



Recommendation Memo

To: Eric Earls, Department of Public Works
From: Margie White, Finance Department ext. 9641
Date: February 8, 2021
Re: Council Claim

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

Date of Incident: 11/03/2020

Police/tow/auto report: AAA

Claimant: Thomas McGovern
26 Hiltop Road
Warwick, RI 02889

Claim: Hit a pothole on Kilvert Street causing damage to tires.

Invoice: Firestone \$340.00

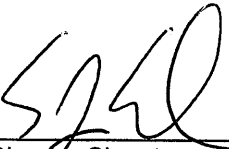
Estimates: Mercedes \$507.18
Sullivan Tire \$393.64

Department Recommends:

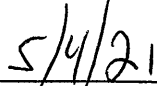
Approval of this claim for \$0

Denial of this claim (please include comments below):

As required by RIGL 24-8-35 regarding claims of damage from a pothole that requires any claim be filed with (7) seven days from the date of the incident. Claimant failed to submit paperwork in the required timeframe.



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: THOMAS P. MCGOVERN

Address: 26 HILTON RD

City, State, Zip: WARWICK RI 02889

Telephone #: 401 578 5947

Date of incident (M/D/Y) 11/3/2020 Time: 11:00 AM PM

Description of Incident/Claim: I WAS DRIVING ON KILVERT ST AND HIT A MAJOR POT HOLE BLOWING OUT BOTH TIRES ON THE RIGHT SIDE OF MY CAR

Vehicle Year: 2014 Make: MERCEDES Model: E350 Odometer reading: 141359

The Pothole was located on 395 KILVERT ST. road.

I notified the Finance I Public Works department on 11/4/2020 (date).

The nature of my property damage is: 2 TIRES

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

I request reimbursement in the amount of \$ 300.00

SIGNATURE OF CLAIMANT: Thomas P McGovern DATE 2/8/2021

AFFIDAVIT

(Petitioner Name) Thomas P. McGovern, 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) 11/3/2020 as a result of (please provide brief description):

DRIVING ON KILVERT ST. I HIT A POT HOLE CAUSING BOTH TIRES ON THE RIGHT SIDE OF MY VEHICLE TO BLOW OUT

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.

Thomas P. McGovern
Signature of Claimant or its Representative

Thomas P. McGovern
Printed Name

State of Rhode Island
County of _____

Subscribed and sworn to before me on this _____ day of _____, 20____

Jennifer Lee Soito
(Notary Public)
My Commission Expires _____



2



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF MOTOR VEHICLES

600 New London Avenue

Cranston RI 02920-3024

Web Address: WWW.DMV.RI.GOV



Date: 07/27/2019

THOMAS P MCGOVERN
26 HILTON RD
WARWICK RI 02889

Registration Certificate

REG NUMBER: TM38	PLATE TYPE: PASSENGER	PLATE DESIGN: SAILBOAT	VEHICLE TYPE: PASSENGER	DRIVERS LICENSE: 7416778	REG EXP DATE: 08/31/2021
YEAR: 2010	MAKE: MERCEDES BENZ	MODEL: ECL	BODY TYPE: SD	MAJOR COLOR: GRAY	MINOR COLOR: GRAY
VEHICLE IDENTIFICATION NUMBER: WDDHF8HB5AA241513		RENEWAL FEE: \$128.50	GROSS WEIGHT: 5137	# OF PASSENGERS: 5	# OF CYLINDERS: 6
FUEL TYPE: GAS	CARRYING CAPACITY: N/A	LENGTH: N/A	CCs: N/A	MAX SPEED: 0	
REGISTERED OWNER/LEASING COMPANY: THOMAS P MCGOVERN 26 HILTON RD WARWICK RI 02889			SECOND OWNER:/LESSEE		

- 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 12/15/2020 will result in this vehicle being suspended.
- Not valid without official signature of Administrator.

WALTER R. CRADDOCK
Administrator
Division Of Motor Vehicles

07/27/2019

2/6/21

TO WHOM IT MAY CONCERN,

I HAD SENT ORIGINAL CLAIM IN NOVEMBER.

I UNDERSTAND THINGS MAY BE SLOWER THAN NORMAL,

I AM NOT SURE IF I AM STILL IN THE BACK LOG

OR MY CLAIM IS MISSING? PLEASE ACCEPT

THIS SECOND CLAIM FOR MY TIRES THAT BLEW
OUT DUE TO A VERY LARGE POT HOLE ON KILVERT
STREET (APPROX 395). PLEASE LET ME KNOW IF YOU

NEED ANYTHING ELSE. I DID NOT KEEP, BUT WILL

GO GET 2 OTHER ESTIMATES THAT WERE MUCH HIGHER

FROM INSKIP MERCEDES ON BARD HILL RD AND

SULLIVAN TIRE JEFFERSON BLVD. I SENT THE

ORIGINALS IN WITH MY FIRST REQUEST.

Sincerely

Thomas P. McGovern

26 HILTON RD

WARWICK RI 02889

401 578 5947

FEB 08 2021

#4

tommcgovern1130@gmail.com

From: McDonald, Amy <amcdonald@aaanortheast.com>
Sent: Saturday, November 14, 2020 10:17 AM
To: tommcgovern1130@gmail.com
Subject: AAA Road Service

November 14, 2020

Thomas McGovern
26 Hilton Rd
Warwick, RI 02889-2930

Dear Thomas

As per your request, here are the details of your Roadside Assistance call record.

Date: 11/03/2020

Year and Make of Vehicle: 14 MERCEDES-BENZ E350

Location: 1^THURBER ST/**/ WARWICK RI

Time of initial call: 09:48 PM

Type of service: Initial call was for flat tire(s), tow truck had to be dispatched at 10:30 PM for multiple flat tires.

Station arrived on location at: 11:11 PM

We appreciate your membership with us and look forward to serving your future automotive needs.

Sincerely,



Amy McDonald
Member Relations
AAA Northeast
1-800-291-8022 x2268

Retail Invoice
 79048
 Printed on 11/04/2020



Store# 0
 In: 11/04/20 07
 Out: 11/04/20 04

www.FirestoneCompleteAutoCare.com

Status: Vehicle towed in Appt: No **FINAL INVOICE**

WARWICK POST RD - 1689A POST RD, WARWICK, RI. 02888-5900 - 401.732.3141

Service Advisor: 1 CHIC **Wheel Lock:** **Technician:** 08 WILLIAM
Customer Details: Alt. Auth. Name & Phone: **Vehicle Details:**
 MCGOVERN, TOM 26 HILTON RD N/A 2010 MERCEDES-BENZ E350 BASE

WARWICK, RI 02889-2930 3.5L V6 FI GAS 272.980
 401.258.0228 xsr Or 401.258.0228 xsr VIN #: WDDHF8HB5AA241513
 LIC #: TM38 RI [GREY] MILEAGE: 141,359

#3

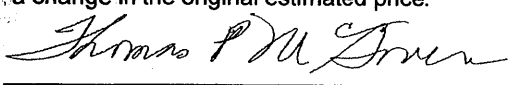
Description	Rev Hist /Article # ID	Qty	Unit Price	Extended Price	Job Total
COURTESY CHECK	01				
COURTESY CHECK	7046930 08NS	1	N/C	N/C	
FIRESTONE TIRE PACKAGE	1 01				
012156 FIREHAWK INDY 500 BL 245/45R17 XL99W 50,000 Mile	012156 08TN	2	125.99	251.98	
Limited Warranty					
DOT# 2RATJJC4419					
DOT# 2RATJJC4419					
NEW TIRE WHEEL BALANCE LABOR	7013632 08NS	2	11.99	23.98	
7097782 ROAD HAZARD PROTECTION	7097782 08TN	2	18.27	36.54	
SCRAP TIRE RECYCLING FEE	7075078 08TN	2	3.00	6.00	
LOW PROFILE TIRE INSTALLATION	7006472 08NS	2	N/C	N/C	
RI 02 STATE INSPECTION	2 01				55.00
EMISSION INSPECTION STICKER	7032786 08NN	1	35.00	35.00	
OBD INSPECTION LABOR	7004306 08NN	1	20.00	20.00	
TIRE ROTATION N/C	3 01				
TIRE ROTATION	7001121 08NS	2	N/C	N/C	

All parts are new unless otherwise specified.

318.50
 22.96 TAX

Payment History:
 American Express 5007 395.92 898751 Sale
 MID: 222220327042
 Term: 0001 Card Inserted
 AID:A000000025010801 PIN NOT VERIFIED
 Total Tendered 395.92

Summary: 341.46
 Parts 323.52
 Labor 49.96
 Shop Supplies 1.68
 Sub-Total 375.16
 Tax (7.00%) 27.00
 Total \$395.16

I acknowledge notice and oral approval of a change in the original estimated price.

 Signature or Initials

Revision History:

Rev	Amt	
1)	11/04/2020 12:44PM	340.92 MCGOVERN, TOM IN PERSON
2)	11/04/2020 12:44PM	55.00 MCGOVERN, TOM IN PERSON
3)	11/04/2020 12:45PM	0.00 MCGOVERN, TOM IN PERSON

395
 - 55
 340.00

Declined Work:
 WARRANTY FLAT REPAIR(ROAD HAZARD)
 (Fr Right)

Retail Invoice
279048
Printed on 11/04/2020



Store# 014931
In: 11/04/20 07:10AM
Out: 11/04/20 04:38PM

www.FirestoneCompleteAutoCare.com

Status: Vehicle towed in Appt: No

FINAL INVOICE

WARWICK POST RD - 1689A POST RD, WARWICK, RI. 02888-5900 - 401.732.3141

Information on tire warranty, maintenance, and safety can be located at
<https://www.firestonecompleteautocare.com/tires/warranty-options/>
or by calling toll free 800-847-3272 to obtain a free printed copy



I have received the above goods and/or services. If this is a credit card purchase, I agree to pay and comply with my cardholder agreement with the issuer.

Customer Signature



MOTORIST
ASSURANCE
PROGRAM

BUILDING TRUST THROUGH STANDARDS

HOW ARE WE DOING?

Tell us about your experience today!

Complete a 4-minute survey for a chance to win one of ten \$50 gift cards each month!

Visit www.FirestoneSurvey.com within 4 days and enter Code 014931-279048



Mercedes-Benz of Warwick

1557 Bald Hill Road
Warwick, RI 02886

Parts: 401-824-2347 Service: 401-824-2262

Sales: 401-824-2361

www.mercedesbenzofwarwick.com



0804GPQ177956

THANK YOU FOR YOUR BUSINESS!
CHECK OUT WWW.MBWHOLESALEPARTS.COM

CUST. NO.	TAX EXEMPT NUMBER	CUST. P. O. NO.	SHIP VIA	PAY	SOLD BY	INVOICE DATE	INVOICE
182599				CASH	YEIMY FIGUEROA	02/08/21	PQ177956
	401-578-5947						MBR

B
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THOMAS P MCGOVERN
3051 S OCEAN BLVD APT 605
BOCA RATON, FL 33432-8328

S
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P
T
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QUANTITY		PART NUMBER / DESCRIPTION	BIN	LIST	NET	AMOUNT
IP	B. O.					
2	0	Q-8-40-0764 CONTINENTAL 2 <i>plus BALANCING + INSTALLATION</i>	TIRE3	237.00	237.00	474.00
TERMS: NO RETURNS WITHOUT THIS INVOICE NO RETURNS ON ELECTRICAL OR SPECIAL ORDER ITEMS. A RESTOCKING CHARGE WILL BE APPLIED ON ALL MERCHANDISE RETURNED FOR CREDIT. NO RETURNS AFTER 15 DAYS. NOT RESPONSIBLE FOR LABOR ON PARTS NOT INSTALLED BY INSKIP AUTOMALL.					SUBTOTAL	474.00
REC'D BY X _____					RESTOCK CHARGE	0.00
					TAX	33.18
					FREIGHT	0.00
					PAY THIS AMOUNT	507.18

Any warranties on the item/items sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume any liability in connection with the sale of this item/items.

The Reynolds and Reynolds Company ERAINTPTCE SF651009 Q (07/19)



Sullivan Tire Warwick
 1102 Jefferson Boulevard
 Warwick, RI 02886
 (401)737-5251

Customer ID: 0
 Name:
 Address:
 Address 2:
 City, State, Zip/Postal Code:
 Home Phone:
 Work Phone:
 Mobile Phone:
 Tax Exempt #:

Year:
 Make:
 Model:
 Lic No:
 VIN:
 Color:
 Engine:
 Mileage In: 0
 Mileage Out: 0

Date/Time: 02/08/21 00:00:00
 Workorder #: 290897
 Invoice #:
 Key Tag:
 PO Number:
 Email Address:
 Fleet/Wholesale: N
 Unit Number:

Service comments:

Salesperson: K. LOUGHERY

TIRE PRESSURE: LF __ RF __ LR __ RR __ SPARE __

TREAD DEPTH: LF __/32 RF __/32 LR __/32 RR __/32 SPARE __/32

Qty.	Part #	RFR Loc	Description	Parts	Labor	Total
PASSENGER TIRES						
2	1548132	*	Conti Procontact 99H XL	159.00	0.00	318.00
			Tire Size: 2454517 Speed Rating: H			
			Ply: XL Walls: BSW Load Rating: 99			
	UPC: 4352					
			TOTAL PASSENGER TIRES:	318.00		
TIRE SERVICE						
2	INSTALL		Certified Tire Installation	10.00	15.99	51.98
			TOTAL TIRE SERVICE:			51.98
PREVENTATIVE MAINTENANCE						
1	VVI		VISUAL Vehicle Check	0.00	0.00	0.00
			TOTAL PREVENTATIVE MAINTENANCE:			0.00

I hereby authorize the work described on this form 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. I hereby grant you and/or your employees permission to operate the vehicle described herein on streets, highways and elsewhere for the purpose of testing and/or inspection. Old parts will not be returned unless I specify specifically.

*** WORKORDER ONLY, NOT AN INVOICE ***

*** Customer Wishes To Discard Old Parts ***

Services suggested based on mileage/visual inspection:

1	ACC	Alignment Check	0.00	0.00	0.00
1	FWA	Compreh. Vehicle Alignment	0.00	99.99	99.99
2	TMPP	MAINT AND Protection Plan	24.00	0.00	48.00
Total for suggested services NOT purchased (plus sales tax)					147.99

TECH:	PARTS TOTAL	338.00
	SALES TAX	23.66
	LABOR TOTAL	31.98
	GRAND TOTAL	393.64

Approx 395 Kilvert St.

