



The City of New York  
Department of Investigation

MARK G. PETERS  
COMMISSIONER

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

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**CONTACT: DIANE STRUZZI  
(212) 825-5931**

**DOI INVESTIGATION LEADS TO ARREST OF CITY EMPLOYEE ON CHARGES OF  
STEALING GASOLINE FROM CITY SANITATION GARAGE**

MARK G. PETERS, Commissioner of the New York City Department of Investigation ("DOI"), announced the arrest today of a plumber with the City Department of Sanitation ("DSNY") on charges of stealing 240 gallons of gasoline during a six-month period from a Staten Island Sanitation garage where he worked. The office of Richmond County District Attorney Daniel M. Donovan, Jr., is prosecuting the case.

DOI Commissioner Mark G. Peters said, "This City worker undermined the public trust and potentially endangered his neighbors and himself, according to the charged conduct. As this investigation shows, public corruption can undercut public safety."

JOHN DIBERARDINO, 46, of Staten Island, surrendered today and was charged with Reckless Endangerment in the Second Degree, Petit Larceny, Criminal Possession of Stolen Property in the Fifth Degree, and Official Misconduct, all class A misdemeanors, and Criminal Nuisance in the Second Degree, a class B misdemeanor. Upon conviction, a class A misdemeanor is punishable by up to a year's incarceration and a class B misdemeanor is punishable by up to three months in jail.

On April 13, 2014, the New York City Fire Department responded to the defendant's Staten Island residence after it received a report of a smell of gasoline, and discovered 44 plastic, unsealed containers filled with gasoline in the rear and side yard of the defendant's residence. DOI was subsequently notified about the incident. A private vendor contracted by the defendant removed the gasoline from the residence.

According to the criminal complaint, DOI's investigation found that the defendant took approximately 200 gallons of gasoline from a DSNY garage on Staten Island for emergency purposes such as for another hurricane. The investigation determined that the defendant was on duty when he took the gasoline between October 2013 and April 2014, approximately five gallons at a time. The investigation determined the defendant did not have permission to remove this gasoline from DSNY.

DOI recommended that DSNY review and strengthen its internal controls surrounding fuel monitoring and safety.

The defendant has been an employee of DSNY since May 2001 and is currently employed as a DSNY plumber receiving an annual base salary of approximately \$84,000. The defendant has been suspended.

The investigation was conducted by DOI's Office of the Inspector General for the New York City Department of Sanitation.

Commissioner Peters thanked DSNY Commissioner Kathryn Garcia and Richmond County District Attorney Daniel M. Donovan, Jr., and members of their staffs, for their cooperation and assistance during the investigation.

A criminal complaint is an accusation. A defendant is 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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