

LONG ISLAND / NASSAU

Gillen calls for investigation of secret recordings in Sanitation Department



The secret recordings were part of an ex-Hempstead Town sanitation worker's lawsuit against the town and department. Photo Credit: Charles Eckert

By **Jesse Coburn**

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Hempstead Supervisor Laura Gillen has asked the town attorney to investigate alleged pay-to-play corruption in the Sanitation Department that was discussed in secret recordings a former employee said he made of conversations with co-workers in 2015.

The recordings, which a federal jury heard in a U.S. District Court civil trial in Central Islip last month, capture alleged department staffers saying sanitation workers pay bribes to get on better trash collection routes and contribute to local Republican clubs in exchange for promotions.

"Paying for promotions and work assignments is not only illegal, it also diminishes employee morale by passing over good, hardworking employees for individuals who are politically connected or financially better off," Gillen wrote in the Sept. 27 memo to Town Attorney Joseph Ra. Gillen, a Democrat, has railed against alleged corruption in her first term as supervisor of Hempstead, which historically has been controlled by Republicans, and during her current campaign for re-election.

Ra said last week that his office would investigate the matter. Through a spokeswoman, Hempstead Sanitation Commissioner John Conroy did not respond to a request for comment.

The recordings were submitted as evidence in the lawsuit that Lawrence Coleman, a part-time sanitation laborer from 2005 to 2015, brought against the town and department in 2016. Coleman said in the suit that his superiors denied him opportunities to advance his career because he refused to participate in local Republican politics. He sought damages for violations of his First Amendment rights to free speech and assembly.

The jury decided against Coleman last month.

Joseph Macy, an attorney with Garden City-based Berkman, Henoch, Peterson, Peddy & Fenchel, who defended the town in the suit, said a juror told him the jury did not find that the recordings supported Coleman's allegations.

The jurors "perceived this as a group of employees that were sitting around complaining about their bosses and making themselves look like big shots," Macy said. "The jury verdict speaks to the merit and weight of [Coleman's] allegations."

Coleman, 32, of Valley Stream, acknowledged under cross-examination that he eventually became eligible for full-time employment and at one point was transferred to a preferable assignment, despite not being politically active. He also acknowledged that, although he felt he was being treated unfairly in the department, he never sought help from the town's employee assistance program.

Jonathan Tand, Coleman's Mineola-based attorney, called the outcome of the trial "very disappointing."

"The town has a corruption problem and it's very disappointing that the jurors didn't see it," he said, adding Coleman will not appeal the verdict. Tand said he has shared the tapes with the Nassau County District Attorney's Office. A DA's spokesman declined to say whether the office is reviewing the matter.

Coleman testified at trial that he made the recordings of conversations with his superiors in March and April of 2015. Newsday heard the recordings when they were played in court and reviewed them subsequently as well. New York State law permits an individual to record a conversation in which they are participating without the knowledge or consent of others in the conversation.

Tand said he made the recordings so "to prove why he wasn't getting a promotion." In one recording, a man Coleman identified in testimony as a foreman said sanitation workers pay bribes to their superiors to receive better assignments.

"In the morning, when" a particular supervisor "does the routes, guys go up to him, 20, 40, 50 bucks in the morning, just to get on routes that they want," the man said.

The man said that when a particular garbage truck driver is on vacation, his assistant on the route "goes right into" the supervisors' office, "pays them off, then he's the driver for two weeks."

Donating money to local Republican clubs and candidates is alleged throughout the recordings to be a way to accelerate a career in the department.

"You got to be paying through your nose every week," a man Coleman identified as the same foreman said in another recording. "You got to buy tickets for affairs, whatever. You got to be one of the guys who raise money for 'em."

"Everybody paid for their title," the man said in another tape, adding that another foreman in the department paid \$7,000 to his superior's local Republican "club to get his promotion."

In a different recording, a man Coleman identified as a labor crew chief said it's valuable for sanitation workers to have relationships with local Republican leaders, whom the man described as "rabbis."

"When you're looking for a promotion, that's when you call your rabbi," he said. "Because all of those rabbis have rabbis themselves in Town Hall."

Another tape captures Coleman asking a man he identified in testimony as a labor crew chief whether he could work a different assignment. The man responds by asking Coleman where he lives and whether he "belong[s] to any of the clubs."

The men are recorded saying there are consequences to cutting ties with the local Republican Party. The local Republican Party declined to comment about the accusations.

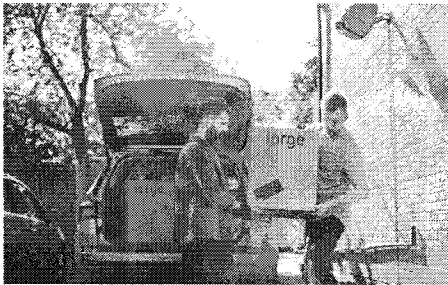
"God forbid, those guys don't pay, they lose their routes in two seconds," a man Coleman identified as a foreman said. "The guys that are foremen, [if] they don't pay, they lose their jobs in two seconds."



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