



Recommendation Memo

To: Eric Earls, Department of Public Works
From: Margie White, Finance Department X 9241
Date: July 6, 2023
Re: Council Claim

Please investigate the attached claim against the City of Warwick involving your department and return this recommendation to the Treasury office as soon as possible.

Date of Incident: 06/06/23

Police/tow/auto report: 23-31918

Claimant: Marie Hennedy
11 Shenandoah Road
Warwick, RI 02886

Claim: Hit a sanitation barrel in the roadway on Coweset Road causing damage to side mirror.

Estimate: Balise \$1168.89

SEE NOTE ATTACHED TO PACKET

Invoice: Tarbox Toyota \$558.58

Department Recommends:

Approval of this claim for \$0.

Denial of this claim (please include comments below):

The City of Warwick cannot be held responsible for the driver hitting a trash barrel on the side of the roadway. The trash barrel was located behind the white fog line and there is no way to determine that the barrel was in or near the roadway when the driver collided with it. Therefore, this department denies responsibility.



Director Signature



Date

TO THE HONORABLE CITY COUNCIL

The undersigned respectfully petitions your body for compensation for injuries or damages sustained as follows:

Please print information that pertains to your claim.

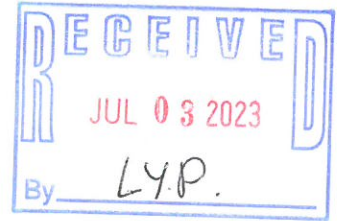
Motor Vehicle Accident Pothole Property Damage Tax Waiver Other

Claimant Name: MARIE C. HENNEDY

Address: 11 Shenandoah Road

City, State, Zip: Warwick, RI 02886

Telephone #: 401-368-1922



Date of incident (M/D/Y) 6-6-23 Time: 2:15 AM PM

Description of Incident/Claim: Please see attached description and 3 photos.

Unable to get additional quote due to health

Vehicle Year: 2019 Make: TOYOTA Model: PRIUS Odometer reading: 46,358

The Pothole was located on _____ road.
I notified the Finance / Public Works department on 6-9-23 (date).

The nature of my property damage is: I had to replace my mirror and its assembly parts plus labor = \$558.58

Additional information about Tax Waiver (include letter from Tax Collector stating adverse decision) _____

I request reimbursement in the amount of \$ 558.58

SIGNATURE OF CLAIMANT: Marie C. Kennedy DATE 7-3-23

AFFIDAVIT

(Petitioner Name) MARIE C. HENNEDY, being duly sworn, deposes and states:

1. I have petitioned the City Council of the City of Warwick for compensation for losses arising from an incident which occurred on (date) 6-6-23 as a result of (please provide brief description):

MY CAR HIT A GARBAGE CAN PARTIALLY IN COWESSET ROAD;
IT TOOK OFF MY RIGHT REAR-VIEW MIRROR.

Said claim was filed with the Finance Department on _____ (date).

2. Check appropriate box or boxes:

I have not sought compensation, nor will I at any time seek compensation from any source (including, but not limited to, any insurance company) other than the City of Warwick, for any loss arising from the above-described incident, understanding for pothole claims, the maximum recovery is \$300.00 under Rhode Island General Law § 24-5-13 (b).

I have received compensation from a source or sources other than the City of Warwick, (including, but not limited to, any insurance company) in connection with this incident. The amount(s) which I received total \$ _____ and the source of the other payment(s) was _____

I am seeking, or intend to seek, compensation from a source or sources other than and/or in addition to the City of Warwick (including, but not limited to, any insurance company), for any loss arising from the above described incident. The source or sources from which I seek such other compensation is/are: _____

3. In the event that the Warwick City Council should deny my claim, I understand that I may pursue a claim against any other party who may be liable for my loss.

4. I understand that I am not entitled to recover more than the amount of my actual loss. If the City of Warwick pays any amount to me in connection with the above described incident, and if I should receive any amounts from any source other than the City of Warwick with respect to the above described incident, I will report such other receipt(s) to the Finance Department of the City of Warwick.

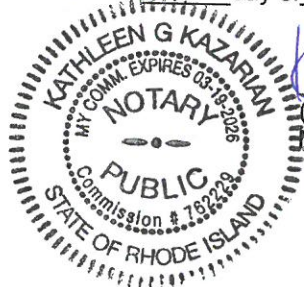
5. I have personal knowledge of the facts aforesaid.

Marie C. Kennedy
Signature of Claimant or its Representative

MARIE C. HENNEDY
Printed Name

State of Rhode Island
County of KENT

Subscribed and sworn to before me on this 3rd day of July, 2023



Kathleen Kazarian
(Notary Public)
My Commission Expires 3/19/2026



STATE OF RHODE ISLAND
DIVISION OF MOTOR VEHICLES

600 NEW LONDON AVENUE
 CRANSTON RI 02920-3024

Web Address: WWW.DMV.RI.GOV



BW16710616

MARIE C HENNEDY
 11 SHENANDOAH RD
 WARWICK RI 02886-8713

Date: **08/31/2021**

Registration Certificate

REG NUMBER: XT601	PLATE TYPE: PASSENGER	PLATE DESIGN: WAVE	VEHICLE TYPE: PASSENGER	DRIVERS LICENSE: 6710616	REG EXP DATE: 06/30/2023
YEAR: 2017	MAKE: TOYOTA	MODEL: PRIUS	BODY TYPE: HATCHBACK	MAJOR COLOR: BLUE	MINOR COLOR: BLUE
VEHICLE IDENTIFICATION NUMBER: JTDKBRFU2H3539716		RENEWAL FEE: 112.50	GROSS WEIGHT: 4115 LBS	# OF PASSENGERS: 5	# OF CYLINDERS: 4
FUEL TYPE: HYBRID GAS AND ELECTRIC		CARRYING CAPACITY: N/A	LENGTH: N/A	CCs: N/A	MAX SPEED: N/A
REGISTERED OWNER: MARIE C HENNEDY 11 SHENANDOAH RD WARWICK RI 02886-8713			SECOND OWNER:		

TAX TOWN: **WARWICK**

- Notice: The law requires that the DMV be notified within 10 days of any change in name or address. Please visit our website to update your address online.
- Plate Cancellation -Excise Tax: Plates must be **cancelled** with the DMV to ensure the vehicle is removed from the city or town tax rolls. Please retain your receipt as proof of cancellation.
- Every registration plate shall be at all times securely fastened in a horizontal position and be in a condition to be clearly legible. Validation stickers are only to be placed securely on the lower right corner of the registration plate.
- Registration Certificate shall at all times be carried in the vehicle to which it refers or shall be carried by the person driving or in control of such vehicle.
- Proof of valid insurance/financial security is required as per Rhode Island General Laws § 31-47 (Motor Vehicle Reparations Act).
- It is your responsibility to renew your registration prior to the expiration date. Failure to do so may result in the assignment of new plates.
- Failure to obtain an **Emissions Inspection** on or before **09/20/2021** will result in this vehicle being suspended.
- Not valid without official signature of Administrator.
- Any vehicle operating in excess of legal weight limits is required to have an overweight permit per Chapter 31-25 of the Rhode Island General Laws. Failure to obtain an overweight permit may result in the imposition of fines and/or other penalties.

WALTER R. CRADDOCK
 ADMINISTRATOR
 DIVISION OF MOTOR VEHICLES

Description of Incident/Claim:

When I was driving home (east) on Cowesett Road from Stop 'n Shop towards Post Road at about 2:15 p.m. on Tuesday, June 6, 2023, a large white truck driving west—fast and right on the middle yellow lines—passed but did not hit me: I had held my steering wheel steadily straight. But I'd also heard and felt a **loud crash on my car's right/passenger side**. Having parked safely off the road near Cornerstone Baptist Church, I saw that **my right rear-view mirror and its assembly parts had been demolished (see figure 1)**.

Looking back up the road, I saw that **an emptied black garbage can**—apparently having been knocked a bit sideways—**sat then just behind the road's white line (see figure 2)**. Note too that home's emptied blue recycling bin had been replaced safely off the road, on the grass close to its stone wall.

Having taken photos of my damaged car and the inexplicably wayward black can, I pushed it a few feet off the road **(see figure 3)** so it would be unlikely to hit another car.

Thank you.

Marie C. Hennedy

Marie C. Hennedy

For Date: 06/07/2023 - Wednesday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>
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23-31918	1151	Phone - CIVIL ISSUES	Services Rendered 3	
Call Taker:		KGREENE - Civilian Katie L Greene		
Call Closed By:		JPARENT - Civilian Jerry A Parenteau 06/07/2023 1253		
Location/Address:		562 COWESETT RD		
Calling Party:		HENNEDY, MARIE C @ 11 SHENANDOAH RD - WARWICK, RI 02886 401-368-1922		
		Race: W Sex: F		
Unit:		P1 Officer Rene G Gauthier		
		Disp-12:13:02 Arvd-12:19:06 Clrd-12:53:00		
Location Change:		[203 10684] 11 SHENANDOAH RD [Modified: 06/07/2023 1213]		
Vehicle:		BLU 2017 TOYT 4H PRIUS Reg: PC RI XT601 VIN: JTDKBRFU2H3539716		
Operator:		HENNEDY, MARIE C @ 11 SHENANDOAH RD - WARWICK, RI 02886		
		Race: U Sex: F		
Owner:		HENNEDY, MARIE C @ 11 SHENANDOAH RD - WARWICK, RI 02886		
		Race: U Sex: F		

Insurance Co:
Policy No:
Narrative:

06/07/2023 1153 Civilian Katie L Greene
RP IS HOME NOW

RP HIT GARBAGE CAN THAT WAS PARTIALLY IN ROAD AND IT TOOK
HER MIRROR OFF

Narrative: **06/07/2023 1252 Officer Rene G Gauthier**

RP stated that the garbage can hit her vehicle and was
inquiring on having her vehicle repaired. Call number
provided, [REDACTED] on having the right to petition the city for
reimbursement. Damage to the vehicle is described as a
broken passenger side view mirror. Damage to the front
bumper and fender were from a previous incident according to
the RP.



Side Rearview Mirror Damage

Figure #1



Where it was just after I hit it,

*Immediate
Post-Collision Placement*

Figure # 2



*Where I finally put it
for safety.*

*Subsequent
Post-Collision Placement*

Figure #3



nucar

Tarbox Toyota

3671 QUAKER LANE PO BOX 1890
NORTH KINGSTOWN, RI 02852
401-884-5438 401-294-0400
www.nucartarboxtoyota.com

CUSTOMER NO. 128052		ADVISOR ANDREW CHAN	TAG NO. 44823	INVOICE DATE 06/09/23	INVOICE NO. TOCS929479
JOHN F HENNEDY 56 MARION ST EAST GREENWICH, RI 02818		LABOR RATE	LICENSE NO. 44823	844	STOCK NO.
		YEAR / MAKE / MODEL 17/TOYOTA/PRIUS/5DR HB TWO	MILEAGE 46,094	COLOR BLUE/MOONST	DELIVERY MILES
		VEHICLE I.D. NO. J T D K B R F U 2 H 3 5 3 9 7 1 6		DELIVERY DATE 01/20/17	PRODUCTION DATE 9
RESIDENCE PHONE 401-884-3976	BUSINESS PHONE	COMMENTS		R. O. DATE 06/09/23	

JOB# 1 CHARGES-----

LABOR-----

J# 1 61TOZZO EXT MIRROR HOURS: 1.00 TECH(S):18 159.99

INSTALL SOP PASSENGER SIDE VIEW MIRROR ASSEMBLY

INSTALLED NEW PASSENGER SIDE VIEW MIRROR ASSEMBLY

PARTS-----QTY-----FP-NUMBER-----DESCRIPTION-----LIST PRICE-UNIT PRICE-

1	87910-47410	MIRROR ASSY, OUTE	281.95	281.95	281.95
1	87915-47070-J0	COVER, OUTER MIRR	72.95	72.95	72.95
			TOTAL - PARTS		354.90

JOB# 1 TOTALS-----

LABOR 159.99

PARTS 354.90

JOB# 1 JOURNAL PREFIX TOCS JOB# 1 TOTAL 514.89

MISC-----CODE-----DESCRIPTION-----CONTROL NO-----

JOB # A	C2	HAZARDOUS WASTE DISPOSAL		1.25
JOB # A	C1	SHOP SUPPLIES		17.60
TOTAL - MISC				18.85

MO: 46094

ON BEHALF OF SERVICING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

DISPOSAL OF HAZARDOUS WASTE
The State of Rhode Island requires that all hazardous waste (Oil, Solvents, Anti-Freeze, etc.) must be disposed of by a licensed contractor in an environmentally safe manner. Any charge for disposal of hazardous waste reflects our conformity to state law in addition to our concern for the preservation of the environment.

COMMENTS-----

++W-----

TOT-----

TOTAL LABOR.... 159.99

TOTAL PARTS.... 354.90

TOTAL SUBLET... 0.00

TOTAL G.O.G.... 0.00

TOTAL MISC CHG. 18.85

TOTAL MISC DISC 0.00

TOTAL TAX..... 24.84

TOTAL INVOICE \$ 558.58

06/09/2023 11:46:47

Terminal ID No.: 76259618

Credit Sale:

Transaction #: 29

Card Type: Visa

Account: *****4391

Entry: Chip

Invoice #: 929479

Amount: **USD \$558.58**

Host Ref. Number: 31601850

Auth. Code: 049210

Batch Number: 818

Response: APPROVAL 049210

Mode: Issuer

ATD: A0000000031010

APPN: CHASE VISA

pm taken by

AM - 6:00 PM

T 7:30-6:00PM

RBOX TOYOTA.

ARDING

CONTACT

5438

STATEMENT OF DISCLAIMER

The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

ck

PAID

JUN 09 2023

By *W*

IMCRO TEC (401) 438-0642 - AutoDealersHaven.com

CUSTOMER #: 765831

PRE-WORKORDER



Marie Hennedy
11 Shenandoah Rd
Warwick, RI 02886
AAMALFITANO@BALISEAUTO.COM

Page 1 of 1

1400 Post Road, Warwick, RI 02888
(401) 781-4377

HOME: CONT: (401) 368-1922

BUS: CELL: (401) 368-1922

SERVICE ADVISOR: Toyota Service Team

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
	2017	TOYOTA PRIUS	JTDKBRFU2H3539716		11		
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
							06/26/2023
R.O. OPENED	READY	OPTIONS:					

LINE	OP CODE	DESCRIPTION	DURATION	ESTIMATE
# A	BO05	Mirror Assembly, Exterior - Replace (Labor Only)	1.00	340.00
# B	INFO	DIAG INFO REPLACE SIDE MIRROR	0.00	752.42

Printed On 06/26/2023 7:35:49 PM

Subtotal 1092.42

Sales Tax 76.47

Total **1168.89**

EXCLUSION OF WARRANTIES

Any warranties on the parts and accessories sold hereby are made by the manufacturer. The undersigned purchaser understands and agrees that dealer makes no warranties of any kind, express or implied, and disclaims all warranties, including warranties of merchantability or fitness for a particular purpose, with regard to the parts and/or accessories purchased; and that in no event shall dealer be liable for incidental or consequential damages or commercial losses arising out of such purchase. The undersigned purchaser further agrees that the warranties excluded by dealer, include, but are not limited to any warranties that such parts and/or accessories are of merchantable quality or that they will enable any vehicle or any of its systems to perform with reasonable safety, efficiency, or comfort.

AUTHORIZATION FOR REPAIRS

I hereby authorize the repair work herein set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto. The dealership is not responsible for damages from freezing due to lack of antifreeze.

PRELIMINARY ESTIMATE \$ 1168.89

AUTHORIZED BY X

REVISED ESTIMATE (1)	DATE	TIME	BY
REVISED ESTIMATE (2)			
REVISED ESTIMATE (3)			

I HEREBY ACKNOWLEDGE THAT I WAS NOTIFIED & GAVE ORAL APPROVAL OF THE ABOVE REVISED ESTIMATES:

X

CUSTOMER SIGNATURE

baliseauto.com



Vehicle Inspection Report

STATE OF RHODE ISLAND
MOTOR VEHICLE INSPECTION AND MAINTENANCE

Page 1 of 1

www.dmv.ri.gov

SUMMARY OF RESULTS		Overall Result	Emissions Result	Safety Result	Registration Result	Sticker Num
		Pass	Pass	Pass	Pass	21357152
TEST DATE	TEST TIME	TEST TYPE	AUTHORIZATION NUMBER	TEST ID NUMBER	INSPECTION FEE	
08/31/2021	15:33:21	Initial	15238837	1	\$55.00	

STATION INFORMATION			
STATION NAME:	TARBOX TOYOTA	STATION NUMBER:	ST000318
AIRS NUMBER:	RI180085	SOFTWARE VERSION:	200102
INSPECTOR NAME:	Thomas Ford	INSPECTOR LICENSE NUMBER:	CIT011020
STATION STREET ADDRESS:	3671 Quaker Lane	CITY:	North Kingstown RI
		ZIP:	028

VEHICLE INFORMATION						
VIN	LICENSE PLATE NUMBER	PLATE TYPE	STATE	YEAR	VEHICLE TYPE	
JTDKBRFU2H3539716	XT601	Passenger	RI	2017	Passenger Car	
GVWR	ENGINE SIZE	MAKE	MODEL	ODOMETER	FUEL TYPE	CYLIND
3915	1.80	Toyota	Prius	36115	Gasoline	4 Cy

DASHBOARD MIL RESULTS	
MIL EQUIPPED?	Yes
KOEO	Pass
KOER	Pass
FUEL CAP VISUAL CHECK	
Pass	

EMISSION TEST RESULTS DETAILS			
OBD EMISSION TEST:	Pass	READINESS:	Pass
OPACITY TEST:	N/A	LIMIT:	N/A
VISUAL COMPONENT INSPECTION (PRE-OBD):		N/A	
MIL COMMANDED:	Pass		
OPACITY READING:	N/A		

REGISTRATION VERIFICATION RESULTS	
VALID REGISTRATION CHECK	DISPLAY OF PLATES CHECK
Pass	Pass

SAFETY INSPECTION RESULTS			
Air Bags	Pass	Door (Front Latches)	Pass
Back-Up Lamps	Pass	Exhaust System	Pass
Ball Joints	Pass	Fender and Flaps	Pass
Body Items	Pass	Floor and Other Panels	Pass
Brake (Parking)	Pass	Fuel Tank (see comments)	Pass
Brake Failure Warning Lamp	Pass	Glass / Tint	Pass
Brake Drums / Discs (see comments)	Pass	Hazard Switch	Pass
Brake Lining or Pads	Pass	Headlamps	Pass
Brake Hydraulic System	Pass	Horn	Pass
Brake Pedal Reserve	Pass	Lamps (Other) see comments	Pass
Brake Performance	Pass	Master Cylinder	Pass
Brakes - ABS	Pass	Mirrors	Pass
Bumpers	Pass	Plate Light	Pass
		Seat Belts	
		Seats	
		Springs, Torsion Bars, Shocks	
		Steering, Alignment and Suspension	
		Tires (see comments)	
		Transmission	
		Turn Signals \ Marker Lamps	
		Universal \ CV Joints	
		Vehicle Alterations within Regulation	
		Wheels	
		Windshield Condition	
		Windshield Wipers	
		Other	

Comments and Other Defects:

CONSUMER INFORMATION

Congratulations, you have completed the Rhode Island Safety and Emissions test and the overall result indicates you have passed. The inspection results will be automatically transferred to DMV by the inspection station within 24 hours.