



THE YEAR IN REVIEW (2017-2018)

Commission investigations with our law enforcement partners resulted in arrests of 116 individuals on state and federal charges as well as the seizure of almost 73 kilos of heroin, 291 kilos of cocaine, 1 pound of fentanyl as well as the seizure of 2 firearms, \$2.2 million in counterfeit goods.



During the past year, the Commission worked with the following law enforcement agencies on investigations and prosecutions:



- U.S. Attorneys' Offices for the Southern and Eastern Districts of New York, and the District of New Jersey
- U.S. Department of Justice – Organized Crime and Gangs
- U. S Department of Labor – Office of the Inspector General
- U.S. Customs and Border Patrol
- U.S Immigration and Customs Enforcement – El Dorado Task Force
- U.S. Immigration and Customs Enforcement/Homeland Security Investigations
- U.S Drug Enforcement Administration
- Federal Bureau of Investigation
- Internal Revenue Service
- New York Attorney General's Office
- New Jersey Attorney General's Office - Division of Criminal Justice
- New York County District Attorney's Office
- Queens County District Attorney's Office
- Union County Prosecutor's Office
- New Jersey State Police – Auto Theft Task Force
- New Jersey State Police – Cargo Theft Task Force
- New York City Police Department
- New Jersey State Commission of Investigation
- New York City Business Integrity Commission



WATERFRONT COMMISSION OF NEW YORK HARBOR CASE SUMMARY (2017-2018)

July 17, 2017 - Vehicle Lasher Surrenders Registration with Prejudice Following Charges of Cocaine Use and Fraud. The Commission accepted the request of John E. Farley to surrender his registration as a maintenance man (vehicle lasher) with prejudice. He was facing charges at an administrative hearing that he had violated the Waterfront Commission Act. A Notice of Hearing included allegations of the following:



- Farley unlawfully possessed and used cocaine in or about or between 1993 and 2016.
- A drug test of Farley's hair sample, submitted on or about February 24, 2017, tested positive for cocaine metabolites.
- He unlawfully possessed cocaine on or about November 2, 2016, resulting in an arrest that he failed to timely disclose to the Commission.
- He committed fraud, deceit or misrepresentation in securing inclusion in the longshore workers' register as a maintenance man by failing to disclose cocaine use on his application and during a sworn interview.

Farley's presence on the piers or other waterfront terminals in the Port was alleged to represent a danger to the public peace or safety. The Commission barred Farley from the waterfront by accepting his request for the surrender of his registration as a maintenance man with prejudice.

July 17, 2017: Checker Application Withdrawn with Prejudice Following Charges of Fraud and Association with Organized Crime Members. On July 17, 2017, the Commission accepted the request of Samuel G. Manganella to withdraw his application for registration as a checker with prejudice. In March of 2015, the New York Shipping Association, Inc. (NYSA) sponsored Manganella as a checker at APM Terminals in Elizabeth, NJ. A notice of hearing was thereafter issued, charging Manganella with association with the following members/associates of organized crime, racketeers and career offenders: Lucchese soldier Joseph M. Perna, Lucchese associates Michael and Frank Cetta, and Genovese associate Vincent Aulisi. Manganella was charged with repeated socialization with these individuals, including vacations to Aruba and Mexico with Lucchese soldier Perna. Manganella also knowingly associated with persons convicted of racketeering activity, as Perna was convicted of racketeering in January 2016, and his grandfather, Vincent Aulisi, former president of ILA Local 1235, was convicted of Extortion Conspiracy, in October 2014 (Aulisi extorted ILA Local members on behalf of the Genovese family). Manganella falsely denied and/or misrepresented these associations during his sworn Commission interview and additionally falsely stated that he had no contact with his grandfather Aulisi while he was serving his federal prison sentence. Based on the foregoing, Manganella was charged with lacking the requisite good character and integrity to be registered as a checker. Facing charges of violating the Waterfront Commission Act, Manganella requested the withdrawal of his application for registration as a checker with prejudice. The Commission accepted his request, thereby barring Manganella from working as a checker in the Port.



Samuel Manganella Joseph Perna Frank Cetta Michael Cetta Vincent Aulisi
Soldier Associate Associate Convicted



July 20, 2017- General Foreman at Port Elizabeth Arrested for Salary Fraud.

The general foreman for a Port Elizabeth terminal operator was charged with fraudulently collecting a nearly \$500,000 annual salary, much of which was for work he never performed. Paul Moe Sr., of Atlantic Highlands, NJ, was charged with one count of wire fraud conspiracy and 13 substantive counts of wire fraud. According to the indictment: From September 2015 through March 2017, Moe fraudulently collected a compensation package that paid him almost \$500,000 annually while showing up at his job site for as little as eight hours per week. In order for Moe to collect his \$9,300 weekly paycheck, other conspirators submitted false timesheets each day on his behalf and even credited him for up to 16 hours of overtime a day. The 13 substantive wire fraud counts consist of one-week increments in which Moe – having either failed to appear at the job site or while being out of state or out of the country – was paid as if he had been on the job for a minimum of 40 hours a week. The Commission immediately suspended Moe pending the adjudication of the criminal matter and a subsequent administrative hearing. On October 21, 2017, Moe was convicted on all 14 counts of an indictment charging him with one count of wire fraud conspiracy and 13 substantive counts of wire fraud. He was convicted following a 10-day trial before U.S. District Court Judge Katharine S. Hayden in Newark federal court. The jury deliberated for two hours before returning its verdict. The case was prosecuted by the U.S. Attorney’s Office for the District of New Jersey, and Waterfront Commission Counsel Tracey Agnew was cross designated as a Special Assistant U.S. Attorney for the District of New Jersey. Commission counsel Tracey Agnew and Brian Hannan, along with Waterfront Commission Sergeant George Falvo and Detective Andrew Varga received awards of recognition from the U.S. Department of Labor for their work in the investigation and successful prosecution.

July 20, 2017 - Commission Suspends Port Elizabeth Foreman After Arrest.

The Commission suspended Port Elizabeth Foreman Brian Rei of Rahway, NJ and issued a notice of hearing after his arrest on July 14, 2017, in Union County, New Jersey, for Endangering the Welfare of a Child. Mr. Rei is accused of driving while under the influence of alcohol with his 9-year old daughter in his car. An alcotest machine revealed that his blood alcohol concentration was .15% BAC. Rei is also charged with bringing an unauthorized female past security gates and onto the terminal on the evening of October 13, 2016 by directing her to wear his security vest which contained his credentials, with the intent of convincing port security officers that she had the proper credentials for admission, which he knew that she did not. The Union County Prosecutor’s Office is prosecuting the criminal matter. Last year, Brian Rei’s special deal paid him \$317,762.44.



August 14, 2017: Maintenance Man Applicant Denied for Association with Members of Colombo and Genovese Families Anthony Battaglia, of Staten Island, NY, an applicant for a maintenance man position, was denied a registration by the Commission following a hearing before an Administrative Law Judge. The ALJ found that Battaglia had associated with Gary Gugliaro between 2001 and 2008 while they were both employed as delegates in Local 1181 of the Amalgamated Transit Union, a bus drivers' union. During that time, Battaglia and Gugliaro shared common office space, worked together three out of five days a week and occasionally shared rides to work. The Commission had established at the hearing that Gugliaro was a member of the Colombo crime family who had ultimately been removed from the bus drivers' union by a trustee based on his organized crime ties. The Commission further found that the association between Battaglia and Gugliaro was inimical to the policies of the Waterfront Commission Act, namely to ensure fair hiring in the workplace and to ensure that organized crime has no place on the piers. In addition, the Commission also found that Battaglia committed fraud, deceit or misrepresentation on his longshoreman application by failing to acknowledge that he associated Gugliaro and with his father, Salvatore "Sally Hot Dogs" Battaglia, a member of the Genovese

crime family. Salvatore Battaglia had also served as union Local 1181 president until he was convicted on federal racketeering charges and sent to prison for taking bribes connected to the bus drivers' union. For the foregoing reasons, the Commission found that Battaglia's presence at the piers or other waterfront terminals in the Port presented a danger to the public peace or safety.

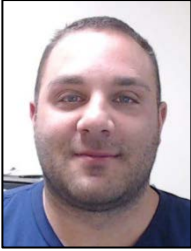


Anthony Battaglia Gary Gugliaro Salvatore Battaglia
Genovese Soldier

August 14, 2017: Longshoreman's Registration Revoked for Association with Bonanno and Lucchese Crime Family Members. The longshoreman's registration of Joseph Ferdico of Staten Island, New York was revoked by the Commission following a hearing before an Administrative Law Judge ALJ for associating with members of the Bonanno and Lucchese crime families. The evidence showed that Ferdico had worked as a part-time DJ from approximately 1999 to 2006 for Anthony Calabrese, a member of the Bonanno crime family and a convicted racketeer, at a club on Staten Island which was owned by Calabrese. Over that period of time, it is estimated that Calabrese paid him approximately \$100,000 for his DJ services. The evidence also showed that Ferdico associated with John "Big John" Castellucci, a capo in the Lucchese Crime Family, who is also a convicted racketeer. According to the evidence, Castellucci owned a cigar store across the street from an auto body business of which Ferdico is the manager. Ferdico purchased cigars in Castellucci's store and Castellucci brought his car to the auto body business for repairs and dealt with Ferdico. The evidence also established that Castellucci also had Ferdico's personal cell phone number. The Commission found that Ferdico also failed to disclose his association with both Calabrese and Castellucci on a Prequalification Request and thereby also committed fraud, deceit or misrepresentation, thus demonstrating that his presence at the piers or other waterfront terminals is a danger to the public peace or safety in the Port.



Joseph Ferdico John Castellucci Anthony Calabrese
Lucchese Capo Bonanno Soldier



August 14, 2017: Port Watchman Surrenders License with Prejudice Following Charge of Attempted Misappropriation of Money from Maher Terminals

– The Commission accepted the request of Dominick Ricigliano to surrender his license as a port watchman (security officer) with prejudice. Ricigliano faced administrative charges that he had violated the Waterfront Commission Act by willfully attempting to misappropriate money from his employer, Maher Terminals LLC, in Elizabeth, NJ. Specifically, Ricigliano was charged with creating or reinforcing a false impression that he worked during a period of time when he was, in fact, not working. In addition, the Commission’s notice of hearing alleged that Ricigliano lacked good character and integrity and had violated multiple regulations pertaining to security officers. By accepting his request for the surrender of his license as a port watchman with prejudice. Ricigliano is barred from working on the waterfront. After he was barred from the Port, Ricigliano was identified by the federal government as an Associate of the Colombo Family and was charged with Loansharking, Extortion and Extortion Conspiracy.

August 14, 2017: Application Denied for Fraud, Deceit and Misrepresentation and Because Applicant’s Presence on Waterfront Poses a Danger to the Public Peace or Safety.

The Commission denied the application of Jason Williams of Newark, NJ to work on the waterfront due to fraud, deceit, and misrepresentation in his written application and during his sworn Commission interview. Williams failed to list a number of arrests and convictions, including a conviction for aggravated assault in 1999 and an arrest for attempted murder in 2003. During his subsequent sworn interview, Williams again failed to disclose many of the same arrests and convictions, and only acknowledged them after being directly questioned by staff about those arrests. Following an administrative hearing, the Administrative Law Judge found that the Commission established the allegations against Williams by a preponderance of the evidence. The ALJ found that Williams had engaged in fraud, deceit, and misrepresentation, and that his presence on the waterfront would create a danger to the public peace or safety. The Commissioners adopted the ALJ’s findings and recommendations.

August 14, 2017 – Application Denied for Multiple Prior Shoplifting Convictions, For Fraud, Deceit and Misrepresentation and After Presence on Waterfront Found to be a Danger to the Public Peace or Safety.

The Commission denied the application of Cindy Cano to work to work on the waterfront for shoplifting convictions and multiple acts of fraud, deceit and misrepresentation during the application process. Cano was caught shoplifting in 2011 and 2015 from NJ department stores, and failed to disclose all of her arrests on her application. During her subsequent sworn interview, Cano subsequently lied about the number of times she had been arrested, as well as how recently she had been arrested during a sworn interview conducted at the Commission offices. Following an administrative hearing, the Administrative Law Judge found that the Commission established the allegations against Cano by a preponderance of the evidence. The ALJ found that Cano’s presence on the piers or other waterfront terminals in the Port presented a danger to the public peace or safety on the waterfront and reasoned, in part, that if allowed to work for Toyota Logistics (which had sponsored her for employment) “. . . she will have access to new auto parts and tools. This is not a position for one who has twice been convicted of shoplifting.” Accordingly, the ALJ recommended that the Commission deny Cano’s application. The Commissioners agreed with the ALJ findings and recommendation.

August 28, 2017 – Application Denied for Multiple Prior Convictions, for Fraud, Deceit and Misrepresentation and After Presence on Waterfront Found to be a Danger to the Public Peace or Safety. The Commission denied the application of Kyer Beachum, a.k.a. Devin Higgs, as a warehouseman. Following an administrative hearing, an Administrative Law Judge found that Beachum had been convicted of attempted enterprise corruption, robbery, receiving stolen property and possession with intent to distribute (all felonies or high misdemeanors). Beachum was also convicted of Criminal Trespass (a crime in the fourth degree), a conviction which may form the basis of denial pursuant to the Waterfront Commission Act. Beachum was also found to have committed fraud on his application by failing to disclose arrests leading to charges for Kidnapping, Robbery, Sexual Assault, Aggravated Assault (twice), Unlawful Possession of a Weapon (twice) and Possession of a Weapon for an Unlawful Purpose (twice), in addition to other disqualifying frauds. After a hearing, the ALJ found that Beachum had committed fraud, deceit or misrepresentation on his application and that his presence at the piers or other waterfront terminals in the Port presented a danger to the public peace or safety. The Commission adopted the ALJ’s findings and recommendation.

September 19, 2017: Application for a Checker Position Denied For Fraud, Deceit and Misrepresentation and for Lack of Good Character and Integrity.

The Commission denied the application of Andrew Marano, Jr. of Staten Island, NY to be registered as a checker on the waterfront due to fraud, deceit and misrepresentation in his written application, and for failing to possess the requisite good character and integrity to be a checker. In his sworn application, Marano denied knowing, or ever having associated with, any organized crime figures.



Andrew Marano, Jr. Charles Giustra

During subsequent Commission interviews, however, Marano testified that he was currently in a relationship with the daughter of Charles “Charlie Tuna” Giustra, an associate of the Lucchese crime family, who was charged in 2013 in connection with a conspiracy to steal \$1 million worth of cigarettes. Giustra pled guilty in December 2013 to using a facility of interstate commerce in furtherance of a narcotics transaction. Marano admitted that he had been dating Giustra’s daughter for two years, and that he frequently spent time at his girlfriend’s house when he was aware that her father would be there. He also admitted knowing that Giustra was going to federal prison, and that he had dinner with Giustra the night before Giustra surrendered himself to prison, but maintained that he was completely unaware of his organized ties. During an administrative hearing, the Commission presented exhaustive state and local media articles and online court documents which identified Giustra as a reputed Lucchese associate, and which detailed the racketeering conspiracy with which he and others were charged. Marano claimed he had not seen any media reports. The Administrative Law Judge found that the Commission established the allegations against Marano by a preponderance of the evidence. The ALJ found that Marano was not a credible witness, and was not truthful in his dealings with the Commission when he denied knowing Giustra’s association with organized crime. Marano was found to lack good character and integrity, the standard that is necessary for a checker position. Marano subsequently appeared before the Commissioners and maintained his ignorance regarding Giustra’s organized crime ties. When questioned, Marano indicated that, despite the extensive reporting on Giustra’s case both in state and local papers, he never read anything or performed any online searches (i.e., Google) pertaining to his girlfriend’s father. The Commissioner likewise found him not to be credible and adopted the findings and recommendations of the ALJ.

Lucchese Associate

September 19, 2017 – Application Denied for Fraud, Deceit and Misrepresentation in Application and Sworn Commission Interview, and After Presence on Waterfront is Found to be a Danger to the Public Peace or Safety. The Commission denied the application of Felix Jimenez Hernandez, of Elizabeth, NJ, to be registered as a warehouseman for shoplifting conviction and for fraud, deceit or misrepresentation during the application. Hernandez failed to disclose on his application that he had been arrested for Shoplifting and subsequently pled guilty to the amended charge of Theft by Unlawful Taking or Disposition, and denied his prior arrest history in a subsequent sworn Commission interview. Following an administrative hearing, an Administrative Law Judge found that Hernandez committed fraud on his application and during his interview by failing to disclose the arrest and conviction, and for failing to disclose assistance that he had received in filling out his applications. The ALJ found that Hernandez’s presence on the ports would constitute a danger to the public peace of safety based upon his prior arrest for Shoplifting and his fraud, deceit or misrepresentation. The Commission adopted the ALJ’s findings and recommendations

September 19, 2017 - Checker’s Registration Revoked for Association with Members of the Gambino Crime Family. Commission revoked the registration of John S. Riccobono of Manalapan, NJ to work as a checker on the waterfront for his association with members of the Gambino crime family. At an administrative hearing before an Administrative Law Judge, evidence demonstrated that Riccobono associated with high-ranking members of the Gambino Crime Family, including Gambino Capo Joseph “Sonny” Juliano and Gambino Soldiers Vincent “Blinky” Romano aka Vincent Vittaburga, John F. Riccobono and Sam Riccobono, and Ronald “Ronnie Cigars” Ferrari, a Gambino Associate. Juliano, Romano and Ferrari are also convicted racketeers. The evidence showed that Riccobono frequently socialized with these individuals, including attending Gambino “crew dinners” in Brooklyn and Staten Island in 2010, and invited many of them to his daughter’s christening in 2014. While registered as a Checker, Riccobono even visited Juliano in prison while Juliano was incarcerated. The ALJ found that Riccobono’s associations with organized crime figures were under circumstances which were inimical to the purposes of the Waterfront Commission Act. The ALJ also found that Riccobono committed multiple acts of fraud, deceit and misrepresentation when he failed to disclose his association with organized crime figures during two sworn Commission interviews. As a result, Riccobono was found to lack good character and integrity, which is required for checkers. The Commission adopted the findings and recommendations of the ALJ.



John S. Riccobono

**Joseph Juliano
Gambino Capo**

**Vincent Romano
Gambino Soldier**

**John Riccobono
Gambino Soldier**

**Sam Riccobono
Gambino Soldier**

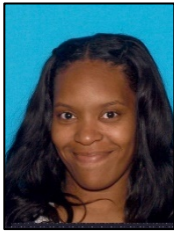
**Ronald Ferrari
Gambino Associate**



October 3, 2017 – Port Watchman Surrenders License with Prejudice Following Charge of Misappropriation of Money from Maher Terminals.

The Commission accepted the request of Lawrence Giordano to surrender his license as a port watchman (security officer) with prejudice. He had faced charges at an administrative hearing that he had violated the Waterfront Commission Act. Giordano was a port watchman at Maher Terminals, LLC, in Elizabeth, NJ; Cape Liberty Cruise Port for Terminal Security Solutions in Bayonne, NJ, BMW of

North America, LLC and for Allied Universal Security Services in Jersey City, NJ. A Notice of Hearing alleged that Giordano had misappropriated or willfully attempted to misappropriate money from Maher Terminals by creating or reinforcing a false impression that a co-worker, Dominick Ricigliano, had worked during a period of time when he was, in fact, not working. In addition, the Notice of Hearing alleged that Giordano lacked good character and integrity, which is required of a port watchman. By accepting his request for the surrender of his license as a port watchman with prejudice, the Commission barred Giordano from the waterfront.



December 12, 2017 - Dock Worker's Registration Revoked After Pleading Guilty to Witness Tampering and Other Crimes.

The Commission revoked the registration of Courtney Wallace, a longshore worker from Irvington, NJ. As previously reported, Wallace had been arrested by detectives from the Union County Prosecutor's Office and the Waterfront Commission, and was charged with Witness Tampering, Providing False Information to Law Enforcement and False Swearing. The charges against Wallace stemmed from false criminal allegations

she made against another longshoreman that resulted in the arrest of that longshoreman. In a search incident to arrest, a bottle of urine was recovered from Wallace, who stated that the urine came from her son and that she carried the clean urine around with her in case she was ever drug tested in connection with her job at the Port. The Commission had temporarily suspended Wallace's registration pending the outcome of an administrative hearing on the charges. On August 24, 2016, in the Superior Court of New Jersey, Union County, Wallace pled guilty to Witness Tampering, admitting that she planned with two others to falsely implicate another longshoreman for a crime he did not commit – an assault with a firearm. Following her criminal conviction, Wallace appeared at a hearing before an Administrative Law Judge. Evidence presented during the hearing indicated that Wallace falsely implicated the other longshoreman in a crime by coordinating false 911 calls, making a false statement to law enforcement, and instructing others to lie to law enforcement. Following the hearing, the ALJ recommended that the Commission revoke Wallace's registration. The ALJ noted that Wallace "essentially led a criminal conspiracy" as she "persistently pursued a malicious plan with others to commit an outrageous crime." The ALJ found that Wallace "possessed a dangerous willingness and power to draw others into her calculated crime, without regard for the consequences to them, let alone the object of her ire." The ALJ found that the arrest of the other longshoreman "on the false charge of assault with a firearm posed obvious inherent dangers to him and the police during the process of his arrest and detention." In addition, the ALJ found that Wallace "engaged in another scheme of deception to bypass rules in order to engage in illegal and dangerous behavior, the use of controlled substances while registered as a longshoreman." The ALJ found that Wallace's "conduct flagrantly disregarded workplace rules designed for the safety of everyone at the waterfront." The ALJ found that Wallace's presence on the piers or other waterfront terminals posed a danger to the public peace or safety. The Commission adopted the ALJ's recommendation and revoked Wallace's registration as a longshore worker.



January 9, 2018 – Longshoreman Barred from Waterfront for Killing Seagulls on the Dock and for Fraud, Deceit or Misrepresentation.

The Commission revoked the registration of longshoreman Terence O'Regan following a hearing before an Administrative Law Judge. The ALJ found that O'Regan committed multiple acts of fraud, deceit, or misrepresentation to secure inclusion in the longshore workers' register, and he committed offenses that render his presence at the piers or other waterfront terminals in the Port of New York district a danger to the public peace or safety. Evidence presented

at the hearing demonstrated that, on December 19, 2016, at Maher Terminals LLC, in Elizabeth, NJ, while registered as a longshoreman, O'Regan intentionally drove a straddle container carrier, a "massive piece of machinery . . . at least 35 feet high and weigh[ing] 100,000 pounds," through a flock of ring-billed gulls about 20-30 feet out of his way. O'Regan ran over and killed 15 gulls and then continued his work duties without notifying his supervisor. As a result of his actions, he was charged with violating the federal Migratory Bird Treaty Act, for which he was assessed a fine. The ALJ described the Respondent's killing of the gulls as "bizarre and dangerous." And noted that, according to Maher Terminals, his conduct risked serious harm to himself and his co-workers. In addition, the ALJ found that, years earlier, O'Regan had committed multiple acts of fraud, deceit or misrepresentation in response to questions on a sworn document that allowed him to secure registration as an ILA referral. On that sworn document, O'Regan did not honestly answer questions about his history of drug use. The ALJ noted that O'Regan had "secured his registration as a longshoreman through multiple deceptions" and questioned "how can he be fully trusted to now follow waterfront rules and regulations promoting safety in an inherently dangerous workplace?" After considering the entire record, the Commission adopted the ALJ's findings and his recommendation to revoke O'Regan's registration as a longshoreman.

January 30, 2018 – Checker Barred from Waterfront for Association with Organized Crime Figure and Career Offender.

On May 9, 2016, Peter Boragi was charged with violating the Waterfront Commission Act by improperly associating with Louis Romeo ("Romeo"), a career offender identified by law enforcement as an associate of the Colombo crime family. Following a 3-day administrative hearing, the Administrative Law Judge issued a 42-page Report and Recommendation to the Commissioners, finding that because of his improper association with Romeo, Boragi lacked the requisite good character and integrity to be a checker on the waterfront. As set forth in the ALJ's report, Romeo is an admitted loan shark and associate of organized crime who was convicted in a bribery scheme involving debris removal from the World Trade Center site. In 2013, he pleaded guilty to Conspiracy to Commit Theft of Government Funds, and was sentenced by the U.S. District Court, Eastern District of New York to six months of imprisonment and one year of supervised release. At the hearing, the Commission established that Romeo is a career offender and organized crime associate since as early as 2008.



Peter Boragi

Louis Romeo

Evidence presented at the hearing established that Boragi associated with Romeo during the time period when he was a loan shark and associate of the Colombo crime family. Beginning in 1996, Boragi associated with Romeo "countless times" over the next two decades. They attended ballgames, family functions and spent holidays together. They visited each other's homes and vacationed together. Romeo gave gifts of cash and jewelry to Boragi and his family. Boragi

even submitted a character letter on Romeo's behalf while he awaited sentencing in connection with the bribery scheme. Boragi later visited Romeo in prison, and remained in contact with him after his release. Based on the evidence and testimony presented at the hearing, the ALJ found that "there is no doubt that Boragi associated with Romeo after he was aware that Romeo was a person he should not be associating with."

The ALJ found serious issues with Boragi's credibility at the hearing. Given how close he was to Romeo, how recent his arrest was, and how well publicized (in news articles and on the internet) his ties were to La Cosa Nostra, he found his claims of ignorance to be "meritless." After hearing Boragi's testimony and assessing his credibility, the ALJ concluded, "I have serious doubts about the veracity of his claims about the innocence of their relationship and agree with the Commission that the friendship creates an unacceptable risk of corruption." In determining whether the associations were inimical to the policies of the Waterfront Commission Act, the ALJ pointed out that because of their high-paying, low-show jobs, checkers are especially susceptible to the perception of organized crime influence. Notably, the expert witness of a co-Respondent at that hearing conceded during the Commission's hearing that the mob has exercised its control of the docks by determining who get work, who gets which position, and who gets overtime. Boragi was paid for overtime hours even when he was not working at the Port, which resulted in being paid up to twenty-five (25) hours a day, and was paid over \$350,000/year.

Evidence was also presented that Boragi had previously lied on two applications about his history of drug use, had been barred from the waterfront for about five years for failing to meet minimum work and work availability requirements, and had a gambling operation on the pier where he collected tens of thousands of dollars in cash from longshoremen. When considering those factors, the ALJ noted that "a gambling operator's association with Romeo, a loan shark and Colombo associate, creates an unacceptable perception or risk of corruption." Notwithstanding the long history of service by Boragi on the waterfront, the ALJ found that the "length, depth, and breadth" of his relationship with an organized crime associate warranted a substantial penalty beyond a reprimand. He therefore recommended that his registration as a checker be revoked, and that he should not be permitted to work on the waterfront again without reapplying and a thorough review.

Following his hearing, Boragi appeared with his counsel and testified before the Commissioners under oath at an open Commission meeting. The Commission adopted the ALJ's findings that Boragi (1) associated with a career offender identified by law enforcement as an associate of an organized crime group; and (2) lacked good character and integrity for doing so. The Commission found that Boragi's association with Romeo created a reasonable belief that his continued registration as a checker would be inimical to the policies of the WCA. Accordingly, the Commission ordered the immediate revocation of his registration as a checker

February 12, 2018 – Man Sentenced to Six Years in Prison for His Role in Ring That Stole and Fenced Luxury Cars in Northern and Central New Jersey. Kelvin Vega, of Newark, NJ was sentenced by Superior Court Judge Catherine I. Enright in Morris County to six years in prison for his role in a ring that stole luxury cars in northern and central New Jersey and loaded them onto cargo containers for shipping or fenced them in other states. Vega had pled guilty to second-degree receiving stolen property. The ring members stole numerous high-end vehicles, including various models of Mercedes, BMW and Bentley. The investigation revealed they used certain spots to "cool off" vehicles, parking them at a hotel in Elizabeth, for example, until they were sure they were not equipped with tracking devices that would lead law enforcement to them. After a vehicle was sufficiently "cooled," it was moved to a loading location, usually in Irvington, to be shipped, or was fenced domestically. Several of the vehicles stolen by the ring members were

recovered from shipping containers prior to being placed on cargo vessels. The ring members were directly linked to thefts of at least 14 vehicles with a combined estimated value of more than \$800,000. Vehicles were stolen in New Jersey from Morristown, Long Hill, Jamesburg, Holmdel, Livingston, Closter, Princeton and Mahwah. One stolen Mercedes S550 was traced to Louisiana, where Vega was found in possession of that car and a second stolen Mercedes S550. Other stolen cars were recovered in Maryland and Ohio.



February 27, 2018 – Registration of Former ILA Local Vice President Revoked for Finding that Presence on Waterfront Presented a Danger to the Public Peace or Safety. The longshoreman registration of Johnnie Taylor of East Orange, NJ, was revoked following an administrative hearing. As previously reported, Taylor, the former Vice President of ILA Local 1588, was arrested in September of 2015, for possessing a loaded handgun in East Orange, NJ. He was subsequently suspended by the Commission from working at the Port, pending adjudication of his criminal case. He pleaded guilty in Essex

County Superior Court, and was sentenced on August 3, 2017 to two years' probation. The Administrative Law Judge noted in his decision that Taylor displayed very poor judgment with regard to public safety. The ALJ found that Taylor possessed a loaded .9 mm handgun while intoxicated and recommended revocation of Taylor's registration. The Commissioners agreed with the ALJ's findings and recommendation.

February 27, 2018 – Registrations Revoked for Conspiracy to Move Massive Amounts of Narcotics Through the Port. After separate administrative hearings before an Administrative Law Judge, the Commission revoked the registrations of checker Henry Machado of Roselle Park, NJ, and longshoreman Yampier Odoardo of Elizabeth, NJ. Both Machado, Jr. and Odoardo had previously pled guilty in U.S. District Court for the Southern District of New York to engaging in a conspiracy to move massive quantities of cocaine from Panama through the Port of



Yampier Odoardo Henry Machado

New York-New Jersey. As part of the crime, custom seals were broken to smuggle in the narcotics. Both were suspended from working at the Port since their initial arrests in October 2010.

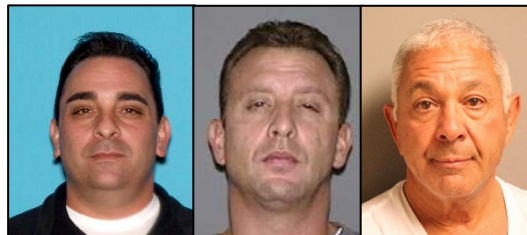
March 15, 2018 – More than \$1 Million in Stolen Cargo Recovered, and 11 Men Arrested for Operating Cargo Theft Ring in “Operation Botany.” Eleven were arrested, dismantling a cargo theft trafficking ring and recovering more than \$1 million worth of merchandise, which was destined to supply nearly a dozen national retail stores in New Jersey and across the country. The five-month investigation, dubbed “Operation Botany Strike,” began on October 14, 2017 when detectives began investigating the theft of a tractor-trailer, which contained \$104,000 worth of meat, from a trucking lot in South Amboy, NJ. The abandoned tractor-trailer was located later that day at the Vince Lombardi Service Area on the New Jersey Turnpike and began following leads, which ultimately uncovered the organized theft ring. Through various investigative means, detectives determined that members of the theft ring would transport stolen tractor-trailers from various jurisdictions throughout the state to specific locations within a business facility at 90 Dayton Avenue in Passaic, NJ. That facility served as the predominant location where members would load and offload stolen cargo as well as store the stolen tractor-trailers. Detectives also identified secondary locations in Little Ferry and Secaucus, NJ, which served a similar function.

As a result of the operation, 16 loads of stolen cargo were recovered from 10 national victim companies. The seized cargo, which was worth more than \$1 million, included clothing, granite, home goods, landscaping equipment, and food products and was destined to be sold domestically and overseas. The following individuals were arrested and charged:

- Ambiorix Canela-Rodriguez, of Paterson, N.J (Receiving stolen property, Fencing Conspiracy)
- Adiel Acevedo-Ortiz, of Paterson, N.J. (Receiving stolen property, Conspiracy)
- Carlos Alcantara, of Passaic, N.J. (Receiving stolen property, Conspiracy)
- Bassim Fardos, of North Bergen, N.J. (Receiving stolen property, Conspiracy)
- Elvis Valerio, of Passaic, N.J. (Receiving stolen property, Conspiracy)
- Wilfredo Valle, of Passaic, N.J. (Receiving stolen property, Conspiracy)
- Milton Vargas, of Paterson, N.J. (Receiving stolen property, Conspiracy)
- Nelson Pena-Restituyo, of Union City, N.J. (Receiving stolen property, Conspiracy)
- Luis Lourido, of Union City, N.J. (Receiving stolen property, Conspiracy)
- Eduardo Ramos, of Union, N.J. (Receiving stolen property, Conspiracy)
- Angel Deleon, of Hawthorne, N.J (Receiving stolen property, Conspiracy)

March 26, 2018 – General Foreman at Port Elizabeth Sentenced To Two Years in Prison for Salary Fraud. Paul Moe, Sr., the general foreman for a Port Elizabeth terminal operator was sentenced to two years in prison in connection with his fraudulent collection of a nearly \$500,000 annual salary, much of which was for work he never performed. On October 21, 2017, Moe was convicted on all 14 counts of an indictment charging him with one count of wire fraud conspiracy and 13 substantive counts of wire fraud. In addition to the prison sentence, Moe was sentenced by U.S. District Court Judge Katharine S. Hayden to three years of supervised release, and was ordered to pay restitution of \$749,000.

March 27, 2018 – Application for Port Watchman Denied for Association with Organized Crime Members, and Fraud, Deceit & Misrepresentation on Application. The Commission denied the application for port watchman (security officer) of Amedeo Mancusi, of Englishtown, NJ, for associating with two members of organized crime and failing to disclose those associations on his application. During an administrative hearing, the Commission established that Mancusi knew Gambino Family Acting Capo Frank Camuso for almost twenty years, as well as Bonanno Consigliere John “Porky” Zancocchio. Mancusi had business dealings with both and held his daughter’s sweet sixteen party at Zancocchio’s restaurant; an event attended by both Camuso and Zancocchio. Despite these facts, Mancusi indicated on his application that he never knowingly associated with any members of organized crime. In his decision, Chief Administrative Law Judge McGinley noted that Mancusi testified that he extensively vetted his business clients on the internet, but denied knowing the two men were members of organized crime. The Court found that the applicant’s association with Camuso and Zancocchio “created the appearance that they could exercise influence or control over Applicant as a pier guard; thus such association was inimical to the policies of the Waterfront Act.” Accordingly, the ALJ recommended denial of Mancusi’s application for Port Watchman to the Commission. The Commission adopted the ALJ’s findings and recommendations.



Amedeo Mancusi Frank Camuso John Zancocchio
Gambino Acting Bonanno
Capo Consigliere

May 1, 2018 – Port Worker’s Application Withdrawn with Prejudice Following Evidence of Organized Crime Association.

The Commission accepted the request of Steven Zeni of Guttenberg, NJ, to withdraw with prejudice his application for registration as an automobile warehouse worker in Port Newark, New Jersey, for FAPS, Inc. He was facing forty (40) charges at an administrative hearing, including allegations that he violated the Waterfront Commission Act by associating with Gambino Associate Peter LaFroscia. LaFroscia was part of the murderous Gambino crime family crew of Roy DeMeo. LaFroscia was convicted of a conspiracy to transport stolen automobiles overseas, impersonating a federal agent, and drug trafficking. The Notice of Hearing alleged that Zeni had failed to disclose his knowledge of and association with LaFroscia on a sworn application and during a sworn interview. Zeni was also accused of disqualifying convictions, failure to disclose his arrests for theft among other crimes or offenses, and representing a danger to the public peace or safety by his presence on the piers. Facing charges of violating the Waterfront Commission Act, Zeni requested the withdrawal with prejudice of his application for registration. He is now barred from working in the Port of New York-New Jersey.



Steven Zeni

Peter LaFroscia

May 1, 2018 – Port Elizabeth Maintenance Worker Surrenders Registration with Prejudice Following Conviction for Aggravated Assault.

The Commission accepted the request of Jose Reta, of Elizabeth, NJ, to surrender his registration as a maintenance worker with prejudice. He had faced charges at an administrative hearing of violating the Waterfront Commission Act because of an aggravated assault of his ex-girlfriend with a knife, among other allegations. Reta was a maintenance worker at Maher Terminals, LLC, in Port Elizabeth, New Jersey. On January 31, 2017, in the Superior Court of New Jersey, Hudson County, he was indicted on charges that included Aggravated Assault. As a result of the indictment, the Commission suspended Reta’s registration as a maintenance worker pending an administrative hearing. On October 10, 2017, in the Superior Court of New Jersey, Hudson County, Reta pled guilty to Aggravated Assault-Cause Injury with Weapon-Reckless, a crime of the fourth degree. On December 1, 2017, the Court sentenced Reta to a year of probation and anger management counseling. After his criminal conviction, Reta still faced charges at an administrative hearing before the Commission. He was charged with violating the Waterfront Commission Act because of the aggravated assault, the resulting conviction, theft of a cellular phone belonging to the assault victim, and fraud, deceit, or misrepresentation during a sworn interview at the offices of the Commission. Following his surrender with prejudice, Reta is barred from working in the Port of New York-New Jersey.

May 14, 2018 – Port Watchman’s License Revoked for Fleeing the Scene of an Accident and Filing False Insurance and Police Reports.

The Commission revoked the license of Michael Mesquita of Jamaica, Queens, a Port Watchman as a port watchman, following a hearing before an Administrative Law Judge. Mesquita was charged by the Commission with leaving the scene of a February, 2015 motor vehicle accident in Jamaica, Queens, without exhibiting his license and insurance identification to the driver of the other car involved in the accident, filing false insurance and police reports in which he claimed that his car had been stolen prior to the accident, and committing fraud, deceit or misrepresentation in connection with an interview under oath conducted by the Commission about the accident in which Mesquita denied driving his car at the time of the accident. Following an investigation by the NYPD after the accident, Mesquita was

initially arrested for Insurance Fraud in the Third Degree and Falsifying Business Records in the First Degree, both felonies in New York. The Queens District Attorney's Office subsequently adjourned the case in contemplation of dismissal. In examining the underlying circumstances, the ALJ found that "Respondent had many opportunities to tell the truth, but instead concocted lies...for which he was eventually caught." The ALJ found that Mesquita lacked good character and integrity, which is required of a port watchman, and recommended revocation of his license. The Commissioners adopted the ALJ's findings and recommendation.

May 29, 2018 – Checker Registration Revoked for Fraudulent Loan Application from Pension Fund and For Lack of Good Character and Integrity.

The Commission revoked the registration of checker of Benvenuti Pugliese of Newark, NJ, following a hearing before an Administrative Law Judge. The ALJ found that Pugliese obtained over \$30,000 from the Prudential Pension Fund by submitting fraudulent documents in support of a loan application to purchase property. Pugliese provided the Prudential Pension Fund with a phony purchase agreement for property located at an address that did not exist. The fraudulent document included false information about the supposed property's sellers, attorney representation and realtor location. Pugliese was assisted in the preparation of the fraudulent document by another checker Ann Marie Ceballos. Based on a preponderance of the evidence submitted, the ALJ found that the Commission proved that Pugliese lacked good character and integrity when he submitted false information, and recommended revocation. The Commissioners adopted the ALJ's findings and recommendation.



June 1, 2018 – Checker Dock Boss Surrenders Registration with Prejudice after Being Charged with Association with Convicted Racketeer and Genovese Soldier Stephen DePiro

The Commission accepted the request of Patrick Cicalese of Roseland, New Jersey, to surrender his registration with prejudice as a Checker Dock Boss at Maher Terminal. Cicalese had been charged in a Notice of Hearing with association with Stephen DePiro, a convicted racketeer and Genovese Soldier. Cicalese surrendered his registration following an Administrative Law Judge's determination that court ordered wire-tap conversations between Cicalese and DePiro as well as



Patrick Cicalese

Stephen DePiro
Genovese Soldier

DePiro's girlfriend, could be used in evidence at the hearing. Cicalese was first registered with the Commission as a checker in 1969. Records for 2017 show that as a Dock Boss, who received a "special package" agreement from Maher, Cicalese was paid over \$487,000. DePiro was convicted in 2015 of Extortion Conspiracy in connection with his role in a decades-long scheme to extort Christmastime tribute payments from members of the International Longshoremen's Association on behalf of the Genovese Organized Crime Family.

June 11, 2018: Checker Registration Revoked for Fraudulent Loan Application from Pension Fund.

The Commission revoked the registration of checker Ann Marie Ceballos of Linden, NJ, following a hearing before an Administrative Law Judge and her appearance before the Commissioners. The ALJ found that Ceballos has conspired with and assisted fellow checker Benvenuti Pugliese in obtaining over \$30,000 from the Prudential Pension Fund by submitting fraudulent documents in support of a loan application to



purchase property. The documents submitted to the Prudential Pension Fund included a phony purchase agreement for property located at an address that did not exist and false information about the supposed property's sellers, attorney representation and realtor location. The ALJ found that Ceballos lacked the requisite good character and integrity required of a checker when she assisted in submitting the false information, and recommended that her registration be revoked. After hearing further testimony Ceballos, the Commissioners adopted the ALJ's findings and recommendations. Ceballos has previously posted a photograph on Twitter by using her then married name, showing her checker father and then checker husband Joseph Donnelly at work, with the following caption: "Can you believe this is what I get paid to do every day? Lmao! Crazy but true!!!" Joseph Donnelly was denied reinstatement after decasualization after he presented a forged doctor's note.



June 11, 2018: Port Watchman Application Denied for Fraud, Deceit and Misrepresentation and Lack of Good Character and Integrity.

The Commission denied the port watchman application of Michael Postorino, of Sparta, NJ, following a hearing before an Administrative Law Judge. The ALJ found that Postorino lacked the good character and integrity required of a port watchman and had committed fraud, deceit or misrepresentation, when he falsely indicated on his sworn application that he had never been arrested, when in fact he had been arrested in New Jersey and Florida. The ALJ further found that Postorino committed fraud, deceit or misrepresentation during his sworn Commission interview, where he once again denied his prior arrest history. After considering the entire record, the Commission adopted the ALJ's findings and recommendation.

June 25, 2018: Reefer Mechanic Supervisor Barred from Waterfront for Association with Organized Crime Figures.

The Commission unanimously ordered the removal of Frank Ferrara, of Marlboro, NJ, from the waterfront. Port Newark Maintenance & Repair, LLC had employed Ferrara as a reefer mechanic with a supervisory role over the delivery and maintenance of refrigerated containers containing valuable cargo. Ferrara was the recipient of a "special package" from PNMR and in 2016 received \$355,359.50 in compensation. Following a hearing before an Administrative Law Judge, the Commission found that Ferrara had associated with the following organized crime figures who had been convicted of racketeering activities:

- Pasquale "Patty the Clubber" Falcetti, Sr., a capo in the Genovese crime family. Falcetti had been convicted of defrauding the employee pension and welfare fund for longshore workers. Evidence presented during the hearing included telephone calls between Ferrara and Falcetti recorded by the FBI via wiretap warrant. The ALJ wrote that the pattern of the wiretapped conversations between Ferrara and Falcetti "reveals two men with sincere regard to each other." Also presented during the hearing were recorded telephone calls between Falcetti, incarcerated in federal prison, and his son in which Falcetti referenced Ferrara as someone with whom his son should stay in touch as part of an effort to obtain a job on the waterfront. The ALJ wrote that Ferrara "remained good friends with this soldier

of organized crime, who violated a position of trust and exploited Respondent and his union brethren by embezzling funds from their benefit plan.” The ALJ found that a “reasonably objective person may question the Respondent’s loyalty to his work as opposed to Falcetti, a made member of an organized crime family closely associated with waterfront corruption.”

- Andrew Gigante, an associate of the Genovese crime family and the son of the crime family’s late boss Vincent “The Chin” Gigante. Expert testimony during the trial revealed that Gigante had served as a messenger between his father and Falcetti regarding ILA matters. The ALJ noted that Gigante “helped his father to exploit workers at the piers.” The ALJ found that the “undeniable personal bond between Ferrara and Andrew Gigante and the uncontroverted power over waterfront labor and industry exercised by the Genovese crime family, particularly during the reign of Vincent Gigante, helped by his son, Andrew, establishes an inimical association with Andrew Gigante.” The ALJ further found that a “reasonable objective observer could believe that the association with Andrew Gigante, and his blood ties to the crime family and its’ waterfront criminal domain, could influence Respondent in his capacity as a registered longshoreman.”
- Carmine “Little Carm” Della Cava, a soldier of the Genovese crime family. The ALJ noted that Della Cava was “a personal friend” of Ferrara. The Commission found that this close association with a soldier in the crime family dominating crime on the New Jersey piers was inimical to and in violation of the Waterfront Commission Act.

The ALJ further wrote that Ferrara “enjoys a position of high trust, like that of a foreman, in a highly valuable, sensitive and vital area of port commerce, the efficient maintenance and delivery of refrigerated containers.” The ALJ wrote, “Organized crime corruption, even the reasonable perception of such, risks potential disruption of the integrity of refrigerated container commerce.” The ALJ further found that Ferrara had committed fraud, deceit, or misrepresentation in connection with a sworn interview in which he falsely denied associating with anyone who is a member or

associate of an organized crime group. The Commission adopted the findings of the ALJ and ordered the immediate revocation of his waterfront registration.



Frank Ferrara

**Pasquale Falcetti
Genovese Capo**

**Carmine Della Cava
Genovese Soldier**

**Andrew Gigante
Genovese Associate**