

**SUPERIOR COURT OF N.J.
FILED**

JUN 05 2008

Christina P. Higgins
Acting Clerk

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ559-08-7
Superior Court
Docket Number 08-06-00115-S

STATE OF NEW JERSEY)

v.)

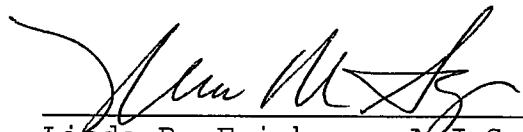
MICHAEL STEELE)

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this *5th* day of *June*, 2008, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Hunterdon be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Hunterdon for filing.



~~Linda R. Feinberg, A.J.S.C.~~
Maria Marinari Sypok, J.S.C.

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STATE OF NEW JERSEY)

v.)

MICHAEL STEELE)

INDICTMENT

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Official Misconduct - Second Degree)

MICHAEL STEELE

between on or about January 29, 2003 and on or about December 23, 2007, in the City of Irvington, at the County of Essex, and in the City of Clinton, at the County of Hunterdon, elsewhere, and within the jurisdiction of this Court, with purpose to obtain a benefit for himself or another, or to injure or deprive another of a benefit valued at over \$200, did commit one or more acts relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act(s) was or were unauthorized or that he was committing one or more acts in an unauthorized manner, that is, the said MICHAEL STEELE, then there

being a public servant, to wit: the business administrator for the City of Irvington Board of Education, thereby performing a governmental function, having thereby the official functions and duties, among others to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did knowingly accept or arrange to accept cash payments from a specific construction contractor, known to the grand jury, located in Lakewood, New Jersey, in exchange for assisting this contractor in obtaining construction contracts with the Irvington Board of Education, and/or did knowingly submit to the Irvington Board of Education fraudulent documents, in the course of obtaining construction contracts, with the purpose to receive a benefit for himself or another of over \$200.00, knowing that such act(s) were unauthorized or that he was committing these act(s) in an unauthorized manner, contrary to the provisions of N.J.S.A. 2C:30-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Official Misconduct - Second Degree)

MICHAEL STEELE

between on or about December 29, 2003 and on or about October 13, 2007, in the City of Irvington, at the County of Essex, elsewhere, and within the jurisdiction of this Court, with purpose to obtain a benefit for himself or another, or to injure or deprive another of a benefit, valued at over \$200, did commit one or more acts relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act(s) was or were unauthorized, or that he was committing one or more acts in an unauthorized manner, that is, the said MICHAEL STEELE, then there being a public servant, to wit: the business administrator for the City of Irvington Board of Education, thereby performing a governmental function, having thereby the official functions and duties, among others to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did knowingly receive cash payments from a specific maintenance supplies contractor, known to the grand jury, located in Margate, Florida, in exchange for assisting the contractor in obtaining contracts to provide maintenance supplies to the Irvington Board of Education; with the purpose to receive a

benefit for himself or another of over \$200, knowing that such act(s) was unauthorized or that he was committing the act(s) in an unauthorized manner, contrary to the provisions of N.J.S.A. 2C:30-2, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Pattern of Official Misconduct - Second Degree)

MICHAEL STEELE

between on or about January 29, 2003, and on or about December 27, 2007, in the City of Irvington, at the County of Essex, and in the City of Clinton, at the County of Hunterdon, elsewhere, and within the jurisdiction of this Court, did commit the offense of pattern of official misconduct in that he did commit two or more acts of official misconduct, each a violation of N.J.S.A. 2C:30-2, that is, the said MICHAEL STEELE, then there being a public servant, to wit: the business administrator for the Irving Board of Education, having the official functions and duties, among others to perform his duties in a legal and proper manner, to display good faith, honesty and integrity and to be impervious to corrupting influences, did knowingly accept or arrange to accept cash payments from a specific construction contractor, known to the grand jury, located in Lakewood, New Jersey in exchange for assisting this contractor in obtaining construction contracts with the Irvington Board of Education in an amount of approximately \$500,000, and/or did knowingly submit to the Irvington Board of Education fraudulent documents in the course of obtaining these construction contracts; with the purpose to specifically receive a benefit to himself or another of more than \$200; specifically, the said MICHAEL STEELE submitted the

following fraudulent purchase orders on the following dates:

Purchase Order Date	Job Description on Purchase Order
12/11/2007	High School Security Camera Installation
11/2007	Union Middle School Security Camera Installation
10/13/2007	Campground Winterization
8/7/2007	Campground Cleanup
6/2/2006	High School Library Roof Repair
4/17/2006	Irvington High School Mold Remediation and Renovation
3/28/2006	Grove St. Emergency Repair
3/8/2006	High School Camera Installation
3/1/2006	Emergency Outdoor Educational Center Repair
1/9/2006	Roof Repair
2/1/2006	Security Camera Installation
11/23/2005	CCTV Camera Repairs
10/17/2005	Security Camera Installation
6/13/2005	Campground Cleanup
4/20/2005	Roof Repair
4/14/2005	Security Camera Installation
3/17/2005	Roof Repair
12/7/2004	Security Camera Installation
12/7/2004	Campground Roof Replacement
10/12/2004	Transportation Garage Repair
6/30/2004	Asbestos Removal

1/16/2004	Grove Street School Repair
12/19/2003	Florence Ave. School Repair
10/8/2003	Transportation Center OSHA Compliance
7/7/2003	OSHA Compliance
4/1/2003	Pre-Abbott Renovation
3/7/2003	Asbestos Removal
1/7/2003	Asbestos Removal
1/29/2003	Radon Remediation

contrary to the provisions of N.J.S.A. 2C:30-2, N.J.S.A. 2C:30-7, and against the peace of the State, the government and dignity of the same.

COUNT FOUR

(Pattern of Official Misconduct - Second Degree)

MICHAEL STEELE

between on or about December 29, 2003 and on or about October 13, 2007, in the City of Irvington, at the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit the offense of pattern of official misconduct in that he did commit two or more acts of official misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said MICHAEL STEELE, then and there being a public servant, to wit: the business administrator for the Irvington Board of Education, having thereby the official functions and duties, among others to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did knowingly receive cash payments from a specific maintenance supplies contractor, known to the grand jury, located in Margate, Florida, in exchange for assisting the contractor in obtaining contracts to provide maintenance supplies to the Irvington Board of Education in an amount of approximately \$900,000, with the purpose to receive a benefit for himself or another of over \$200; the said MICHAEL STEELE received the following cash payments on the following dates from the specific maintenance supplies contractor:

Payment Date	Payment Amount
10/15/2007	\$5,000
8/17/2007	\$5,000
12/7/2006	\$10,000
8/16/2006	\$10,000
8/14/2006	\$10,000
6/14/2006	\$7,000
6/12/2006	\$3,000
5/4/2006	\$10,000
3/9/2006	\$10,000
2/12/2005	\$5,000
10/24/2005	\$5,000
7/18/2005	\$10,000
2/22/2005	\$5,000
2/7/2005	\$5,000
6/29/2004	\$10,000
1/21/2004	\$5,000
12/31/2003	\$5,000

contrary to the provisions of N.J.S.A. 2C:30-2, N.J.S.A. 2C:30-7, and against the peace of the State, the government and dignity of the same.

COUNT FIVE

(Bribery in Official and Political Matters - Second Degree) .

MICHAEL STEELE

between on or about January 29, 2003, and on or about December 27, 2007, in the City of Irvington, at the County of Essex, in the City of Clinton, at the County of Hunterdon, elsewhere, and within the jurisdiction of its Court, did directly or indirectly solicit, accept or agree to accept from another, a benefit, valued at over \$200.00 as consideration for the violation of his official duties; that is, the said MICHAEL STEELE, the business administrator for the City of Irvington Board of Education, did knowingly solicit, accept or agree to accept over \$200.00 in cash, in consideration for assisting a construction contractor, known to the grand jury, located in Lakewood, New Jersey in fraudulently obtaining contracts with the City of Irvington Board of Education, contrary to the provisions of N.J.S.A. 2C:27-2(c), and against the peace of the State, the government and dignity of the same.

COUNT SIX

(Bribery in Official and Political Matters- Second Degree)

MICHAEL STEELE

between on or about December 31, 2003, and on or about October 15, 2007, in the City of Irvington, at the County of Essex, elsewhere, and within the jurisdiction of this Court, did directly or indirectly solicit, accept or agree to accept from another, a benefit, valued at over \$200.00, as consideration for the violation of his official duties; that is, the said MICHAEL STEELE, the business administrator for the City of Irvington Board of Education, did knowingly solicit, accept or agree to accept over \$200.00, in cash, in consideration for assisting a janitorial supplies contractor, known to the grand jury, located in Margate, Florida in fraudulently obtaining contracts with the City of Irvington Board of Education, contrary to the provisions of N.J.S.A. 2C:27-2(c), and against the peace of the State, the government and dignity of the same.

COUNT SEVEN

(Acceptance or Receipt of Unlawful Benefit by Public Servant for
Official Behavior - Second Degree)

MICHAEL STEELE

between on or about January 29, 2003, and on or about December 27, 2007, in the City of Irvington, at the County of Essex, in the City of Clinton, at the County of Hunterdon, elsewhere, and within the jurisdiction of this Court, a public servant, under color of office and in connection with any official act performed or to be performed by the public servant, did directly or indirectly knowingly solicit, accept or agree to accept a benefit valued at over \$200.00 to influence the performance of an official duty or to commit a violation of an official duty; that is, the said MICHAEL STEELE, the business administrator for the City of Irvington Board of Education, did knowingly solicit, accept or agree to accept over \$200.00 in cash, to influence the performance of an official duty, by assisting a construction contractor in fraudulently obtaining contracts with the City of Irvington Board of Education, contrary to the provisions of N.J.S.A. 2C:27-10, and against the peace of the State, the government and dignity of the same.

COUNT EIGHT

(Acceptance or Receipt of Unlawful Benefit by Public Servant for
Official Behavior - Second Degree)

MICHAEL STEELE

between on or about December 31, 2003, and on or about October 15, 2007, in the City of Irvington, at the County of Essex, and elsewhere, and within the jurisdiction of this court, a public servant, under color of office and in connection with any official act performed or to be performed by the public servant, did knowingly directly or indirectly solicit, accept or agree to accept a benefit valued at over \$200.00, to influence the performance of an official duty or to commit a violation of an official duty; that is, the said MICHAEL STEELE, the business administrator for the City of Irvington Board of Education, did knowingly solicit, accept or agree to accept over \$200.00 in cash, to influence the performance of an official duty, by assisting a maintenance supplies contractor in fraudulently obtaining contracts with the City of Irvington Board of Education, contrary to the provisions of N.J.S.A. 2C:27-10, and against the peace of the State, the government and dignity of the same.

COUNT NINE

(Conspiracy - Second Degree)

MICHAEL STEELE

who is a named defendant herein, and other co-conspirators, who are known to the grand jury, but who are not named as defendants herein, between on or about January 29, 2003, and on or about December 27, 2007, in the City of Irvington, at the County of Essex, and in the City of Clinton, at the County of Hunterdon, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting and facilitating the commission of the crimes of official misconduct, pattern of official misconduct, bribery in official and political matters and acceptance or receipt of unlawful benefit by public servant for official behavior did agree that:

A. One or more of them would knowingly engage in conduct which would constitute the aforesaid crimes, and;

B. One or more of them knowingly would aid in the planning and commission of said crimes, that is:

1. Official Misconduct, in an amount greater than \$200, in violation of the provisions of N.J.S.A. 2C:30-2;

2. Pattern of Official Misconduct, in an amount greater than \$200, in violation of the

provisions of N.J.S.A. 2C:30-7;

3. Bribery in Official and Political Matters, in an amount greater than \$200, in violation of N.J.S.A. 2C:27-2;

4. Acceptance or Receipt of Unlawful Benefit by Public Servant for Official Behavior, in violation of N.J.S.A. 2C:27-10.

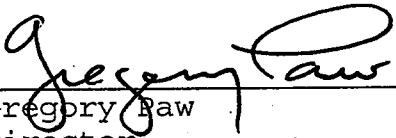
Among the means by which the aforesaid conspirators would carry out the conspiracy are the following:

It was part of the said conspiracy that the said MICHAEL STEELE, while employed as the business administrator for the City of Irvington Board of Education, thereby performing a governmental function, arranged with a specific construction contractor located in Lakewood, New Jersey, to submit bids for Irvington School Board projects, created, and/or submitted to the Irvington Board of Education for approval, fraudulent purchase orders, and/or fraudulent competing bids which were higher than the bids from the specific construction contractor, thereby creating the impression that multiple legitimate bids for each construction project were submitted and that the bid from the specific construction contractor was the lowest bid so that the specific construction contractor would be awarded the construction contract, and the said MICHAEL STEELE did accept or arrange to accept cash payments of over \$200 from the specific

construction contractor for assisting the specific construction contractor in obtaining the construction contracts with the Irvington Board of Education.


It was further a part of the said conspiracy that the said MICHAEL STEELE, while employed as the business administrator for the City of Irvington Board of Education, thereby performing a governmental function, did receive cash payments over \$200 from a specific maintenance supplies contractor located in Margate, Florida, in return for assisting the contractor in obtaining contracts to provide maintenance supplies to the Irvington Board of Education.

All contrary to the provisions N.J.S.A. 2C:5-2, and against the peace of the State, the government and dignity of the same.



Gregory Paw
Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 6.5.08