



STATE OF NEW YORK  
OFFICE OF THE STATE INSPECTOR GENERAL  
**Final Report**  
**November 17, 2008**

**Chainsaw Case Added to DOT Audit of Inventory Practices**

SUMMARY OF FINDINGS/RECOMMENDATIONS

The Inspector General determined that New York State Department of Transportation (DOT) employee James Grooznack took an inoperable chainsaw, which belonged to DOT, with the intent to have it repaired and to keep it for his own personal use. The Inspector General has forwarded the findings of this investigation to DOT for appropriate disciplinary action. DOT has commenced a statewide audit of inventory practices and is working to tighten controls on the use of state property based on prior recommendations of the Inspector General. The Inspector General recommends that DOT include the findings of this report in its pending audit of inventory procedures.

ALLEGATION

The Inspector General received a complaint on April 30, 2008, that DOT Tree Pruner James Grooznack removed an inoperable chainsaw from a DOT storage shed with the intent to have the saw repaired and to retain it for his own personal benefit.

SUMMARY OF INVESTIGATION

James Grooznack has been employed by DOT as a tree pruner since December 2005, and is currently assigned to the Region One Tree Crew at the Clifton Park Residency. DOT Policy 4.15-3 states that "[t]heft in the workplace is a serious matter, even if the item is of minimal value." The policy further states that "[e]ven property that is perceived to be 'valueless' to the State (e.g., scrap metal, wood, surplus equipment) may not be taken without proper prior approval." Notwithstanding this prohibition, DOT employees are permitted to cut and remove excess wood from the Clifton Park Residency for their personal use, if they do so after hours using their own equipment.

Grooznack's immediate supervisor, James Dickerson, stated to the Inspector General that in or around March 2008 he and several co-workers had gathered after work at the Clifton Park Residency wood dump to cut wood for their personal use, as allowed by DOT policy. Dickerson stated that on that date he observed Grooznack remove from his truck and use what Dickerson thought to be chainsaw owned by DOT. According to Dickerson, when he asked Grooznack where he got the saw, Grooznack responded, "Oh, you know where." Dickerson stated that he became suspicious and later looked inside a

shed at the residency where DOT stores old equipment and noticed that a saw similar to the one Grooznack possessed was missing. Dickerson stated that he later confronted Grooznack about the saw, and that Grooznack admitted taking the saw and having it repaired for his personal use. Despite admitting misappropriating the saw, Dickerson stated that Grooznack was reluctant to return the saw because he had spent his own money to have it repaired. However, Grooznack returned the saw in late May 2008 after learning that Dickerson had reported the matter to DOT Special Crew Coordinator Lawrence Callahan. Callahan advised the Inspector General that the repaired saw is worth between \$600 and \$800.

According to Dickerson, the shed houses inoperable equipment that is used for spare parts. Dickerson stated that DOT does not maintain an inventory of the equipment in the shed from which Grooznack took the saw, and that the saw itself bore no DOT inventory tag or identification mark. Dickerson stated that Grooznack did not have authorization to enter the shed, but gained access from another employee. Since the incident, Dickerson stated, the shed locks have been changed and access further restricted.

In an interview with the Inspector General, Grooznack stated that he took the saw from the shed, which he said had been left unlocked by another employee. He stated that he did not ask permission to take the saw because it was “scrap lying around the yard” and he purportedly thought that “the state didn’t mind” if he took it. Grooznack claimed that he later asked Dickerson if taking the saw was a problem, and that Dickerson told him “it was fine, that he didn’t care.” Grooznack stated that he spent \$300 of his own money to have the saw repaired. Grooznack said he believed that his taking the saw only became an issue because Dickerson was seeking to punish him for an argument the two men later had about an unrelated subject. Grooznack stated that he returned the saw to DOT after Dickerson told him the matter was being reported.

## FINDINGS AND RECOMMENDATIONS

The Inspector General determined that DOT employee James Grooznack took an inoperable chainsaw from DOT in order to repair it for his personal use in violation of DOT policy. In response to findings of employee thefts similar to Grooznack’s and other inventory lapses, in June 2008 the Inspector General released a report entitled, “Report on the Abuse of State Property at the New York State Department of Transportation.”

This report examined six separate allegations that DOT employees had misused or misappropriated state equipment. As a result of the Inspector General’s recommendations in that report, DOT has commenced a statewide audit of inventory practices and is working to tighten controls on the use of state property. The Inspector General recommends DOT take appropriate disciplinary action against Grooznack and further include the findings of this report in its pending audit of inventory procedures.