

Lisa Mileski

From: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>
Sent: Wednesday, August 09, 2023 3:36 PM
To: lindias777@gmail.com
Cc: Carpenter, Alan (P.E.)
Subject: FW: Hanks Back up 11-27-22- Letter of Subrogation from Hank's Insurance Carrier.

See below. Austin said he was going to send Hanks Insurance Claim to Town's insurance. If he has not done that yet, he should. I think my recommendation to him that he do that was on a phone call with him.

Walmart should be responsible for all Costs due to their 'illegal' discharges. Past and Future until they can alter/correct their illegal practices.

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From: Austin Tanner <A.Tanner@Brooklynct.org>
Sent: Thursday, January 5, 2023 1:46 PM
To: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>
Subject: RE: Hanks Back up 11-27-22- Letter of Subrogation from Hank's Insurance Carrier.

2 questions

Wasn't the raising of the man holes needed any way and who would have paid if it was done as procedure?

Would Walmart also be billed for damages

I will forward this to are insurance as they should be aware

From: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>
Sent: Thursday, January 05, 2023 11:09 AM
To: Austin Tanner <A.Tanner@Brooklynct.org>
Cc: bobk4723@icloud.com; Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>
Subject: FW: Hanks Back up 11-27-22- Letter of Subrogation from Hank's Insurance Carrier.

Austin,

Bob has asked me to forward the attached Utica 'Subrogation' Letter to you. It appears that Hank's insurance carrier is posturing to seek financial recover from the Brooklyn WPCA for the damages caused to Hank's due to the Sanitary Sewer back-up on the night of November 27, 2023.

That night, as is understand it, the back up in the Town Sewer lines in Rte. 6, caused by Walmart's discharge of illegal materials (rags, paper towels and the like) from Walmart, cause the system to back-up into Hanks. If needed, I am sure Hank's Insurance carrier can provide a more detailed description of the event and damages Hank's incurred.

That night, as you may recall, when we became aware of the situation, the Killingly WPCA staff, under agreement with Brooklyn WPCA, was dispatched to the site and remedied the issue in as timely a fashion as possible.

Based on the above and the attached, you may want to provide the attached letter to the Town's Insurer to make them aware of the claim.

This issue has been on-going with Walmart unauthorized discharges causing issues in the Town's System. We had provided a letter previously to them advising them of the issue and asking them to remedy it internally. Bob, I believe, conversed with the Store Manager previously to ask him to address it. Apparently nothing has been done.

The BWPCA has incurred the costs of the emergency work on 11-27-22 by the KWPCA staff, and subsequent repairs to the manhole covers in Rte. 6 to raise them to grade.

We plan to preparing another letter to Walmart requiring them to pay the cost of the emergency repair. In light of the attached Subrogation Letter – we may want the Town insurer to direct the remedy.

I am happy to discuss this as I am sure Bob is as well. Let me know if you need anything else from me. after I locate it in my files, I will provide a copy of the previous letter we sent to Walmart.

Thank you.

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From: David Capacchione <dcapacchione@killinglyct.gov>
Sent: Thursday, January 5, 2023 10:12 AM
To: bobk4723@icloud.com; Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>
Subject: FW: Hanks Back up

Howdy folks,
Not sure why it converted to something else.
Hopefully this works.
Thanks and please call with any questions.
D. Cap.

From: David Capacchione
Sent: Tuesday, January 3, 2023 3:56 PM

To: bobk4723@icloud.com; Joe Couture <jcouture@killinglyct.gov>

Subject: FW: Hanks Back up

Hi Bob,

This came in the mail.

I thought I would forward it to you.

Thanks and please call with any questions.

D. Cap.