

SUPREME COURT: COUNTY OF NASSAU  
STATE OF NEW YORK

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THE PEOPLE OF THE STATE OF NEW YORK

-against-

FRANK ANTETOMASO and SALVATORE  
CECERE,

Indictment No. 1022N/17

Defendants.

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THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, accuses the defendants, FRANK ANTETOMASO and SALVATORE CECERE, of the crime of OFFICIAL MISCONDUCT, a class A misdemeanor, in violation of Section 195.00(1) of the Penal Law of the State of New York, committed as follows:

The defendant, SALVATORE CECERE, while a public servant, acted in concert with FRANK ANTETOMASO, on or about and between October 1, 2016 and October 26, 2016, in the County of Nassau, State of New York, with intent to obtain a benefit or deprive another person of a benefit, committed an act relating to Salvatore Cecere's office but constituting an unauthorized exercise of his official functions, knowing that such act is unauthorized.

SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, accuses the defendants, FRANK ANTETOMASO and SALVATORE CECERE, of the crime of THEFT OF SERVICES, a class A misdemeanor, in violation of Section 165.15(10) of the Penal Law of the State of New York, committed as follows:

The defendants, FRANK ANTETOMASO and SALVATORE CECERE, acting in concert with one another, on or about and between October 1, 2016 and October 26, 2016, in the County of Nassau, State of New York, having control over labor in the employ of another person or of business, commercial or industrial equipment or facilities of another person, knowing that he is not entitled to the use thereof, and with the intent to derive a commercial or other substantial benefit for himself or a third person, did use or divert to the use of himself or a third party such labor, equipment or facilities.

Dated:

June 21, 2017

Mineola, New York

  
MADELINE SINGAS  
District Attorney

**PLEASE TAKE NOTICE** that in accordance with the provisions of Section 240.30 of the Criminal Procedure Law, the People hereby demand that within fifteen days of the date of service of this Demand, you disclose and make available to the District Attorney of Nassau County for inspection, photographing, copying, or testing: (a) any written report or document or portion thereof, concerning a physical or mental examination, or scientific test, experiment, or comparisons, made by or at the request or direction of the defendant, if the defendant intends to introduce same at trial of this action, or if the defendant has filed a notice of intent to proffer psychiatric evidence and such report or document relates thereto, or if same was made by a person, other than the defendant, whom the defendant intends to call as a witness at trial; and (b) any photograph, drawing, tape, or other electronic recording which the defendant intends to introduce at trial.

**PLEASE TAKE FURTHER NOTICE** that in accordance with the provisions of Section 250.20 of the Criminal Procedure Law I hereby demand from you and each of you that if you intend upon the trial of this indictment to offer, for any purpose whatever, testimony which may tend to establish your presence elsewhere than at the scene of the crime or crimes with which you are charged, at the time of their commission, you must, within eight days from the date of service of this Demand, serve upon the District Attorney of Nassau County, and file with this court, a copy thereof, a notice of alibi which shall set forth in detail the place or places where you claim to have been together with the names, post office addresses, residences and places of employment and the addresses thereof of the witnesses upon whom you intend to rely to establish your presence elsewhere than at the scene of the crime or crimes at the time of their commission.

If at the trial of this action the defendant calls such an alibi witness without having served a notice of alibi pursuant to the demand, or, if having served such a notice he calls a witness not specified therein, a motion will be made pursuant to the provisions of Section 250.20 of the Criminal Procedure Law to exclude any testimony of such witness relating to the alibi defense.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 710.30 of the Criminal Procedure Law, the People intend to offer at the trial of this indictment evidence of oral and/or written statement(s) made to a public servant pertaining to the charge set forth in this indictment.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 710.30 of the Criminal Procedure Law, during the trial of this matter, the People expect to introduce testimony identifying the defendant as a person who committed the offenses charged as set forth in this indictment, which testimony will be given by at witness (witnesses) who has (have) previously identified the defendant.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 220.51 of the Criminal Procedure Law, if at the time of the alleged felony crime the defendant was a public official, as defined in subdivision six of section one hundred fifty-six of the retirement and social security law, the defendant's plea of guilty and the court's acceptance thereof or conviction after trial may result in proceedings for the reduction or revocation of such defendant's pension pursuant to article three-B of the retirement and social security law.

**MADLINE SINGAS**  
District Attorney  
Nassau County, New York

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MADELINE SINGAS

District Attorney

INDICTMENT FOR

FRANK ANTE TOMASO: OFFICIAL MISCONDUCT  
THEFT OF SERVICES

SALVATORE CECERE: OFFICIAL MISCONDUCT  
THEFT OF SERVICES

A TRUE BILL

Foreperson

