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City faces loads of WTC lawsuits

By MAGGIE HABERMAN

Notice of more than 135 potential lawsuits against the city have been filed stemming from the World Trade Center disaster — with hundreds more expected, officials told The Post yesterday.

Of the formal "notice of claims" that City Comptroller Alan Hevesi's office has processed so far, about half are for wrongful-death cases, Hevesi spokesman David Neustadt said.

The rest are mostly from service personnel who were at ground zero when the Twin Towers collapsed, or who helped with the cleanup or rescue efforts, he said.

It was unclear how many more claims have been filed, but not yet processed.

But officials said there is a pile of about 500 claims waiting to be sifted through — about 400 more than the office usually has at one time, meaning all of those could be WTC-related.

Notices of claim don't always translate into lawsuits.

But they preserve someone's right to sue the city, and they must be filed within three months of an incident. People have another 15-month window to file the actual lawsuits.

City officials have said they won't strictly impose the three-month limit on claims, but will let judges decide whether to toss them out.

One of the claims filed with Hevesi's office cited the city for negligence. It was from a city firefighter who cited the "dangerous levels of toxins" at the site.

Another was a class action-type claim on behalf of people who lost loved ones.

Any legal actions that have to do with the World Trade Center tragedy may get caught in years of court tangles — in part because city workers responded to the tragedy, but the buildings were owned by the bi-state Port Authority.

One official said the wrongful-death suits may potentially disqualify people from the "superfund" that President Bush created for the victims.

Kenneth Feinberg, who's overseeing the fund, didn't return calls.

Some of the legal tangles the lawsuits face come from the sweeping federal airport security legislation approved by Congress last month that limits liability for damages.

The legislation included provisions that cap liability for recovery work at ground zero, which protects the city and the Port Authority.

The law also provides a cap for damages against real estate developer Larry Silverstein, who leased the Twin Towers just two months before they crumbled. Silverstein had sought the provision because he was afraid wrongful-death suits could slow the pace of redevelopment at the site.

Hundreds of NYPD and FDNY bosses will be receiving Christmas bonuses from Uncle Sam this year as a reward for the overtime they worked in the two months after the World Trade Center attacks, The Post has learned.

Unlike rank-and-file members of the two departments, middle- and top-management cops and firefighters do not collect overtime pay. They get compensatory time off instead.

But as a reward for their extraordinary efforts following the Sept. 11 attacks, the city has worked out a one-time cash payout that will enable them to get cash for half the overtime they worked in the 60 days after Sept. 11, a police spokesman said.

For 350 Fire Department battalion chiefs and deputy chiefs, who earn an average of $120,000 a year, the typical bonus is expected to be $5,000, officials said. For NYPD captains, deputy inspectors, inspectors and deputy chiefs, who all worked 12-hour shifts after the terrorist attacks, the payout will be slightly higher.

The number of cops entitled to the bonus is not yet known.

Officials stressed the city's overtaxed coffers will not be further depleted by the payouts. The Federal Emergency Management Administration is footing the bill for them, a City Hall source said.

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