# **'PHANTOM' VOICES** THREE STAGE STARS JOIN FORCES IN YORKTOWN TO RAISE FUNDS FOR CHARITY LOHUD WEEKEND



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#### **LATE SPORTS**

BOY, 12, SAYS MT. VERNON LOHUD.com POLICE BEAT HIM | 3A

> COMPANY ACCUSES AIRPORT OF UNFAIR PRACTICES | 1B

OPENING DAY FOR GOLF | 1C

# The Journal News

**SERVING THE LOWER HUDSON VALLEY SINCE 1850** 

# Schmidt, Phillips ousted

mayors, trustees lose

Residents in four villages yes-

ousted by a trustee, Seth Gallagher.

A former trustee won back a seat in Buchanan. In Nelsonville and Briarcliff Manor, the races were uncontested.

bid for a third term in office by 20 votes to Democratic challenger Leo Wiegman, 1,078 to 1,058, and cumbents Thomas Brennan and

Wiegman, a former trustee run-

the night with Democratic running mates Demetra Restuccia and Ian Murtaugh, who won with 1,108 and 1,095 ballots, respectively. Brennan and Konig picked up 1.025 and 1.037 votes, according to unofficial results from Village

Wiegman said his running mates attracted a strong cross-sec-Please see ELECTION, 8A

## On the To get complete local election results in the Lower Hudson Valley, go to LoHud.com.

Web

# Madoff auditor accused of fraud

New City accountant accused of falsely certifying company

Steve Lieberman The Journal News

The New City-based auditor for Bernard Madoff surrendered yesterday on federal charges of helping conceal the swindler's Ponzi scheme that fleeced investors for billions of dollars.

David G. Friehling, 49, of 4 High Tor Road is accused of falsely certifying from 1991 to 2008 that he had audited the financial statements for Bernard L. Madoff Investment Securities LLC.

Friehling, the sole practitioner of Friehling & Horowitz, was not accused of knowing about Madoff's scheme.

But federal and Rockland prosecu- Friehling tors, along with the Securities and Exchange Commission, said Friehling enabled Madoff's scheme to avoid scrutiny by filing certification statements since 1991 that Madoff's company had "a clean audit record.

Madoff's company paid Friehling \$12,000 to \$14,500 monthly between 2004 and 2007, government documents state

Madoff pleaded guilty last week in U.S. District Court in Manhattan to charges of running a \$65 billion scheme. He admitted pocketing money from clients and not making investments, sending his investors fictitious financial statements and audit re-

Please see AUDITOR, 10A

# Richardson dies of head injuries after skiing fall

Actress, 45, part of famed film family, lauded for versatile roles

Adam Bernstein The Washington Post

Natasha Richardson, a member of a British acting dynasty and wife of actor Liam Neeson, died yesterday from head injuries suffered while she was skiing in Canada.

Richardson, who with her husband was on the board of the Jacob Burns Film Center in Pleasantville and lived with their two sons in Millbrook, Duchess

Richardson

County, was 45. Richardson fell on a beginners slope near Montreal during a ski lesson on Monday and initially appeared coherent, but an hour later she complained of a headache. As her condition worsened dramatically, she was flown to a hospital in New York City, where her family gathered.

She was the daughter of Academy Award-winning actress and human rights activist Vanessa Redgrave and the Oscar-winning director and producer Tony Richardson ("Tom Jones"). Her maternal grandparents were the actors Michael Redgrave and Rachel

Please see RICHARDSON, 8A

# **BREAKING NEWS 24/7 AT LOHUD.COM**

Voters back change; Croton, Cold Spring

Robert Marchant The Journal News

Thursday March 19, 2009

terday showed that change was in-

In Croton-on-Hudson, Democrats swept back into power by a thin margin on a theme of economic redevelopment. Longtime Cold Spring Mayor Anthony Phillips was

#### **Croton-on-Hudson**

Mayor Greg Schmidt lost his his Republican running mates, in-Susan Konig, also went down to

defeat by close margins. ning for the mayor's office, carried Clerk Paula DiSanto.

## NATURE | BIRD'S PLIGHT ENDS WITH RELEASE AT TEATOWN



Erin Smithies, an educator at Teatown Lake Reservation in Yorktown, releases the young red-shouldered hawk yesterday at the nature preserve. The bird spent more than two weeks stuck inside the Cortlandt Home Depot. Twenty people, including the store's operations manager, came to see her off.

# Hawk liberated from inside store

Online

For a gallery

of photos,

LoHud.com.

LoHud.com

Michael Risinit The Journal News

YORKTOWN — Maybe her nesting instinct was kicking in, but a red-shouldered hawk who spent more than two weeks inside The Home Depot in Cortlandt favored the store's building-materials sec-

A bit of sanctuary was found among the wall board, insulation and roofing shingles

"It would fly around with the noise and machines," said Jose Torres of Peekskill, a 9-year store employee. "That corner of the building is the quietest. It would spend hours at a time there.

So, paint sprayers are in aisle 5, toilet seats in aisle 26 and leaf blowers in aisle 43. The hawk, a denizen of open forests and swamps, was over in aisle 10, then 18, maybe 25, back

over in 9. As Eagles guitarist Joe Walsh sang, "It's hard to leave when you can't find the door.' Rescuers tried to make that happen, leading to the hawk's

release yesterday at Teatown Lake Reservation — a serene corner of Yorktown instead of the sprawl-heavy Route 6 in Cortlandt. The mission began with a call one January evening from Phil Donnelly, a Putnam Valley resident and White Plains police sergeant, to his wife, Becci, a Teatown raptor

volunteering. 'We saw the bird up in the rafters," said Phil Donnelly, who was buying PVC pipe and other materials for his daughter's science project. "I thought it was a

volunteer who was, at the time,

Please see HAWK, 10A



shouldered hawk just before it was released.

INSIDE			
Classified	90	Movies	Weekend
Comics	Weekend	Obituaries	4B
Crossword	11C	Opinion	7B
Dear Abby	Weekend	Scoreboar	d 6C
Lotteries	2B	Television	Weekend



For live weather updates, send a text message with **W** and **ZIP** code (e.g. 10604) to 44636 (4INFO).

PN

Today: Rain, 53 Tonight: Cloudy, 26 Weather, 11A

review of the production.

**Tomorrow in Life&Style** 

An updated version of "West Side

Story" opens on Broadway. Read a

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# Winery owner taped Yorktown supervisor

Secretly recorded talk about lawsuit contains allegations

Brian J. Howard

YORKTOWN — After weeks spent pleading with officials and their legal counsel to discuss settling his \$30 million federal lawsuit against the town, winery owner Tom DeChiaro surreptitiously

recorded just such a conversation with Supervisor Don Peters over drinks at a chamber of commerce holiday party.

The 15-minute, 27-second recording was made Dec. 15 at Colonial Terrace caterers in Cortlandt. It touches on key aspects of DeChiaro's suit, filed in June and alleging corruption by some officials in obstructing his bid to open a winery at the former St. George's

Church in Mohegan Lake. Please see WINERY, 8A



Tom DeChiaro



To hear the

tape, go to

LoHud.com.

Online

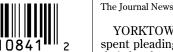
### Fed to buy \$300B of long-term bonds to bolster economy

The Federal Reserve announced yesterday that it will buy up to \$300 billion of long-term bonds, a move that should boost Treasury prices and drive down their rates. The Fed hopes to inject about \$1 trillion into the economy in an effort to lift the country out of recession. **Details, 7C** REISMAN: AIG leaves stain on economy, 1B

SOME AIG BONUSES RETURNED: Under pressure from the Obama administration and Congress, the head of bailed-out insurance giant AIG said some of the firm's executives have begun returning all or part of the disputed bonuses, 3B

and the administration backpeddling, 6B GOLD RUSH: People, looking for ways to raise cash, are selling old, gold jewelry at parties, 7C

**ANALYSIS:** The AIG bonuses have Democrats



# Madoff auditor accused of fraud

WP

In a parallel move yesterday, the SEC filed a civil lawsuit against Friehling, charging him with securities fraud, including falsely stating he had audited Madoff's enterprises.

"Friehling essentially sold his license to Madoff for more than 17 years while Madoff's Ponzi scheme went undetected," James Clarkson, acting director for the SEC's New York Regional Office, alleged in a statement.

"For all those years, Friehling deceived investors and regulators by declaring that Madoff's enterprise had a clean audit record," Clarkson said.

The six-count federal criminal

complaint charged Friehling with securities fraud, aiding and abetting adviser fraud, and four counts of filing false audit reports with the

Friehling's deception helped foster the illusion that Madoff legitimately invested his clients' money, Acting U.S. Attorney Lev L. Dassin said in a statement.

"Although Mr. Friehling is not charged with knowledge of the Madoff Ponzi scheme," Dassin said, "he is charged with deceiving investors by falsely certifying that he audited the financial statements of Mr. Madoff's business.'

Friehling, if found guilty of the six charges, faces a statutory 105 years in prison. He could face considerably less time under federal sentencing guidelines. The guidelines set a prison term based on criminal history, seriousness of the crime and other criteria.

Hours after his arrest, Friehling went before U.S. Magistrate Judge Theodore H. Katz in Manhattan and was released on a \$2.5 million bond co-signed by Friehling and his wife. He must surrender his passport, and his travel is restricted to New York and New Jersey.

Friehling, who is married with children, has previously declined to discuss the case. A man answering the phone at his home Monday hung up on a reporter.

Friehling's lawyer, Andrew Lankler of Manhattan, didn't return two calls for comment.

Telephone messages left yesterday at Friehling's home phone and with his wife, Robin, were not returned.

The federal criminal complaint and SEC complaint claim Friehling failed to conduct meaningful audits in accordance with generally accepted accounting principals and generally accepted auditing standards.

FBI Agent Keith D. Kelly wrote in the federal complaint that Friehling's work papers "reflected insufficient independent verification of the information provided to Friehling by employees" of Madoff.

The SEC civil complaint alleges that besides deceptive audits, Friehling also collected "ill-gotten gains" in fees paid by the Madoff company and by taking millions from accounts he and his family maintained with Madoff.

Friehling also is accused of lying to the SEC by certifying he was independent of Madoff's company.

Friehling reported having heavy investments with Madoff, having withdrawn \$5.5 million since 2000 alone, the SEC complaint stated. The family held accounts topping \$14 million as of Nov. 30, the SEC stated.

Friehling is among the Madoff investors who lost money with the schemer, according to court documents of investors released during the Madoff case.

"His job was not merely to rubber-stamp statements he didn't verify," FBI Assistant Director-in-Charge Joseph M. Demarest said. 'Simply put, Friehling failed to do his job, and lied to investors and regulators in saying he did."

HAWK, from 1A

stantly opening, no predators and

a bounty of spilled grass and bird

seed make a welcoming hangout.

Typically, though, the visitors are

small songbirds, such as house sparrows. A spokeswoman for

The Home Depot said the compa-

ny hires a pest-control service to

remove the small birds in accor-

"In the vast majority of inci-

dents, birds are captured within

the store and then released out-

side of the store," spokeswoman

would visit the store eight times

by the first week of February.

There, they set up live-catch traps

baited with (protected) pet-store

mice on some of the store's top

shelves. Smithies would ride a

Volunteer wildlife rehabilitators Erin Smithies and Suzie Gilbert

dance with state regulations.

Jen King said.

Reach Steve Lieberman at slieberm@lohud.com or 845-578-2443.

## Agency officer tells of loan added to Mt. Vernon books

### Prosecutors: Official hid transactions until federal investigation

Timothy O'Connor The Journal News

A former loan officer for Mount Vernon's Urban Renewal Agency said yesterday that Planning Commissioner Constance "Gerrie" Post asked him in 2005 to put a \$500,000 loan to Wayne Charles' company in his official reports and to begin collection efforts on it.

Federal prosecutors charge that Post had kept the loan off the city's books until federal investigators began asking questions about it in

Post, 59, and her boyfriend, Charles, 56, are on trial in U.S. District Court in White Plains, charged with conspiring to illegally steer \$2.3 million in federal and city funds to Charles through municipal contracts, grants and loans.

Yesterday, Nahshon Halevi, who was the Urban Renewal Agency's loan manager from 1998 to 2006, was shown a report he sent to Post in 2005 that included current outstanding loans the city agency had made. Included on the list was a 2000 loan to the Charles Group for \$500,000, half of which was repaid by the Community Preservation Corporation and half of which was unpaid — and

Charles' responsibility. "Is that the first time you put it in your report?" Assistant U.S. Attorney Andrew Dember asked.

"I believe so," Halevi replied. 'She told me to make sure I started collecting on the loan.' But on cross-examination Hale-

non Democratic Party chair-

vi. the son of former Mount Ver-

woman Serapher Conn-Halevi, admitted to sloppy record-keeping as loan manager. The report he prepared covered the first six months

of 2005 but was marked monthly. That led Post's lawyer, Kenneth Saltzman, to refer to the document as Halevi's "semi-annual monthly

"I think I skipped a couple of months on this one," Halevi said.

He had also placed Charles' loan in the wrong category. And the report did not include several other outstanding loans made by the URA, including one for more than \$600,000 made to a real estate company around the same time as the Charles loan.

Part of Post's defense is that she was not responsible for putting loans on the books, nor for collecting on the loans.

The defense has sought to portray Mount Vernon City Hall as a place where records were kept in a haphazard fashion. Under crossexamination Tuesday, current URA executive director Carmen Sylvester said workers could not find the handwritten ledgers that contained financial entries for

Halevi, 35, admitted he was out of the office a lot, but said it was because he was dispatched to other administrators in City Hall, including a stint as the personal assistant to Mayor Ernest Davis' chief of staff. He denied that it was because of several side jobs he had, including as a deputy city marshal working for his mother.

"It's fair to say you were pulled in a lot of directions?" asked Richard Ware Levitt, Charles' lawyer.

"Yes," Halevi replied, "I was.'

Reach Timothy O'Connor at tpoconnor@lohud.com or 914-694-3523.

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### Hawk free after stay in store, rehab Birds can be a familiar sight inside big-box stores, such as The Home Depot or Wal-Mart. High ceilings, automatic doors con-

rehabilitator Suzie Gilbert's new book, "Flyaway: How A Wild Bird Rehabber Sought Adventure and Found Her Wings" on LoHud.com.

walked around the store hawkspotting, I was often mistaken as an employee and asked various questions by customers as to where to locate something," said Smithies, an educator and animal

The traps proved fruitless. The hawk eventually flew into a window in the garden center, knocking herself out. An employee threw a blanket over the bird and

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forklift to the store's upper reaches to place a trap. She waited down below - still wearing the safety harness needed for the forklift ride - in case the hawk took the

"This also meant that as I care supervisor at Teatown.

#### placed her in an animal carrier. Somehow, she was released into the subzero February weather unbeknownst to Smithies and Gilbert. They rushed back to the store. Gilbert said the bird was stunned from hitting the window and most likely hungry. Employees saw her catch at least one mouse while in the store.

"She just flew into a tree and sat there, (feathers) fluffed and swaving. I don't think she would have made it to nightfall," said Gilbert, a Garrison resident.

With Becci Donnelly's help, they trapped her between two nets on long poles but couldn't reach her to complete the rescue for lack of a ladder. That turned out not to be a problem, given the store's inventory.

After several weeks of convalescing with Gilbert, the young hawk went to The Raptor Trust in Millington, N.J., where it could stretch its wings and practice flying again.

Yesterday, she "kee-aah(ed)" several times to the 20 people who came to see her off. With a few flaps she circled above Teatown's Swope's Field and disappeared beyond the trees. The release was 'beautiful," said Hope Deschesne, the store's operations manager.

"We bonded with this bird for weeks. Everybody became personally concerned over the bird," Deschesne said.

Reach Michael Risinit at mrisinit@lohud.com or 845-228-2274.

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