

Town of Agawam

Department of Public Works

Winter Property Damage Replacement Policy

The Town of Agawam Department of Public Works has adopted the following policy regarding the replacement or repair to mailboxes or other property damaged by plowing trucks during the snow and ice removal process. The purpose of this policy is to establish a uniform process to reimburse citizens for damage due to snow removal operations performed by the Agawam Department of Public Works.

The Town of Agawam snow plow drivers make every effort to avoid damage to resident's property; however, especially during conditions with poor visibility, mailboxes may be struck by accident. If the Town or Town contractor's plow made direct contact with the mailbox, a reimbursement or replacement may be made in accordance with this policy. Property that is damaged by the weight of the plow windrow (snow exiting the side of the plow) will not be covered under this policy, and any replacement/repair will be the responsibility of the owner.

Any improvements within the Town's Right-Of-Way including mailboxes, shrubbery, fences, sprinkler heads and other property enhancements are placed there at the owner's risk. A property owner that installs or keeps decorative materials or other property along the curb side does so at their own risk.

Mailboxes that border roadways should be sufficiently stable to withstand the inevitable stresses caused by the snow-clearing efforts of the Town. Owners are responsible for ensuring that the condition of the mailbox does not deteriorate or rot, which would make the mailbox fragile. The Town will not be responsible for replacing mailboxes which were not properly maintained or were in need of repair before the snow-clearing.

It is also the responsibility of the owner of the mailbox to ensure that the installation of the mailbox is proper in accordance with the guidelines provided by the United States Postal Service. That information, including placement guidelines, is available online at <https://www.usps.com/manage/mailboxes>, or at any post office. In order to minimize the risk of damage from snow-clearing, the Town encourages the placement of mailboxes at the maximum allowable distance from the pavement. The Town will not be responsible for damage to any mailbox with a pole less than six inches from the curb line, or if the front edge of the mailbox extends beyond the curb line.

In the event that a mailbox which complies with the above requirements was directly struck by a snowplow, the Superintendent of Public Works, or his/her designee, will inspect the reported damage to determine the cause of the damage to the mailbox and/or the post. If the Superintendent, or his/her designee, determines that the claim meets the requirements of this Policy, and the damage is deemed irreparable, the property owner may select either to have the Town replace the damaged mailbox and/or post with a standard-style mailbox; or to furnish/install a mailbox of their own choosing and apply for reimbursement of that expense by submission of an original receipt. Such reimbursement shall not exceed \$50.00, regardless of the location, size, original cost, or elaborateness of the damaged mailbox and/or post. Non-standard mailboxes will not be replaced in-kind.

Property owners must report any alleged damage to the Law Department within seven (7) days of the incident. Claims can be made by contacting the Law Department at (413) 786-0400, or by mail to: Agawam Law Department, 36 Main Street, Agawam, MA 01001. Late filed claims may be denied if the Superintendent, or his/her designee, cannot adequately determine the cause of damage.