

RESOLUTION NO. 2023-11
(2/28/2023)

RESOLUTION AUTHORIZING THE PAYMENT FOR TRACY REESE

WHEREAS, the Village of Caledonia is self-insured under CVMIC for all property and liability claims;

WHEREAS, the Village of Caledonia, through the Caledonia Utility District, provides sanitary sewer service to the Village of Wind Point;

WHEREAS, on October 16, 2022, the home at 24 Jim Lin Lane, Racine, WI 53402 in the Village of Wind Point, owned by Tracy Reese, experienced a sanitary sewer backup in the basement;

WHEREAS, on October 17, 2022, Tracy Reese hired TCM Sewer & Drain to televise the sanitary sewer lateral and alleged that the sanitary sewer lateral was partially blocked by an overpour of grout;

WHEREAS, on August 20, 2019, the Caledonia Utility District performed sanitary sewer lateral grouting on the sanitary sewer lateral for 24 Jim Lin Lane within the Right of Way as part of the Wind Point Sanitary Sewer Rehabilitation Project.

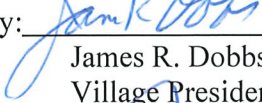
WHEREAS, on November 12, 2022, Tracy Reese submitted a claim in the amount of \$1,023.73 requesting reimbursement for the televising of the sanitary sewer lateral and various supplies for the cleanup of the sanitary sewer backup as set forth in **Exhibit A**, attached hereto.

WHEREAS, on February 14, 2023, the Finance Committee recommended that the Village resolve this claim by paying Tracy Reese a total of \$1,021.73 upon the execution of a release in exchange for the settlement payment of the claim with the agreement that this settlement is the compromise of a disputed claim and that the payment of said amount is not to be construed as an admission of liability upon the part of the Village of Caledonia, any of its departments and/or employees with liability being expressly denied; and

NOW, THEREFORE, BE IT RESOLVED by the Caledonia Village Board, that the recommendation of the Finance Committee is hereby approved, and such claim shall be resolved by paying Tracy Reese a total of \$1,021.73 upon the execution of a release in exchange for the settlement payment of the claim as set forth above.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 28 day of February 2023.

VILLAGE OF CALEDONIA

By: 
James R. Dobbs
Village President

Attest: 
Joslyn Hoeffert
Village Clerk

RELEASE OF ALL CLAIMS

FOR AND IN CONSIDERATION of the payment to me/us at this time of the sum of One Thousand Twenty One Dollars and Seventy Three cents (\$1,021.73), the receipt of which is hereby acknowledged. I/we being of lawful age do hereby release, acquit, and forever discharge the Village of Caledonia, its or their successors and assigns, its employees and departments, and all other persons, who are or might be liable from any and all claims, demands, damages, costs, actions and causes of action of whatever kind or nature which I/we may now have or may hereafter have, on account of, or in any way growing out of, any and all known and unknown bodily injuries, personal injuries and property damage, whether developed or undeveloped, resulting or to result from an incident that occurred on or about October 16, 2022, at 24 Jim Lin Lane, as set forth in the claim of the same date submitted to the Village of Caledonia.

I/we hereby declare and represent that the injuries and damages sustained are permanent and progressive and that recovery therefrom is uncertain and indefinite and in making this Release and Agreement it is understood and agreed that I/we rely wholly upon my/our judgement, belief, and knowledge of the nature, extent and duration of said injuries and damages, and that I/we have not been influenced to any extent whatever in making this Release by any representations or statements regarding said injuries, or regarding any other matters, made by the released parties including the Village of Caledonia, its or their successors and assigns, its employees and departments, and persons who are hereby released, or by any person or persons representing him or them, or by any physician or surgeon by him or them employed.

It is further understood and agreed that this settlement is the compromise of doubtful and disputed claims and that the payment of said amount is not to be construed as an admission of liability upon the part of said released parties including the Village of Caledonia, its departments and employees, and persons, released; liability being by it, him or them expressly denied.

It is further understood and agreed that this Release and payment pursuant thereto is not to be construed as a waiver by or estoppel of any party released to prosecute a claim or action for any damages sustained.

This Release contains the ENTIRE AGREEMENT between the parties hereto, and terms of this Release are contractual and not a mere recital.

I/WE HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT.

Signed and Sealed this _____ day of _____, 2023.

In the Presence of
(Witnesses sign below)

(Claimants sign below)

Address: 24 Jim Lin Lane Racine, WI 53402

State of Wisconsin

County of _____

On this _____ day of _____, 2023, before me personally appeared **Tracy Reese** to me known to be the person described herein, and who read and executed the foregoing instrument, and acknowledged that _____ executed the same.

Notary Public


County

My commission expires _____

MEMORANDUM

DATE: Tuesday, February 7, 2023

TO: Finance Committee
Village Board

FROM: Anthony A. Bunkelman P.E.
Public Services Director 

RE: Citizen Claim & Damage Form Submission for 24 Jim Lin Lane

BACKGROUND INFORMATION

On October 16, 2022, the single-family home at 24 Jim Lin Lane, owned by Tracy Reese, experienced a sanitary sewer backup through the floor drains in the basement of the home. The Utility District was contacted at that time and responded. On October 17, the owner hired T.C.M. Sewer and Drain to come out to rod and televise the sanitary lateral. The Utility was aware of the televising. The lateral on the private property side appeared to be clear. Within the road Right of Way, (near the connection to the sewer main) it was viewed that there was an apparent overpour of grout.

In 2018, the Caledonia Utility District bid out and awarded the Wind Point Sanitary Sewer Rehabilitation Project to Visu Sewer. The majority of the rehabilitation work was performed in 2019. This project accomplished several things, spot repairs on offset joints in the sanitary sewer main, lined the sanitary sewer mains from infiltration, grouted lateral connections also a source of infiltration, and manhole rehabilitation. The lateral at 24 Jim Lin Lane was grouted as part of the project. As part of the rehabilitation project the grouted laterals were televised from the sanitary sewer main.

Photos of each side of the grout have been attached to this memo for reference.

The Owner has filed a claim for \$1,021.73 as a result of the backup. The amount consists of \$780.00 for TCM costs, \$56.73 for cleaning supplies, \$135.00 for cleanup time, and \$50.00 to replace the shop vac.

The Utility District has recently had Visu Sewer out to cut/remove the grout from the lateral.

RECOMMENDATION

Recommend that the Finance Committee determine whether the claim be paid.



Citizen Claim and Damage Form

NOTICE OF CLAIM

Name: Tracy Reese
 Address: 24 JimLin Lane
Racine WI. 53402
 Phone: 262-497-2118

Incident/Accident Information
 Date: 10/16/22
 Time: 3:00pm
 Place: Home

CIRCUMSTANCES OF CLAIM

In the space below briefly describe the circumstances of your claim. (Attach additional sheets, if necessary.) For auto damages, attach a copy of police report, if any, and attach a diagram of the accident scene indicating north, south, east or west corners if the accident occurred at an intersection. For bodily injury, indicate nature of injury and whether or not medical attention was given and give the name of the physician. Also identify any witnesses to the incident/accident.

Sewer backup in 2 locations in the basement. 9 hours of clean up
@ \$15 hours. Materials for clean up. Shop vac full of raw sewage.
Only charging 50% of cost of new one. TCM Sewer & Drain.

Signed: *Tracy Reese*

Date: 11/12/2022

CLAIM

(NOTE: You are not required to make a claim at this time. As long as you have filed the above Notice of Claim you may file a claim with the Village at any time consistent with the applicable statute of limitations. However, in order for the Village to formally accept or deny your claim at this time, the following claim must be completed and signed.)

The undersigned hereby makes a claim against the Village of arising out of the circumstances described above in the amount of \$ 1,021.73

To process this claim it is necessary to detail all damages being sought.

Signed: *Tracy Reese*
 Address: 24 JimLin Ln
Racine, WI 53402

Date: 11/12/2022



T.C.M.

Sewer and Drain

ROB AMOS, OWNER
 2833 - 90th Street
 Sturtevant, WI 53177
262-770-2309
 www.tcmdrain.com

**24 HOUR
 EMERGENCY
 SERVICE**

Power Rodding · Hydrojetting · Sewer Televising & Locating
 Fully Insured · Family Owned & Operated
 · Bathtubs · Kitchen Sinks · Floor Drains · Toilets · Main Sewers
 24 Hour Emergency Service · Same Day Service
 Military Discounts · Senior Discounts

JOB NO.			
INVOICE	PHONE	DATE	
	608-576-1070	10-17-22	
NAME <i>Mark Reese</i>			
ADDRESS <i>24 Simlin Ln</i>			
CITY	STATE	ZIP CODE	
<i>Madison</i>	<i>WI</i>	<i>53702</i>	
CASH	CHECK	BILLING	OTHER
	<i>1072</i>		
DESCRIPTION			AMOUNT
<i>rod 2 machines to</i>			
<i>clear @ 133' looks</i>			
<i>like overpour-</i>			
<i>cutter wont break it off</i>			
<i>Bob from Caladonia looking</i>			
<i>info - pointed in road</i>			
<i>Open + Flowing.</i>			
			Deposit
			Balance
<small>IN THE EVENT THAT TCM SEWER & DRAIN, LLC MUST RE-ROD A LINE UNDER WARRANTY. THERE WILL BE A \$95.00 TRIP CHARGE.</small>			TOTAL
			<i>780.00</i>

ACCEPTED: You are authorized to do the work.

AUTHORIZED SIGNATURE: _____

DATE: _____

CUSTOMER SIGNATURE _____

THANK YOU FOR SHOPPING AT ACE
KORTENDICK HARDWARE INC
3806 DOUGLAS AVENUE
RACINE WI 53402
(262) 639-4820

10/22/22 9:44AM TSH 552 SALE

8895609 1 EA \$2.99 EA
WRAP-IT-UP STRAP ORG \$2.99
7166176 5 EA \$17.99 EA
MIRACLE GRO LIQUAFD REFL \$89.95
2015551 1 EA \$119.99 EA S
-\$20.00 Instant Savings 99.99 EA
WET/DRY VACUUM 10GAL 6HP \$99.99
Return Value : 99.99
HH50167 -1 EA \$5.00 EA S R
\$5 REWARDH \$-5.00
DP126537 1 EA .00 EA N
OCTOFFER2\$150FF\$75 \$N/C
IS334763 -1 EA \$20.00 EA SNR
\$20 INSTANT SAVINGS-2015551 \$-20.00
\$15 Coupon Discount

SUB-TOTAL:\$ 167.93 TAX:\$ 9.65
DISCOUNT: -15.00 TOTAL:\$ 182.58
BC AMT: \$ 182.58

BK CARD#: XXXXXXXXXXXX3045
MID:*****5888 TID:***2804
AUTH: 094426 AMT:\$ 182.58
Host reference #:470375 Bat#

Authorizing Network: MASTERCARD

Contactless
CARD TYPE:MASTERCARD EXPR: XXXX
AID : A0000000041010
TVR : 0400048001
IAD : 0110A0000122000000000000000000
TSI :
ARC : 00
MODE : Issuer
CVM : Verified by PIN
Name : Mastercard Debit
ATC :0114
AC : E250653D58274F29
TxnID/ValCode: 759788

Bank card USD\$ 182.58



==>> JRNL#E70375 <<==
CUST NO:*4798
ACE REWARDS ID # 19710483971

Acct: TRACY REESE

Customer Copy

YOU SAVED \$ 55.00 BY SHOPPING AT
KORTENDICK HARDWARE INC

YOU SAVED \$ 25.00 AS A MEMBER OF
ACE REWARDS.

Pick 'n Save FRESH FOR EVERYONE.

5111 Douglas Ave.
262.752.0951
Your cashier was CHEC 513

	KRO DECK MOP	5.49 T
	CLB CLEAN BLCH	5.99 T
	CLB CLEAN BLCH	5.99 T
	CLB CLEAN BLCH	5.99 T
	PLAYTEX GLOVES	4.29 T
	PLAYTEX GLOVES	4.29 T
	BRANNY 8 ROLLS	PC 21.99 T
SC	PERKS SAVINGS	7.00
	Fresh Perks Customer	*****7187
RD	KPF ITA Message	0
SC	Fuel Points	
	TAX	2.70
	**** BALANCE	56.73

Debit Purchase
*****3045 - C
REF#: 062737 TOTAL: 56.73
PURCHASE: 56.73 CASHBACK: 0.00
AID: A0000000042203
TC: 64B5C8410645CD89
VERIFIED BY PIN

	DEBIT	56.73
	CHANGE	0.00
	TOTAL NUMBER OF ITEMS SOLD =	7
	STR CPH & KRO SAVINGS	\$ 7.00
	TOTAL COUPONS	\$ 7.00
	TOTAL SAVINGS (11 %)	\$ 7.00

10/16/22 04:26pm 378 513 158 999999513

TELL US HOW WE ARE DOING!
EARN 50 BONUS FUEL POINTS!
Go to www.krugerfeedback.com

Date: 10/16/22
Time: 16:25
Entry ID: 534-384-158-378-513-671
No purchase necessary
See website for official rules

Fuel Points Earned Today: 54
Total October Fuel Points: 54

APPLY NOW
Earn \$100 Statement Credit
when you spend \$500 with your card
in the first 90 days* and
get up to 5% CASH BACK
on eligible net purchases* with your
Pick 'n Save/Metro Market Rewards
World Elite Mastercard
www.PicknSaveMastercard.com/41697
*Restrictions apply, see website
for details.

With Our Low Prices, You Saved
\$7.00
Annual Card Savings \$72.65
Fresh opportunity awaits
Join our team today!
#ERN
jobs.kruger.com



Client: CWB Project #: 17C030.04
 Project: Wind Point Sewer Rehab Page: 1 of 2
 Prepared by: JGB Date: 8/20/19

Construction Observation Report

Location Wind Point

WEATHER	Temp (° F)		Sky Cond.	Precip. (in.)		Site Conditions (describe)	
	Low	High		Rain	Snow	Dry	Muddy
		70	77	Clear Pt. Cldy Cloudy	None	PM	

Contractors on site (include no. of personnel per contractor) Visu Sewer - GROUT crew: 2 workers

Other personnel on site:

Purpose:

Work observation report, comments:

GROUTING crew set up on line 34-53 to 34-52.

Once set up, crew grouted 5 laterals in line.

- Prep crew should be back tomorrow.

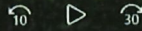
BID ITEMS:

#10 - GROUT Sanitary Sewer Service = 5 Laterals

Upstream MH: 34-53
Downstream MH: 34-52

0009.9 F

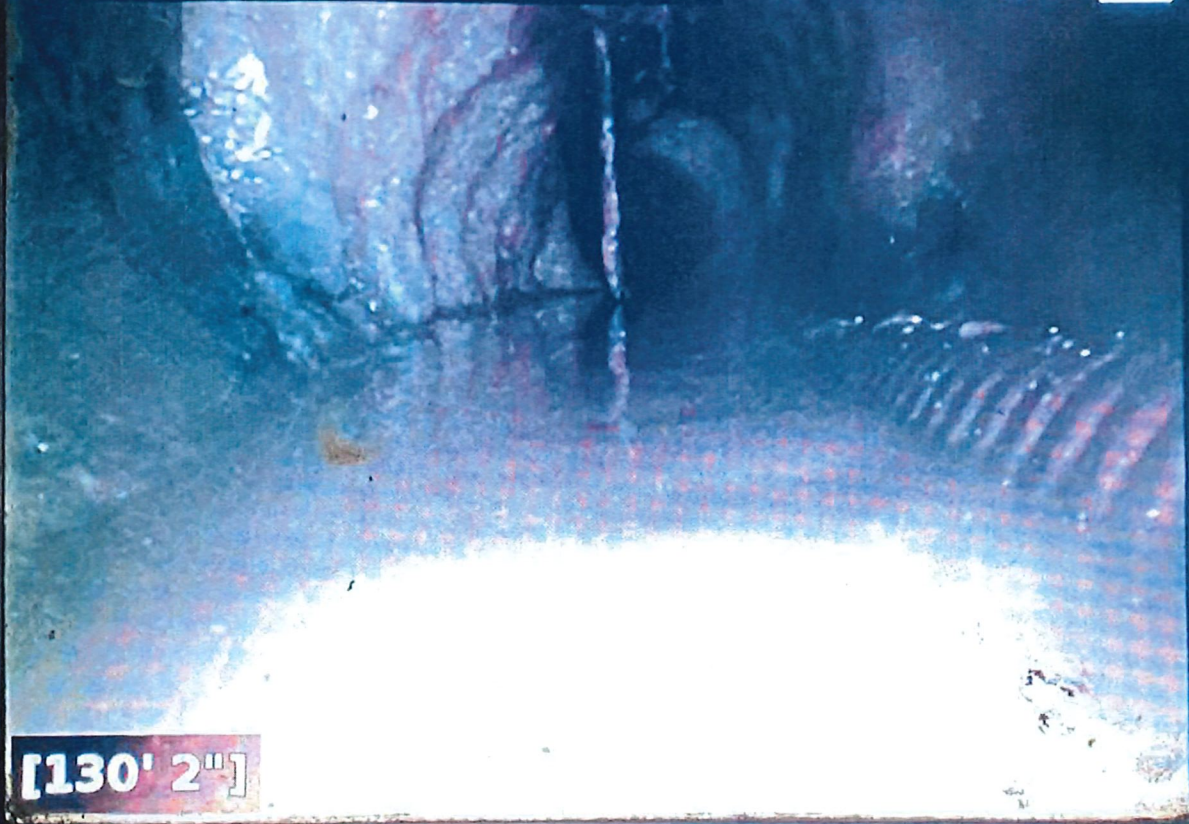
00.5psi 06:53a



11:27:32 AM / 10-17-2022



[130' 2"]



11:35:51 AM / 10-17-2022



[131' 8"]

11:29:01 AM / 10-17-2022

[132' 6"]









