



Victoria F. Sheehan
Commissioner

NOV 01 '16 PM 07:00:02
THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



29
Cass
William Cass, P.E.
Assistant Commissioner

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Bureau of Finance & Contracts
October 26, 2016

REQUESTED ACTION

- 1.) In accordance with Governor and Council approval of July 19, 1995, Item #171, the Department of Transportation, Bureau of Finance and Contracts, reports all paid Small Claims in the previous first quarter of FY 2017 totaling \$1,019.99 for individual amounts less than \$600.00 submitted under the provisions of RSA 228:29.
- 2.) The Department further requests approval of Governor and Council to pay small claims for the next Fiscal Year quarter, October 1, 2016 through December 31, 2016. 100% Highway Funds.

Funding is available as follows:	<u>Appropriation FY 2017</u>	<u>Paid to date</u>	<u>Balance Remaining</u>
04-96-96-960215-3001			
Division of Finance			
068-500563 Remuneration	\$5,000.00	\$1,019.99	\$3,980.01

EXPLANATION

RSA 228:29, authorizes the Commissioner to use funds accruing to the Department of Transportation for the payment of small claims occasioned by accidents due to the activities of the Department of Transportation. Any person claiming damage due to the activities of the Department of Transportation may seek payment of the small claim if the amount is less than \$600.00. If, upon investigation, the small claim is valid, the Commissioner shall submit the recommendation for payment to the Governor and Council for approval.

To improve efficiency in processing these small claims, and to be more responsive to those claimants awaiting payment for a small claim, the Department of Transportation initiated a blanket approval process at the beginning of Fiscal Year 1996. The revised process was approved by Governor and Council on July 19, 1995 as Item #171. The process requires the Department of Transportation to seek approval from the Governor and Council prior to each Fiscal Year quarter and submit the claims paid in the previous quarter.

A review of claims approved for payment during the first quarter of Fiscal Year 2017, to date, indicates that two (2) claims were paid.

Claimant: Cyndie Gerlach

Amount: \$500.00

Ms. Gerlach's vehicle was damaged on NH Route 10 in West Lebanon on September 09, 2015 when she encountered the freshly painted yellow centerline road paint. The Department's pavement marking crew was painting NH Route 10 on the day in question and according to the Pavement Marking Sign Placement Sheet, did not properly place warning signs of the painting operation on NH Route 10 as this particular portion receives traffic from several streets which feed into it. The absence of any signs providing notice of the painting operation constituted an insufficiency.

Claimant: Lise F. Roy

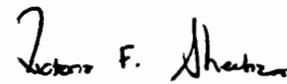
Amount: \$519.99

Ms. Roy's vehicle was damaged on Waukewan Road in New Hampton, New Hampshire on July 27, 2016 when she drove over a large stone damaging the exhaust system and the body of her vehicle. The Department did have a crew performing ditching maintenance operations on the date in question and did have flaggers on each end of the work zone as well as a road grader, an articulated loader and one or more dump trucks and several employees on site. During ditching operations, it is possible for stones to roll into the open lane of traffic as the grader and loader move material on the road surface and excess material is loaded onto trucks for removal.

A summary of the action taken on all claims for Fiscal Year 2017 is on file at the Department of Transportation.

Your approval of this resolution is respectfully requested.

Sincerely,



Victoria F. Sheehan
Commissioner