



Recommendation Memo

To: Mathew Solitro, Department of Public Works
From: Margie White, Finance Department ext. 9641
Date: October 22, 2020
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: 9/30/2020

Police/tow/auto report: N/A

Claimant: Marc Paolilli
109 Baycliff Drive
Warwick, RI 02818

Claim: City tree fell onto claimant's property causing damage.

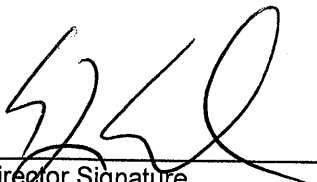
Invoice:	Electrician	\$225.00
	Permit	\$79.26
	Washing Machine	\$789.86
	Mailbox	<u>\$38.88</u>
		\$1133.00

Department Recommends:

Approval of this claim for \$ _____.

Denial of this claim (please include comments below):

As there was a weather front that came through the area on this date with significant sustained winds of approximately 25 mph with gusts up to 46 mph until about 6:00 PM that evening. As such, the City cannot be held responsible for an act of God.



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: Marc Paolilli

Address: 109 Baycliff Drive

City, State, Zip: Warwick RI, 02818

Telephone #: 401-884-4945

Date of incident (M/D/Y) 9/30/2020 Time: 8:30 AM | PM

Description of Incident/Claim: A section of a Pine tree located on Warwick City property adjacent to our home @ 109 Baycliff Drive, East Greenwich, RI 02818 came down onto our property & caused significant damage.

Please see attached report:

Vehicle Year: _____ Make: _____ Model: _____ Odometer reading: _____

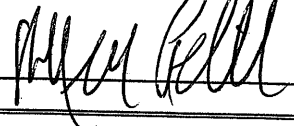
The Pothole was located on _____ road.

I notified the Finance | Public Works department on 10/7/2020 (date).

The nature of my property damage is: _____

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

I request reimbursement in the amount of \$ 1133.00

SIGNATURE OF CLAIMANT:  DATE 10/10/20

AFFIDAVIT

(Petitioner Name) Marc Paolilli, 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) 9/30/2020 as a result of (please provide brief description):

A pine tree located on Warwick city property fell onto our property at 109 Baycliff Drive, Warwick, RI 02818 causing significant damage. See attached report for details.

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.

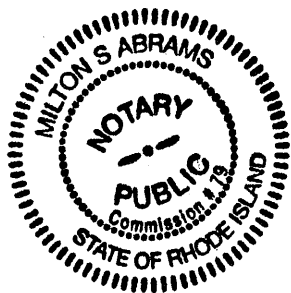
5. I have personal knowledge of the facts aforesaid.

Marc Paolilli
Signature of Claimant or its Representative

Marc Paolilli
Printed Name

State of Rhode Island
County of KENT

Subscribed and sworn to before me on this 10th day of OCTOBER, 20 20



[Signature]
(Notary Public)
My Commission Expires 10/24/21

Electrical Repairs

Marc Paolilli 109 Baycliff Drive East Greenwich RI 02818		Description of Work	Harry Dowling Electrician 152 Crompton Ave #12 East Greenwich, RI 02818	
1		Replace damaged service drop.		\$225.00
		Total		\$225.00



City of Warwick

\$79.26 Paid

via Credit Card ending in 7002

Thanks for using the Online Service Center

Harry Dowling
Electrical Permit #113029
October 1, 2020

ADA Fee	\$1.00
Electrical Permit Fee	\$75.00
Processing Fee	\$3.26
Total Paid	\$79.26



Powered by the ViewPoint Cloud platform
Receipt number #28382

Electrical Permit

Washing machine receipt: \$789.86


LOWE'S
 LOWE'S HOME CENTERS, LLC
 510 SUMNER LANE
 SHARLET, RI 02886 (401) 822-6300

SALE
 SALE#: 51197823 976340 TRN#: 34736340 10-03-20

622986 WP 4.3 CU FT TL W/SHR HT	711.55
749.00 DISCOUNT EACH	-97.45
MINIMUM RETAIL PRICE APPLIED TO THIS ITEM	
(DELIVERY - 10/09/2020)	
351841 RECYCLED APPL W/DC PICK U	28.50
30.00 DISCOUNT EACH	-1.50
(DELIVERY - 10/09/2020)	
895195 510 EPP LAUNDRY 3700-999	154.97
107284 LCC SYSTEM USE ONLY	0.00 N
2 DELIVERY FEE	0.00

TOTAL: 695.02
 TAX: 49.81
 INVOICE 518279 TOTAL: 744.83
 LCC:

TOTAL DISCOUNT: 98.95
 LCC:XXXXXXXXXXXX0022 AMOUNT:1141.83 AUTH#:002103
 SHIPPED REF#:718756 10/03/20 11:17:21
 STOR: 1197 TERMINAL: 31 10/03/20 11:19:36
 # OF ITEMS PURCHASED: 1
 EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



LOWE'S DELIVERY SERVICES
 FOR SCHEDULE CHANGES
 PLEASE CONTACT YOUR STORE 24 HOURS
 IN ADVANCE IF YOUR DELIVERY
 FOR DELIVERY INFORMATION CONTACT
 1-800-4-A-LOWE'S

Mailbox & Pole: 38.88


LOWE'S
 LOWE'S HOME CENTERS, LLC
 510 SUMNER LANE
 SHARLET, RI 02886 (401) 822-6300

SALE
 SALE#: 51197823 3136016 TRN#: 67720704 10-03-20

607814 ELITE SIGNMA 811 STEEL BW	18.51
19.40 DISCOUNT EACH	-0.9
625174 4-4-8 TREATED 87 BAGGS WF	17.83
18.72 DISCOUNT EACH	-0.9
107284 LCC SYSTEM USE ONLY	0.00 N

SUBTOTAL: 38.24
 TAX: 1.14
 INVOICE 51622 TOTAL: 39.38
 LCC:

TOTAL DISCOUNT: 1.91
 LCC:XXXXXXXXXXXX0022 AMOUNT:30.86 AUTH#:461197
 SHIPPED REF#:671049 10/03/20 00:39:29
 STOR: 1197 TERMINAL: 31 10/03/20 00:39:52
 # OF ITEMS PURCHASED: 2
 EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



Claim for property damages to 109 baycliff Drive: Marc Paolilli

On September 30th, at ~8:30 AM a section of the tree located on Warwick City property adjacent to our home at 109 Baycliff Drive, Warwick, RI 02818 came down onto our property & caused significant damage.

The damage incurred is as follows:

- Electric & cable lines were ripped from the house causing a power surge & damage to the corner of the house where the lines were connected.
- The tree landed on and crushed our mail box

See photos attached:

Unfortunately, it was left to us to:

- 1) Repair the damage to the corner of the house where the wires came down. This work was completed by myself. 0\$
- 2) Call the city to remove the tree. 0\$
- 3) Call an electrician to attach new wires onto the house. We were unable to produce multiple estimates for this, as it was an immediate need. This involved pulling a permit and getting an electrical inspector to the house in order for National Grid to reconnect us. It took three days for us to have the power restored (9/30 to 10/2). Electrician \$225.00 + Permit \$79.26 = \$304.25
- 4) As a result of the power surge, our washing machine sustained unrepairable damage & required us to replace it. We replaced it with the same exact model as we had purchased a year ago. Total cost of the washing machine, taxes & removal of damaged washer. \$789.86
- 5) We had to purchase and rebuild our mail box including the post. I personally did the repairs & would like reimbursement for the materials. Cost of the new mailbox & post are \$38.88

See receipts attached:

This tree is extremely weak & the winds from the storm that day brought a section of the tree down onto our property. Exactly, one year and one day prior to this event, a different branch, off that same tree fell down blocking the road & knocking out the power. Our neighbors have been complaining to the city over the past few years to have the tree taken down. It is an accident waiting to happen. It could have easily come down on a car or a pedestrian. It is rotted & will eventually come down on one of our homes. Its unclear why this has not been taken down...?

Please take the tree down & make a check payable for damages in the amount of \$1133.00 to:

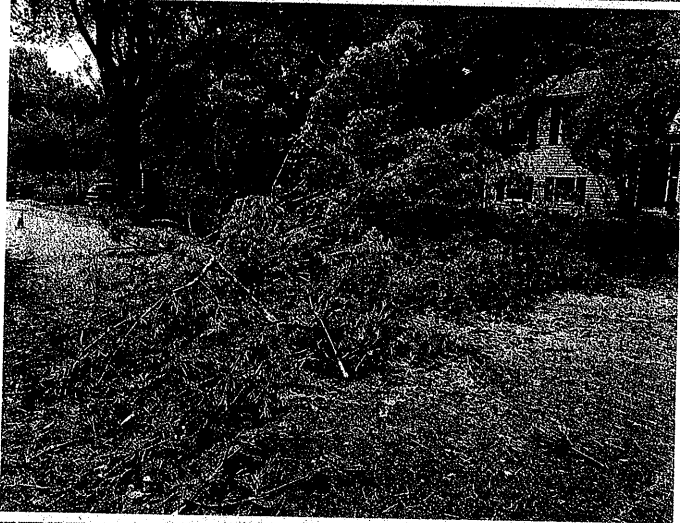
Marc Paolilli
109 Baycliff Drive
Warwick, RI 02818

Regards,

Marc Paolilli

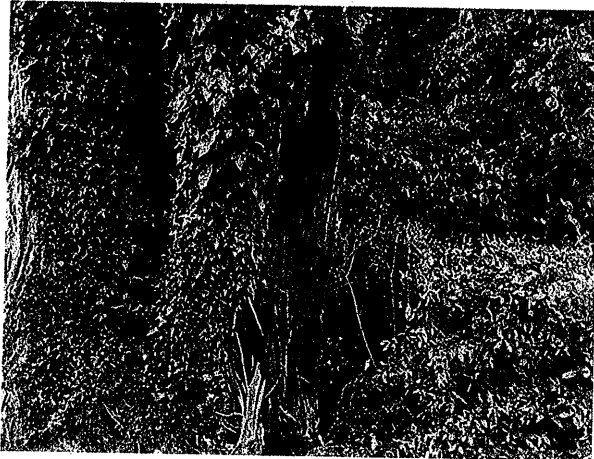
401-884-4945

The part of the tree that fell

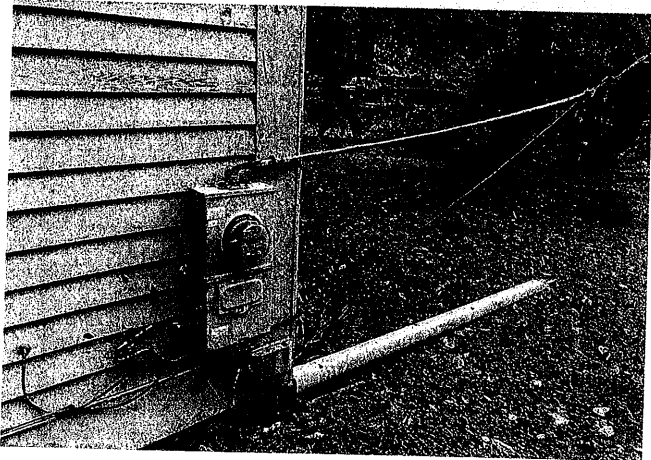
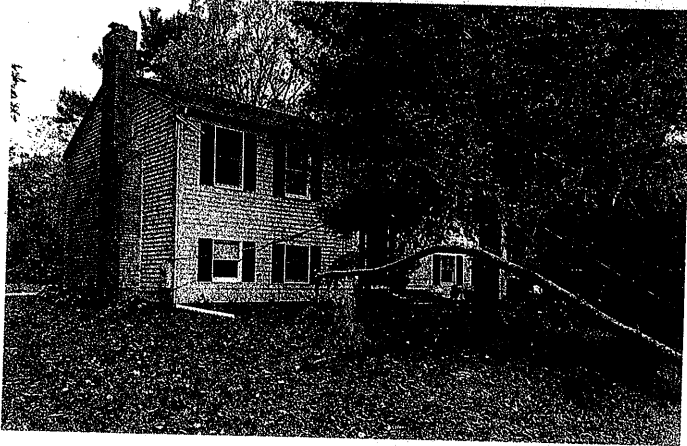
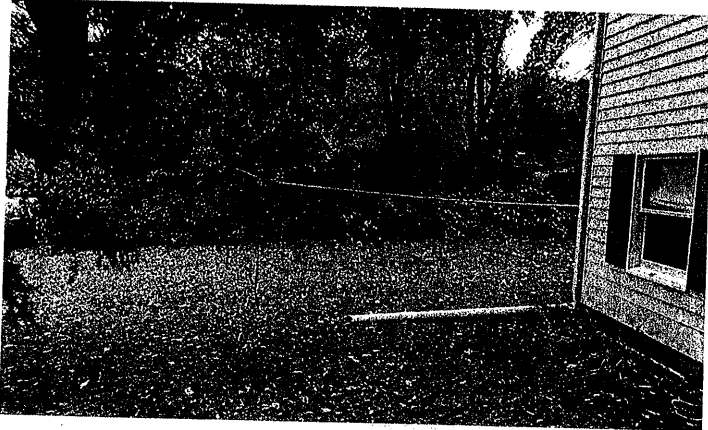




This is where the limb broke off the trunk



The damage done to the side of the house





This  was once our mailbox

Picture of house & mailbox after repairs

