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Hackensack cops settle lawsuit against city, former police chief Zisa for \$2M

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STAFF WRITER
THE RECORD

Five years ago, Hackensack police Sgt. Thomas Aiello said he was home with an injury he got during the arrest of a Bloods gang member when a supervisor came to his house with a ballot pushing him to vote for a certain cop as union delegate.

After he refused, Aiello said in a recent interview, he was accused of lying about his injury, and his benefits were cut off.

"They wanted to get rid of me and not promote me," said Aiello. "They had [the insurer] take away my physical therapy and accused me of lying that my shoulder was injured. I couldn't lift my arm to hold my gun up."

It was a final straw, said Aiello, who helped launch one of the first cases in a wave of lawsuits against a department that he and other cops described as run "like the mob." The case, which paved the way for citywide reform, has ended with a \$2 million settlement for Aiello, Vincent Riotto, Donald Pierce and Scott Sybel.

City officials declined to comment because the insurance company had not yet signed off on the settlement, spokesman Thom Ammirato said. But the plaintiffs said they had already received settlement releases to sign, and their attorney said it was a done deal.

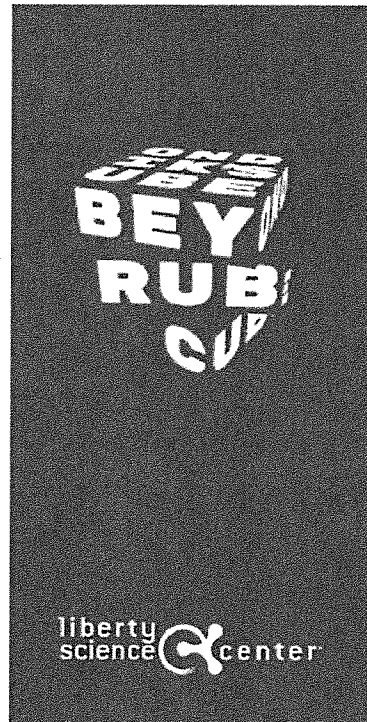
Their 2009 federal lawsuit helped open the floodgates. By the time Chief Ken Zisa was convicted in 2012 of criminal misconduct and insurance fraud, two dozen cops had already filed suit detailing shocking allegations of corruption and civil rights violations. The officers' actions ushered in police reform, the criminal conviction of the chief and the demise of the long-dominant Zisa political family.

Aiello said that "anytime someone was brought up on charges or suspended," they contacted his lawyer Mark Frost. "It was like a domino effect," Aiello said. "There were never lawsuits [before] against the Police Department because guys were scared to death."

He said the officers faced harassment, intense stress and sleepless nights. Aiello said he was pushed into an unwanted retirement and that the officers who sued were treated like pariahs by members of the Police Department, some of whom feared that they'd be punished for just being seen with him.

"People didn't want to talk to us, come near us, bother us," Aiello said.

The officers alleged in their lawsuit, which named the city, Ken Zisa, former City Attorney Joseph Zisa and five officers as defendants, that the police chief "extorted monies" from city



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cops to support his own candidacy in legislative races and other candidates for public and union offices. They alleged that their civil rights were violated when they were punished for not supporting those candidates.

The five others named as defendants in the suit were former acting Chief Tomas Padilla, Capt. Thomas Salcedo, Capt. Danilo Garcia, former Officer Kevin Toomey and former Sgt. Anthony Trezza.

Aiellos and Pierce said they retired to avoid punitive assignments. Sybel and Riotto remained on the job, where, they said, they were subjected to unfair internal investigations and passed over for transfers because they didn't support Ken Zisa's politics.

Sybel also alleged he was cheated out of money after he did construction and repair work for Zisa and his brother, Deputy Chief Frank Zisa, and in a house-sale deal with Zisa and his cousin, former City Attorney Joseph Zisa. He said he did the work and entered the business partnership because he feared retaliation if he did not take part.

Under the settlement, which the city expects to finalize this week, Riotto had a demotion reversed and was reinstated as a lieutenant with retroactive pension compensation.

"I'm grateful it's come to a close. It was a very tough and painful 4 1/2 years," Riotto said.

A sense of justice, his faith in God and camaraderie among a small group of police officers helped him through those times, and his two kids told him they were proud that their dad was standing up for what was right, Riotto said.

"We did the right thing," he said. "Many changes were put in place because of it, and it's a better Police Department and a better city because of it."

Aiellos believes they could have gotten far more in a settlement, but he said what they really wanted was reform and Riotto's reinstatement.

They got both.

After Zisa's arrest in April 2010, the city and the Bergen County Prosecutor's Office signed a memorandum of understanding that laid out new policies and regulations, including restrictions on political activity and political contributions within the Police Department.

In 2012, Zisa was convicted of official misconduct and insurance fraud for improperly removing his former girlfriend, Kathleen Tiernan, from the scene of a 2008 car accident and later filing an \$11,000 insurance claim contending the accident occurred when she swerved to avoid hitting an animal. Zisa was sentenced to five years in prison. He's under house arrest while his attorney prepares an appeal.

The new police director, Michael Mordaga, is said to be a fair, non-political leader who is bringing back morale to the department. A new City Council was elected in the spring on an anti-corruption reform slate, ending more than two decades of political dominance by the Zisa family.

The city has spent at least \$8 million on legal defense and settlements in litigation related to the former police chief. Only one Zisa-related lawsuit remains, filed by Officers Anthony Ferraioli and Aldrin Lamboy and also by Dawn Fray, Ferraioli's wife and a co-plaintiff, involving alleged political retribution and privacy violations.

Frost, the Philadelphia lawyer who has represented 17 Hackensack police officers since Aiellos came to him, said the settlement signaled the end of an era. Frost said that "important changes" made in the wake of the litigation will improve conditions "for anyone that is working in the Hackensack Police Department. ... People can do their jobs without fear or retaliation."

Frost's co-counsel John Zidziunas of Montclair added that all the police cases "finally brought change to Hackensack that was long overdue and restored integrity to the Police Department."

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Riotto said he wanted to be a cop to protect and serve against crime.

"That's why we wanted to stand up and do what was right," he said. "At the end of the day, I just want to go back to work and be a police officer and do the best I can for the citizens."



Vincent Riotto, left, and Thomas Aiello, shown in 2010.

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 Now that the police settled there lawsuits against the bully Zisa and the incompetent mayor, council and city manager who allowed this to go on far to long. The HACKENSACK PD can start re arresting the CRACK dealer at 263 UNION STREET, HACKENSACK who the PD arrested about 6 times in 2013.
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Joanne Marie Fanslau · Cashier/Counter Parson at MELTZERS SON/ NEW MEADOW SATDIUM
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Harry Fenzlein · Fair Lawn High School
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 Paramus Public Library, Paramus

Dental Care & Diabetes
 Tuesday, Jun 10, 7:00 pm
 Paramus Municipal Complex, Paramus

Rebuilding Together Bergen...
 Sunday, Jun 15, 8:00 am
 Saddle River County Park, Dunkerhook..., Paramus

Doctor Who 2D Plus Wings 3D
 Monday, Jun 16, 7:30 pm
 AMC Garden State 16, Paramus

Rigoletto: Met Summer Encore
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