



## Recommendation Memo

**To:** Eric Earls, Department of Public Works  
**From:** Margie White, Finance Department X 9241  
**Date:** April 4, 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:** 3/02/24

**Police/tow/auto report:** 24-17218

**Claimant:** Robert Starnino  
1 Tupperware Drive Unit 238  
North Smithfield, RI 02896

**Claim:** Hit pothole on Old Forge Road causing damage to tires.

**Invoice:** Mercedes \$757.78

**Estimates:** Town Fair Tire \$686.30  
Firestone \$640.21


**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

4/15/24  
\_\_\_\_\_  
Date

TO THE HONORABLE CITY COUNCIL

The undersigned respectfully petitions your body for compensation for injuries or damages sustained as follows:

MAR 13 2024

Please print information that pertains to your claim.

Motor Vehicle Accident Pothole Property Damage Tax Waiver Other

Claimant Name: Robert Starnino

Address: 1 Tupperware Drive Unit 238

City, State, Zip: North Smithfield, RI 02896

Telephone #: 4017498086

Date of incident (M/D/Y) 3/2/2024 Time: 10 AM PM

Description of Incident/Claim: Heading North on Old Forge Road towards Post Road when my vehicle hit a pot hole across from the plaza ( Star Nails & Spa). It was raining at this time so the pot hole was not visible and couldnt avoid it. Both left side tires where damaged and flat at the time I pulled into the plaza. I have included two pictures one of each tire. I also, called the Warwick police department ( on 3/2/2023 @ 10:38PM) to notify the incident and where the pot hole was.

Vehicle Year: 2023 Make: Mercedes Model: C300 Odometer reading: 19275

The Pothole was located on Old Forge Road (across from plaza with Star Nails & Spa) 397-399 Old forge road road. I notified the Finance I Public Works department on (date).

The nature of my property damage is: Two Flat Tires on the left side of vehicle

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

I request reimbursement in the amount of \$ 600

SIGNATURE OF CLAIMANT: [Signature] DATE 3/8/2024



**AFFIDAVIT**

(Petitioner Name) Robert Starnino, 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) 3/2/2024 as a result of (please provide brief description):

two flat tires on left side of vehicle

Said claim was filed with the Finance Department on 3/2/2024 (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

Robert Starnino  
Printed Name

State of Rhode Island  
County of Providence

Subscribed and sworn to before me on this 8th day of March, 2024

Christine Antonio  
NOTARY PUBLIC  
My Commission Expires 10/15/27  
#52291  
STATE OF RHODE ISLAND





STATE OF RHODE ISLAND  
**DIVISION OF MOTOR VEHICLES**

600 NEW LONDON AVENUE  
 CRANSTON RI 02920-3024

Web Address: [WWW.DMV.RI.GOV](http://WWW.DMV.RI.GOV)



BW12600661

ROBERT T STARNINO JR  
 1 TUPPERWARE DR UNIT 238  
 NORTH SMITHFIELD RI 02896-6875

Date: 01/09/2023

**Registration Certificate**

REG NUMBER: B135	PLATE TYPE: PASSENGER	PLATE DESIGN: WAVE	VEHICLE TYPE: PASSENGER	DRIVERS LICENSE: 2600661	REG EXP DATE: 10/31/2024
YEAR: 2023	MAKE: MERCEDES BENZ	MODEL: C	BODY TYPE: SEDAN	MAJOR COLOR: BLACK	MINOR COLOR: BLACK
VEHICLE IDENTIFICATION NUMBER: W1KAF4HB7PR093014		RENEWAL FEE: 112.50	GROSS WEIGHT: 4606 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: ROBERT T STARNINO JR 1 TUPPERWARE DR UNIT 238 NORTH SMITHFIELD RI 02896-6875			SECOND OWNER:		

TAX TOWN: NORTH SMITHFIELD

- 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 Repairs 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 01/01/2026 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



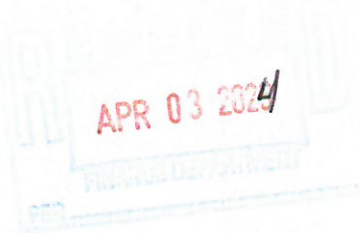
For Date: 03/29/2024 - Friday

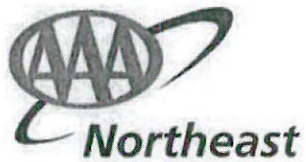
<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>
24-17218	1547	Walk-In - POT HOLE	Services Rendered 3	
Call Taker:		RAKING - Civilian Ryan A King		
Call Source:		Walk-In		
Call Closed By:		SCASTAL - Civilian Steven J Castaldi 03/29/2024 1737		
Location/Address:		[203 3837] WARWICK POLICE DEPARTMENT - 99 VETERANS MEMORIAL DR		
Calling Party:		STARNINO, ROBERT T @ 147 SCENERY LN - JOHNSTON, RI 02919 401-749-8086		
		Race: W Sex: M		
Unit:		P6 Officer Katerina M Athaide		
		Disp-16:15:02 Enrt-16:17:23 Arvd-16:19:50 Clrd-16:36:08		
Vehicle:		BLK 2023 MERZ 4D C300 Reg: PC RI B135 VIN: W1KAF4HB7PR093014		
Operator:		STARNINO, ROBERT T JR @ 1 TUPPERWARE DR Apt. #238 - NORTH SMITHFIELD, RI 02896		
		Race: U Sex: U		
Owner:		STARNINO, ROBERT T JR @ 1 TUPPERWARE DR Apt. #238 - NORTH SMITHFIELD, RI 02896		
		Race: U Sex: U		
Insurance Co:		NATIONWIDE 1/9-7/9/24		
Policy No:		5138J 004866		
Narrative:		<b>03/29/2024 1550 Civilian Ryan A King</b> HAPPENED ON OLD FORGE ROAD ON 3/2/2024. GOT TWO FLAT TIRES. WAS ADVISED TO COME INTO LOBBY.		

Narrative: **03/29/2024 1635 Officer Katerina M Athaide**  
VEHICLE: RI PC B135  
OPERATOR: ROBERT STARNINO (DOB 2/28/90)  
INSURANCE: NATIONWIDE 1/9/24-7/9/24  
POLICY #: 5138J 004866

OPERATOR STATED THAT ON 3/2/24 HE WAS DRIVING W/B ON OLD FORGE RD WHEN HE STRUCK A POT HOLE PRIOR TO THE INTERSECTION WITH POST RD. DURING THIS INCIDENT BOTH OF HIS DRIVER'S SIDE TIRES POPPED. THE OPERATOR PULLED INTO THE PARKING LOT LOCATED AT 1050 MAIN ST AND LEFT HIS VEHICLE OVERNIGHT. AAA RESPONDED AT A LATER TIME. THE OPERATOR SHOWED ME HIS CALL LOG WHICH INDICATED THAT HE CALLED 911 AT 2238 HOURS, WHEN THE INCIDENT TOOK PLACE.

OPERATOR WOULD LIKE DOCUMENTATION OF INCIDENT. OPERATOR STATED POT HOLE HAS ALREADY BEEN FILLED SINCE THE INCIDENT. OPERATOR PROVIDED WITH CALL #.





---

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

March 4, 2024

Robert Starnino Jr  
1 Tupperware Dr Unit 23B  
North Smithfield RI 02896

Dear Robert,

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

**Date:** 03/04/2024

**Year and Make of Vehicle:** 23 Mercedes-Benz C300

**Location:** 399 Old Forge Rd East Greenwich RI

**Time of initial call:** 03:52 PM

**Type of service:** Call record indicates request for tow to Mercedes-Benz of Warwick Bald Hill Rd Warwick RI

**Station arrived on location at:** 04:02 PM

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

Sincerely,

*Amy McDonald*  
Amy McDonald  
Member Relations  
AAA Northeast  
1-800-291-8022 x2268

9:38

Messages

LTE 62



### AAA FLEET - PROVIDENCE

[110 ROYAL LITTLE DRIVE](#)  
[PROVIDENCE, RI 02904](#)  
[+1 401-868-2000](#)

ORDER #

# 47527

RI Overtmileage x 3	\$0.00
RI Overtmileage	\$15.00

---

<b>Subtotal</b>	<b>\$15.00</b>
-----------------	----------------

No Tax	0.00%	\$0.00
--------	-------	--------

**Total**                    **\$ 15 00**

---

 DISCOVER 6976 Cashier: Champ P.	\$15.00
---	---------

APR 4 2024

---

March 04, 2024 • 4:17 pm  
Payment ID: CY6V062M55C0C  
Order ID: D8M292MMHXXGC  
Order Employee: Champ P.

[Show Details](#)

---

View the Privacy Policies for  
[Clover](#)







MBCS380881

# Mercedes-Benz of Warwick

1557 Bald Hill Road  
Warwick, RI 02886

Parts: 401-824-2347 Service: 401-824-2262  
www.mercedesbenzofwarwick.com

MBCS380881



0804IMBCS380881

CELL: 401-749-8086

CUSTOMER NO <b>575473</b>		ADVISOR <b>JOE DIAS</b>	72250	TAG NO <b>018</b>	INVOICE DATE <b>03/06/24</b>	INVOICE NO <b>MBCS380881</b>
ROBERT JOSEPH STARNINO 1 TUPPERWARE DR UNIT 238 NORTH SMITHFIELD, RI 02896 nazarian182@gmail.com		LABOR RATE	LICENSE NO.	MILEAGE <b>19,275</b>	COLOR <b>BLK/MACCHIA</b>	STOCK NO. <b>76838</b>
		YEAR / MAKE / MODEL <b>23/MERCEDES-BENZ/C300W4/4DR SDN C300</b>			DELIVERY DATE <b>12/28/22</b>	DELIVERY MILES <b>16</b>
RESIDENCE PHONE <b>401-749-8086</b>		BUSINESS PHONE <b>401-823-7780</b>		VEHICLE I.D. NO. <b>W 1 K A F 4 H B 7 P R 0 9 3 0 1 4</b>	SELLING DEALER NO. <b>130196</b>	PRODUCTION DATE
COMMENTS		F.T.E. NO.	P.O. NO.	R.O. DATE <b>03/05/24</b>		MILEAGE OUT <b>MO: 19275</b>

JOB# 1 CHARGES-----

LABOR-----

J# 1 36MBZMNT2TIRES MNT & BAL 2 TIRES TECH(S):73461 100.00  
 CLIENT STATES BOTH LEFT SIDE TIRES ARE FLAT, PLEASE CHECK  
 AND ADVISE  
 NEED INFO MOUNT AND BAL TWO TIRES  
 blowout in both drivers side tires  
 225/45 r18 95h bridgestone turanza ls100 moe  
 245/40 r18 97h bridgestone turanza ls100 moe  
 SONSIO AUTH:4004632  
 L/F OLD DOT: vrj7 v4y 1922  
 L/F NEW DOT: VRJX V8V 2923  
 CLAIM TOTAL \$370.81  
 SONSIO AUTH #4004645  
 L/R OLD DOT: VRJX V8V 1922  
 L/R NEW DOT:VRJ7 V4Y 2923  
 CLAIM TOTAL \$433.02  
 Mount & Balance 2 Tires (labor only) 2 Tires (labor only)

**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.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT	PRICE
	1	Q-8-40-3000	BRIDGESTONE 2		299.82
	1	Q-8-40-3212	BRIDGESTONE 2		357.96
TOTAL - PARTS					657.78

JOB# 1 TOTALS-----

LABOR 100.00  
PARTS 657.78

JOB# 2 CHARGES-----

LABOR-----

J# 2 05MBZZTOUCHLESS TOUCHLESS SERVICE TECH(S):73119 INTERNAL

JOB# 2 TOTALS-----

JOB# 2 JOURNAL PREFIX MBCS JOB# 2 TOTAL 0.00

JOB# 3 CHARGES-----

LABOR-----

J# 3 15MBZZMPVI VIDEO MULTIPOINT TECH(S):73461 INTERNAL  
 PERFORM VIDEO MULTI-POINT INSPECTION  
 A VIDEO MULTI-POINT INSPECTION WAS COMPLETED ON YOUR VEHICLE

JOB# 3 TOTALS-----

JOB# 3 JOURNAL PREFIX MBCS JOB# 3 TOTAL 0.00

JOB# 4 CHARGES-----

LABOR-----

J# 4 05MBZZKEY REMOTE KEY BATT TECH(S):73461 INTERNAL  
 SERVICE ADVISOR TO CHECK AND REPLACE REMOTE KEY BATTERY(S)  
 AS NEEDED.





MBCS380881

# Mercedes-Benz of Warwick

1557 Bald Hill Road  
Warwick, RI 02886  
Parts: 401-824-2347 Service: 401-824-2262  
www.mercedesbenzofwarwick.com

MBCS380881



0804IMBCS380881

CELL: 401-749-8086

CUSTOMER NO. <b>575473</b>		ADVISOR <b>JOE DIAS</b>	72250	TAG NO. <b>018</b>	INVOICE DATE <b>03/06/24</b>	INVOICE NO. <b>MBCS380881</b>	
ROBERT JOSEPH STARNINO 1 TUPPERWARE DR UNIT 238 NORTH SMITHFIELD, RI 02896 nazarian182@gmail.com		LABOR RATE	LICENSE NO.	MILEAGE <b>19,275</b>	COLOR <b>BLK/MACCHIA</b>	STOCK NO. <b>76838</b>	
		YEAR / MAKE / MODEL <b>23/MERCEDES-BENZ/C300W4/4DR SDN C300</b>			DELIVERY DATE <b>12/28/22</b>	DELIVERY MILES <b>16</b>	
		VEHICLE I.D. NO. <b>W 1 K A F 4 H B 7 P R 0 9 3 0 1 4</b>			SELLING DEALER NO. <b>130196</b>	PRODUCTION DATE	
RESIDENCE PHONE <b>401-749-8086</b>	BUSINESS PHONE <b>401-823-7780</b>	COMMENTS			R. O. DATE <b>03/05/24</b>	MILEAGE OUT <b>MO: 19275</b>	

JOB# 4 TOTALS-----  
 JOB# 5 CHARGES-----  
 JOB# 4 JOURNAL PREFIX MBCS JOB# 4 TOTAL 0.00

LABOR-----  
 J# 5+51MBZ INTERIOR TRIM TECH(S):73119 WARRANTY  
 CLIENT STATES THERE IS A RATTLE ON THE RIGHT SIDE OF THE VEHICLE WHILE LISTENING TO THE RADIO, PLEASE CHECK AND ADVISE  
 FOUND NOISE COMING FROM RR DOOR HANDLE TRIM, NEEDS TO BE REPLACED.  
 REMOVED RR DOOR PANEL, REMOVED DOOR HANDLE TRIM AND INSTALLED NEW, INSTALLED DOOR PANEL, TESTED RADIO AND NO NOISE AT THIS TIME.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	WARRANTY
	1	206-680-08-05	COVER TRIM		
				TOTAL - PARTS	0.00

JOB# 5 TOTALS-----  
 JOB# 5 JOURNAL PREFIX MBCS JOB# 5 TOTAL 0.00

ESTIMATE-----  
 CLIENT HEREBY ACKNOWLEDGES RECEIVING ORIGINAL ESTIMATE OF \$0.00 (+TAX)  
 APPROVED ADDITIONAL COST OF \$819.82 FOR TOTAL ESTIMATE OF \$819.82 (+TAX) ON 03/05/24 AT 03:01pm  
 BY ROBERT STARNINO COMMENTS  
 COMMENTS-----  
 NOHELI 3.4 WEB OBI 4017498086, LVM MISSED APPT, R/S IF NEEDED, NEED TIRE INFO ALSO

TOTALS-----

TOTAL LABOR....	100.00
TOTAL PARTS....	657.78
TOTAL SUBLET...	0.00
TOTAL G.O.G....	0.00
TOTAL MISC CHG.	0.00
TOTAL MISC DISC	0.00
TOTAL TAX.....	46.04
<b>TOTAL INVOICE \$</b>	<b>803.82</b>

**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.

CLIENT SIGNATURE



"BEST PLACE TO BUY TIRES"

HOME TIRE BRANDS TIRE REBATES CAREERS CONTACT US City, State or Zip

Go





SHOP TIRES

SHOP WHEELS

REQUEST APPOINTMENT

FIND A STORE

# CHECKOUT

ITEM	PRICE	QUANTITY	AMOUNT
 BRIDGESTONE DRIVE GUARD PLUS RUN FLAT FRONT SIZE: 225/45R18W	\$256.00	1	\$256.00
 BRIDGESTONE DRIVE GUARD PLUS RUN FLAT REAR SIZE: 245/40R18W	\$320.00	1	\$320.00
COMPUTERIZED WHEEL BALANCE & NEW RUBBER VALVE STEM OR TPMS SENSOR RECONDITIONING (FRONT)	\$30.45	1	\$30.45
COMPUTERIZED WHEEL BALANCE & NEW RUBBER VALVE STEM OR TPMS SENSOR RECONDITIONING (REAR)	\$30.45	1	\$30.45
PLEASE SELECT YOUR STATE TO PROCEED:			
<input type="text" value="RI"/>			
TIRE DISPOSAL	\$3.75	2	\$7.50
RHODE ISLAND SALES TAX			\$41.90
<b>TOTAL</b>			<b>\$686.30</b>

APR 03 2024



# YOUR ORDER

[Change](#)



**BRIDGESTONE TURANZAT005**

Size: 225/45R18



## TIRE COST

\$0.00

- 2 + Tires

\$277.99 ea.

## INSTALLATION FEES

\$44.04

[Show Pricing Details](#) ▾

## FREE SERVICES

- Tire Mounting FREE
- [Tire/Wheel Alignment Check](#) FREE
- [Lifetime Free Tire Rotation](#) FREE
- [Contact Free Experience](#) FREE

## ADDITIONAL SERVICES

N/A

None Added

TAX \$40.19

OUT THE DOOR PRICE \$640.21

APR 03 2024

# YOUR APPOINTMENT

[Change](#)

*Firestone*  
22 DOWLING VILLAGE BOULEVARD, NORTH  
SMITHFIELD, RI 02896-8267

Sat, March 23rd, 2024 at 8:00am













Frank J. Picozzi  
Mayor

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

March 13, 2024

Robert Starnino  
1 Tupperware Drive Unit 238  
North Smithfield, RI 02896

Dear Robert,

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);

- Police Report – A police report is required.
- Estimates – In addition to your paid invoice, Two estimates are required.

We have included copies of the instructions to submit a claim. Once the above information in received, your claim can be processed. If you have any questions, please call 738-2015.

  
Claims Administration