AFFIDAVIT

STATE OF NEW YORK)
: ss.:
COUNTY OF WESTCHESTER)

I, Howard Orneck, owner of Yorktown Electric Co. Inc. located at 1787 Front St, Yorktown Heights, NY 10598 being duly sworn, depose and say:

1. I am currently a member of the Yorktown Zoning Board of Appeals and have been a member for many years.

2. Beginning on or about February 2007 and continuing until November 2007, I was the electrical contractor working on the Winery at St. George project located at the Old Stone Church, 1715 E. Main Street Mohegan Lake NY 10547.

3. During this period of time (Feb. 2007 – Nov. 2007), I visited the work site at 1715 E. Main Street, Mohegan Lake NY at least 4 days each week.

4. During my site visits, I carefully observed the surrounding wetlands and wetlands buffer areas. The wetlands and buffer areas remained unchanged from the beginning of the project until the end of the project and no dumping had occurred.

5. During the time in question, I observed no dumping and/or disturbances in the wetlands or the wetlands buffer.

6. Because I was aware that several town officials would do anything to hamper the winery project at the Old Stone Church located at 1715 E. Main Street, I carefully observed everything going on at the property.

7. Since completing work on the winery project in November 2007 and continuing until May 2008, I have visited the site many times and still did not observed any dumping or disturbances in the wetlands area or the wetlands buffer.

8. From Late June 2008 through Early July 2008, I stopped by the site and noticed a pile of large concrete in the wetlands buffer behind the property. This dumping was reported to the DEC police and the Yorktown police by the owner, Thomas DeChiaro.

9. The violations issued by the Town of Yorktown for the property located at 1715 E. Main Street, Mohegan Lake New York during 2007 were only issued to hamper the winery project and are not based on facts. They are fictitious violations created by the Town of Yorktown and several town officials.

Howard Orneck

Sworn to before me this 25 day of September 2008

Notary Public

MARIA A. SALEMMO
Notary Public, State of New York
Qualified in Westchester County
Reg. No. 4970485
My Comm. Expires August 13, 2010