



Recommendation Memo

To: Eric Earls, Department of Public Works
From: Margie White, Finance Department ext. 9641
Date: January 5, 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: 10/31/2020

Police/tow/auto report: N/A

Claimant: Patrick McLaughlin
12 Louisiana Avenue
Warwick, RI 02888

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

Invoice: New England Tire \$250.99


Estimates: Walmart.com \$283.99
Goodyear \$243.99

Department Recommends:

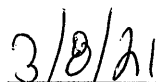
Approval of this claim for \$

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. As well, the claimant provided no information that the damage is the direct result of a pothole incident.



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: PATRICK MCLAUGHLIN

Address: 12 LOUISIANA AVE

City, State, Zip: WARWICK, RI 02888

JAN 05 2021

Telephone #: 401-225-0362

Date of incident (M/D/Y) 10/31/2020 Time: 9:30 AM PM

Description of Incident/Claim: I struck a pothole while driving on Kilvert St. towards Jefferson Boulevard and it damaged the front passenger tire so bad that I had to buy a new one. I talked to Officer Tyler Mowbrice and he advised me to send this form in with my receipt and 3 estimates.

Vehicle Year: 2018 Make: TOYOTA Model: CAMRY Odometer reading: 40,350

The Pothole was located on Kilvert St / Coronado St. road.

I notified the Finance / Public Works department on 11/3/2020 (date).

The nature of my property damage is: TOTAL Blow out of my front passenger tire.

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

I request reimbursement in the amount of \$ 250.99

SIGNATURE OF CLAIMANT: Patrick McLaughlin DATE _____

AFFIDAVIT

(Petitioner Name) Patrick McLaughlin 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) 10/31/20 as a result of (please provide brief description):
Hitting a pothole while traveling on Kilvert St.

Said claim was filed with the Finance Department on 11/3/20 (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.

Patrick McLaughlin
Signature of Claimant or its Representative

Patrick McLaughlin
Printed Name

State of Rhode Island
County of Kent

Subscribed and sworn to before me on this 26 day of December, 2020.

DOMINIC SILVA
Notary Public # 765229
State of Rhode Island

Dominic Silva
(Notary Public)
My Commission Expires 03/06/2024



STATE OF RHODE ISLAND
DIVISION OF MOTOR VEHICLES

600 NEW LONDON AVENUE
CRANSTON RI 02920-3024

Web Address: WWW.DMV.RI.GOV



BW18661756

PATRICK J MCLAUGHLIN
12 LOUISIANA AVE
WARWICK RI 02888-5914

Date: 08/28/2020

Registration Certificate

REG NUMBER: CF757	PLATE TYPE: PASSENGER	PLATE DESIGN: WAVE	VEHICLE TYPE: PASSENGER	DRIVERS LICENSE: 8661756	REG EXP DATE: 08/31/2022
YEAR: 2018	MAKE: TOYOTA	MODEL: CAMRY	BODY TYPE: SEDAN	MAJOR COLOR: GREEN	MINOR COLOR: GREEN
VEHICLE IDENTIFICATION NUMBER: 4T1B61HK6JU582419		RENEWAL FEE: 112.50	GROSS WEIGHT: 4145 LBS	# OF PASSENGERS: 5	# OF CYLINDERS: 4
FUEL TYPE: GAS		CARRYING CAPACITY: N/A	LENGTH: N/A	CCs: N/A	MAX SPEED: N/A
REGISTERED OWNER: PATRICK J MCLAUGHLIN 12 LOUISIANA AVE WARWICK RI 02888-5914	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 **03/17/2021** 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

New England Tire Car Care Centers

1590 Warwick Ave., Warwick, RI 02889
 Phone: 401-737-1400
 newenglandtire.com

Celebrating 42 Years Servicing Our Customers
1978--2020.....

Customer Information	Invoice	Additional Information
JASON JACKVONY 20 ROGERS WILLIAM DR Greenville, RI 02828 Acct Number: P: 4016261109 Contact:	Date: 11/01/2020 Reference: W38586 Salesperson: ROBERT HASTINGS Route: Delivery Date: 11/01/2020	PO Number: Work Order#: W-939744 Entered By: ROBERT HASTINGS
Vehicle: 2018 Toyota Camry Hybrid SE Lic No: CF757 Unit: Mileage IN: 40366 Desc: VIN: 4T1B61HK6JU582419 Mileage OUT: 40366 (L)TPMS Equipped *Lug Torque (ft. lbs): 76 *Inflation Front/Rear (psi): 35/35 *OE Info		

Qty	Description	FET	Unit Price	Ext. Price
1.00	110918545, 235/40R19 96V, Assurance MaxLife BW XL, Goodyear		192.85	192.85
1.00	NEW PASS FRONT- ROTATE DRIVERS REAR- TO DRIVERS FRONT		0.00	0.00
1.00	WHEEL BALANCE REGULAR		19.95	19.95
1.00	ROAD HAZARD PROTECTION PLAN		19.00	19.00
1.00	FREE FLAT REPAIRS		0.00	0.00

RI Taxable

Subtotal:	231.80
RI State Hard to Dispose Fee:	1.00
Shop Supply Fee:	1.70
RI State Sales Tax:	13.50
Scrap Tire Disposal:	2.99
Total:	\$250.99

11/01/2020 Payment# P-939746 Amount: \$250.99

VISA 8775 Exp: 03/2024 AC: SALE:121596:191594760::15807455 (MP - 250.99
 OrderID:1286885766 ,TransID:1580745586)

Invoice Balance: \$0.00

Parts	Labor	Subtotal	Taxes\Fees	FET	Total
\$192.85	\$38.95	\$231.80	\$19.19	\$0.00	\$250.99

THANK YOU FOR YOUR BUSINESS

I hereby authorize the stated repair work to be done along with the necessary material, and hereby grant New England Tire 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. New England Tire is not responsible for loss or damage to vehicles, or articles left in vehicles, in case of fire, theft or any other cause beyond it's control. A 1.5% (18% APR) service charge will be assessed on any amount which becomes delinquent beyond 30 days.

Signature _____

Estimate #1

https://www.walmart.com/cart

Pickup & delivery

Walmart.com



Search Walmart.com



1

Earn 5% back with the Capital One Walmart Rewards Card.

Learn how

Est. total \$283.99

Check out (1)

Congrats – you get free delivery!



Goodyear Eagle F1 Asymmetric 2 235/40R19 92 Y Tire

\$283.99

Delivery

Qty:

1



Remove | Save for later

Saved for later

[Show all saved items](#) +

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Feedback



Mobile apps

Walmart Services

Grocery Pickup & Delivery

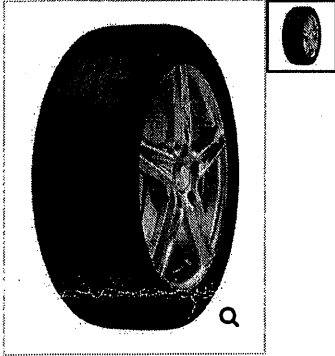
Estimate #2

GOOD YEAR EAGLE F1 ASYMMETRIC A/S

Ultra High Performance (All Seasons)



A Race-Inspired Tire Offering Superb Ultra High-Performance Handling and All-Season Traction.



WARRANTY	45,000 Mile
SIZE	235/40R19
AVAILABILITY	In Stock
LOAD INDEX	96
SPEED RATING	W
SIDEWALL	Vertical Serrated Band
RUN FLAT	No
UTQG	500 AA A
ITEM NUMBER	104504357

QUANTITY 4 ▾

\$243.99 EACH
\$975.96 SUBTOTAL

- Standard Installation**
- Mounting and balancing (includes standard valve stem)
 - TPMS inspection/reset
 - Precision wheel torque
 - Alignment check

\$19.99 per tire

- Premium Installation**
- Standard Installation, PLUS
 - Lifetime Rotations
 - Lifetime Rebalance

\$29.99 per tire

- Tire Disposal Fee**
\$3.15 per tire

\$1,055.92* TOTAL PRICE!

*Prices do not include state and federal tax(es) and other fees.

Sorry it took awhile to send this
back.

I couldn't find a notary. Someone told
me that Banks do it.

THANK-YOU,
Patrick McLaughlin
401-225-0362.



Joseph J. Solomon
Mayor

CITY OF WARWICK
FINANCE DEPARTMENT
3275 POST ROAD
WARWICK, RHODE ISLAND 02886
(401) 738-2015

November 19, 2020

Patrick McLaughlin
12 Louisiana Avenue
Warwick, RI 02888

Dear Patrick,

This letter acknowledges receipt of your claim form to the City of Warwick. Unfortunately, the claim cannot be processed at this time due to the following reason(s);

- Claim Form – Second page of the claim form titled AFFIDAVIT must be completed and NOTARIZED.

Mail to:
City of Warwick Claims
3275 Post Road
Warwick, RI 02886

Once the above information is received your claim can be processed. If you have any questions, please call 738-2015.

Claims Administration