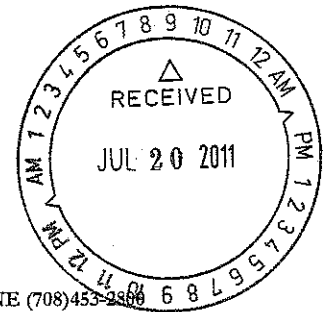


SPINA MCGUIRE & OKAL, P.C.  
ATTORNEYS AT LAW  
7610 WEST NORTH AVENUE  
ELMWOOD PARK, ILLINOIS 60707-4195

ANTHONY F. SPINA  
JAMES T. MCGUIRE  
TIMOTHY H. OKAL  
JOHN D. SPINA \*  
FELICIA M. DIGIOVANNI

\*ALSO ADMITTED IN FLORIDA

TELEPHONE (708)453-2860  
FAX (708)452-5088



July 19, 2011

Ms. Elsie Sutter  
Freedom of Information Officer  
Village of Elmwood Park  
11 Conti Parkway  
Elmwood Park, IL 60707

Re: Request for Public Information

Dear Ms. Sutter:

I am interested in ascertaining the true facts surrounding the allegations aired and responses made at yesterday's Village Board meeting. Towards that end, I here request the following pursuant to the Illinois Freedom of Information Act:

1. The complete computer record(s), including but not limited to "Utility Billing Account History", for water and refuse billings at 1845 N. 78<sup>th</sup> Ct. from January 1, 2000 to May 21, 2005;
2. The complete computer record(s), including but not limited to "Utility Billing Account History", for water and refuse billings at 1845 N. 78<sup>th</sup> Ct. from May 21, 2005 to April 29, 2011;
3. The complete computer record(s), including but not limited to "Utility Billing Account History", for water and refuse billings at 1845 N. 78<sup>th</sup> Ct. from April 28, 2011 to the date of response;
4. The computer back-up disc, or other electronic medium, upon which water and refuse records are backed-up for re-installation in the event of deletion for the months of January, 2011 through and including June, 2011;
5. A list identifying the user name(s) and email address(es) of all village officials and employees on the "elmwoodpark.org" system. For example, [jayd@elmwoodpark.org](mailto:jayd@elmwoodpark.org) is Jay Dalicandro. If any official or employee has more than one user name, all user names for each official and employee are requested.
6. Electronic copies of all emails sent from or received by the Village Manager on April 28, 2011 between the hours of 12:00 a.m. and 11:59 p.m. This request includes, but is not limited to, the email address of [jayd@elmwoodpark.org](mailto:jayd@elmwoodpark.org).

Ms. Elsie Sutter  
July 19, 2011  
Page 2 of 2

7. Electronic copies of all emails from the Village Manager to the following persons for the period of March 1, 2011 through July 19, 2011: Pasquale Martarano, Carmen Forte, Peter Terzo, Robert Bormann, and Peter Silvestri. This requests includes, but is specifically not limited to, the following email addresses:
  - a. [psmartorana@yahoo.com](mailto:psmartorana@yahoo.com),
  - b. [carmenforte@hotmail.com](mailto:carmenforte@hotmail.com),
  - c. [RBormann@elmwoodpark.org](mailto:RBormann@elmwoodpark.org),
  - d. [psilvestri@elmwoodpark.org](mailto:psilvestri@elmwoodpark.org),
  - e. [cookcty9@aol.com](mailto:cookcty9@aol.com),
  - f. [cforte@elmwodpark.org](mailto:cforte@elmwodpark.org)
  - g. [pterzo@elmwoodpark.org](mailto:pterzo@elmwoodpark.org)
  
8. Electronic copies of all emails to the Village Manager from the following persons for the period of March 1, 2011 through July 19, 2011: Pasquale Martarano, Carmen Forte, Peter Terzo, Robert Bormann, and Peter Silvestri. This requests includes, but is specifically not limited to, the following email addresses:
  - a. [psmartorana@yahoo.com](mailto:psmartorana@yahoo.com),
  - b. [carmenforte@hotmail.com](mailto:carmenforte@hotmail.com),
  - c. [RBormann@elmwoodpark.org](mailto:RBormann@elmwoodpark.org),
  - d. [psilvestri@elmwoodpark.org](mailto:psilvestri@elmwoodpark.org),
  - e. [cookcty9@aol.com](mailto:cookcty9@aol.com),
  - f. [cforte@elmwoodpark.org](mailto:cforte@elmwoodpark.org)
  - g. [pterzo@elmwoodpark.org](mailto:pterzo@elmwoodpark.org)
  
9. Confirmation that the attached "Utility Billing Account History Report" dated "04/28/2011 – 2:56 PM" customer number 029136000 at 1845 N. 78<sup>th</sup> Court is, or is not, a true and correct copy of a Village computer record as it existed on that date.
  
10. The name(s) of the Village employees and/or officials who have the security passwords that would enable the user to amend and/or delete Village water or refuse records.

In anticipation of a possible privacy objection to the requested water and refuse records, I direct your attention to the opinion of the Attorney General's office referenced in the attached newspaper article. I expect only the customer names and phone numbers to be redacted.

In addition, as this request relates to unproven allegations of theft of services and destruction of public records, I feel that this request is made in the public interest and, therefore, request that any fees for reproduction be waived.

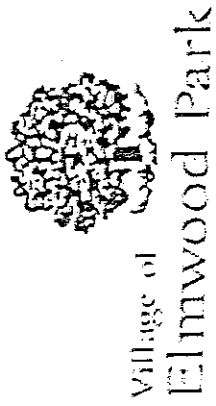
Cordially yours,

  
John Spina

CC: Peter Silvestri c/o [psilvestri@elmwoodpark.org](mailto:psilvestri@elmwoodpark.org)  
Jay Dalicandro c/o [jayd@elmwoodpark.org](mailto:jayd@elmwoodpark.org)

# Utility Billing Account History Report

User Name: code  
 City Name: Village of Elmwood Park  
 Printed: 04/28/2011 - 2:56:PM  
 Account Status: Delete  
 Connect Date: 05/21/2005 Final Date:  
 Customer Name: FORTE, CARMEN  
 Customer Address: 1815 78TH CT  
 ELMWOOD PARK, IL 60707  
 Home Phone: (708) 452-8714 Ext.  
 Business Phone: (708) 774-1242 Ext.  
 Customer Number: 029136 000



Total Acc'l Balances: 0.00  
 Deposits: 0.00  
 Owner name: FORTE, CARMEN  
 Service Address: 1815 78TH CT  
 Refunds: 0.00

Reference Number: 0300167900

Trans Date	Trans Type	Amount	Description	WATER	SEWER	MISC SPRINKL	MTU
	Balance Billing	0.00		0.00	0.00	0.00	0.00
		0.00		0.00	0.00	0.00	0.00
Current Balance By Service				0.00	0.00	0.00	0.00

66 minutes after Martorana confirms that Forte is paying for a 65-gallon can and emails Dalicandro and Silvestri about Forte's garbage cans, Forte's garbage records and history are deleted.

UB - Account History List (Printed: 04/28/2011 - 2:56:PM)

Re: Request #9