

November 12, 2020

The City Council
Niagara Falls, New York

RE: Request for approval to settle and pay a property damage subrogation claim of New York Central Mutual, as subrogee of its insureds, Ida & Anthony Marcolini, but not including the insureds' deductible.

Date of Occurrence: February 4, 2020.
Date Claim Filed: March 9, 2020.
Date Action Commenced: Not Applicable. Being resolved prior to litigation.
Location: Home at 2024 LaSalle Avenue, owned by the Marcolinis.
Nature of Claim: Property damage to home during tree removal by Forestry.
City Driver: N/A.
Status of Action: This matter has been investigated but not yet been placed in suit. At this juncture, Corporation Counsel determined that a reasonable settlement could be reached that will avoid litigation costs and protect the City from legal action.
Recommendation/Reason: Best interest of City.
Amount to be Paid: \$1,321.00
Make Check Payable to: New York Central Mutual Insurance Company.
Conditions: Fully executed General Release to City must be received and approved by Corporation Counsel.

It is the recommendation of this Department that the above settlement be paid under the terms set forth above. Will the Council so approve?

Respectfully submitted,

CHRISTOPHER M. MAZUR
Corporation Counsel

Kennedy ____ Spanbauer ____ Tompkins ____ Touma ____ Voccio ____