

STATE OF NEW YORK: DEPARTMENT OF LABOR
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In the Matter of

Xavier Construction Co., Inc.; and Frank Acocella, as an officer and/or shareholder of Xavier Construction Co., Inc. and its substantially owned-affiliated entities, Xavier Contracting, LLC, Xavier Enterprises, LLC, and Esquire Realty Company, LLC

NOTICE
OF
FILING

Prime Contractor,

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 Eastchester, State of New York.

Prevailing Wage Rate
PRC No. 2009000979
Case ID: PW082010027650
Westchester County

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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 June 9, 2016.

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: June 10, 2016
Albany, New York



Jerome A. Tracy, Associate Attorney
NYSDOL Office of Administrative Adjudication
State Campus, Bldg 12, Room 266C
Albany NY 12240

TO: **Via Certified Mail Return Receipt**
& First-class mail

Xavier Construction Co., Inc.
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Mt. Kisco, New York 10549

Xavier Construction Co., Inc.
68 Gaylord Road
Scarsdale, New York 10583

Xavier Construction Co., Inc.
c/o Capalbo & Lauro, CPA's P.C.
37 New Haven Street
Harrison, New York 10528

Frank Acocella
68 Gaylord Road
Scarsdale, New York 10583

Via First-class mail

Town of Eastchester
40 Mill Road
Eastchester, New York 10709

Via Email

James Rogers, Deputy Commissioner of Labor
For Business and Labor Affairs

Christopher Alund, Director Bureau of Public Work

Nicole Goggin, Secretary 2

Jonathan Jones, Senior Public Work Wage Investigator

Pico Ben-Amotz, General Counsel
Elina Matot, Senior Attorney, of Counsel