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**DAN CHIACCHIA  
ATTORNEYS, PLLC**

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June 30, 2025

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Erie County Water Authority  
295 Main Street, Room 350  
Buffalo, New York 14203

***RE: In the Matter of the Claim of Mary Ann Feldt  
Notice of Claim***

Dear Sir or Madam:

Enclosed herewith for service upon you pursuant to New York General Municipal Law Section 50-e please find a Notice of Claim on behalf of Claimant Mary Ann Feldt.

Thank you.

Very truly yours,

***DAN CHIACCHIA ATTORNEYS, PLLC***

  
\_\_\_\_\_  
Tiffany M. Kopacz

/tmk  
Enc.  
cc: Client (w/enc.)

STATE OF NEW YORK  
SUPREME COURT : ERIE COUNTY

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In the Matter of the Claim of:

MARY ANN FELDT,  
3109 Durham Road  
Hamburg, New York 14075

NOTICE OF CLAIM

Claimant,

-against-

COUNTY OF ERIE,  
95 Franklin Street  
Buffalo, New York 14202

ERIE COUNTY WATER AUTHORITY  
295 Main Street, Room 350  
Buffalo, NY 14203

ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, New York 14202

ERIE COUNTY SEWER DISTRICT No. 2,  
8443 Lake Shore Road  
Angola, New York 14006

ERIE COUNTY SEWER DISTRICT No. 3  
S-3690 Lake Shore Road  
Buffalo, New York 14219

Respondents.

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**TO: COUNTY OF ERIE,  
95 Franklin Street  
Buffalo, New York 14202**

**ERIE COUNTY WATER AUTHORITY  
295 Main Street, Room 350  
Buffalo, NY 14203**

**ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, New York 14202**

**ERIE COUNTY SEWER DISTRICT No. 2,  
8443 Lake Shore Road  
Angola, New York 14006**

**ERIE COUNTY SEWER DISTRICT No. 3  
S-3690 Lake Shore Road  
Buffalo, New York 14219**

**PLEASE TAKE NOTICE**, that MARY ANN FELDT hereby asserts claim(s) against the COUNTY OF ERIE, ERIE COUNTY WATER AUTHORITY, ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT, ERIE COUNTY SEWER DISTRICT No. 2, and ERIE COUNTY SEWER DISTRICT No. 3 for damages incurred by the Claimant as a result of the wrongful, tortious, negligent and careless acts and/or omissions of the Respondents, their officers, agents, servants and/or employees, and in support thereof submits the following:

1. The Claimant is MARY ANN FELDT, whose post office address is 3109 Durham Road, Hamburg, New York, 14075 and telephone number (716) 908-0103.

2. The name of the attorney for the Claimant is Tiffany M. Kopacz, Esq., of DAN CHIACCHIA ATTORNEYS, PLLC, whose post office address is 5113 South Park Avenue, Hamburg, New York, 14075, telephone number (716) 412-0030 and email: [tmk@716attorneys.com](mailto:tmk@716attorneys.com).

3. On or about April 4, 2025 at approximately 3:00-3:15 p.m., MARY ANN FELDT suffered grievous bodily injury while lawfully walking on the sidewalk directly in front of the residence located at 4605 Chapman Parkway, Town of Hamburg, County of Erie, State of New York, when she tripped and fell on a dangerous, uneven, irregular, unlevel, unsafe and defective

ground/sidewalk; in hiring and/or retaining inexperienced and/or improper personnel to install, use, maintain and/or repair the subject manhole assembly located on the subject sidewalk; failing to implement, carryout and put in place adequate procedures and methods for the regular inspection and maintenance of the subject manhole assembly discover and correct any dangerous and hazardous conditions presented or created as a result thereof; failing to adequately supervise personnel charged with the maintenance, inspection and/or correction of any dangerous or hazardous conditions on the subject sidewalk and more particularly, with respect to the manhole assembly thereon; failing to ensure the subject sidewalk and manhole assembly was maintained in a proper and safe condition, despite the Respondents having special use of the subject sidewalk by and through the subject manhole; failing to comply with applicable codes, regulations, statutes and standards for the installation, use and maintenance of manhole assemblies and in particular, the subject manhole assembly and frame which caused injury to the Claimant; causing, creating and maintaining a public nuisance as aforesaid; and, otherwise acting in a negligent and careless manner.

5. As a result of the wrongful, tortious, negligent and careless acts and/or omissions of the Respondents, their officers, agents, representatives and/or employees, Claimant MARY ANN FELDT, sustained severe bodily injuries to her head and neck, among other injuries, and Claimant asserts damages as a result thereof which include, but are not limited to, pain and suffering, loss of enjoyment of life and medical expenses.

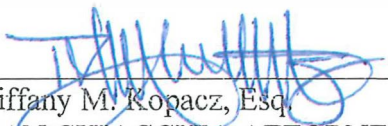
6. By reason of the aforesaid conduct of Respondents and injuries sustained by Claimant MARY ANN FELDT, damages have been incurred in an amount to be determined after trial and/or after further analysis of the physical injuries and sequelae of same.

7. This notice is made and served on behalf of said Claimant in compliance with the provisions of Section 50-e of New York State General Municipal Law and such other laws and statutes as are in the case made and provided.

**PLEASE TAKE FURTHER NOTICE**, that the Claimant demands payment of said claim, and unless said claim is paid within a reasonable time, it is the intention of the Claimant to commence suit against the COUNTY OF ERIE, ERIE COUNTY WATER AUTHORITY, ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT, ERIE COUNTY SEWER DISTRICT No. 2, and ERIE COUNTY SEWER DISTRICT No. 3.

Dated: June 30, 2025  
Hamburg, New York

  
\_\_\_\_\_  
MARY ANN FELDT  
*Claimant*

  
\_\_\_\_\_  
Tiffany M. Ropacz, Esq.  
DAN CHIAACCHIA ATTORNEYS, PLLC  
Attorneys for Claimant  
5113 South Park Avenue  
Hamburg, New York 14075  
Telephone: (716) 412-0030  
[tmk@716attorneys.com](mailto:tmk@716attorneys.com)

VERIFICATION

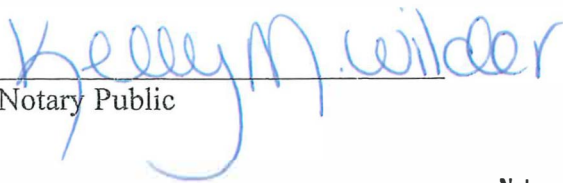
STATE OF NEW YORK     )  
COUNTY OF ERIE        ) ss.:

MARY ANN FELDT, being duly sworn, deposes and states:

1.     That deponent is the Claimant in the instant cause.
2.     That deponent has read the foregoing Notice of Claim and knows its contents.
3.     That the same is true to deponent's personal knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes them to be true.

  
\_\_\_\_\_  
MARY ANN FELDT

Sworn to before me this  
30<sup>th</sup> day of June, 2025.

  
\_\_\_\_\_  
Notary Public

KELLY M. WILDER  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires September 7, 2026

# **EXHIBIT A**











STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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In the Matter of the Claim of:

MARY ANN FELDT,  
3109 Durham Road  
Hamburg, New York 14075

AFFIDAVIT OF SERVICE

Claimant,

-against-

COUNTY OF ERIE,  
ERIE COUNTY WATER AUTHORITY  
ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT  
ERIE COUNTY SEWER DISTRICT No. 2,  
ERIE COUNTY SEWER DISTRICT No. 3

Respondents.

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STATE OF NEW YORK )  
COUNTY OF ERIE ) ss.:

TAMARA L. ZUBRICKY, being duly sworn, deposes and says:

1. That deponent is not a party to the within action, is over eighteen (18) years of age and resides in Derby, New York.

2. That on the 30<sup>th</sup> day of June, 2025, deponent served a Notice of Claim upon the following individuals/entities at the addresses listed below by Certified Mail, Return Receipt Requested, by placing same in a properly-addressed stamped wrapper marked "**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**" in a post office official depository under the exclusive care and custody of the United States Post Office Department within New York State:

COUNTY OF ERIE  
95 Franklin Street  
Buffalo, NY 14202

ERIE COUNTY WATER AUTHORITY  
295 Main Street, Room 350  
Buffalo, NY 14203

ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, NY 14202

ERIE COUNTY SEWER DISTRICT No. 2  
8443 Lake Shore Road  
Angola, New York 14006

ERIE COUNTY SEWER DISTRICT No. 3  
S-3690 Lake Shore Road  
Buffalo, New York 14219

ERIE COUNTY ATTORNEY  
Department of Law  
Edward A. Rath County Office Bldg.  
95 Franklin Street, Room 1634  
Buffalo, New York 14202

  
TAMARA L. ZUBRICKY

Sworn to before me this  
30<sup>th</sup> day of June, 2025

  
Notary Public

**KEVIN F. WALSH**  
Notary Public, State of New York  
Qualified in Erie County  
Commission Expires November 12, 2027