



THOMAS E. WALSH II
DISTRICT ATTORNEY

Office of the District Attorney County of Rockland



PATRICK A. FRAWLEY
CHIEF ASSISTANT DISTRICT ATTORNEY

FOR IMMEDIATE RELEASE

January 14, 2022

Contact : Peter Walker walkerp@rocklandda.org

CONGERS CONTRACTOR ARRAIGNED ON MULTIPLE GRAND LARCENY CHARGES

Committed Fraud and Larceny by Providing False Information

Rockland County District Attorney Thomas E. Walsh II announced today the arraignment of a Congers construction company owner who provided false information to acquire legally required workers' compensation insurance for his employees following an investigation by the Rockland County District Attorney's Office Special Investigations Unit with assistance from the New York State Inspector General's Office.

Anthony Frascone, 51, of Congers, NY and owner of Alpha-Omega, was indicted by a Rockland County Grand Jury for Grand Larceny 1st, Grand Larceny 2nd, and Insurance Fraud 1st.

Anthony P. Frascone, as owner and principal of Alpha-Omega, performed general contracting and multi-level building construction projects in the New York area. As required by law, and to be considered for any construction contract, all contractors are required to carry workers' compensation insurance for their employees.

The defendant sought out workers' compensation insurance coverage for his business. For workers' compensation coverage from November 2016 through November 2017, Frascone applied for and received binding coverage from Travelers Insurance Company based upon information he supplied that he was operating a real estate business with a single employee and only \$40,000 in Workers' Compensation payroll and was given an active workers' compensation policy with a premium of \$403.

After a thorough investigation, it was uncovered the true number of employees and payroll records for the time period. It indicated the defendant employed over 90 individuals and had a workers' compensation payroll in excess of \$8,000,000 for construction, not real estate work as stated on the policy. Based upon the true and accurate rate for the workers compensation policy, the defendant should have properly paid \$1,498,748 in insurance premiums to Travelers Insurance Company during that period.

In November 2017, Travelers Insurance Company declined to renew the defendant workers' compensation policy and the defendant then sought out that same coverage with The Hartford company. The defendant applied to The Hartford for one clerical employee and \$45,000 in Workers'

compensation payroll for coverage from November 2017 to November 2018. The defendant received binding coverage with a premium of \$328. The Hartford proceeded to cancel the policy after 3 months.

Based upon our investigation into the true number of employees and payroll records, the proper premiums that should have been paid for the 3 months was \$233,463. Given that at the time of the application for new workers' compensation insurance with The Hartford, the employee and payroll information was largely identical to the Travelers policy that was terminated in November 2017. The defendant again fraudulently misrepresented his true scope of business and attempted to avoid paying a workers' compensation policy that would have required a premium of over \$1,000,000.

"Today's arraignment is another example of my office working with a state agency to ensure that all workers receive the rights they are entitled to under the law. I would like to commend the investigators of the Rockland County District Attorney's Office Special Investigations Unit and our partners at the New York State Inspector General's Office for working closely with my office on this case." said Rockland County District Attorney Thomas E. Walsh.

"Workers' Compensation insurance provides a critical safety net both for New York State's workers, and the businesses that employ them," said New York State Inspector General Lucy Lang. "Anyone who seeks to undermine those protections for their own benefit puts themselves, their employees, and the integrity of the state's economy at risk. I am grateful to the Rockland County District Attorney's Office for their hard work in ensuring that the conduct here does not go unpunished, and for providing a warning to all others who would consider engaging in similar misconduct."

Frascone was arraigned in Rockland County Court yesterday by the Honorable Judge Larry J. Schwartz, bail was set at \$10,000 cash/ \$100,000 bond/ \$100,000 partially secured bond at 5%. As further bail conditions, the defendant was required to surrender his passport and will require the courts permission to leave New York state. He will return to court on February 1, 2022. This case is being prosecuted by Senior Assistant District Attorney George Del Fierro.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

###