

SITE REPORT NOTES

Sites Rec #: 103415

Printed on: 7/1/2021

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

25-Jan-2021 3:53 pm

John Leonard

AUDIT NARRATIVE

Contractor: D&M Galloway Holdings LLC (ER # 729915)
Project: Stockton Dormitory 421 Chris Gaupp Drive Galloway
(Claim# 491516)
Field Representative: John J. Leonard

REASON

Complaint from [REDACTED] alleging Prevailing Wage not paid.

FINDINGS

Project - Stockton Dormitory 421 Chris Gaupp Drive Galloway. owned by D&M Holding LLC.

A New Jersey Department of Labor site inspection on 10/22/19 involved a conversation with the Owner, Don Purdy.

Lease Agreement between D&M Galloway Holdings LLC and Stockton University dated July 25, 2016(7/25/16)

Contract for Sale between D&M Galloway Holdings LLC and Stockton University dated June 19, 2019(6/19/19)

The paragraph in the Lease Agreement mentioned above describes the Demised Premises in Paragraph # 2 as follows;

"The premises hereby leased by Stockton consists of forty-two (42) rooms within a building located at 421 Chris Gaupp Drive, Galloway, New Jersey ("the Building"). The Lessor agrees that thirty-five (35) rooms will be double occupancy and seven (7) rooms will be triple occupancy. Stockton has the right to use all public areas throughout the building. Stockton's usable space is attached hereto, incorporated herein and made a part of this Lease as "Exhibit A" (hereinafter referred to as "Demised Premises")."

Existing Building is approximately 24,450 square feet the Addition is 2,000 square feet.

Letter from Architect Harry Harper contradicts the square footage leased . (exhibit C).

The Contract for sale between D&M Galloway Holdings LLC and Stockton University dated 6/19/19 contained the following "Lease "Agreement during the pendency of the Sale.

The project in this file refers to an "Addition" to be constructed on adjacent property next to the "Existing Building".

The "Addition" can be seen in [REDACTED] photo dated 7/22/19(showing an Addition attached to the older "Leased" Building).

Per Paragraph 4.2 referenced as "Demised Premises, " this Paragraph notes the following; ""The premises hereby leased by Stockton consists of forty two(42) rooms within a building located at 421 Chris Gaupp Drive, Galloway, New Jersey ("the Building")."

SITE REPORT NOTES

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MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

The Lease Agreement referenced above dated July 25, 2016 had a "Termination Date" of May 12, 2019.

The exact date of the beginning of construction of the new "Addition" is not known.

In discussing the The Contract for Sale dated 6/19/19 with Attorney Brian Kowalski of Stockton University, Field Rep. Leonard was told that the document is not a Lease but it is a Contract for Sale. The Lease verbage placed in the "Contract for Sale" was placed in the Contract for Sale just in case the "Addition" was not complete in time for the next school year.

D&M Galloway Holdings LLC was sent a subpoena via the US Post Office with Tracking Number "70160910000143010087" . USPS Tracking shows it being delivered on November 10, 2020. D&M Galloway Holdings LLC never replied to the Subpoena.

The attorney Christopher Lipari for D&M Holdings LLC mailed a letter to the Trenton office stating the office was closed due to covid. (Exhibit B).

Construction Permit is dated June 12, 2019. (Exhibit B).

Temporary Certificate is dated October 24, 2019. (Exhibit B).

D&M Galloway Holdings LLC is not Registered.

Photos provided by _____, show workers at the jobsite on 7/22/19 and also work trucks on the jobsite on 7/2/19.

CONCLUSION

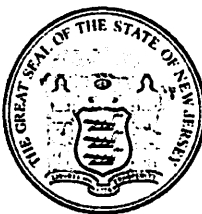
D&M Galloway Holdings LLC failed to answer a subpoena and obstructed the request for records.

D&M Galloway Holdings LLC failed to register.

Alleged Violations:

1. Failure to register.
2. Obstruction

Total Notes: 1



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lieutenant Governor

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

ROBERT ASARO-ANGELO
Commissioner

July 5, 2023

William Blaney, Esq
Blaney & Karavan, P.C.
2123 Dune Drive, Suite 11
Avalon NJ 08202

Via Email ONLY: bill@blaneykaravan.com

**RE: PC-8-0121-LEO, PC-156-0422-PCS, PC-368-0822-PCS
D & M Galloway Holdings LLC**

Dear Mr. Blaney:

I write to your attention as counsel for D & M Galloway Holdings LLC (the "Company"). In consideration of the mutual promises and obligations of this Agreement, the Division of Wage and Hour Compliance (the "Division") and the Company agree fully and finally to settle the above-captioned matters pursuant to the terms and conditions below:

This will confirm and memorialize the terms and conditions discussed and accepted, regarding **PC-8-0121-LEO**.

The Division agreed to revise its assessments of:

Admin. Penalty: \$50,500.00

The revised and accepted assessments are as follows:

Admin. Penalty: \$5,000.00

This will confirm and memorialize the terms and conditions discussed and accepted, regarding **PC-156-0422-PCS**.

The Division agreed to revise its assessments of:

Admin. Penalty: \$2,500.00

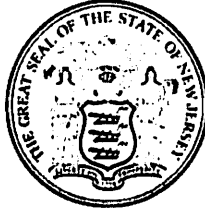
Continued to next page



WAGE AND HOUR DIVISION AND
CONTRACT COMPLIANCE

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PHILIP D. MURPHY
Governor

State of New Jersey

SHEILA Y. OLIVER
Lieutenant Governor

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

ROBERT ASARO-ANGELO
Commissioner

The revised and accepted assessments are as follows:

Admin. Penalty: \$1,250.00

This will confirm and memorialize the terms and conditions discussed and accepted, regarding **PC-368-0822-PCS**.

The Division agreed to revise its assessments of:

Admin. Penalty: \$2,500.00

The revised and accepted assessments are as follows:

Admin. Penalty: \$1,250.00

The Division accepted these revisions based upon your explanation and assurance of future compliance. The Company agrees to mail a check payable to the "Commissioner of Labor" in the amount of \$7,500.00 to the Division of Wage and Hour Compliance, PO Box 389, Trenton, NJ 08625-0389 on or before August 5, 2023.

This agreement has been reviewed and accepted by the Division with the understanding that the Firm is resolving the matter without an admission of guilt or liability. However, this matter will be regarded as a "prior offense" strictly for purposes of determining the fee and/or penalty for any future violation.

For the Division:

[Redacted Signature]

Robert J. Kirkland IV, Hearing Officer

7/5/2023

Date

For the Company:

Donald Purdy, Owner

Date



WAGE AND HOUR DIVISION AND
CONTRACT COMPLIANCE

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New Jersey is an Equal Opportunity Employer
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CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at www.usps.com®.

7019 2280 0002 2648 9714

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To

Street and Apt. No., or PO Box No., Owner's Office

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7535-02-000-9047 See Reverse for Instructions

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7019 2280 0002 2648 9707

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To

Street and Apt. No., or PO Box No., Box

City, State, ZIP+4® State

PS Form 3800, April 2015 PSN 7535-02-000-9047 See Reverse for Instructions

Postmark
Here

7019 2280 0002 2648 9707



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

January 13, 2023

Re: PC-8-0121-LEO
421 Chris Gaupp Drive Addition
421 Chris Gaupp Drive Addition
Stockton University

Dear Donald Purdy:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: *These monies are due directly to Employees.*

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are not subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12 months and is not subject to tax deductions.

Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.


Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

Respond to this Notice within 15 Days of the above Date:

1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.
2. If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,


Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-8-0121-LEO

D&M Galloway Holdings LLC

1/13/2023

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Violation	Citation No.	Penalty
Records / Obstruction	34:11-56.31	\$50,000.00 (\$2500 x 20 weeks)
Failure to Register	34:11-56.51	\$500.00 (violation)

Assessments:

Total Monies due Employees	\$0.00
Back Wages	\$0.00
Liquidated Damages	\$0.00
Misclassification Penalty	\$0.00
Administrative Fee (0% of Total Monies)	\$0.00
Penalty	\$50,500.00

Instructions

- 1. Payment of Total Monies due Employees:** Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

If a former employee's check is returned to you as undeliverable, forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

- 2. Payment of Administrative Fee and/or Penalty:** Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.
- 3. Check the appropriate box below:** Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

Wage and Hour Division and Contract Compliance
 PO Box 389
 Trenton, NJ 08625-0389
 Fax (609) 695-1174

- I am submitting payment for the Administrative Fee and/or Penalty. If any monies are due employees, I have paid employees directly as per the above instructions. I am submitting copies of the cancelled employee checks and corresponding statement of deductions as proof of payment. Any withholdings have been remitted to the proper taxing agencies.
- I am contesting the above Assessments and I am requesting a telephone conference to discuss my case because (explain briefly):

Print Name: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____ Date: _____

Email: _____

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7019 2280 0002 2581 6580

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Donald Purdy, Owner

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-900-9047

See Reverse for Instructions



T 17-27-21

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

July 2, 2021

Re: PC-8-0121-LEO
421 Chris Gaupp Drive Addition
421 Chris Gaupp Drive Addition
Stockton University

Dear Donald Purdy:

The Division of Wage and Hour Compliance conducted an inspection of your firm. It has been determined that you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of wages assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Wages: If wages are assessed, the gross amount is listed on the attached Assessment Form.

Administrative Fee: If wages are assessed, an administrative fee is due. The fee is equal to a percentage of the amount of gross wages due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.

Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

Respond to this Notice within 15 Days Following the Receipt of the Notice:

1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days following the receipt of the notice.
2. If you are contesting any portion of this assessment, you must submit a written request for a hearing. Complete the bottom section of the Assessment Form and return within 15 days following the receipt of the notice. We will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions about completing the attached form(s), contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,

Kevin Triplett, Bureau Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-8-0121-LEO

D&M Galloway Holdings LLC

7/2/2021

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C):

Violation	Citation No.	Penalty
Records / Obstruction	34:11-56.31	97,500.00 (\$2,500 x1wk \$5000 x 19wk)
Failure to Register	34:11-56.51	500.00 (violation)

Assessments:

Wages	\$0.00
Administrative Fee (0% of Wages)	\$0.00
Penalty	\$98,000.00

Instructions

1. Payment of Wages: Pay employees directly and provide employees with a statement of deductions. Enter the deductions and net amount for each employee on the Wages Due Form. Submit copies of the cancelled employee checks and corresponding statement of deductions to this office as proof of payment. Any withholdings should be remitted to the proper taxing agencies.

If a former employee's check is returned to you as undeliverable, add "...or Commissioner of LWD" after the employee's name on the "Pay to the Order of" line. Forward the returned check and statement of deductions to the Division of Wage and Hour Compliance to be held in trust for that employee. Include case number on each check.

2. Payment of the Administrative Fee and/or Penalty: Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.

3. Check the appropriate box below and detach bottom portion of form. Mail completed forms, cancelled employee checks and corresponding statement of deductions, and payment to:

Division of Wage and Hour Compliance
PO Box 389
Trenton, NJ 08625-0389
Fax (609) 695-1174

-----X----- **Detach and Return to Division of Wage and Hour Compliance** -----X-----
Case No. PC-8-0121-LEO 7/2/2021

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

I am submitting payment for the Administrative Fee and/or Penalty. If wages are due, I have paid employees directly and provided employees with a statement of deductions. I have completed the Wages Due Form listing the deductions and net amount for each employee. I am submitting copies of the cancelled employee checks and corresponding statement of deductions as proof of payment. Any withholdings have been remitted to the proper taxing agencies.

I am contesting the Wages, Administrative Fee, and/or Penalty, and I am requesting a hearing to discuss my case because (explain briefly):

Print Name: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____ Date: _____

Email: _____

**PUBLIC CONTRACTS
R & A REVIEW SHEET**

Field Rep John Leonard

CASE NUMBER PC-8-0121-LEO

Project: Addition to Stockton University Dormitory Chris Gaupp Drive

Project Address 1: 421 Chris Gaupp Drive Galloway Twp.

Public Body: Stockton University

SEND LETTER TO: Employer # 729915

Owner's Name: Don Purdy

Company Name: D&M Galloway Holdings LLC.

Address 1: 805 Third Ave.

City: Galloway Twp.

State: NJ

Zip: 08205

Company Representative: Christopher Lipari

Address 1: 1301 S. Main Street

City: Pleasantville

State: NJ

Zip: 08232

ADMINISTRATIVE FEE / PERCENTAGE / PENALTY / WAGES INFORMATION:

INITIAL ADMINISTRATIVE FEE: \$

INITIAL % DUE:

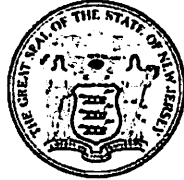
INITIAL ADMINISTRATIVE PENALTY: \$ 98,000

WAGES DUE: \$

ALLEGED VIOLATIONS

- | | | |
|---|----------------------|-----------|
| <input type="checkbox"/> Failure to Pay Prevailing Wage | N.J.S.A. 34:11-56.27 | \$ |
| <input type="checkbox"/> Failure to Keep Accurate Certified Payroll | N.J.S.A. 34:11-56.29 | \$ |
| <input checked="" type="checkbox"/> Records/Obstruction | N.J.S.A. 34:11-56.31 | \$ 97,500 |
| <input type="checkbox"/> Prevailing Wage Rates Not Posted | N.J.S.A. 34:11-56.32 | \$ |
| <input type="checkbox"/> File Records 10 Days / Public Body | N.J.S.A. 34:11-56.33 | \$ |
| <input type="checkbox"/> Records -- GE | N.J.S.A. 34:11-56a20 | \$ |
| <input checked="" type="checkbox"/> Failure To Register | N.J.S.A. 34:11-56.51 | \$ 500 |
| <input type="checkbox"/> Contracted Unregistered Subcontractor | N.J.A.C. 12:62-2.1 | \$ |
| <input type="checkbox"/> Unpaid Wages / Late Payment | N.J.S.A. 34:11-4.2 | \$ |
| <input type="checkbox"/> Illegal Deductions | N.J.S.A. 34:11-4.4 | \$ |
| <input type="checkbox"/> Failure to Pay Prevailing Wage-EDA Project | N.J.S.A. 34:1B-5.1 | \$ |
| <input type="checkbox"/> Failure to Pay Prevailing Wage-Utility Project | N.J.S.A. 34:13B-2.1 | \$ |
| <input type="checkbox"/> Obstruction Hindering | N.J.S.A. 34:11-56.35 | \$ |
| <input type="checkbox"/> Misclassification | N.J.S.A. 34:20-5 | \$ |
| <input type="checkbox"/> Other | | \$ |

*1 week X 2500
19 weeks X 5000*



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

January 13, 2023

Re: PC-8-0121-LEO
421 Chris Gaupp Drive Addition
421 Chris Gaupp Drive Addition
Stockton University

Dear Donald Purdy:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: *These monies are due directly to Employees.*

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are not subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12 months and is not subject to tax deductions.

Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.

Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

Respond to this Notice within 15 Days of the above Date:

1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.
2. If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,


Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-8-0121-LEO

D&M Galloway Holdings LLC

1/13/2023

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Violation	Citation No.	Penalty
Records / Obstruction	34:11-56.31	\$50,000.00 (\$2500 x 20 weeks)
Failure to Register	34:11-56.51	\$500.00 (violation)

Assessments:

Total Monies due Employees		\$0.00
Back Wages	\$0.00	
Liquidated Damages	\$0.00	
Misclassification Penalty	\$0.00	
Administrative Fee (0% of Total Monies)		\$0.00
Penalty		\$50,500.00

Instructions

1. **Payment of Total Monies due Employees:** Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

if a former employee's check is returned to you as undeliverable, forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

2. **Payment of Administrative Fee and/or Penalty:** Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.
3. **Check the appropriate box below:** Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

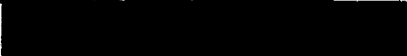
Wage and Hour Division and Contract Compliance
PO Box 389
Trenton, NJ 08625-0389
Fax (609) 695-1174

I am submitting payment for the Administrative Fee and/or Penalty. If any monies are due employees, I have paid employees directly as per the above instructions. I am submitting copies of the cancelled employee checks and corresponding statement of deductions as proof of payment. Any withholdings have been remitted to the proper taxing agencies.

I am contesting the above Assessments and I am requesting a telephone conference to discuss my case because (explain briefly):

Print Name: William Blaney, Esq.

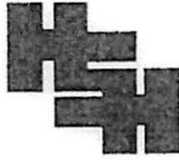
Title: Attorney at law

Signature:  Date: 1/13/23

Phone: 609-435-5368

Fax: 609-435-5473

Email: b.ll@blaneydonohue.com



HARRY S. HARPER ARCHITECTS INC.

555 NEW JERSEY AVE.
ABSECON, N. J. 08201
PHONE: (609) 645-7566

HARRY S. HARPER
NJ AI 08900
N.J.P.P. LI 03222

October 31, 2019

Mr. Donald Purdy
c/o Purdy Automotive
325 E. White Horse Pike
Absecon, NJ 08201

Re: Chris Gaupp Road Dorms

Dear Mr. Purdy:

The actual square footage of the building you lease to Stockton University is 19,726.58 square feet. We have deducted from the overall square footage things such as outside maintenance storage, panel/utility room, chases, and the deli-snack bar.

I was the original architect on this project and you did not construct the original building. The building you purchased was a semi completed shell that had electric service, sewer lines, water service and roughed in elevator and mechanical room. All you did was finish the shell and put two small additions on either end of the building.

The finished third floor has been converted back to attic space and the bathrooms and other structures have been dismantled.

I hope this information is helpful. If I can provide further assistance, please feel free to call me.

Very truly yours



Harry S. Harper

HSH/at

POLISTINA
Associates, LLC
Engineers & Planners

*Civil / Municipal Engineering
Site Plan and Subdivision Design
Surveying
Land Use Planning
Water and Wastewater Design
Environmental Consulting
Inspection / Construction Management*

*Vincent J. Polistina, PE, PP, CME
Craig R. Hurless, PE, PP, CME*

December 16, 2019

Ms. Beth McCann
Assistant Construction Official
Township of Galloway
300 B. Jimmie Leeds Road
Galloway, NJ 08205

Re: **Certificate of Occupancy
D & M Galloway
Block 784, Lot 1
Galloway Township, Atlantic County
PA No. 5600.90**

Dear Beth:

As per the developer's request, Polistina & Associates has completed an inspection of the site improvements at the above referenced project to all necessary improvements have been completed.

Based on this inspection, Polistina & Associates has no objection to the issuance of a certificate of occupancy for the project.

If you should have any questions or require additional information, please feel free to call.

Very truly yours,

POLISTINA & ASSOCIATES

Vincent J. Polistina, PE, PP, CME
Township Engineer

Cc: Heather Butler, Planning/ Zoning Board Administrator

6684 Washington Avenue, Egg Harbor Township, NJ 08234
Phone: 609.646.2950 Fax: 609.646.2949
E-mail: polistinaassoc@comcast.net



**BLANEY
DONOHUE
KARAVAN &
WEINBERG, P.C.**

William G. Blaney, Esquire* Frank Guaracini, III, Esquire+
Michael J. Donohue, Esquire‡□ Steven Morris, Esquire*
Marcus H. Karavan, Esquire** John R. Dominy, Esquire*+
Kyle D. Weinberg, Esquire Charles E. Schlager, Jr., Esquire+

‡ Also a Member of the U.S. Supreme Court Bar
□ Former Judge of the New Jersey Superior Court
** Also a Member of the New York Bar
* Also a Member of the Pennsylvania Bar
+ Of Counsel

August 19, 2021

Robert Asaro-Angelo, Commissioner
State of New Jersey, Dept. of Labor and
Workforce Development
P.O. Box 389
Trenton, NJ 08625-0389

RE: Donald Purdy, Owner/Officer and Individually, and D & M Galloway Holdings, LLC
 Case No.: PC-8-0121-LEO

Dear Mr. Asaro-Angelo:

This office represents Donald Purdy and D&M Galloway Holdings, LLC in the above captioned matter. We are in receipt of your Final Order in this matter dated August 5, 2021 assessing \$98,000.00 administrative penalty for alleged record keeping violations and demanding payment (See attached). The work at issue involves dormitory space rented to Stockton University at 421 Chris Gaupp Drive in Galloway Township. My understanding is that the work at issue was not public work insomuch as the portion of the building my client rented to Stockton University was under 20,000 sq. ft. and the work in question was not initiated and completed until after the lease term. My client advises that he sent proof of the square footage by way email to Field Investigator John Leonard of your office at his request (See attached). The same consisted of a letter from the building's architect indicting that the leased portion of the building is only 19,726.58 sq. ft. As I am sure you are aware, N.J.A.C. 12:60-2.1 defines public work as encompassing premises where "more than 20,000 square feet" are leased by a public body. We therefore believe the penalty assessment was in error.

Prior to filing an appeal with the New Jersey Superior Court Appellate Division, we would like to try and resolve this matter. If you are represented by an attorney in this matter, I would ask that you forward this letter to him/her for appropriate response. If you are not, I would ask that you have whoever has the authority to discuss resolution contact me.

2123 Dune Drive Suite 11
Avalon, NJ 08202
Ph. 609-435-5368
Fx. 609-435-5473

www.blaneydonohue.com

Page 2 of 2

Thank you in advance for your time and consideration in this matter.

Very truly yours,

[REDACTED]

WILLIAM G. BLANEY

[REDACTED]

WGB/tc
Enclosure



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

August 5, 2021

Case No. PC-8-0121-LEO

v.

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

On August 3, 2021 the Division of Wage and Hour Compliance, pursuant to Public Law 1991, Chapter 205, issued formal notification assessing an administrative fee, penalty and/or wages, as cited below. Payment of the assessment by certified check or money order payable to the Commissioner of Labor and Workforce Development was to be received by the Division of Wage and Hour Compliance, P. O. Box 389, Trenton, New Jersey 08625-0389 within fifteen (15) days of the notification.

Wages: \$0.00
Administrative Fee: \$0.00
Administrative Penalty: \$98,000.00

Failure to comply with this notice has resulted in a Final Administrative Order being entered against you;

Therefore, it is ORDERED that payment be made to the Commissioner of Labor and Workforce Development, Division of Wage and Hour Compliance within ten (10) days of this order.

Further, failure to comply with this Final Administrative Order will result in a certified copy of the Final Order being filed with the Clerk of the Superior Court of New Jersey in Trenton, and further, pursuant to the Penalty Enforcement Act, P.L. 1999 C.274, the Commissioner of Labor and Workforce Development will obtain a judgment for the purpose of recovery of monies due plus costs and any other such relief as may be appropriate including wages, administrative penalties and administrative fees. The judgment will be enforced upon any of the defendant's real or personal property. Signed this August 5, 2021 pursuant to the authority herein vested in me by law.

Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development
By: [Redacted]
David A. Biglin, Director
Division of Wage and Hour Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Division of Wage and Hour Compliance, P.O. Box 389, Trenton, New Jersey on August 5, 2021.

[Redacted]
Marc Goldberg, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)

From: Nicole Pratt <Nicole@purdycollision.com>
Date: November 4, 2019 at 11:44:58 AM EST
To: "Leonard, John" <John.Leonard@dol.nj.gov>
Cc: Don Purdy <dptowing@hotmail.com>
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp

Sorry about that. Please see attached.

From: Leonard, John [mailto:John.Leonard@dol.nj.gov]
Sent: Monday, November 04, 2019 11:23 AM
To: Nicole Pratt
Cc: Leonard, John
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp

Thank you but I don't have any Attachment attached. Can you please forward the Attachment? Thanks.

John Leonard
Field Investigator
New Jersey Department of Labor
Wage and Hour Compliance
Public Contracts Section
1 John Fitch Plaza
P.O. Box 389
Trenton NJ 08625
Office 609-292-2259
Cell 609-947-3475
Fax 609-695-1174
e-mail John.Leonard@dol.nj.gov

From: Nicole Pratt [mailto:Nicole@purdycollision.com]
Sent: Monday, November 4, 2019 11:03 AM
To: Leonard, John <John.Leonard@dol.nj.gov>
Cc: 'Don Purdy' <dptowing@hotmail.com>

Subject: [EXTERNAL] Purdy/Stockton/Chris Gaupp
Importance: High

Good morning, Mr. Leonard.

Attached please find the letter from the architect regarding the usable square footage of the property leased by Stockton at 421 Chris Gaupp Drive.

If you have any questions, please feel free to call Mr. Harper's office directly.

Thank you.

Nicole Pratt, Controller
The Office of Don Purdy
609-404-9200



Purdy-Gaupp-
Stockton.docx

SITE REPORT NOTES

Sites Rec #: 103415

Printed on: 1/13/2023

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

25-Jan-2021 3:53 pm John Leonard

AUDIT NARRATIVE

Contractor: D&M Galloway Holdings LLC (ER # 729915)
Project: Stockton Dormitory 421 Chris Gaupp Drive Galloway
(Claim# 491516)
Field Representative: John J. Leonard

Handwritten: 1/13/2023

REASON

? Complaint from [REDACTED] alleging Prevailing Wage not paid.

FINDINGS

Project - Stockton Dormitory 421 Chris Gaupp Drive Galloway. owned by D&M Holding LLC.

A New Jersey Department of Labor site inspection on 10/22/19 involved a conversation with the Owner, Don Purdy.

Lease Agreement between D&M Galloway Holdings LLC and Stockton University dated July 25, 2016(7/25/16)

Contract for Sale between D&M Galloway Holdings LLC and Stockton University dated June 19, 2019(6/19/19)

The paragraph in the Lease Agreement mentioned above describes the Demised Premises in Paragraph # 2 as follows;

?The premises hereby leased by Stockton consists of forty-two (42) rooms within a building located at 421 Chris Gaupp Drive, Galloway, New Jersey (?the Building?). The Lessor agrees that thirty-five (35) rooms will be double occupancy and seven (7) rooms will be triple occupancy. Stockton has the right to use all public areas throughout the building. Stockton's usable space is attached hereto, incorporated herein and made a part of this Lease as ?Exhibit A? (hereinafter referred to as ?Demised Premises?). ?

Existing Building is approximately 24,450 square feet the Addition is 2,000 square feet.

Letter from Architect Harry Harper contradicts the square footage leased . (exhibit C).

Handwritten: 19,700
square feet
letter

The Contract for sale between D&M Galloway Holdings LLC and Stockton University dated 6/19/19 contained the following ?Lease ?Agreement during the pendency of the Sale.

The project in this file refers to an ?Addition? to be constructed on adjacent property next to the ?Existing Building?.

The ?Addition? can be seen in [REDACTED] photo dated 7/22/19(showing an Addition attached to the older ?Leased? Building).

Per Paragraph 4.2 referenced as ?Demised Premises, ? this Paragraph notes the following; ??The premises hereby leased by Stockton consists of forty two(42) rooms within a building located at 421 Chris Gaupp Drive, Galloway, New Jersey (?the Building?).?

SITE REPORT NOTES

Sites Rec #: 103415

Printed on: 1/13/2023

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

The Lease Agreement referenced above dated July 25, 2016 had a ?Termination Date? of May 12, 2019.

The exact date of the beginning of construction of the new ?Addition? is not known.

In discussing the The Contract for Sale dated 6/19/19 with Attorney Brian Kowalski of Stockton University, Field Rep. Leonard was told that the document is not a Lease but it is a Contract for Sale. The Lease verbage placed in the ?Contract for Sale? was placed in the Contract for Sale just in case the ?Addition? was not complete in time for the next school year.

D&M Galloway Holdings LLC was sent a subpoena via the US Post Office with Tracking Number ?70160910000143010087?. USPS Tracking shows it being delivered on November 10, 2020. D&M Galloway Holdings LLC never replied to the Subpoena.

The attorney Christopher Lipari for D&M Holdings LLC mailed a letter to the Trenton office stating the office was closed due to covid. (Exhibit B).

Construction Permit is dated June 12, 2019. (Exhibit B).

Temporary Certificate is dated October 24, 2019. (Exhibit B).

D&M Galloway Holdings LLC is not Registered.

Photos provided by , show workers at the jobsite on 7/22/19 and also work trucks on the jobsite on 7/2/19.

CONCLUSION

D&M Galloway Holdings LLC failed to answer a subpoena and obstructed the request for records.

D&M Galloway Holdings LLC failed to register.

Alleged Violations:

1. Failure to register.
2. Obstruction

Total Notes: 1

491516

LIPARI & WALCOFF

1301 S. MAIN STREET
PLEASANTVILLE, NEW JERSEY 08232
TEL: 609-645-9400 FAX: 609-645-9404



CERTIFIED BY THE
SUPREME COURT OF NEW JERSEY
AS A CIVIL TRIAL ATTORNEY
CHRISTOPHER S. LIPARI, ESQUIRE
EMAIL: CSL@LIPARILAW.COM
DANIELLE J. WALCOFF, ESQUIRE
EMAIL: DJW@LIPARILAW.COM

RECEIVED

MARLTON OFFICE
530 LIPPINCOTT DRIVE, BUILDING E
MARLTON, NEW JERSEY 08053
2021 MAR 9 P 3:06
OF COUNSEL
DIVISION OF WAGE
AND HOUR COMPLIANCE
KIM M. MANNING, ESQUIRE
EMAIL: KMM@LIPARILAW.COM
KRISTIN M. MANCUSO, ESQUIRE
EMAIL: KMM@LIPARILAW.COM
JACK FEINBERG, ESQUIRE
RETIRED

March 4, 2021

State of New Jersey
Department of Labor and Workforce Development
Division of Wage and Hour Compliance
1 John Fitch Plaza, 3rd Floor
Trenton, NJ 08611

Via Certified & Regular Mail

**Re: D&M Galloway Holdings, LLC
ATTN: Don Purdy**

Dear Sir/Madam:

This firm has been retained to represent the interests of D&M Galloway Holdings, LLC. I am in receipt of your correspondence requesting various documents. Please be advised that the business has been closed due to COVID. There are no employees in the office currently.

Upon return of employees to the office, my client will certainly cooperate and provide all documents requested.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Christopher S. Lipari

CSL:bs

State of New Jersey
Department of Labor and Workforce Development
Division of Wage and Hour Compliance
1 John Fitch Plaza, 3RD Floor
Trenton NJ 08611



Subpoena Duces Tecum

State of New Jersey,
Plaintiff

v.

D & M Galloway Holdings LLC
Don Purdy
805 Third Avenue
Galloway, NJ 08205

STATE OF NEW JERSEY TO: D&M Galloway Holdings LLC ATT: Don Purdy

YOU ARE HEREBY COMMANDED to produce electronically or by mail to the New Jersey Department of Labor and Workforce Development via email to John.Leonard@dol.nj.gov on 11/27/2020 in regard to the above-captioned matter.

YOU ARE ALSO COMMANDED to produce at that time the following described books, papers, documents and other tangible things for the following project:

In reference to:

The 2000 sq. foot or so Addition built onto the existing building at 421 ChrisGaupp Drive, Galloway , NJ 08205 in 2019 and any associated work mentioned in the Sale/Lease Purchase Agreement.

SEE EXHIBIT # 1

Provided that if you are notified that a motion to quash the subpoena has been filed, the subpoenaed materials shall not be produced or released until ordered to do so by the court or the release is consented to by all parties to the action. Further, the subpoenaed materials shall not be produced before the above-referenced date.

Failure to comply with the command of this Subpoena will subject you to the penalties provided by law.

Witness my hand and the official seal of the State of
New Jersey this 6th day of November 2020

Division of Wage and Hour Compliance

EXHIBIT #1

1. **All Certified Payrolls for the referenced public works project(s).**
2. **All daily time records and general payrolls for all hours worked, both public and private, for all employees, for the entire period that your employees were working on the referenced public works project(s).**
3. **Records must include employees' name, address, work classification (craft or trade), rate of pay, daily and weekly hours, gross wages, deductions, and net wages. Also, all cancelled paychecks for the entire period or other proof of payment.**
4. **Documentation of credit for fringe benefits with proof of payment, or transmittal sheets for fringe benefit contribution to a collective bargaining agency or fund, with proof of payment, (If fringe benefits such as medical/dental insurance, life insurance, vacation, sick, or personal days, and/or holiday pay are provided the total number of hours allotted, regular rate of pay and total of the annual insurance premium must be provided for each employee).**
5. **Names, titles, addresses of owners, partners or corporate officers as well as the corporate name and trade name.**
6. **Federal Employer Identification Number (FEIN); Public Works Contractor Registration number.**
7. **WR-30 (report of gross wages) and NJ-927 (report of withholdings) forms for entire period, and proof of payment, or States equivalent.**
8. **Annual reports/certificate of incorporation (NJ Dept. of the Treasury – Division of Revenue), or States equivalent.**
9. **Workers Compensation Insurance policy, including proof of payment.**
10. **If your company was the general contractor on the above-referenced project(s), a copy of your agreement with the awarding agency.**
11. **If your company was a subcontractor on the above-referenced project(s), a copy of your agreement or contract with the general contractor.**
12. **If your firm contracted any subcontractors, a complete list and copy of all agreements (to include addresses and type of work performed).**
13. **Apprenticeship agreements for all apprentices on project(s).**



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

PO BOX 389

TRENTON, NEW JERSEY 08625-0389

September 25, 2020

D & M Galloway Holdings LLC
805 Third Avenue
Galloway, NJ 08205

RE: The 2000 sq. foot or so Addition built onto the existing building at 421 Chris Gaupp Drive, Galloway, NJ 08205 in 2019 and any associated work mentioned in the Sale/Lease Purchase Agreement.

Dear Sir or Madam:

In accordance with the laws administered by the New Jersey Department of Labor and Workforce Development, Division of Wage and Hour Compliance, including the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 *et seq.*) and other New Jersey Wage and Hour Laws and Regulations (N.J.S.A. 34:11-56a *et seq.*), you are directed to submit the following records regarding the above-referenced public works project(s), to this office. Please submit these records **no later than October 15, 2020 via mail or e-mail.**

1. All Certified Payrolls for the above-referenced public works project(s).
2. All daily time records and general payroll records for all hours worked, **both public and private**, for the entire period that your employees were working on the above-referenced public works project(s).
3. Records must include employees' name, address, Social Security number, work classification (craft or trade), rate of pay, daily and weekly hours, gross wages, deductions, and net wages.
4. All cancelled paychecks for entire period. For employees who are paid via direct deposit, you must provide bank statements showing that said direct deposits have been processed. If your firm uses a recognized third-party payroll service (Paychex, ADP, Ceridian, etc) to issue paychecks, payroll register from third-party service is sufficient.
5. Documentation of fringe benefits provided to employees or transmittal sheets for fringe benefit contributions to collective bargaining agencies or funds, and proof of payment (cancelled checks) for each (Attached is a Fringe Benefit Worksheet Memo).
6. Name, title, home address, and Social Security number of owners, partners, or corporate officers along with a contact e-mail for future correspondence.
7. Bank name, branch location, and account number, for all company bank accounts.
8. Federal Employer Identification Number; Public Works Contractor Registration Number.

DIVISION OF WAGE AND HOUR COMPLIANCE
(609) 292-2259 • FAX (609) 695-1174 • www.nj.gov/labor

Page 1 of 2

(Pub. Wk.)





State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389

TRENTON, NEW JERSEY 08625-0389

9. WR-30 or equivalent (taxation quarterly report of gross wages) and, if applicable, NJ-927 (quarterly report of withholdings) forms for entire period, and proof of payment (cancelled checks).
10. Workers Compensation insurance policy and proof of payment (cancelled checks).
11. Certificate of incorporation / Annual Reports.
12. Agreement or contract with the awarding public agency, if your company was the general contractor.
13. Agreement or contract with general contractor, if your company was a subcontractor.
14. List of all subcontractors used on project(s), including address and type of work performed.
15. Apprenticeship agreements for all apprentices on project(s).

A written explanation must be provided for any item that does not apply.

NOTE: If your bank uses "substitute checks" for processing purposes, as permitted by the federal "Check 21" law, the substitute check images, showing the front and back of the substitute check, are acceptable in lieu of cancelled checks.

If you have any questions regarding this matter, feel free to contact me.

Sincerely,

John Leonard
Field Investigator
Division of Wage and Hour Compliance
Public Contracts Section
E-mail: John.Leonard@dol.state.nj.us
Cell: 609-947-3475

Mailing Address:
PO Box 389
Trenton, NJ 08625

Physical Address:
1 John Fitch Plaza, 3rd Floor
Trenton, NJ 08611

(Pub. Wk.)

DIVISION OF WAGE AND HOUR COMPLIANCE
(609) 292-2259 • FAX (609) 695-1174 • www.nj.gov/labor

Page 2 of 2



Leonard, John

From: Kowalski, Brian <Brian.Kowalski@stockton.edu>
Sent: Thursday, October 1, 2020 9:24 AM
To: Leonard, John
Subject: [EXTERNAL] RE: 421 Chris Gaupp Drive Stockton University D&M Holdings LLC
Attachments: Agreement of Sale.pdf

*** CAUTION ***

This message came from an **EXTERNAL** address (**Brian.Kowalski@stockton.edu**). **DO NOT** click on links or attachments unless you know the sender and the content is safe. **Suspicious?** Forward the message to spamreport@cyber.nj.gov.

John, as requested, attached please find the executed copy of the Contract of Sale for the property located at 421 Chris Gaupp Drive, Galloway, New Jersey (the "Property").

As discussed on the phone, in 2016 the University executed a lease agreement with the owner to use the Property for student housing. The term of the lease was three academic years and terminated on May 12, 2019. Instead of executing a new lease, the University determined to purchase the Property and executed a contract of sale on June 19, 2019. During the University's due diligence review, we determined that there were code issues with the third floor of the Property. After discussion of these issues with the owner, the owner agreed to build an approximately 2,000 square foot addition ("Addition") to replace the space lost on the third floor. The owner expected to complete the Addition on or about September, 2019, but as a contingency in case the Addition was not complete, the parties agreed that the University would be permitted to lease the Property on a month to month basis for student housing until the Addition was complete.

If you have any questions or wish to discuss, please contact me.

Brian Kowalski
General Counsel
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
609-652-4494
Brian.Kowalski@stockton.edu



From: Kowalski, Brian
Sent: Monday, September 28, 2020 4:02 PM
To: John.Leonard@dol.nj.gov
Subject: FW: 421 Chris Gaupp Drive Stockton University D&M Holdings LLC

Good afternoon John.

Your message from last week was forwarded to me for assistance.

When you have a few minutes, can you please call me.

Brian Kowalski
General Counsel
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
609-652-4494
Brian.Kowalski@stockton.edu



From: Leonard, John <John.Leonard@dol.nj.gov>
Sent: Friday, September 25, 2020 1:14 PM
To: Laidlaw, Shawn <Shawn.Laidlaw@stockton.edu>; Engelhardt, Christy E. <Christy.Engelhardt@stockton.edu>
Cc: Leonard, John <John.Leonard@dol.nj.gov>
Subject: 421 Chris Gaupp Drive Stockton University D&M Holdings LLC

EXTERNAL EMAIL ALERT: The sender is not using a Stockton email address. Please use caution.
Good afternoon,

I was forwarded this Contract for review concerning Prevailing Wage and I noticed that it is not signed by both parties to the Agreement. Can you please forward me the finalized Contract of Sale for my records? Thank you very much. Feel free to e-mail me or call if there are any questions. Thanks.

John Leonard
Field Investigator
New Jersey Department of Labor
Wage and Hour Compliance
Public Contracts Section
1 John Fitch Plaza
P.O. Box 389
Trenton NJ 08625
Office 609-292-2259
Cell 609-947-3475
Fax 609-695-1174
e-mail John.Leonard@dol.nj.gov



Date/Time: July 2, 2019; 4:25 P.M. Location: 421 Chris Gaupp Rd, Galloway, NJ

EJS Contractors, Inc.

609-743-3837

609-949-4704

ejscontractors@aol.com

Delran, NJ

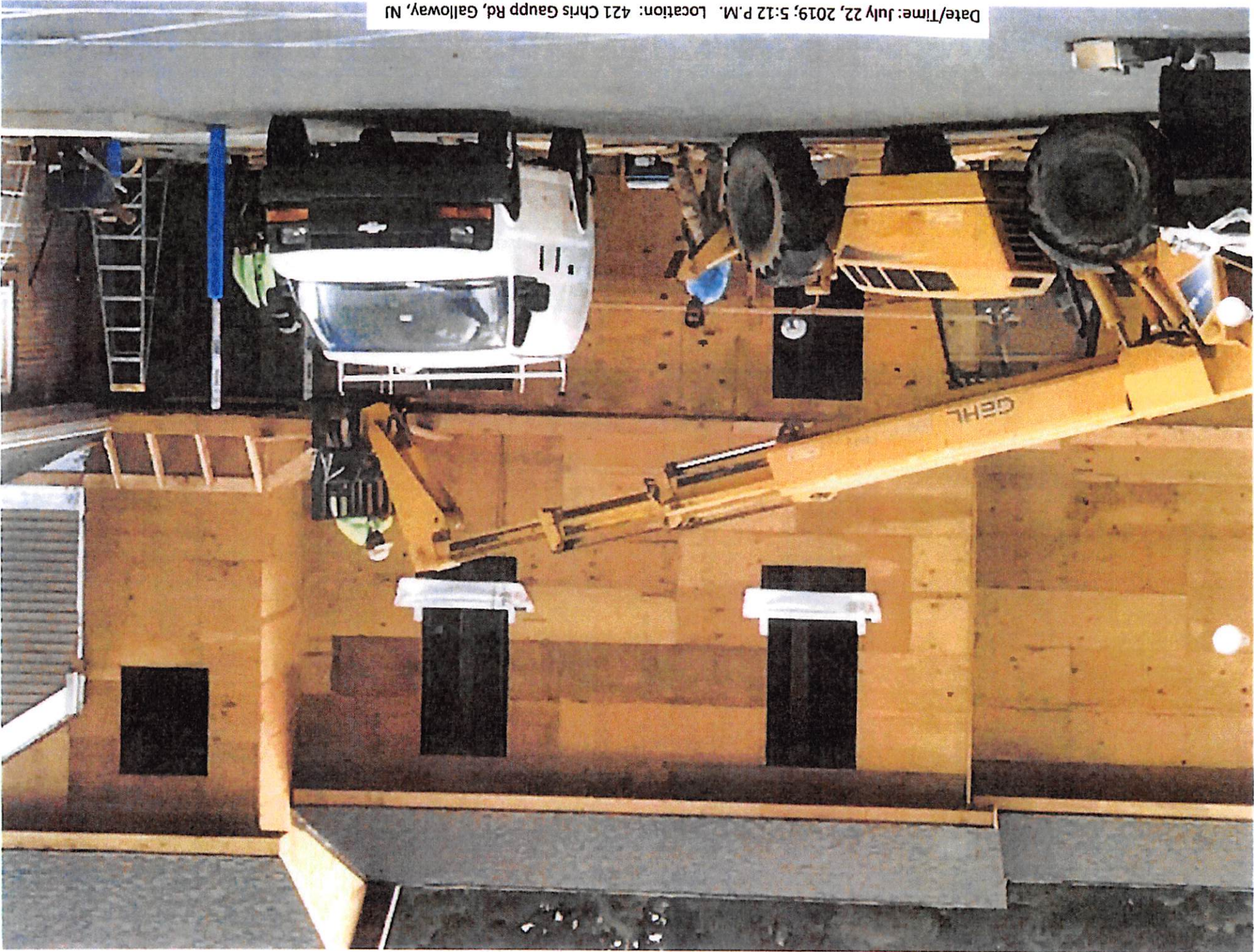


EXPRESS

**CHEVROLET
73**

New Jersey
XBU-U28
- COMMERCIAL -

Date/Time: July 2, 2019; 4:25 P.M. Location: 421 Chris Gaupp Rd, Galloway, NJ



Date/Time: July 22, 2019, 5:12 P.M. Location: 421 Chris Gaupp Rd, Galloway, NJ



Date/Time: July 22, 2019; 5:12 P.M. Location: 421 Chris Gaupp Rd, Galloway, NJ

Stockton board approves purchase of dorms on Chris Gaupp Drive, Press of Atlantic City, Feb 21, 2019

GALLOWAY TOWNSHIP — Stockton University is moving forward with purchasing off-campus dorms it currently leases, adding about 40 rooms to its permanent housing stock.

The Board of Trustees on Wednesday approved a resolution authorizing the purchase of 421 Chris Gaupp Drive, which includes 42 two- and three-bedroom dorms, which Stockton has been leasing from **D & M Galloway Holding LLC since 2016**. The college pays \$575,000 per year under a three-year contract that expires at the end of the spring semester, according to university spokeswoman Diane D'Amico.

D'Amico said a purchase price would not be available until the sale was approved by the board and a purchase agreement was finalized.

Trustee Stanley M. Ellis said the resolution allows the president to negotiate for the purchase of the property “in a very attractive way that will benefit the university in a cost-effective manner.”

D & M is operated by former Galloway Mayor Don Purdy and, according to the township Tax Assessor's office, is valued at \$1.8 million. In 2018, the total tax bill was \$56,631, the office said.

The property on Chris Gaupp is about 2.7 acres and includes a 24,000-square-foot building with various common areas and a retail space, the resolution states.

“The Board of Trustees determined that the purchase of the property will cost-effectively support the university's long-term demand for student housing and is in the best interests of the university,” reads the resolution.

The purchase of this housing comes about a year after Stockton announced it was selling the Seaview property, which had the capacity to house nearly 350 students, although about 270 lived there when it was sold. The sale was finalized in August for \$21.07 million to KDG Capital LLC.

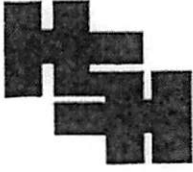
In September, Stockton opened its Atlantic City campus with housing for 530 students.

In addition to the purchase, the board approved an increase in housing rates for next school year. According to the agenda, the average rate will increase from \$4,734 to \$4,882 per semester.

On July 2, 2019, I stopped on a job located at 421 Chris Gaupp Road, in Galloway, NJ. I believe that because the job was being performed on Stockton University dorms that I was a prevailing wage project. I remembered an article in the Press of Atlantic City (dated February 21, 201) stating the university had approved the purchase from D&M Galloway Holdings.

When I approached the building, I was stopped by Don Purdy. He asked me why I was taking pictures on his property. I explained that I thought it was public property. He explained that it was still privately owned and that he was using the original contractor, EJS Contractors, to make the building DAC compliant before the sale could be finalized. He asked me to leave the property. I was unable to enter the building and determine the number of workers, but I was able to capture pictures of the company vehicle.

I returned to the property on July 22 at 5:12 P.M. and was able to photograph an EJS Contractor vehicle and three workers performing work on the building. I returned to the job site the following day and again witnessed EJS workers on site.



HARRY S. HARPER ARCHITECTS INC.

555 NEW JERSEY AVE.
ABSECON, N. J. 08201
PHONE: (609) 645-7566

HARRY S. HARPER
NJ AI 08900
N.J.P.P. LI 03222

October 31, 2019

Mr. Donald Purdy
c/o Purdy Automotive
325 E. White Horse Pike
Absecon, NJ 08201

Re: Chris Gaupp Road Dorms

Dear Mr. Purdy:

The actual square footage of the building you lease to Stockton University is 19,726.58 square feet. We have deducted from the overall square footage things such as outside maintenance storage, panel/utility room, chases, and the deli-snack bar.

I was the original architect on this project and you did not construct the original building. The building you purchased was a semi completed shell that had electric service, sewer lines, water service and roughed in elevator and mechanical room. All you did was finish the shell and put two small additions on either end of the building.

The finished third floor has been converted back to attic space and the bathrooms and other structures have been dismantled.

I hope this information is helpful. If I can provide further assistance, please feel free to call me.

Very truly yours,



Harry S. Harper

HSH/at

Leonard, John

From: Nicole Pratt <Nicole@purdycollision.com>
Sent: Monday, November 4, 2019 11:45 AM
To: Leonard, John
Cc: 'Don Purdy'
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp
Attachments: Purdy-Gaupp-Stockton.docx

Sorry about that. Please see attached.

From: Leonard, John [mailto:John.Leonard@dol.nj.gov]
Sent: Monday, November 04, 2019 11:23 AM
To: Nicole Pratt
Cc: Leonard, John
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp

Thank you but I don't have any Attachment attached. Can you please forward the Attachment? Thanks.

John Leonard
Field Investigator
New Jersey Department of Labor
Wage and Hour Compliance
Public Contracts Section
1 John Fitch Plaza
P.O. Box 389
Trenton NJ 08625
Office 609-292-2259
Cell 609-947-3475
Fax 609-695-1174
e-mail John.Leonard@dol.nj.gov

From: Nicole Pratt [mailto:Nicole@purdycollision.com]
Sent: Monday, November 4, 2019 11:03 AM
To: Leonard, John <John.Leonard@dol.nj.gov>
Cc: 'Don Purdy' <dptowing@hotmail.com>
Subject: [EXTERNAL] Purdy/Stockton/Chris Gaupp
Importance: High

Good morning, Mr. Leonard.

Attached please find the letter from the architect regarding the usable square footage of the property leased by Stockton at 421 Chris Gaupp Drive.

If you have any questions, please feel free to call Mr. Harper's office directly.

Thank you.

**Nicole Pratt, Controller
The Office of Don Purdy
609-404-9200**

Stockton board approves purchase of dorms on Chris Gaupp Drive, Press of Atlantic City, Feb 21, 2019

GALLOWAY TOWNSHIP — Stockton University is moving forward with purchasing off-campus dorms it currently leases, adding about 40 rooms to its permanent housing stock.

The Board of Trustees on Wednesday approved a resolution authorizing the purchase of 421 Chris Gaupp Drive, which includes 42 two- and three-bedroom dorms, which Stockton has been leasing from **D & M Galloway Holding LLC since 2016**. The college pays \$575,000 per year under a three-year contract that expires at the end of the spring semester, according to university spokeswoman Diane D'Amico.

D'Amico said a purchase price would not be available until the sale was approved by the board and a purchase agreement was finalized.

Trustee Stanley M. Ellis said the resolution allows the president to negotiate for the purchase of the property "in a very attractive way that will benefit the university in a cost-effective manner."

D & M is operated by former Galloway Mayor Don Purdy and, according to the township Tax Assessor's office, is valued at \$1.8 million. In 2018, the total tax bill was \$56,631, the office said.

The property on Chris Gaupp is about 2.7 acres and includes a 24,000-square-foot building with various common areas and a retail space, the resolution states.

"The Board of Trustees determined that the purchase of the property will cost-effectively support the university's long-term demand for student housing and is in the best interests of the university," reads the resolution.

The purchase of this housing comes about a year after Stockton announced it was selling the Seaview property, which had the capacity to house nearly 350 students, although about 270 lived there when it was sold. The sale was finalized in August for \$21.07 million to KDG Capital LLC.

In September, Stockton opened its Atlantic City campus with housing for 530 students.

In addition to the purchase, the board approved an increase in housing rates for next school year. According to the agenda, the average rate will increase from \$4,734 to \$4,882 per semester.

RESEA SUBSEQUENT PARTICIPATION

Based on your RESEA Orientation and Initial Work Search Planning session you received, below is a checklist reminder for what to submit while you are in the Re-Employment Services and Eligibility assessment (RESEA) program:

1. **Job Worksheet (BC 151.2 Form)** – Submit your job worksheet. You can document any job that you applied for since the date of the initial RESEA interview.
<https://forms.office.com/Pages/ResponsePage.aspx?id=0cN2UAI4n0uzauCkG9ZCp0dggPMczSxEiIOJKCw0tahUNDRUVU1OUDdOOUxKSEVKSUQZOEQzS0FEUIQIQCN0PWcu>
2. **Resume-** Submit your most up-to -date resume via e-mail. Contact information is below.
3. **Visit <https://covid19.nj.gov/>** – Information hub that is centralized resource to match talent with opportunities in industries on the front lines serving New Jersey man’s during the COVID-19 event.

PLEASE NOTE:

You must keep all scheduled appointments, be able to work, be available for work, and actively seek work to be eligible for unemployment benefits, as required by New Jersey Insurance Compensation Law. All RESEA participants must demonstrate this by completing the checklist above.

The requirements above for the Re-Employment Services and Eligibility Assessment (RESEA) Program are designed to help us ensure you are actively engaged in your job search which reduces the likelihood that you exhaust your unemployment benefits, and so you have the tools you need to help you find work as soon as possible.

Unless you were excused or exempted by a member of our staff, you must respond by the close of business on the date and time in agreement stated above, otherwise, your unemployment benefits may be affected. We understand that you may have to report to work, however, following through with your agreed upon appointment is important. Failure to keep your scheduled appointment, or failure to complete the checklist above in its entirety will affect your unemployment benefits as required by the NJ Unemployment Insurance Compensation Law. All terms and requirements mentioned here are subject to change.



Next RESEA Appointment:

Date:	02/04/2021
Time	1:30 PM
Tel:	609-813-3915

NJ Department of Labor & Workforce Development

RESEA leader’s full name and E-mail: Edith Maul;
 Email: edith.maul@dol.nj.gov

Back-up RESEA staff full name and E-mail: Gladys Lane
 email: gladys.lane@dol.nj.gov

Local Office Site e-mail: JSAPleasantville@dol.nj.gov



**BLANEY
DONOHUE
KARAVAN &
WEINBERG, P.C.**

William G. Blaney, Esquire* Frank Guaracini, III, Esquire+
Michael J. Donohue, Esquire*[†] Steven Morris, Esquire*
Marcus H. Karavan, Esquire** John R. Dominy, Esquire*+
Kyle D. Weinberg, Esquire Charles E. Schlager, Jr., Esquire+

[†] Also a Member of the U.S. Supreme Court Bar
[‡] Former Judge of the New Jersey Superior Court
^{**} Also a Member of the New York Bar
^{*} Also a Member of the Pennsylvania Bar
⁺ Of Counsel

August 19, 2021

Robert Asaro-Angelo, Commissioner
State of New Jersey, Dept. of Labor and
Workforce Development
P.O. Box 389
Trenton, NJ 08625-0389

RE: Donald Purdy, Owner/Officer and Individually, and D & M Galloway Holdings, LLC
 Case No.: PC-8-0121-LEO

Dear Mr. Asaro-Angelo:

This office represents Donald Purdy and D&M Galloway Holdings, LLC in the above captioned matter. We are in receipt of your Final Order in this matter dated August 5, 2021 assessing \$98,000.00 administrative penalty for alleged record keeping violations and demanding payment (See attached). The work at issue involves dormitory space rented to Stockton University at 421 Chris Gaupp Drive in Galloway Township. My understanding is that the work at issue was not public work insomuch as the portion of the building my client rented to Stockton University was under 20,000 sq. ft. and the work in question was not initiated and completed until after the lease term. My client advises that he sent proof of the square footage by way email to Field Investigator John Leonard of your office at his request (See attached). The same consisted of a letter from the building's architect indicting that the leased portion of the building is only 19,726.58 sq. ft. As I am sure you are aware, N.J.A.C. 12:60-2.1 defines public work as encompassing premises where "more than 20,000 square feet" are leased by a public body. We therefore believe the penalty assessment was in error.

Prior to filing an appeal with the New Jersey Superior Court Appellate Division, we would like to try and resolve this matter. If you are represented by an attorney in this matter, I would ask that you forward this letter to him/her for appropriate response. If you are not, I would ask that you have whoever has the authority to discuss resolution contact me.

2123 Dune Drive - Suite 11
Avalon, NJ 08202
Ph. 609-435-5368
Fx. 609-435-5473

www.blaneydonohue.com

Page 2 of 2

Thank you in advance for your time and consideration in this matter.

Very truly yours,

[REDACTED]

WILLIAM G. BLANEY

[REDACTED]

WGB/tc
Enclosure



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

August 5, 2021

Case No. PC-8-0121-LEO

v.

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

On August 3, 2021 the Division of Wage and Hour Compliance, pursuant to Public Law 1991, Chapter 205, issued formal notification assessing an administrative fee, penalty and/or wages, as cited below. Payment of the assessment by certified check or money order payable to the Commissioner of Labor and Workforce Development was to be received by the Division of Wage and Hour Compliance, P. O. Box 389, Trenton, New Jersey 08625-0389 within fifteen (15) days of the notification.

Wages:	\$0.00
Administrative Fee:	\$0.00
Administrative Penalty:	\$98,000.00

Failure to comply with this notice has resulted in a Final Administrative Order being entered against you;

Therefore, it is ORDERED that payment be made to the Commissioner of Labor and Workforce Development, Division of Wage and Hour Compliance within ten (10) days of this order.

Further, failure to comply with this Final Administrative Order will result in a certified copy of the Final Order being filed with the Clerk of the Superior Court of New Jersey in Trenton, and further, pursuant to the Penalty Enforcement Act, P.L. 1999 C.274, the Commissioner of Labor and Workforce Development will obtain a judgment for the purpose of recovery of monies due plus costs and any other such relief as may be appropriate including wages, administrative penalties and administrative fees. The judgment will be enforced upon any of the defendant's real or personal property. Signed this August 5, 2021 pursuant to the authority herein vested in me by law.

Robert Asaro Angelo, Commissioner
Department of Labor and Workforce Development
By: [Redacted]
David A. Biglin, Director
Division of Wage and Hour Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Division of Wage and Hour Compliance, P.O. Box 389, Trenton, New Jersey on August 5, 2021.

[Redacted]
Marc Goldberg, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)

From: Nicole Pratt <Nicole@purdycollision.com>
Date: November 4, 2019 at 11:44:58 AM EST
To: "Leonard, John" <John.Leonard@dol.nj.gov>
Cc: Don Purdy <dptowing@hotmail.com>
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp

Sorry about that. Please see attached.

From: Leonard, John [mailto:John.Leonard@dol.nj.gov]
Sent: Monday, November 04, 2019 11:23 AM
To: Nicole Pratt
Cc: Leonard, John
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp

Thank you but I don't have any Attachment attached. Can you please forward the Attachment? Thanks.

John Leonard
Field Investigator
New Jersey Department of Labor
Wage and Hour Compliance
Public Contracts Section
1 John Fitch Plaza
P.O. Box 389
Trenton NJ 08625
Office 609-292-2259
Cell 609-947-3475
Fax 609-695-1174
e-mail John.Leonard@dol.nj.gov

From: Nicole Pratt [mailto:Nicole@purdycollision.com]
Sent: Monday, November 4, 2019 11:03 AM
To: Leonard, John <John.Leonard@dol.nj.gov>
Cc: 'Don Purdy' <dptowing@hotmail.com>

Subject: [EXTERNAL] Purdy/Stockton/Chris Gaupp
Importance: High

Good morning, Mr. Leonard.

Attached please find the letter from the architect regarding the usable square footage of the property leased by Stockton at 421 Chris Gaupp Drive.

If you have any questions, please feel free to call Mr. Harper's office directly.

Thank you.

Nicole Pratt, Controller
The Office of Don Purdy
609-404-9200



Purdy-Gaupp-
Stockton.docx

SITE REPORT NOTES

Sites Rec #: 103415

Printed on: 1/13/2023

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

25-Jan-2021 3:53 pm John Leonard

AUDIT NARRATIVE

Contractor: D&M Galloway Holdings LLC (ER # 729915)
Project: Stockton Dormitory 421 Chris Gaupp Drive Galloway
(Claim# 491516)
Field Representative: John J. Leonard

Handwritten: 1/13/2023

REASON

? Complaint from Alleging Prevailing Wage not paid.

FINDINGS

Project - Stockton Dormitory 421 Chris Gaupp Drive Galloway. owned by D&M Holding LLC.

A New Jersey Department of Labor site inspection on 10/22/19 involved a conversation with the Owner, Don Purdy.

Lease Agreement between D&M Galloway Holdings LLC and Stockton University dated July 25, 2016(7/25/16)

Contract for Sale between D&M Galloway Holdings LLC and Stockton University dated June 19, 2019(6/19/19)

The paragraph in the Lease Agreement mentioned above describes the Demised Premises in Paragraph # 2 as follows;

?The premises hereby leased by Stockton consists of forty-two (42) rooms within a building located at 421 Chris Gaupp Drive, Galloway, New Jersey (?the Building?). The Lessor agrees that thirty-five (35) rooms will be double occupancy and seven (7) rooms will be triple occupancy. Stockton has the right to use all public areas throughout the building. Stockton's usable space is attached hereto, incorporated herein and made a part of this Lease as ?Exhibit A? (hereinafter referred to as ?Demised Premises?). ?

Existing Building is approximately 24,450 square feet the Addition is 2,000 square feet.

Letter from Architect Harry Harper contradicts the square footage leased . (exhibit C).

Handwritten: 19,700 sq ft
Stockton
Letter from architect

The Contract for sale between D&M Galloway Holdings LLC and Stockton University dated 6/19/19 contained the following ?Lease ?Agreement during the pendency of the Sale.

The project in this file refers to an ?Addition? to be constructed on adjacent property next to the ?Existing Building?.

The ?Addition? can be seen in [redacted] to dated 7/22/19(showing an Addition attached to the older ?Leased? Building).

Per Paragraph 4.2 referenced as ?Demised Premises, ? this Paragraph notes the following; ??The premises hereby leased by Stockton consists of forty two(42) rooms within a building located at 421 Chris Gaupp Drive, Galloway, New Jersey (?the Building?).?

SITE REPORT NOTES

Sites Rec #: 103415

Printed on: 1/13/2023

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

The Lease Agreement referenced above dated July 25, 2016 had a ?Termination Date? of May 12, 2019.

The exact date of the beginning of construction of the new ?Addition? is not known.

In discussing the The Contract for Sale dated 6/19/19 with Attorney Brian Kowalski of Stockton University, Field Rep. Leonard was told that the document is not a Lease but it is a Contract for Sale. The Lease verbage placed in the ?Contract for Sale? was placed in the Contract for Sale just in case the ?Addition? was not complete in time for the next school year.

D&M Galloway Holdings LLC was sent a subpoena via the US Post Office with Tracking Number 770160910000143010087? . USPS Tracking shows it being delivered on November 10, 2020. D&M Galloway Holdings LLC never replied to the Subpoena.

The attorney Christopher Lipari for D&M Holdings LLC mailed a letter to the Trenton office stating the office was closed due to covid. (Exhibit B).

Construction Permit is dated June 12, 2019. (Exhibit B).

Temporary Certificate is dated October 24, 2019. (Exhibit B).

D&M Galloway Holdings LLC is not Registered.

Photos provided by _____, show workers at the jobsite on 7/22/19 and also work trucks on the jobsite on 7/2/19.

CONCLUSION

D&M Galloway Holdings LLC failed to answer a subpoena and obstructed the request for records.

D&M Galloway Holdings LLC failed to register.

Alleged Violations:

1. Failure to register.
2. Obstruction

Total Notes: 1

491516

LIPARI & WALCOFF

1301 S. MAIN STREET
PLEASANTVILLE, NEW JERSEY 08232
TEL: 609-645-9400 FAX: 609-645-9404



CERTIFIED BY THE
SUPREME COURT OF NEW JERSEY
AS A CIVIL TRIAL ATTORNEY
CHRISTOPHER S. LIPARI, ESQUIRE
EMAIL: CSL@LIPARILAW.COM
DANIELLE J. WALCOFF, ESQUIRE
EMAIL: DJW@LIPARILAW.COM

RECEIVED

MARLTON OFFICE
530 LIPPINCOTT DRIVE, BUILDING E
MARLTON, NEW JERSEY 08053
2021 MAR 9 P 3 06
DIVISION OF WAGE
AND HOUR COMPLIANCE
CHRISTOPHER S. LIPARI, ESQUIRE
EMAIL: CSL@LIPARILAW.COM
KRISTIN M. MANCUSO, ESQUIRE
EMAIL: KMM@LIPARILAW.COM
JACK FEINBERG, ESQUIRE
RETIRED

March 4, 2021

State of New Jersey
Department of Labor and Workforce Development
Division of Wage and Hour Compliance
1 John Fitch Plaza, 3rd Floor
Trenton, NJ 08611

Via Certified & Regular Mail

**Re: D&M Galloway Holdings, LLC
ATTN: Don Purdy**

Dear Sir/Madam:

This firm has been retained to represent the interests of D&M Galloway Holdings, LLC. I am in receipt of your correspondence requesting various documents. Please be advised that the business has been closed due to COVID. There are no employees in the office currently.

Upon return of employees to the office, my client will certainly cooperate and provide all documents requested.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Christopher S. Lipari

CSL:bs

State of New Jersey
Department of Labor and Workforce Development
Division of Wage and Hour Compliance
1 John Fitch Plaza, 3RD Floor
Trenton NJ 08611



Subpoena Duces Tecum

State of New Jersey,
Plaintiff

v.

D & M Galloway Holdings LLC
Don Purdy
805 Third Avenue
Galloway, NJ 08205

STATE OF NEW JERSEY TO: D&M Galloway Holdings LLC ATT: Don Purdy

YOU ARE HEREBY COMMANDED to produce electronically or by mail to the New Jersey Department of Labor and Workforce Development via email to John.Leonard@dol.nj.gov on 11/27/2020 in regard to the above-captioned matter.

YOU ARE ALSO COMMANDED to produce at that time the following described books, papers, documents and other tangible things for the following project:

In reference to:

The 2000 sq. foot or so Addition built onto the existing building at 421 ChrisGaupp Drive, Galloway , NJ 08205 in 2019 and any associated work mentioned in the Sale/Lease Purchase Agreement.

SEE EXHIBIT # 1

Provided that if you are notified that a motion to quash the subpoena has been filed, the subpoenaed materials shall not be produced or released until ordered to do so by the court or the release is consented to by all parties to the action. Further, the subpoenaed materials shall not be produced before the above-referenced date.

Failure to comply with the command of this Subpoena will subject you to the penalties provided by law.

Witness my hand and the official seal of the State of New Jersey this 6th day of November 2020

Division of Wage and Hour Compliance

EXHIBIT #1

1. All Certified Payrolls for the referenced public works project(s).
2. All daily time records and general payrolls for all hours worked, both public and private, for all employees, for the entire period that your employees were working on the referenced public works project(s).
3. Records must include employees' name, address, work classification (craft or trade), rate of pay, daily and weekly hours, gross wages, deductions, and net wages. Also, all cancelled paychecks for the entire period or other proof of payment.
4. Documentation of credit for fringe benefits with proof of payment, or transmittal sheets for fringe benefit contribution to a collective bargaining agency or fund, with proof of payment, (if fringe benefits such as medical/dental insurance, life insurance, vacation, sick, or personal days, and/or holiday pay are provided the total number of hours allotted, regular rate of pay and total of the annual insurance premium must be provided for each employee).
5. Names, titles, addresses of owners, partners or corporate officers as well as the corporate name and trade name.
6. Federal Employer Identification Number (FEIN); Public Works Contractor Registration number.
7. WR-30 (report of gross wages) and NJ-927 (report of withholdings) forms for entire period, and proof of payment, or States equivalent.
8. Annual reports/certificate of incorporation (NJ Dept. of the Treasury – Division of Revenue), or States equivalent.
9. Workers Compensation Insurance policy, including proof of payment.
10. If your company was the general contractor on the above-referenced project(s), a copy of your agreement with the awarding agency.
11. If your company was a subcontractor on the above-referenced project(s), a copy of your agreement or contract with the general contractor.
12. If your firm contracted any subcontractors, a complete list and copy of all agreements (to include addresses and type of work performed).
13. Apprenticeship agreements for all apprentices on project(s).



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389

TRENTON, NEW JERSEY 08625-0389
September 25, 2020

D & M Galloway Holdings LLC
805 Third Avenue
Galloway, NJ 08205

RE: The 2000 sq. foot or so Addition built onto the existing building at 421 Chris Gaupp Drive, Galloway , NJ 08205 in 2019 and any associated work mentioned in the Sale/Lease Purchase Agreement.

Dear Sir or Madam:

In accordance with the laws administered by the New Jersey Department of Labor and Workforce Development, Division of Wage and Hour Compliance, including the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 *et seq.*) and other New Jersey Wage and Hour Laws and Regulations (N.J.S.A. 34:11-56a *et seq.*), you are directed to submit the following records regarding the above-referenced public works project(s), to this office. Please submit these records no later than **October 15, 2020 via mail or e-mail.**

1. All Certified Payrolls for the above-referenced public works project(s).
2. All daily time records and general payroll records for all hours worked, **both public and private**, for the entire period that your employees were working on the above-referenced public works project(s).
3. Records must include employees' name, address, Social Security number, work classification (craft or trade), rate of pay, daily and weekly hours, gross wages, deductions, and net wages.
4. All cancelled paychecks for entire period. For employees who are paid via direct deposit, you must provide bank statements showing that said direct deposits have been processed. If your firm uses a recognized third-party payroll service (Paychex, ADP, Ceridian, etc) to issue paychecks, payroll register from third-party service is sufficient.
5. Documentation of fringe benefits provided to employees or transmittal sheets for fringe benefit contributions to collective bargaining agencies or funds, and proof of payment (cancelled checks) for each (Attached is a Fringe Benefit Worksheet Memo).
6. Name, title, home address, and Social Security number of owners, partners, or corporate officers along with a contact e-mail for future correspondence.
7. Bank name, branch location, and account number, for all company bank accounts.
8. Federal Employer Identification Number; Public Works Contractor Registration Number.

DIVISION OF WAGE AND HOUR COMPLIANCE
(609) 292-2259 • FAX (609) 695-1174 • www.nj.gov/labor

Page 1 of 2

(Pub. Wk.)





State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

PO BOX 389

TRENTON, NEW JERSEY 08625-0389

9. WR-30 or equivalent (taxation quarterly report of gross wages) and, if applicable, NJ-927 (quarterly report of withholdings) forms for entire period, and proof of payment (cancelled checks).
10. Workers Compensation insurance policy and proof of payment (cancelled checks).
11. Certificate of incorporation / Annual Reports.
12. Agreement or contract with the awarding public agency, if your company was the general contractor.
13. Agreement or contract with general contractor, if your company was a subcontractor.
14. List of all subcontractors used on project(s), including address and type of work performed.
15. Apprenticeship agreements for all apprentices on project(s).

A written explanation must be provided for any item that does not apply.

NOTE: If your bank uses "substitute checks" for processing purposes, as permitted by the federal "Check 21" law, the substitute check images, showing the front and back of the substitute check, are acceptable in lieu of cancelled checks.

If you have any questions regarding this matter, feel free to contact me.

Sincerely,

John Leonard
Field Investigator
Division of Wage and Hour Compliance
Public Contracts Section
E-mail: John.Leonard@dol.state.nj.us
Cell: 609-947-3475

Mailing Address:
PO Box 389
Trenton, NJ 08625

Physical Address:
1 John Fitch Plaza, 3rd Floor
Trenton, NJ 08611

(Pub. Wk.)

DIVISION OF WAGE AND HOUR COMPLIANCE
(609) 292-2259 • FAX (609) 695-1174 • www.nj.gov/labor

Page 2 of 2



Leonard, John

From: Kowalski, Brian <Brian.Kowalski@stockton.edu>
Sent: Thursday, October 1, 2020 9:24 AM
To: Leonard, John
Subject: [EXTERNAL] RE: 421 Chris Gaupp Drive Stockton University D&M Holdings LLC
Attachments: Agreement of Sale.pdf

*** CAUTION ***

This message came from an **EXTERNAL** address (Brian.Kowalski@stockton.edu). **DO NOT** click on links or attachments unless you know the sender and the content is safe. **Suspicious?** Forward the message to spamreport@cyber.nj.gov.

John, as requested, attached please find the executed copy of the Contract of Sale for the property located at 421 Chris Gaupp Drive, Galloway, New Jersey (the "Property").

As discussed on the phone, in 2016 the University executed a lease agreement with the owner to use the Property for student housing. The term of the lease was three academic years and terminated on May 12, 2019. Instead of executing a new lease, the University determined to purchase the Property and executed a contract of sale on June 19, 2019. During the University's due diligence review, we determined that there were code issues with the third floor of the Property. After discussion of these issues with the owner, the owner agreed to build an approximately 2,000 square foot addition ("Addition") to replace the space lost on the third floor. The owner expected to complete the Addition on or about September, 2019, but as a contingency in case the Addition was not complete, the parties agreed that the University would be permitted to lease the Property on a month to month basis for student housing until the Addition was complete.

If you have any questions or wish to discuss, please contact me.

Brian Kowalski
General Counsel
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
609-652-4494
Brian.Kowalski@stockton.edu



From: Kowalski, Brian
Sent: Monday, September 28, 2020 4:02 PM
To: John.Leonard@dol.nj.gov
Subject: FW: 421 Chris Gaupp Drive Stockton University D&M Holdings LLC

Good afternoon John.

Your message from last week was forwarded to me for assistance.

When you have a few minutes, can you please call me.

Brian Kowalski
General Counsel
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
609-652-4494
Brian.Kowalski@stockton.edu



From: Leonard, John <John.Leonard@dol.nj.gov>
Sent: Friday, September 25, 2020 1:14 PM
To: Laidlaw, Shawn <Shawn.Laidlaw@stockton.edu>; Engelhardt, Christy E. <Christy.Engelhardt@stockton.edu>
Cc: Leonard, John <John.Leonard@dol.nj.gov>
Subject: 421 Chris Gaupp Drive Stockton University D&M Holdings LLC

EXTERNAL EMAIL ALERT: The sender is not using a Stockton email address. Please use caution.
Good afternoon,

I was forwarded this Contract for review concerning Prevailing Wage and I noticed that it is not signed by both parties to the Agreement. Can you please forward me the finalized Contract of Sale for my records? Thank you very much. Feel free to e-mail me or call if there are any questions. Thanks.

John Leonard
Field Investigator
New Jersey Department of Labor
Wage and Hour Compliance
Public Contracts Section
1 John Fitch Plaza
P.O. Box 389
Trenton NJ 08625
Office 609-292-2259
Cell 609-947-3475
Fax 609-695-1174
e-mail John.Leonard@dol.nj.gov



Date/Time: July 2, 2019; 4:25 P.M. Location: 421 Chris Gaupp Rd, Galloway, NJ

EJS Contractors, Inc.

609-743-3837

609-949-4704

ejscontractors@aol.com

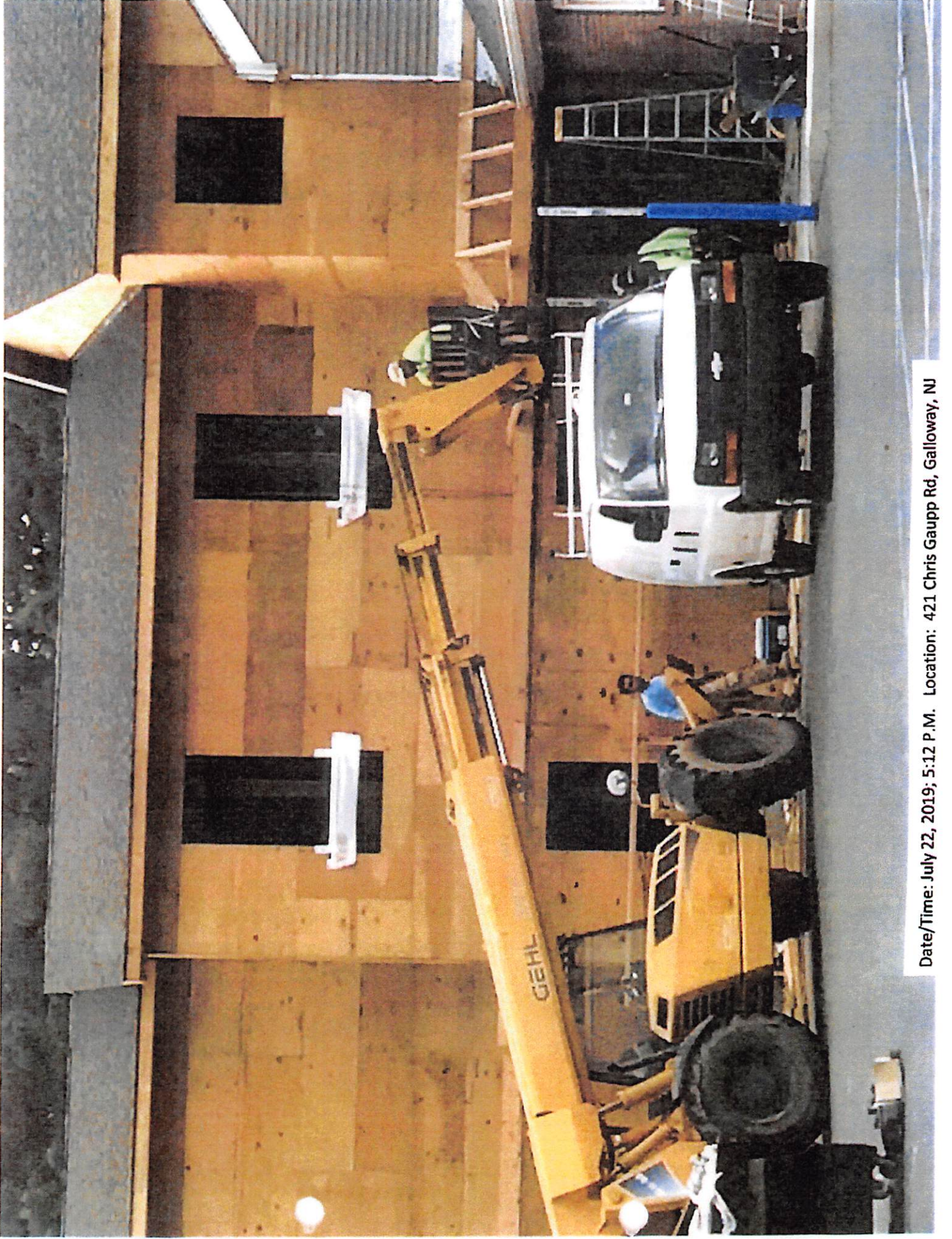
Delran, NJ



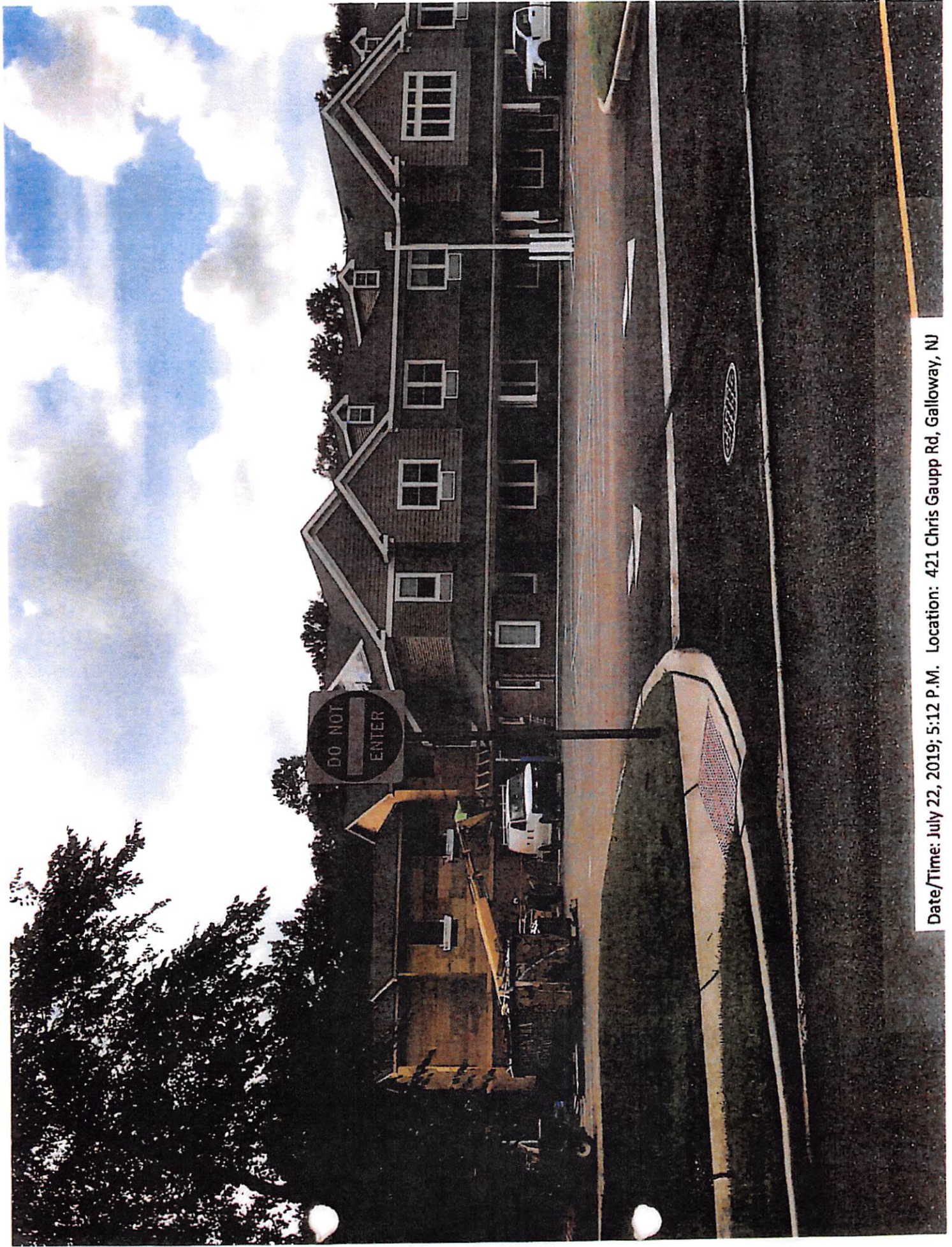
EXPRESS

VEVROLET
73





Date/Time: July 22, 2019; 5:12 P.M. Location: 421 Chris Gaupp Rd, Galloway, NJ



Date/Time: July 22, 2019; 5:12 P.M. Location: 421 Chris Gaupp Rd, Galloway, NJ

Stockton board approves purchase of dorms on Chris Gaupp Drive, Press of Atlantic City, Feb 21, 2019

GALLOWAY TOWNSHIP — Stockton University is moving forward with purchasing off-campus dorms it currently leases, adding about 40 rooms to its permanent housing stock.

The Board of Trustees on Wednesday approved a resolution authorizing the purchase of 421 Chris Gaupp Drive, which includes 42 two- and three-bedroom dorms, which Stockton has been leasing from **D & M Galloway Holding LLC since 2016**. The college pays \$575,000 per year under a three-year contract that expires at the end of the spring semester, according to university spokeswoman Diane D'Amico.

D'Amico said a purchase price would not be available until the sale was approved by the board and a purchase agreement was finalized.

Trustee Stanley M. Ellis said the resolution allows the president to negotiate for the purchase of the property “in a very attractive way that will benefit the university in a cost-effective manner.”

D & M is operated by former Galloway Mayor Don Purdy and, according to the township Tax Assessor's office, is valued at \$1.8 million. In 2018, the total tax bill was \$56,631, the office said.

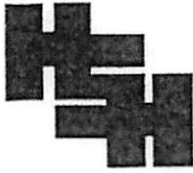
The property on Chris Gaupp is about 2.7 acres and includes a 24,000-square-foot building with various common areas and a retail space, the resolution states.

“The Board of Trustees determined that the purchase of the property will cost-effectively support the university's long-term demand for student housing and is in the best interests of the university,” reads the resolution.

The purchase of this housing comes about a year after Stockton announced it was selling the Seaview property, which had the capacity to house nearly 350 students, although about 270 lived there when it was sold. The sale was finalized in August for \$21.07 million to KDG Capital LLC.

In September, Stockton opened its **Atlantic City campus** with housing for 530 students.

In addition to the purchase, the board approved an increase in housing rates for next school year. According to the agenda, the average rate will increase from \$4,734 to \$4,882 per semester.



HARRY S. HARPER ARCHITECTS INC.

555 NEW JERSEY AVE.
ABSECON, N. J. 08201
PHONE: (609) 645-7566

HARRY S. HARPER
NJ AI 08900
N.J.P.P. LI 03222

October 31, 2019

Mr. Donald Purdy
c/o Purdy Automotive
325 E. White Horse Pike
Absecon, NJ 08201

Re: Chris Gaupp Road Dorms

Dear Mr. Purdy:

The actual square footage of the building you lease to Stockton University is 19,726.58 square feet. We have deducted from the overall square footage things such as outside maintenance storage, panel/utility room, chases, and the deli-snack bar.

I was the original architect on this project and you did not construct the original building. The building you purchased was a semi completed shell that had electric service, sewer lines, water service and roughed in elevator and mechanical room. All you did was finish the shell and put two small additions on either end of the building.

The finished third floor has been converted back to attic space and the bathrooms and other structures have been dismantled.

I hope this information is helpful. If I can provide further assistance, please feel free to call me.

Very truly yours,



Harry S. Harper

HSH/at

Leonard, John

From: Nicole Pratt <Nicole@purdycollision.com>
Sent: Monday, November 4, 2019 11:45 AM
To: Leonard, John
Cc: 'Don Purdy'
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp
Attachments: Purdy-Gaupp-Stockton.docx

Sorry about that. Please see attached.

From: Leonard, John [mailto:John.Leonard@dol.nj.gov]
Sent: Monday, November 04, 2019 11:23 AM
To: Nicole Pratt
Cc: Leonard, John
Subject: RE: [EXTERNAL] Purdy/Stockton/Chris Gaupp

Thank you but I don't have any Attachment attached. Can you please forward the Attachment? Thanks.

John Leonard
Field Investigator
New Jersey Department of Labor
Wage and Hour Compliance
Public Contracts Section
1 John Fitch Plaza
P.O. Box 389
Trenton NJ 08625
Office 609-292-2259
Cell 609-947-3475
Fax 609-695-1174
e-mail John.Leonard@dol.nj.gov

From: Nicole Pratt [mailto:Nicole@purdycollision.com]
Sent: Monday, November 4, 2019 11:03 AM
To: Leonard, John <John.Leonard@dol.nj.gov>
Cc: 'Don Purdy' <dptowing@hotmail.com>
Subject: [EXTERNAL] Purdy/Stockton/Chris Gaupp
Importance: High

Good morning, Mr. Leonard.

Attached please find the letter from the architect regarding the usable square footage of the property leased by Stockton at 421 Chris Gaupp Drive.

MW-169 PC (R-12-13)

DIVISION OF WAGE AND HOUR COMPLIANCE
FIELD REPORT - PUBLIC CONTRACTS

Employer No. 729915

Field Report No. 103415

FEIN / SSN

No Violation Not Confirmed

Reason for Complaint (claim #'s) 491516

Case No. PC-8-0121-LEO

Inspection: Routine Application Accident to Minor Other

Assign Date 10/8/2020

Date Time In Out

Period from (date) to (date)

Date Time In Out

Insp. Type: Sample Complete

Date Time In Out

Audit Type: Employer Self-Audit Field Rep. Audit

MW-216 Site Rec # 103415

D&M Galloway Holdings, LLC

Trade Name Corp. Name/Ownership
805 Third Ave. Galloway NJ 08205 Atlantic
Address (physical location of business being inspected) City State ZIP County

Tel. No. FAX E-mail Web Site

Mailing Address City State ZIP

Tel. No. FAX E-mail

Main Office Address City State ZIP

Tel. No. FAX E-mail

Place of Inspection City State ZIP

Tel. No. FAX E-mail

Type of Business: Individual Partnership NJ Corp. Out-of-State Corp. LLC LLP Other

Nature of Business NAICS Total Employees 18 & Over Under 18

Pay Frequency: Weekly Bi-weekly Semi-monthly Monthly Pay Per Ends Pay Day

of Work Days Withheld 7-Day Work Week Ends Check Cash Direct Dep. Other

- 12. RECORDS AND POSTING
1. Records
2. Posting
3. No Out-of-State Permit
4. Hindrance

- 23. PREVAILING WAGE
1. Failure to Pay Prevailing Wage
2. Records
3. Records / Obstruction
4. Prevailing Wage Rates Not Posted
5. Certified Payroll / Public Body
6. Discrimination Against Workers
7. Utility Work - Failure to Pay PW
8. Utility Work - Records

- 22. STATE BLDG SERVICE CONTRACTS
1. Failure to Pay Wage Standard
2. Records
3. Records / Obstruction
4. Discrimination Against Worker
5. Failure to Obtain Special License

- 18. WAGE & HOUR LAW
1. Minimum Wage Rate
2. Overtime Rate
3. Discriminatory Discharge

- 24. CONTRACTOR REGISTRATION
1. Failure to Register
2. Contracted Unregistered Subcontractor

- 20. MISC. / OTHER LAWS
1. Sex Discrimination
2. Lie Detector
3. Medical Exam
4. Seats for Employees
5. Medical Coverage Notification
6. Improper Classification Const. Workers
7. Prohibited Job Advertisement
8. Posting - Maintain & Report Records
9. Records - Solid Waste
10. Other
11. Other

- 17. WAGE PAYMENT
1. Unpaid Wages / Late Payment
2. Illegal Deductions
3. No Statement of Deductions

- 13. CHILD LABOR
2. No Empl. Cert. or Permit
12. Prohibited Occupation

Include Frequency Codes in Narrative: H - Habitual F - Frequent R - Rare

Violations Discussed w/ (name & title) Attorney is communicating with Hearing Officer

Violations 23-3, and 24-1

Material Submitted with Report

Cross References

Field Rep. (print name) John Leonard Signature

Has the establishment previously operated under a different name or at a different address? Yes No

Name _____ Address _____ City _____ State _____ ZIP _____
Tel. No. _____ Employer No. _____

Owners/Officers:

1. Don Purdy
First Name Last Name Title SSN % financial interest Tel. No. ZIP

Home Address City State ZIP

2. _____
First Name Last Name Title SSN % financial interest Tel. No. ZIP

Home Address City State ZIP

3. _____
First Name Last Name Title SSN % financial interest Tel. No. ZIP

Home Address City State ZIP

Additional Employer Information (e.g. registered agent, attorney, accountant, etc.):
Name & Title _____ Address _____ City, State ZIP _____ Tel. No. _____

Name and Location of Banking Institution (branch location):

Accl. No. for Payroll Purpose _____

Workers' Compensation Carrier Name _____

Policy No. _____ Effective Date: From _____ To _____

Unemployment Insurance: Verified last available qtrly payment? Yes No City/yr _____
 EFT Check

Referrals: OSHA Referral UI Referral Workers' Comp Referral Taxation

Remarks/Recommendations:

Kirkland, Robert [DOL]

From: William G. Blaney <bill@blaneykaravan.com>
Sent: Monday, October 18, 2021 3:00 PM
To: Kirkland, Robert [DOL]
Subject: [EXTERNAL] Re: D & M Galloway

*****CAUTION*****

This message came from an **EXTERNAL** address (bill@blaneykaravan.com). **DO NOT** click on links or attachments unless you know the sender and the content is safe. **Suspicious?** Forward the message to spamreport@cyber.nj.gov.

Per our discussion, below is my client's list of who did work on the project:

- RMJ Mechanical, LLC - did plumbing and electric.
- Filling Tile and Marble - did the bathrooms and floors. They are a union company.
- Affordable Fire - did the fire suppression system. They are a union company.
- Atlantic Coast Alarm - all they did was tie the alarm system into the addition.
- Ciriganano.Painting - they did all of the painting . They are a union company.
- Leon Contractors, LLC - He did the roofing and siding.
- EJS Contractors LLC - Edmar and his brother-in-law Gino helped me out and did the framing with us at no charge. They did it in between a few jobs. I bought the material what I already didn't have.
- Don Purdy and his two sons and some other friends did the concrete demo drywall and put the furniture in. He bought the material and there was no labor cost. No company was involved. He also did the heating and air-conditioning. They were were called PTC; they slide in the wall and plug into an outlet just like motel unit.

William G. Blaney
Blaney, Donohue,
Karavan, & Weinberg,P.C.
2123 Dune Drive - Suite 11
Avalon, NJ 08202
Phone: (609) 435-5368
Fax: (609) 435-5473
Cell (609) 703-3210
bill@blaneydonohue.com

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received. Thank you.

- 1) RMJ Mechanical LLC
219 Porchtown Rd, Pittsgrove, NJ 08318
- 2) Filling Tile and Marble
129 Philadelphia Ave, Egg Harbor Township, NJ 08215
(609) 593-3386
- 3) Affordable Fire
540 Hamilton Ave # 2 Linwood NJ 08221
(609) 927-9220

- 4) Atlantic Coast Alarm
5100 Harding Hwy, Mays Landing, NJ 08330
(609) 625-0944
- 5) Ciriganano Painting
750 W California Ave, Absecon, NJ 08201
(609) 645-3999
- 6) Leon Contractors LLC
1090 Broadway STE 104, West Long Branch, NJ 07764
- 7) EJS Contractors
104 Lowden St Delran NJ

SITE REPORT NOTES

Printed on: 8/18/2022

Sites Rec #: 105054

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

18-Aug-2022 10:43 am

John Leonard

NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT WAGE AND HOUR DIVISION AND CONTRACT COMPLIANCE

INVESTIGATIVE NARRATIVE

Case Number: PC-156-0422-PCS

Site Records # 105054

Employer: D&M Galloways Holdings LLC (ER 729915), 805 Third Ave., Galloway, NJ 08205

GC Employer #: 729915

Claim: Routine- Directed Routine Inspection

Claim Number: PCS

Field Investigator: John Leonard

I. REASON FOR THE INVESTIGATION

- Directed Routine from Section Chief Cirignano.

PRIOR HISTORY

- No prior history was found for EJS Contractors Inc.
- Prior History was found for D&M Galloways Holdings LLC; Failure to respond to a Subpoena and Failure to Register; Hindering/Obstruction(PC-8-0121-LEO).

CONTRACTOR REGISTRATION

- EJS Contractors Inc. is not registered.
 - D&M Galloways Holdings LLC is not registered.
- The work on this job occurred in the Summer of 2019.

II. EXEMPTIONS

N/A

III. STATUS OF COMPLIANCE FINDINGS

FINDINGS PROJECT SCOPE

- Addition to existing Building at 421 Chris Gaupp Drive, Galloway, NJ 08205. This was a private property subject to a future Lease by Stockton University.
- This contractor, EJS Contractors Inc., was a Subcontractor to D&M Galloways Holdings LLC(ER 729915) who worked on the addition to 421 Chris Gaupp Drive, Galloway, NJ 08205.
- The General Contractor was D&M Galloway Holdings LLC.(ER 729915). Per D&M Galloway Holdings LLC Attorney, William Blaney, D&M Galloway Holdings LLC utilized Subcontractor EJS Contractors Inc. on the addition to 421 Chris Gaupp Drive, Galloway, NJ 08205.
- EJS Contractors Inc. provided framing work on the Addition that was added to 421 Chris Gaupp Drive, Galloway, NJ.

SITE REPORT NOTES

Sites Rec #: 105054

Printed on: 8/18/2022

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

- The General Contractor was D&M Galloway Holdings LLC.
- The Contract between D&M Galloway Holdings LLC and Stockton University was dated 6/19/19.
- The Termination Date of the Original Lease between Stockton University and D&M Galloway Holdings LLC was May 12, 2019.

PUBLIC BODY

- This was a private property subject to a future Lease by Stockton University.
-

PREVAILING WAGE ACT

- This project is subject to the New Jersey Prevailing Wage Act because the project occurred on a private property subject to a future Lease by Stockton University.
- As stated in the D&M Galloway Holdings LLC file, Field Rep. Leonard informed by Supervision this project is covered by Prevailing Wage.

CERTIFIED PAYROLLS

- N/A

SITE INSPECTIONS

- No site inspection conducted regarding EJS Contractors Inc. as the job was complete.

RECORD KEEPING

- N/A
-

EMPLOYER STATEMENTS

- There were no Employer Statements.

EMPLOYEE INTERVIEWS OR OTHER STATEMENTS

- The Attorney for D&M Galloway Holdings LLC, William Blaney, provided, via e-mail, a list of the Subcontractors who were utilized on the Addition to 421 Chris Gaupp Drive, Galloway. Per the e-mail from Attorney William Blaney, EJS Contractors LLC, was one of those subcontractors.
- Per an email from the Attorney for D&M Galloway Holdings LLC, William Blaney, the below is his client's list of who did work on the project;

Total Notes: 1

SITE REPORT NOTES

Sites Rec #: 106054

Printed on: 8/18/2022

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

18-Aug-2022 10:44 am John Leonard

- 1. RMJ Mechanical LLC-did plumbing and electric
- 2. Filling Marble and Tile- did the bathroom and floors. They are a Union Company.
- 3. Affordable Fire- did the fire suppression system. They are a union company.
- 4. Atlantic Coast Alarm-all they did was tie the alarm system into the addition.
- 5. Cirignano Painting-they did all of the painting. They are a union company.
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- 7. EJS Contractors LLC- Edmar and his brother-in-law Gino helped me out and did the framing with us at no charge. They did it in between a few jobs. I bought the material what I already didn't have.
- 8. Don Purdy and his two sons and some other friends did the concrete demo drywall and put the furniture in. He bought the material and there was no labor cost. No company was involved. He also did the heating and air-conditioning. They were called PTC; they slide in the wall and plug into an outlet just like motel unit.

• Carpenters Union Business Agent Steve Stokes provided a Statement via email and photographs of EJS Contractors Inc. at the Site (Exhibit B).

• There were no Employee Interviews or other Statements..

SUBPOENA

- A subpoena was sent to EJS Contractors Inc. at 104 Lowden Street Delran, NJ 08075. The Subpoena was returned to the NJ DOL Trenton Office with a Yellow Sticker attached to the Envelope which said; " Return to Sender. Not Delivered as Addressed. Unable to Forward."

MISCLASSIFICATION (ABC ANALYSIS)

- N/A

BACK WAGES (AUDIT) COMPUTATION

- No Audit was conducted.

IV. CONCLUSION

- This company is not in compliance. A Records request was sent to 104 Lowden Street Delran, NJ and no Records were received by the New Jersey DOL. A subpoena was sent to EJS Contractors LLC , 104 Lowden Street Delran, NJ and the subpoena was Returned to Sender as Undeliverable.
- The company, EJS Contractors Inc. is not Registered.
- No Payroll Inspection of EJS Contractors Inc. was conducted as the Records Request went unanswered and the Subpoena was "Returned to Sender".
- D&M Galloway Holdings LLC hired unregistered subcontractor EJS Contractors Inc.

ALLEGED VIOLATIONS

Contracted Unregistered Subcontractor N.J.S.A. 12:62-2.1

Total Notes: 1

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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
\$ _____

Total Postage and Fees
\$ _____

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Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

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Street and Apt. No., or PO Box No.
City, State, Zip+4®



2-23-22

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 2, 2022

v.

Case No. PC-156-0422-PCS

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

On October 28, 2022 the Wage and Hour Division and Contract Compliance, pursuant to Public Law 1991, Chapter 205, issued formal notification assessing an administrative fee, penalty and/or total monies due employees, as cited below. Payment of the assessment by certified check or money order payable to the Commissioner of Labor and Workforce Development was to be received by the Wage and Hour Division and Contract Compliance, P. O. Box 389, Trenton, New Jersey 08625-0389 within fifteen (15) days of the notification.

Total Monies due Employees \$0.00
Administrative Fee \$0.00
Administrative Penalty \$2,500.00

Failure to comply with this notice has resulted in a Final Administrative Order being entered against you;

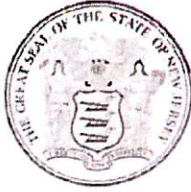
Therefore, it is ORDERED that payment be made to the Commissioner of Labor and Workforce Development, Wage and Hour Division and Contract Compliance within ten (10) days of this order.

Further, failure to comply with this Final Administrative Order will result in a certified copy of the Final Order being filed with the Clerk of the Superior Court of New Jersey in Trenton, and further, pursuant to the Penalty Enforcement Act, P.L. 1999 C.274, the Commissioner of Labor and Workforce Development will obtain a judgment for the purpose of recovery of monies due plus costs and any other such relief as may be appropriate including total monies due employees, administrative penalties and administrative fees. The judgment will be enforced upon any of the defendant's real or personal property. Signed this December 2, 2022 pursuant to the authority herein vested in me by law.

Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development
By:
David A. Biglin, Director
Wage and Hour Division and Contract Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Wage and Hour Division and Contract Compliance, P.O. Box 389, Trenton, New Jersey on December 2, 2022.

Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)



12-23-22

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 2, 2022

v.

Case No. PC-156-0422-PCS

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC

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Total Monies due Employees	\$0.00
Administrative Fee	\$0.00
Administrative Penalty	\$2,500.00

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Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development

By:
David A. Biglin, Director
Wage and Hour Division and Contract Compliance

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Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)

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| <input type="checkbox"/> Return Receipt (electronic) | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

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Postage

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Total Postage and Fees

\$

Sent To *Donald Purdy, Owner*

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



11-22-22

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

October 28, 2022

Re: PC-156-0422-PCS

421 Chris Gaupp Drive Addition
421 Chris Gaupp Drive Addition

D&M Galloway Holdings LLC Lease from Stockton Univ

Dear Donald Purdy:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: *These monies are due directly to Employees.*

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due Employees Form. Gross back wages **are** subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are **not** subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12 months and is **not** subject to tax deductions.

Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.

Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

Respond to this Notice within 15 Days of the above Date:

1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.
2. If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,

Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-156-0422-PCS

D&M Galloway Holdings LLC

10/28/2022

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Violation	Citation No.	Penalty
Contracted Unregistered Subcontractor	34:11-56.51 / 12:62-2.1	\$2,500.00 (<i>Violation</i>)

Assessments:

Total Monies due Employees		\$0.00
Back Wages	\$0.00	
Liquidated Damages	\$0.00	
Misclassification Penalty	\$0.00	
Administrative Fee (0% of Total Monies)		\$0.00
Penalty		\$2,500.00

Instructions

1. **Payment of Total Monies due Employees:** Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

If a former employee's check is returned to you as undeliverable, add "...or Commissioner of LWD" after the employee's name on the "Pay to the Order of" line. Forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

2. **Payment of Administrative Fee and/or Penalty:** Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.
3. **Check the appropriate box below:** Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

Wage and Hour Division and Contract Compliance
PO Box 389
Trenton, NJ 08625-0389
Fax (609) 695-1174

- I am submitting payment for the Administrative Fee and/or Penalty. If any monies are due employees, I have paid employees directly as per the above instructions. I am submitting copies of the cancelled employee checks and corresponding statement of deductions as proof of payment. Any withholdings have been remitted to the proper taxing agencies.
- I am contesting the above Assessments and I am requesting a telephone conference to discuss my case because (explain briefly):

Print Name: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____

Date: _____

Email: _____

PUBLIC CONTRACTS
R & A REVIEW SHEET

Field
Rep.

PC-156-0422-PCS

CASE NUMBER

Project: Addition to existing Building at 421 Chris Gaupp Drive, Galloway, NJ
 Project Address 1: 421 Chris Gaupp Drive, Galloway, NJ
 Public Body: Property subject to future Lease by Stockton University

SEND LETTER TO: Employer # 729915

Owner's Name: Don Purdy/Owner
 Company Name: D&M Galloway Holdings LLC
 Address 1: 805 Third Ave.
 City: Galloway State: NJ 08205

ADMINISTRATIVE FEE / PERCENTAGE / PENALTY / WAGES INFORMATION:

INITIAL ADMINISTRATIVE FEE: \$ _____ INITIAL % DUE: \$ _____
 INITIAL ADMINISTRATIVE PENALTY: \$ 2,500.00 WAGES DUE: \$ _____

ALLEGED VIOLATIONS

	Failure to Pay Prevailing Wage	N.J.S.A. 34:11-56.27	\$ _____
	Failure to Keep Accurate Records	N.J.S.A. 34:11-56.29	\$ _____
	Records/Obstruction	N.J.S.A. 34:11-56.31	\$ _____
	Prevailing Wage Rates Not Posted	N.J.S.A. 34:11-56.32	\$ _____
	File Records 10 Days / Public Body	N.J.S.A. 34:11-56.33	\$ _____
	Records-GE	N.J.S.A. 34:11-56a20	\$ _____
	Failure To Register	N.J.S.A. 34:11-56.51	\$ _____
X	Contracted Unregistered Subcontractor	N.J.S.A. 12:62-2.1	\$ <u>2500.00</u>
	Unpaid Wages/Late Payment	N.J.A.C. 34:11-4.2	\$ _____
	Illegal Deductions	N.J.S.A. 34:11-4.4	\$ _____
	Failure to Pay Prevailing Wage-EDA Project	N.J.A.C. 34:1B-5.1	\$ _____
	Failure to Pay Prevailing Wage-Utility Project	N.J.S.A. 34:13B-2.1	\$ _____
	Obstruction Hindering	N.J.S.A. 34:11-56.35	\$ _____
	Misclassification	N.J.S.A. 34:20-5	\$ _____
	Other		\$ _____



Case # **PC-156-0422-PCS** Status: **Assessed**

of Days 67 Total # of Days 267 Case Entry Date : 4/11/2022 3:19:47 PM

Case Statistics

Status Details Field Report #	# of Days	Entry Date
Field Report	200	04/11/2022
Cited	0	
Assessed	67	10/27/2022
Wages	0	
ReAssign	0	
Hearing	0	
Decision	0	
WageCollection	0	
Disbursement	0	
Check IN	0	
Collection	0	
Docketed Judgment	0	
Closed	0	

Case Details

Violations
of Cited Violations : 1

NJSA #	NJSA Desc.	NJSA/NJAC #	NJSA/NJAC
34:11-56.51 / 12:62-2.1	Contracted Unregistered Subcontractor		0

Money Matters

	Final Assessments	Paid	Outstanding
Wages	0	0.00	0
Fees	0	0.00	0
Penalty	2500	0.00	2500
Totals	2500	0	2500

Check Details

Disbursement details

Check Details
of Checks :

Check #	Paymentlog Rec #	Check Type	Check Amt	Check Status	Entry

Reset

Email Docs

Search Case

Close

*ESS.
UN
Rem*

MW-168 PC (R-12-13)

DIVISION OF WAGE AND HOUR COMPLIANCE
FIELD REPORT - PUBLIC CONTRACTS

Employer No. 729915

Field Report No. 105054

FEIN / SSN

No Violation Not Confirmed

Reason for Complaint (claim #'s) PCS

Case No. PC-156-0422-PCS

Inspection: Routine Application Accident to Minor Other

Assign Date

Date _____ Time In _____ Out _____

Period from (date) _____ to (date) _____

Date _____ Time In _____ Out _____

Insp. Type: Sample Complete

Date _____ Time In _____ Out _____

Audit Type: Employer Self-Audit Field Rep. Audit

MW-216 Site Rec # 105054

D&M Galloway Holdings, LLC

Trade Name

Corp. Name/Ownership

805 Third Ave.

Galloway

NJ

08205

Atlantic

Address (physical location of business being inspected)

City

State

ZIP

County

Tel. No.

FAX

E-mail

Web Site

Mailing Address

City

State

ZIP

Tel. No.

FAX

E-mail

Main Office Address

City

State

ZIP

Tel. No.

FAX

E-mail

Place of Inspection

City

State

ZIP

Tel. No.

FAX

E-mail

Type of Business: Individual Partnership NJ Corp. Out-of-State Corp. LLC LLP Other

Nature of Business _____ NAICS _____ Total Employees _____ 18 & Over _____ Under 18 _____

Pay Frequency: Weekly Bi-weekly Semi-monthly Monthly Pay Per Ends _____ Pay Day _____

of Work Days Withheld _____ 7-Day Work Week Ends _____ Check Cash Direct Dep. Other

12. RECORDS AND POSTING

- 1. Records _____
- 2. Posting _____
- 3. No Out-of-State Permit
- 4. Hindrance

23. PREVAILING WAGE

- 1. Failure to Pay Prevailing Wage
- 2. Records Inaccurate _____
- 3. Records / Obstruction _____
- 4. Prevailing Wage Rates Not Posted
- 5. Certified Payroll / Public Body
- 6. Discrimination Against Workers
- 7. Utility Work - Failure to Pay PW
- 8. Utility Work - Records _____

22. STATE BLDG SERVICE CONTRACTS

- 1. Failure to Pay Wage Standard
- 2. Records _____
- 3. Records / Obstruction
- 4. Discrimination Against Worker
- 5. Failure to Obtain Special License

18. WAGE & HOUR LAW

- 1. Minimum Wage Rate
- 2. Overtime Rate
- 3. Discriminatory Discharge

20. MISC. / OTHER LAWS

- 1. Sex Discrimination
- 2. Lie Detector
- 3. Medical Exam
- 4. Seats for Employees
- 5. Medical Coverage Notification
- 6. Improper Classification Const. Workers
- 7. Prohibited Job Advertisement
- 8. Posting - Maintain & Report Records
- 9. Records - Solid Waste
- 10. Other _____
- 11. Other _____

17. WAGE PAYMENT

- 1. Unpaid Wages / Late Payment
- 2. Illegal Deductions
- 3. No Statement of Deductions

24. CONTRACTOR REGISTRATION

- 1. Failure to Register
- 2. Contracted Unregistered Subcontractor

13. CHILD LABOR

- 2. No Empl. Cert. or Permit
- 12. Prohibited Occupation

Include Frequency Codes in Narrative: H - Habitual F - Frequent R - Rare

Violations Discussed w/ (name & title) Attorney is communicating with Hearing Officer

Violations 24-2

Material Submitted with Report

Cross References

Field Rep. (print name) John Leonard Signature

Has the establishment previously operated under a different name or at a different address? Yes No

Name _____ Address _____ City _____ State _____ ZIP _____

Tel. No. _____ Employer No. _____

Owners/Officers:

1. Don Purdy
First Name Last Name Title SSN % financial interest Tel. No.

Home Address _____ City _____ State _____ ZIP _____

2. _____
First Name Last Name Title SSN % financial interest Tel. No.

Home Address _____ City _____ State _____ ZIP _____

3. _____
First Name Last Name Title SSN % financial interest Tel. No.

Home Address _____ City _____ State _____ ZIP _____

Additional Employer Information (e.g. registered agent, attorney, accountant, etc.):

Name & Title _____ Address _____ City, State ZIP _____ Tel. No. _____

Name and Location of Banking Institution (branch location):

Acct. No. for Payroll Purpose _____

Workers' Compensation Carrier Name _____

Policy No. _____ Effective Date: From _____ To _____

Unemployment Insurance: Verified last available qtrly payment? Yes No Qtr/Yr _____ EFT Check

Referrals: OSHA Referral UI Referral Workers' Comp Referral Taxation

Remarks/Recommendations:

SITE REPORT NOTES

Sites Rec #: 105640

Printed on: 8/29/2022

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

29-Aug-2022 4:08 pm

John Leonard

NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT WAGE AND HOUR DIVISION AND CONTRACT COMPLIANCE

INVESTIGATIVE NARRATIVE

Case Number: PC-368-0822-PCS

Site Records # 105640

Employer: D&M Galloway Holdings LLC , 805 Third Ave., Galloway Twp, NJ 08205

GC Employer #: 729915

Claim: Routine- Directed Routine Inspection

Claim Number: PCS

Field Investigator: John Leonard

I. REASON FOR THE INVESTIGATION

- Directed Routine from Section Chief Cirignano.
- There is NO Employee Complaint regarding wages in this file.
- PCS file for D&M Galloway Holdings LLC hiring an unregistered subcontractor RMJ Mechanical LLC.

PRIOR HISTORY

- No prior history was found for RMJ Mechanical LLC regarding Public Contracts violations.
- D&M Galloway Holdings LLC was cited previously on this same job.

CONTRACTOR REGISTRATION

- RMJ Mechanical LLC is not registered.
- The work on this job occurred in the Summer of 2019.

II. EXEMPTIONS

N/A

III. STATUS OF COMPLIANCE FINDINGS

FINDINGS

PROJECT SCOPE

- Addition to existing Building at 421 Chris Gaupp Drive, Galloway, NJ 08205. This was a private property subject to a future Lease by Stockton University.

- RMJ Mechanical LLC was a Subcontractor to D&M Galloways Holdings LLC(ER 729915) who worked on the addition to 421 Chris Gaupp Drive, Galloway, NJ 08205.

- The General Contractor was D&M Galloway Holdings LLC.(ER 729915). Per D&M Galloway Holdings LLC Attorney, William Blaney, D&M Galloway Holdings LLC utilized Subcontractor RMJ Mechanical LLC on the addition to 421 Chris Gaupp Drive, Galloway, NJ 08205.

- RMJ Mechanical LLC provided both rough and final Plumbing and Electrical type work to the Addition that was

SITE REPORT NOTES

Sites Rec #: 105640

Printed on: 8/29/2022

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

added to 421 Chris Gaupp Drive, Galloway, NJ. Per the email from RMJ Mechanical LLC there was no contract.

- The General Contractor was D&M Galloway Holdings LLC.
- The Contract between D&M Galloway Holdings LLC and Stockton University was dated 6/19/19.
- The Termination Date of the Original Lease between Stockton University and D&M Galloway Holdings LLC was May 12, 2019.
- RMJ Mechanical LLC Plumbing Subcode Permit appears to be approved 6/18/19.

PUBLIC BODY

- This was a private property subject to a future Lease by Stockton University.
-

PREVAILING WAGE ACT

- This project is subject to the New Jersey Prevailing Wage Act because the project occurred on a private property subject to a future Lease by Stockton University.
- As stated in the D&M Galloway Holdings LLC file, Field Rep. Leonard informed by Supervision this project is covered by Prevailing Wage.

CERTIFIED PAYROLLS

- Per the company, RMJ Mechanical LLC , there are no certified payrolls.
-

SITE INSPECTIONS

- No site inspection conducted regarding RMJ Mechanical LLC .

RECORD KEEPING

- Per the company, RMJ Mechanical LLC , there are no certified payrolls.
-

FRINGES

Total Notes: 1

SITE REPORT NOTES

Sites Rec #: 106840

Printed on: 8/29/2022

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

Entry Date and Notes

29-Aug-2022 4:13 pm John Leonard

- N/A

EMPLOYER STATEMENTS

- RMJ Mechanical LLC provided an email regarding Items on the Records Request.

EMPLOYEE INTERVIEWS OR OTHER STATEMENTS

- There were no Employee Interviews or other Statements.
- The Attorney for D&M Galloway Holdings LLC, William Blaney, provided, via e-mail, a list of the Subcontractors who were utilized on the Addition to 421 Chris Gaupp Drive, Galloway. Per the e-mail from Attorney William Blaney, RMJ Mechanical LLC was one of those subcontractors.
- Per an email from the Attorney for D&M Galloway Holdings LLC, William Blaney, the below is his client's list of who did work on the project;
 - 1. RMJ Mechanical LLC-did plumbing and electric
 - 2. Filling Marble and Tile- did the bathrooma and floors. They are a Union Company.
 - 3. Affordable Fire- did the fire suppression system. They are a union company.
 - 4. Atlantic Coast Alarm-all they did was tie the alarm system into the addition.
 - 5. Cirignano Painting-they did all of the painting. They are a union company.
 - 6. Leon Contractors-He did the roofing and siding.
 - 7. EJS Contractors LLC- Edmar and his brother-in-law Gino helped me out and did the framing with us at no charge. They did it in between a few jobs. I bought the material what I already didn't have.
 - 8. Don Purdy and his two sons and some other friends did the concrete demo drywall and put the furniture in. He bought the material and there was no labor cost. No company was involved. He also did the heating and air-conditioning. They were called PTC; they slide in the wall and plug into an outlet just like motel unit.
- There were no Employee Interviews or other Statements..

SUBPOENA

- No subpoena was necessary as the RMJ Mechanical LLC complied with the Records Request.

MISCLASSIFICATION (ABC ANALYSIS)

- N/A

BACK WAGES (AUDIT) COMPUTATION

- No Audit was conducted. The Work was completed by the Owner of RMJ Mechanical LLC per his e-mail.

CONCLUSION

- The Company is not in Compliance. D&M Galloway Holdings LLC hired unregistered RMJ Mechanical LLC as a subcontractor for the Addition to 421 Chris Gaupp Drive, Galloway, NJ. Per the company, RMJ Mechanical LLC, there are no certified payrolls or Time and Payroll records as the Owner completed the work himself.
- The company, RMJ Mechanical LLC is not Registered.

SITE REPORT NOTES

Sites Rec #: 105640

Printed on: 8/29/2022

MW216 Field Rep.: John Leonard

MW169 PC Field Rep.: John Leonard

GC Trade Name: D&M Galloway Holdings LLC

GC Employer #: 729915

Sub Trade Name:

Sub Employer #: 0

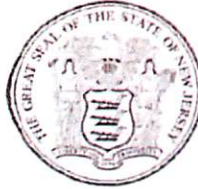
Entry Date and Notes

- No Payroll Inspection was conducted as the Records Request went unanswered and the Subpoena went unanswered.
- The Notice of Violation was emailed to the Attorney for D&M Galloway Holdings LLC, William Blaney, at his email address, bill@blaneykaravan.com <<mailto:bill@blaneykaravan.com>>

ALLEGED VIOLATIONS

Contracted Unregistered Subcontractor N.J.S.A. 12:62-2.1

Total Notes: 1



12-23-22

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 2, 2022

v.

Case No. PC-368-0822-PCS

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC

On October 28, 2022 the Wage and Hour Division and Contract Compliance, pursuant to Public Law 1991, Chapter 205, issued formal notification assessing an administrative fee, penalty and/or total monies due employess, as cited below. Payment of the assessment by certified check or money order payable to the Commissioner of Labor and Workforce Development was to be received by the Wage and Hour Division and Contract Compliance, P. O. Box 389, Trenton, New Jersey 08625-0389 within fifteen (15) days of the notification.

Total Monies due Employees	\$0.00
Administrative Fee	\$0.00
Administrative Penalty	\$2,500.00

Failure to comply with this notice has resulted in a Final Administrative Order being entered against you;

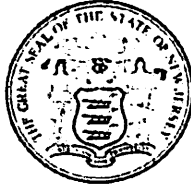
Therefore, it is ORDERED that payment be made to the Commissioner of Labor and Workforce Development, Wage and Hour Division and Contract Compliance within ten (10) days of this order.

Further, failure to comply with this Final Administrative Order will result in a certified copy of the Final Order being filed with the Clerk of the Superior Court of New Jersey in Trenton, and further, pursuant to the Penalty Enforcement Act, P.L. 1999 C.274, the Commissioner of Labor and Workforce Development will obtain a judgment for the purpose of recovery of monies due plus costs and any other such relief as may be appropriate including total monies due employees, administrative penalties and administrative fees. The judgment will be enforced upon any of the defendant's real or personal property. Signed this December 2, 2022 pursuant to the authority herein vested in me by law.

Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development
By:
David A. Biglin, Director
Wage and Hour Division and Contract Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Wage and Hour Division and Contract Compliance, P.O. Box 389, Trenton, New Jersey on December 2, 2022.

Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)



12-23-22

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 2, 2022

v.

Case No. PC-368-0822-PCS

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D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

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Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development

By:
David A. Biglin, Director
Wage and Hour Division and Contract Compliance

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Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)

7019 2280 0002 2652 9717

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$ _____

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$ _____

Total Postage and Fees

\$ _____

Sent To Donald Purdy, Owner

Street and Apt. No., or PO Box No. _____

City, State, ZIP+4® _____

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7019 2280 0002 2648 7642

Certified Mail Fee
\$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark
Here

Postage
\$ _____

Total Postage and Fees
\$ _____

Sent To: *Donald Purdy, Owner*

Street and Apt. No., or PO Box No. _____

City, State, ZIP+4® _____



11-22-22

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Donald Purdy, Owner / Officer and Individually, and
D&M Galloway Holdings LLC
805 Third Ave.
Galloway NJ 08205

October 28, 2022

Re: PC-368-0822-PCS

Dear Donald Purdy:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: *These monies are due directly to Employees.*

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are not subject to tax deductions.

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Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

Respond to this Notice within 15 Days of the above Date:

1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.
2. If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,

Lawrence Cirignano, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-368-0822-PCS

D&M Galloway Holdings LLC

10/28/2022

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Violation	Citation No.	Penalty
Contracted Unregistered Subcontractor	34:11-56.51 / 12:62-2.1	\$2,500.00 (Violation)

Assessments:

Total Monies due Employees		\$0.00
Back Wages	\$0.00	
Liquidated Damages	\$0.00	
Misclassification Penalty	\$0.00	
Administrative Fee (0% of Total Monies)		\$0.00
Penalty		\$2,500.00

Instructions

1. **Payment of Total Monies due Employees:** Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

If a former employee's check is returned to you as undeliverable, add "...or Commissioner of LWD" after the employee's name on the "Pay to the Order of" line. Forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

2. **Payment of Administrative Fee and/or Penalty:** Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.
3. **Check the appropriate box below:** Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

Wage and Hour Division and Contract Compliance
PO Box 389
Trenton, NJ 08625-0389
Fax (609) 695-1174

- I am submitting payment for the Administrative Fee and/or Penalty. If any monies are due employees, I have paid employees directly as per the above instructions. I am submitting copies of the cancelled employee checks and corresponding statement of deductions as proof of payment. Any withholdings have been remitted to the proper taxing agencies.
- I am contesting the above Assessments and I am requesting a telephone conference to discuss my case because (explain briefly):

Print Name: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____ Date: _____

Email: _____

**PUBLIC CONTRACTS
R & A REVIEW SHEET**

Field Rep John Leonard

CASE NUMBER PC-368-0822-PCS

Project: Addition to Existing Building at 421 Chris Gaupp Drive, Galloway, NJ

Project Address 1: 421 Chris Gaupp Drive, Galloway, NJ 08205

Public Body: Property subject to future lease by Stockton University

SEND LETTER TO: Employer # 729915

Owner's Name: Donald Purdy

Company Name: D&M Galloway Holdings, LLC

Address 1: 805 Third Ave.

City: Galloway

State: NJ

Zip: 08205

Company Representative: William G Blaney, Esq

Address 1: 2123 Dune Drive, Suite 11

City: Avalon

State: NJ

Zip: 08202

ADMINISTRATIVE FEE / PERCENTAGE / PENALTY / WAGES INFORMATION:

INITIAL ADMINISTRATIVE FEE: \$ 0

INITIAL % DUE: 0

INITIAL ADMINISTRATIVE PENALTY: \$ 2500.00

WAGES DUE: \$ 0

ALLEGED VIOLATIONS

- | | | |
|---|----------------------|------------|
| <input type="checkbox"/> Failure to Pay Prevailing Wage | N.J.S.A. 34:11-56.27 | \$ |
| <input type="checkbox"/> Failure to Keep Accurate Certified Payroll | N.J.S.A. 34:11-56.29 | \$ |
| <input type="checkbox"/> Records/Obstruction | N.J.S.A. 34:11-56.31 | \$ |
| <input type="checkbox"/> Prevailing Wage Rates Not Posted | N.J.S.A. 34:11-56.32 | \$ |
| <input type="checkbox"/> File Records 10 Days / Public Body | N.J.S.A. 34:11-56.33 | \$ |
| <input type="checkbox"/> Records - GE | N.J.S.A. 34:11-56a20 | \$ |
| <input type="checkbox"/> Failure To Register | N.J.S.A. 34:11-56.51 | \$ |
| <input checked="" type="checkbox"/> Contracted Unregistered Subcontractor | N.J.A.C. 12:62-2.1 | \$ 2500.00 |
| <input type="checkbox"/> Unpaid Wages / Late Payment | N.J.S.A. 34:11-4.2 | \$ |
| <input type="checkbox"/> Illegal Deductions | N.J.S.A. 34:11-4.4 | \$ |
| <input type="checkbox"/> Failure to Pay Prevailing Wage-EDA Project | N.J.S.A. 34:1B-5.1 | \$ |
| <input type="checkbox"/> Failure to Pay Prevailing Wage-Utility Project | N.J.S.A. 34:13B-2.1 | \$ |
| <input type="checkbox"/> Obstruction Hindering | N.J.S.A. 34:11-56.35 | \$ |
| <input type="checkbox"/> Misclassification | N.J.S.A. 34:20-5 | \$ |
| <input type="checkbox"/> Other | | \$ |



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08646-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 2, 2022

Case No. PC 308 0822 PCS

Donald Purdy, Owner, Officer and Individually, and
DSM Galloway Holdings, LLC

On October 28, 2022 the Wage and Hour Division and Contract Compliance, pursuant to Public Law 1991, Chapter 205, issued formal notification assessing an administrative fee, penalty and/or total monies due employees, as cited below. Payment of the assessment by certified check or money order payable to the Commissioner of Labor and Workforce Development was to be received by the Wage and Hour Division and Contract Compliance, P. O. Box 389, Trenton, New Jersey 08625-0389 within fifteen (15) days of the notification.

Total Monies due Employees	\$0.00
Administrative Fee	\$0.00
Administrative Penalty	\$2,500.00

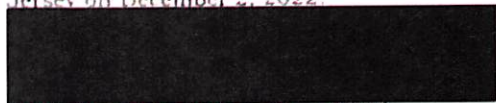
Failure to comply with this notice has resulted in a Final Administrative Order being entered against you;

Therefore, it is ORDERED that payment be made to the Commissioner of Labor and Workforce Development, Wage and Hour Division and Contract Compliance within ten (10) days of this order

Further, failure to comply with this Final Administrative Order will result in a certified copy of the Final Order being filed with the Clerk of the Superior Court of New Jersey in Trenton, and further, pursuant to the Penalty Enforcement Act, P.L. 1999 C.274, the Commissioner of Labor and Workforce Development will obtain a judgment for the purpose of recovery of monies due plus costs and any other such relief as may be appropriate including total monies due employees, administrative penalties and administrative fees. The judgment will be enforced upon any of the defendant's real or personal property. Signed this December 2, 2022 pursuant to the authority herein vested in me by law.

Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development
By:
David A. Bighin, Director
Wage and Hour Division and Contract Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Wage and Hour Division and Contract Compliance, P.O. Box 389, Trenton, New Jersey on December 2, 2022.



Lawrence Crignano, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 2, 2022

Case No. PC 368 0822 PCS

Donald Purdy, Owner – Officer and Individually, and
D&M Galloway Holdings LLC

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Total Monies due Employees	\$0.00
Administrative Fee	\$0.00
Administrative Penalty	\$2,500.00

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Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development

By:
David A. Bighin, Director
Wage and Hour Division and Contract Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Wage and Hour Division and Contract Compliance, P.O. Box 389, Trenton, New Jersey on December 2, 2022.

Lawrence Crignano, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)

WAGE & HOUR DIVISION AND CONTRACT COMPLIANCE
FIELD REPORT - GE

Employer No. 729915

Field Report No. 105640

FEIN / SSN [REDACTED]

No Violation Not Confirmed

Case No. PC-368-0822-PCS

Ran for Insp.: Complaint (claim #'s) _____

Assign Date _____

Routine Application Accident to Minor Theatrical Other _____

Period from (date) _____ to (date) _____

CL Sweep AG Sweep Apparel Sweep Misclass. Sweep

Insp. Type: Sample Complete

Date _____ Time In _____ Out _____

Audit Type: Employer Self-Audit Field Rep. Audit

Date _____ Time In _____ Out _____

Select if applicable: Site Inspection

Date _____ Time In _____ Out _____

D&M Galloway Holdings LLC

Trade Name	Corp. Name/Ownership			
<u>805 Third Ave.</u>	<u>Galloway</u>	<u>NJ</u>	<u>08205</u>	<u>Atlantic</u>
Address (physical location of business being inspected)	City	State	Zip	County

Tel. No.	FAX	E-mail	Web Site	
----------	-----	--------	----------	--

Mailing Address	City	State	ZIP
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Tel. No.	FAX	E-mail
----------	-----	--------

Main Office Address	City	State	ZIP
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Tel. No.	FAX	E-mail
----------	-----	--------

Place of Inspection	City	State	ZIP
---------------------	------	-------	-----

Tel. No.	FAX	E-mail
----------	-----	--------

Type of Business: Individual Partnership NJ Corp. Out-of-State Corp. LLC LLP Other _____

Nature of Business _____ NAICS _____ Total Employees _____ 18 & Over _____ Under 18 _____

Pay Frequency: Weekly Bi-weekly Semi-monthly Monthly Pay Per Ends _____ Pay Day _____

of Work Days Withheld _____ 7-Day Work Week Ends _____ Check Cash Direct Dep. Other _____

- 12. RECORDS AND POSTING**
- 1. Records _____
 - 2. Posting _____
 - 3. No Out-of-State Permit _____
 - 4. Hindrance _____

- 13. CHILD LABOR**
- 1. Under Legal Age _____
 - 2. No Empl. Cert. or Permit _____
 - 3. Over 8 Hours per Day _____
 - 4. Over 40 Hours per Week _____
 - 5. Over 3 hrs on School Days/under 16 _____
 - 6. Over 18 hrs per Week/under 16 _____
 - 7. 7 Days a Week _____
 - 8. Night Work / 14-15 Yrs _____
 - 9. Night Work / 16-17 Yrs _____
 - 10. Meal Period _____
 - 11. Records for Minors _____
 - 12. Prohibited Occupation _____

- 22. STATE BLDG SERVICE CONTRACTS**
- 1. Failure to Pay Wage Standard _____
 - 2. Records _____
 - 3. Records / Obstruction _____
 - 4. Discrimination Against Worker _____
 - 5. Failure to Obtain Special License _____

- 18. WAGE & HOUR LAW**
- 1. Minimum Wage Rate _____
 - 2. Overtime Rate _____
 - 3. Discriminatory Discharge _____

- 21. HEALTH CARE OVERTIME**
- 1. Mandatory Overtime Procedures _____
 - 2. Records _____
 - 3. Discrimination Against Worker _____
 - 4. Posting Requirement _____

- 20. MISC. / OTHER LAWS**
- 1. Sex Discrimination _____
 - 2. Lie Detector _____
 - 3. Medical Exam _____
 - 4. Seats for Employees _____
 - 5. Medical Coverage Notification _____
 - 6. Improper Classification Const. Workers _____
 - 7. Prohibited Job Advertisement _____
 - 8. Posting - Maintain and Report Records _____
 - 9. Records - Solid Waste _____
 - 10. Posting - Gender Inequity _____
 - 11. Electronic Communications Device _____
 - 12. Opportunity to Compete _____
 - 13. Other _____

- 17. WAGE PAYMENT**
- 1. Unpaid Wages / Late Payment _____
 - 2. Illegal Deductions _____
 - 3. No Statement of Deductions _____

- EARNED SICK LEAVE**
- 1. Failure to Pay _____
 - 2. Records _____
 - 3. Notice / Posting _____

Include Frequency Codes In Narrative: H - Habitual F - Frequent R - Rare

Violations Discussed w/ (name & title) Attorney is communicating with Hearing Officer

Violations Hiring Unregistered Subcontractor

Material Submitted with Report _____

Cross References _____

Field Rep. (print name) John Leonard Signature _____

Has the establishment previously operated under a different name or at a different address? Yes No

Name	Address	City	State	ZIP
Tel. No.	Employer No.			

Owners/Officers:

1. **Don Purdy**

First Name	Last Name	Title	SSN	% financial interest	Tel. No.
Home Address		City	State	ZIP	

2.

First Name	Last Name	Title	SSN	% financial interest	Tel. No.
Home Address		City	State	ZIP	

3.

First Name	Last Name	Title	SSN	% financial interest	Tel. No.
Home Address		City	State	ZIP	

Additional Employer Information (e.g. registered agent, attorney, accountant, etc.):

Name & Title	Address	City, State ZIP	Tel. No.
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Name and Location of Banking Institution (branch location):

Acct. No. for Payroll Purpose _____

Workers' Compensation Carrier Name _____

Policy No. _____ Effective Date: From _____ To _____

Unemployment Insurance: Verified last available qtrly payment? Yes No Qtr/Yr _____ EFT Check

Referrals: OSHA Referral UI Referral Workers' Comp Referral Taxation

Remarks/Recommendations:

Leonard, John [DOL]

From: Jason Nitz <rmjmechanical@comcast.net>
Sent: Monday, December 6, 2021 10:46 AM
To: Leonard, John [DOL]
Subject: [EXTERNAL] 421 Chris Gaupp Dr.

CAUTION

This message came from an **EXTERNAL** address (rmjmechanical@comcast.net). **DO NOT** click on links or attachments unless you know the sender and the content is safe. Suspicious? Forward the message to spamreport@cyber.nj.gov.

Dear Sir or Madam,

Please find responses to a letter sent to RMJ Mechanical LLC dated November 17 2021.

In the matter of 421 Chris Gaupp Dr, I as the owner of RMJ Mechanical LLC (Jason Nitz) completed both rough and final work of the addition for Mr. Purdy. You will find a few pictures attached of myself at the said location.

- 1) No certified payroll as I completed the work myself as owner
- 2) No records as I completed the work myself as owner
- 3) No records as I completed the work myself as owner
- 4) No records as I completed the work myself as owner
- 5) No records as I completed the work myself as owner
- 6) Jason Nitz, owner, 219 Porchtown Rd, Pittsgrove NJ 08318
- 7) NA
- 8) 20-4968076
- 9) NA
- 10) NA I completed the work myself as owner
- 11) NA
- 12) NA I was not the general contractor on site, this build was privately owned. No public agency involved at the time.
- 13) No agreement was made or signed between Mr Purdy (owner of said building) and RMJ Mechanical LLC.
- 14) No subs used as I did the work as owner
- 15) NA Work was completed by myself as owner.





Kirkland, Robert [DOL]

From: William G. Blaney <bill@blaneykaravan.com>
Sent: Monday, October 18, 2021 3:00 PM
To: Kirkland, Robert [DOL]
Subject: [EXTERNAL] Re: D & M Galloway

CAUTION

This message came from an **EXTERNAL** address (bill@blaneykaravan.com). **DO NOT** click on links or attachments unless you know the sender and the content is safe. **Suspicious?** Forward the message to spamreport@cyber.nj.gov.

Per our discussion, below is my client's list of who did work on the project:

- RMJ Mechanical, LLC - did plumbing and electric.
- Filling Tile and Marble - did the bathrooms and floors. They are a union company.
- Affordable Fire - did the fire suppression system. They are a union company.
- Atlantic Coast Alarm - all they did was tie the alarm system into the addition.
- Ciriganano Painting - they did all of the painting . They are a union company.
- Leon Contractors, LLC - He did the roofing and siding.
- EJS Contractors LLC - Edmar and his brother-in-law Gino helped me out and did the framing with us at no charge. They did it in between a few jobs. I bought the material what I already didn't have.
- Don Purdy and his two sons and some other friends did the concrete demo drywall and put the furniture in. He bought the material and there was no labor cost. No company was involved. He also did the heating and air-conditioning. They were were called PTC; they slide in the wall and plug into an outlet just like motel unit.

William G. Blaney
Blaney, Donohue,
Karavan, & Weinberg,P.C.
2123 Dune Drive - Suite 11
Avalon, NJ 08202
Phone: (609) 435-5368
Fax: (609) 435-5473
Cell (609) 703-3210
bill@blaneydonohue.com

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received. Thank you.

- 1) RMJ Mechanical LLC
219 Porchtown Rd, Pittsgrove, NJ 08318
 - 2) Filling Tile and Marble
129 Philadelphia Ave, Egg Harbor Township, NJ 08215
(609) 593-3386
 - 3) Affordable Fire
540 Hamilton Ave # 2 Linwood NJ 08221
(609) 927-9220

 - 4) Atlantic Coast Alarm
5100 Harding Hwy, Mays Landing, NJ 08330
(609) 625-0944
 - 5) Ciriganano Painting
750 W California Ave, Absecon, NJ 08201
(609) 645-3999
 - 6) Leon Contractors LLC
1090 Broadway STE 104, West Long Branch, NJ 07764
 - 7) EJS Contractors
104 Lowden St Delran NJ
-