

# New York State Department of Environmental Conservation

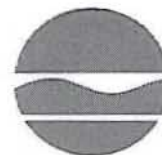
## Division of Environmental Remediation

Office of the Director, 12th Floor

625 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • Fax: (518) 402-9020

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

JUN 08 2011

Jamm North Avenue Realty, LLC.  
Attn: Jo-Anne Latino  
P.O. Box 3, Wykagyl Station  
New Rochelle, NY 10804

149-155 North Corp.  
Attn: Dorothy Kettner  
1187 California Road  
Eastchester, NY 10709

Dorothy Kettner  
1187 California Road  
Eastchester, NY 10709

V & V Capital LLC  
Attn: Luigi Tush Lleshaj  
369 Phillips Hill Rd  
New City, NY 10956

Luigi Tush Lleshaj  
PO Box 933  
New City, NY 10956

Re: BCA Amendment  
Flamingo Cleaners Site  
BCP Site No.: C360078  
BCA No.: W3-1058-05-03  
Amendment #2

Dear Applicants:

This letter is forwarded to your attention in response to the application, dated April 1, 2011, for an amendment to the Brownfield Cleanup Agreement ("BCA" or "Agreement"), wherein an Amendment of the above referenced BCA from the New York State Department of Environmental Conservation (the "Department") is requested on behalf of the BCP Applicants. The application seeks to add "V & V Capital LLC" and Luigi Tush Lleshaj, individually, as additional parties.

In reliance upon, and in furtherance of the application and previous discussions, if any, of this matter between the Department's staff and the BCP applicants' representatives to date, the requests to amend the BCA is hereby granted and incorporated into and is enforceable pursuant



to the subject Agreement, effective immediately upon receipt of this letter. Specifically, V & V Capital LLC is added as an additional party under the BCA, with an address of 369 Phillips Hill Road, New City, NY 10956; and Luigi Tush Lleshaj is added as an additional party under the BCA, with an address of PO Box 933, New City, NY 10956. Further, the contact information for billing under Paragraph V and for communications under Paragraph XII of the BCA are revised to reflect the following foregoing contact information:

Invoices to be sent to:

V & V Capital LLC Attn: Luigi Tush Lleshaj 369 Phillips Hill Rd New City, NY 10956	Luigi Tush Lleshaj PO Box 933 New City, NY 10956
---	--

Communications from Department to Volunteer:

Richard H. Doran  
Dorson Environmental Management, Inc.  
45 Knollwood Road, Suite 300  
Elmsford, NY 10801

This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Please have the authorized representatives counter-sign this letter to acknowledge acceptance of this Amendment, and send a copy back to the Department at:

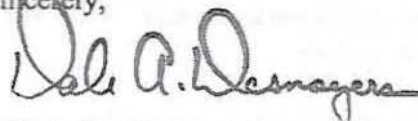
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 12th Floor  
Albany, New York 12233-7011

Please keep a copy of this letter as proof of the BCA Amendment.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Please contact me if you have any questions in this regard. Thank you for your assistance in this matter.

Sincerely,



Dale A. Desnoyers  
Director  
Division of Environmental Remediation

The following Applicants, in signing this letter, do hereby acknowledge and accept the Amendment to the BCA as set forth above. This Amendment may be executed for the convenience of the parties hereto, individually or in combination, in one or more counterparts, each of which shall be deemed to have the status of an executed original and all of which shall together constitute one and the same.

Jo-Anne Latino 6/14/11  
JAMM North Avenue Realty, LLC Date  
By Jo-Anne Latino, Manager

Dorothy Kettner 6/14/11  
149-155 North Corp. Date  
By Dorothy Kettner, President

Dorothy Kettner 6/14/11  
Dorothy Kettner Date  
V&V CAPITAL LLC

Luigi Tush Lleshaj 6/14/11  
V&V Capital, LLC Date  
By Luigi Tush Lleshaj, President

Luigi Tush Lleshaj  
Luigi Tush Lleshaj Date

cc: Ben Conlon  
Rosalie K. Rusinko  
Michael Ryan  
Kiera Becker  
Laura Zeppetelli  
Elissa Armater  
Kelly Lewandowski  
Richard Doran ([rdoran@dorson.com](mailto:rdoran@dorson.com))  
David Rifas ([rifaslaw@optonline.net](mailto:rifaslaw@optonline.net))

*Stein & Battalia*  
*Attorneys at Law*  
*2001 Palmer Avenue*  
*Larchmont, New York 10538*

*Samuel Stein (1928-2003)*

*Dolores A. Battalia*

*Denise P. Ward, Of Counsel*

*Phone: (914) 834-2302*

*Fax: (914) 833-1350*

*Email: [steinbattalia@msn.com](mailto:steinbattalia@msn.com)*

June 23, 2011

Dale A. Desnoyers, Director  
Division of Environmental Remediation  
New York State Department of Environmental Conservation  
625 Broadway, 12th Floor  
Albany, NY 12233-7011



Re: BCA Amendment  
Flamingo Cleaners Site  
BCP Site No.: C360078  
BCA No.: W3-1058-05-03  
Amendment #2

Dear Ms. Desnoyers:

Enclosed please find a signed original letter, acknowledging acceptance by your Department of the Amendment.

Very truly yours,

  
Dolores A. Battalia

DAB:bb

Enclosure

cc: Jo-Anne Latino