

Asbestos Removal and Demolition Company, Leadership Team Plead Guilty to Prevailing Wage Scheme

BJA Renovations Corp., president, vice president, and manager were charged in June 2024 for failing to pay more than \$140,000 in prevailing wages and unemployment insurance on projects between 2019 and 2021

PLAINFIELD, N.Y. – Nassau County District Attorney Anne T. Donnelly announced that a North Babylon asbestos removal and demolition labor company and its executive leadership pleaded guilty to failing to pay more than \$80,000 in prevailing wages that they owed employees for public work projects at schools in the Merrick and Oceanside Union Free School Districts between 2019 and 2021. The company and its president also pleaded guilty to falsifying Unemployment Insurance Contribution returns with New York State, resulting in a shortfall to the State's Unemployment Insurance coffers of more than \$60,000.



BJA Renovations Corp., located in North Babylon, and Joseph Demasco, 67, a manager at the company, pleaded guilty today before Judge Christopher Quinn to Labor Law § 220(3)(d)(i)(2) Failure to Pay the Prevailing Wage (an E felony). BJA Renovations Corp. also pleaded guilty to Falsifying Business Records in the First Degree (an E felony).

The guilty plea requires Demasco to pay restitution jointly and severally with BJA Renovations Corp. totaling \$81,592 for the prevailing wage charges and \$63,036 for the falsification of the Unemployment Insurance Contribution returns. Demasco and BJA Renovations Corp. face debarment for five years, which will prohibit him and the company from working on New York State Public Work contracts during that period of time.

Demasco is expected to be sentenced to up to three years in prison on May 14, 2025. If the defendant pays \$25,000 of restitution by the time of sentencing, his sentence will be reduced to six months' incarceration and five years' probation, with the remainder of the restitution to be paid through probation.

The company's president, Nicholas Barnett, pleaded guilty on March 4, 2025, before Judge Anthony Paradiso to Labor Law § 220(3)(d)(i)(2) Failure to Pay the Prevailing Wage (an A misdemeanor) and Falsifying Business Records in the Second Degree (an A misdemeanor). He is expected to be sentenced in on April 30, 2025, to three years' probation and faces debarment for five years.

The company's vice president, Dana Petrizzo, pleaded guilty on March 4, 2025, before Judge Paradiso to Disorderly Conduct. The defendant was sentenced to a Conditional Discharge the same day.

"We do not tolerate companies that exploit their employees or deceive the public. BJA Renovations Corp. and its leaders shortchanged hardworking people when they should have made sure that they were paid fairly," said DA Donnelly. "These very employees showed up day in and day out, putting their health and safety at risk, only to be denied the wages and benefits they were entitled to. We remain committed to standing up for workers and holding businesses accountable when they break the law."

"New York State has zero tolerance for those who cheat the Unemployment Insurance system or shortchange their workers out of hard-earned pay," said New York State Department of Labor Commissioner Roberta Reardon. "I am proud of the New York State Department of Labor's continued partnership with the Nassau County District Attorney's Office in the areas of Unemployment Insurance and prevailing wage. Together, we will continue protecting law-abiding businesses and stamping out worker exploitation in all its forms."

DA Donnelly said that between June 2019 and November 2019, BJA Renovations Corp. performed work on public work projects at the Merrick Union Free School District as a subcontractor at the Birch School, Roland A. Chatterton School, and Norman J. Levy Lakeside

y Petrizzo as Vice President.

he pay rate recorded on the payroll records was \$44.00 per hour for Hazardous Construction Laborer and \$37.44 for a Construction laborer. The actual hourly pay provided to employees was allegedly only \$35.00 per hour and employees were paid in mostly cash. The correct prevailing wage rate under New York State Labor laws during this time period for a Hazardous Material Laborer was \$52.70 per hour in wages and benefits and \$68.96 per hour in wages and benefits for a Construction Laborer.

he weekly payroll was delivered to the worksite by Demasco or Barnett, who also worked as a supervisor for the Merrick project.

dditionally, between June 2021 and September 2021 the company performed work on a project at the Oceanside Union Free School district, specifically at Oceanside High School. Payroll records filed with the school district, and allegedly signed by Petrizzo, recorded a rate of pay of \$44.00 per hour for Hazardous Construction Laborers and \$37.44 an hour for Construction Laborers. Employees were allegedly paid \$35.00 per hour in cash and sometimes by check. Payroll deliveries were made by Demasco or the site supervisor, Barnett

he correct prevailing wage rate under New York State Labor Laws during this time period for a Hazardous Material Laborer was \$52.70 per hour in wages and benefits and \$74.70 per hour in wages and benefits for a Construction Laborer.

On February 21, 2020, BJA Renovations and Barnett as president prepared and filed a Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return with the New York State Department of Taxation and Finance and the New York State Department of Labor recording that the total wages paid to their 15 employees between July 1, 2019, and September 30, 2019, totaled \$52,904. The certified payroll records for BJA Renovations Corp. during that same period recorded a total payroll paid to four of the employees listed on the return and eight employees not listed for a total of more than \$185,000. The underreporting of the actual payroll defrauded the Unemployment Fund in the amount of \$63,036.80.

he defendants surrendered to NCDA Detective Investigators on June 7, 2024.

NCDA thanks the New York State Department of Labor for its partnership in this investigation.

he case is being prosecuted by Senior Investigative Counsel and Attorney-in-Charge of Labor Richard Balletta under the supervision of Bureau Chief Maureen McCormack of the Major Financial Crimes Bureau and under the overall supervision of Executive Assistant District Attorney for the Investigations Division Rick Whelan. BJA Renovations Corp. and Demasco are represented by Robert Schaulk, Esq. Petrizzo is represented by Michael Franzese, Esq. Barnett is represented by James Iannone, Esq.

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