

They escape submerged car



MOTHER KNEW BEST: "I'm still not sure how I got him out," Rebecca Smith said as she cradled son, Mitchell, 2, in Grand Rapids, Mich., hospital yesterday. Smith and the boy were trapped after their car landed upside down in the Coldwater River after a crash. Somehow she escaped and saved Mitchell, who is in satisfactory condition. AP

Bribe to union bared in trial

PATRICE O'SHAUGHNESSY and PATRICK CLARK

Daily News Staff Writers

A construction contractor testified reluctantly yesterday at the Colombo crime family racketeering trial about an offer he couldn't refuse: The chance to pay a \$15,000 bribe to a union official.

Anthony Rivara, 35, owner of Pile Foundation, said he paid a \$15,000 cash bribe in 1981 to former concrete workers union boss Ralph Scopo in Scopo's Queens office to avoid job site disruptions and personal harm.

The revelations came only after Rivara refused to answer questions about the bribe, citing his Fifth Amendment protection against self-incrimination.

But after a warning by Manhattan Federal Judge John Keenan that he faced jail for contempt, Rivara squirmed and said Scopo, who's accused of extortion, solicited the illicit payoff as Rivara's firm began foundation work for a Delta Air Lines terminal at LaGuardia Airport.

The defendants in the Manhattan Federal Court trial include reputed boss Carmine Persico, alleged underboss Gennaro Langella and eight other family members or associates. Scopo, the accused collector

and bagman for \$125,000 in construction industry bribes, was severed from the case due to illness last month. He'll be tried later.

Rivara was asked by Assistant U.S. Attorney Aaron Marcu if he was afraid of Scopo.

"Of course I was frightened, I was scared s---," he replied. "I didn't want to go and sit with three or four guys with big necks."

At that, the entire courtroom—including Persico and Langella—burst into laughter.

Rivara said he initially had refused to pay Scopo, prompting a "very unusual two second" visit at the muddy job site from the construction project managing contractor, who wore a three-piece suit.

"Go deal with Ralph Scopo," Rivara said he was told. "I called him right away."

Rivara said he was worried he would lose the job, because there was no signed contract, only a letter of intent.

Big Paul buried

Church bars funeral Mass

By MURRAY WEISS and CHARLES W. BELL

Daily News Staff Writers

Paul Castellano was buried secretly and in haste yesterday after Cardinal O'Connor refused to allow a Catholic funeral Mass for the head of the nation's largest crime family.

Castellano, who was shot to death along with his chauffeur late Monday outside a midtown Manhattan steak house, was not buried in a Catholic cemetery either, but in the nonsectarian Moravian Cemetery, in the New Dorp section of Staten Island, where many members of the Vanderbilt family are buried.

He was taken to the cemetery in an unmarked gray hearse, followed by about 25 cars, at 9:30 a.m., only a few hours after a wake attended by 300 mourners. It happened so quickly that police said they did not realize until later that Castellano's body had been removed from the Cusimano & Russo funeral home, in the Gravesend section of Brooklyn.

Stops at church

According to police, the hearse stopped once—outside the Blessed Sacrament Church in the Castleton section of Staten Island, which has Bishop Patrick Ahern as pastor. A church employe said that Ahern was not present but declined to say if any of his assistants blessed the body.

At about the same time, according to police, the body of Thomas Bilotti, who was gunned down with Castellano, was taken from the Azzarao Funeral Home on Staten Island and driven to Moravian Cemetery. A spokesman for the funeral home said Bilotti's family had asked for a burial without any services.

Cemetery employes refused to say where Castellano and Bilotti were buried and reporters found seven new grave sites but no headstones.

About an hour after the burials, a spokesman for the Archdiocese of New York said that O'Connor—"after a great deal of prayer"—had decided not to allow a funeral Mass for Castellano, the brother-in-law of the late Carlo Gambino and his successor as mob chief.

Regret the pain

"Out of deference to church law and out of deference to hundreds of thousands of people who can legitimately assume that we condone syndicated crime or are apathetic to it, we must make our position clear, and we regret any pain that this causes any family," said a statement issued in O'Connor's name.

Daily News reporters Frank Faso, Mary Engels and Bill Farrell contributed to this story.

FILM MAKER TIED TO MOB

He's indicted in \$5M scam

By DANIEL HAYS

Daily News Staff Writer

Federal authorities yesterday charged the movie producer son of reputed mob underboss John (Sonny) Franzese with heading a rackets group that raked in \$5 million from "sophisticated" financial schemes that victimized major corporations and state governments.

Accused in a 28-count indictment that also named eight others including a lawyer and an accountant, was Michael Franzese, 34, of Brookville, L.I. Police identify his father as a Colombo crime family underboss. The charges followed a three-year investigation by a dozen federal, state and local agencies.

Franzese, whose movies have included "Mausoleum," "Night of the Zombies," and "Savage Streets," was accused in 21 separate schemes including one that beat New Jersey out of \$3 million in gasoline taxes, and others that victimized such blue-chip corporations as Mobil Oil, Chemical Bank, Beneficial Finance and Chubb and Son Inc.

Says group used threats

Despite its sophistication, the "Franzese group" had not hesitated when necessary to use threats of violence, Brooklyn Organized Crime Strike Force Chief Edward McDonald said. He charged that Franzese had also used his movie companies to launder \$1.5 million in illicit funds.

According to authorities, several major ripoffs were pulled off by the group. These were said to include convincing the Union Indemnity Insurance Co. to post a bond guaranteeing a gasoline distributorship would pay taxes. The firm, Houston Holdings, failed to pay \$3,082,721 in motor fuels taxes. Union Indemnity is now in receivership.

Another victim listed in the indictment was the Health and Welfare Fund of the Allied International Union

of Roslyn Heights, L.I. The group, which allegedly included some of the union leadership, was said to have embezzled more than \$500,000 from the fund.

8 others charged

The others charged were: Louis Fenza, 34, of Jericho, L.I., president of the Allied International Union and manager of the union's welfare fund; Frank Castagnaro, 40, of Amityville, L.I.; Frank Cestaro, 46, of North Bellmore, L.I.; Walter Doner, 53, of Ronkonkoma, the president of Rumprik Chevrolet.

Harold Sussman, 44, of East Meadow, L.I., accountant for many of the group's 18 corporations; Gerard Nocera, 59, of Wyckoff, N.J., a vice president of Beneficial Commercial Corp.; Anthony Tomasso, 46, of Coral Springs, Fla., a former fund manager of the Allied union's welfare fund, and the union's lawyer, Mitchell Goldblatt, 49, of Brooklyn.

If convicted of the racketeering charges in the indictment, which also charges embezzlement, wire fraud, mail fraud, extortion and obstruction of justice, the defendants would face up to 20 years in prison.

Dog attacks kids

POCATELLO, Idaho (UPI)—A bulldog attacked 11 children playing during a school recess at Lewis and Clark Elementary School here, injuring two students before it was taken to the pound.

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