-055

Ms. Marino stated that she has received three estimates: 1) Autopaint in the amount of \$2,172.78; 2) S & K Sales and Auto Repair in the amount of \$2,080.86; 3) Arlington Auto in the amount of \$1,570.59, which is for salvaged part.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to offer claimant \$1,570.59. Motion passed unanimously.

0612-096

Ms. Marino stated that she needs approval for request for transfer of funds in the amount of \$13,308.83 to repair City vehicle. Council President Garabedian recused himself, since attorney for the claimant is her attorney also.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to approve this claim. Motion passed unanimously.

0704-052

Ms. Marino stated that this is before the Committee for introduction. The City will be collecting on this claim for \$933.58.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to approve this claim. Motion passed unanimously.

0510-254

Ms. Marino stated that this is the case of is the City accepting liability or not.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to deny this claim. Motion passed unanimously.

0611-102

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to continue this claim.

Under Discussion:

Chair asked that Ms. Marino send a letter to the Public Works Department asking that they give the Committee a time of when the camera and the truck for the sewers will be ready to be used. This Committee needs a written document of the timeframe.

Motion to continue passed unanimously.

0702-006

Ms. Marino stated that there is no Police report or witnesses to this incident. The insurance company, who insures the Fuel Depot in the area where this incident occurred, has asked for any pictures of the area. Mr. Sciolto recommended that the pictures not be sent to the insurance company. Ms. Marino stated that the insurance company also has asked if there has been any work done in this area.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to deny this claim based on the fact that there were not witnesses and no Police report filed. Motion passed unanimously.

0704-053

Ms. Marino stated that this claim is before the Committee for introduction. She is waiting for information from the City's Highway Department to determine if there have been any problems in this area.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to deny this claim. Motion passed unanimously.

0704-056

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to continue this claim, since claim #0611-102 (Pisaturo), live on the same street and their claim was continued earlier on the agenda. Motion passed unanimously.

0710-140

Ms. Marino stated that October, 2005, claimant was offered \$2,500 by this Committee. The Claimant refused that offer and is looking for more.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to deny this claim unless claimant accepts the \$2,500 and a signed waiver. Motion passed unanimously.

MISCELLANEOUS BUSINESS:

Council President Garabedian stated that an Ordinance is needed in monitoring some kind of system of all the accidents City employees, who drive City vehicles, are involved in. For the next meeting, he would Ms. Marino to provide a report by department and/or employee's names who are involved in accidents.

Ms. Marino stated that Encompass Insurance Company, who insures Barbara Pettinato on Elite Dr., whose hot water tank burst a few months ago. Ms. Marino stated that she indicated to Ms. Pettinato that it is Providence Water and not the City who is responsible. Councilman Santamaria stated that he spoke to Ernie DePari from the City's Highway Department, and was told that it was an air bubble in the line and Providence Water admitted it was their fault. Council President Garabedian asked Mr. Sciolto if he is aware of any contracts that exist between the City and Providence Water. Mr. Sciolto stated that he is not sure, but he will check into it.

Councilman Santamaria stated that he was provided with a settlement agreement dated 1998 by the Public Works department between Providence Gas and the City.

Ms. Marino stated that she needs money in the Sewer Fund to pay claims that have been approved. Currently, the amount she needs is \$12,950,33, but more should be placed in this account, if more claims are settled. Council President Garabedian stated that the Mayor needs to make the recommendation. Chair stated that he will make the request for \$25,000.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to request that the Mayor draft an Ordinance transferring \$25,000 into the Sewer Fund. Motion passed unanimously.

The meeting came out of Executive Session at 6:10 P.M.