

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

CITY COUNCIL CLAIMS COMMITTEE

Regular meeting of the Claims Committee was held on Monday, June 6, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:05 P.M. by the Chair.

Present: Councilman Steven A. Stycos, Chair
Councilman Paul H. Archetto
Councilwoman Leslie A. Luciano
Council Vice-President Robert J. Pelletier
Council President Anthony J. Lupino

Absent: Councilman Michael W. Favicchio

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 Councilwoman Luciano, 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:

OLD BUSINESS:

- 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. (Cont. 5/2/2011).

Captain Gerard Carnevale appeared to speak and stated that there is much more involved in damage from pot hole than just speed, such as gap of hole, how wide the hole is and the type of vehicle, whether it is a high or low vehicle.

Council Vice-President Pelletier questioned if this Committee could require the claimant, when filling out the claim form, to state speed they were going at the time. Ms. Marino stated that there is no such question on the form, but if the Committee wishes to add this question to the form, she would have to check with the Solicitor to add this question.

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to add to the claim form the question of what approximate speed the claimant was going at the time of the incident. Motion failed.

Councilwoman Luciano questioned if question of approximate age of the tire could be added to the claim form. Chair indicated that by Ordinance, at this time, we can only pay for 50% of the cost of the tire.

Council Vice-President Pelletier questioned if we could force a two-estimate rule. Ms. Marino stated that the process she uses is if she feels the amount requested is too high, she checks with Fleet Maintenance to see if this is a fair estimate.

Councilwoman Luciano stated that the Committee still needs to find a way to curtail this expense in paying for pot holes.

PUBLIC HEARING

The following names of claimants and the nature of the claims were read into the record.

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

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

<u>Claimant</u>	<u>Date of Incident</u>	<u>Nature of Claim</u>
Fire Department	01/24/11	auto accident
Fire Department	03/28/11	auto accident
Fire Department	04/20/11	auto accident
Vincent Meyer	04/30/11	auto accident
Scott Ruzzo	03/27/11	pothole damage
Elaine Blomenberg	02/02/11	mailbox damage
Ronald Fuoroli	01/11/11	auto damage
Say Vy	02/20/11	auto accident
Police vehicle	02/24/11	auto accident
Dorothea Amato	05/01/11	auto accident
Police vehicle	05/02/11	auto accident
Thomas Costello	03/30/10	sewer problem

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, 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 6:15 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 7:05 P.M.

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

Fire Department

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to approve this claim for \$203.50. Motion passed unanimously.

Fire Department

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve this claim for \$697.46. Motion passed unanimously.

Fire Department

No action taken.

Vincent Meyer

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve this claim. Motion passed on a vote of 3-1. The following being recorded as voting "aye": Council Vice-President Pelletier, Councilmen Archetto and Stycos -3. The following being recorded as voting "nay": Councilwoman Luciano -1.

Scott Ruzzo

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve this claim for \$300.00. Motion failed on a tie vote.

On motion by Councilwoman Luciano, seconded by Councilman Stycos, it was voted to deny this claim. Motion passed on a vote of 3-1. The following being recorded as voting "aye": Council Vice-President Pelletier, Councilman Stycos and Councilwoman Luciano -3. The following being recorded as voting "nay": Councilman Archetto -1.

Elaine Blomenberg

On motion by Council Vice-President Pelletier, seconded by Archetto, it was voted to approve this claim for \$50.00. Motion passed unanimously.

Ronald Fuoroli

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve this claim for 50%. Motion passed unanimously.

Say Vy

On motion by Council Vice-President Pelletier, seconded by Councilman Stycos, it was voted to approve this claim for \$3,570.00. Motion passed on a vote of 3-1. The following being recorded as voting “aye”: Council Vice-President Pelletier, Councilmen Archetto and Stycos -3. The following being recorded as voting “nay”: Councilwoman Luciano -1.

Police vehicle

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to approve the transfer of funds in the amount of \$25,985. Motion passed unanimously.

Dorothea Amato

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to deny this claim. Motion passed on a vote of 3-1. The following being recorded as voting “aye”: Council Vice-President Pelletier, Councilman Stycos and Councilwoman Luciano -3. The following being recorded as voting “nay”: Councilman Archetto -1.

Police Vehicle

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

Thomas Costello

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

There will be no Claims meeting in July, due to the fact that Ms. Marino will be on vacation. The next meeting will be held in August.

The meeting adjourned at 7:05 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committee