

# Krasner

**-FOR IMMEDIATE RELEASE-  
September 12, 2013**

## **PATTERNS OF BRIBERY IN TOWN HALL?**

*Town Supervisor and Board Engage in Official Acts on Multiple Occasions for Campaign Donors*

TOWN OF NEWBURGH, NY - Local governments can quite often be susceptible to corruption in the areas of bribery, nepotism, embezzlement, patronage systems and extortion tactics. With many competing interests and factors lending themselves to these practices, it can be challenging to find empirical data that show patterns indicating quid pro quo behavior, where something is exchanged for something else.

### **Donations for Official Acts?**

In the political campaign process contributions are made to support candidates with views or platforms a person, group or entity agrees with or benefits from as a result, this is perfectly legal and the accepted intent of campaign donations. The donation becomes a form of bribery if it can be determined that the intent of the exchange was for official acts, prior or subsequent.

Patterns and trends emerge when examining the Town of Newburgh meeting minutes from January 2005 through the present and cross referencing them with the campaign disclosure reports of Supervisor Wayne Booth, Councilman George Woolsey, Councilman Gil Piaquadio and the Town of Newburgh Republican Committee which these elected officials are all members of and benefit from via campaign funds.

During the course of several years, many regular donors who appear before the board asking for various approvals, amendments to local laws, resolutions and letters of support show up in meeting minutes whereby those same Town officials who accepted campaign contributions preside over official acts and decision making that impact these same campaign donors. While it is interesting to note that many of the campaign donations come from the same sources year after year, who in turn appear before the board seeking official acts year after year, the intriguing data is those individuals and entities that made campaign donations only once or a couple times and only during those same time windows they appeared before the Town Board in an official capacity.

The other interesting observations from comparing meeting minutes and campaign finance reports was to examine the regular donors with business interests in the Town and observe which years spikes in the amounts they would donate would take place and cross reference that with activities that were transpiring in the Town of Newburgh in that same time period. One such example can be observed with the Town's Tax Certiorari law firm, Hacker & Murphy, LLP. In looking at their campaign contributions for each year the totals were \$600 to Supervisor Booth in 2007 and \$300 to his campaign in 2008. In 2009 the contribution amount skyrocketed past the legal limit of \$1000, using loopholes, to a total of \$1800 contributed directly to the Supervisor's campaign and another \$1800 into a group called the Newburgh Neighbors Coalition which in turn donated just under \$1000 back into the Supervisors campaign that year with the remaining money going to candidates on the same slate. The question then becomes one of "motive" for this spike in the amount of campaign dollars and why all the creative steps to contribute beyond set limits and conceal the identity of the source? The Town of Newburgh is a good client of this firm and pays them hundreds of thousands each year for services. In subsequent years the donations resumed at much lower levels and were listed under the firms name of "Hacker & Murphy, LLP" as opposed to the names listed in 2009 on campaign reports of individuals associated with the firm, "DROBNY, C L; MURPHY, DAVID R and SEELY, MARY H".

The corresponding table shows a sampling of these types of pattern identifying the party making the donation, the date the amount appeared on campaign disclosures along with the date of an official action taken by the Town Supervisor and Board.

**OFFICIAL ACTS FOR CAMPAIGN DONORS**  
(Sample of Data Compiled)

Donor's Name	Recipient	Amount	Date of Donation	Date of Town Meeting	Official Acts	Vote Taken
<b>LSLW CORP</b> Lynn Warren (Affiliated) Newburgh, NY 12550	George Woolsey (Councilman)	\$400	October 23, 2005	May 2, 2005	<u>Audit/Workshop Meeting</u> : MOTION was made by Councilman Piaquadio to award the bid for the Chadwick Lake Maintenance Contract to <b>LSLW Corporation</b>	Motion Passed 3-0
<b>MCGOEY, HAUSER AND EDSALL (MHE)</b> New Windsor, NY 12553	Gil Piaquadio (Councilman) Town of Newburgh Republican Cmte	\$145 \$100	October 7, 2005 October 7, 2005	October 12, 2005	<u>Audit/Workshop Meeting</u> : MOTION was made by Councilman Woolsey to approve the voucher for <b>McGoey, Hauser &amp; Edsall</b> in the amount of \$2,250.00, seconded by Councilman Benedict.	Motion Passed 4-0
MOUNTAIN LAKE ESTATES <b>Paul L. Howard</b> (Chief Officer of Alpha Hotel Holdings LLC) New York, NY	Wayne C. Booth (Town Supervisor)  Gil Piaquadio (Councilman)	\$250 \$100	April 12, 2006 October 25, 2006	March 19, 2006	<u>Audit/Workshop Meeting</u> : Resolution: Mountain Lake Estates -- Park Land Fees <b>Paul L. Howard</b> , the chief officer of Alpha Hotel Holdings LLC came forward for this item. MOTION to authorize deferral of the required payment of the fee	Motion Passed 3-0
<b>BRIGHTON GREEN</b> Pulte Homes (Affiliated)	Wayne C. Booth (Town Supervisor)	\$300	April 14, 2006	April 17, 2006	<u>Town Board Meeting</u> : Performance Security Agreement with <b>Brighton Green</b> .	Motion Passed 5-0
MEADOW CREEK DEVELOPMENT LLC David Weinberg (Managing Member of LLC) ENGINEERING PROPERTIES, PC (EP) <b>R. Winglovitz</b> and <b>J. Samuelson</b> (affiliated)	Wayne C. Booth (Town Supervisor)	\$200 \$200	April 19, 2006 (J. Samuelson) April 20, 2006 (R. Winglovitz)	April 26, 2006	<u>Audit/Workshop Meeting</u> : Driscoll / Polo Club Subdivisions – Sewer Proposal Alternatives. <b>Ross Winglovitz</b> and David Weinberg, from Engineering Consultants, came forward for this item.	N/A
WB INTERCHANGE ASSOCIATES, LLC <b>(The Market Place)</b> W.B.PARTNERS. INC Robert Wilder (Affiliated)	Town of Newburgh Republican Cmte  Wayne C. Booth (Town Supervisor)	\$450 \$300	February 15, 2006 April 19, 2006	May 10, 2006	<u>Audit/Workshop Meeting</u> : Resolution Authorizing Letter to Planning Board RE: <b>Marketplace</b> SEQR Public Hearing. MOTION was made by Councilman Woolsey to adopt the Resolution of the Town Board.	Motion Passed 4-0
MBH DEVELOPMENT INC <b>(Golden Vista)</b> Bernard Mittelman (Affiliated as CEO)	Goerge Woolsey Wayne C. Booth Gil Piaquadio George Woolsey	\$250 \$250 \$250 \$250	October 23, 2006 February 28, 2007 June 11, 2007 June 12, 2007	April 16, 2007	<u>Town Board Meeting</u> : Landscape Cost Estimate <b>Golden Vista</b> . MOTION was made by Councilman Benedict to approve the recommendation dated April 12, 2007, submitted by Karen Arent, Landscape Architectural Consultant to the Town of Newburgh Planning Board, for the cost estimate for the Golden Vista Landscape Bond. The amount of the Bond is \$250,663.78 with an inspection fee of \$4,000.00.  Architect Tom Romano asks for extension on bond. Councilman Woolsey MOVED to authorize Mark Taylor, Attorney for the Town, to generate the document granting the extension and have it executed.	Motion Passed 4-0-1  Motion Passed 3-1-1
FULL THROTTLE CONSTRUCTION <b>(Orange County Choppers)</b> Montgomery, NY 12549	Goerge Woolsey (Councilman)	\$600	June 7, 2007	June 27, 2007	<u>Audit/Workshop Meeting</u> : GRANT ENDORSEMENT - The application is being submitted by Henry Kroll of <b>Orange County Choppers</b> . MOTION to authorize the Town Supervisor to submit a letter of support for the grant application to the New York State Department of Transportation by Orange County Choppers. Motion made by Councilman Woolsey, seconded by Councilman Piaquadio.	Motion Passed 5-1
<b>MASER CONSULTING</b> Red Bank, NJ 07701	Wayne C. Booth (Town Supervisor)	\$200	October 1, 2007	October 10, 2007	<u>Audit/Workshop Meeting</u> : Sunnyside Development. Mr. Andrew Fetherston, Engineer from <b>Maser</b> , representing the Developer. MOTION was made by Councilman Piaquadio to grant an outside user status to Sunnyside Development with two years to execute.	Motion passed 5-0
<b>MASER CONSULTING</b> Red Bank, NJ 07701	Wayne C. Booth (Town Supervisor)	\$150	June 5, 2008	June 25, 2008	<u>Audit/Workshop Meeting</u> : Stormwater Performance Security: Hillside Land Development (Jeanne Dr.) MOTION was made by Councilman Woolsey to approve the construction cost estimate prepared by <b>Maser Consulting, P.A.</b>	Motion Passed 5-0
<b>CMX LLC</b> Manalapan, NJ 07726	Wayne C. Booth (Town Supervisor)	\$150	May 22, 2009	February 25, 2009	<u>Audit/Workshop Meeting</u> : MOTION was made by Councilman Piaquadio to approve the proposal for services, submitted by <b>CMX, Inc.</b> , in the amount of \$3,200.00.	Motion Passed 3-0
MEADOW CREEK DEVELOPMENT LLC <b>David Weinberg</b> (Managing Member of LLC) <b>ENGINEERING PROPERTIES, PC (EP)</b> R. Winglovitz and J. Samuelson (affiliated)	Wayne C. Booth (Town Supervisor)	\$150 \$150	May 5, 2009 (D. Weinberg) May 5, 2009 (Engin. Prop.)	October 28, 2009	<u>Audit/Workshop Meeting</u> : Orchard Hills. <b>David Weinberg</b> , Jayne Daly, and <b>Ross Winglovitz</b> came forward to discuss a proposed Site Plan Developers Agreement for Orchard Hills.	N/A

## Reorganization Meetings or Quid Pro Quo?

During the months of January, the elected officials in Town Hall appoint via a motion and official board vote to contract service providers for the Town of Newburgh. These same meetings also allow for the Supervisor and Town Board to appoint and/or reappoint paid positions and multi-year term positions on the Planning Board, Zoning Board and Ethics Board. The question of “intent” as to whether there is an unstated or implied agreement in connecting campaign contributions and the official actions of the appointment process certainly calls for tougher scrutiny.

The data from campaign disclosure forms and the town’s meeting minute’s show a pattern and frequency of campaign donations and reappointments from four annually appointed service providers, the Town’s Tax Certiorari Attorney, the Town Attorney, the Town’s Certified Public Accounting Firm and the Town’s Water Supply Management Supervisor. These donations go to either the candidates themselves or to the political committee which in turn distributes money back to those in office via contributions and expenses on behalf of them in campaign season. The observations from examining these four appointed service providers is that they only appear to make contributions during those same years they have been appointed to work for the town at the tax payers expense. In most cases it seems no donations were made by these groups to the elected officials appointing them prior to receiving business from the Town of Newburgh. Were any of these funds received by solicitation or accepted by the officials in Town Hall for their campaigns with the intent of reward or influence?

<b><u>TOWN OF NEWBURGH APPOINTMENTS: SERVICE PROVIDERS</u></b>			
<b>Donor</b>	<b>Date of Appointment</b>	<b>Donation Amounts</b>	<b>Recipient</b>
<b><u>TOWN WATER SUPPLY MANAGEMENT SUPERVISOR</u></b> <b>CAMO POLLUTION CONTROL</b> Wappingers Falls, NY 12590	January 3, 2011	\$120 (Mar. 4, 2011) \$120 (Oct. 25, 2011) \$80 (Oct. 29, 2010)	Town of Newburgh Republican Committee
		\$300 (July 22, 2011)	Wayne C. Booth (Town Supervisor)
	January 3, 2012	\$240 (Mar. 2, 2012)	Town of Newburgh Republican Committee
	January 7, 2013	\$225 (Mar. 29, 2013)	Wayne C. Booth (Town Supervisor)
<b><u>TOWN TAX CERTIORARI ATTORNEYS</u></b> <b>David Murphy, Tax Attorney</b> <b>HACKER &amp; MURPHY LLP</b> Latham, NY 12110	January 3, 2007	\$600 (Feb. 26, 2007)	Wayne C. Booth (Town Supervisor)
	January 7, 2008	\$300 (June 10, 2008)	Wayne C. Booth (Town Supervisor)
	January 5, 2009	\$600 (Oct. 25, 2009) \$600 (Oct. 24, 2009) \$600 (Oct. 24, 2009)	Wayne C. Booth (Town Supervisor)
	January 3, 2011	\$275 (Mar. 4, 2011)	Town of Newburgh Republican Committee
	January 3, 2012	\$150 (Mar. 2, 2012) \$250 (Oct. 25, 2011) \$400 (Oct. 24, 2011)	Town of Newburgh Republican Committee
	January 7, 2013	\$180 (Feb. 20, 2013)	Town of Newburgh Republican Committee
		\$300 (March 19, 2013)	Wayne C. Booth (Town Supervisor)
<b><u>TOWN ATTORNEY</u></b> <b>Mark Taylor, Attorney</b> <b>RIDER WEINER &amp; FRANKEL PC</b> Newburgh, NY 12550	January 6, 2006	\$250 (Feb. 1, 2006)	Town of Newburgh Republican Committee
	January 5, 2009	\$250 (Feb. 21, 2009)	Town of Newburgh Republican Committee
	January 4, 2010	\$275 (Mar. 2, 2010)	Town of Newburgh Republican Committee
	January 3, 2011	\$80 (Mar. 30, 2011)	Town of Newburgh Republican Committee
		\$275 (Feb. 16, 2011)	
	January 3, 2012	\$80 (Nov. 19, 2011)	Town of Newburgh Republican Committee
		\$200 (Mar. 2, 2012)	
January 7, 2013	\$275 (Mar. 8, 2013)	Town of Newburgh Republican Committee	
<b><u>TOWN CERTIFIED PUBLIC ACCOUNTANTS</u></b> <b>VANACORE, DEBENEDICUS,</b> <b>DIGOVANNI &amp; WEDDELL</b>	January 4, 2010	\$100 (Jan. 29, 2010)	Town of Newburgh Republican Committee
	January 3, 2011	\$60 (Feb. 16, 2011) \$100 (Mar. 4, 2011)	Town of Newburgh Republican Committee
		\$150 (July 22, 2011)	Wayne C. Booth (Town Supervisor)
	January 3, 2012	\$50 (Mar. 2, 2012)	Town of Newburgh Republican Committee

*“If the common definition of bribery involves the exchange of official actions for something of value, such as campaign contributions, connecting all the dots and compiling publically available data reveals some very disturbing trends and inferences in Town of Newburgh politics the calls for tougher scrutiny. The findings laid out here are a portion of what has been charted out and examined and the conclusions that can be drawn are troublesome. Until such time real campaign finance reform is passed and enforced that prohibits elected officials from soliciting or receiving campaign contributions from any individual or group engaged in business relations with the Town than one questions will remain. When does a campaign donation become a bribe?”*

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