

City Clerk  
Attn: Claims  
200 E. Wells St. Room 205  
Milwaukee, WI 53202

RECEIVED

JUL 11 2013

OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE  
2013 JUL 11 AM 11:26  
CITY CLERK'S OFFICE

To the Office of the City Clerk:

We are seeking relief for the costs incurred during the reconnection of a sewer lateral.

The site of the occurrence:  
326-328 West Mineral Street  
Milwaukee, WI 53204

The address of our residence: (this is also our contact address)  
2868 South Delaware Avenue  
Milwaukee, WI 53207

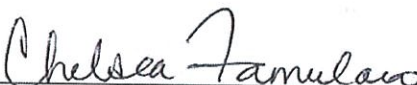
Our other contact information:  
Brandon Famularo  
414-807-4188  
[bjfamularo@gmail.com](mailto:bjfamularo@gmail.com)

Chelsea Famularo  
[clfamularo@gmail.com](mailto:clfamularo@gmail.com)

The dollar amount of the relief sought:  
\$12,073.00

Thank you for your consideration,

  
Brandon Famularo

  
Chelsea Famularo

CC:

Alderman Jose G. Perez  
12<sup>th</sup> District Alderman  
City Hall  
200 E. Wells St. Room 205  
Milwaukee, WI 53202

Alderman Tony Zielinski  
14<sup>th</sup> District Alderman  
City Hall  
200 E. Wells St. Room 205  
Milwaukee, WI 53202

RECEIVED

JUL 11 2013

### Description of the Incident

On or about 3/15/2013 we discovered that we had what we believed to be a broken sewer lateral at a rental property we own at 326-328 W. Mineral Street. OFFICE OF CITY ATTORNEY

On or about 3/25/2013 our contractor (Badger Underground, LLC.) began excavation work.

On or about 3/27-3/28/2013 our contractor discovered a large sink hole and that the sewer lateral appeared to be fine. It actually appeared to have never been "cut in" to the sewer main. At this point, our contractor contacted City of Milwaukee-Sewers to inform them of what he found. Our contractor then called me to inform me of what they had found. This resulted in an extended timeline on the project as well as an increased cost for additional back-fill, labor, and coring.

On or about 4/4/2013 our contractor completed the job.

On 4/15/2013 I began contacting City of Milwaukee-Sewers in search of re-imbursement. I was given information about the job as well as other contacts to try at City of Milwaukee-Sewers for further information. I was told that a sewer investigator was being sent out to televise the sewer. I requested that I be contacted to meet the investigator on-site, and was told that they would call when they were heading over. I was never contacted, and I still have not seen the results of the sewer televising. After several weeks of phone calls and one attempt at an email that was never responded to, I was finally told that City of Milwaukee-Sewers couldn't do anything to help me. I was informed that we had to go through the City Attorney's Office. I was told that they (Sewers) would have someone send us the information we needed to file our claim. After several more weeks we had not received anything, so I called City of Milwaukee-Sewers to follow up and was told "we don't do that".

While I understand this is our responsibility, I would have expected the first person I spoke with to have told me this when I explained that I was calling for re-imbursement. Instead, I feel that we lost several weeks or more of precious time in our already busy schedules to prepare our claim.

In an effort to gather information and documentation, phone calls and emails were made to several divisions of Public Works on 6/11-6/13/2013. Many, but not all, of the people contacted were very helpful in trying to track down the "cut slip" that we were searching for.

On 6/13/2013 I was contacted and told that they had "lost the cut slip." I was then given the number for someone else that I could contact to obtain copies of whatever information was still available. I picked the information up that afternoon. Some of the information I was given appeared to be incomplete. Some of the information appeared to be inaccurate. In spite of that I took the information so that we had at least some documentation.

It is our belief that the lateral was never cut-in to the main when the street was re-laid. It was expressed to me that it was highly unlikely that the sewer lateral had not been connected to the main for 17 years (the sewer main had been replaced in 1996); we feel that this is entirely possible. When we purchased the property in October of 2011 it was vacant. Since then we have had the lateral snaked three times due to sewer back-ups. According to several neighbors, the property had been vacant for several years prior to our purchasing, and only had one occupant several years prior to that. It is our belief that someone from City of Milwaukee-Sewers gave our contractor permission to cut a new hole into the main. It is our understanding that the missing "cut slip" is proof of said permission. Several City of Milwaukee employees acknowledged the existence of a "cut slip" to go along with the plumbing permit for the job.



Brandon Famularo



Chelsea Famularo

**Attached you will find copies of the following:**

Timeline of events and phone conversations with City of Milwaukee employees.

An itemized statement of charges

Copies of all sewer cleaning bills

Copy of the invoice for the reconnection of the lateral

Copies of the sewer map, which does not appear to show any lateral connection for our property.

Documentation that was picked up when we were told about the lost "cut slip."

The following is a description of what transpired regarding our sewer lateral at 326-328 W. Mineral Street from December 9, 2011 – June 13, 2013

December 9, 2011	<p>ABC Sewer &amp; Drain Cleaning snaked my sewer lateral. Had some difficulty, assumed it was build-up; tampons etc.</p> <p><b>Invoice 177099 - \$96</b></p>
January 7, 2013	<p>ABC Sewer &amp; Drain Cleaning snaked my sewer lateral. It took some work, but they were able to get it draining instead of slowly backing up. They were on site for approximately 2 hours at that time.</p> <p><b>Invoice 187965 - \$99</b></p>
March 13, 2013	<p>ABC Sewer &amp; Drain Cleaning attempted to snake my sewer lateral. They were unable to get the line clear, and the technician got his snake stuck twice.</p> <p><b><i>I was not charged for this service call.</i></b></p>
March 15, 2013	<p>ABC Sewer &amp; Drain Cleaning returned. They tried again to snake the line, and again the technician got his snake stuck. He then ran his camera through the sewer lateral. Due to the fact that they were unable to get the line clear, there was still water in the pipe. Therefore, we could not see anything; we were only able to figure out where the pipe was "broken". We assumed that the pipe was in fact "broken" where the camera stopped. <b>The technician marked the location and depth of the pipe on the surface of the street.</b></p> <p><b>Invoice 189905 - \$229</b></p> <p><b>I immediately contacted several plumbers, and I chose Badger Underground as my contractor. After the excavation work was complete, Badger Underground found a sinkhole, and that my sewer lateral was not broken, but it was actually never connected to the sewer main. Badger Underground contacted Milwaukee Water Works, who then sent representatives out two consecutive days. The first was a Sewer Investigator who confirmed that it appeared from outside that the hole was never cut into the sewer main, and said they would send a Sewer Examiner out the following day to televise and check from the inside of the pipe. (I believe this was around March 27-28th, 2013.) Jeff Proell from Badger Underground can be reached at 414-333-5444, and will attest to this information.</b></p>
April 5, 2013	<p>Badger Underground finished the sewer reconnection and all other backfill and road paving necessary, and the job was complete.</p> <p><b>Job NO. 13/50 - \$11,649</b> The total cost of the above mentioned work is <b>\$11,977.</b></p>
April 15, 2013 2:30pm	<ul style="list-style-type: none"> <li>• Spoke to Nancy 414-286-2013.</li> <li>• She spoke to her supervisor and called me back.</li> <li>• Stated that Badger Underground had dug their trench in the wrong place.</li> <li>• Said the sewer map shows a connection.</li> <li>• Said the sewer was laid in 1996 and there was no way it had gone for this long without being connected.</li> <li>• Said it must've been broken recently or by the contractor when they dug the trench.</li> <li>• Said that I needed to talk to Jason Sanders.</li> </ul>

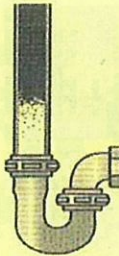
May 7, 2013	<ul style="list-style-type: none"> <li>• Final call to Salvador, stated that he would have Nancy send me a form to file a claim with the City Attorney.</li> </ul>
May 29, 2013	<ul style="list-style-type: none"> <li>• Called Nancy to follow up because I hadn't yet received a form, she said "we don't do that."</li> <li>• She gave me the information for the city attorney: City Attorney's Office 414-286-2221 City Hall, Room 205</li> </ul>
June 11, 2013	<ul style="list-style-type: none"> <li>• Called Kevin Kautza</li> <li>• He remembered the job, said his department generally doesn't retain a copy of the cut slip, said the cut slip generally goes to Sewers.</li> <li>• He recommended that I call the general permit number: 414-286-8208</li> <li>• He also recommended the info center number to request a sewer map</li> </ul>
June 11, 2013	<ul style="list-style-type: none"> <li>• Called info center to request sewer map, and was transferred to Ross in Sewers.</li> <li>• Ross immediately emailed me a sewer map.</li> </ul>
June 11, 2013	<ul style="list-style-type: none"> <li>• Called general permit number and spoke to Rachel with the Tech Team.</li> <li>• She said the permit was still fairly new, and they didn't have it filed yet. She didn't know how long before they would have it, especially since our contractor didn't use e-permits.</li> <li>• She recommended the general plumbing phone number: 414-286-3361</li> </ul>
June 11, 2013	<ul style="list-style-type: none"> <li>• Called general plumbing and spoke with Collette.</li> <li>• <b>She pulled the file and read some of the notes out loud: "40ft. PVC, home to street, cut slip provided, copy made".</b></li> <li>• She recommended I contact Pat at Sewers: 414-286-2480</li> </ul>
June 11, 2013	<ul style="list-style-type: none"> <li>• Called Pat at Sewers, he was not in, I spoke with Makisha Williams. She stated that Pat would not be the right contact.</li> <li>• She said she would check into it and if I did not hear from her today, to call her back tomorrow</li> </ul>
June 12, 2013	<ul style="list-style-type: none"> <li>• <b>Called Ross at Sewers, to confirm my understanding of the sewer map he provided. He agreed that there did not appear to be a lateral for our property.</b></li> </ul>
June 12, 2013	<ul style="list-style-type: none"> <li>• Called Makisha to follow up, she stated she would have Hal Jenkins get in touch with me today or tomorrow.</li> </ul>
June 13, 2013	<ul style="list-style-type: none"> <li>• <b>Received a call from Hal Jenkins, he stated that he did not have a cut slip, but he did have a connection check sheet.</b></li> <li>• <b>I asked where I could get a copy of the cut slip, he informed me that they lost it</b></li> <li>• He told me I could contact Nancy at Sewers to get a copy of the connection sheet and any other paperwork that was available</li> </ul>

## ITEMIZED LIST of CHARGES

Date	Invoice #	Vendor	Amount
12/9/2011	177099	ABC Sewer & Drain Cleaning	\$96
1/7/2013	187965	ABC Sewer & Drain Cleaning	\$99
3/15/2013	189905	ABC Sewer & Drain Cleaning	\$229
4/5/2013	13/50	Badger Underground, LLC	\$11,649
<b>Total of damages sought</b>			<b>\$12,073</b>

INVOICE  
*anytime day or night*

177099



PO BOX 07461  
Milwaukee WI 53207

**ABC SEWER & DRAIN CLEANING 414-744-6060**

TO:

Brandon famularo

2868 S Delaware

53207

Date: 12/09/11

This bill rendered only as  
an accommodation

TERMS ARE NET CASH AND  
PAYABLE ON PRESENTATION  
YOUR ORDER No.

For Labor and Services Furnished on

326 W. Mineral

- snake open main line  
through c/o in stack.  
Clog underneath floor  
(tampans, build-up)

I understand that ABC Sewer & Drain Cleaning is not responsible for any damage  
done by conventional repair efforts to plumbing fixtures or piping that is aged or deteriorated.

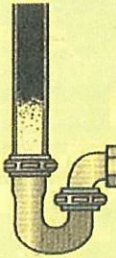
\$96<sup>00</sup>



INVOICE

187965

*anytime day or night*



PO BOX 07461  
Milwaukee WI 53207

**ABC SEWER & DRAIN CLEANING 414-744-6060**

TO: *RJH properties*

This bill rendered only as  
an accommodation

Date: *1-7-13*

TERMS ARE NET CASH AND  
PAYABLE ON PRESENTATION  
YOUR ORDER No.

For Labor and Services Furnished on

*326 W Mineral  
open sewer through stack*

I understand that ABC Sewer & Drain Cleaning is not responsible for any damage  
done by conventional repair efforts to plumbing fixtures or piping that is aged or deteriorated.

*\$99.00*

**THIS BILL WAS SENT TO MY  
EMPLOYER BY MISTAKE.**


**ATTACHED IS A COPY OF MY  
CHECK TO SHOW THAT I PAID  
THIS INVOICE. CHECK #2081**



## Check Images

Account: Advantage Checking \*\*\*8612 | Check Number: 2081 | Date Posted: 1/24/2013 |  
Amount: \$99.00

Zoom In Zoom Out Print

<b>BRANDON J FAMULARO</b> 2858 S DELAWARE AVE MILWAUKEE, WI 53207-2560		2081 1/21/2013 DATE
Pay to the Order of <u>ABC SERVICE + DESIGN CONSULTING</u> \$ <u>99.00</u>		
<u>NEWCASTLE NEWZE + NO/1000</u>		
 <b>Associated Bank</b>		
For <u>MILWAUKEE</u> # <u>197965</u>		
[Redacted] 2081		

The above information is for your information only and does not constitute an offer or recommendation. Please consult your broker or financial advisor for more information. This is not a solicitation to sell or buy any security. It is only for informational purposes.

FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

10916500224012300  
E 6018 10 305 PKT  
1076551359

ENDORSE HERE

PAY TO THE ORDER OF  
US BANK MILWAUKEE, WI  
FOR DEPOSIT ONLY  
ABC SERVICE + DESIGN CONSULTING, INC.  
121655009

INVOICE

189905

*anytime day or night*



PO BOX 07461

Milwaukee WI 53207

**ABC SEWER & DRAIN CLEANING**

**414-744-6060**

TO: *Bradon Famularo*

This bill rendered only as  
an accommodation

Date: *3-15-13*

TERMS ARE NET CASH AND  
PAYABLE ON PRESENTATION  
YOUR ORDER No.

For Labor and Services Furnished on

*326 W Mineral*

*Camera + locate  
Sewer thru  
main clean-out*

I understand that ABC Sewer & Drain Cleaning is not responsible for any damage  
done by conventional repair efforts to plumbing fixtures or piping that is aged or deteriorated.

*\$229.00*



NO. 13/50

**BADGER UNDERGROUND LLC.**

W148 N7230 WOODLAND DR. MENOMONEE FALLS WI. 53051

Phone: (262)502-1220 Fax: (262)252-4148

THE SUBTERRANEAN PLUMBERS

CONTACT PERSON:

PHONE NO:

DATE:

807-4188

4-5-13

NAME:

Brandon Famularo

ADDRESS:

2868 S. Delaware Av.

CITY, STATE, ZIP:

Mil. WI 53207-2560

QUANTITY

DESCRIPTION

PRICE

AMOUNT

Job 326 W. Mineral ST.

Connect sanitary sewer to city main

3-26-13 7 hr at \$525 per hr.

\$3675.00

4-1-13 8 hr at \$525 per hr.

4,200.00

Sawcut road

465.00

Core drill 7' hole

185.00

6" Core in Tee

68.00

10' Sch 35 pipe

50.00

1-6" Fernco

42.00

10 yd Stone chips

320.00

15 yd Stacey back fill

1080.00

3-loads dump

300.00

2- yd concrete

389.00

Plumbing + excavation permits

1,500.00

Sewer jetting

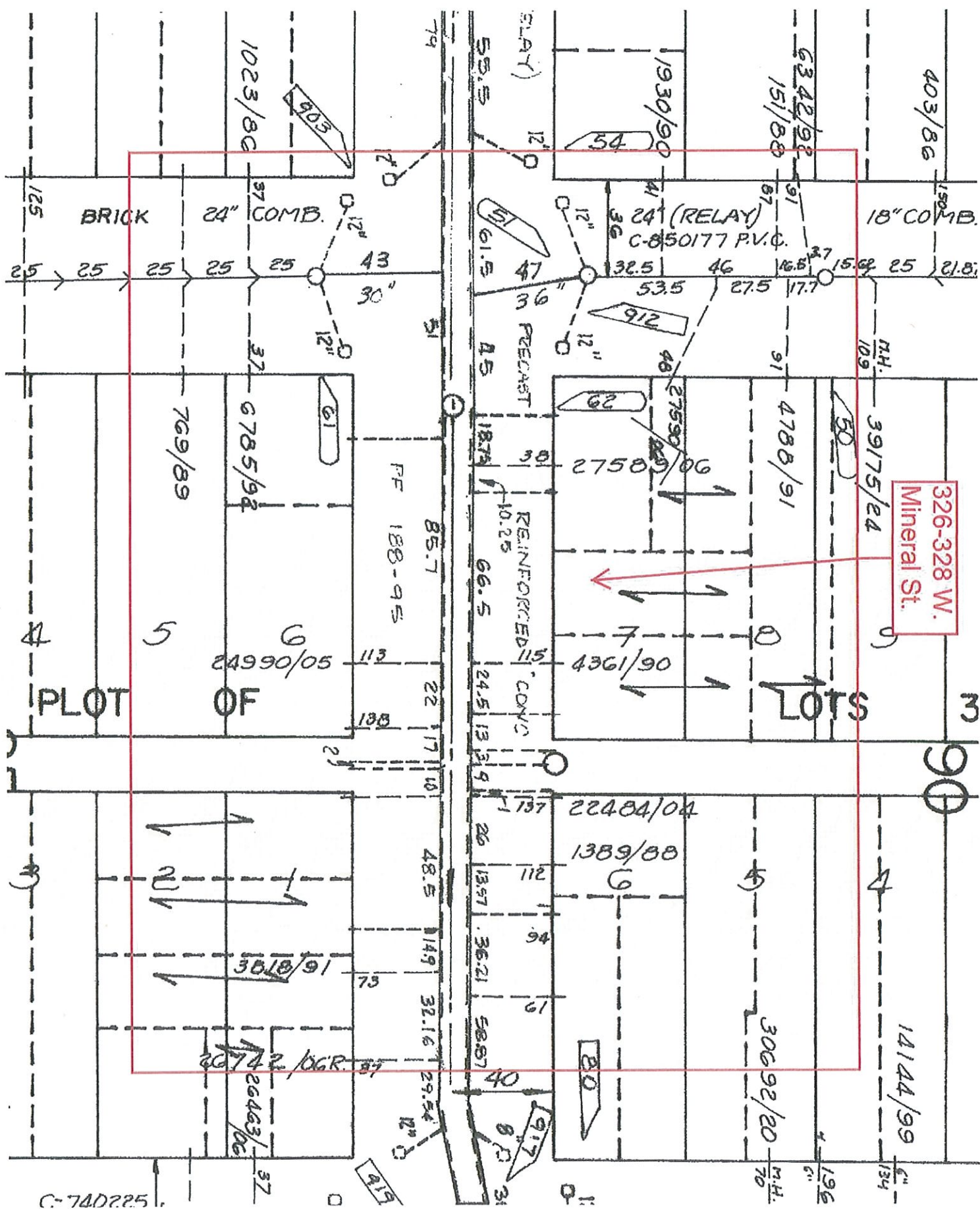
375.00

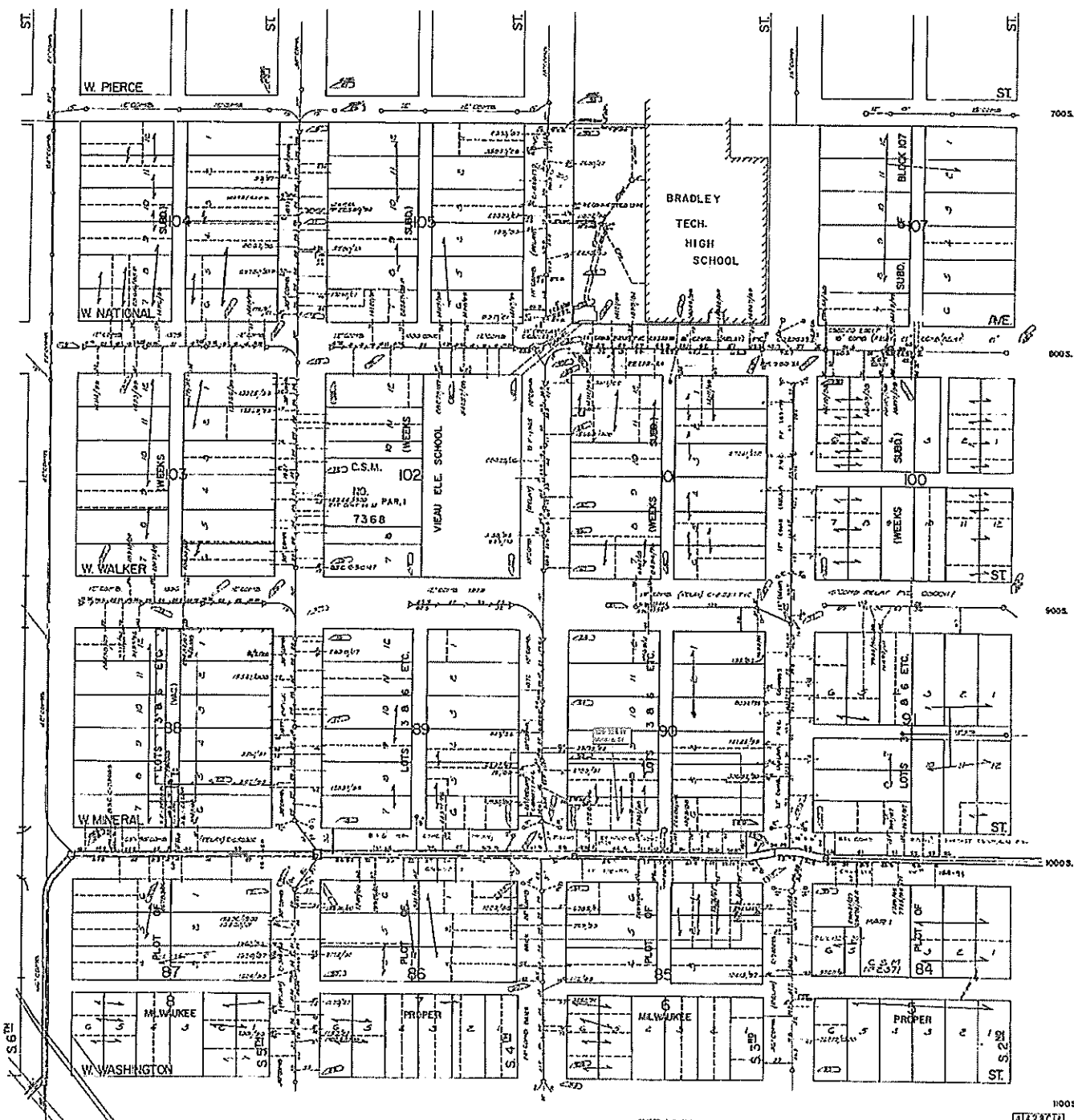
In Voice

Total due

11,649.00







7005

8005

9005

10005

11005

THIS INFORMATION HEREIN IS FOR THE  
USE OF THE CITY OF CHICAGO  
AND IS NOT TO BE USED FOR  
ANY OTHER PURPOSE  
WITHOUT THE WRITTEN CONSENT OF THE  
CITY OF CHICAGO

4322074  
43101  
43101



CITY OF MILWAUKEE  
INFRASTRUCTURE  
ENVIRONMENTAL ENGINEERING  
SEWER MAINTENANCE

**BACKWATER IN BASEMENT - CODE 1**



Dispatched Location: 326 W MINERAL ST

Received: 2013-03-15 09:30:00.0

Contact: FAMULARO , BRANDON (414)807-4188

**FIELD INVESTIGATION**

Time Arrived: \_\_\_\_\_ Crew #: \_\_\_\_\_ Investigator: \_\_\_\_\_ Assisted by: \_\_\_\_\_

Sewer Type: \_\_\_\_\_ Sewer Size: \_\_\_\_\_ Sewer Status: \_\_\_\_\_ Flow in IN. \_\_\_\_\_

Date of Backwater: \_\_\_\_\_ City Surcharge: **Yes No** MIS Surcharge: **Yes No**

Highwater Mark from Top of Frame: \_\_\_\_\_ Lateral Clogged - Recommend Plumber

Backwater due to: OvrInd Fldg: **Yes No**

**// BACKWATER, STATES HAD A PLUMER CHECK AND  
WAS TOLD TO CALL THE CITY/ PLEASE CALL**

**CITY SEWER MAIN FLOWING OK WE ADVISED THE  
OWNER TO CALLA DIFFERENT PLUMBER**

CITY OF MILWAUKEE  
INFRASTRUCTURE  
ENVIRONMENTAL ENGINEERING  
SEWER MAINTENANCE

## SERVICE REFERRAL RECORD



Dispatched Location: 326 W MINERAL ST

Received: 2013-04-01 16:15:00.0

Contact: PROELL, JEFF (262) 502-1220

### FIELD INVESTIGATION

Time Arrived: \_\_\_\_\_ Crew #: \_\_\_\_\_ Investigator: \_\_\_\_\_ Assisted by: \_\_\_\_\_

(circle one)

Subject: LIDS & GRATES LOST ITEMS CHECK CONNECTION ODOR  
CAVE-IN ( Dye Test: Pos Neg ) OTHER (explain in 'Action Required' below)

### LOCATION

Street Location ( NW NE SW SE ) Corner On: W MINERAL ST

At (Address or Intersecting Street): \_\_\_\_\_

Alley Location: ( BEHIND ALONGSIDE ) Of: STREET

### REFERRED TO (circle one)

Large Crew

Hand Crew

Mason

CCTV

Action Required: \_\_\_\_\_ Barricaded: YES NO

### FOLLOW-UP INFORMATION

#### SEWER MAIN WORK

(circle one)

SEWER TYPE: SAN STORM COMB Size: \_\_\_\_\_ Depth: \_\_\_\_\_  
CCTV Exam # \_\_\_\_\_ CCTV Video # \_\_\_\_\_ Microfiche # \_\_\_\_\_  
Section Requiring Work: From Manhole # \_\_\_\_\_ to Manhole # \_\_\_\_\_

REPAIR by Large Digging Crew # \_\_\_\_\_

Start Date: \_\_\_\_\_ Backfilled: \_\_\_\_\_ Closed: \_\_\_\_\_ Type of Repair: \_\_\_\_\_

#### STRUCTURE WORK

(circle one)

Structure: Catch Basin Storm Inlet Flatbottom Sewer Manhole Drain Communications Manhole

Repair by Crew # \_\_\_\_\_ & Mason Crew # \_\_\_\_\_

Start Date: \_\_\_\_\_ Backfilled: \_\_\_\_\_ Closed: \_\_\_\_\_ Type of Repair: \_\_\_\_\_

### HOTLINE INFORMATION

Start Date: \_\_\_\_\_ Start Time: \_\_\_\_\_ Ticket Number: # \_\_\_\_\_

Marking Instructions: \_\_\_\_\_

Connection Check - //REQUESTING CONNECTION CHECK AT 326 W MINERAL ST.

Resolution - 6" pipe connecting to combine sewer main -- Checks out OK -- rubber boot connects pipe to sewer main

