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August 2, 2016

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: C.I. File No. 1068-2016-1136  
Communication from: **STUDENT TRANSPORTATION OF AMERICA,**  
by its representative  
Courtney Bounassi  
3349 Highway 138 Building A, Suite C  
Wall, NJ 07719

Dear Council Members:

Student Transportation of America alleges that on March 31, 2016 they sustained damages when a City tree fell onto their school bus at North 9<sup>th</sup> Street and West Hadley Street. Claimed damages total \$16,190.36.

Forestry Section records indicate that on March 16, 2016 they responded to a request to remove a tree which had fallen on a school bus at 2821 North 9<sup>th</sup> Street. Upon arrival, their crew found that a 22-inch diameter Linden street tree had broken from the base of the trunk. The tree fell into the street and landed on the bus. The tree was alive and had signs of basal decay and root rot which were not visible from the outside.



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Forestry notes that on March 16, 2016 the City experienced windy conditions, with a peak wind speed of 56 miles per hour. They responded to numerous requests regarding broken branches and downed trees. Forestry reviewed their records for the last 6 years at this location and found no other complaints or requests for service. The trees in this area are on a regular pruning schedule and were last pruned in March 2012.

There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

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Assistant City Attorney

PAF/cdr

Enclosure

c: Randy Krouse (Forestry)

1068-2016-1136/230835