

16 sam



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Bureau of Finance & Contracts
August 14, 2020

REQUESTED ACTIONS

- 1.) In accordance with Governor and Council approval of November 22, 2017, Item #25, the Department of Transportation, Bureau of Finance and Contracts, reports all paid Small Claims in Fiscal Year 2020 totaling \$17,360.74 for individual amounts less than \$2,000.00 submitted under the provisions of RSA 228:29.
- 2.) The Department requests approval of Governor and Council to **retroactively** pay small claims for the next fiscal year, July 1, 2020 through June 30, 2021. 100% Highway Funds.

Funding is available as follows:	<u>FY 2021</u>
04-96-96-960215-3001	
Division of Finance	
068-500563 Remuneration	\$30,000.00

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 \$2,000.00 for FY 2020. If, upon investigation, the small claim is valid, the Commissioner shall submit the recommendation for payment to the Governor and Council for approval.

A review of claims approved for payment during Fiscal Year 2020 indicates that twenty-three (23) claims were paid. No claims have been paid for Fiscal Year 2021.

Claimant: Shane Schmidt Amount: \$1,586.44

Mr. Schmidt's vehicle was damaged while traveling on I-93 exit 9 ramp in Manchester on May 15, 2019. The Bureau of Traffic was painting the yellow line of the ramp and the claimant's vehicle sustained damage to the left side of the vehicle as a result of the painting operation.

Claimant: Town of Tuftonboro Amount: \$1,499.00

The Town of Tuftonboro's fence along NH Route 109/Nineteen Mile Bay was damaged during the 2018 winter season. The damage was caused by snow rolling down the back of the snowbank as drifts were being pushed back during winter maintenance activities. The Town of Tuftonboro had contacted the District within 60 days of incident, however it took some time for the Town to provide the appropriate paperwork.

Claimant: Paula Gnibus Amount: \$1,020.64

Ms. Gnibus' vehicle was damaged while traveling on NH Route 31 in Wilton on July 29th. DOT personnel were clearing trees and brush on NH Route 31 and the claimant's vehicle sustained damage as a result of the Highway Patrol Section tree cutting operations.

Claimant: Gary Aubin Amount: \$887.05

Mr. Aubin's vehicle was damaged while traveling on NH Route 101 in Dublin on July 31st. The claimant's vehicle sustained damage due to a pothole. The claim was approved based on a reversal of denial made by the N.H. Transportation Appeal Board.

Claimant: Myles Bratter Amount: \$235.00

Mr. Bratter's vehicle was damaged while traveling on the Spaulding Turnpike just south of Exit 9 in Dover on August 16th. The claimant's vehicle sustained damage to the driver's side rear window, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Kenneth Rogala Amount: \$400.00

Mr. Rogala's vehicle was damaged while traveling on the I-95 Turnpike just north of the NH state liquor store on July 11th. The claimant's vehicle sustained damage to the passenger side front door, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: William Cleveland Amount: \$808.31

Mr. Cleveland's vehicle was damaged while traveling on NH Route 126 in Strafford on June 27th. The Bureau of Traffic was painting the yellow centerlines. The claimant's vehicle sustained damage to the left side of the vehicle as a result of a washout along NH Route 126.

Claimant: Ralph Young Amount: \$400.00

Mr. Young's vehicle was damaged while traveling on US 4 in Grafton on July 22nd. The Bureau of Traffic was painting the yellow centerlines. The claimant's vehicle sustained damage to the left side of the vehicle as a result of a washout along US 4.

Claimant: David Cunningham Amount: \$243.00

Mr. Cunningham's vehicle was damaged while traveling north on the Spaulding Turnpike just south of the Rochester Toll Plaza on June 17th. The claimant's vehicle sustained damage to the passenger side front window, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Raymond Duhamel Amount: \$100.00

Mr. Duhamel's vehicle was damaged while traveling on NH Route 101A in Milford on August 13th. The claimant's vehicle sustained damage to the plastic cowling below the front bumper, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Brenda Boyle Amount: \$1,850.59

Ms. Boyle's vehicle was damaged while leaving her driveway on NH Route 125 on August 26th. The Bureau of Traffic was painting the yellow centerlines. The claimant's vehicle sustained damage to the left side of the vehicle as a result of the painting operation.

Claimant: Heidi Marquis Amount: \$288.00

Ms. Marquis' vehicle was damaged while traveling on Route 26 in Colebrook on July 30th. The claimant's vehicle sustained damage to the passenger side tires due to a broken delineator.

Claimant: Gina Cresta Amount: \$150.00

Ms. Cresta's vehicle was damaged while traveling on Route 3 in Lincoln on December 28th. The claimant's vehicle sustained damage due to a pothole. The claim was approved based on a reversal of denial made by the N.H. Transportation Appeal Board.

Claimant: Brooks Place Amount: \$990.35

Mr. Place's vehicle was damaged while traveling on NH Route 132 in Peterborough on October 31st. The claimant's vehicle sustained damage to the bumper, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Jeremy Spaulding

Amount: \$219.08

Mr. Spaulding's vehicle was damaged while parked at a NHDOT District 5 facility on September 27th. The claimant's vehicle sustained damage to the driver's side rear window, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Scott Young

Amount: \$250.00

Mr. Young's vehicle was damaged while traveling on NH Route 114 in Weare on September 11th. The claimant's vehicle sustained damage to the windshield, while the NH DOT was hauling gravel, causing loose gravel to inadvertently fall out of the truck.

Claimant: Keith Austin

Amount: \$884.42

Mr. Austin's vehicle was damaged while traveling on the Spaulding Turnpike in the area of exit 9 in Dover on August 16th. The claimant's vehicle sustained damage to the driver's side rear door, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Richard Smith

Amount: \$1,693.28

Mr. Smith's vehicle was damaged while parked at the large pull off on NH Route 123 in Peterborough on September 18th. The claimant's vehicle sustained damage to the driver's side door and mirror, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Charlene Wallace

Amount: \$590.43

Ms. Wallace's vehicle was damaged while traveling on US Route 202 in Henniker on August 14th. The claimant's vehicle sustained damage to the windshield, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Robert Boynton

Amount: \$300.00

Mr. Boynton's vehicle was damaged while traveling on NH Route 123 in Sharon on September 18th. The claimant's vehicle sustained damage to the windshield, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Kenneth Dussault

Amount: \$669.22

Mr. Dussault's vehicle was damaged while traveling on the F.E. Everett Turnpike at exit 11 in Merrimack on September 4th. The claimant's vehicle sustained damage to the passenger side front corner panel, while the Department was involved in mowing operations, causing a rock to inadvertently get kicked out from the mower.

Claimant: Alison Mrohs

Amount: \$862.20

Ms. Mrohs' vehicle was damaged while traveling on NH Route 114 in Henniker on October 24th. The claimant's vehicle sustained damage to the bumper cover, caused by a pitchfork that inadvertently fell out of the vehicle while the Department was patrolling the roads.

Claimant: Kevin Paradis

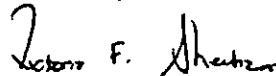
Amount: \$1,433.73

Mr. Paradis' vehicle was damaged while traveling southbound on I-93 in Derry on February 13th. The claimant's vehicle sustained damage to both front and rear driver's side tires, while the Department was performing winter maintenance, a plow blade had come off a State of NH plow truck.

A summary of the action taken on all claims for Fiscal Year 2020 is on file at the Department of Transportation.

It is respectfully requested that this item be accepted.

Sincerely,



Victoria F. Sheehan
Commissioner