

July 15, 2021

The City Council
Niagara Falls, New York

RE: Request for approval to settle and pay a property damage claim of KELLY M. WHITEHORNE

Date of Occurrence: October 5, 2020
Date Claim Filed: October 9, 2020
Date Action Commenced: Not Applicable. Being resolved prior to litigation.
Location: 1049/1050 101st Street, Niagara Falls, NY 14304
Nature of Claim: Property damage to parked 2004 Buick Regal VIN No. 2G4WB52KX41313465 which was struck by City of Niagara Falls Forestry Equipment #625, City Vehicle Plate No. AB4432
City Driver: David Robertson
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: \$2,177.69
Check Writing Details: Make payable to KELLY M. WHITEHORNE
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 ____ Soda ____ Spanbauer ____ Voccio ____ Tompkins ____