



The City of New York
Department of Investigation

ROSE GILL HEARN
COMMISSIONER

80 MAIDEN LANE
NEW YORK, NY 10038
212-825-5900

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DOI CONTACT: DIANE STRUZZI
(212) 825-5931

DOI ARRESTS FOUR SANITATION WORKERS AND CHARGES THEM WITH RECEIVING MONEY FROM AN UNDERCOVER DOI INVESTIGATOR POSING AS A HOMEOWNER IN EXCHANGE FOR PICKING UP TRASH
--Sanitation Workers are also charged with Official Misconduct for picking up commercial debris, which they are prohibited from doing--

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced today the arrests of four Sanitation Workers with the New York City Department of Sanitation ("DSNY") on charges of accepting money from an undercover investigator posing as a homeowner to dispose of household garbage, a routine part of their job. In addition, the Sanitation Workers were also charged with picking up commercial refuse, which is prohibited by City DSNY regulations.

The following individuals were arrested: JOSEPH ROTOLA, 44, of Bellmore; and Brooklyn residents, JAMES FILOSA, 43; JEREMY BONGIARDINA, 32; and JOHN LAINO, 47. Each has been charged with Receiving Reward for Official Misconduct in the Second Degree, a class E Felony, and Receiving Unlawful Gratuities and Official Misconduct, both class A misdemeanors. If convicted, each faces up to four years in prison.

As a result of their arrests, the four Sanitation Workers have been suspended for 30 days without pay.

ROTOLA, FILOSA, and LAINO earn annual salaries of approximately \$59,600, not including overtime, and BONGIARDINA earns an annual salary of \$41,200, not including overtime. Each is assigned to the Brooklyn District 18 garage located at 105-01 Foster Avenue in Brooklyn.

Commissioner Rose Gill Hearn said, "Sanitation Workers are entrusted with doing an important and necessary job in this City – one that taxpayers already pay them for. As these allegations demonstrate, a Sanitation Worker, and any City employee, who chooses to seek and accept additional benefits to do the work they are paid to do will face not just the possible loss of their job but criminal prosecution."

DOI began its investigation after receiving a complaint that Sanitation Workers in Brooklyn were refusing to collect a homeowner's household garbage unless they received money from the homeowner. As a result, a DOI investigator went undercover posing as a "homeowner" in Brooklyn.

City Sanitation Workers are required to remove residential refuse without charge and are prohibited from removing commercial debris from private residences.

According to the criminal complaint and DOI's investigation, on August 9, 2007, ROTOLA told an undercover investigator posing as a "homeowner" in Brooklyn that ROTOLA and FILOSA would take care of the homeowner if the homeowner took care of them. FILOSA was in their presence when this was stated; ROTOLA and FILOSA removed household and bulk garbage from the residence and the undercover investigator paid \$100 to ROTOLA while FILOSA was standing there. On August 16, 2007, ROTOLA and FILOSA collected construction debris and household garbage from the same residence and the undercover investigator gave FILOSA \$100 while ROTOLA was standing there.

According to the criminal complaint and DOI's investigation, on September 6, 2007, a different sanitation crew made collections at the same residence in Brooklyn. LAINO told the undercover investigator who was posing as a "homeowner" that if the homeowner took care of them that they would take care of the homeowner. BONGIARDINA was standing in their presence when the statement was made; LAINO and BONGIARDINA then removed household garbage and construction debris from the residence and the undercover investigator then gave LAINO \$80. The undercover investigator told BONGIARDINA that he could work it out with LAINO. BONGIARDINA shook hands with the undercover investigator and indicated that the undercover investigator would be seeing more of BONGIARDINA and LAINO.

Commissioner Gill Hearn thanked DSNY Commissioner John J. Doherty and his staff for their assistance and cooperation in the investigation.

The investigation was conducted by DOI's Office of the Inspector General for DSNY, including Inspector General Tim Crowe, Acting Deputy Inspector General Yves Desire, Special Investigators Alan Lefkof and Thomas Spirakis. They were assisted by Confidential Investigator Kathryn Glover and the NYPD Squad of Detectives assigned to DOI.

Assistant District Attorney Gregory Marshall from the Office of Kings County District Attorney Charles J. Hynes is prosecuting the case.

Criminal complaints are accusations. Defendants are presumed innocent until proven guilty.

DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.

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To report someone ripping off the City, call DOI at (212) 825-5959.**