



## **Four Western New York Businessmen Face Tax Charges Tax Scofflaws Repeatedly Failed To File Sales Tax Returns**

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FOR RELEASE:  
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New York State Department of Taxation and Finance Commissioner Robert L. Megna today announced that four western New York business owners – three in Monroe County and one in Wayne County - were recently charged in separate cases for failing to file sales tax returns and thus failing to report thousands of dollars in taxable sales between 2005 and 2008.

Each defendant was served with a summons charging multiple counts of Willful Failure to File a Return or Report under the Tax Law. They each face up to two years in jail if convicted.

The defendants, authorized to collect sales taxes, knew of their obligation to collect and remit those taxes to the State of New York. Instead, according to the charges filed in these cases, they chose to stop filing, while they continued to collect sales taxes from customers and failed to remit those taxes to the State.

Those charged include:

Gordon P. Schryver, 49, of 1850 East Main Street, Rochester, the owner of Canalside Clock Shop, a clock repair business in the Northfield Commons located at 50 State Street in Pittsford, is charged with twelve misdemeanor counts of failing to file sales tax returns for tax periods from December 20, 2005 to August 31, 2008. Schryver was scheduled to appear in the Town Court of Pittsford on November 20 to answer the charges.

Richard T. LaMay, 52, of 410 Pondview Hgts, Apt 1, Rochester, the owner of Rick's Place, a diner located at 1973 E. Ridge Road in Irondequoit, is charged with six misdemeanor counts of failing to file sales tax returns for tax periods from March 1, 2007 to August 31, 2008. LaMay is scheduled to appear in the Town Court of Irondequoit on December 2 to answer the charges.

Aaron P. Bishop, 33, of 479 Baker Road, Webster, the owner of Sunset Hydroponics, a beer and winemaking business with stores located at 1590 Ridge Road West, Greece, and 8053 State Route 96, Victor, is charged with two misdemeanor charges of failing to file sales tax returns for tax periods from March 1, 2006 to February 29, 2008. Bishop is scheduled to appear in the Town Court of Greece on November 26 to answer the charges.

John H. Vanhooydonk, 51, 729 Ridge Road, Ontario, the owner of Van's Collision, located at 1864 Route 104 in the Town of Ontario, is charged with two misdemeanor counts of failing to file sales tax returns for tax periods from March 1, 2006 to February 29, 2008. Vanhooydonk was scheduled to appear in Ontario Town Court on November 18, 2008 to answer the charges.

Commissioner Megna said, "Retail businesses are obligated to collect sales taxes, file tax returns, and pay the sales taxes they collect from their customers to New York State. Business owners who knowingly persist in failing to file returns and pay the taxes they collect are committing a crime. Those who pocket collected sales tax revenues are cheating their customers and depriving state and local governments of revenues that are needed to deliver crucial services."

"The Tax Department, with support of prosecutors around the State, is committed to pursuing tax scofflaws such as those charged. I thank Monroe County District Attorney Michael C. Green and Wayne County District Attorney Richard Healy for their aggressive prosecution of these cases."

The cases were investigated by staff from the Department's Special Investigations Unit offices in Rochester, Syracuse and Buffalo. The Special Investigation Unit, which was created in 2007, is a multi-disciplinary investigative unit of attorneys, investigators and forensic auditors dedicated to investigating and prosecuting tax fraud.

All of the defendants are presumed to be innocent unless and until proven guilty.

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