

TOWN OF NORTH SMITHFIELD
EXECUTIVE ORDER 05-01
POLICY OF THE TOWN ADMINISTRATOR
RELATING TO CLAIMS FOR SNOW DAMAGED MAILBOXES

This policy is designed to address claims of town residents for damage to mailboxes in the town alleged to have resulted from snow plowing by the town. This policy does not relate to the plowing activities of any other private or public plowing service, nor does it relate to any property other than mailboxes (including its post). While such claims would otherwise require the establishment of negligence by the claimant on the part of the town, this policy is designed to provide an efficient and inexpensive procedure to best serve town residents, while at the same time avoiding unreasonable expense to the town.

This policy may be revoked at any time without notice by order of the administrator. In addition, this policy shall not be construed as an admission of liability to any extent for any such damage, either generally or in any specific case.

1. Claims for damaged mailboxes shall be in writing and directed to the head of the Department of Public Works for verification of the extent and the nature of the damage to property in the town. The claims shall identify the name of the claimant, the address and location of the alleged damage, and the nature and amount of the damage claimed, and the alleged date of damage.
2. Upon verification, the DPW department head or his designee shall have the option, in his discretion, to offer the town residents either (a) having the DPW repair or replace the mailbox (and the post, if damaged) with a standard box (and/or post) provided by the town, or (b) the town resident receiving a check for up to \$30.00.
3. Claims in excess of \$30.00 in which the resident offers in writing proof of negligence on the part of the town shall be directed to the Town Administrator to determine the nature and validity of the claimed negligence and whether the claims should be addressed beyond the above policy. The administrator may deny the claim and offer the remedies above, or may submit such claims to the Town Council for its review.

Date: March, 2005

TOWN OF NORTH SMITHFIELD
CLAIMS FORM FOR SNOW DAMAGED MAILBOXES

This form must be completed by a town resident making a claim for a mailbox alleged to have been damaged by town plowing operations. A copy of Executive Order 05-01 dated 3-8-05 should be provided to the resident for the purpose of explanation of the town policy.

Name of resident

Occupancy address

(H) _____ (W) _____
Telephone numbers

Date of alleged damage

Specify the property damaged, the location of the property damaged, the nature of the damage, and the alleged cause of the damage:

Acceptance and release:

I agree to the (check one) _____ Repair Remedy or to the _____ Monetary Remedy (_____ specify amount) offered and provided by the town, and accordingly release the Town of North Smithfield and its agents, officials and servants from any further liability for the alleged damage and incident both at law and in equity.

Name of resident

Date