

Please be advised that any information provided on, and with, this Notice of Claim will be published in the Public Access area of the Erie County Water Authorities website which can be accessed by the General Public.

C-9

NOTICE OF CLAIM FORM

**ERIE COUNTY WATER AUTHORITY
295 MAIN STREET – ROOM 350
BUFFALO, NEW YORK 14203-2494
(716) 849-8465**

Claimant(s) Name	Roger J. Bacvar		
Address	3463 McKinley Parkway Blasdell, NY 14219	Cell Phone #	716 [REDACTED]
Email Address	N/A	Home Phone #	N/A

Accident / Damage / Injury Location			
Date of Incident	02/23/24	Time of Incident	@ 10:00 am p.m. <i>starting</i>
Police Contacted?	Yes <input checked="" type="radio"/> No	Police Report Taken?	Yes / <input checked="" type="radio"/> No
Name of Police Agency	N/A		

PROPERTY DAMAGE CLAIMS ONLY

N/A if not applicable

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

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

PLEASE ATTACH ESTIMATES

Repair Estimates	\$3,810.63 (Attached)	\$
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PROPERTY DAMAGE AND PERSONAL INJURY WITNESSES

Name	N/A	Name	
Address		Address	
Phone		Phone	

Attach copies of Medical bills once submitted to health insurance or automobile insurance.

ONLY PROVIDE COPIES OF THE MEDICAL BILLS. DO NOT PROVIDE MEDICAL RECORDS WITH THIS CLAIM FORM.

Claimant's Statement (please print legibly and be specific):

See Attached Notarized Statement

Lined area for the claimant's statement.

All statements herein are made under penalty of perjury.

Add Additional Pages if necessary

Date: *April 27, 2024*

[Signature]
Claimant's Signature

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this *27th* day of *April* 20*24*, before me personally appeared to me known, and known to me to be the same person described in and who executed the within instrument and he/she acknowledged to me that he/she executed the same.

[Signature]
Notary Public **ANNETTE S. TILLOU**
Notary Public, State of New York
Qualified in Erie County 01T15030304
Commission Expires 07-11-20*26*

On February 23, 2024 the Erie County Water Authority ("ECWA") was repairing a leaking water line on my neighbor's property at 3457 McKinley Parkway, Blasdell, NY 14219. In order to reach the leaking water line, ECWA had to first remove a tree on that property between the sidewalk and curb. They did so by parking a high-lift on my driveway and digging up and removing the tree from this position. After removing the tree ECWA was then able to reach and repair the water line. That night an ECWA employee indicated that all of the dirt, mud and debris would be cleaned up and this seemed to be the case the following morning. However, a few days later, I noticed that my driveway looked eroded or "sunken in" which was not the case before the ECWA performed this work. It actually appears to have "bowed" either by the leaking water line itself, or by the manner in which the ECWA removed the tree on my neighbor's property and repaired the water line. In any event, added to the fact that this portion of McKinley Parkway is a high-traffic area, I am concerned that the damage to my property will only worsen over time.

Upon first contacting ECWA regarding this matter, I was told that their GPS data showed no changes to my property. However, I have resided at this property my entire life and am familiar with every aspect of it. As to the identification of each and every ECWA employee with whom I have been in contact, my primary contact is Molly Methara (sp?) at 716-849-8465. She has assured me that she already has this contact information available to her, and that listing her as the primary contact with ECWA would be sufficient herein for purposes of this claim.

It is my contention that the ECWA is liable for the damage to my property, whether by the leaking water line itself, or by the ECWA's use of my driveway and property to park its machinery and dig up the ground and remove the tree from my neighbor's property from that position.


Per ECWA's instruction, I have included the following as it relates to this claim:

1. A copy of the Notice of Transfer of Ownership of Your Residential Property indicating that I am the owner of record;
2. Photographs taken of the damage to my driveway and surrounding area; and
3. A copy of an estimate dated April 18, 2024 received from Maggio Construction for repairs in the amount of \$3,810.63.

In light of the above, I hereby make this claim against the Erie County Water Authority in the amount of Three Thousand Eight Hundred Ten Dollars and Sixty-Three Cents (\$3,810.63).

All statements herein are made under penalty of perjury.

DATED : APRIL 27, 2024



ROGER J. BACVAR

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this 27th day of April, 2024, before me personally appeared ROGER J. BACVAR, to me known, and known to me to be the same person described in and who executed the within instrument and he acknowledged to me that he executed the same.



Notary Public

ANNETTE S. TILLOU
Notary Public, State of New York
Qualified in Erie County 01T15030304
Commission Expires 07-11-2026

ROGER J. BACVAR
3463 MCKINLEY PARKWAY
BLASDELL NY 14219



Retail



14203

RDC 99

U.S. POSTAGE
FCM LG ENV
BUFFALO, NY
APR 29, 2024

\$10.15

R2305K132163

TO : ERIE COUNTY WATER AUTHORITY
295 MAIN STREET, ROOM 350
ATTN: CLAIMS UNIT
BUFFALO, NY 14203

VIA CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

ERIE COUNTY WATER AUTHORITY
MAY 29 11:21 AM '24