

Warren County Sheriff's Office

Felony Complaint

COPY

Incident # 16-16362

State of New York  
Town Court

County of Warren  
Town of Lake George

THE PEOPLE OF THE STATE OF NEW YORK

vs.

FELONY COMPLAINT

David J. Decker

By this accusatory instrument, I, Investigator Christopher J. Hatin as the complainant herein, employed by the Warren County Sheriff's Office at 1400 State Route 9 Lake George New York 12845, accuse David J. Decker, the above named defendant with having committed felony of **Grand Larceny in the Second Degree** in violation of Section 155.40 Subdivision 1 of the Penal Law of the State of New York.

That on or about the 2<sup>nd</sup> day of November 2012 at 1 Lower Amherst Street the offices of the Lake Champlain-Lake George Regional Planning Board in the Village of Lake George, Warren County, State of New York, the defendant did, upon information and belief, knowingly, intentionally, and unlawfully steal property with a value exceeding fifty thousand dollars.

To wit: The above named defendant did knowingly, intentionally and unlawfully steal more than \$69,156 in United State Department of Agriculture grant funds by fraud.

Sources of deponent's information and belief are a police investigation and attached documents

All contrary to the provisions of the statute in such case made and provided.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.

Dated: 3/2/17

Complainant [Signature]

Warren County Sheriff's Office  
Felony Complaint

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Town Court

County of Warren  
Town of Lake George

THE PEOPLE OF THE STATE OF NEW YORK

vs.

FELONY COMPLAINT

David J. Decker

By this accusatory instrument, I, Investigator Christopher J. Hatin the complainant herein, employed by the Warren County Sheriff's Office, stationed at 1400 State Route 9 Lake George, New York 12845, accuse David J. Decker the above named defendant with having committed the felony of **Falsifying Business Records in the First Degree** in violation of section 175.10 of the Penal Law of the State of New York.

That on or about 12<sup>th</sup> day of November 2012, at 1 Lower Amherst Street the offices of the Lake Champlain-Lake George Regional Planning Board in the Village of Lake George, Warren County, State of New York, the defendant did, upon information and belief, knowingly, intentionally and unlawfully and with intent to defraud, make or cause a false entry in the business records of an enterprise, and when his intent to defraud includes an intent to commit another crime or to aid or conceal the commission thereof.

To wit: The above named defendant did upon information and belief, knowingly, intentionally and unlawfully and with intent to defraud the Lake Champlain-Lake George Regional Planning Board, make and cause a false entry in the business records of the Lake George Watershed Coalition and when his intent to defraud included his intent to commit the crime of Grand Larceny in the Second Degree and to conceal the crime of Offering a False Instrument for Filing in the First Degree.

Sources of deponent's information and belief are a police investigation and attached documents

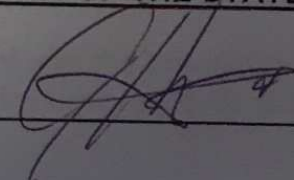
All contrary to the provisions of the statute in such case made and provided.

**FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.**

Dated

3/2/17

Complainant

 147

Warren County Sheriff's Office  
Felony Complaint

Incident # 16-16362

State of New York  
Town Court

COPY

County of Warren  
Town of Lake George

THE PEOPLE OF THE STATE OF NEW YORK

vs.

David J. Decker

FELONY COMPLAINT

By this accusatory instrument, I, Investigator Christopher J. Hatin as the complainant herein, employed by the Warren County Sheriffs Office at 1400 State Route 9, Lake George, New York 12845, accuse David J. Decker, the above named defendant with having committed felony of **Offering a False Instrument for Filing in the First Degree** in violation of Section 175.35 of the Penal Law of the State of New York.

That on or about the 12<sup>th</sup> day of November 2012, at 1 Lower Amherst Street the offices of the Lake Champlain-Lake George Regional Planning Board in the Village of Lake George, Warren County, State of New York, the defendant did, upon information and belief, knowingly, intentionally, and unlawfully offer or present a written instrument that contained a false statement or false information to a public office, public servant, public authority or public benefit corporation of the state, knowing such written instrument contained such a false statement or false information, and with the intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state.

Further the defendant offered such written instrument with the knowledge or belief that it would be filed with, registered or recorded in or would otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation.

To wit: The above named defendant did, upon information and belief, knowingly, intentionally and unlawfully offer and present a written instrument containing false information to employees of the Lake Champlain-Lake George Regional Planning Board, specifically an Invoice from the Lake George Watershed Coalition in the amount of \$69,156.30 further described as Subcontractor Invoices of Natural Restorations by Linda J. & Co, Inc, that the defendant created, knowing such instrument contained such false information and with intent to defraud the Lake Champlain-Lake George Regional Planning Board and the United States Department of Agriculture.

Further the defendant offered such written instrument with the knowledge or belief that it would be filed with, registered or recorded in or would otherwise become a part of the records of Warren County.

Sources of deponent's information and belief are a police investigation and attached documents All contrary to the provisions of the statute in such case made and provided.

**FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR  
PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.**

Dated: 3/2/17

Complainant [Signature] # 1417

P-1 4/00



**Lake George Watershed Coalition**  
*Protection, Preservation & Participation*

c/o Village of Lake George  
26 Old Post Road  
Burnt Hills, New York 12027

Invoice No                    6868 - 2012 - 2

Date:                              November 2, 2012

Please remit, payable to:  
Lake George Watershed Coalition  
c/o Village of Lake George  
26 Old Post Road  
Burnt Hills, New York 12027

*Contract Services Provided to:*  
Lake Champlain - Lake George Regional Planning Board  
1 Lower Amherst Street  
Lake George, New York 12845

<i>Activity Description</i>	<i>Rate</i>	<i>Units</i>	<i>Total</i>
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Professional & subcontract services provided in support of  
the Lake George - Planning for the Future Initiative, and the  
Lake George Watershed Conference, as part of the WBCI  
Engineered Wetlands Project at the Gas Light Village Project Site

**USDA Grant No. 07-DG-11420004-286, West Brook Storm Water Improvement and Resource Conservation Project**

Description	Reimbursable Expenses		Total Cost
	Amount	Unit Rate	
Subcontractor Invoices	1	\$ 69,156.30	\$ -
Natural Restorations by Linda J & Co, Inc			\$ -
(Procure, supply and install			\$ -
Wetlands Uplands Plantings,			\$ -
(As per specification)			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
<b>Total</b>			<b>\$ 69,156.30</b>

Reimbursable Expenses	\$69,156.30
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<b>Total Due this Period</b>	<b><u>\$69,156.30</u></b>
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11/5/12

**COPY**

## The Lake George Watershed Coalition

Cesar A. Perales, Chair  
Secretary of State

Mary Jane Godfrey

Robert Banks

John Macionis

Edna Frasier

Robert Blais

Joan McDonald

Charles Boylen

Daniel Stec

Joe Martens

Debra Malaney

Noel Merrihew

Scott Fitscher

Jeff Kileen

John LaPointe

Leilani Ulrich

Gerald Morrow

Edward Milner

Ronald Conover

John Rymph

James Seeley, PhD

J. Buckley Bryant

Dennis Dickinson

Fred Monroe

Randall Douglas

Bruce Young

Walter Young

To: Walter Young, Director, LCLG-RPB

From: David J. Decker, P.E., Director

*David J. Decker*

Date: November 2, 2012

Re: Lake George Watershed Coalition  
USDA Grant Proceeds Reimbursement

Walter:

Please find attached LGWC Invoice Number 6868-2-2012, which represents the expenses incurred as part of the Landscaping & Final Grading Contract at the Gas Light Village Project Site. The expenses incurred were specifically for Item Nos 3 on the attached Application and Certification for Payment, designated for " Upland Plants, Trees and Shrubs. The balance of the grant, i.e. \$69,156.30 will be allocated to that line item, in accordance with the original grant application and intent.

Once this item is paid, I will prepare the project closeout package..for transmission to the USDA.

If there are questions, please call me at 461-2200.

C: NYSDOS, Attn: Kevin Millington  
NYSDEC, Attn: Judith Engel

Visit our website at: [www.lakegeorge2000.org](http://www.lakegeorge2000.org)

**COPY**

**NATURAL RESTORATIONS BY LINDA J & CO., INC.**

P.O. BOX 177  
WILLIAMSVILLE, NY 14231-0177

716-689-6233 Fax 716-636-1157  
nrbylindaj@gmail.com



February 9, 2017

Warren County Sheriff's Office  
1400 State Route 9  
Lake George, New York 12845

Re: West Brook Conservation Initiative project, Lake George

I, Linda Jedrysik, am the President of Natural Restorations by Linda J & Co., Inc. of 3271 Millersport Highway, Getzville, New York 14068.

In 2012, my company won a landscaping contract bid in Warren County New York for the West Brook Conservation Initiative project. The contract was between the Town of Queensbury and Natural Restorations by Linda J & Co., Inc. The Project.No. was 90730.04

The contract consisted of the following work:

1) Clearing & Grubbing, topsoil placement etc..	\$101,850.00
2) Wetland Plantings, wet marsh plantings etc..	\$ 72,850.00
3) Upland Plants, trees and shrubs	\$ 90,005.00
4) Erosion and sediment control measures etc..	\$ 30,850.00
Total	\$295,555.00

I submitted the payment application and certification for this work on October 25, 2012 to David Decker. On March 22, 2013, Natural Restorations was finally paid by David Decker the \$295,555, which was wired into Natural Restorations's bank checking account.

# NATURAL RESTORATIONS BY LINDA J & CO., INC.

Re: West Brook Conservation Initiative project, Lake George

In addition to the above, I submitted 7 change orders for the following additional work:

- |                                                                   |              |
|-------------------------------------------------------------------|--------------|
| 1. Remove accumulated sediments from catch basin etc..            | \$ 3,775.98  |
| 2. Remove & dewater accumulated sediments from pond etc..         | \$ 5,755.51  |
| 3. Reinforce & expand rip-rapped area etc...                      | \$ 4,537.57  |
| 4. Remove accumulated debris, previously place stone etc...       | \$ 1,285.44  |
| 5. Expand Wet Marsh to reflect current path etc...                | \$ 1,306.21  |
| 6. Procure & place additional stone in Gravel Wetland etc..       | \$ 1,097.57  |
| 7. Procure & place additional river stone to flow separation etc. | \$ 3,512.89  |
| Total                                                             | \$ 21,271.17 |

I submitted the payment application and certification for these changes on December 21, 2012 to David Decker. On February 12, 2016, Natural Restorations was finally paid the \$21,271.17 for the work change orders by David Decker with check # 1542 from the Lake George Watershed Conference.

Recently, Investigator Conine contacted me and asked if I had submitted an additional invoice to David Decker in the amount of \$69,156.30 for work as part of the West Brook Conservation Initiative. Investigator Conine also emailed me a copy of an invoice which referenced this amount as "Reimbursable Expenses" on Lake George Watershed Coalition letterhead billed to Lake Champlain-Lake George Regional Planning Board. I never submitted an invoice for \$69,156.30 to David Decker at any time. David Decker has never paid me or my company anything more than the above two invoices for \$295,555 and \$21,271.17.

The undersigned certifies this statement to be true and accurate.

Dated this 9th day of February, 2017. *JCF*

Natural Restorations by Linda J & Co., Inc.

*Linda C. Jedrysik*  
Linda C. Jedrysik, President

State of New York  
County of Erie

*JoAnn Fitzgerald*  
Notary Public

JoAnn Fitzgerald  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01F16324424  
Qualified in Erie County  
Commission Expires May 4, 2019