



NEWS

From the Office of the New York State Inspector General
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Inspector General Finds Property Abuse at NYS Department of Transportation *“Borrowing” of state equipment scrutinized*

State employees used NYS Department of Transportation (DOT) equipment to cut a private driveway, erect holiday lights and haul poolside patio bricks, according to a report on equipment abuse released today by the New York State Inspector General’s Office.

The investigation into six cases of employee misconduct in various regions of the state was launched after DOT officials notified the Inspector General of three allegations. In response to the findings, DOT has begun a department-wide audit to determine if the incidents are evidence of a systemic problem.

The Inspector General’s investigation found that several garage employees made little or no distinction between their personal tools and those belonging to the state, taking equipment home for personal use. Some employees and supervisors stated that borrowing equipment overnight or on weekends was a “professional courtesy” or “something we’ve always done.” In fact, DOT policy prohibits using department equipment for any outside activities.

The employees breached state policies on theft, misuse of equipment and improper disposal of surplus property, the report found. The Inspector General also found insufficient inventory practices and recommended that DOT clarify its policies on keeping track of tools and equipment.

“The line between government and personal property should never blur, New York State Inspector General Joseph Fisch said. Both state and DOT regulations prohibit such actions. We look forward to the results of the DOT audit.”

“The New York State Department of Transportation seeks to uphold the highest ethical standards and already has taken a series of targeted steps, including reviewing its policies and procedures regarding equipment inventory practices, developing additional employee training and taking appropriate disciplinary actions,” State Department of Transportation Commissioner Astrid C. Glynn said. “The department worked cooperatively with the Inspector General to identify these problems and is taking these report findings seriously. We have instituted spot checks and other corrective actions to assure the ethical conduct of state business. I believe strongly the men and women at the State Department of Transportation must serve the public with the greatest integrity.”

Abuses were confirmed in the following cases:

- In Hamburg, Erie County, Motor Equipment Manager Jeffrey Kral traded DOT surplus tools and equipment to private contractors in exchange for labor. He also improperly sold 19 pieces of equipment obtained through a federal grant program, violating that program’s requirements.
- In Oneonta, Otsego County, Motor Equipment Mechanic Jay Whitehead was arrested and fined during the investigation for selling a used DOT radiator and pocketing the cash. He also gave a state “vehicle scanner” to a tool salesman to repay a personal debt.
- In Waterford, Saratoga County, Traffic Signal Mechanic Leonard Borden got permission to install a scrap DOT camera on his land to deter timber poachers. He also used a DOT bucket truck to install Christmas decorations at his home.
- In Tonawanda, Erie County, Maintenance Supervisor Daniel Gentry used his DOT truck to deliver patio blocks to his home for installation around his backyard swimming pool.
- In Schenectady, Schenectady County, Highway Maintenance Supervisor Jill Dittmar used a DOT concrete cutting saw to make a cut in her home driveway.
- In Spencerport, Monroe County, Motor Equipment Maintenance Supervisor Vinton Michael took home a state vehicle scanner up to 12 times, despite DOT prohibitions. Mr. Michael asked for and received permission from his supervisor.

DOT has initiated disciplinary action against the employees and will take steps to ensure that supervisors and subordinates understand that state property cannot be used for one's personal benefit.

The Inspector General will forward its report to the state Commission on Public Integrity for a review of possible violations of the Public Officers Law. Public Officers Law requires state employees to "pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust."

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