

**In the Matter of the Application for a Judgment  
Pursuant to Article 78 of the Civil Practice Law  
and Rules and for Declaratory Relief Pursuant to CPLR  
Section 3001 of:**

**LAWRENCE J. FRIGAULT, CAROL A. FRIGAULT,  
PAUL KIDDER, DEBORAH A. KIDDER, REX A.  
SEAMON, DAWN M. SEAMON, JOHN C.  
WOUDENBERG, PAULA M. WOUDENBERG, JOEL  
G. SAWICKI, LORI E. SAWICKI, FREDERICK C.  
VERTUCCI, JOY L. VERTUCCI, TED S. FOX,  
MICHAEL J. REID, LOUIS M. SALAUN, LUCY G.  
SALAUN, GEORG-ANN F. GIGLIOTTI, KELLY A.  
AUGER, DAVID E. YODER, LESLIE P. WEAVER,  
DANIEL E. MEZIK, SHERRY M. MEZIK, WILLIAM  
J. ZALESKI, PATRICIA L. ZALESKI, FLORENCE V.  
TREEN, HOWARD C. MOSS, PATRICIA A.  
DUCIAUME, DOROTHY S. DUCIAUME, E. ALAN  
SILVER, SUSAN J. HUXTABLE, KATHLEEN G.  
CARNEGIE, DANIEL R. SULLIVAN, TERESA W.  
SULLIVAN, and BARBARA H. MEZIK**

**Petitioners**

**v.**

**TOWN OF RICHFIELD PLANNING BOARD,  
MONTICELLO WIND LLC, NORTHEAST WIND  
PROJECTS, LLC, RIDGELINE EASTERN ENERGY  
LLC, ALICE C. ARMSTRONG, KEITH C.  
ARMSTRONG, MARNA M. ARMSTRONG, LOIS A.  
AUGER, WENDY S. MULLIGAN, WAYNE K.  
ARMSTRONG, KAREN A. RUDD, HAROLD T.  
FERGUSON, FAY R. FERGUSON, HAROLD F.  
FERGUSON, JR., HANWINSEL FARMS, INC.,  
HUXTABLE FARM PROPERTIES, LLC, DEBRA J.  
KOSEK, and WILLIAM R. KOSEK, JR.**

**Respondents**

**SUPPLEMENTAL AFFIDAVIT  
OF LAWRENCE J. FRIGAULT**

**Index No.: 2011-2012**

**RJI No.: 2011-0465-M**

**Hon. Donald F. Cerio, Jr.**



recycling industry.” A copy of “Andela Products, Ltd’s” webpage is attached as Exhibit “S-2”.

7. I drive by Cynthia Andela’s business on Rt. 28 frequently and I have observed hand painted signs advertising metal working services to passersby other than those related to the recycling industry
8. After reading Cynthia Andela’s affidavit on Saturday March 24, 2012, I drove over to Cynthia Andela’s business and from Rt. 28 took a photograph of a hand painted sign advertising “Sandblasting and Metal Fabrication” services, and the number listed on the sign is that of Andela Machine & Tool, Inc. A copy of the photograph is attached as Exhibit “S-3”.
9. I also took a photograph on March 24 of the permanent sign at Cynthia Andela’s business which advertises “Metal Fabrication”. A copy of the photograph is attached as Exhibit “S-4”.

Richfield Springs, New York  
March 28, 2012



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LAWRENCE J. FRIGAULT

Sworn to before me  
This 28th day of  
March, 2012

DONNA M CLARK  
Lic. #01CL8007614  
Notary Public-State of New York  
Qualified in Herkimer County  
My Commission Expires 05/26/2014



NOTARY PUBLIC

EXHIBIT "S-1"

