



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL
Final Report
September 30, 2011

SUMMARY OF FINDINGS/RECOMMENDATIONS

The New York State Inspector General found that in late 2006 or early 2007, Raymond Spoleti, a former New York State Thruway Authority maintenance supervisor, misappropriated six “stop” signs and support poles from a Thruway Authority facility and installed them in a private development in New Windsor, where Spoleti resides. The roads in the development are not maintained by any local or state government, including the Thruway Authority.

The Inspector General referred this matter to the Rockland County District Attorney and to the New York State Commission on Public Integrity.¹ Spoleti retired from his Thruway Authority position during the Inspector General’s investigation.

ALLEGATION

In January 2010, the Inspector General received a complaint alleging that in or around early 2007, former Thruway Authority Maintenance Supervisor 1 Raymond Spoleti stole several stop signs and support poles from the Thruway Authority and installed them in a housing development where he resides.

SUMMARY OF INVESTIGATION

Spoleti, employed in various titles at the Thruway Authority since 1976, was assigned to the East Fishkill maintenance facility as a Section Maintenance Supervisor 1 from September 9, 1993 until his retirement from state service on September 9, 2010. Spoleti’s duties primarily included supervision of maintenance workers, laborers, equipment operators, and other staff performing road maintenance, snow and ice removal, and equipment upkeep. In addition, Spoleti was responsible for maintaining

¹ On August 15, 2011, Governor Andrew M. Cuomo signed the Public Integrity Reform Act of 2011, a new ethics statute dissolving the investigative and enforcement functions of the Commission on Public Integrity but continuing its complaint and referral intake functions until a new Joint Commission on Public Ethics (J-COPE) is formed. Any action on this case through this referral would be at the discretion of the new J-COPE once formed.

time and work records, ordering supplies and equipment, and training subordinate personnel.

The Inspector General reviewed longstanding Thruway Authority Executive Instructions on the use of Thruway Authority property and resources. The instructions read, “The New York State Thruway Authority ...property and resources, including, but not limited to, facilities, materials, equipment, tools, official stationary and personnel are provided to employees for the conduct of [Thruway Authority] business. The use (including borrowing) of [Thruway Authority] property and resources, including, but not limited to, facilities, materials, equipment, tools, official stationary and personnel for purposes not in the interest of [Thruway Authority] functions or business is strictly prohibited and may result in disciplinary action up to and including dismissal.”

The Inspector General examined the traffic signs within Patriot Ridge, a privately-owned residential community in New Windsor where Spoletti resides. Six stop signs mounted on support posts and bearing the marking “01-87” were observed and photographed at the community’s road intersections. Also attached to each sign post was a sign that reads “Private Road,” as the roads in this community are not owned or maintained by the Town of New Windsor, Orange County or New York State.

To determine the source of these signs, the Inspector General interviewed the Division Maintenance Supervisor of the Thruway Authority’s Nyack Division Highway Garage, where new and used road signs are stored, and damaged and worn signs are repaired or discarded. The Division Maintenance Supervisor reviewed the photographic images of the Patriot Ridge stop signs and stated that the signs appeared to be the 30-inch type used by the Thruway Authority. He further advised that according to the Thruway Authority’s Authorized Standard Signs Manual, the part number printed on the face of the signs, “01-87,” identifies them as Thruway Authority property. Thruway Authority records showed that the six signs and posts were worth a total of \$444.

The Inspector General also examined the Nyack Division Highway Garage yard and sign shed. The sign shed, unlocked during the day, is accessible to all Thruway Authority employees. Although the Thruway Authority is currently compiling an inventory of the signs held at the yard, no record previously was maintained of the number of signs in the shed or those that had been distributed. The Inspector General noted that six 30-inch stop signs were in stock. In an open space adjacent to the shed, a large number of sign posts of varying length were piled atop concrete blocks.

The president of the Patriot Ridge Homeowner Association reported to the Inspector General that several members of the association had requested stop signs at intersections within the development; however, the developer had refused to provide them. During a community meeting in or around 2007 in which this issue was raised, the president testified, Spoletti offered to provide the association with stop signs, requiring only that the association reimburse him for the cost of concrete for anchoring the sign posts. Spoletti’s offer was accepted and soon thereafter stop signs were installed at the development’s intersections, and the developer reimbursed Spoletti for the concrete costs.

The developer, who also was interviewed by the Inspector General, confirmed that Spoleti had installed the signs at Patriot Ridge.

The Inspector General interviewed Spoleti under oath about this matter. Spoleti reported that after moving to the development in 2005, he became concerned that the lack of stop signs created a danger to children walking. Spoleti admitted in a written statement to the Inspector General that in late 2006 or early 2007, he took the signs and posts from the Thruway Authority's Nyack Division Highway Garage, purchased concrete from a hardware store, and installed the signs at intersections within Patriot Ridge. Spoleti noted that he was reimbursed only for the concrete. Of his misappropriation of the signs and posts, Spoleti wrote, "I recognize I was removing Thruway Authority property and used them for a private entity, [but] not for my own benefit."

FINDINGS AND RECOMMENDATIONS

The Inspector General established that Raymond Spoleti, a former Section Maintenance Supervisor 1 employed by the New York State Thruway Authority, in late 2006 or early 2007, misappropriated six Thruway Authority stop signs and support poles from the Thruway Authority's Nyack Division Highway Garage and installed them at the Patriot Ridge development in New Windsor, where Spoleti resides.

The Inspector General referred this matter to the Rockland County District Attorney and to the New York State Commission on Public Integrity.