



2 GUN SHOPS POPPED

City sellers stung

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Two employees of local gun stores that peddled weapons used in 72 Big Apple crimes were busted yesterday for selling arms illegally, police said.

The employees' gun licenses were suspended, and their stores' inventories of guns and rifles also were seized in the sting.

The NYPD said the stores, DF Brothers Sport Center in Bensonhurst, Brooklyn, and Woodhaven Rifle and Pistol Range in Woodhaven, Queens, were targeted because of evidence developed in Mayor Bloomberg's crackdown on rogue gun dealers.

Last week, the mayor filed a federal suit against 15 out-of-town gun dealers who sold 500 guns used in crimes in New York City between 1994 and 2001.

Police said Jack Togati, 40, of the Brooklyn store, and Michael Spallone, 43, of the Queens shop, were busted for selling guns to an undercover investigator who didn't have a city pistol permit, a requirement for buying a weapon.

The investigator, who handled and paid for the guns, was accompanied by a retired female cop who showed a Suffolk County pistol permit. The transactions were captured on videotape.

Police seized 86 pistols and 161 rifles from the Brooklyn shop and 200 pistols and 34 rifles from the Queens store.

An NYPD spokesman said authorities determined

that between 1994 and 2001, DF Brothers sold 28 guns that were used in crimes committed in the Apple.

In the same period, Woodhaven Rifle sold 44 guns that turned up in city crimes.

The figures, the latest available, come from the Bureau of Alcohol, Tobacco, Firearms and Explosives, which traces guns used in crimes.

Because of gun-lobby efforts, the ATF has been limited in what gun-tracing data it can release since 2003.

Togati's lawyer, Joseph Benfante, said his client and the store's owner, Frank Taormina, are "the most legitimate people I know."

The store boasts "scores of legitimate customers who are NYPD cops" and keeps scrupulous records, he said.

"This is a political boondoggle of the worst kind, which destroys the credibility of hardworking and tax-paying citizens without touching the problem of illegal guns in the hands of criminals," he fumed.

Benfante claimed the retired female cop had tried to buy the gun sold to the male investigator, but the sale was delayed because the woman didn't have the proper paperwork. He didn't explain why the gun was sold to the investigator.

Togati's father, Ben, 68, said his son, a gunsmith, was popular with cops.

"My son is a servant of the police," he said. "They constantly go there."

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