STATE OF NEW YORK DEPARTMENT OF LABOR

IN THE MATTER OF

J. S. McHUGH, INC., and JEFFREY B. MULHALL,

Individually as one of the five largest shareholders of the corporation Prime Contractor

and

T D CONTRACTORS CORP. d/b/a T D CONTRACTORS, INC..

and

WILLIAM THORNE,

Individually as an officer and one of the five largest shareholders of the corporation;

THE THORNE GROUP, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP.,

and

WILLIAM THORNE and REBECCA THORNE,

Individually as officers and among the five largest shareholders of the corporation;

SPORTSCRAFTERS, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP.,

and

WILLIAM THORNE,

Individually as an officer and one of the five largest shareholders of the corporation; and

CERTIFIED INSTALLERS, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP.,

and

REBECCA A. THORNE,

Individually as an officer and one of the five largest shareholders of the corporation

Subcontractor

for a determination pursuant to Article 8 of the Labor Law as to whether prevailing wages and supplements were paid to or provided for the laborers, workers and mechanics employed on a public work project for the Town of Bedford, in Bedford, New York.

NOTICE OF FILING

Prevailing Wage Rate Case No. 07-2178

PW 06 0006

Westchester County

IN THE MATTER OF

ROCKMORE CONTRACTING CORP.,

and

JOHN M. FINN,

Individually as one of the five largest shareholders of the corporation

Prime Contractor;

J.S. McHUGH, INC., and JEFFREY B. MULHALL,

Individually as one of the five largest shareholders of the

corporation

Subcontractor;

and

T D CONTRACTORS CORP. d/b/a T D CONTRACTORS, INC.,

and

WILLIAM THORNE,

Individually as an officer and one of the five largest shareholders of the corporation;

THE THORNE GROUP, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP., and WILLIAM THORNE,

Individually as an officer and one of the five largest shareholders of the corporation;

SPORTSCRAFTERS, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP., and WILLIAM THORNE, Individually as an officer and one of the five largest shareholders of the corporation;

and

CERTIFIED INSTALLERS, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP., and REBECCA A. THORNE, Individually as an officer and one of the five largest shareholders of the corporation Sub-subcontractor

for a determination pursuant to Article 8 of the Labor Law as to whether prevailing wages and supplements were paid to or provided for the workers employed on a public work project known as Additions and Alterations at the Nesaquake Middle School, in Smithtown

Prevailing Rate Case PRC No. 2009006983 Case ID: PW08 2011008246 Westchester County IN THE MATTER OF

FORTUNATO SONS, INC., and BERNARD FORTUNATO, Individually as one of the five largest shareholders of the corporation Prime Contractor;

and

J.S. McHUGH, INC., and JEFFREY B. MULHALL, Individually as one of the five largest shareholders of the corporation Subcontractor;

and

T D CONTRACTORS CORP. d/b/a T D CONTRACTORS, INC.

and

WILLIAM THORNE,

Individually as an officer and one of the five largest shareholders of the corporation;

THE THORNE GROUP, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP., and WILLIAM THORNE, Individually as an officer and one of the five largest shareholders of the corporation;

SPORTSCRAFTERS, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP., and WILLIAM THORNE, Individually as an officer and one of the five largest shareholders of the corporation;

and

CERTIFIED INSTALLERS, INC.

as a substantially owned-affiliated entity and/or successor of T D CONTRACTORS CORP., and REBECCA A. THORNE, Individually as an officer and one of the five largest shareholders of the corporation

Sub-subcontractor

for a determination pursuant to Article 8 of the Labor Law as to whether prevailing wages and supplements were paid to or provided for the workers employed on a public work project known as Additions and Alterations at the Great Hollow Middle School in Smithtown.

Prevailing Rate Case Case No. 03-6084 PW 12 060004

Suffolk County

PLEASE TAKE NOTICE that annexed hereto are true copies of the final Determination & Order and the Report & Recommendation duly filed in the Office of the Commissioner of Labor on.

Labor Law § 220 (8) provides that any party aggrieved by this Determination & Order may, pursuant to Article 78 of the Civil Practice Law and Rules, commence a proceeding for review directly in the Appellate Division of the Supreme Court within 30 days from this Notice of Filing.

Dated: February 21, 2013

Albany, New York

Respectfully submitted,

Jerome A. Tracy, Hearing Officer Office of Administrative Adjudication

TO:

T D CONTRACTORS CORP. 235 W. Pittsburgh St. Greenburg, PA 15601

T D CONTRACTORS CORP. 113 N. Maple Ave. Greensburg, PA 15601

WILLIAM THORNE c/o T D CONTRACTORS CORP. 113 N. Maple Ave. Greensburg, PA 15601

THE THORNE GROUP, INC. Four N Shore Center Pittsburgh, PA 15212

SPORTSCRAFTERS, INC. 113 N. Maple Ave. Greensburg, PA 15601

CERTIFIED INSTALLERS, INC. 113 N. Maple Ave. Greensburg, PA 15601

REBECCA A. THORNE c/o CERTIFIED INSTALLERS, INC. 113 N. Maple Ave. Greensburg, PA 15601 J.S. McHUGH, INC. 839 Stewart Ave. Garden City, NY 11530

JEFFREY B. MULHALL c/o J.S. McHugh, Inc. 839 Stewart Ave. Garden City, NY 11530

ROCKMORE CONTRACTING CORP. 26 Loft Rd. Smithtown, NY 11787

ROCKMORE CONTRACTING CORP. 80 Remington Blvd. Ronkonkoma, NY 11779

JOHN M. FINN c/o ROCKMORE CONTRACTING CORP. 26 Loft Rd. Smithtown, NY 11787

FORTUNATO SONS, INC. 630 Johnson Ave. Bohemia, NY 11716

BERNARD FORTUNATO c/o FORTUNATO SONS, INC. 630 Johnson Ave. Bohemia, NY 11716

Katz & Bernstein (Attorneys for J.S. McHugh, Inc.) 265 Post Avenue Westbury, NY 11590

Town of Patterson 1142 Route 311 Patterson, NY 12563

Smithtown Central School District 26 New York Ave., Unit 1 Smithtown, NY 11787

Carle Place Union Free School District 168 Cherry Lane Carle Place, NY 11514 Fidelity and Deposit Company of Maryland 3910 Keswick Road Baltimore, MD 21203

Centennial Insurance Company Three Giralda Farms Madison, NJ 07940

FOR THE DEPARTMENT:

James Rogers, Deputy Commissioner for Business & Labor Executive 9 Bond Street 4th Floor Brooklyn, NY 11201

Jerome A. Tracy, Hearing Officer Administrative Adjudication Unit New York State Department of Labor State Office Building Campus Building 12, Room 266C Albany, NY 12240

Christopher Alund, Director Bureau of Public Work New York State Department of Labor State Office Building Campus Building 12, Room 130 Albany, NY 12240-0130

David Bouchard, Assistant Director Bureau of Public Work New York State Department of Labor State Office Building Campus Building 12, Room 130 Albany, NY 12240-0130

David White, Senior Investigator Bureau of Public Work New York State Department of Labor 160 South Ocean Ave., 2nd Fl. Patchogue, NY 11772 Brian Lamb, Investigator Bureau of Public Work New York State Department of Labor 160 South Ocean Ave., 2nd Fl. Patchogue, NY 11772

Pico Ben-Amotz, Acting Department Counsel Louise G. Roback, Senior Attorney, of Counsel New York State Department of Labor State Office Building Campus Building 12, Room 509 Albany, NY 12240-0005