

**ONEIDA COUNTY  
OFFICE OF THE DISTRICT ATTORNEY**

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**REPORT TO THE DISTRICT ATTORNEY**

**TO:** Hon. Scott D. McNamara  
**FROM:** ADA Bernard L. Hyman, Jr.  
**DATE:** February 11, 2015  
**RE:** Children's Museum

The investigation into the Children's Museum has been completed and based upon our findings, I do not see any viable charges that we can pursue before a Grand Jury. Therefore, I recommend that we do not present this matter to a Grand Jury.

The investigation involved a lengthy review of each and every banking transaction of the Children's Museum for the past five years. It should be noted that there were numerous bank accounts at several banking institutions uncovered during the investigation. In addition, our investigators spoke with vendors who had conducted business with the museum, several members of the Museum's Board of Directors including the originating complainant Chris Gordon, and the Executive Director Marlene Brown.

While our investigation revealed that there may have been some issues with record keeping and retention, we confirmed that the expenditures from the numerous bank accounts were in fact made on behalf of the Museum. In addition to combing through nearly one thousand individual transactions and verifying them, a site visit was made in order to confirm that the big ticket items were present and accounted for on the premises.

With regard to the original complaint made by Gordon, we indicated that at the time of the filing of the complaint that we felt that there was enough of an allegation to initiate the investigation but we did not see any criminal wrongdoing on the face of the complaint. Specifically Gordon raised questions about expenditures made pursuant to three (3) grants from the Community Foundation to the Museum for

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roof, bathroom, and carpet repairs. The Museum actually expended more than they received for both the roof and bathroom repair grants. On the other hand, it appears that all of the funds received for the carpet repair were not spent solely on the carpet as was stipulated in the grant. While we have found no evidence of criminal intent or purpose, I have spoken to the Board's attorney and it is my understanding that the Board will be voting on a resolution to reimburse the Community Foundation for any excess owed.

2/11/15

DATED



SIGNED

REPORT TO THE DISTRICT ATTORNEY

TO: Hon. Scott B. McManus  
FROM: ADA Bernard J. Gordon  
DATE: February 11, 2015  
RE: Children's Museum of Utica

The investigation into the Children's Museum of Utica's financial records has been completed and based upon our findings, I do not see any viable charges that we can pursue before a grand jury. I recommend that we do not present this matter to a grand jury.

The investigation involved a review of each and every banking institution of the Children's Museum for the past five years. It should be noted that there were numerous bank accounts in several banking institutions uncovered during the investigation. In addition, our investigators spoke with vendors who had conducted business with the museum, several members of the Museum's Board of Directors including the originating complainant, Chris Gordon, and the Executive Director, Marlene Brown.

While our investigation revealed that there may have been some issues with record keeping and retention, we confirmed that the expenditures from the numerous bank accounts were in fact made on behalf of the Museum. In addition to combing through nearly one thousand individual transactions and verifying them, a site visit was made in order to confirm that the big ticket items were present and accounted for on the premises.

With regard to the original complaint made by Gordon, we indicated that at the time of the filing of the complaint that we felt there was enough of an allegation to initiate the investigation but we did not see any criminal wrongdoing on the face of the complaint. Specifically, Gordon raised questions about expenditures made pursuant to three (3) grants from the Community Foundation to the Museum for