



NEWS RELEASE

From New York State Workers' Compensation Fraud Inspector General
Catherine Leahy Scott

FOR IMMEDIATE RELEASE: April 25, 2017
Contact [John Milgrim](#): 518-474-1010

MONTGOMERY COUNTY ROOFING CONTRACTOR PLEADS GUILTY TO WORKERS' COMPENSATION AND WELFARE FRAUD

Roofing Contractor with Prior Criminal Record of Workers' Compensation Fraud Admits To New Acts of Workers' Compensation and Welfare Fraud

ALBANY – New York State Inspector General Catherine Leahy Scott today announced the guilty plea of a Montgomery County roofing contractor on felony Workers' Compensation and welfare fraud charges. It marks the second time in four years he has been caught perpetrating similar fraudulent activity on the Workers' Compensation system.

Joseph Kellogg, Sr., 51, of Storrie Street, Amsterdam, pleaded guilty today in Montgomery County Court to the Workers' Compensation crime of Failure to Secure Compensation and Offering a False Instrument for Filing in the First Degree, both felonies.

Kellogg, a residential roofing contractor in Amsterdam, filed four separate building permit applications in 2015 that included fraudulent certifications stating that he had no employees and as such was exempt from obtaining Workers' Compensation insurance. In 2013, Kellogg pleaded guilty to Offering a False Instrument for Filing in the Second Degree for filing a similar fraudulent certification.

An investigation by Inspector General Leahy Scott found that Kellogg indeed used several employees on his roofing job contracts related to the 2015 permit applications, at one point employing 11 individuals on two simultaneous projects. Under State law, employers are required to maintain Workers' Compensation coverage for their employees. Subsequent to his arrest late last year on the latest Workers' Compensation fraud charges, Kellogg was additionally charged with felony false filings when it was determined he earned income through his contracting business, Joe's Roofing, but failed to disclose that income in an application for food stamp benefits.

“This defendant carved out an entirely new level of unabashed fraud with his crimes, not only leaving his own employees without critical coverage to protect their wellbeing, but also committing virtually the same fraud he was convicted of just a few years earlier,” said Inspector General Leahy Scott. “I will continue to use my office and the resources at my disposal to pursue anyone who defrauds the Workers' Compensation or welfare systems as both provide critical safety nets for those who are truly in need.”

Kellogg remains released on bail pending sentencing on Oct. 2, 2017 in Montgomery County Court.

Inspector General Leahy Scott thanked the City of Amsterdam and the Montgomery County Department of Social Services for assisting with the investigation, the Amsterdam Police Department for assisting with the

arrest, and Montgomery County District Attorney Kelli P. McCoski and her office for prosecuting the matter.

###

The New York State Office of the Workers' Compensation Fraud Inspector General investigates fraud, abuse and/or illegal acts against the New York State Workers' Compensation system, including fraud by medical service providers, employers seeking to evade appropriate Workers' Compensation charges, and employees who fabricate injuries to fraudulently receive system benefits. Complaints and referrals are kept confidential. We can be reached by calling toll free: 1-800-367-4448, utilizing our online complaint form at <http://www.ig.ny.gov> or sending an email to: inspector.general@ig.ny.gov. You also can write to our office at: Office of the Workers' Compensation Fraud Inspector General, Empire State Plaza, Agency Building 2, 16th Floor, Albany, New York 12223