

CLAIMS COMMITTEE

Regular meeting of the Claims Committee was held on Monday, October 6, 2008 in the Conference Room, Third Floor, City Hall, Cranston, Rhode Island.

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

Present: Councilman Anthony J. Lupino, Chair
Councilman John E. Lanni, Jr., Vice-Chair
Councilman Emilio L. Navarro
Councilman Jeffrey P. Barone
Council President Aram G. Garabedian

Absent: Councilman Richard D. Santamaria, Jr.

Also Present: Charles Garganese, Jr., Assistant City Solicitor
Anna Marino, Claims Examiner
Rosalba Zanni, Assistant City Clerk/Clerk of Committees

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to go into Executive Session. Motion passed unanimously.

The meeting went into Executive Session at 6:00 P.M.

Present in Executive Session: Councilmen Lupino, Lanni, Navarro, Barone, Council President Garabedian, Charles Garganese, Jr., Assistant City Solicitor; Anna Marino, Claims Examiner; Rosalba Zanni, Assistant City Clerk/Clerk of Committees.

The meeting came out of Executive Session at 6:45 P.M.

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to come out of Executive Session and seal minutes of Executive Session. Motion passed unanimously.

The meeting adjourned at 6:47 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

CLAIMS COMMITTEE – EXECUTIVE SESSION MINUTES

OCTOBER 6, 2008

The meeting went into Executive Session at 6:00 PM

Present: Councilmen Lupino, Lanni, Navarro, Barone, Council President Garabedian, Charles Garganese, Jr., Assistant City Solicitor; Anna Marino, Claims Examiner; Rosalba Zanni, Assistant City Clerk/Clerk of Committees.

Chair indicated that he received a letter from Ramsey Davis and a copy was sent to the remainder of the Council members asking for reconsideration on the claim filed by CCRZD, which was denied. He indicated to Mr. Davis that this Committee's procedure on a denied claim is if there is new information, reconsideration will be considered. Since there was no new information presented, he advised him that he would ask the Administration to update the Council on the status of the appeal and placed on the Council docket.

Councilman Navarro stated that he also spoke to Mr. Davis and he believes that the people do not realize what the process is when a letter of denial is sent out to them. He also explained to Mr. Davis that the vote was taken in Executive Session and he cannot speak on the reason for the denial.

Chair asked Ms. Marino if the denial letter she sends out states the reason for the denial and also what their next step is. Ms. Marino stated, no, the letter she sends out just states that the claim is denied. If she speaks to the person on the phone or in person, she explains what their next step is.

Council President Garabedian asked that the Solicitor research the State Law where this Committee gets their power from and under what basis this Committee operates because he believes that there was an Act creating this.

Mr. Garganese stated that, basically, every City and Town Claims Committee operates the same. You do not have to tell a claimant what the basis of your denial is or what the vote was.

0809-078

Ms. Marino stated that this claim is before this Committee for introduction. There are three bids that were obtained: East Side Collision \$991.20; Auto Paint RI \$1,415.80; and Tasca \$1,175.49. A vote is needed for the low bid.

On motion by Councilman Navarro, seconded by Councilman Barone, it was voted to approve this claim for \$991.20. Motion passed unanimously.

0809-079

Ms. Marino stated that this claim is before this Committee for introduction. She will send a letter to the other person's insurance company. No action taken.

0809-082

Ms. Marino stated that this claim is before this Committee for introduction. A letter will be sent to Amica. No action taken.

0805-071

Ms. Marino stated she needs approval for bill to repair tire in the amount of \$90.32.

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to approve this claim for \$90.32. Motion passed unanimously.

0807-076

On motion by Councilman Barone, seconded by Councilman Lanni, it was voted to deny this claim. Councilman Navarro opposed. Motion passed.

0808-073

Ms. Marino stated that this claim was denied last month, but after obtaining new information, she did some research and spoke with the Highway crew in depth and also to Officer Al Davis of the Traffic Division. Highway admitted that what the Highway repairmen did was wrong and they were told not to do that ever again. They placed cones and not flags, which they should have, in the road. She also spoke to Officer Davis and he stated to her that one barrel was not enough for the size of the trench. There should have been two to three barrels in the street. The claimant's insurance company is looking for \$8,486 for the repair of the car and rental. Mr. Garganese suggested settling this claim 50/50.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to approve this claim in the amount of \$4,243. Motion passed unanimously.

0809-081

Ms. Marino stated that appraisal is for \$3,788. No action is needed until bids come in.

Discussion took place on why there is no Police report filed. Councilman Lanni stated that there is not enough information and no Police report for this Committee to justify approving this claim.

On motion by Councilman Lanni, seconded by Councilman Navarro, it was voted to deny this claim and request that Ms. Marino obtain a Police report and have Gerard Scotti of the Vehicle Maintenance Division pay for the repairs. Motion passed unanimously.

0808-075

Ms. Marino stated that there are two estimates from the claimant, one in the amount of \$1,009.34 and one in the amount of \$1,206.23.

On motion by Councilman Lanni, seconded by Councilman Navarro, it was voted to approve this claim in the amount of \$1,009.34. Motion passed unanimously.

0808-077

Ms. Marino stated that the bill received for the veterinarian is in the amount of \$220.66. Discussion took place on whether the City is responsible if the City places rat poison on private property with the permission of the property owner. The Committee members agreed that the City is not liable.

On motion by Councilman Lanni, seconded by Council President Garabedian, it was voted to deny this claim. Motion passed unanimously.

MISCELLANEOUS BUSINESS:

Ms. Marino presented the following policies for the various polling places for the November Election, which need to be approved by this Committee:

- American Legion Auburn Post
- Phillips Memorial Baptist Church
- Cranston Country Club
- Kelly Gazzero VFW Post
- Vasa Music Hall

On motion by Councilman Navarro, seconded by Councilman Lanni, it was voted to approve these policies. Motion passed unanimously.

The meeting came out of Executive Session at 6:45 P.M.