
From: Bob Ross [bob@therosscause.com]
Sent: Friday, August 15, 2008 11:48 AM
To: Jamie Ross; Robert & Barbara Ross
Subject: RE: FOIL Request for Attorney/Town Engineer Meeting

From: Sullivan, Dan (Pistol Permits) [mailto:dsullivan@ocgov.net]
Sent: Friday, August 15, 2008 10:09 AM
To: Bob Ross; gwgslaw; Chuck Gibbs; mciancaglini@whitestown.net; Barry, Kevin; wcooperwheat@whitestown.net; Mary Finegan; Schrantz, Karl
Subject: RE: FOIL Request for Attorney/Town Engineer Meeting

Mr. Ross,

Any future correspondence you have with Whitestown will be conveyed to me as it has all along via our town attorney. I have to rely on his expertise in this matter because of extensive allegations that you are making as it relates to Whitestown's roll in all this.

I personally believe the answer with your parent's problem could be corrected by a small swale on Holy Trinity's property. Whitestown has no legal right to put that swale on another property, but I will personally contact Holy Trinity Cemetery and ask their consideration in this matter.

Mr. Ross, I do not wish to have any more e-mails from you because you have a tendency to turn any e-mail into a debate to suit your needs. Because of possible future legal ramifications I respectfully again ask that you cease e-mails to me and direct all e-mails to our town attorney.

DPS
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From: Bob Ross [mailto:bob@therosscause.com]
Sent: Friday, August 15, 2008 9:44 AM
To: Sullivan, Dan (Pistol Permits); 'gwgslaw'; 'Chuck Gibbs'; mciancaglini@whitestown.net; 'Barry, Kevin'; 'Mary Finegan'; wcooperwheat@whitestown.net; 'Schrantz, Karl'
Cc: Jamie Ross; Robert & Barbara Ross
Subject: RE: FOIL Request for Attorney/Town Engineer Meeting

Mr. Sullivan,

Per your request, I will not copy you on further correspondence.

However, your response regarding Mr. Schmitt's role in a FOIL response confuses me. I've always been aware of the Records Access Officer's responsibilities. Despite being copied on all relevant emails, you seem to be unaware that Ms. Finegan stated that Mr. Schmitt "informed" her he would be "addressing" the subject FOIL request.

As far as taking advice from the Town Engineer:

- (1) Are you not aware that the developer of the software used by the Town Engineer has commented on inaccuracies in their report?
- (2) Are you not aware that the Town Engineer concluded that, in the future, when the Cemetery builds one mile of roadways the impervious area will somehow be reduced by 1 acre?

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- (3) Are you not aware that the Town Engineer advances an argument that the reducer was installed in 2001, despite pictures and Village Engineer testimony proving otherwise?
- (4) Are you not aware that the Town Engineer claims there are no problems – yet the Village Engineer on several occasions documented problems contradictory to the Town Engineer's findings & conclusions?

It is extremely disappointed that, in light of these discrepancies, you have elected to remove yourself from this discussion. After all, it may be me defending them, but my parents as taxpayers, deserve better.

Bob Ross
617-470-1407
www.therosscause.com

From: Sullivan, Dan (Pistol Permits) [mailto:dsullivan@ocgov.net]
Sent: Friday, August 15, 2008 8:59 AM
To: Bob Ross; gwgslaw; Chuck Gibbs; mciancaglini@whitestown.net; Barry, Kevin; Mary Finegan; wcopperwheat@whitestown.net; Schrantz, Karl
Subject: RE: FOIL Request for Attorney/Town Engineer Meeting

Mr. Ross,

Mr. Schmitt's knowledge that no records exist does not negate the fact that any FOIL request must be passed on to the records access officer, the Town Clerk.

Please do not copy me on any more e-mails. Your questions should be directly addressed to the Town Attorney or Town Engineer. I will take their advice as it relates to legal and engineering issues and trust them to advise.

I thank you in advance for respecting my request.

DPS
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From: Bob Ross [mailto:bob@therosscause.com]
Sent: Thursday, August 14, 2008 5:05 PM
To: 'gwgslaw'
Cc: 'Mary Finegan'; Jamie Ross; Robert & Barbara Ross; 'Councilman Barry'; 'Councilman Ciancaglini'; 'Councilman Copperwheat'; 'Councilman Sullivan'
Subject: RE: FOIL Request for Attorney/Town Engineer Meeting

Mr. Schmitt:

I acknowledge your response. However, it does seem incompatible with you informing the Town Clerk that you would be addressing this FOIL request. Since no records allegedly exist, I would have expected you to simply respond 'no records exist'.

Bob Ross
617-470-1407
www.therosscause.com

From: gwgslaw [mailto:gwgslaw@borg.com]
Sent: Thursday, August 14, 2008 3:58 PM
To: 'Bob Ross'
Cc: 'Mary Finegan'
Subject: RE: FOIL Request for Attorney/Town Engineer Meeting

Mr. Ross:

8/15/2008

The Town Clerk will provide you with a formal response as she is the records access officer. However, to address your concerns of timeliness, no records of my meeting with the engineer were required to be taken, nor were any records prepared by my office with respect thereto.

Bill Schmitt

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-----Original Message-----

From: Bob Ross [mailto:bob@therosscause.com]

Sent: Thursday, August 14, 2008 3:06 PM

To: William Schmitt; Mary Finegan

Cc: Charles Gibbs; Robert & Barbara Ross; Jamie Ross; 'Councilman Barry'; 'Councilman Ciancaglini'; 'Councilman Copperwheat'; 'Councilman Sullivan'

Subject: FOIL Request for Attorney/Town Engineer Meeting

Mr. Schmitt

The attached FOIL request was emailed to the Town the evening of 8/5/08 – as I'm sure you're aware, 8/6/08 is considered the date of receipt by FOIL.

Per FOIL, you are provided 5 days to provide access to readily available Records.

I'm considering meeting notes from a 6-10-08 meeting to be readily available.

Today is 8/14/08, seven days after receipt of my FOIL request.

Although I received an acknowledgment from Ms. Finegan – in your own words, I understand you will be "addressing" this specific FOIL request. I have received no correspondence from you regarding this specific FOIL request.

Please update me on providing access to these Records. If your lack of response signals your intent to deny this request, please let me know so that I may file an appeal accordingly.

Bob Ross

617-470-1407

www.therosscause.com