

FILED

JUN 29 2011

SUPERIOR COURT
CLERK'S OFFICE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ 602-11-1(1)

Superior Court

Docket Number

11-06-00071-S

STATE OF NEW JERSEY)

v.)

ANTHONY ARDIS)

and)

PAUL BAZELA.)

INDICTMENT

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

COUNT ONE

(Conspiracy - Second Degree)

ANTHONY ARDIS

and

PAUL BAZELA

between in or about January 2007 and in or about December 2009, at
the City of Paterson, in the County of Passaic, at the Borough of
Totowa, in the County of Passaic, at the City of Newark, in the
County of Essex, elsewhere, and within the jurisdiction of this
Court, with purpose of promoting or facilitating the commission of
the crimes of Official Misconduct, Pattern of Official Misconduct,
and Theft By Unlawful Taking or Disposition, did agree that:

A. One or more of them would knowingly engage in conduct which would constitute the aforesaid crime(s), or

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

1. Official Misconduct, in that one or more of them, each being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, would commit acts relating to his office, but constituting unauthorized exercises of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner or would refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said ANTHONY ARDIS, then and there being a public servant, to wit, the Director of Management Services and Clerk to the Board of Commissioners at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), and the said PAUL BAZELA, also then and there being a public servant, to wit, an Operations Supervisor II and foreman of the Carpenter Shop at the PVSC, each having thereby the official functions and duties of those positions, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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, would knowingly have subordinate PVSC employees perform work at the private residences of the said ANTHONY ARDIS's relative or paramour, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, with the purpose to obtain a benefit for the said ANTHONY ARDIS or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2;

2. Pattern of Official Misconduct, in that one or more of them, each being public servants and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, would commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said ANTHONY ARDIS, then and there being a public servant, to wit, the Director of Management Services and Clerk to the Board of Commissioners at the PVSC, and the said PAUL BAZELA, also then and there being a public servant, to wit, an Operations Supervisor II and foreman of the Carpenter Shop at the PVSC, each having thereby the official functions and duties of those positions, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to

secure unwarranted privileges or advantages for himself or 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, would commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, by knowingly having subordinate PVSC employees perform work at the private residences of the said ANTHONY ARDIS's relative or paramour, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, with the purpose to obtain a benefit for the said ANTHONY ARDIS or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-7a;

3. Theft By Unlawful Taking or Disposition, in that one or more of them knowingly would unlawfully take or exercise unlawful control over the moveable property of the PVSC, including tools, equipment, vehicles, and employee services, having an aggregate value of over \$500, with the purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of same.

COUNT TWO

(Official Misconduct - Second Degree)

ANTHONY ARDIS

and

PAUL BAZELA

on diverse dates between in or about January 2007 and in or about December 2009, at the City of Paterson, in the County of Passaic, at the Borough of Totowa, in the County of Passaic, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit the offense of Official Misconduct, in that said ANTHONY ARDIS and PAUL BAZELA, each being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, did, in complicity with the other, commit one or more acts relating to one or both of their offices, but constituting unauthorized exercises of one or both of their official functions, knowing that such acts were unauthorized or that they were committing them in an unauthorized manner or did refrain from performing a duty imposed upon one or both of them by law or clearly inherent in the nature of one or both of their offices, that is, the said ANTHONY ARDIS, then and there being a public servant, to wit, the Director of Management Services and Clerk to the Board of Commissioners at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners

("PVSC"), and the said PAUL BAZELA, then and there being a public servant, to wit, an Operations Supervisor II and foreman of the Carpenter Shop at the PVSC, and each having thereby the official functions and duties of said positions, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 have subordinate PVSC employees perform work at the private residences of the said ANTHONY ARDIS's relative or paramour, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, including but not limited to: (a) removing wet, damaged sheetrock in the garage of the private residence of the said ANTHONY ARDIS's relative; (b) cutting, finishing and installing wood panels and installing a microwave range in the kitchen of the private residence of the said ANTHONY ARDIS's relative; and (c) removing and installing, on two separate occasions, air conditioning units at the private residence of the said ANTHONY ARDIS's paramour, with the purpose to obtain a benefit for the said ANTHONY ARDIS or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A.

2C:30-2, and N.J.S.A. 2C:2-6, and against the peace of this State,
the government and dignity of same.

COUNT THREE

(Pattern of Official Misconduct - Second Degree)

ANTHONY ARDIS

and

PAUL BAZELA

on diverse dates between in or about January 2007 and in or about December 2009, at the City of Paterson, in the County of Passaic, at the Borough of Totowa, in the County of Passaic, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did, in complicity with each other, commit the offense of Pattern of Official Misconduct in that one or both of them did commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said ANTHONY ARDIS, then and there being a public servant, to wit, the Director of Management Services and Clerk to the Board of Commissioners at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), and the said PAUL BAZELA, then and there being a public servant, to wit, an Operations Supervisor II and foreman of the Carpenter Shop at the PVSC, and each having thereby the official functions and duties of said position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, including but not limited to those acts described in Count Two, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

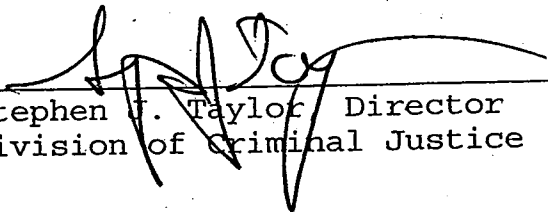
(Theft By Unlawful Taking or Disposition - Third Degree)

ANTHONY ARDIS

and


PAUL BAZELA

on diverse dates between in or about January 2007 and in or about December 2009, at the City of Paterson, in the County of Passaic, at the Borough of Totowa, in the County of Passaic, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners, including tools, equipment, vehicles, and employee services, having an aggregate value of over \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.



Stephen J. Taylor, Director
Division of Criminal Justice

A TRUE BILL:



, Foreperson

Dated: 6-28-11

FILED

JUN 29 2011

SUPERIOR COURT
CLERK'S OFFICE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ602-11-1(1)

Superior Court

Docket Number 11-06-00071-S

STATE OF NEW JERSEY)

v.)

ORDER OF VENUE

ANTHONY ARDIS)


and)

PAUL BAZELA)

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

IT IS ORDERED on this 29th day of June, 2011,
pursuant to paragraph 8 of the State Grand Jury Act, that the
County of Passaic 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 Passaic for filing.


Pedro J. Jimenez, Jr., J.S.C.

FILED

JUN 29 2011

**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ 602-11-1(2)

Superior Court

Docket Number

11-06-00072-S

STATE OF NEW JERSEY)

v.)

KEVIN KEOGH)

and)

PAUL BAZELA.)

INDICTMENT

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

COUNT ONE

(Conspiracy - Second Degree)

KEVIN KEOGH

and

PAUL BAZELA

between in or about March 2006 and in or about May 2010, at the
Borough of Roseland, in the County of Essex, at the City of Newark,
in the County of Essex, elsewhere, and within the jurisdiction of
this Court, with purpose of promoting or facilitating the
commission of the crimes of Official Misconduct, Pattern of
Official Misconduct, and Theft By Unlawful Taking or Disposition,

did agree that:

A. One or more of them would knowingly engage in conduct which would constitute the aforesaid crime(s), or

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

1. Official Misconduct, in that one or more of them, each being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, would commit acts relating to his office, but constituting unauthorized exercises of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner or would refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said KEVIN KEOGH, then and there being a public servant, to wit, the Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), and said PAUL BAZELA, also then and there being a public servant, to wit, an Operations Supervisor II and foreman of the Carpenter Shop at the PVSC, each having thereby the official functions and duties of those positions, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself

or 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, would knowingly have subordinate PVSC employees perform work at the said KEVIN KEOGH's private residence in Roseland, New Jersey, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, with the purpose to obtain a benefit for the said KEVIN KEOGH or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2;

2. Pattern of Official Misconduct, in that one or more of them, each being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, would commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said KEVIN KEOGH, then and there being a public servant, to wit, the Superintendent of Special Services at the PVSC, and said PAUL BAZELA, also then and there being a public servant, to wit, an Operations Supervisor II and foreman of the Carpenter Shop at the PVSC, each having thereby the official functions and duties of those positions, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or

advantages for himself or 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, would commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, by knowingly having subordinate PVSC employees perform work at the said KEVIN KEOGH's private residence in Roseland, New Jersey, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, with the purpose to obtain a benefit for the said KEVIN KEOGH or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-7a;

3. Theft By Unlawful Taking or Disposition, in that one or more of them knowingly would unlawfully take or exercise unlawful control over the moveable property of the PVSC, including tools, equipment, vehicles, and employee services, having an aggregate value of over \$500, with the purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of same.

COUNT TWO

(Official Misconduct - Second Degree)

KEVIN KEOGH

and

PAUL BAZELA

on diverse dates between in or about March 2006 and in or about May 2010, at the Borough of Roseland, in the County of Essex, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit the offense of Official Misconduct, in that said KEVIN KEOGH and PAUL BAZELA, each being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, did, in complicity with the other, commit one or more acts relating to one or both of their offices, but constituting unauthorized exercises of one or both of their official functions, knowing that such acts were unauthorized or that they were committing them in an unauthorized manner or did refrain from performing a duty imposed upon one or both of them by law or clearly inherent in the nature of one or both of their offices, that is, the said KEVIN KEOGH, then and there being a public servant, that is, the Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), and the said PAUL BAZELA, then and there being a public servant, that is, an Operations

Supervisor II and foreman of the Carpenter Shop at the PVSC, and each having thereby the official functions and duties of said position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 have subordinate PVSC employees perform work at the said KEVIN KEOGH's private residence in Roseland, New Jersey, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, including but not limited to: (a) installing replacement windows on his personal residence; (b) cutting and finishing cabinet doors for, and installing said cabinet doors in, his kitchen; and (c) performing work on his outdoor deck, with the purpose to obtain a benefit for the said KEVIN KEOGH or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THREE

(Pattern of Official Misconduct - Second Degree)

KEVIN KEOGH

and

PAUL BAZELA

on diverse dates between in or about March 2006 and in or about May 2010, at the Borough of Roseland, in the County of Essex, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did, in complicity with each other, commit the offense of Pattern of Official Misconduct in that one or both of them did commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said KEVIN KEOGH, then and there being a public servant, that is, the Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), and the said PAUL BAZELA, then and there being a public servant, that is, an Operations Supervisor II and foreman of the Carpenter Shop at the PVSC, and each having thereby the official functions and duties of said position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, including but not limited to those acts described in Count Two, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Theft By Unlawful Taking or Disposition - Third Degree)

KEVIN KEOGH

and

PAUL BAZELA

on diverse dates between in or about March 2006 and in or about May 2010, at the Borough of Roseland, in the County of Essex, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners, including tools, equipment, vehicles, and employee services, including but not limited to those acts described in Count Two, which allegations are incorporated by reference as if fully set forth herein, having an aggregate value of over \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FIVE

(Official Misconduct - Second Degree)

KEVIN KEOGH

on diverse dates between in or about January 2005 and in or about December 2010, at the Borough of Roseland, in the County of Essex, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit the offense of Official Misconduct, in that said KEVIN KEOGH, being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, did commit acts relating to his office, but constituting unauthorized exercises of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner or did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said KEVIN KEOGH, then and there being a public servant, that is, the Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), and having thereby the official functions and duties of said position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 have subordinate PVSC employees perform work at the said KEVIN KEOGH's private residence in Roseland, New Jersey, and also perform various personal errands for him, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, including but not limited to: (a) removing and installing a pool pump and motor on his outdoor pool; (b) traveling to and from his personal residence in the midst a snow storm to install a chute on his personal snowblower; (c) putting up holiday decorations on his personal residence; (d) picking up various landscaping items and other personal supplies, including plants, fertilizer, a propane tank, decorative stone, or pool supplies, from home improvement stores and pool supply stores and dropping them off either at the PVSC or at his personal residence; and (e) performing personal errands for him, with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SIX

(Pattern of Official Misconduct - Second Degree)

KEVIN KEOGH

on diverse dates between in or about January 2005 and in or about December 2010, at the Borough of Roseland, in the County of Essex, at the City of Newark, in 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 KEVIN KEOGH, then and there being a public servant, that is, the Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), and having thereby the official functions and duties of said position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, including but not limited to those acts described in Count Five, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7a and

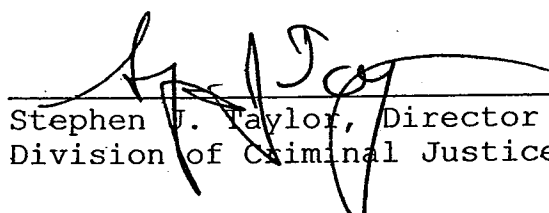
N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SEVEN

(Theft By Unlawful Taking or Disposition - Third Degree)

KEVIN KEOGH

on diverse dates between in or about January 2005 and in or about December 2010, at the Borough of Roseland, in the County of Essex, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners, including tools, equipment, vehicles, and employee services, including but not limited to those acts described in Count Five, which allegations are incorporated by reference as if fully set forth herein, having an aggregate value of over \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.



Stephen J. Taylor, Director
Division of Criminal Justice

A TRUE BILL:



, Foreperson

Dated: 6-28-11

FILED

JUN 29 2011

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

SUPERIOR COURT
CLERK'S OFFICE

State Grand Jury

Number SGJ602-11-1(2)

Superior Court

Docket Number

11-06-00072-S

STATE OF NEW JERSEY)

v.)

ORDER OF VENUE

KEVIN KEOGH)

and)

PAUL BAZELA)

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

IT IS ORDERED on this 29th day of June, 2011,
pursuant to paragraph 8 of the State Grand Jury Act, that the
County of Passaic 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 Passaic for filing.


Pedro J. Jimenez, Jr., J.S.C.

FILED

JUN 29 2011

SUPERIOR COURT
CLERK'S OFFICE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury,

Number SGJ602-11-1(3)

Superior Court

Docket Number 11-06-00073-S

STATE OF NEW JERSEY)

v.)

CHESTER MAZZA.)

INDICTMENT

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

COUNT ONE

(Conspiracy - Second Degree)

CHESTER MAZZA

who is named as a defendant herein, and one or more other persons,
whose identities are both known and unknown to the Grand Jurors,
who are coconspirators but not named as defendants herein, between
in or about January 2007 and in or about December 2008, at the
Borough of Totowa, in the County of Passaic, at the City of Newark,
in the County of Essex, elsewhere, and within the jurisdiction of
this Court, with purpose of promoting or facilitating the
commission of the crimes of Official Misconduct, Pattern of
Official Misconduct, and Theft By Unlawful Taking or Disposition,
did agree that:

A. One or more of them would knowingly engage in conduct which would constitute the aforesaid crime(s), or

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

1. Official Misconduct, in that one or more of them, being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, would commit acts relating to his office, but constituting unauthorized exercises of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner or would refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said CHESTER MAZZA, then and there being a public servant, to wit, the Assistant Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), having thereby the official functions and duties of that position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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, would knowingly have subordinate PVSC employees perform

work at the said CHESTER MAZZA's private residence in Totowa, New Jersey, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, with the purpose to obtain a benefit for the said CHESTER MAZZA or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2;

2. Pattern of Official Misconduct, in that one or more of them, being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, would commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said CHESTER MAZZA, then and there being a public servant, to wit, the Assistant Superintendent of Special Services at the PVSC, having thereby the official functions and duties of that position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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, would commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, by knowingly having subordinate PVSC employees perform work at the

said CHESTER MAZZA's private residence in Totowa, New Jersey, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, with the purpose to obtain a benefit for the said CHESTER MAZZA or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-7a;

3. Theft By Unlawful Taking or Disposition, in that one or more of them knowingly would unlawfully take or exercise unlawful control over the moveable property of the PVSC, including tools, equipment, vehicles, and employee services, having an aggregate value of over \$500, with the purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of same.

COUNT TWO

(Official Misconduct - Second Degree)

CHESTER MAZZA

on diverse dates between in or about January 2007 and in or about December 2008, at the Borough of Totowa, in the County of Passaic, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit the offense of Official Misconduct, in that the said CHESTER MAZZA, being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, did commit one or more acts relating to his office, but constituting unauthorized exercises of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner or did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said CHESTER MAZZA, then and there being a public servant, that is, the Assistant Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), having thereby the official functions and duties of said position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 have subordinate PVSC employees perform work at the said CHESTER MAZZA's private residence in Totowa, New Jersey, on commission time and using commission tools, equipment and vehicles, while those subordinate PVSC employees were working their regular shift at the PVSC, including but not limited to (a) the installation of a roof vent or fan on the roof of his private residence in Totowa, and (b) work on an exterior stone or brick wall in front of his private residence, with the purpose to obtain a benefit for the said CHESTER MAZZA or another in excess of \$200 or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THREE

(Pattern of Official Misconduct - Second Degree)

CHESTER MAZZA

on diverse dates between in or about January 2007 and in or about December 2008, at the Borough of Totowa, in the County of Passaic, at the City of Newark, in 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 CHESTER MAZZA, then and there being a public servant, that is, the Assistant Superintendent of Special Services at the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners ("PVSC"), having thereby the official functions and duties of said position, including, among others, to supervise, manage, and oversee the operations and employees of the PVSC, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or 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 commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, including but not limited to those acts described in Count Two, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7a and

N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Theft By Unlawful Taking or Disposition - Third Degree)


CHESTER MAZZA

on diverse dates between in or about January 2007 and in or about December 2008, at the Borough of Totowa, in the County of Passaic, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of the Passaic Valley Sewerage Commission, also known as Passaic Valley Sewerage Commissioners, including tools, equipment, vehicles, and employee services, having an aggregate value of over \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.



Stephen J. Taylor, Director
Division of Criminal Justice

A TRUE BILL:



, Foreperson

Dated: 6-28-11

FILED

JUN 29 2011

SUPERIOR COURT
CLERK'S OFFICE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ602-11-1(3)

Superior Court

Docket Number

11-06-00073-S

STATE OF NEW JERSEY)

v.)


ORDER OF VENUE

CHESTER MAZZA)

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

IT IS ORDERED on this 29th day of June, 2011,
pursuant to paragraph 8 of the State Grand Jury Act, that the
County of Passaic 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 Passaic for filing.


Pedro J. Jimenez, Jr., J.S.C.