



The Daily Item



TKO: Tech hoop cruises into Voke tourney final **B4**

VOL. 131, No. 64 24 PAGES

FRIDAY, FEBRUARY 20, 2009

50 CENTS

Marblehead teen charged in rapes

3 counts of child rape with force for 18-year-old

LYNN

By **THOR JOURGENSEN**
THE DAILY ITEM

A Marblehead teenager with a criminal record pleaded innocent in Lynn District Court Thursday to three charges of rape of a child with force.

Two of the charges against Joshua Rodriguez, 18, of 29 Bennett Road, stem from reports made to police by a 14-year-old girl and a 15-year-old last

December during school vacation. The other charge was brought by a 14-year-old who told police Rodriguez raped her on Feb. 4.

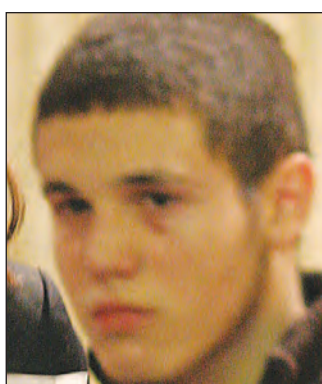
Judge James L. LaMothe assigned Rodriguez \$25,000 bail for each charge and ordered him held for violating probation conditions from previous court cases. He was also ordered to stay away from the three girls and to not have contact with them. He is scheduled to return to court on March 19.

One of the 14-year-olds told

police Rodriguez came over to a friend's home where she was visiting at midnight last Dec. 23. The girl said Rodriguez led her by the arm into a bathroom where he pushed her to the floor, pulled her pajama pants down and raped her. Rodriguez left the house but called the girl the following day and gave the girl what she described to police as an anti-pregnancy pill.

Assistant District Attorney Scott Dullea said Rodriguez raped the other 14-year-old on Feb. 4 in a car parked on Round House Road.

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ITEM PHOTO / OWEN O'ROURKE
Joshua Rodriguez at his arraignment on rape charges in Lynn District Court Thursday.

Saugus cop quits, taped stealing gun

Overnight shift commander on leave after brawl at Fox Hill YC

SAUGUS

By **DAN O'BRIEN**
THE DAILY ITEM

One town police officer has resigned and another is on paid administrative leave in the wake of two internal investigations that have shaken the police department, The Item has learned.

Jason LaBella, 25, of Saugus, sent a letter of resignation to Police Chief Domenic DiMella on Thursday, DiMella confirmed. LaBella, who has been a patrolman for fewer than two years, is facing a criminal larceny charge in Woburn after he was allegedly caught on video tape stealing a handgun from a member of the Mass. Rifle Association, a Woburn-based gun club.

DiMella also confirmed that Lt. Howard Wheeler, 57, of Saugus, has been placed on paid administrative leave after he was allegedly involved in a fight with two other men, including a former auxiliary police officer, outside the Fox Hill Yacht Club on Jan. 24. Wheeler, the commanding officer for the 1-to-9 a.m. overnight shift, has been with the department nearly 32 years and was the second highest-paid town employee in 2008, earning a base salary of \$145,801 and an additional \$11,634 in road details totaling \$157,435.

In the case of LaBella, Woburn police spokesman



LaBella **DiMella**

Detective Ralph Coakley declined to release the video tape that allegedly shows LaBella stealing the gun. However, DiMella said Thursday that he has seen the tape and positively identified the suspect as LaBella. According to a Woburn police report, Detective Fred Forni also viewed the tape and positively identified LaBella.

LaBella, a 2001 Saugus High School graduate who lives at 26 Orcutt Ave., did not return a phone call for comment Thursday.

According to LaBella's Facebook.com page, which features photos of him socializing with Revere police officer Michael Prochilo, he is a six-year Army combat veteran, a self-described "adrenaline junkie" who plays drums for a rock band.

LaBella was given the option to resign this week and faced termination if he did not do so. LaBella handed DiMella a one-sentence letter on Thursday.

"It said, 'Effective immediately I resign from the Saugus Police Department,'" DiMella said. "It's a felony charge, so absolutely I have to take swift action."

When asked how Thursday's meeting went, DiMella said, "It was not pleasant. It never is."

According to a Woburn police report, a member of the Mass. Rifle Association contacted police Jan. 22 after noticing a 9-millimeter Smith & Wesson handgun with five bullets inside went missing at an earlier date. A member had placed it inside a pouch on a counter in the firing range.

The video allegedly shows LaBella pick up the pouch, walk outside the building then return without the pouch approximately 30 seconds later.

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ITEM PHOTO/ REBA M. SALDANHA

Rock-solid day in Nahant

On a picture-perfect afternoon, Patrick Jenkins, 4, plays on the rocks Thursday in Nahant. The North

Shore is due for a chilly change in the weather today. **Full details on page A11.**

Mayor Clancy joins unpaid-day parade



Clancy

LYNN

By **ROBIN KAMINSKI**
THE DAILY ITEM

Mayor Edward J. Clancy Jr. has decided to follow the bold lead of the Teachers Union and the City Council by working one day without pay to

help offset devastating local aid cuts.

Because of the city's dire financial situation, Clancy said he will devote eight hours of work for free on Feb. 23, in a move he said "speaks louder than words."

"Once the teachers union did it, and then the City Council, I decided

it was the right thing to do," he said. "Putting the nonsense aside of (the teachers) being reimbursed for the day, it does send a message."

On Wednesday, the School Committee voted to approve a proposal by the Teachers Union to work one day

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Lynn native gets Bronze Star for bravery in Iraq

LYNN

By **DAVID LISCIO**
THE DAILY ITEM

U.S. Army Sgt. First Class Raymond Mazola Jr., a Lynn native and former Swampscott resident, has been awarded the Bronze Star for bravery under fire in Iraq.

The soldier's grandfather, former Swampscott service sta-

tion owner Ernie Mazola of Lynn, plans to attend a promotion ceremony at Ft. Benning in Georgia later this spring when the hero receives his third stripe and becomes a master sergeant.

"They want me to pin the stripes on him," the elder Mazola said Thursday. "I'm very proud of him."

Mazola, 35, grew up in East Lynn and later moved to

Saugus and Swampscott where he attended the local elementary and middle schools. He eventually relocated to Hollywood, Fla. where he graduated from high school, attended community college in Ft. Lauderdale and enlisted in the Army.

During the course of his military career, Mazola has served in Macedonia, Bosnia, Kosovo, Saudi Arabia and Iraq. "I'll be

going back for my second tour in Iraq," he said.

The Bronze Star was awarded for meritorious service as a platoon sergeant from March 14, 2007 to June 11, 2008 during Operation Iraqi Freedom V. Mazola was a member of Able Company, Third Infantry Division, Third Brigade, part of the Second Combined Arms Bat-

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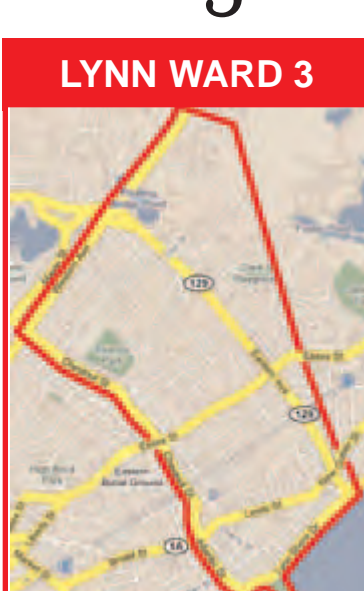


Sgt. 1st Class Mazola

Zoning ordinance amendment brings changes to Lynn's Ward 3

LYNN

By **ROBIN KAMINSKI**
THE DAILY ITEM



An amendment to a zoning ordinance that promises to alter the density of Ward 3 was approved by the City Council Tuesday, with changes to make it more business-friendly.

In October, councilors approved the radical change initiated by Ward 3 Councilor Darren Cyr to make the ward a single-residence district, but Cyr quickly got to work revising the issue at the request of the business



Cyr

community. Previously zoned "R-2," multi-family homes could be built on legal-sized lots without the consent of abutters.

With the change to "R-1," only single-family residential homes can now be built, and anyone looking to construct any residential structure other than that would have to gain approval from the Zoning Board of Appeals and the City Council.

Areas affected by the zon-

ing change begin at the Salem-Swampscott lines and run southerly along Western Avenue to Chestnut Street, easterly along Chestnut Street to Lynn Shore Drive and northerly to the Swampscott line.

Shortly after the zoning change was approved, questions arose from the business community, which led Cyr to work out a compromise with the Lynn Area Chamber of Commerce and the Lynn Partnership so that the business community's zoning portion was restored to its previous state.

"All businesses in the area

will continue to remain where they are, and if they are sold, they can still remain a business," Cyr said.

"The only thing that has changed is that nobody by right can build a duplex or a multi-family home without council approval. This will not affect property values either, which a lot of businesses were concerned about."

Cyr said his motive behind the change stems from disturbances and gang activity associated with the crowded homes.

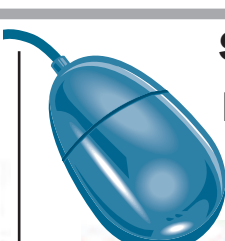
"When you have landlords

that are not there to watch over the homes and people that rent the places out that are non-law abiding in neighborhoods, there tend to be a lot of gang problems," he said. "In my area (Ward 3) there are just as many gang problems as there are in Boston, New York and Los Angeles."

On top of the zoning change, Cyr said he hopes residents and business owners will keep a watchful eye out on the neighborhoods.

"It's not just the police's responsibility," he said. "People need to be aware of their surroundings."

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Crossword B3	Obituaries B7	Saugus A5	TV/Movie Times A10
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YESTERDAY'S STOCKS

Dow	Nasdaq
7,465.95	1,442.82
-89.68	-25.15

OUTSIDE: Cloudy and windy with high of 35. **A11**

