

February 28, 2003

Grant F. Langley  
City Attorney  
200 East Wells Street  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
2003 MAR 18 AM 10:09  
RONALD D. LEONHARDT  
CITY CLERK

RE: C.I. File No. 03-S-58

Dear Mr. Langley,

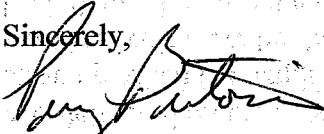
I am appealing your decision to deny my claim of \$2,036.64 relating to the damage sustained to my property on September 29, 2002.

I believe the city is liable because they are responsible for the work performed on our city streets. Everyday there is a Time Warner Cable, city or SBC Ameritec truck at the end of our dead end street working on something. As a matter of fact, the morning after the incident, when the city was trying to fix the problem with the sewer, they arrived in the morning to find yards of dirt that was delivered on the street at the end of the dead end. The superintendent in charge of the sewer clean up asked the neighbors if they had the dirt delivered. No one did. It was who ever was working back there by the sewer that had it delivered. We were never told who was working back there. It was not a resident of the neighborhood but one of the many trucks and people who are back there all the time. He then ordered them to clear the dirt so that they could get their equipment back there to run the snake through.

My position is that it was one of these workers that left the manhole cover off while performing their duties and not the vandals you suggested. There are no kids in the neighborhood big enough or strong enough to lift that manhole cover off, even with the proper tool. It is for this reason I feel the city is liable. We also were told that the workers who replaced the concrete on our block, who just completed the job less than two weeks prior to this incident, were supposed to snake the line to make sure there was no blockage. This was not done.

So regardless of which work team is negligent I feel it is the cities responsibility to know who is working with their property and also to assure that the work being done does not affect the residents of the neighborhood.

Sincerely,



Perry J. Bertoni

1738 W. Mallory Ave  
Milwaukee, WI 53221

414-281-1655

CITY OF MILWAUKEE  
RECEIVED  
09 MAR 19 PM 2:54  
OFFICE OF  
CITY ATTORNEY

Perry J. Bertoni  
1738 W. Mallory Ave.  
Milwaukee, WI 53221  
414-281-1655

CITY OF MILWAUKEE

January 21, 2003 03 JAN 27 AM 10:08

RONALD D. LEONHARDT  
CITY CLERK

City Clerk  
Att: Claims  
200 E. Wells St., Room 205  
Milwaukee, WI 53202-3567

Dear Claims Office:

I am submitting a claim for the back up of raw sewage at my residence on September 29, 2002. On that day I had approximately 3 inches of raw sewage backed up in my basement, (see photos). As you can see many items were damaged. We recently remodeled the first floor and many valuables were still in storage in the basement. We lost books, clothes, and kitchen items. In addition to the losses, we incurred expenses and repairs, repair to our dryer, cleaning and painting the floor, and the purchase of bleach and a sump pump. See itemized list.

The day of the incident I spoke to a number of workers on the scene who stated probable causes, none of which were my doing. Several parts of our street were recently re-paved and completed just prior to this incident. I was told that at the end of construction, the company was to "snake" the sewer lines to clean out any left over debris. Since the street job was completed just 2 weeks prior to this incident the city workers who responded to this incident believed the street repair company or crew may have washed extra concrete during clean up into the sewer and/or the cause was from debris found in an open manhole at the end of our street. Either way I believe the city is responsible for the crews that repair the city streets and leave manhole covers off and unattended! We are just lucky that none of the neighborhood kids fell into the sewer. That would have been a more serious loss and claim.

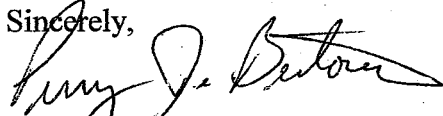
My itemized list of losses, clean up, and painting expenses;

<b>CLOTHES</b>	<b>\$ 300.00</b>
<b>BOOKS</b>	<b>\$ 100.00</b>
<b>SUMP PUMP</b>	<b>\$ 75.25</b>
<b>DRYER REPAIR</b>	<b>\$ 91.39</b>
<b>CLEAN UP</b>	<b>\$ 750.00</b>
<b>PAINT FLOOR</b>	<b><u>\$1250.00</u></b>
<b>TOTAL</b>	<b>\$2566.64</b>

I believe this is a fair, accurate, and modest claim for the amount of work, hardship and inconvenience my family and I incurred.

Thank you for your attention in this matter.

Sincerely,

  
Perry J. Bertoni

CITY OF MILWAUKEE  
RECEIVED  
03 JAN 27 PM 3:21  
OFFICE OF  
CITY ATTORNEY

*Paint floor*  
 CITY OF MILWAUKEE  
 03 JAN 27 AM 10:08  
 RONALD D. LEONHARDT  
 CITY CLERK

**Brandt Painting**  
 6063 Churchwood Circle  
 Greendale, WI 53129  
 (414)-421-6335

**PROPOSAL**

PROPOSAL NO.	411903
SHEET NO.	1 of 1
DATE	1-19-03

PROPOSAL SUBMITTED TO:

WORK TO BE PERFORMED AT:

NAME	PERRY	ADDRESS	
ADDRESS	1738 MALLORY	CITY, STATE	
CITY, STATE	MILW. WI.	DATE OF PLANS	
PHONE NO.		ARCHITECT	

We hereby propose to furnish the materials and perform the labor necessary for the completion of  
**BASEMENT FLOOR - APPROX 1,000<sup>sq</sup> FT PREP, by**  
**SCRAPING, SANDING + WASHING**  
**PAINT, USING OIL BASED FLOOR ENAMEL**

LABOR - 600.00  
 MATERIAL - 150.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

Dollars (\$ 750.00 )

with payments to be as follows

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted Bob Brandt

Per PERRY

Note - This proposal may be withdrawn by us if not accepted within \_\_\_\_\_ days.

**ACCEPTANCE OF PROPOSAL**

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

SIGNATURE [Signature]  
 SIGNATURE \_\_\_\_\_  
 DATE \_\_\_\_\_

Paint floor

# Treider Industries Inc.

Insured/Bonded

P.O. Box 07325  
Milwaukee, WI 53207  
Phone: (414) 482-9566  
Fax (414) 482-9567



"Securing a brighter future"

## CONTRACT Proposal

Read reverse  
for undersigned  
lien rights.

Customer Name Perry Bertoni  
Address 1738 W. Malloy  
Milwaukee WI  
Phone Number 414-281-1655

Date 1-19-03

### DESCRIPTION

- Surface clean all floor surfaces to be painted
- Apply 2 Coats of Polyurethane Floor Enamel
- Seal cracks in floor with floor grade caulk
- Floor to be painted in 2 Phases to allow for moving of equipment

Price (including material) \$ 850.00

If more durable water based epoxy is used, a more thorough floor cleaning will be required and material costs will be higher bringing job cost to \$ 1250.00

Questions? Call Mike 414-651-5068

Owner to be responsible for all items in advance and replacement

- Contractor agrees to the following:
- 1) Supply waiver of lien upon payment in full.
  - 2) Clean up all roof related debris at job completion.
  - 3) Complete work in a timely and professional manner.
  - 4) Customer agrees to pay 10% of contract amount if customer voids contract.

\* Balance due upon completion.

Deposit Required \_\_\_\_\_

Balance Due \_\_\_\_\_

Perry Bertoni  
Customer Signature

Bernard Treider, President

Floor  
cleaning

- Carpet/Rugs
- Carpet/Fabric Protection
- Carpet Maintenance Programs
- Disaster Restoration
- Emergency Services
- Fire/Water/Smoke Cleanup
- House-wide Cleaning
- Smoke/Malodor Control
- Pet Odor Removal
- Wood Floors
- Walls
- Vandalism Clean-Up
- Soil Proofing
- Upholstered Furniture

**Scott's** MULTIPLE CLEANING & RESTORATION, INC.  
 Scott E. Crosby 762-8611  
 Owner

10911 W. Church St. • Franklin, WI 53132 • Fax: (414) 762-2335  
 —SERVING SOUTHEASTERN WISCONSIN—

3 MEN = 8 HRS EACH  
 24  
 30  
 4 720.00

00'00L #

Sump pump

Use Your  1%  
**BIG CARD REBATE**

**MENARDS®**

Oak Creek Store  
 6800 South 27TH St.  
 Oak Creek, WI 53154  
 (414) 761-3840



Sale Transaction

1-1/4" X 24' DRAINAG	
6893842	4.27
.3 HP SUB SUMP PUMP	
6913201	66.99
TOTAL	71.26
TAX AT 5.6%	3.99
TOTAL SALE	75.25
VISA 7282	75.25
012923 EXP: 09/04	

GUEST COPY

The Cardholder acknowledges receipt of goods/services in the total amount shown hereon and agrees to pay the card issuer according to its current terms.

THIS IS YOUR CREDIT CARD SALES SLIP  
 PLEASE RETAIN FOR YOUR RECORDS.

MENARDS LOW PRICE GUARANTEE  
 We Guarantee our low prices  
 or we'll beat it by 11%

IT HAS BEEN A PLEASURE SERVING YOU!!  
 YOUR CASHIER, JOE

1764 06 3929 09/29/02 05:36PM 3032



