

PROPERTY DAMAGE CLAIMANT STATEMENT
CLAIMS REPRESENTATIVE / RISK MANAGER
ERIE COUNTY WATER AUTHORITY
 295 MAIN STREET – ROOM 350
 BUFFALO, NEW YORK 14203-2494
 (716) 849-8465 – TELEPHONE
 (716) 849-8463 - FAX

Property Damage Claim :

Claimant Name	MICHAEL & MARY ELLEN MONNIN		
Address	4472 BUCKINGHAM LANE	Zip Code	14075
Home Phone #	[REDACTED]	Work Phone #	[REDACTED]

Accident / Damage Location	4472 BUCKINGHAM LANE		
Date of Incident	3/30/2001	Time of Incident	8:30 a.m. / p.m.
Police Contacted?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Police Report Taken?	Yes <input type="radio"/> No <input checked="" type="radio"/>
What Agency?			

If this is not your property, give the name and address of the owner:

N/A if not applicable

Name	N/A		
Address		Zip Code	
Home Phone #		Work Phone #	

Repair Estimates	\$ 24,136.94	\$ 15,000.00
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Attach Estimates

Witness(es), if available

Name	BONNIE CALDRICO	Name	DAVID ROMANIAK
Address	4464 BUCKINGHAM LA.	Address	4464 BUCKINGHAM LA.
Phone	[REDACTED]	Phone	[REDACTED]

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Claim of

MICHAEL J. MONNIN and
MARY ELLEN MONNIN

Claimants,

vs.

NOTICE OF CLAIM

ERIE COUNTY WATER AUTHORITY

Defendant.

PLEASE TAKE NOTICE, that MICHAEL J. MONNIN and MARY ELLEN MONNIN, hereby make a claim against the ERIE COUNTY WATER AUTHORITY and in support thereof the Claimants state:

1. The name of the Claimants are MICHAEL J. MONNIN and MARY ELLEN MONNIN, his wife, and their post office address is 4472 Buckingham Lane, Hamburg, New York 14075.

2. The claim of MICHAEL J. MONNIN and MARY ELLEN MONNIN is against the ERIE COUNTY WATER AUTHORITY for damages sustained by the Claimants resulting in severe flooding to their finished basement at 4472 Buckingham Lane, Hamburg, New York when, upon information and belief, a waterline owned and serviced by Defendant broke, causing four (4) feet of water to gush into Claimants' basement, resulting in a total loss of anything and everything located in the basement. Claimants had a working sump pump at the time of the incident, and said sump pump is still installed and working properly, but upon information and belief, the sump pump could not handle the excess amount of water caused by the broken waterline, thereby causing

the devastating loss.

3. The date and time when the claim was first discovered was on Tuesday, March 30, 2021, at approximately 8:30 a.m. The Claimants were vacationing in Florida, and their neighbors, BONNIE CALORICO and DAVID ROMANIAK, residing at 4464 Buckingham Lane, Hamburg, New York, had been checking on the property at 4472 Buckingham Lane, Hamburg, New York on at least a weekly basis. The exact date of loss cannot be specifically determined, but it is believed to have taken place sometime between Thursday, March 25, 2021 and Tuesday, March 30, 2021, when it was discovered. Said neighbors have an industrial strength sump pump installed in their residence, which normally only kicks on once a day. When they realized their sump pump had been running much more often than usual, they decided to check on Claimants' residence, and discovered the flooding.

4. On Tuesday, March 30, 2021, Claimants immediately contacted Rapid Dry Cleaning & Restoration to begin the arduous task of pumping the water out and starting to remove the debris. ALEX KLYMOCHKO, Project Manager for Rapid Dry Cleaning & Restoration, stated that he travels around the country, most recently in Texas for the floods taken place there, but Claimants' damage is the worst basement flood he's seen, and there is no doubt in his mind it was caused by a waterline break. He stated that the water had to have come in very quickly, too fast for the sump pump to keep up with it.

5. MICHAEL J. MONNIN, age 70, is retired. MARY ELLEN MONNIN, age 68, is self-employed, working from home, and had maintained an office in the finished basement of their home at 4472 Buckingham Lane, Hamburg, New York. In addition, they had a back room that was used for storage, a laundry room with a washer, dryer, refrigerator and chest freezer, and enclosed

shelving against the wall, where Claimants kept small appliances, backup supplies, holiday decorations, etc.

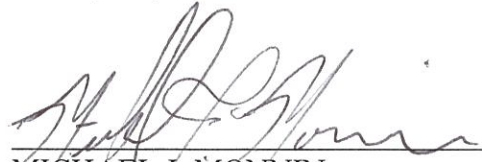
6. Although Claimants' carried a rider on their homeowners' insurance for backwash/ sump pump damage, the limit of liability is \$5,000, with a deductible of \$1,000. The insurance company is Main Street America; local agent is Terranova Insurance (716-662-5170); and the claim number is [REDACTED]

7. The damages for which Claim is hereby made include the following: \$30,121.39 to Rapid Dry Cleaning & Restoration for pumping out water, removing all debris and replacing furnace and hot water tank; and \$10,000 for the contents lost, as further detailed on Exhibit A attached hereto and made a part hereof; less \$4,000 to be recouped from Claimants' homeowners insurance, for a total of \$36,121.39.

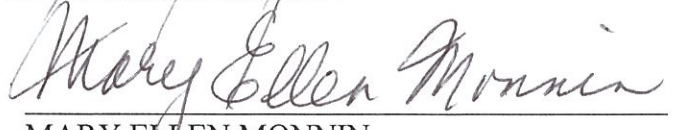
PLEASE TAKE FURTHER NOTICE, that MICHAEL J. MONNIN and MARY ELLEN MONNIN respectfully request that this claim be allowed and paid by the ERIE COUNTY WATER AUTHORITY, and notify you that unless same is adjusted and paid within thirty (30) days from the presentation of this claim, it is their intention to commence an action against the ERIE COUNTY WATER AUTHORITY to recover for damages sustained by them as referred to herein, together with costs and disbursements of this action and such other and further relief as the Court may deem just and proper.

DATED: April 21, 2021
Buffalo, New York

Yours, etc.,

A handwritten signature in cursive script, appearing to read "Michael J. Monnin".

MICHAEL J. MONNIN

A handwritten signature in cursive script, appearing to read "Mary Ellen Monnin".

MARY ELLEN MONNIN

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Claim of
MICHAEL J. MONNIN and
MARY ELLEN MONNIN

Claimants,

vs.

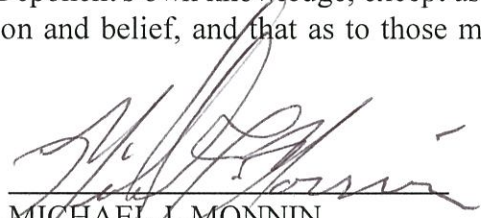
VERIFICATION

ERIE COUNTY WATER AUTHORITY

Defendant.

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

MICHAEL J. MONNIN, being duly sworn, deposes and says: that Deponent is a CLAIMANT in the within action; that Deponent has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to Deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters, Deponent believes it to be true.



MICHAEL J. MONNIN

Sworn to before me this
21st day of April, 2021.



NOTARY PUBLIC

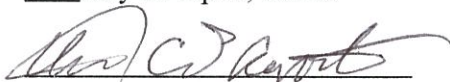
Thomas C. D'Agostino
Notary Public, State of New York 020 5899 475
Qualified in Erie County
My Commission Expires May 31, 2022

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

MARY ELLEN MONNIN, being duly sworn, deposes and says: that Deponent is a CLAIMANT in the within action; that Deponent has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to Deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters, Deponent believes it to be true.


MARY ELLEN MONNIN

Sworn to before me this
21st day of April, 2021.


NOTARY PUBLIC

Thomas C. D'Agostino
Notary Public, State of New York 02D5899475
Qualified in Erie County
My Commission Expires May 31, 2022