

DISTRICT ATTORNEY - NEW YORK COUNTY

News Release
December 7, 2005

Contact: **Sherry Hunter**
212.335.9400

District Attorney Robert M. Morgenthau announced today the arrest of a former director of the Bureau of Day Care in the New York City Department of Health and Mental Hygiene, on grand larceny, fraud and false document charges stemming from his fraudulent use of City time to do lucrative work for another employer.

Donald Nolte of Brooklyn was the Director of the Bureau of Day Care from 1991 until 2004. As its chief executive officer, he was responsible for licensing day care facilities throughout the city and investigating any complaints against them.

The investigation revealed that in the mid-1990s, Nolte began to do paid work for Cicatelli Associates, Inc., a private consulting firm that often contracts with City and State agencies. From 1997 until he was relieved of his duties in September of 2004, Nolte repeatedly falsified the time sheets he signed and submitted to the City, fraudulently stating that he was at work at his City job, or that he was out on sick leave, when he was in fact working for Cicatelli. Nolte did his work for Cicatelli at locations around the state, including the cities of Albany, Buffalo, and Syracuse, and the counties of Columbia, Dutchess, Hamilton, Nassau, Sullivan, Ulster, Warren, and Westchester, as well as at Cicatelli's offices in Manhattan. The 62 false time sheets cited in the indictment reflect 90 dates on which Nolte falsely claimed to be either at work for the City or out on sick leave. As a result of those false entries, Nolte obtained more than \$30,000 in City salary to which he was not entitled, while making, at the same time, over \$100,000 from his work for Cicatelli.

The investigation into Nolte's time abuse was begun by the City's Department of Investigation in August of 2004, based on an anonymous complaint that Nolte was frequently absent from his City job. While that investigation was pending, Nolte was relieved of his duties as Director of the Bureau of Day Care in September of 2004 as a result of a reorganization following the August 2004 death of a nine-month-old infant, Matthew Perilli, at a city-licensed day care center in Queens. Nolte was later discharged from City employment.

The indictment charges Nolte with one count of grand larceny in the third degree, a class D felony, one count of defrauding the government, a class E felony, and 62 counts of offering a false instrument for filing in the first degree, class E felonies. A class D felony carries a maximum prison term of seven years, and a class E felony carries a maximum prison term of 4 years.

Mr. Morgenthau thanked the Department of Investigation for

initiating the time abuse investigation and for its assistance in the subsequent investigation by the District Attorney's office.

The case was presented to the grand jury by Assistant District Attorney Michael Bowen under the supervision of Assistant District Attorneys Owen Heimer, Michael Kitsis and Jeannette Molina, the chief and deputy chiefs, respectively, of the District Attorney's Frauds Bureau.

Defendant information:

Donald Nolte

DOB: 6/15/1942

Address: 36 Plaza Street, Brooklyn, N. Y., Apt. 1

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