



Recommendation Memo

To: Eric Earls, Department of Public Works
From: Margie White, Finance Department ext. 9641
Date: March 1, 2022
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: 02/07/2022

Police/tow/auto report: AAA

Claimant: Michael Simas
55 Collins Court
North Kingstown, RI 02852

Claim: Hit a pothole on Atlantic Avenue causing damage to tire.

Invoice: Audi Warwick \$295.48

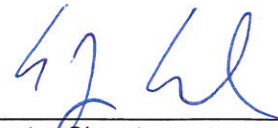
Estimates: Pep Boys \$265.48
Town Fair Tire \$284.87

Department Recommends:

Approval of this claim for \$_____.

Denial of this claim (please include comments below):

This claim documents were signed by the claimant on 2/10/22 and was notarized on 2/15/22, indicating that this claim form was not properly executed.



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: Michael Simas

Address: 55 Collins Ct

City, State, Zip: North Kingstown RI 02852

Telephone #: 401 623-0454

FEB 28 2022

Date of incident (M/D/Y) 2/7/2022 Time: 8:15 ☐ AM ☒ PM

Description of Incident/Claim: While driving down Atlantic Ave
I was approaching the light at Post Rd at the ball
field and hit a pothole. which flatten my tire

Vehicle Year: 2011 Make: Audi Model: A5 Odometer reading: 95905

The Pothole was located on Atlantic Ave road

I notified the Finance I Public Works department on 2/7/22 by voicemail (date).
Spoke to someone on 2/8/22.

The nature of my property damage is: had to replace tire unrepairable
side wall damage

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

I request reimbursement in the amount of \$ 300⁰⁰

SIGNATURE OF CLAIMANT: [Signature] DATE 2/10/2022

AFFIDAVIT

(Petitioner Name) Michael Simies, 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) 9/7/22 as a result of (please provide brief description):

Pothole on Atlantic Ave before the red light.

Said claim was filed with the Finance Department on 2/8/22 (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.

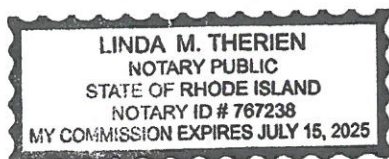
5. I have personal knowledge of the facts aforesaid.

[Signature]
Signature of Claimant or its Representative

Michael Simies
Printed Name

State of Rhode Island
County of Prov

Subscribed and sworn to before me on this 15 day of February, 20 22



Linda M. Therien
(Notary Public)
My Commission Expires July 15, 2025



STATE OF RHODE ISLAND
DIVISION OF MOTOR VEHICLES

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



MICHAEL A SIMAS
55 COLLINS CT
NORTH KINGSTOWN RI 02852-4661

Date: 10/03/2020

Registration Certificate

REG NUMBER: AF205	PLATE TYPE: PASSENGER	PLATE DESIGN: WAVE	VEHICLE TYPE: PASSENGER	DRIVERS LICENSE: 9391151	REG EXP DATE: 10/31/2022
YEAR: 2011	MAKE: AUDI	MODEL: A5	BODY TYPE: CONVERTIBLE	MAJOR COLOR: GRAY	MINOR COLOR: GRAY
VEHICLE IDENTIFICATION NUMBER: WAUCFAFH3BN017960		RENEWAL FEE: \$112.50	GROSS WEIGHT: 4634	# OF PASSENGERS: 4	# OF CYLINDERS: 4
FUEL TYPE: GAS		CARRYING CAPACITY: N/A	LENGTH: N/A	CCs: N/A	MAX SPEED: 0
REGISTERED OWNER/LEASING COMPANY: MICHAEL A SIMAS 55 COLLINS CT NORTH KINGSTOWN RI 02852-4661			SECOND OWNER:/LESSEE		

TAX TOWN: **NORTH KINGSTOWN**

- 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

10/03/2020

Reminder: Share Your AAA Roadside Assistance Experience with Us!

ssimas14@yahoo..../Inbox



AAA Experience Feedback <aaafeedback@qemailserver.com>

To: SANDRA SCHUETZ <ssimas14@yahoo.com>

Feb 11 at 12:16 PM



Dear SANDRA,

We recently sent out an invitation to provide feedback on your roadside assistance experience with AAA on 02/07/2022. We are eager to hear more about your experience. It will only take a few minutes and your feedback will be greatly appreciated!

Overall, how satisfied were you with this AAA Roadside Assistance event?

Totally satisfied
Satisfied
Neither satisfied nor dissatisfied
Dissatisfied
Totally dissatisfied

Thank you for sharing your experience with us.

John A. Nardolillo
Senior Vice President, Member Services

If the above question does not work for you, then please copy and paste the following link into your browser: https://aaaresearch.co1.qualtrics.com/jfe/form/SV_do4MuttIMD47xDD?Q_DL=rNe4eHVuWTx2pA5_do4MuttIMD47xDD_CTR_2hJk9rxXO4wB8I6&Q_CHL=email

Follow this link to opt out of this email survey. Note that this is not an opt-out for other email surveys from AAA or Qualtrics:

[Click here to unsubscribe](#)



AUDI WARWICK
1517D Bald Hill Road
Warwick, RI 02886
Parts: 401-824-2248 Service: 401-824-2396
Sales: 401-824-2377
www.audiwarwick.com

AUCS95829



AUCS95829



0803IAUCS95829

CELL: 401-623-0454

CUSTOMER NO 438761	ADVISOR MICHAEL BURNS	72739	TAG NO 530	INVOICE DATE 02/08/22	INVOICE NO. AUCS95829
MICHAEL A SIMAS 55 COLLINS CT NORTH KINGSTOWN, RI 02852-4661	LABOR RATE	LICENSE NO	MILEAGE 95,953	COLOR /	STOCK NO.
	YEAR / MAKE / MODEL 11/AUDI/A5/2DR CABRIO QTR AT			DELIVERY DATE	DELIVERY MILES
	VEHICLE I.D. NO. WAUCFAFH3BN017960			SELLING DEALER NO	PRODUCTION DATE
	F.T.E. NO.			P.O. NO.	R.O. DATE 02/08/22
RESIDENCE PHONE 401-667-3975	BUSINESS PHONE 401-500-3368	COMMENTS			

MO: 95954

LABOR & PARTS-----
J# 1 36AUZMNTITIRE MNT & BAL 1 TIRE TECH(S):70012 30.00
CLIENT STATES REPLACE R/F TIRE-\$315
ADVISE ON HOW TIRE WENT FLAT
Hole in sidewall
Mounted and balanced new r/f tire
New dot# xbvdt1760321

PARTS-----	QTY----	FP-NUMBER-----	DESCRIPTION-----	UNIT PRICE-
JOB # 1	1	DT2-417-600	CINTURATO	265.48
JOB # 1 TOTAL PARTS				265.48
JOB # 1 TOTAL LABOR & PARTS				295.48

J# 2 02AUZZ OIL AND FILTER TECH(S):70012 29.95
CHANGE OIL AND FILTER-\$115
CHECK TIRE PRESSURE AND TOP OFF ALL FLUIDS
INCLUDED IN OIL AND FILTER CHANGE SERVICE
E
OEM Oil & Filter Change 2.0L 10/11

PARTS-----	QTY----	FP-NUMBER-----	DESCRIPTION-----	UNIT PRICE-
JOB # 2	1	06J-115-403-Q	OIL FILTER	15.35
JOB # 2	55	G-052-167-S0	ENGINE OIL	1.01
JOB # 2	1	SAE 5W-40 API SN/CF	MOTOR OIL	2.89
JOB # 2	1	TV	TIRE VALVE	2.89
JOB # 2 TOTAL PARTS				73.79
JOB # 2 TOTAL LABOR & PARTS				103.74

MISC-----	CODE-----	DESCRIPTION-----	CONTROL NO-----
JOB # A	SHA	DIGITAL SERVICE FEE	1.65
JOB # A	AUHZ	AUDI HAZARDOUS WASTE	5.00
TOTAL - MISC			6.65

COMMENTS-----
++WAITER++ TERI 2.8.22 (401) 623-0454 NO OPEN RECALLS. SANDRA
SISTER OF CLIENT WILL BE BRINGING THE VEHICLE . SHE IS A TEACHER
AND THIS IS THE SOONEST TIME SHE COULD COME IN. CLIENT ASKED FOR
OIL CHANGE BUT ADVISED SERVICE IS BUSY AND TIRE REPLACEMENT IS ALL
THAT CAN BE DONE AT THIS TIME.
RECOMMENDED NOT DONE/ DECLINED SERVICES-----
THE FOLLOWING SERVICES HAVE BEEN RECOMMENDED AND
NOT DONE:
DELETED OPERATION(S)-----
99AUZZTOUCHLESS TOUCHLESS SERVICE 99AUDIONLINEPAY ONLINE PAYMENT NOTE

**NOTE TO CONSUMER: PLEASE READ
IMPORTANT INFORMATION ON EITHER
BACK SIDE OR LAST PAGE HEREOF**

Customer agrees that this Agreement includes all of the terms and conditions on the front and either back side or last page hereof, that this Agreement cancels and supersedes any prior agreement including oral agreements, and as of the date above comprises the entire agreement between Customer and Dealer relating to these repairs or other matters referred to on the front or back side of this document. Customer also acknowledges receipt of copy of this invoice.

Arbitration Agreement. Customer agrees that Customer or Dealership may elect to resolve any dispute by binding arbitration pursuant to the Arbitration Provision on either the back side or last page of this document.

DIGITAL SERVICES - This charge represents costs to the motor vehicle repair facility for digital services.



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CUSTOMER NO. 438761		ADVISOR MICHAEL BURNS 72739		TAG NO. 530		INVOICE DATE 02/08/22		INVOICE NO. AUCS95829	
MICHAEL A SIMAS 55 COLLINS CT NORTH KINGSTOWN, RI 02852-4661		LABOR RATE		LICENSE NO		MILEAGE 95,953		COLOR /	
		YEAR / MAKE / MODEL		11/AUDI/A5/2DR CABRIO QTR AT		DELIVERY DATE		DELIVERY MILES	
		VEHICLE I.D. NO.		W A U C F A F H 3 B N O 1 7 9 6 0		SELLING DEALER NO		PRODUCTION DATE	
		F.T.E. NO		P.O. NO		R.O. DATE 02/08/22			
RESIDENCE PHONE 401-667-3975		BUSINESS PHONE 401-500-3368		COMMENTS		M0: 95954			

TOTALS-----		NOTE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON EITHER BACK SIDE OR LAST PAGE HEREOF	
TOTAL LABOR....	59.95	Customer agrees that this Agreement includes all of the terms and conditions on the front and either back side or last page hereof , that this Agreement cancels and supersedes any prior agreement including oral agreements, and as of the date above comprises the entire agreement between Customer and Dealer relating to these repairs or other matters referred to on the front or back side of this document. Customer also acknowledges receipt of copy of this invoice. Arbitration Agreement. Customer agrees that Customer or Dealership may elect to resolve any dispute by binding arbitration pursuant to the Arbitration Provision on either the back side or last page of this document. DIGITAL SERVICES - This charge represents costs to the motor vehicle repair facility for digital services.	
TOTAL PARTS....	339.27		
TOTAL SUBLET...	0.00		
TOTAL G.O.G....	0.00		
TOTAL MISC CHG.	6.65		
TOTAL MISC DISC	0.00		
TOTAL TAX.....	24.22		
TOTAL INVOICE \$		430.09	

CUSTOMER SIGNATURE

Audi of Warwick

1517D Bald Hill Road
Warwick
Rhode Island
401-821-1510

Customer Information

Street: 55
Zip Code: 02852
michael simas

Transaction Information

MOTO
Date: 2/8/2022 4:11:09 PM
Amount: \$430.09
Card Number: *****8372
Merchant Id: 525
Terminal Id: 00000001
Auth Code: 03248G
Auth Mode: Issuer
Processed as: MASTERCARD
Reference No: 1958310717
Trace No: 001958310717
Invoice No: 95829
Response: Approved
Entry Method: Manual
Match AVS: Match Y
Match CVV: Match M
Match ZIP: Match Y
Client Id: 12345
User Id: mburns

I Agree to Pay Above Total Amount According to Card Issuer agreement (Merchant agreement if Credit voucher).

We are here for our customers, Team Members and neighbors. See the steps we are taking [here](#).

[Tires by Vehicle](#)[Tires by Size](#)

Get \$100 Off On a Select Set of 4 Cooper Tires

[Shop Now](#)

[Home](#) > [Find Tires](#) > [By Size](#) > [245/40R18](#) > [Pirelli Cinturato P7](#)

Pirelli Cinturato P7

★★★★★ (0)



\$236.99 per tire
3 days after 12 pm

Qty 1 ▾

\$236.99

- ☒ Installation ⓘ
☐ Roadside Assistance ⓘ
☐ Road Hazard ⓘ
☐ Pick Up In Store

\$ 28.49

FREE

\$ 19.50

Subtotal \$265.48

[Confirm Install](#)

FEATURES

The Cinturato P7 is the results of the Green Performance philosophy, a new approach in developing our products offering the perfect synergy in terms of performance, safety, ... [Learn More](#)

SPECS

Warranty 0 mi.

Svc Desc 97Y

Type Passenger ⓘ

UTQG 260 AA A ⓘ

; Size 245/40R18

Part # 2302300



Features

The Cinturato P7 is the results of the Green Performance philosophy, a new approach in developing our products offering the perfect synergy in terms of performance, safety, driving pleasure, and attention to the environment.



0
Mile Warranty



Class



Tread


- Ultra-high performance
- Fuel economy
- Low rolling resistance
- Designed to reduce road noise

Restrictions

- This product is not available for Shipping.

Specs

Brand	Pirelli
Tire Size	245/40R18
UTQG ⓘ	260 AA A
Service Desc	97Y
Load Index	97
Warranty	-
Speed Rating	Y
Tread Type ⓘ	n/a
SKU	10026089
Part #	2302300
Load Range	n/a
Tread Depth	n/a

Item	Price
 PIRELLICINTURATO P7 ALL SEASON SIZE: 245/40R18H	Price per Tire: \$212.00 \$212.00 For 1tire(s) 1 ▼
COMPUTERIZED WHEEL BALANCE & NEW RUBBER VALVE STEM OR TPMS SENSOR RECONDITIONING	Price per Tire: \$27.90 \$27.90 For 1tire(s)
FRONT WHEEL ALIGNMENT IF YOU WISH, BASED ON VEHICLE MANUFACTURER'S RECOMMENDATION OF A FOUR WHEEL (FRONT & REAR) ALIGNMENT, TOWN FAIR TIRE WILL DO IT FOR 64.00.	\$0.00
PRO-RATED 36 MONTH ROAD HAZARD THE TIRE YOU SELECTED CAN ALSO BE COVERED WITH TOWN FAIR TIRE'S 36 MONTH PRO RATED ROAD HAZARD GUARANTEE. IF THE TIRE FAILS DUE TO DAMAGE CAUSED BY NAILS, GLASS, POTHOLE, ETC. THE TIRE WILL BE REPAIRED FREE OF CHARGE OR IF IT IS NOT REPAIRABLE THE TIRE WILL BE REPLACED BASED ON THE MONTHS USED.	Price per Tire: \$23.95 \$23.95 For 1tire(s) <div>REMOVE</div>
PLEASE SELECT YOUR STATE TO PROCEED:	RI ▼
TIRE DISPOSAL NOTE: IF YOU WISH TO KEEP YOUR OLD TIRES, WE WILL REMOVE THIS CHARGE AT THE TIME OF PURCHASE IN THE STORE.	Price per Tire: \$3.75 \$3.75 For 1tire(s)
RHODE ISLANDSALES TAX	\$17.27
TOTAL	\$284.87

Item

Price

FACTORY RECOMMENDED 4 WHEEL ALIGNMENT

\$119.00

BASED ON VEHICLE MANUFACTURER'S RECOMMENDATION OF A FOUR WHEEL (FRONT & REAR) ALIGNMENT. TOWN FAIR TIRE WILL DISCOUNT THE FOUR WHEEL ALIGNMENT FROM \$119.00 TO \$64.00. WOULD YOU LIKE TO ADD THIS TO YOUR PURCHASE?

\$64.00

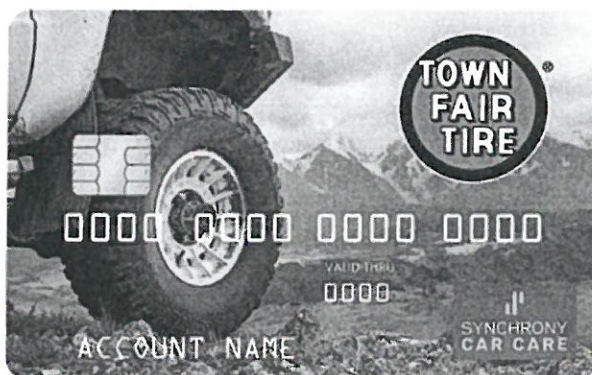
ADD

BUY & SCHEDULE APPOINTMENT

CONTINUE SHOPPING

FREE SERVICES

CALL TIRE EXPERT

TOWN FAIR TIRE CREDIT CARD

TOWN FAIR TIRE

FREE FINANCING!

East Haven, CT 06512

INTEREST FOR 6 MONTHS!

No interest on purchases of \$199 or more if the purchase amount is paid in full within 6 months!

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(<https://www.surveymonkey.com/r/WL5SCNB>)