

IN THE MATTER OF

LEEMA EXCAVATING, INC.  
and  
JOSEPH MONETTE  
as President and one of the five largest shareholders of

LEEMA EXCAVATING, INC.  
Prime Contractor

A proceeding pursuant to Article 8 of the Labor Law to determine whether a contractor paid the rates of wages or provided the supplements prevailing in the locality to workers employed on a public work project.

IN THE MATTER OF

J.M. TRI STATE TRUCKING, INC.  
and  
JOSEPH MONETTE  
as President and one of the five largest shareholders of  
TRI STATE TRUCKING, INC.

Prime Contractor

A proceeding pursuant to article 8 of the Labor Law to determine whether a contractor paid the rates of wages or provided the supplements prevailing in the locality to workers employed on a public work project.

**DETERMINATION  
&  
ORDER**

Prevailing Rate Case  
#’s 9707407; 99-03569;  
98-05231; 97-02394;  
Onondaga County

Prevailing Rate Case  
03-00411 Onondaga County

IN THE MATTER OF

MURNANE BUILDING CONTRACTORS, INC.  
Prime Contractor

and

JOSEPH MONETE  
d/b/a  
TRI STATE TRUCKING  
Subcontractor

Prevailing Rate Case  
00-03388 Onondaga County

A proceeding pursuant to article 8 of the Labor Law to determine whether a contractor paid the rates of wages or provided the supplements prevailing in the locality to workers employed on a public work project.

WHEREAS a hearing was held in the above-captioned matter; and

WHEREAS the Hearing Officer submitted the annexed Report & Recommendation dated October 21, 2009:

NOW, upon review of the entire record, and upon reading the Hearing Officer's Report & Recommendation, and due deliberation having been had thereon, it is

ORDERED that the Hearing Officer's findings of fact and conclusions of law be, and hereby are, adopted; and it is further

ORDERED that the Hearing Officer's recommended determinations and orders be, and hereby are, adopted, and they shall constitute the final **Determination & Order** of the Commissioner of Labor as if fully set forth herein.

Dated: October 21, 2009  
Albany, New York

A handwritten signature in black ink that reads "M Patricia Smith". The signature is written in a cursive style. To the right of the signature, there is a short horizontal line.

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M. Patricia Smith  
Commissioner of Labor  
State of New York