

July 6, 2012

Milwaukee City Clerk  
200 East Wells Street Room 205  
Milwaukee Wisconsin 53202-3567

RE: Thomas A. Balistreri  
C.I. File No.: 12-V-62

This is an appeal to the decision in the letter dated Tuesday, June 19<sup>th</sup>, 2012, post marked Friday, June 22<sup>nd</sup>, 2012, and received Monday, June 25<sup>th</sup>, 2012. I am respectfully requesting a hearing.

Thomas A. Balistreri  
8310 North Andrea Street  
Milwaukee, WI 53224-2768

C: Grant F. LANGLEY  
Steven M. CARINI

2012 JUL 10 PM 1:18  
CITY OF MILWAUKEE  
CITY ATTORNEY

2012 JUL 10 AM 9:51  
CITY CLERK'S OFFICE

To: City of Milwaukee  
Attn: City Clerk

RECEIVED

APR 3 - 2012

OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE

2012 APR 3 PM 1:26

RONALD D. LEONHARDT  
CITY CLERK

Dear Sir or Ma'am,

On Monday, March 26, 2012 at approximately 7:15 am, I arrived at the Milwaukee Police District Four station located at 6929 W. Silver Spring Dr. for my tour of duty and parked my private vehicle in the East parking area East of the main building. I have parked my private vehicle in this area hundreds of times in the past as do other employees. My private vehicle is a 2009 Chevy Silverado K2500 HD 3/4 ton diesel truck (silver) (Vin # 1GCHK53689F117328). The vehicle was legally parked and had no damage to the driver side front fender area. I ended my tour of duty at approximately 5:55 pm and returned to find a large dent in the driver side front fender of my vehicle. The dent was half moon shaped and creased and had a small amount of green/blue paint transfer. I immediately notified Sgt. Tischer and showed him the damage. I informed him that I did not give anyone permission to damage my private vehicle. I could not locate any vehicle in close proximity to my vehicle that would be consistent with the height and color transfer of the damage.

Three city owned (district) dumpsters are located on the curb/sidewalk area of the East side of the building. They were originally painted blue but are now painted green. They are emptied by rolling them off of the curb area by hand into the parking lot and hooked up to a sanitation truck for dumping. I measured with a tape measure that my vehicle was parked over 17 ' (feet) away from where the nearest dumpster is stored. However, when they are moved by hand for emptying, they would be in close proximity to my vehicle. I also measured the height of the cylindrical pins on the front sides of the dumpsters which match the shape of the dent/crease on the driver side fender of my vehicle. They measure 47" (inches) (from ground to pin). The dent/crease on my vehicle also measured 47" (inches) (from ground to dent). I also noted silver paint transfer on one of the pins consistent with the color of my vehicle. The green/blue paint transfer found in the crease of the dent was also consistent with the color of the paint on the dumpster pins. There is no doubt in my mind that the city sanitation workers who rolled the dumpsters off the curb area to be emptied are responsible for the damage that was done to my vehicle.

Police Officer Steven Jegen was ordered to investigate this damage to property on my behalf by Sgt. Tischer and took 24 photos (I/R # 12-086-0154).

I spoke and met with Driver Training Instructor Gene Deroune who investigated the damage to my vehicle. He stated that he felt that the damages done to my vehicle were in fact caused by City Sanitation workers and would note this in his report.

I am requesting reimbursement from the City for damages to my vehicle in the amount of the lesser of the two written estimates provided (\$1,685.31 - from Uptown Motor Cars Body Shop). This is a Chevrolet Dealership body shop that is associated with the sales department where I originally purchased my vehicle. I only ask the City bring my vehicle back to the original condition it was in prior to the damage committed.

I do not believe that the damage was committed intentionally. I am saddened, however, that the individual(s) responsible did not come into the 4<sup>th</sup> District Police Station where it occurred to notify someone regarding. This was not minor damage that could have somehow gone unnoticed.

Respectfully Submitted,



Mr. Thomas Balistreri  
6929 W. Silver Spring Dr.  
Milwaukee, WI. 53218  
(414) 935-7242

UPTOWN MOTORCARS BODY SHOP  
1111 EAST COMMERCE BLVD  
SLINGER, WI 53086  
PHONE: 262-644-8400 FAX: 262-644-8844  
FED ID # 39-1705330

\*\*\* PRELIMINARY ESTIMATE \*\*\*

03/31/2012 09:37 AM

Owner

Owner: THOMAS BALISTRIRI  
Address: 6929 WEST SLIVERSPRING DR  
City State Zip: Milwaukee, WI 53218  
Work/Day: (414)520-6379  
FAX:

Inspection

Inspection Date: 03/31/2012 09:38 AM  
Inspection Type:  
Appraiser Name: Mark Kissinger  
Appraiser License #:

Repairer

Repairer: UPTOWN MOTORCARS  
Address: 891 EAST COMMERCE BLVD  
City State Zip: Slinger, WI 53086  
Email: MKISS@UPTOWNMOTORCARS.COM  
Contact: MARK KISSINGER P  
Work/Day: (262)644-8300  
FAX: (262)644-8844

Vehicle

2009 Chevrolet Silverado K25 HD LT 4 DR Crew Cab Long Bed  
8cyl Diesel Turbo 6.6  
6-Speed Automatic

Lic Expire: VIN: 1GCHK53689F117328  
Prod Date: Mileage: 36,800  
Veh Insp#: Mileage Type: Actual  
Condition: Code: U8765G  
Ext. Refinish: Two-Stage Int. Refinish: Two-Stage

Options

4-Wheel Drive	AM/FM CD Player	Air Conditioning
Alarm System	Anti-lock Brakes	Auto Headlamp Control
Auto Locking Hubs (4WD)	Auxiliary Battery	Chrome Grille
Chrome Steel Wheels	Chrome Step Bumper	Cruise Control
Daytime Running Lights	Dual Airbags	Electronic Transfer Case
Emergency S.O.S. System	Engine Block Heater	Fender Flares
Floor Mats	Full Size Spare Tire	Halogen Headlights
Heated Power Mirrors	Heavy Duty Suspension	Illuminated Visor Mirrors
Intermittent Wipers	Keyless Entry System	Leather Steering Wheel
Lighted Entry System	MP3 Player	Overhead Console
Power Brakes	Power Door Locks	Power Steering
Power Take-Off Provision	Power Windows	Privacy Glass
Split Folding Rear Seat	Split Front Bench Seat	Tachometer
Theft Deterrent System	Tilt Steering Wheel	Tinted Glass
Tow Hooks	Velour/Cloth Seats	

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R
1	RI	142		Cover,Front Bumper LT	R & I Assembly				1.9	SM
2	RI	300		Grille Assembly	R & I Assembly				INC	SM
3	RI	41		Headlamp Assy, Halogen LT	R & I Assembly				0.3	SM
4	BR	83	13	Panel,Hood	Blend Refinish				2.6	RF
5	RI	136		Mldg,Hood Rear LT	R & I Assembly				0.1	SM
6	RI	137		Mldg,Hood Rear RT	R & I Assembly				0.1	SM
7	E	103		Fender,Front LT	22768375 GM Part	\$579.63			3.1	SM
8	L	103		Fender,Front LT	Refinish				4.0	RF
9	RI	235		W/Strip,Belt Outer LT	R & I Assembly				0.5	SM
10	RI	130		Mldg,Front Door Lower LT	R & I Assembly				0.3	SM
11	E	134		N/Plate,Front Door LT	15129646 GM Part	\$32.11			0.2	SM
12	RI	456		Mirror,Outer R/C LT	R & I Assembly				INC	SM
13	RI	227		Handle,Front Door Otr LT	R & I Assembly				0.6	SM
14	SB			HAZARD. WSTE. REM.	Sublet Repair	\$5.00*				SM
15	EC			COVER CAR EXTERIOR	Replace Economy	\$5.00*				RF
16	EC			CORROSION PROTECTION	Replace Economy	\$10.00*				RF
16 Items										

MC	Message
13	INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts	\$611.74
Other Parts	\$15.00
Paint Materials	\$224.40
Parts & Material Total	\$851.14
Tax on Parts & Material	\$47.66

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs
		Hrs		
Sheet Metal (SM)	\$54.00	7.1	7.1	\$383.40
Mech/Elec (ME)	\$95.00			
Frame (FR)	\$58.00			
Refinish (RF)	\$54.00	6.6	6.6	\$356.40
Paint Materials	\$34.00			

Labor Total	13.7 Hours	\$739.80
Tax on Labor	@ 5.600%	\$41.43
Sublet Repairs		\$5.00
Tax on Sublet	@ 5.600%	\$0.28
Gross Total		\$1,685.31
Net Total		\$1,685.31

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53086 Default

**2.0 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.**

**Op Codes**

\* = User-Entered Value  
EC = Replace Economy  
ET = Partial Replace Labor  
TE = Partial Replace Price  
L = Refinish  
TT = Two-Tone  
BR = Blend Refinish  
CG = Chipguard  
AA = Appearance Allowance

E = Replace OEM  
OE = Replace PNX OE Srpls  
EP = Replace PNX  
PM = Replace PNX Reman/Reblt  
PC = Replace PNX Reconditioned  
SB = Sublet Repair  
I = Repair  
RI = R & I Assembly  
RP = Related Prior Damage

NG = Replace NAGS  
UE = Replace OE Surplus  
EU = Replace Recycled  
UM = Replace Reman/Rebuilt  
UC = Replace Reconditioned  
N = Additional Labor  
IT = Partial Repair  
P = Check



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METICULOUS AUTO / TRUCK BODY INC  
8800 W FOND DU LAC AVE  
MILWAUKEE, WI 53225  
PHONE 414 464 9000 FAX 414 464 5950  
FEDERAL TAX ID 39-1960215

\*\*\* PRELIMINARY ESTIMATE \*\*\*

03/29/2012 04:12 PM

Owner

Owner: THOMAS BALISTRERI  
Address: 6929 W SILVER SPRING DR  
City State Zip: Milwaukee, WI 53218

Work/Day: (414)520-6379  
FAX:

Inspection

Inspection Date: 03/29/2012 04:12 PM

Inspection Type:

Repairer

Repairer: Meticulous Auto/Truck Body  
Address: 8800 W Fond du lac Ave.  
City State Zip: Milwaukee, WI 53225  
Email: meticulousinc@sbcglobal.net

Contact:  
Work/Day: (414)464-9000  
FAX: (414)464-5950

Vehicle

2009 Chevrolet Silverado K25 HD LT 4 DR Crew Cab Short Bed  
8cyl Diesel Turbo 6.6  
6-Speed Automatic

Lic Expire: VIN: 1GCHK53689F117328  
Prod Date: Mileage: 36,000  
Veh Insp#: Mileage Type: Actual  
Condition: Excellent Code: U8765E  
Ext. Refinish: Two-Stage Int. Refinish: Two-Stage

Options

4-Wheel Drive	AM/FM CD Player	Air Conditioning
Alarm System	Anti-lock Brakes	Auto Headlamp Control
Auto Locking Hubs (4WD)	Auxiliary Battery	Center Console
Chrome Grille	Chrome Steel Wheels	Chrome Step Bumper
Cruise Control	Daytime Running Lights	Dual Airbags
Electronic Transfer Case	Emergency S.O.S. System	Engine Block Heater
Floor Mats	Full Size Spare Tire	Halogen Headlights
Heated Power Mirrors	Heavy Duty Suspension	Illuminated Visor Mirrors
Intermittent Wipers	Keyless Entry System	Leather Steering Wheel
Lighted Entry System	MP3 Player	Overhead Console
Power Brakes	Power Door Locks	Power Steering
Power Take-Off Provision	Power Windows	Privacy Glass
Split Folding Rear Seat	Split Front Bench Seat	Stability Cntrl Suspnsn
Tachometer	Theft Deterrent System	Tilt Steering Wheel
Tinted Glass	Tow Hooks	Velour/Cloth Seats

## Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R
1	RI	41		Headlamp Assy, Halogen LT	R & I Assembly				0.8	SM
2	BR	83	13	Panel, Hood	Blend Refinish				2.6	RF
3	RI	136		Mldg, Hood Rear LT	R & I Assembly				0.1	SM
4	RI	137		Mldg, Hood Rear RT	R & I Assembly				0.1	SM
5	E	103		Fender, Front LT	22768375 GM Part	\$579.63			3.1	SM
6	L	103		Fender, Front LT	Refinish				4.0	RF
7	RI	1306		Guard, Fender Mud LT	R & I Assembly				INC	SM
8	BR	207		Door Shell, Front LT	Blend Refinish				1.3	RF
9	RI	130		Mldg, Front Door Lower LT	R & I Assembly				0.3	SM
10	E	27		Emblem, Front Door L/R	15223483 GM Part	\$9.07			0.2	SM
11	E	138		N/Plate, Front Door LT	15129644 GM Part	\$32.11			0.2	SM
12	RI	227		Handle, Front Door Otr LT	R & I Assembly				0.6	SM
13	SB			HAZARD, WSTE, REM.	Sublet Repair	\$6.00*				SM
14	N			COVER CAR EXTERIOR	Additional Labor	\$10.00*				RF
15	N			CORROSION PROTECTION	Additional Labor	\$15.00*			0.3*	RF
16	N			Clead and retape molding	Additional Labor	\$8.00*			0.2*	SM*
17	N			aim headlights	Additional Labor				0.4*	SM*
18	N			Color sand and polich	Additional Labor				0.5*	SM*
18	Items									

MC	Message
13	INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

## Estimate Total &amp; Entries

Gross Parts	\$620.81
Other Parts	\$33.00
Paint Materials	\$278.80
Parts & Material Total	\$932.61
Tax on Parts & Material	\$52.23

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
		Hrs			
Sheet Metal (SM)	\$54.00	5.4	1.1	6.5	\$351.00
Mech/Elec (ME)	\$80.00				
Frame (FR)	\$65.00				
Refinish (RF)	\$54.00	7.9	0.3	8.2	\$442.80
Paint Materials	\$34.00				

Labor Total	14.7 Hours	\$793.80
Tax on Labor	@ 5.600%	\$44.45
Sublet Repairs		\$6.00
Tax on Sublet	@ 5.600%	\$0.34
Gross Total		\$1,829.43
Net Total		\$1,829.43

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53225 Default  
SPPL Yes Zip Code: 53225 Default

**2.4 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.**

**Op Codes**

*	= User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC	= Replace Economy	OE = Replace PNX OE Srpls	UE = Replace OE Surplus
ET	= Partial Replace Labor	EP = Replace PNX	EU = Replace Recycled
TE	= Partial Replace Price	PM = Replace PNX Reman/Rebtl	UM = Replace Reman/Rebuilt
L	= Refinish	PC = Replace PNX Reconditioned	UC = Replace Reconditioned
TT	= Two-Tone	SB = Sublet Repair	N = Additional Labor
BR	= Blend Refinish	I = Repair	IT = Partial Repair
CG	= Chipguard	RI = R & I Assembly	P = Check
AA	= Appearance Allowance	RP = Related Prior Damage	

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Thomas A. Balistreri  
8310 North Andrea Street  
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Steven M. CARINI

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