



Recommendation Memo

To: Eric Earls, Department of Public Works
From: Margie White, Finance Department X 9241
Date: February 12, 2024
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: 1/29/24

Police/tow/auto report: 24-7760

Claimant: Tracy McKenna
236 Crestwood Road
Warwick, RI 02886

Claim: Hit pothole on Service Avenue causing damage to tire.

Invoice: Tasca \$268.98

Estimates: Jennings \$226.92
Town Fair Tire \$215.20

Department Recommends:

Approval of this claim for **\$0**

Denial of this claim (please include comments below):

The City of Warwick has established a policy for pothole claims in keeping with section 24-8-35 of the Rhode Island General Laws.

RI General Law 24-5-13 pertaining to pothole damage;

(b) If any person shall incur damage to his or her motor vehicle by reason of a pothole on any municipal highway, causeway, street or bridge which damage would not have occurred without the existence of the pothole, he or she may recover from the municipality the amount of damages sustained **up to and not more than the sum of three hundred dollars (\$300). Provided, however, that the municipality had reasonable notice of the pothole**, or may have had notice thereof by the exercise of proper care and diligence on its part, and a reasonable opportunity to repair the pothole. **All claims shall be made within a period of seven (7) days from the date on which the damage was sustained** by filing a written report in a manner prescribed by the municipality.



Director Signature

4/12/24
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

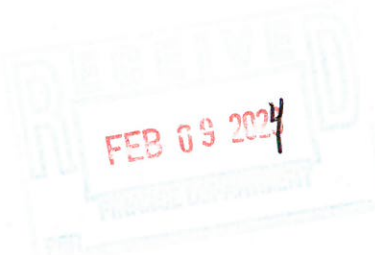
Claimant Name: Tracy A. McKenna

Address: 236 Crestwood Rd

City, State, Zip: Warwick, R.I. 02886

Telephone #: 884-4257

Date of incident (M/D/Y) 1/29/2024 Time: ~1:00 AM PM



Description of Incident/Claim: Hit a pothole
claim is for tire replacement

Vehicle Year: 2012 Make: Volvo Model: S60 Odometer reading: ~125,158

The Pothole was located on 30 Service Ave. - East bound lane road.

I notified the Finance | Public Works department on 1/29/2024 (date).

called again 1/30/2024 to make sure they had the exact address

The nature of my property damage is: Slit on the sidewall of a new tire
Also bent rim but that is functional

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

I request reimbursement in the amount of \$ 248.98

SIGNATURE OF CLAIMANT: [Signature]

DATE 2/9/2024

AFFIDAVIT

(Petitioner Name) TRACY A. MCKENNA, 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) 1/29/2024 as a result of (please provide brief description):

Hitting a pot hole

Said claim was filed with the Finance Department on 2/9/2024 (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.

[Signature]
Signature of Claimant or its Representative

Tracy A. McKenna
Printed Name

State of Rhode Island
County of Kent

Subscribed and sworn to before me on this 9th day of February, 2024

Margie A. White
(Notary Public)
My Commission Expires 7/25/24

NOTARY PUBLIC
Margie A. White
759429
My Commission Expires 7/25/24
RHODE ISLAND

8/23-8/25



STATE OF RHODE ISLAND
DIVISION OF MOTOR VEHICLES
600 NEW LONDON AVENUE
CRANSTON RI 02920-3024
Web Address: WWW.DMV.RI.GOV



BW17361120

TRACY ANNE MCKENNA
236 CRESTWOOD RD
WARWICK RI 02886-9437

Date: 08/07/2023

Registration Certificate

REG NUMBER: GM45	PLATE TYPE: PASSENGER	PLATE DESIGN: OCEAN	VEHICLE TYPE: PASSENGER	DRIVERS LICENSE: 7361120	REG EXP DATE: 08/31/2025
YEAR: 2012	MAKE: VOLVO	MODEL: S60	BODY TYPE: SDN	MAJOR COLOR: BLACK	MINOR COLOR: BLACK
VEHICLE IDENTIFICATION NUMBER: YV1622FS8C2051385		RENEWAL FEE: \$112.50	GROSS WEIGHT: 4298	# OF PASSENGERS: 5	# OF CYLINDERS: 5
FUEL TYPE: GAS	CARRYING CAPACITY: N/A	LENGTH: N/A	CCs: N/A	MAX SPEED: N/A	
REGISTERED OWNER/LEASING COMPANY: TRACY ANNE MCKENNA 236 CRESTWOOD RD WARWICK RI 02886-9437			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 **09/14/2023** 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

For Date: 02/09/2024 - Friday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>
24-7760	1045	Walk-In - POT HOLE		3
Call Taker:		SJOHNST - Civilian Sabrina A Johnston		
Location/Address:		30 SERVICE AVE Apt. #02886		
Calling Party:		MCKENNA, TRACY A @ 236 CRESTWOOD RD - WARWICK, RI 02886 401-884-4257		
		SSN: [REDACTED] DOB: 04/02/1957 Race: W Sex: F		
Unit:		P13 Officer Rahja O Laster		
		Disp-11:02:17	Clrd-11:02:42	
Unit:		P16 Officer Brian J Holleran		
		Disp-11:02:40	Clrd-11:06:30	
Unit:		R135 Civilian Colleen E McAlister-Williams		
		Disp-11:06:25 Arvd-11:06:28		
Vehicle:		BLK 2012 VOLV Reg: PC RI GM45 VIN: YV1622FS8C2051385		
Operator:		MCKENNA, TRACY A @ 236 CRESTWOOD RD - WARWICK, RI 02886		
		SSN: [REDACTED] DOB: 04/02/1957 Race: W Sex: F		
Owner:		MCKENNA, TRACY A @ 236 CRESTWOOD RD - WARWICK, RI 02886		
		SSN: [REDACTED] DOB: 04/02/1957 Race: W Sex: F		
Narrative:		02/09/2024 1045 Civilian Sabrina A Johnston		
		POT HOLE DAMAGED VEH, NEEDS TO DOCUMENT		
Narrative:		02/09/2024 1109 Civilian Colleen E McAlister-Williams		
		RP RESPONDED TO HQ TO REPORT THAT ON 1/29/24 WHILE TRAVELING		
		IN THE AREA OF THE ABOVE LOCATION, RP STRUCK A POT HOLE		
		CAUSING DAMAGE TO FRONT PASSENGER TIRE AND RIM.		
		POLICE WERE NOT CALLED TO THE SCENE.		
		UNABLE TO VERIFY		



110 Royal Little Drive
Providence, RI 02904-1860
(401)868-2000
AAA.com

February 06, 2024

Tracy Mckenna
236 Crestwood Rd
Warwick, RI 02886-9437

Dear Tracy

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

Date: 01/29/2024

Year and Make of Vehicle: 12 VOLVO S60

Location: 236^CRESTWOOD RD / WARWICK RI

Time of initial call: 01:26 PM

Type of service: Flat Tire

Station arrived on location at: 01:49

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

Sincerely,
~~Nicole Robertson~~
Nicole Robertson
Member Relations
AAA Northeast
1-800-291-8022 x 2292



Customer Number: 9546740

769753



INVOICE

DUPLICATE 1

Page 1 of 1

TRACY A MCKENNA

236 CRESTWOOD RD

WARWICK, RI 02886

Home: 401-954-6740 Bus: 401-456-3000 Cell: 401-954-6740

Email:

TASCA AUTOMOTIVE GROUP, INC.

1300 Pontiac Avenue

Cranston, RI 02920

Ford-Lincoln-Mercury-Mazda

Service: 401-681-1310

www.tasca.com

SERVICE ADVISOR: 4808 MICHAEL JORDAN

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
BLACK	12	VOLVO S60	YV1622FS8 C2051385	TM315	125000 125000	T4514	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO. NO.	RATE	PAYMENT	INV. DATE
18OCT12			16:00 29JAN24			CASH	05FEB24
R.O. OPENED	READY	OPTIONS: STK:P4196 DLR:11D023					
14:45 29JAN24	08:00 05FEB24						

SECTION	OPCODE	TECH	TYPE	LIST	NET	TOTAL	
A	PASSENGER FRONT TIRE IS FLAT DUE TO A POT HOLE--TIRE IS LOOSE MB1 MOUNT AND BALANCE 1 TIRE						
		4945	CPV hrs.		40.00	40.00	
		1	9008*1101327*20 215/50R17XL	214.00	214.00	214.00	
		PARTS: 214.00	LABOR: 40.00	OTHER: 0.00			
		125000 MOUNTED AND BALANCE 1 YOKOHAMA AVID ASCEND GT TIRE 215/50/R17 95V					
B	SEE MIKE J NOTE NOTE 99 SUBLET LIC#: 99						
		199	hrs.			(N/C)	
		PARTS: 0.00	LABOR: 0.00	OTHER: 0.00		0.00	
C	PERFORM VOLVO MULTIPOINT INSPECTION V99P PERFORM VOLVO MULTIPOINT INSPECTION 10328 -199						
		1.00	OTHER: 0.00			(N/C) 0.00	
						0.00	

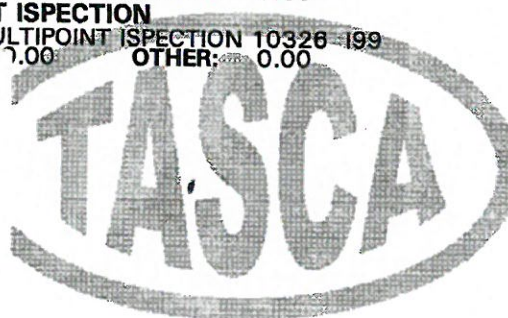
TASCA AUTO GROUP
1300 PONTIAC AVENUE
CRANSTON RI 02920

02/05/2024 08:05

CREDIT CARD

VISA SALE

Card # XXXXXXXXXXXX2955
 Network: VISA
 Chip Card: CHASE VISA
 AID: A0000000031010
 SEQ #: 3
 Batch #: 8
 INVOICE # 769753
 Trans #: 1003
 Approval Code: 05171D
 Entry Method: Chip Read
 Mode: Issuer



PAID

FEB 05 2024
268.98 Visa

Customer Copy

Product	Qty	Price	Amount
G. Auto Merch			\$268.98
SALE AMOUNT			\$268.98

Tasca's Pli Parts is 1 warranty v Vehicles ar center for :

The unders including v purchased; and tha ... purchase. The undersigned purchaser ... 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 comfit.

ts Protection Plan

on parts only for an additional year. Coverage on Original Manufacture y from Tasca. Aftermarket parts come with a 1 year parts and labor starts from purchase date, excludes performance parts, Commercial warranty repairs / replacements must be performed at a Tasca service

Warranties

warranties of any kind, express or implied, and disclaims all warranties, icular purpose, with regard to the regard to parts and or accessories or consequential damages or commercial losses arising out of such warranties excluded by dealer, include, but are not limited to any warranties that safety, efficiency, or comfit.

DESCRIPTION	TOTALS
LABOR AMOUNT	\$ 40.00
PARTS AMOUNT	\$ 214.00
GAS, OIL, LUBE	\$ - 0.00
SUBLET AMOUNT	\$ - 0.00
*MISC. CHARGES	\$ - 0.00
TOTAL CHARGES	\$ 254.00
LESS INSURANCE	\$ 0.00
SALES TAX	\$ 14.98
PLEASE PAY THIS AMOUNT	\$ 268.98

CUSTOMER'S SIGNATURE

The Tasca Family Commitment "You Will Be Satisfied"

Work Order
WO009320

Jennings Car Care Center, Inc.

Scheduled

679 Quaker Lane
West Warwick, RI 02893
401-828-1220

02/06/2024
2:34:12 PM

QUOTE
679 QUAKER LN
WEST WARWICK, RI 02893

Store Number: 7686

Account: 7686000151
Mobile Phone:
Home Phone: 401-828-1220
Work Phone: ###-###-####

Vehicle Year/Make: /
Vehicle Model:
Engine:

Mileage In:
Mileage out:
Operator: House Account

Vehicle Color:
License/State: /
VIN:
Fleet Unit Number:

Promise Date:

MFG Code	Product	Description	Quantity	Unit Price	Unit Labor	Line Discount	Line Total
GYSRV	046123	SHOP SUPPLIES	1.00	1.19	0.00	0.00	1.19
ABDG	110132720	215/50R17 YOKOHOMA ASCEND GT 95V	1.00	178.95	0.00	0.00	178.95
GYSRV	046179000	STATE TIRE FEE	1.00	1.00	0.00	0.00	1.00
GYSRV	040204000	TIRE DISPOSAL CHARGE FEE	1.00	5.00	0.00	0.00	5.00
GYSRV	041263000	TPMS REBUILD KIT	1.00	9.95	0.00	0.00	9.95
GYSRV	044263000	WHEEL BALANCE - COMPUTER SPIN	1.00	2.25	14.70	0.00	16.95

Signature:

SHOP SUPPLIES FEE 1.19
Estimated Sub Total 213.04
Sales Tax 13.88
Estimated Total **226.92**

THIS IS A WORK ORDER, NOT AN INVOICE! DO NOT MAKE ANY PAYMENTS FROM THIS PAPERWORK!

OWN FAIR TIRE CENTERS, INC.


ESTIMATE#: RST_548_241043

Name: TRACY MCKENNA

Address: 236 CRESTWOOD RD,
WARWICK, RI 02886

Phone: 4019546740
Store: 548 Clerk: 585

Remaining Tread Life: FL-8 FR-8 RL-8 RR-5

ITEM	QUANTITY	PRICE	AMOUNT
 AVID ASCEND GT SIZE: 215/50R17V IBM#: 51612 MILEAGE WARRANTY WITH CARE:	1	\$197.00 \$177.30	\$197.00 \$177.30
COMPUTERIZED WHEEL BALANCE	1	\$20.95	\$20.95
NEW RUBBER VALVE STEM OR TPMS RECONDITIONING	1	\$7.50	\$7.50
INCLUDED:		FREE	FREE
<ul style="list-style-type: none"> DISMOUNT & REMOUNT RESET TPM SENSORS 30 DAY TEST DRIVE NATIONWIDE WARRANTY LIFETIME FLAT REPAIR LIFETIME TIRE ROTATION LIFETIME SNOW CHANGEOVER 			
30 DAY COURTESY PROTECTION		FREE	FREE
4 WHEELS ALIGNMENT	1		\$74.00
24 MONTH ROAD HAZARD <i>pro-rated time (months)</i>	1	\$19.95	\$19.95
TIRES DISPOSAL	1	\$3.75	\$3.75
MISCELLANEOUS FEES (STATE RUBBER, RECYCLING FEE, ETC.)			
NET TOTAL			\$188.55
SALES TAX			\$13.20
TOTAL (GOOD FOR 14 DAYS)			\$316.65

w/o of a tire \$95

*401-822-7701
Hannah*

*202.00
13.20 tax
215.20*



