



# Department of Investigation

## *Press Release*

Release #037-99

### **QUEENS CONTRACTOR & FOREMAN ARRESTED IN DOI BRIBERY "STING"**

WEDNESDAY, JUNE 30, 1999 -- EDWARD J. KURIANSKY, Commissioner of the Department of Investigation (DOI), today announced the felony arrest of GERARD TULLY SR., the sole owner of Tulger Construction Company, Inc., a Whitestone, Queens-based general contracting firm, and ANNIELLO AMBROSIO, the company's construction foreman, in connection with payoffs made to a City Department of Transportation (DOT) inspector and a DOI undercover detective during a \$400,000 street reconstruction job in Astoria, Queens.

According to Commissioner Kuriansky, DOI initiated an investigation when a DOT Highway and Sewer inspector reported that, in January 1997, he was offered a "gift" by AMBROSIO in connection with a street reconstruction job that Tulger Construction was performing on 21st Street in Astoria. The inspector, having refused the offer, agreed to cooperate with DOI in an undercover investigation. Thereafter, on February 20, 1997, the inspector, wearing a concealed recording device, met again with AMBROSIO, who offered the inspector \$100 to stay away from the Tulger work site and not to issue the company any summonses for violating either the City's Administrative Code or DOT rules and regulations. The inspector told AMBROSIO he would only refrain from writing summonses for violations that did not jeopardize public safety. Four days later, AMBROSIO gave the inspector the \$100 cash payoff.

Subsequently, a DOI undercover agent, posing as an individual with DOT "connections," had several conversations with AMBROSIO's boss, TULLY, in which they discussed whether the undercover could void various non-safety DOT summonses issued at Tulger work sites in exchange for payoffs equal to a percentage of the fines. Thereafter, TULLY paid the undercover \$250 on March 24, 1997, to void 4 summonses, totaling \$1,000 in fines, and then paid him \$350 on April 8, 1997, to void 4 summonses, also totaling \$1,000 in fines. The summonses, which had all been issued to Tulger's Astoria work site by the DOT Highway Inspection and Quality Assurance office, were for such violations as storing equipment without a permit, failing to post a flag person, not removing dirt from the site, and not having the temporary pavement flush with the street.

GERARD TULLY SR., 71, of 41 Harbor Road, Sands Point, New York, was charged with Attempted Tampering with Public Records in the First Degree, a Class E felony punishable by up to 4 years in prison, and Conspiracy in the Fifth Degree, a Class A misdemeanor punishable by up to 1 year in prison. TULLY is the sole owner and president of Tulger Construction Company, Inc., located at 150-45 Cross Island Parkway, Whitestone, New York.

ANNIELLO AMBROSIO, 57, of 29 Dixie Lane, East Islip, New York, was charged with Bribery in the Third Degree, a Class D felony punishable by up to 7 years in prison.

The investigation was conducted by Ronald P. Calvosa, DOI's Inspector General for DOT, and members of his staff, including Deputy Inspectors General Mary Piechocki and Victoria Abad Curran, and Assistant Inspector General John M. Bellanie. Additional assistance was provided by former Detective Anthony Mazzaro of the DOI Investigative Squad.

The Office of Queens County District Attorney Richard A. Brown is prosecuting the case. Assistant District Attorney Yvonne Creque, of the Integrity Bureau, which is under the supervision of Assistant District Attorney Vincent J. Carroll and Executive Assistant District Attorney Robert D. Alexander, is handling the matter.

Members of the public are reminded that a complaint is merely an accusation and is not evidence of guilt. Every defendant is presumed innocent and is entitled to a fair trial in which it is the government's burden to prove guilt beyond a reasonable doubt.