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Crime & Safety

Developers Tried to Rig Hudson Valley Election: US Attorney

A Monsey man is among those accused of an elaborate scheme to add phony voters (including a candidate for local office) to the rolls.

By Lanning Taliaferro, Patch Staff 

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Three Hudson Valley real estate developers were arrested Thursday, accused of an elaborate scheme to rig a local election that included putting toothbrushes into empty apartments to make them look occupied so they could pack the voter rolls with false registrations.

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A fourth man, a former New York town supervisor, entered a guilty plea today in

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The conspiracy centered on the tiny village of Bloomingburg, in Sullivan County north and west of Middletown on Route 17. Its population at the 2010 census was 420. As the first in a series of planned housing developments, the men were trying to push a project called Chestnut Ridge, which was to be a 396-unit Hasidic community.

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Kenneth Nakdimen of Monsey, Shalom Lamm of Bloomingburg and Volvy Smilowitz of Monroe face charges of conspiracy to corrupt the electoral process to advance their real estate development, U.S. Attorney Preet Bharara announced Thursday.

Also, Harold Baird, the former town supervisor of Mamakating, pleaded guilty to a charge unveiled today of conspiracy to submit false voter registrations, Bharara said.

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"In pursuit of millions of dollars in profits from a real estate development project, the defendants allegedly hatched a cynical ploy to corrupt the electoral process in Bloomingburg," Bharara said in the announcement. "Profit-driven corruption of democracy cannot be allowed to stand no matter who does it or where it happens."

According to the Times Herald Record, the big townhouse development was to be on land annexed into the village from Mamakating. But [opposition to Nakdimen Lamm's proposal](#) grew stronger as village residents realized what was going on, and

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As alleged in the indictment unsealed today in White Plains federal court:

Starting in or about 2006, Lamm, Nakdimen and Smilowitz sought to build and sell real estate in Bloomingburg. They anticipated making hundreds of millions of dollars, Bharara said.

But by late 2013, the first of their real estate developments had met local opposition, and still remained under construction and uninhabitable, prosecutors said; so they decided to falsely register voters and pay bribes for voters who would help elect public officials favorable to their project, targeting the village election in March 2014.

The phony voters included those who never intended to live in Bloomingburg, those who had never kept a home in Bloomingburg, and indeed, some who had never even set foot in Bloomingburg in their lives, Bharara said.

Allegedly the men took steps to cover up their scheme to register non-residents by, among other things, creating and back-dating false leases and placing items like toothbrushes and toothpaste in unoccupied apartments.

They are also accused of offering people payments, subsidies, and other items of value to unlawfully register and vote in Bloomingburg. Lamm, for example, agreed to pay a person \$500 for every voter that the man procured, and Lamm and Nakdimen's re



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estate company ultimately paid him more than \$30,000 per month for his efforts, prosecutors said.

Baird's part in the plan was to register and run for office in Bloomingburg though he didn't live there, Bharara said.

Baird, 60, of Sullivan County, pleaded guilty to one count of conspiracy to submit false voter registrations, which carries a maximum sentence of five years in prison and a \$250,000 fine. He will be sentenced at a future date. That case is assigned to United States District Judge Cathy Seibel.

The other three were arrested Thursday morning and were scheduled to be arraigned before United States Magistrate Judge Judith C. McCarthy in the White Plains federal courthouse.

Lamm, 57, Nakdimen, 64, and Smilowitz, 28 and also known as Zev Smilowitz, are each charged with one count of conspiracy to commit an offense against the United States, in particular to corrupt the electoral process by submitting false voter registrations, buying voter registrations, and offering bribes for voter registrations and votes. The offense carries a maximum penalty of five years in prison and a \$250,000 fine.

The statutory maximum penalties are prescribed by Congress and are provided here for informational purposes only, as any sentencings would be determined by the judge.

Bharara praised the outstanding investigative work of the FBI-Hudson Valley White Collar Crime Task Force, the Sullivan County District Attorney's Office, the Sullivan County Sheriff's Office, the Orange County Sheriff's Office, the Orange County District Attorney's Office, the Internal Revenue Service, and the United States Postal Inspection Service. Bharara also thanked the Department of Justice's Public Integrity Section, Election Crimes Branch, for its assistance in the case.

The charges contained in the Indictment are merely accusations, and the defendants are presumed innocent unless and until proven guilty.



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