

DISTRICT ATTORNEY - NEW YORK COUNTY

NEWS RELEASE  
May 24, 2006

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Manhattan District Attorney Robert M. Morgenthau announced today that criminal charges have been brought against seven defendants who lied about their criminal histories on background disclosure forms they filed with a New York City agency to obtain or renew permits to operate in the carting industry.

The New York City Business Integrity Commission ("BIC") is the agency that oversees, among other things, New York City's private carting industry. The agency was established to monitor the industry after a series of prosecutions against the organized crime controlled cartel that dominated the carting industry for decades. These prosecutions by the Manhattan District Attorney's Office resulted in the conviction of 34 individuals, 34 companies, and the four trade associations that ran the cartel. BIC requires all businesses that apply for or hold city private waste hauling permits to file disclosure forms on topics such as previous experience in the trade waste industry, prior code violations, and any criminal investigations, actions or convictions relating to the business, its principals and employees. The commission uses this information to decide whether to issue or renew waste hauling permits.

Today's arrests resulted from background investigations of each individual defendant conducted by BIC. The agency determined that all seven defendants lied about their criminal histories. The cases were then referred to the Manhattan District Attorney's Office.

The defendants charged today are MARK POLITO, GIOVANNI DELLA PASQUA, aka GIOVANNI DELLAPASQUA, MAZIN SALEH, GERADO CARBONARO, LISA CASSAGRANDE, MICHAEL D'ALOIA, and ANDRES DE LA CRUZ, aka ANDRES DELLACRUZ. They were all arrested today and charged with Offering False Instrument for Filing, a class E felony, which is punishable by up to four years in prison. The defendants will be arraigned today in Manhattan Criminal Court.

On June 17, 2005, MARK POLITO, 37, a sales executive for Crown Waste Corp., filed an "Employee/Agent Disclosure Form" with BIC. The defendant answered "no" to a question asking whether he had "been convicted of any misdemeanor or felony in any jurisdiction during the past ten years." A background check showed that POLITO pleaded guilty on February 22, 2000 in New York State Supreme Court to Attempted Grand Larceny in the Fourth Degree, a misdemeanor, for attempting to extort money from an individual. On April 4, 2000, he was sentenced to three year's probation.

GIOVANNI DELLA PASQUA, 28, is the president and owner of G. Della Pasqua Landscaping. On February 2, 2005, he filed a "Renewal Application for License or Registration as a Trade Waste Business" with BIC. DELLA PASQUA answered "no" to a question on the form asking whether he had "been convicted of any misdemeanor or felony in any jurisdiction." The defendant had been arrested on March 3, 2001 and pleaded guilty on October 16, 2001 in Kings County Supreme Court to Attempted Arson in the Third Degree, a felony; he was sentenced to a conditional discharge.

MAZIN SALEH, 33, owner of Rapid Removers, filed an "Application for Registration as a Trade Waste Business" with BIC on October 1, 2004. The defendant answered "no" to a question on the form asking whether he had "been convicted of any misdemeanor or felony in any jurisdiction during the past ten (10) years." On December 12, 1997, he pleaded guilty in the United States

District Court for the Eastern District of New York to Possession with Intent to Distribute Crack and was sentenced to five year's probation.

On December 25, 2004, GERADO CARBONARO, 51, president and owner of JC Landscape Contracting Corp., filed a "Renewal Application for License or Registration as a Trade Waste Business" with BIC. The defendant answered "no" to a question on the form asking whether he had "been the subject of any criminal charges." A background investigation revealed that at the time he filed his application, charges were pending against him in Kings County Supreme Court. On November 11, 2004 the defendant had been arrested for Criminal Possession of a Weapon, Menacing, and Assault for a domestic violence related incident. In addition, on December 6, 2004, he had been charged with criminal contempt for violating an order of protection. CARBONARO pleaded guilty on February 16, 2005 to Harassment in the Second Degree, a violation, and was sentenced to a conditional discharge, alcohol treatment, and an order of protection. He received an ACD for the Criminal Possession of a Weapon, Menacing, and Assault charges.

LISA CASAGRANDE, 36, is the president and part owner of two carting companies, Green Bay Sanitation and Queens Recycling. On April 27, 2005, she filed "Renewal Applications for License or Registration as a Trade Waste Business" with BIC. The defendant answered "no" to questions on the forms asking whether she had "been the subject of any criminal charges." At the time she filed her applications, charges were pending against her in Queens County Supreme Court. She had been arrested on November 29, 2004 and pleaded guilty on January 11, 2006 to Assault in the Third Degree, a felony, for her involvement in an incident in which she and an accomplice threatened the victim's life and beat him with a brick. She was sentenced to a conditional discharge.

On October 2, 2005, MICHAEL D'ALOIA, 43, president and treasurer of All Pro Contracting, LLC, filed a "Renewal Application for License or Registration as a Trade Waste Business" with BIC. D'ALOIA answered "no" to a question on the form asking whether he had "been convicted of any misdemeanor or felony in any jurisdiction during the past ten (10) years." On March 9, 2000, the defendant had pleaded guilty in New Jersey to Promoting Gambling in the Third Degree, Simple Assault in the Third Degree, and Manufacture or Distribution of CDs in the Third Degree, stemming from a New Jersey racketeering indictment alleging that he participated in gambling and loan sharking operations as a member of the Lucchese Organized Crime Family, and separate New Jersey indictments alleging that he attacked a victim with a metal pipe and sold marijuana. The defendant was sentenced to one year in jail, three year's probation, 300 hours community service, and was required to pay \$25,125.

On October 26, 2005, ANDRES DE LA CRUZ, 41, president and owner of De La Cruz Truck and Trailer Services, Inc., filed a "Certification for Temporary Permission to Operate Pending Decision on Application" with BIC. The defendant answered "no" to a question asking whether he had "been convicted of any misdemeanor or felony in any jurisdiction during the past 15 years." An inquiry revealed that on December 11, 1996, DE LA CRUZ had pleaded guilty in New York State Supreme Court to Criminal Possession of a Controlled Substance in the Fourth Degree, a felony. He was sentenced on December 23, 1996 to one year in jail.

Mr. Morgenthau said, "Investigations by the Manhattan District Attorney's Office and the New York City Police Department broke the back of the organized crime cartel that had dominated the private carting business for decades. Those investigations introduced real competition to an industry that had never known it, with the result that New York's businesses have reaped huge savings. BIC's mission to police the carting industry is critical to guarantee that mobsters and other criminals can never again gain a foothold in this important industry. Today's arrests demonstrate our continuing commitment to that effort."

Thomas McCormack, Chair of the Business Integrity Commission, stated, "Owners and employees of private carting companies who submit false statements on their license applications in order to hide their criminal histories from BIC will face both criminal prosecution and administrative action. These arrests demonstrate that BIC takes its vetting process very seriously. BIC will investigate any carter who lies to the city and bring evidence to the prosecutor. Carters who are convicted of lying to BIC risk the loss of their licenses."

Assistant District Attorney Matthew Amatruda is in charge of the prosecution under the supervision of Special Prosecutions Bureau Chief Leroy Frazer.

Mr. Morgenthau thanked Detective Grace Prince, Detective John Stebe, and Sergeant Paul Relyea under the supervision of Lieutenant Gerald Pope of the Organized Crime Investigations Divisions of the New York City Police Department. He also thanked Thomas McCormack, Chair and Ronald Cohen, Assistant Commissioner for Investigations and Enforcement of the Business Integrity Commission for their assistance in the investigation.

Defendants' Information:

MARK POLITO, 7/18/68  
252-02 63rd Avenue  
Little Neck, NY 11362

GIOVANNI DELLA PASQUA, 9/13/77  
38 Hillside Terrace  
Staten Island, NY 10308

MAZIN SALEH, 9/21/72  
748-49 Street  
Brooklyn, NY 11220

GERADO CARBONARO, 4/9/55  
2460 East 12th Street  
Brooklyn, NY 11235

LISA CASSAGRANDE, 4/20/70  
48-16 Marathon Parkway  
Little Neck, NY 11363

MICHAEL D'ALOIA, 7/23/62  
10 Elmwood Court  
Livingston, NJ 07039

ANDRES DE LA CRUZ, 10/15/64  
87-15 126th Street  
Richmond Hills, NY 11418

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