

EXHIBIT "K"

EXHIBIT K-PAGE 1 OF 2

BOARD OF ETHICS

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Town of Hempstead
Board of Ethics

1 WASHINGTON STREET, HEMPSTEAD, N.Y. 11550-4923



DONALD X. CLAVIN, JR.
Supervisor

March 3, 2022

Mr. Felix Procacci
via email: felixguyprocacci@gmail.com

Re: Complaint dated October 18, 2021: Alleged Prohibited Political Activities

Dear Mr. Procacci:

The Board of Ethics has reviewed your complaint alleging that Compliance Officer Thomas R. Willdigg violated Town Code §65-4 (Political activities prohibited), by making prohibited contributions to the election campaigns of the Town Supervisor, the District Attorney and the Nassau Republican Committee.

GOVERNING AUTHORITY

Town Code Chapter 65 (Compliance Officer), §65-4 (Political activities prohibited), provides, in pertinent part, that:

The Compliance Officer and staff shall avoid any appearance of bias or impropriety, and shall adhere to the highest ethical standards. Except as otherwise provided by law, the Compliance Officer, Deputy Compliance Officer and their subordinate officers shall not:

Solicit funds for, pay an assessment to, or make a contribution to a political organization, a sitting public officer, or a candidate for public office;

DISCUSSION

Publicly available records maintained by the New York State Board of Elections indicate that the following contributions were made on the respective dates indicated:

<u>Date</u>	<u>Contributor</u>	<u>Recipient</u>	<u>Amount</u>
09-09-21	Thomas Willdigg	Friends of Don Clavin	\$1,600.00
01-28-21	TCK Investigations	Nassau Republican Comm.	\$ 160.00

EXHIBIT K-PAGE 2 OF 2

Mr. Felix Procacci

-2-

March 3, 2022

<u>Date</u>	<u>Contributor</u>	<u>Recipient</u>	<u>Amount</u>
06-08-21	TCK Investigations	Friends of Don Clavin	\$ 250.00
09-21-21	TCK Investigations	Anne Donnelly for DA	\$ 675.00

Prior to his appointment as Town Compliance Officer on February 1, 2019, Mr. Willdigg served as President of a private investigation firm, TCK Investigations, Inc. At a meeting of the Board of Directors of TCK Investigations convened on January 30, 2019, Mr. Willdigg resigned as President effective February 1, 2019. Mr. Willdigg reported that he has not received any salary or other compensation from TCK Investigations since his resignation as President.

Compliance Officer Thomas R. Willdigg's resignation as President of TCK Investigations was memorialized in minutes of the meeting executed by the voting members, as were the appointments of Katy Thompson as President, and Mr. Willdigg's son, Thomas W. Willdigg, as Vice President. The appointment of Ms. Thompson as President is also reflected in publicly available records of the Department of State, Division of Corporation.

Mr. Willdigg reported that he divested himself of his ownership interest in TCK Investigations on September 7, 2021. On September 9, 2021, TCK purchased a ticket to a golf outing in support of the election campaign of Supervisor Clavin. Credit card and banking records provided to the Board of Ethics indicate that the purchase price of the ticket, \$1,600.00, was paid by TCK Investigations, not by Mr. Willdigg. The golf outing was attended by Mr. Willdigg's son, Thomas W. Willdigg and other employees of TCK Investigations. The golf outing was not attended by Compliance Officer Thomas R. Willdigg.

CONCLUSION

Based on the evidence presented, the Board of Ethics finds that Compliance Officer Thomas R. Willdigg did not violate Town Code §65-4 (Political activities prohibited), by making prohibited contributions to the election campaigns of the Town Supervisor, the District Attorney and the Nassau Republican Committee.

The foregoing constitutes the opinion of the Board of Ethics.

Dated: Hempstead, New York
March 3, 2022


Watson G. Dell, Chair