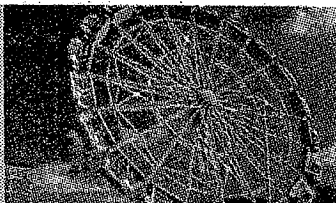


ROCKY RETROSPECTIVE

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FRIDAY, DECEMBER 7, 2007

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Antaya cleared on 2 counts

Former city inspector awaits sentencing on misdemeanor bribe conviction

WILL RICHMOND
HERALD NEWS STAFF REPORTER

TAUNTON — Following just less than three hours of deliberations, a Superior Court jury acquitted former Fall River electrical inspector Raymond Antaya on two felony counts while finding him guilty on a misdemeanor count of soliciting a bribe.

Antaya, 62, of 11 Richmond Road, Freetown, faced two counts of business threats and a single

charge of accepting/soliciting a bribe as a public official. Instead, Antaya was ruled guilty of soliciting or receiving anything of substantial value for or because of an official act.

Superior Court Judge E. Susan Garsh scheduled a sentencing hearing for Dec. 13.

Antaya's attorney, Steven P. Sabra, said after the verdict announcement the lesser count could still carry jail time and/or a fine.

Under the felony statute, the original charge could

have landed Antaya in either a state prison or for up to three years or a jail or house of correction for up to 30 months. A fine of up to \$5,000 could also have been leveled.

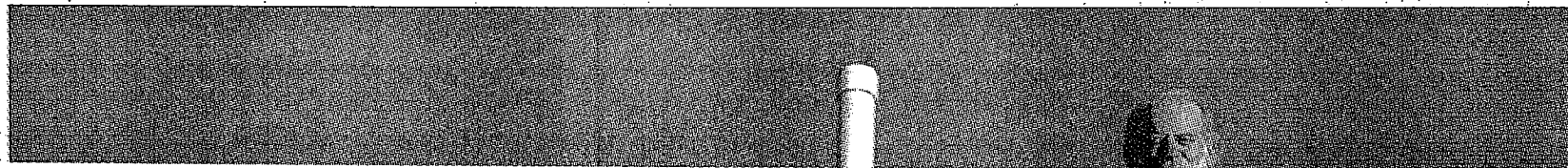
A guilty finding under the felony charge would have also barred Antaya from holding any state, county or municipal office. Sabra said he would have to further research the statute to determine if the misdemeanor count carries the same penalty.

TURN TO **ANTAYA**, PAGE A5

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EAKOS
AFF REPORTER

The \$1.9 million decision handed against the town of reduced by a Fall



Viveros: Why did the bar owner cross the road?

Lisa Strattan, editor-in-chief of *The Herald News*, said she agrees with Viveros on free speech. "*The Herald News* itself stands as a monument to the First Amendment, albeit a more tasteful one than Mr. Viveros," Strattan said. "What a shame, though, Mr. Viveros didn't choose to express his views in a letter to the editor; that seems like a more appropriate venue."

The toilets, on the Oliver's property on Airport Road, were referred to as an "artistic monument" by Viveros, and a reference to the towering landfill next to the Industrial Park and the poor condition in which the city finds itself. "More art needs to be in the city," he said when the display went up in October 2006. "I thought about how I could contribute to it." The display

made people "enjoy the day a little more," he added.

The next month, he added seven toilets next to the others to spell "For Sale" when he put Oliver's on the market, which drew praise from the realtor dealing with the sale.

But there was opposition from the beginning.

"It's not what the Industrial Park would select for itself," said

Martin Schwalm, the president of the park's board of directors. Some questioned whether the display was legal under signage bylaws, but the Zoning Board of Appeals let it stand.

On Nov. 23, someone called the police to report two males smashing the toilets. They fled before police arrived, but caused an estimated \$1,200 in damages. The "thousands

of pieces" took six hours to clean up, Viveros said. The vandalism took place days before Gov. Deval Patrick visited the Industrial Park for the groundbreaking of the Nokona Athletic Goods Co. baseball bat factory.

The new white crosses, made of PVC piping, each have a small American flag tied to the top. They stand in the same

location as the toilets, on two wooden platforms. Viveros said he wouldn't make displays out of porcelain or glass that can more easily be destroyed.

The new display was built in response to *The Herald News* editorial, Viveros said. "It aggravated the hell out of me."

E-MAIL GRANT WELKER AT GWELKER@HERALDNEWS.COM.

Antaya: Former city electrical inspector still faces potential jail time

FROM PAGE A1

Antaya declined to comment following the verdict announcement Thursday in Taunton Superior Court due to the pending sentencing hearing.

Sabra, however, said that after nearly three years since Antaya was charged, the case's conclusion is welcome.

"I would say this comes as a great relief for Mr. Antaya," Sabra said. "This has been a great ordeal ... and we are very appreciative of the jury's verdict. I think this is a substantial victory for Mr. Antaya."

The three charges against Antaya stemmed from incidents between 2000 and 2005 where he

allegedly threatened to have an electrician's license revoked from a Swansea electrician if he wasn't paid \$200 in cash after it was found the electrician did work not originally permitted for. It was also alleged that he failed another electrician's work for not paying a referral fee and gave a permit to a contractor not licensed to

do electrical work in exchange for a \$500 cash payment. In that matter, Antaya allegedly had the permit taken out under a licensed electrician's name.

A second count of accepting/soliciting a bribe as a public official was dismissed by Garsh during the trial after she determined the commonwealth failed

to meet its burden of proof.

Assistant District Attorney James McKenna said he is not disappointed in the jury's decision, instead saying "justice has been served."

Minutes after the verdict was announced, he said he was not yet sure what type of sentence he would seek against Antaya, and

would have to confer with the victims.

McKenna thanked the jury after they reached their decision.

"They took their time in pondering the outcome and I respect their decision," McKenna said.

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Pelletier: Judge trims sexual harassment settlement

FROM PAGE A1

In rendering his judgment dated Monday, Dec. 3, Judge Richard T. Moses denied the defendant's motion to overturn the verdict, but allowed the motions of either a reduction in the judgement or a new trial.

Moses reduced Pelletier's punitive damages from \$1.25 million to \$100,000 and the compensatory damages from \$650,000 to \$200,000. If the plaintiff chooses to accept the judgment, 12 percent interest will be charged on the \$200,000 dating back to its filing in 2003 as well as for the \$100,000 punitive damages dating back to

"The evidence presented by Pelletier at trial which had not been alleged or disclosed to her MCAD proceeding did not occur after the filing of her MCAD complaint but rather prior" stated the ruling.

As for the jury's \$1.9 million verdict, Moses said the "damages awarded were excessive and greatly disproportionate to any injury proven."

Reached late Thursday, Pelletier's co-counsel, Carlin Phillips, said he was still reviewing the 20-page decision, trying to determine what their next move would be. According to the decision, the plaintiff has 14 days to either accept the new judgement or seek for a new trial.

judgment and Pelletier's MCAD hearing, has since become the town administrator in Wareham. McAuliffe did not return calls placed Thursday.

Board of Selectmen Chairman William Meehan and Selectwoman Eleanor Gagnon were not aware of the new judgment until they were reached by *The Herald News*.

Meehan said no comment will be made until the board meets with Town Counsel Clement Brown.

Gagnon echoed Meehan's statements to meet as a Board with counsel.

"We need to digest this. Although I thought the (original) judgment was unfair and

Patrick O'Neil, who was up for re-election 45 days after the \$1.9 million decision was rendered, said Thursday that the new judgment may have come too late for him, who lost his re-election bid to political newcomer Lorne Lawless.

"I always felt cool heads would prevail and I felt that the course of action we needed to take was to rely on the information we were given and not on conjecture," said O'Neil, who said he plans to run again this May for a Board of Selectmen seat currently held by Gagnon.

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Antaya gets probation

WILL RICHMOND
HERALD NEWS STAFF REPORTER

TAUNTON — Former Fall River electrical inspector Raymond Antaya has been spared jail time following his conviction on soliciting and accepting a bribe in performing his official duties.

Superior Court Judge E. Susan Garsh ruled Thursday that Antaya will serve a two years' probation and pay a \$2,500 fine. Bristol County District Attorney spokesman Gregg Miliote said

Antaya is also required to provide the city with a certified copy of his conviction and will be barred from employment by the commonwealth and its counties and municipalities.

Antaya will also lose his retirement benefits.

Assistant District Attorney James McKenna had argued for a six-month jail sentence.

Antaya, 62, of 11 Richmond Road, Freetown, was found guilty by a Superior Court jury Dec. 6 on a misdemeanor count

of soliciting or receiving anything of substantial value for or because of an official act. Antaya was acquitted on two felony counts of business threats.

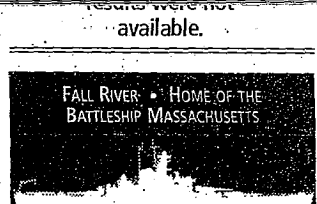
The charges stem from incidents from 2004 and 2005 in which Antaya told a contractor not licensed to do electrical work that it would cost \$500 to receive a permit in a licensed electrician's name.

The contractor, Cesar Duarte, and Daniel Lopes, the homeowner, testified that they went to a North Main Street bank, where Lopes withdrew the cash to make the payment.

Lopes said the three men then met in a Government Center elevator to make the payment.

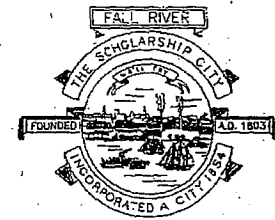
Electrician Joseph Dias Jr. later learned from Antaya that a permit had been pulled in his name for the home on Laplante Street.

Fall River interim Director of Code Enforcement Joseph M. Biszko also testified that Antaya told him in January of 2005 that he took \$500 from a homeowner and gave it to an electrician.



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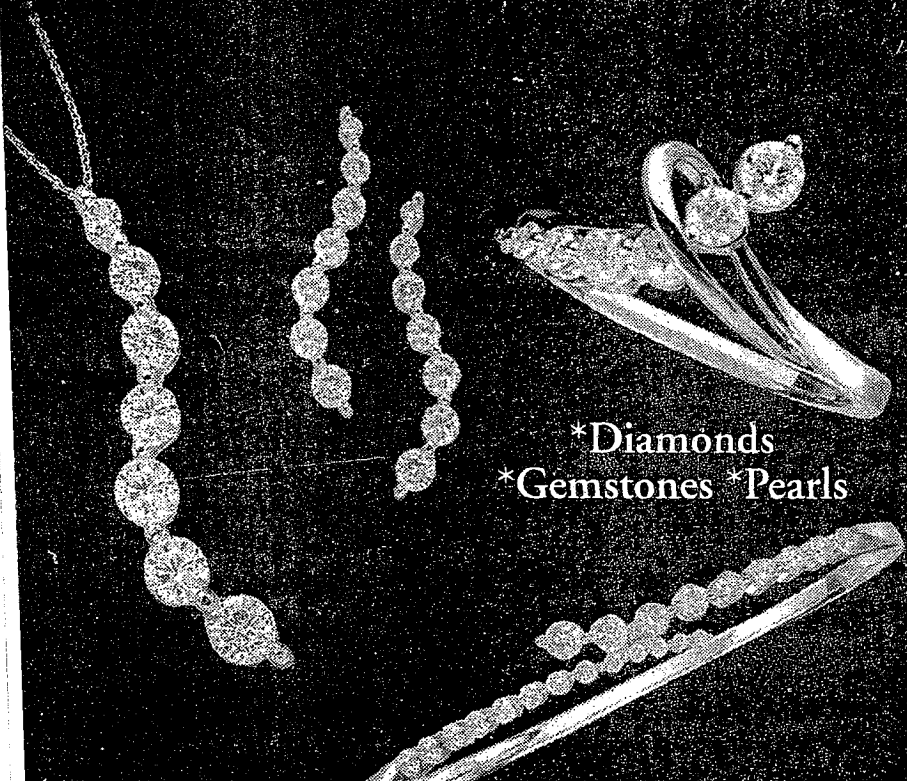
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