



Recommendation Memo

To: Eric Earls, Department of Public Works
From: Margie White, Finance Department ext. 9641
Date: January 4, 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: 12/13/2020

Police/tow/auto report: AAA

Claimant: John Oatley
408 Fair Street
Warwick, RI 02888

Claim: Hit a pothole on Palmer Avenue damaging two tires.

Invoice: New England Tire \$640.03

Estimates: Sullivan Tire \$565.33
Discount Tire Direct \$507.18
Melvin Tire Pros \$636.02

Department Recommends:

Approval of this claim for **\$300**

Denial of this claim (please include comments below):



Director Signature

3/8/21

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: John Oatley

Address: 408 Fair street

City, State, Zip: Warwick, RI, 02888

Telephone #: 401-419-7781

JAN 09 2021

Date of incident (M/D/Y) 12/13/2020 Time: 630 AM PM

Description of Incident/Claim: I hit a large pot hole with the right side tires of my vehicle while driving on Palmer Ave. Both right side tires on my vehicle were damaged to the sidewall and went flat. I have attached photos of the pot hole and the damaged tires.

Vehicle Year: 2016 Make: Jaguar Model: XJ Odometer reading: 54233

The Pothole was located on Palmer Ave at the intersection of Ogden Ave road.

I notified the Finance I Public Works department on 12/14/2020 (date).

The nature of my property damage is: Two damaged 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: [Signature] DATE 12-15-20

AFFIDAVIT

(Petitioner Name) John Oatley, 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) 12/13/2020 as a result of (please provide brief description):

Driving over a pot hole on Palmer Ave at the intersection of Ogden Ave which damaged two tires requiring their replacement.

Said claim was filed with the Finance Department on 12/15/2020 (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).

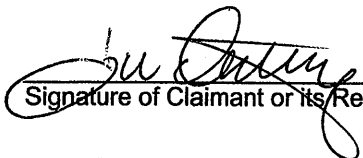
I have received compensation from a source or sources other than the City of Warwick, (including, but not limited to, any insurance company) in connection with this incident. The amount(s) which I received total \$ _____ and the source of the other payment(s) was _____

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 of Claimant or its Representative

John OATLEY
Printed Name

State of Rhode Island
County of KEWT

Subscribed and sworn to before me on this 15th day of DECEMBER, 2020


(Notary Public)
My Commission Expires June 28, 2021



STATE OF RHODE ISLAND
DIVISION OF MOTOR VEHICLES

600 New London Avenue
Cranston RI 02920-3024
Web Address: WWW.DMV.RI.GOV



JOHN W OATLEY
408 FAIR ST
WARWICK RI 02888-4359

Date: 08/28/2020

Registration Certificate

REG NUMBER: 774400	PLATE TYPE: PASSENGER	PLATE DESIGN: WAVE	VEHICLE TYPE: PASSENGER	DRIVERS LICENSE: 8112560	REG EXP DATE: 09/30/2022
YEAR: 2016	MAKE: JAGUAR	MODEL: XJ	BODY TYPE: SEDAN	MAJOR COLOR: GRAY	MINOR COLOR: GRAY
VEHICLE IDENTIFICATION NUMBER: SAJWJ1CD8G8V94491		RENEWAL FEE: \$128.50	GROSS WEIGHT: 5358	# 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: JOHN W OATLEY 408 FAIR ST WARWICK RI 02888-4359			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 12/15/2021 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

08/28/2020

From: "McDonald, Amy" < >
Date: December 15, 2020 at 10:44:39 AM EST
To:
Subject: AAA Road Service

December 15, 2020

Gina Oatley
408 Fair St
Warwick, RI 02888-4359

Dear Gina,

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

Date: 12/13/2020

Year and Make of Vehicle: 16 JAGUAR XJ

Location: 1710^W SHORE RD/WARWICK NECK AVE//CARDER RD WARWICK RI
(//SUNOCO AIR)

Time of initial call: 06:39 PM

Type of service: Call record indicates towed to New England Tire 1590 Warwick Ave Warwick, RI

Station arrived on location at: 07:14 PM

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

Sincerely,

Amy McDonald
Counselor, Member Relations

AAA NORTHEAST

110 Royal Little Drive Providence, RI 02904

ext. 2268

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
JOHN OATLEY 408 FAIR ST Warwick, RI 02889 Acct Number: P: 4012654967 Contact:	Date: 12/14/2020 Reference: W39465 Salesperson: Carl Kazen Jr Route: Delivery Date: 12/14/2020	PO Number: Work Order#: W-959371 Entered By: ROBERT HASTINGS

Qty	Description	FET	Unit Price	Ext. Price
1.00	1957300, P245/45R19 102H, PZero Nero All Season BW XL, Pirelli		268.00	268.00
1.00	1957400, P275/40R19 105H, PZero Nero All Season BW XL, Pirelli		272.00	272.00
2.00	FORCE RADIAL BALANCE		25.00	50.00

RI Taxable

Subtotal: 590.00

RI State Hard to Dispose Fee: 2.00
 Shop Supply Fee: 4.25
 RI State Sales Tax: 37.80
 Scrap Tire Disposal: 5.98

Total: \$640.03

12/14/2020 Payment# P-960017 Amount: \$640.03

VISA 5708 Exp: 06/2024 AC: SALE:724869:379164712::16019886 (MP - 640.03
 OrderID:1305398508 , TransID:1601988654)

Invoice Balance: \$0.00

Parts	Labor	Subtotal	Taxes/Fees	FET	Total
\$540.00	\$50.00	\$590.00	\$50.03	\$0.00	\$640.03

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 _____



Step 1



YOUR TIRES



Pirelli PZero Nero A/S

Front Tires:

1

242.00

Sullivan Code: **19686**

Tire Size: **245/45R19**

Service: **102H**

Sidewall: **Black Sidewall**

Load Range **Extra Load**

Availability: **Limited Availability**

Warranty: **45K Limited Lifetime Warranty**

Season: **All Season**

Rear Tires

1

236.00

Sullivan Code: **19687**

Tire Size: **275/40R19**

Service: **105H**

Sidewall: **Black Sidewall**

Load Range **Extra Load**

Availability: **Limited Availability**

Warranty: **45K Limited Lifetime Warranty**

Season: **All Season**

Certified Tire Installation [Read More](#)

\$51.98

Peace of Mind Package

~~\$202.99~~ ~~\$212.99~~

Package includes Alignment and Protection Plan services at a discounted rate. Only available on 4 or more tires.

Protection Plan [Read More](#)

\$73.00

Alignment [Read More](#)

\$139.99



[Edit Tire Selection](#)

[Remove Tire](#)

State Tax

\$35.35

Total

\$565.33

All pricing details and tire appointment requests will be verified by a tire specialist to confirm proper fitment and application to your vehicle. Price does not include additional services.



OIL CHANGE SERVICE



ADDITIONAL SERVICES



TELL US THE SYMPTOMS



Additional Information / Quick Appointment. Just tell us what you need!

Shopping cart

TIRES

delete



PIRELLI
P ZERO NERO AS
P 245 /45 R19 102H XL BSW JA
Item #42148

☆☆☆☆☆ 4.4

\$237.00/ea

Qty:

2

Price: **\$474.00**

✓ **In stock, normally delivers within 2-5 business days**

ADD-ONS	EACH	QTY	PRICE
<input type="checkbox"/> Certificates Why buy certificates?	\$24.00	0	\$0.00
hide add-ons —			subtotal: \$0.00

up to 10% rebate by mail

[view details](#)

Subtotal **\$474.00**

ORDER SUMMARY

Cart Subtotal	\$474.00
Taxes (02910) tax exempt?	\$33.10

Feedback

Total

\$507.18



CHECKOUT NOW

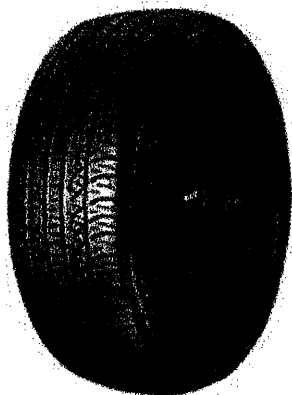
CONTINUE SHOPPING



**Melvin's Tire Pros - North
Kingstown
45 Huling Rd
North Kingstown, RI, 02852
401 268 3882**



Pirelli P ZERO NERO™ ALL SEASON



SPECIFICATIONS

Size	P245/45R19/XL
Part	1957300
Category	Performance
Season	All Season
Speed rating	H 130mi
Load index	102
Warranty	45000 mi
UTQG	400 AA A

FEATURES

- Asymmetric all season tread design
- offers precision handling in all conditions, even at the limit.
- A solid center rib
- gives a constant and consistent contact patch with the road, while requiring shorter braking distances and offering quicker acceleration in both dry and wet conditions.
- Four longitudinal and numerous lateral grooves
- minimize the risk of aquaplaning when cornering.
- Silica compounding
- offers a superior balance of fuel efficiency and wet road control.

QUOTE # 9688095

December 28 2020

Pirelli P ZERO NERO™ ALL SEASON	\$272.95
Quantity	2
Tire Total	\$545.90

Required Services

Tire Recycling Fee	\$5.40
Installation & Balance	\$44.00
Tire Service Fee	\$2.50

Sub-total **\$597.80**

Taxes estimate (Taxes provided for estimation purposes only) **\$38.22**

† Total Price: \$636.02

Prices are subject to change at any time
Tire size and fitment will be verified at the time of installation
Additional charges may apply for vehicles with specialty or custom wheel packages.

CUSTOMER INFORMATION

Name **John Oatley**
Phone **4014197781**
Email **joatley@verizon.net**
Preferred method of contact **sms / text**

VEHICLE INFORMATION

2016 Jaguar XJ R-Sport









Joseph J. Solomon
Mayor

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

December 22, 2020

John Oatley
408 Fair Street
Warwick, RI 02888

Dear John,

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):

- Estimates – We received one paid invoice. Two additional estimates are required.

*Here are three
Quotes.
Ed [Signature]*

If there is a reason estimates cannot be included in your claim, please state in a separate letter.

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

