

Cops Unearth Missing Mobster's Body

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Gotti's Trial Won't Move Up

By Pete Bowles

STAFF WRITER

A federal judge yesterday rejected a defense motion to move up the racketeering trial of reputed mob boss John Gotti and ordered that jury selection begin Jan. 20.

U.S. District Court Judge I. Leo Glasser in Brooklyn said he could not try the case on Nov. 18, as Gotti's attorney had requested, because of a heavy case load and other commitments he has for the rest of the year.

Gotti's new trial attorney, Albert J. Krieger of Miami, had asked that the trial be moved up. He said he had rescheduled other trials and was now prepared to begin Nov. 18.

"I felt I could comply with Mr. Gotti's request, desire and hope that he could get his case tried as quickly as possible," Krieger told the court. On Nov. 18, he noted, "Mr. Gotti at that time will have been confined for 11 months, far exceeding anything contemplated by the Speedy Trial Act."

During the 90-minute pretrial conference, Glasser angrily accused attorneys for both sides of "posturing" for the benefit of reporters and admonished Assistant U.S. Attorney John Gleeson for providing the press with copies of public records filed with the court.

"I don't run a news service," Glasser bellowed, saying his office had been bombarded by requests for court documents from the news media. "There's a clerk's office for things to be filed. That's where they [reporters] ought to go for things they seek."

Gleeson, agreeing that "press inquiries are overwhelming," said he would comply.

In other action, Glasser granted a government motion to try reputed mob captain Thomas Gambino separately from Gotti and two other defendants, alleged Gambino underboss Frank Locascio and reputed consigliere Salvatore Gravano. Gambino's attorney, Michael Rosen, said he was not opposed. Gotti, Locascio and Gravano, who have been in jail since their arrests Dec. 11, are all charged with murder; Gambino is charged with gambling, loansharking and obstruction of justice.

By Pete Bowles

STAFF WRITER

A body believed to be that of an alleged crime captain who disappeared two years ago was uncovered in a shallow grave in Queens yesterday, within five feet of where a government informant said his body would be found.

Authorities tentatively identified the victim as Thomas Ocera, an alleged Colombo organized crime family captain and Merrick, L.I., restaurant owner who vanished in November, 1989. Ocera was indicted in 1990 on charges of leading a Long Island loansharking ring. Prosecutors at the time said they believed that he was either dead or in hiding.

A man accused of taking part in Ocera's murder was arraigned yesterday before a federal magistrate in Brooklyn. Harry Bonfiglio, 60, was ordered held without bail after Assistant U.S. Attorney Leo Laufer said mob bosses had issued a contract on Bonfiglio's life.

Bonfiglio, of Middle Village, Queens, was charged with participating in the murder of Ocera and with directing a small narcotics operation that netted him \$600 a week. U.S. Magistrate A. Simon Chrein ordered that Bonfiglio be confined to the Metropolitan Correctional Center in Manhattan pending a bail hearing next Wednesday. He faces life in prison if convicted in the murder.

The body was found in a Forest Park, a large park in central Queens, the upper torso only about two feet below ground, prosecutors said.

In a court affidavit, FBI Agent Christopher Favo said a confidential witness told him that "Ocera was murdered on the order of Colombo family boss Victor Orena because Ocera had skimmed payoff money he had collected from a private sanitation company for Orena."

At the arraignment, Laufer said Bonfiglio did not kill Ocera but did transport the body to the grave site and helped bury it. Laufer said Bonfiglio, in a conversation secretly recorded by the informant, said he did not get any money for his role in disposing of the body.

Laufer quoted Bonfiglio as saying on the tape that he drove "all the way from Long Island to here with a stiff in the back, a murder victim, hundred ——— years I would have got for that. They would have melted the ——— key."

In asking that Bonfiglio remain in jail for his own safety, Laufer said, "Within the last 15 hours, these people have determined that Mr. Bonfiglio needs to be eliminated."

Authorities refused to identify the confidential informant. But Suffolk County prosecutors earlier this year disclosed that Michael Franzese, a former Colombo crime captain, was cooperating with a number of criminal investigations and was prepared to provide testimony about Ocera.

Ex-Luchese Boss Said to Be Helping FBI Investigation

By Peg Tyre

STAFF WRITER

The Luchese crime family, torn by internal strife, was dealt another blow last month when Alfonse D'Arco, its former acting boss, struck a deal to cooperate with the FBI, sources say.

FBI spokesman Joseph Valiquette refused to comment. But FBI sources confirmed a published report yesterday that D'Arco had agreed to talk to authorities.

Agents said D'Arco decided to cooperate after Luchese capo Peter Chiodo, who survived a slaying attempt in May, became a government witness and testified last month in the federal labor-racketeering trial known as the Windows Case.

D'Arco was held responsible for the botched hit on Chiodo, sources said, and earned the disfavor of Luchese bosses after he had three family associates killed after taking over as acting boss in May, 1990.

"He lost his standing in the family," said one investigator. "He knew it was only a matter of time before someone tried to take him out."

The sources yesterday downplayed suggestions that D'Arco would testify about alleged connections between the Luchese family and Asian heroin suppliers.

"It is more likely he will be used to make the case against Vic Amuso and Gas," said one investigator, referring to Anthony Casso.

Amuso and Casso fled a federal indictment in the Windows Case in May, 1990. Amuso was arrested 14 months later in Pennsylvania. Casso remains a fugitive.

City's Water Pollution Plan Behind Schedule

By William Bunch

STAFF WRITER

New York City is running at least six months behind schedule in carrying out its ambitious proposal to prevent pollution and overdevelopment at the rural, upstate reservoirs that supply 90 percent of its drinking water, city environmental officials said this week.

The city's Environmental Protection commissioner, Albert Appleton, said the city won't make its December deadline for finalizing the new antipollution regulations, largely because of ongoing ne-

gotiations with upstate residents who have opposed the new guidelines, feeling they are too strict and likely to drive away industry and jobs.

Acknowledgement of the delay comes as an upstate environmental group, the Hudson Riverkeeper Fund, and two environmentalists released a report yesterday criticizing the city, as well as upstate towns, for not doing enough to ensure top quality drinking water for New York City.

The report found, for example, that water inspectors and water police from

the city Department of Environmental Protection are understaffed and not productive in thwarting polluters. It noted that two upstate officers spend a half-day each week delivering overtime cards to New York City while a sergeant travels to Manhattan to pick up the payroll.

"They still spend their days focused on trivialities," said Robert Kennedy Jr., who works with the city-based Natural Resources Defense Council and is one of the authors of the report.

"It's true — except it's old news, what used to go on," said Ian Michaels, a DEP

spokesman, who said the city is reorganizing the upstate police and inspectors and will present the plans to Albany by Nov. 30.

The six reservoirs of the Delaware and Catskill watershed supply 90 percent of New York City's massive 550-billion-gallon water system. The other 10 percent comes from the Croton reservoir system, which already is heavily developed and is getting a \$600-million filtration plant because of water pollution.

Appleton said the city is negotiating with upstate political and business leaders because "we want to make this as friendly to local residents as we can without sacrificing our water quality goals." He said he hopes to have the regulations in place by June, although other officials said this week the process could take longer.

There is a lot at stake in the upstate reservoir issue. If the cash-strapped city cannot develop an antipollution plan that will satisfy new state Health Department guidelines, it would be forced by a federal drinking-water protection law to spend an estimated \$4 billion to \$5 billion to build a new filtration plant, which would cost \$300 million a year to operate.

Appleton said the city still hopes to spend at least \$100 million to buy key parcels of land near the upstate reservoirs, but that money has not yet been allocated.

Teen Shoots Cop in Brooklyn

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fired once.

Massoni then walked to his patrol car and asked O'Sullivan to drive him to the hospital. Other officers searched the neighborhood and found McGregor about 8:38 a.m. hiding behind an adjoining building at 34 Lefferts Rd. Police recovered a .38-cal. Smith and Wesson military-style revolver in the lobby with four spent shells and two live rounds still left in its chamber.

Massoni, a nine-year veteran of the force, was promoted to sergeant on

March 26. He was assigned to the 71st Precinct just last week. He has received four commendations, 18 excellent and 20 meritorious police duty awards, according to his personnel records.

After arriving at the hospital, Mayor David N. Dinkins said "We've got to get through to young people that the resolutions of disputes must not be accomplished with guns. We cannot afford to have that kind of violence."

Police Commissioner Lee P. Brown said yesterday that a police program to educate elementary school students about the dangers of guns that began this week can perhaps "let the next

generation of youngsters know that guns are a deadly mistake . . . We can no longer ignore the fact that an increasing number of children are carrying guns."

Brown said that although Massoni was supposed to be wearing a bulletproof vest, it wouldn't have spared him because his wound was low in the abdomen.

Last month, Officer Hector Fontanez, 26, who had removed the back panel of his bulletproof vest, was killed in a street gun battle in the Bronx. Officials said he would have lived had he been wearing his vest properly.