

Two Indicted In Gas Tax Fraud Scam

By Pete Bowles

Two men who own 22 independent service stations in the five boroughs of New York were indicted yesterday on charges of **defrauding** the state out of about \$9 million in gasoline sales taxes.

Officials described the alleged scam as the largest sales-tax **fraud** in state history.

Named in separate indictments in U.S. District Court in Brooklyn were Oscar Porcelli, 50, of Kings Point, L.I., who was charged with 64 counts of mail **fraud**, and James Garcia Sorrentino, 52, of Manhattan, 61 counts of mail **fraud**. They face up to five years' imprisonment and a \$1,000 fine on each count.

In announcing the indictments, U.S. Attorney Raymond Dearie and state Attorney General Robert Abrams said the case involved the underreporting on tax returns of about \$110 million in gasoline revenues.

They said that since 1981, when the state began investigating allegations that gasoline operators in the metropolitan area had been underreporting

revenues, 84 operators have been convicted of violating state law by filing false sales-tax returns.

Dearie said that between 1976 and June 1, 1979, the two men — partners in the ownership of 14 stations — underreported gasoline sales by more than \$13.5 million, resulting in a loss to the state of \$1.08 million in sales-tax revenues.

In 1979, the men ended their partnership and divided their interests, each taking seven stations. They acquired additional stations over the years.

According to the indictments, Porcelli's 12 stations underreported gasoline sales by more than \$60 million between 1979 and 1982, resulting in \$4.8 million in lost sales-tax revenues for the state. During the same period, Sorrentino's 10 stations underreported revenues by more than \$38 million, **defrauding** the state of \$3.09 million in sales taxes, it was charged.

Assistant U.S. Attorney William Muller said Porcelli and Sorrentino took steps to conceal their control of

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UPI Photo

Paying Respects to Maris Family

Ex-President Richard M. Nixon offers condolences to Pat Maris, widow of former Yankee Roger Maris, at services for her husband at St. Patrick's Cathedral yesterday. At center is Maris' daughter Sandra. (Story in Sports, Page 72.)

Bail Fought in M. Franzese Case

This story was reported by Carolyn Colwell and Robert E. Kessler and was written by Richard C. Firstman.

Federal prosecutors sought yesterday to have Michael **Franzese** and three associates held without bail on federal **racketeering** charges, claiming that **Franzese** had discussed bribing a parole official and killing a federal

probation officer and the son of a key government witness.

Defense attorneys, meanwhile, unsuccessfully tried to get U.S. District Court Judge Jacob Mishler to remove himself from the case, contending that Mishler would be biased against Michael **Franzese** because he had presided over a case involving **Franzese's** father, reputed organized-crime figure John **Franzese**, 19 years ago.

The action came during a hearing in U.S. District Court in Uniondale, L.I., to determine if **Franzese** and others indicted last week on federal **racketeering** charges should be held in "preventive detention" until their trial next year because they are too dangerous to be freed on bail.

Franzese, 34, of Brookville, L.I., was charged in New York and Florida last week with organizing assorted

schemes to **defraud** large companies and the government of Florida of millions of dollars. Among the 33 persons alleged to have helped **Franzese** carry out the plots were two Long Island men, Frank Cestaro, 46, and Frank Castagnaro, 40.

Mishler reserved decision on the detention issue. The hearing was to continue today. A fourth defendant, Louis

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NEWSDAY, TUESDAY, DECEMBER 24, 1985

NY

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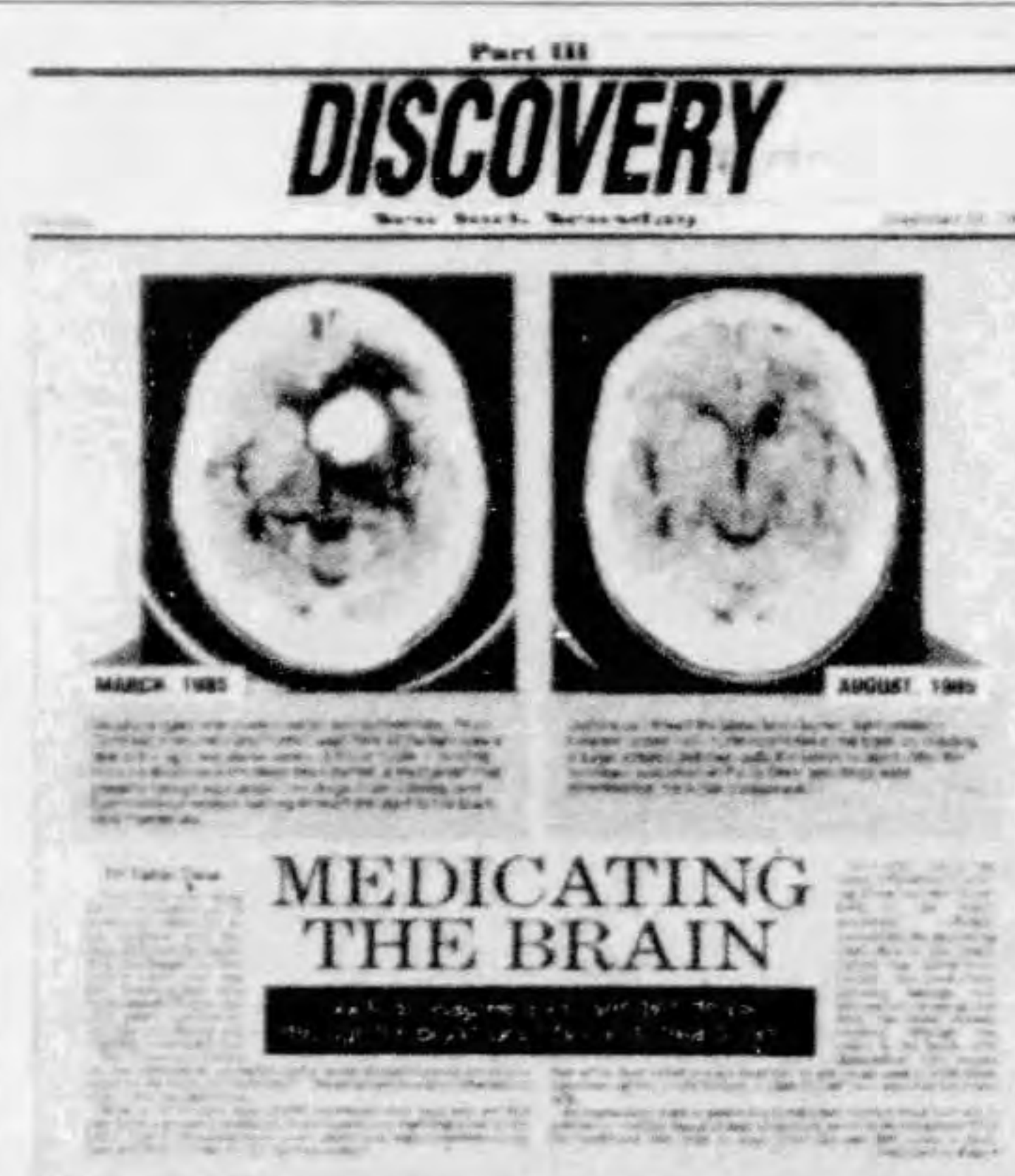
Movie, TV Listings

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Oh Silent Caroler. Sports columnist Joe Gergen tells of being consigned to the Bluebirds, who were invited to open their mouths in song as long as they remained silent.

Weather: Increasing clouds with a high near 40. Windy and colder tomorrow with a chance of snowshowers, high 30.



The Brain Barrier. Researchers are seeking new ways of overcoming the brain's natural defenses in order to treat infectious agents and tumors.

Lottery: Winners last night in N.Y. Lotto: 5, 7, 28, 34, 35, 36. **Numbers Game:** Yesterday's N.Y. number: 303. **Win Four** number: 0547.

THURSDAY

Bellevue:
'City of Care'
Bellevue Hospital approaches its
250th anniversary. **Part II**

Due to the holiday, Newsday will not be published tomorrow.

New York Newsday

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FOR MORE INFORMATION, CALL 718-454-9800.



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Legal Notices

the DORMITORY AUTHORITY — State of New York at said address prior to the above noted time and date will be considered. Bids shall be publicly opened and read aloud. Complete sets of all Contract Documents may be requested from the Dormitory Authority — State of New York, 11 West 42nd Street, (29th Floor), New York, New York 10036, Attention: Mr. Joseph Ragio, Associate Architect for Rehabilitation, telephone area code (212) 944-3600.

Failure to provide Bid Security as indicated on the Information for Bidders will result in the rejection of your bid.

For the convenience of prospective bidders, subcontractors and material suppliers, Contract Documents will be placed on display as follows:

Dodge Reports
c/o F.W. Dodge Corporation
Paramount Plaza Building
1221 Avenue of the Americas
New York, New York 10020
Contractor's Training Development Office (CTDO)
1501 Broadway
New York, New York 10036
Brown's Letters, Inc.
163 Stuyvesant Avenue
Lyndhurst, New Jersey
Hunter College
Office of Campus Planning
695 Park Avenue
New York, New York 10021
Attn: Mr. Theodore Rieper
Christopher H. Richmond
Executive Director
December 18, 1985

Too Late To Fix Lotto Goof

Albany (AP) — There was probably an unintended error that may have changed the outcome of the Aug. 31 state Lotto drawing for \$3.5 million, but it's too late to do anything about it, the state lottery director said yesterday.

The apparent error involves the ball marked with the number 24 in the Lotto 48 drawing. The winner of the Lotto drawing is selected when a machine blows six oversized Ping-Pong balls, each marked with a different number from 1 to 48, into compartments. The first prize goes to anyone with all six numbers. The number 24 ball apparently became stuck.

"There was no dishonesty or chicanery involved on the part of any individual," Lottery Director John Quinn told a press conference. "There was no tampering with any of the balls, before, during or after" the lottery drawing, he said.

Because of that, the drawing in which Charles Goetz of Valley Stream, L.I., won the \$3.5-million prize won't be invalidated, even though as many as nine other people might have won the top prize if there were no error, he said.

"Do they run the horse race over or do they play the NFL game over" if an error is spotted on a call long after the fact? Quinn asked.

Marvelous
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Marvin Kitman makes a living watching TV...and you'll get a laugh out of it. Get his witty view of the world behind the small screen and the offerings aired on it every day in

Newsday

U.S. Fights Bail For Franzese

—Continued from Page 2

Fenza, 34, of Jericho, L.I., was freed on a \$250,000 surety bond.

The star witness at the unusual hearing was Lawrence Iorizzo, the former head of the New York-based Vantage Petroleum Corp. Iorizzo testified that Michael Franzese and an associate threatened to have his son killed if Iorizzo didn't flee the country after his conviction on tax-evasion charges. Franzese and his attorney, John Jacobs, have repeatedly claimed Iorizzo is lying about Franzese in order to receive favorable treatment by prosecutors.

Iorizzo testified that during one meeting he attended, Franzese and Cestaro had discussed killing a probation officer and bribing a member of the federal parole commission. Both federal officers were involved in the case of Franzese's father, John, whom Mishler sentenced to 50 years in prison in 1968 for conspiring to rob banks.

The elder Franzese, who was paroled in 1978 and later returned to prison for several months in 1982 for parole violation, sat in the courtroom with his wife, Christina, as Iorizzo testified about Michael Franzese, who was flown to New York yesterday afternoon from Florida. Michael Franzese, wearing a black and white striped shirt, jeans and white sneakers, was released on bail Friday after being charged with gas-tax evasion the same day as the federal racketeering charges.

Iorizzo testified that during one meeting at his office at Vantage Petroleum, Michael Franzese and Cestaro discussed killing James Stein, a probation officer handling the elder Franzese's case. "Mr. Stein was creating a lot of problems for Mr. [John] Franzese," Iorizzo said. But he did not testify as to the seriousness of the threat.

Prior to the preventive-detention hearing, Mishler rejected requests from defense lawyers that he remove himself from the case because, the lawyers argued, his experience with the elder Franzese would make him biased against the stepson.

Legal Notices

L-1674

Notice to Bidders

Sealed bids will be received by the Board of Fire Commissioners of the New Hyde Park Fire District, 1555 Jericho Turnpike, New Hyde Park, until 8:00 P.M., December 30, 1985, at which time and place said bids will be publicly opened and read for the following:

Approximately 15,000 gallons No. 2 fuel oil to be delivered to three Fire District locations during 1986 on an automatic delivery basis.

Service repair contract, covering both labor and parts and including annual cleaning of the heating plants at the same three locations to be included.

The Board of Fire Commissioners reserves the right to reject any and all bids and to accept the bid which it deems most favorable for the interest of the District.

BOARD OF FIRE COMMISSIONERS
NEW HYDE PARK FIRE DISTRICT

L-1677

PLEASE TAKE NOTICE

that the Board of Trustees of the Village of Great Neck Plaza invites bids for the removal and disposition of garbage, ashes, rubbish and other waste material from the Village beginning March 1, 1986 for (a) a one year period, (b) for a two year period, or (c) for a three year period.

Information for bidders, proposal and bid bond forms and contract forms may be obtained from the Village Clerk, Plaza Centre, Great Neck, N.Y. in said Village after December 30, 1985. All bid proposals must be on the official forms obtained from the Village Clerk as aforesaid.

All bids must be sealed and submitted to the Village Clerk, Plaza Centre, Great Neck, N.Y. on or before 11:00 A.M., January 14, 1986 (no later) at which time all bids so received will be publicly opened and read by the Village Clerk.

The Village reserves the right to award either a one year, two year, or three year contract, to reject any or all bids and to award the contract to the lowest responsible bidder able to furnish the necessary security.

Bidders must present proof of their familiarity and experience in this type of work, and failure to present such proof or evidence that the bidder has performed satisfactory work of similar type in other communities will be cause for rejecting the bid.

This contract will be awarded as soon as possible after all bids have been examined and checked and within 21 days from the bid opening.

BY ORDER OF THE
BOARD OF TRUSTEES
VILLAGE OF GREAT NECK PLAZA
Allan J. Gussack, Mayor
Annette Bergman, Clerk-Treas.

Legal Notices

L-1678

PLEASE TAKE NOTICE

that the Board of Trustees of the Village of Great Neck Plaza invites bids for supply, maintenance and emptying on demand of a 30 cubic yard roll off rubbish container to be placed in the Village's Department of Public Works yard facility located at 2 Plaza Centre, Great Neck, N.Y. beginning March 1, 1986 for (a) one year period, (b) a two year period, or (c) a three year period.

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BY ORDER OF THE
BOARD OF TRUSTEES
VILLAGE OF GREAT NECK PLAZA
Allan J. Gussack, Mayor
Annette Bergman, Clerk-Treas.

The Notice to Bidders, and all other contract documents, may be examined at the Dormitory Authority in Elmsmere, New York (518) 474-2534, and copies thereof obtained. CHRISTOPHER H. RICHMOND
EXECUTIVE DIRECTOR
DATED: December 19, 1985

L-1673

NOTICE TO VENDORS

DORMITORY AUTHORITY — STATE OF NEW YORK (Owner)

BID NUMBER 4830 85

Sealed bids for CUNY LAW SCHOOL AT QUEENS COLLEGE, 200-01 42nd AVE., BAYSIDE, N.Y. 11361, will be received by the Dormitory Authority - State of New York Purchasing Department, Normanskill Boulevard, Elmsmere, New York, bearing on the outside the name of the Bidder, his address, and designated as bid for:

METAL STORAGE SHELVING (CLIP TYPE OPEN)

Only those bids in the hands of the Owner available to be read at 2:30 P.M. on JANUARY 7, 1986 will be considered and then at such office publicly opened and read aloud.

Legal Notices

The Notice to Bidders, and all other contract documents, may be examined at the Dormitory Authority in Elmsmere, New York (518) 474-2534, and copies thereof obtained. CHRISTOPHER H. RICHMOND
EXECUTIVE DIRECTOR
DATED: December 19, 1985

L-1676

NOTICE TO BIDDERS

Sealed proposals will be received by Sanitary District No. 7, Town of Hempstead, at the office, 90 Mott Street, Oceanside, New York until 5:15 P.M. on Thursday, January 2, 1986 (at which time they will be publicly opened), for the furnishing of --- TWO (2) NEW 1986 Mack Model R685P Diesel Automatics, equipped with Leach 20 cu. yd. 2-R11 Packmaster body and Michelin R11-00 x 20 tires - (OR EQUAL) - in accordance with the standardization resolution adopted by the District. Specifications on file in the District office at the above address.

BID PRICES:

All bids must be on bidding sheets furnished by Sanitary District No. 7, subject to all the terms and conditions stated therein. Said bidding sheets may be obtained between the hours of 9:00 A.M. and 4:00 P.M. on every business weekday at the District office, 90 Mott Street, Oceanside, New York. The Commissioners of Sanitary District No. 7 reserve the right to accept or reject any or all bids.

By order of the Board of Commissioners
Sanitary District No. 7
Town of Hempstead
Dated: December 18, 1985

L-1675

NOTICE TO BIDDERS

DORMITORY AUTHORITY — STATE OF NEW YORK (OWNER)

HUNTER COLLEGE WEST BUILDING H.V.A.C. WORK B & E No. 84-37

Sealed bids for H.V.A.C. Work, Modifications to the Kitchen Exhaust System, located at Hunter College, 68th Street and Lexington Avenue, New York, New York will be received by the DORMITORY AUTHORITY - State of New York prior to 2:00 p.m. local time on January 16, 1986, at the Dormitory Authority - State of New York, 11 West 42nd Street (29th Floor) New York, New York 10036, bearing on the outside the name and address of the bidder and designated as bid for:

HUNTER COLLEGE WEST BUILDING Modifications of Kitchen Exhaust System H.V.A.C. WORK

Only those bids in the hands of