

## CITY COUNCIL CLAIMS COMMITTEE

Regular meeting of the Claims Committee was held on Monday, May 2, 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 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:**

None.

### **OLD BUSINESS:**

None.

### **PUBLIC HEARING**

- 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.

No one was present to speak from Police Department.

**Councilwoman Luciano** questioned why there is no one present from the Police Department. Ms. Marino stated that Al Davis, who worked in the Traffic Division, has retired and his replacement is out of town.

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

**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><u>Claimant</u></b>	<b><u>Date of Incident</u></b>	<b><u>Nature of Claim</u></b>
Jeremy & Reni Grimes	02/03/11	damage from city tree
Fire Department Ladder 4	08/03/09	vehicle damage
Natividad Ortega	02/03/11	vehicle damage
Fire Department Rescue 1	03/04/11	vehicle damage
Paul Celani	02/09/11	pothole damage
Scot Scheer	02/25/11	tire damage from storm drain
Fannie Willis	03/05/11	trip and fall
Robert Quinn	03/31/11	pothole damage
Sandra Furlong	04/09/11	trip and fall
Nancy DeShaies	04/09/11	pothole damage
Conrad Goernert, Jr.	04/03/11	pothole damage
Say Vy	02/20/11	vehicle damage
Police vehicle 3979	02/24/11	vehicle damage
Thomas Costello	03/30/10	sewer backup
John & Pauline Spremulli	04/13/11	backup from tree roots

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, 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 6:02 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.

**Jeremy & Reni Grimes**

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to approve this claim for \$300. Motion passed unanimously.

**Fire Department Ladder 4**

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to approve this claim for \$2,160.50. Motion passed unanimously.

**Natividad Ortega**

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, it was voted to approve this claim for \$248.05. Motion passed unanimously.

**Fire Department Rescue 1**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve this claim for \$644.00. Motion passed unanimously.

**Paul Celani**

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

**Scot Scheer**

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

**Fannie Willis**

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

Motion and second were withdrawn.

No action taken on this claim.

**Robert Quinn**

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this claim for 50% (\$82.65). Motion passed on a vote of 4-1. The following being recorded as voting "aye": Councilmen Stycos, Favicchio, Archetto and Council President Lupino -4. The following being recorded as voting "nay": Councilwoman Luciano -1.

**Sandra Furlong**

No action taken.

**Nancy DeShaies**

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

**Conrad Goernert, Jr.**

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

**Say Vy**

On motion by Councilman Favicchio, seconded by Councilman Archetto, it was voted to approve this claim for 50% (\$1,785.03). Motion passed unanimously.

**Police vehicle 3979**

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

**Thomas Costello**

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to send letter to claimant for authorization to inspect home and Ms. Marino to obtain previous history documents regarding this claim. Motion passed unanimously.

**John & Pauline Spremulli**

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

The meeting adjourned at 6:56 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committee