

MB06-121

Thank you all for the work you're doing, and thank you for bringing this hearing to the Hudson Valley, the participatory citizenship capital of America.

I have read and re-read the proposed Media Reform Act. I think it's a bill of excellent intent, but unfortunately it contains a loophole that must be closed if it is to have any effect. As written, because continued consolidation would be possible in an invisible manner, the bill can inadvertently lead to things getting worse. This is a common problem with well intended legislation (such as the creation of no-limit 527's being a product of what seemed to be a well-intentioned McCain-Feingold campaign finance reform law), and maybe this time we can catch it in time.

Clear Channel, the high-profile (but by no means singular) bogeyman of the post-Telecommunications Act of 1996 era, is being bought by a pair of "private equity" firms, and there are bidding wars under way in other media sectors as well. There is no way to know who owns any portion of equity firms and funds. While the legislation as now written could prevent, say, the Carlyle Group from owning too many radio stations, there is no way to know if the key shareholders of Carlyle are also key shareholders in Bain Capital or any number of holding companies. By simply buying controlling stakes in many equity funds that then acquire media outlets within the new regulations, the same five people can own everything, nobody would know it, and no law would have been broken, meaning there could be no public recourse.

As we can see from this week's headlines, this process is already well under way. TH Lee, one of the groups in the Clear Channel deal, already holds significant media positions. Carlyle has vast telecommunications technology and manufacturing holdings upon which the media industry operates. If holding companies are left unchecked, all media could soon be exclusively in the service of what best profits the overall portfolios of the funds, with the limited "public interest" portions carefully crafted to influence the public in support of the portfolio's profit centers. The current state of mainstream talk-radio shows this practice to already be dominant. If the media reform effort is to accomplish its mission, the legislation must include language that requires all individuals acquiring ownership of media be entirely known, so that proper accounting can be done to insure that the intent of the legislation is accomplished.

It's probable that corporate law at federal and state levels must eventually be altered to ban secrecy of ownership in equity funds and their relatives, but that's a longer-term project. For now I ask the FCC to issue an advisory to the SEC that it opposes media acquisitions by equity funds on the basis that it makes current FCC regulations unenforceable. I would also ask Congressman Hinchey and his co-sponsors to amend the Media Reform Act to ensure that, regardless of the prospects for general reform of corporate law and ending "corporate personhood," that no equity fund may protect the anonymity and ownership stakes of its individual members when the fund owns or seeks to own media.

The operation of portfolios, equity funds, hedge funds, trusts, holding companies, tax shelters, etc. for holders of vast personal wealth is deliberately complex and difficult to trace, let alone regulate. These days, there are more holders of vast personal wealth (as opposed to just plain major personal wealth) than at any time in history, and due to post-1980 bi-partisan "trickle up" economic policies, the amounts involved are a higher percentage of total wealth than at any time since the "robber baron" era. Let's try to get this one right before we do all this public outreach work, build a legislative majority, enact law, throw ourselves a party, and find out nothing's getting better.

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11/21/06

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Federal Communications Commission
Office of the Secretary

MB 06-121

Statement of Andrea Novick, Northeast Citizens for Responsible Media
Presented to the FCC November 21, 2006

My name is Andi Novick. I am an attorney and one of the founders of Northeast Citizens for Responsible Media, a grass roots organization formed in the Hudson Valley last year to, among other things, raise awareness about the dire need to reform the corporate media or suffer the demise of this experiment we call democracy.

I was thinking that this public hearing is the perfect metaphor for the message we want you to take back to Congress and to Chairman Martin. Tonight regular citizens, who are never heard from over their own airwaves, had their voices heard in this room. And hundreds more, who never get the opportunity to learn from so many different voices, got to hear.

Tonight, the issue of our right to information- which is the essential tool of a free people- and how our airwaves are to be used to serve our constitutionally guaranteed entitlement to that information, enjoyed a much needed public dialogue. And no one corporate entity was able to silence those public voices in favor of the private voice of commercialism.

Three hours and not one insulting commercial: no one violating my space trying to get me to part with my money under false pretenses. Tonight I was treated with dignity, as a citizen; not pandered to, as a consumer.

Tonight we discussed the kind of information essential to a democracy: the kind of information our no longer free press, by which I mean all the media, refuses to report.

Imagine if our media was actually used to keep us informed about all the issues we need to know in order to be self-governing citizens. What a REVOLUTIONARY idea! So I have a recommendation I'd like you to take back to Washington: Why not enshrine this concept in some document—call it a Constitution. And live by it.

Thank you

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Statement of Jeff Cohen, ex-NBC employee
Presented to the FCC November 21, 2006

I want to welcome Commissioner Copps to the Hudson Valley. I'm a media critic and former TV commentator. Our region has been hard-hit by the conflicts of interest that come with media conglomeration. For decades up thru 1976, General Electric plants contaminated our mighty Hudson River by dumping toxic PCB chemicals -- and for decades after, GE used its political clout to block a cleanup of the river. GE's clout increased in 1986 when it acquired NBC; GE put in charge of NBC an executive named Bob Wright, whose experience at GE was in its financial services and plastics divisions.

Five years ago, the federal Environmental Protection Agency finally ruled that GE should pay millions of dollars toward a river cleanup. Soon after, NBC president Wright led a GE lobbying team that tried to convince the NY City Council NOT to endorse the cleanup. Here was the president of NBC, which owns national networks and a powerful local TV station, brazenly lobbying on one side of a public controversy. NBC employees were sent the clear message that balanced journalism of the Hudson River issue would endanger their careers.

A year later, Bob Wright became my boss -- when NBC's cable channel MSNBC hired me as a news producer and an on-air commentator. At MSNBC, during the run-up to the Iraq war, I saw firsthand the suppression of balanced journalism and the muzzling of dissent -- a threat to democratic discourse when powerful, politically-active conglomerates like GE are allowed to own so many media outlets. I was senior producer on MSNBC's primetime Phil Donahue show when it was terminated 3 weeks before the Iraq invasion, which most people now agree has been a foreign policy disaster. When terminated, "Donahue" was MSNBC's most watched program. We know from leaked internal NBC memos that Phil Donahue's cancellation was politically-motivated. He was deemed too independent and skeptical about the impending war. I tell the whole story in my book "Cable News Confidential."

In summary, there are now 5 conglomerates that dominate TV news -- on both broadcast and cable TV. I've taken paychecks from 3 of them. For democracy to be healthy, for future policy disasters to be avoided, we need federal communications policy to de-monopolize television and radio. Instead of lifting broadcasting ownership caps, we should be lowering them so one individual or company cannot have, nationally, more than a handful of TV and radio licenses. That's the only way toward a genuine marketplace of news and opinion which democracy requires.

PS. As a media critic, I've long monitored talk radio. Among the thousands of callers offering hundreds of ways to fix our country -- from traditional values to prayer in schools to campaign finance reform -- I've never once heard anyone argue that what's holding back our country's greatness is that a single firm cannot buy up large numbers of TV or radio stations. The fact that there is absolutely no mass constituency for media consolidation, and yet it has persisted for 2 decades, indicates that federal media policy has corruptly served economic special interests and not the public interest.

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Statement of Deedee Halleck, Filmmaker
Presented to the FCC November 21, 2006

I am an independent producer and one of the founders of Deep Dish Television and Free Speech TV which have been providing alternative programming to community channels throughout the US via satellite for decades. I am a past president of the Association for Independent Video and Filmmakers and a former trustee of the American Film Institute. My films have been screened in many international festivals and one was nominated for an Academy Award.

In 2001 I worked with Deep Dish TV to initiate the television version of Democracy Now! which was at that time a radio program on five stations. Our efforts have created the largest public media collaboration in the United States. Our main television outlet is through PEG- public government and educational access. There is no other way for local and alternative programming to reach a television audience than with the channels required for the public interest on cable and for Direct Broadcast Satellite.

I am often asked to speak in other countries about US PEG, as people everywhere see this as an important model for community use of public infrastructure. Last month I attended a UNESCO forum on implementation of the Civil Society Declaration that was a result of the World Summit on the Information Society, in which process which I have been one of the few active US participants. The airwaves, rights of way and orbital paths belong to the people, not only here in the US, but around the world. These are global issues. Use of public space by commercial entities must require a public interest "payback".

PEG is a model that could be applied to all broadcast, satellite and IP media. Commercial media do not adequately serve local community needs and interest. Consolidation of media exacerbates the problem. Although in many communities, PEG is under-utilized, it is an important example that needs to be expanded. We ask the FCC to commission studies to evaluate the policies and practices of PEG access and community regulation of telecommunication. We ask Congress and the FCC to hold additional official public hearings and fora in local communities across the US that address the need for media regulation in this country--regulation that can provide outlets for the many diverse creative voices of our country. We need public airwaves to address the crucial issues of our time.

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Statement of Professor William Hoynes, Vassar College

Presented to the FCC November 21, 2006

I am a Professor of Sociology at Vassar College here in Poughkeepsie. I was founding Director of Vassar's Media Studies program, and my research and teaching focus on the media industry in the United States. My primary concern is with the availability and quality of local news. The findings of recent research on media ownership show quite clearly that consolidation in the media industry undermines localism and diversity in news. Local news is rarely a priority for national and regional media companies. Instead of investing in local reporting, large media companies are far more likely to make staff cuts in local newsrooms, consolidate news gathering operations among multiple news outlets, and produce generic news content that is not connected to local communities. In contrast, locally owned media outlets are far more likely than national chains to emphasize local news, highlight issues of importance to communities, and provide access to a range of local perspectives on issues and events.

Communities, especially those like the Hudson Valley that are on the margins of major media markets, need local news and information in our print and broadcast media. Our best chance to have robust local content – about village, town, and county government; economic and environmental issues in our communities; local schools, the arts, and cultural activities – is with newspapers and radio stations that are locally owned. Media in the Hudson Valley are already highly concentrated. Local broadcast news – on both television and radio – is very limited, and most of our print media are owned by regional or national newspaper groups. If the FCC further relaxes or eliminates existing media ownership rules, there is every reason to believe that media in the Hudson Valley will become even more consolidated, local news will continue to decline, and local communities will suffer the consequences of consolidation. We need news that provides regular substantive coverage of local issues and includes diverse perspectives from within our communities. Current ownership restrictions must be maintained – even strengthened – if we are to protect the possibility of genuinely local media that serve their communities.

Thank you.

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Statement of Professor Branda Miller, The Sanctuary for Independent Media
Presented to the FCC November 21, 2006

the
**Sanctuary for
Independent Media**

I am a Professor of Media Arts at Rensselaer Polytechnic Institute, and the Education and Outreach Director at The Sanctuary for Independent Media in Troy, New York. I am also an Emmy awarding winning filmmaker who has worked extensively in the mass media industry in Hollywood and New York City.

PEG ACCESS empowers people to "become the media," providing democratic access to available technologies and information, teaching people how to produce media and organize media advocacy.

The Sanctuary for Independent Media is uniquely situated in the economically disadvantaged area of North Troy, where we are dedicated to serve our local neighborhood and surrounding community. This underserved population could be most definitely served through PEG ACCESS.

A stone's throw from the technologically innovative environment of RPI and the Capital District's "Tech Valley, Troy has become home to a growing community of "tech/ art savants," including graduates from the world recognized electronic arts program at RPI and artists moving to Troy to be part of the expanding arts scene. Although the Capital District has framed itself as "Tech Valley," it is woefully lacking in media arts and technology workshops and training opportunities. With PEG ACCESS, we can tap on these talents of the region and connect them with undervalued resources-- the community. PEG ACCESS will support the professional development of citizens and organizations who otherwise may not find opportunity to learn essential skills essential for success in "Tech Valley" and in their everyday lives.

PEG ACCESS will serve diverse populations: 1) underserved communities, especially youth in our neighborhood, 2) regional networks to connect skilled media artists with aspiring media professionals, and 3) local citizens who have no voice, and are in desperate need of access to communicate the significant contributions they are making to society.

A great need exists to connect networks of media artists, alternative media resources, and organizations and individuals in desperate need of training here. PEG ACCESS will amplify local voices, and be a resource to under-served neighborhoods surrounding the Sanctuary in North Troy, the Capital District and the Hudson Valley region.

PEG ACCESS is necessary to serve the population of the Capital Region with much needed resources vital to securing an involved citizenry in a democratic society. Citizens of this democratic society can maximize available resources from the technological landscape to build an engaged population, and support the media reform movement in NY State's Capital Region and the surrounding Northeast Region.

It is clear that the citizens of this local area, as well as the citizens of our entire nation, are being deprived of their basic rights for access to the public airwaves. In this era of media consolidation, this is becoming a significant issue to the average man and woman, bringing together a coalition of voters from across the spectrum who are demanding their rights to use information technologies not only as consumers, but as active, informed citizens and creative producers in a democratic society.

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Statement of Professor Steve Pierce, Media Alliance-NY
Presented to the FCC November 21, 2006

Steve Pierce is a media activist and multi-media producer and current Executive Director of Media Alliance -NY. He teaches Radio Production and Ethics of Technology at RPI, where he received a PhD from the Department of Science and Technology Studies. Past experience in media reform includes: Executive Director, Deep Dish TV Network, New York NY, 1989-92, Assistant Manager, Pacifica Radio WBAI, New York NY, 1988-89, Program Director, WWOZ Radio, New Orleans, LA, 1987-88, and Journalist, New Orleans LA, 1980-87.

Media access-- with television, with internet, with radio-- effectively functions as every citizens' "#2 priority," giving voice, educating and promoting consciousness and thereby serving as a compelling catalyst to a truly democratic society.

Media Alliance is working on three fronts: media advocacy and lobbying in the NY State Capital Region, creating a local base for media literacy, education and networking, and hands-on skills training (in collaboration with the Hudson Mohawk Independent Media Center). As Media Alliance, we have a public program at The Sanctuary For Independent Media, a lobbying component which includes participating in the NY State Chapter of the Alliance for Community Media, as well as collaborating with the Prometheus Radio Project on spectrum reform. We bring media reform movers and shakers to the Capital Region, teach people how to produce their own media, and organize media advocacy.

Within our core group are media artists and educators with years of expertise. Together, we represent decades of experience in video and radio production, media arts and community education, and grassroots independent media. We came to understand through our personal and political experience that in an increasingly censored media landscape there was a growing constituency of diverse communities who desperately needed a Sanctuary—a place to gather to network, screen independent and innovative media, and strategize how to use media to further our intersecting goals for ensuring a democratic communications infrastructure.

At our home in The Sanctuary for Independent Media, a media arts center located in an historic former church in Troy, NY, we provide screening, production and performance facilities, training in media production and a meeting space for artists, community members and independent media makers. We are dedicated to addressing issues that mainstream media neglects; we do not conceal our politics behind false objectivity. We hope to empower people to "become the media" by providing democratic access to available technologies and information.

After years of organizing within mainstream political venues to address critical needs for citizen media access, our "David and Goliath" struggle against highly conservative controlling interests hit roadblocks and ultimate rejection. Because a "statistically accurate" community needs assessment conducted in the course of our work to establish local public access cable television resources reaffirmed a strong demand for media reform in our area, we embraced the only solution: to function outside the mainstream and realize our dream independently. The great response serves as evidence of the vacuum that exists, and the will of the people to have a voice.

Public Access serves citizens in areas like ours-- a local neighborhood, comprised of a low income population, with a high percentage of people of color. The neighborhood, once the heart of the American Industrial Revolution's working class, is now struggling with abandoned buildings, infested with crime and drug problems. Access to television and the internet will directly contribute to this underserved population, supporting after school youth and adult media workshops for the neighborhood, such as training in radio and video. Collaboration with other local groups, including the Ark Community Charter School and TAP (Troy Assistance Program), would offer access to those who otherwise cannot afford it in North Troy.

Proof of the strong desire for access is evidenced through the rapid networking by pre-existing networks and institutions at The Sanctuary, including the Albany Social Justice Center, AK Press, Amnesty International, the ARK, the Arts Department at Rensselaer Polytechnic Institute, Bethlehem Neighbors for Peace, Campus Action, Capital Region Labor Coalition, Chatham Peace Initiative, the Community Renewable Energy project, Deep Dish TV, Deep Listening Institute, Democracy Now!, Easton Mountain Retreat Center, Free 103 Point 9, Friends of Hudson, Fonkoze, Friends of WRPI, Honest Weight Food Coop, Hunger Action Network, NY Bicycling Coalition, Planned Parenthood, Prison Action Network, Prometheus Radio Project, Troy Assistance Program, Troy Bike Rescue, Troy Labor Council, Save the Pinebush, SUNY Albany Campus Greens, and Women Against War.

With further resources, we aim to further the collaborations we have already developed in the low-income neighborhood directly surrounding us.

We are serving the population of the Capital Region with much needed independent media resources so vital to securing an involved citizenry in a democratic society. Our initial success affirms the large demand and lack of resources for television, radio and internet access. Access to information technologies gives greater voice to the local, and offers a much needed resource to neighborhoods without resources to have a voice, especially surrounding the Sanctuary locally in North Troy while at the same time rippling throughout Upstate New York and connecting the region to a

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Testimony to the FCC at the Henry A. Wallace Educational Center
FDR Home, Library & Museum National Historic Site
21 November 2006

When I moved here 20 years ago from a medium sized city with 3 network franchises each with local news teams, there was one local TV station in the mid-Hudson Valley. Now there is none. Twenty years ago there were local voices on the radio. Now those voices are few. Like our nation the Hudson Valley has grown. Our population is more diverse. There are more competing interests and greater pressures on our resources.

In the past twenty years our national media outlets have also grown. We now have whole cable networks devoted to News 24-7, but the variety of voices has shrunk. Our news sources have become more homogenous. Taking their cue from the self-reinforcing national tone of their corporate parents, our local news follows the national mold. All opinion, save the shrill syndicates, is muted. Investigative reporting is deemed offensive. Local voices have been lost while as a nation we have become more parochial in our outlook.

One example:

When there were huge war protests in New York City or Washington DC, the number of peaceful protestors was grossly undercounted, the civil liberties violations were ignored, and only the aberrant altercations were reported. When peace advocates organize and take to the street corners of Rhinebeck or Poughkeepsie there is no news coverage at all. No interviews, no account of the size or basis of public opinion pro or con. Had the agonized sentiments of people across the country been reported in all their local media, together we might have stimulated a national dialogue and resolved or avoided the great national and international tragedy that is the Iraq war.

We are here in the Henry A. Wallace Center at a national historic landmark site. Here are his words written in 1944:

The American fascist would prefer not to use violence. His method is to poison the channels of public information. With a fascist the problem is never how best to present the truth to the public but how best to use the news to deceive the public into giving the fascist and his group more money or more power.

Congressman, Commissioner, please help us to disaggregate that power and return our public voices to the people.

Submitted by:

Joanne Lukacher
Staatsburg, New York

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Federal Communications Commission
Office of the Secretary

MB 06-121

Letter Opposing Relaxation of FCC Standards re: Media Ownership

June 30, 2006

Dear Member of Congress:

I wish to join the millions of Americans opposed to any relaxation of the FCC's standards governing media ownership. Reports that the FCC is re-visiting the same proposed rules changes that resulted in a firestorm of public outrage from all corners of American society back in 2003 shocks and dismays me. Indeed, the regulations governing same market media ownership need to be strengthened, not diluted.

This nation was founded upon a bedrock principle that encouraged many voices to speak freely and contribute openly to the chorus of democracy. Allowing one media conglomerate to own as many as three television stations, eight radio stations and the sole daily newspaper within a single city—as had been proposed in 2003—would grant one company's managers a virtual stranglehold over all editorial content flowing into that community. Its monopolistic advantage would stifle other media's ability to flourish and present alternative views. In effect, the chorus of ideas that we value in our democracy would be diminished to a tedious monotone, droning out one company's preferred view of the world, culture and politics. We simply cannot allow that to happen.

It is of fundamental importance that you ensure the FCC follows its mandate to police the private corporations to whom it leases our public airwaves. It is even more important that neither the FCC nor Congress give in to the mounting pressure of the media conglomerate lobby, as it seeks ever-greater control over existing markets, as well as emerging markets (such as the Internet). Diversity is our ultimate ally. Please do your part to preserve and encourage the diversity of voices and free flow of ideas that are critical to our democracy.

As James Madison once said: "A popular Government without popular information or the means of acquiring it, is but a Prologue to a Farce or a Tragedy or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own Governors, must arm themselves with the power knowledge gives."

We urge you to support the efforts of Rep. Maurice Hinchey (D-NY22) and fellow members of the Future of American Media Caucus, which is working diligently to protect the critical check on the power of government that the founding fathers intended by enshrining the protection of a free press in the Constitution.

Sincerely,

Signature:

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Sincerely,

Signature:



Print Name:

THOMAS WANNING

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Sincerely,

Signature:

Sara M. Morrison

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Sincerely,

Signature:

A. Stephen Larsen

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Sincerely,

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Town, State, Zip:

Warwick NY 10990

FILED/ACCEPTED

DEC 20 2006

Federal Communications Commission
Office of the Secretary

MB 06-121

Letter Opposing Relaxation of FCC Standards re: Media Ownership

June 30, 2006

Dear Member of Congress:

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Sincerely,

Signature:

Joseph Simon

Print Name:

Joseph Simon

Address:

16 Lois Lane

Town, State, Zip:

Saugerties NY, 12477

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Sincerely,

Signature:

Lance Stalzer

Print Name:

Lance Stalzer

Address:

91 Esopus Ave.

Town, State, Zip:

Ulster Park, NY 12487

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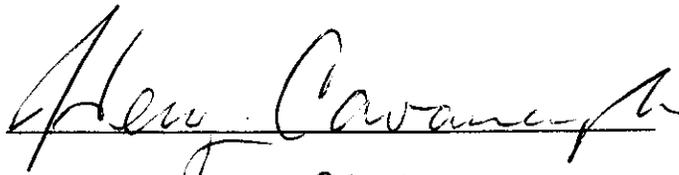
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Sincerely,

Signature:



Print Name:

HENRY CAVANAGH

Address:

679 LAPLA ROAD

Town, State, Zip:

KINGSTON, N.Y. 12401

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Sincerely,

Signature: Barbara Ellman
Print Name: Barbara Ellman
Address: 88 Ratterman Rd
Town, State, Zip: Woodstock, NY 12498

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Sincerely,

Signature:

Donna Calcarechio

Print Name:

Donna Calcarechio

Address:

PO Box 437

Town, State, Zip:

Rosendale, NY 12472

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Sincerely,

Signature:

Bernard Rosen

Print Name:

BERNARD ROSEN

Address:

64 COUNTRY CLUB LANE

Town, State, Zip:

WOODSTOCK, NY 12498

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Sincerely,

Signature:

Lisa Langway

Print Name:

LISA LANGWAY

Address:

15 PRINCESS LN.

Town, State, Zip:

KERTHONKSON NY 12440

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Sincerely,

Signature: Syndie Halaland
Print Name: SYNDIE HALALAND
Address: PO Box 149
Town, State, Zip: W. Hurley NY 12491

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Sincerely,

Signature:

Jay D. Edelman

Print Name:

Jay D. Edelman

Address:

POB 239

Town, State, Zip:

RIFTON ny 12471

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Sincerely,

Signature:

David J. Prystal

Print Name:

DAVID J. PRYSTAL

Address:

191 BONE HOLLOW RD

Town, State, Zip:

ACCORD, NY 12404

FILED/ACCEPTED

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Sincerely,

Signature:

John J. Nowicki

Print Name:

John J. Nowicki

Address:

67 Van Schoek Ave

Town, State, Zip:

Albany NY - 12204

FILED/ACCEPTED

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Sincerely,

Signature:

Ethel Michelson

Print Name:

Ethel Michelson

Address:

150 HUGENOT

Town, State, Zip:

New PALTZ, NY 12561

FILED/ACCEPTED

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