



RICHARD A. BROWN
DISTRICT ATTORNEY

**DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
718-286-6000**

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www.queensda.org

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CONTACT: QDA PRESS OFFICE
718-286-6315

MTA IG PRESS OFFICE
212-878-0072

**THREE MTA SUBCONTRACTOR EMPLOYEES CHARGED WITH STEALING
EIGHT FORKLIFTS AND 17 TONS OF BATTERIES FROM QUEENS FACILITY**

_____ Queens District Attorney Richard A. Brown and Metropolitan Transportation Authority (MTA) Inspector General Barry Kluger today announced that three contract employees assigned to the MTA-New York City Transit's central warehouse in Maspeth, Queens, have been charged with stealing MTA equipment from the facility and selling it to a local junk dealer and keeping the proceeds from the sales.

District Attorney Brown said, "The defendants are accused of trying to make a fast buck by stealing tens of thousands of dollars worth of MTA equipment and selling it for a fraction of its value to a scrap dealer. By these arrests we have sent a clear message that in these challenging economic times, the MTA and the riding public can ill afford such waste and thievery and have underscored the fact that those who steal will be held accountable for their actions."

Inspector General Kluger said, "This case provides another example of how the MTA Inspector General's Office works with our investigative and prosecutorial partners to move swiftly against those who steal MTA property. I wish to thank Queens County District Attorney Richard Brown for his assistance in our ongoing efforts to protect the assets and preserve the integrity of the MTA. I also appreciate the cooperation of MTA New York City Transit President Howard Roberts who has made clear to his staff that they must be prompt in referring appropriate matters to my Office."

The three defendants are identified as Bruce Lesniewski, 30, of 79 North Henry Street in Brooklyn; Darrin Pfaff, 42, of 10 11th Street in Ronkonkoma, Long Island; and Kimberely B. Edwards, 57, of 60 East Lakeland Street in Bay Shore, Long Island. Lesniewski and Pfaff worked as technicians for Crown Equipment, the MTA subcontractor, and Edwards was employed by Crown as a flatbed truck driver. The defendants, who each face up to seven years in prison if convicted, are expected to be arraigned later today in Queens Criminal Court. (See Addendum for additional details on defendants)

Crown Equipment has a preventive maintenance contract with the New York City Transit and, as part of that agreement, assigns technicians to the Transit's Maspeth warehouse, located at 55-04 Maspeth Avenue, to provide onsite repairs and maintenance and to provide estimates for shop repairs. In order to facilitate repairs, Crown Equipment utilizes a flatbed truck, along with various vans, to transport equipment from the warehouse to other authorized locations for repairs, maintenance and replacement parts.

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The joint investigation leading to today's arrests commenced in September 2008 when New York City Transit personnel began an annual inventory of equipment at the Maspeth warehouse and discovered that eight forklifts and seventeen steel case batteries (each weighing between 2,000 and 2,500 pounds) used to operate their forklift equipment were missing. The investigation involved interviews, a review of the business records of the MTA and the scrap dealer, and an analysis of cell phone records and GPS signals assigned to Crown Equipment phones and trucks.

According to the criminal charges, the three defendants stole a total of eight forklifts and seventeen batteries from the MTA-Transit warehouse between March 2008 and September 2008 and took the equipment to Dependable Scrap Yard, a licensed junk dealer located at 57-35 Flushing Avenue in Maspeth, which paid them a total of \$7,812.14, which they kept.

It is further alleged that in selling the metal to the scrap dealer both Lesniewski and Pfaff signed invoices stating that they were the rightful owners of the equipment and had authority to sell it and showed photo identification in order for the invoices to be completed and the money paid to them. Finally, it is alleged that GPS records for the flatbed truck driven by Edwards tracked his driving from the warehouse to Dependable Scrap Yard on at least three different occasions between August and September 2008, and that he and Pfaff had a series of cell phone conversations on those dates.

The investigation was conducted by Detective Joseph Brancaccio, of the District Attorney's Detective Bureau, under the supervision of Sergeant Evelyn Alegre and Lieutenant Robert J. Burke, and the overall supervision of Chief Lawrence J. Festa and Deputy Chief Albert D. Velardi, and by Deputy Chief Investigator Albert Pignataro, Principal Investigators John Flannery and John Crimmins, and Senior Investigative Attorney Maura Daly, all of the MTA Inspector General's Office.

Assistant District Attorney Phyllis C. Weiss, of the District Attorney's Integrity Bureau, is prosecuting the case under the supervision of Assistant District Attorneys James M. Liander, Bureau Chief, and Carmencita N. Gutierrez, Deputy Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney Linda M. Cantoni.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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ADDENDUM

Lesniewski, who is currently employed by Crown Equipment, is charged with third-degree grand larceny for the alleged theft of two forklifts and ten batteries between March 1, 2008, and September 19, 2008, for which he allegedly was paid \$3,097 by the scrap dealer.

Pfaff and Edwards, who were formerly employed by Crown Equipment, are charged with third-degree grand larceny and fifth-degree conspiracy for the alleged theft of six forklifts between May 1, 2008, and September 30, 2008, for which they allegedly were paid \$3,160 by the scrap dealer.

Pfaff is also charged with fourth-degree grand larceny for the alleged theft of seven batteries between June 1, 2008 and September 30, 2008, for which he was allegedly paid \$1,555 by the scrap dealer.

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