

CITY COUNCIL CLAIMS COMMITTEE

Regular meeting of the Claims Committee was held on Monday, March 7, 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
Councilman Michael W. Favicchio
Councilwoman Leslie A. Luciano
Council Vice-President Robert J. Pelletier
Council President Anthony J. Lupino

Also Present: Robin Muksian-Schutt, Director of Administration
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:

OLD BUSINESS:

- How much is paid in mailbox claims per year for the last three years.

Ms. Marino indicated that this information was provided to the committee in the past.

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

Ms. Marino indicated that this information was provided to the Committee in the past.

PUBLIC HEARING

- Discussion of transferring mailbox claims to Public Works Dept.

Ms. Schutt stated that if transfers are made to departments for claims, the problem is you begin to pick and chose what types of claims go into what line items. A bigger concern is for Police vehicle line item, because what happens if we deplete that line item, do we not repair Police vehicles? This is not a practical accounting practice.

Council Vice-President Pelletier stated that the City hires private snow plow vendors, who are required to have insurance. He questioned if we could target the vendors’ insurance for mailbox damage claims. Ms. Schutt stated that we could look at this, but most damages to mailboxes are caused by larger trucks, City trucks.

Solicitor stated that this Claims Committee was changed from Insurance Risk Commission around 2005-2006. The Insurance Risk Commission, at that time, dealt with all different types of issues, including claims, insurance policies and insurance for various items. The Claims Committee is limited to just claims. The Insurance Risk Commission had representatives from the Administration, various City Departments, along with City Council members and Solicitor, who lended their expertise.

Ms. Schutt questioned whether this Committee can handle these claims, because per the Charter, all claims are to be handled through the Solicitor’s Office.

Council President Lupino stated that the City Charter still mentions a Claims Committee and he still feels all claims should originate in the Claims Committee.

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

<u>Claimant</u>	<u>Date of Incident</u>	<u>Nature of Claim</u>
John Foley	12/26/10	mailbox
Deborah Spagnoli	01/12/11	mailbox
Jean Ardente	01/13/11	auto damage – road condition
Susan Diaz	01/15/11	trip & fall
Philip Hayden	01/18/11	mailbox
Dawn & Thomas Perrotta	01/21/11	mailbox

Jason Burgess	01/22/11	pothole
Janet Fromm	01/25/11	mailbox
Derek Testa	01/11/11	mailbox
Vincent & Judith Levros	01/25/11	mailbox
Donald Salvatore	01/27/11	mailbox
Herbert Gray	01/28/11	pothole
Franco & Pasqualina Agresti	02/01/11	mailbox
Joseph & Vivian Mendonsa	02/02/11	light post – plow damage
Kerstin Kneier	02/03/11	auto damage – road condition
Crescenzo Pompeii	02/04/11	auto accident
Daniel Marella	02/05/11	pothole
Lorena Perez	02/06/11	pothole
Kristen Ruggiero	02/06/11	pothole
Raymond Lefebvre	02/07/11	pothole
Timothy Gregson	02/08/11	pothole
Christina Caldarone	02/10/11	pothole
Margaret Silvestri-Healy	02/11/11	pothole
Kevin Manni	02/09/11	pothole
Leon Pelletier	02/13/11	pothole
Daniel Shammas	02/19/11	auto accident
Jo-Ann Fede	02/23/11	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 6:30 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 President Lupino, seconded by Council Vice-President Pelletier, it was voted to add to the minutes the following motions of settlement offers this Committee made in Executive Session. Motion passed unanimously.

John Foley

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Deborah Spagnoli

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Jean Ardente

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to deny this claim. Motion passed on a vote of 5-1. The following being recorded as voting "aye": Councilmen Stycos, Favicchio, Councilwoman Luciano, Council Vice-President Pelletier and Council President Lupino -5. The following being recorded as voting "nay": Councilman Archetto -1.

Susan Diaz

No action taken.

Philip Hayden

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Dawn & Thomas Perrotta

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Jason Burgess

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

Janet Fromm

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Derek Testa

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Vincent & Judith Levros

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Donald Salvatore

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Herbert Gray

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

Franco & Pasqualina Agresti

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant \$50. Motion passed unanimously.

Joseph & Vivian Mendonsa

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

Kerstin Kneier

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

Crescenzo Pompeii

On motion by Councilman Archetto, seconded by Council Vice-President Pelletier, it was voted to approve the repair to the vehicle. Motion passed unanimously.

Daniel Marella

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

Lorena Perez

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

Kristen Ruggiero

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to refer this claim to the State, since this is a State road. Motion passed unanimously.

Raymond Lefebvre

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to offer claimant ¼ of the amount of the bill. Motion passed unanimously.

Timothy Gregson

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

Christina Caldarone

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

Margaret Silvestri-Healy

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant 25% of claim. Motion passed unanimously.

Kevin Manni

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

Leon Pelletier

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to offer claimant 50% of the cost for tire and wheel. Motion passed unanimously.

Daniel Shammass

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

Jo-Ann Fede

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

The meeting adjourned at 7:10 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committee