

**Warren Belmar
130 Sunrise Avenue
Apt. 319
Palm Beach, Florida 33480**

**Ms. Karen Temme
Risk Manager
Town of Palm Beach**

Dear Ms. Temme,

This is in response to your advising of the Town's request that I provide an explanation of the pending \$20,000 settlement request for the injuries I sustained in an April 13, 2021, fall on the front steps of the Town's Memorial Fountain. As you know, \$20,000 was the compromise amount agreed upon in negotiations with PGCS Claims Services to compensate me for my broken wrist, broken nose in two places, extensive bruising, and neck pain due to landing on my left wrist and forehead. It is my understanding that this has now been forwarded to the Town for approval because it exceeded a \$15,000 limit on PGCS's settlement authority by \$5,000.

As you and so many other Town officials witnessed, on April 13, 2021, I tripped in the gully running down the center of the front steps as I turned to leave the Memorial Fountain terrace. It was comforting that so many of those Town officials called in the following days to express their concern and best wishes for my speedy recovery.

As I explained in our discussions, and as the Police report, pictures, and bills I shared confirm, the injuries I sustained resulted in over a year of pain and suffering, as well as medical bills aggregating more than \$15,000. But for my excellent federal retiree health insurance coverage, my out-of-pocket medical bills would have been higher than the slightly more than \$5000 I incurred. In any event, I submit that the incurrence of over \$15,000 in the medical bills and the pain and suffering I have experienced justifies the PGCS agreed upon and now requested settlement of \$20,000.

Let me provide a short summary of the medical attention I received:

- (1) On April 13, 2021, after regaining consciousness, I was rushed by ambulance to the Emergency Room at Good Samaritan Hospital, where I was placed on pain medication and, after undergoing various tests, was diagnosed with a broken wrist, broken nose, and sore neck. On April 19, 2021, my wrist was surgically repaired by Dr. Sama at the Hospital for Special Surgery. During this early period, I recuperated at home, and then commenced wrist rehabilitation treatment at HHS that continued over the next four months, ending on July 31, 2021. On occasion, putting pressure on my wrist still causes discomfort.**

- (2) On April 23, 2021, I was diagnosed by Dr. Chavanon at Pinsky Plastic Surgery with two breaks in my nose. Thankfully, the breaks healed by themselves over the next few weeks and have not been a concern since.**
- (3) Starting on April 13, 2021, I suffered continued soreness and restricted mobility in my neck. Foolishly, I lived with the discomfort until it became more pronounced. Starting on November 4, 2021, and lasting for 26 visits until February 24, 2022, I was treated for the neck injury at the Rehabilitation Center for Children and Adults. I still take Extra Strength Tylenol and an anti-inflammatory when my neck acts up.**

Your e-mail also invited my thoughts on changes the Town should make to improve the safety of individuals visiting the Town's Memorial Fountain. At a minimum, I think it would be wise to install a handrail in the gulley which cuts the front access steps in half. This would eliminate a known hazard by blocking residents and visitors of all ages from stepping in the gulley, while helping them in descending and climbing the smooth one hundred-year-old front steps. More importantly, correcting this known hazard will likely avoid having to deal with the sadness and remorse of an even more serious accident.

Suffice it to say, I believe this recommended action is even compelling due to the increased traffic which will result from the Town's decision to add a rear access point, in compliance with the safety requirements of the Americans with Disabilities Act, to the landmarked Memorial Fountain. In such circumstances, I think public safety is paramount, and is best protected by affording all residents and visitors with a safer front access and departure point to the landmarked Memorial Fountain, along with the new safe ADA compliant rear access and departure point.

Respectfully submitted,

Warren Belmar

