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**SUPERIOR COURT
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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ570-09-3

Superior Court

Docket Number

09-05-00091-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

JOSEPH VAS)

MELVIN RAMOS)

JENICAR BUILDERS)

CONTRACTORS CO., INC.)

FRANCISCO DOMINGUEZ, JR.,)

a.k.a.)

FRANK DOMINGUEZ)

RICHARD BRIGGS)

and)

IMPERIAL CONSTRUCTION)

GROUP, INC.)

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

COUNT ONE

(Conspiracy - Second Degree)

JOSEPH VAS

and

JENICAR BUILDERS CONTRACTORS CO., INC.

who are named as defendants herein, and other persons whose identities are known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between on or about May 1, 2002 and on or about November 30, 2002, at the City of Perth Amboy, in the County of Middlesex, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crime of Official Misconduct did agree that:

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

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

1. Official Misconduct, in that JOSEPH VAS, being a public servant, acting with the purpose to obtain a benefit for himself or another 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 JOSEPH

VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and ordinances of the City, to supervise all departments of the City government, to from time to time make such recommendations for action by the City Council as he may deem in the public interest, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in the performance of his official duties, 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 improperly solicit and/or accept from JENICAR BUILDERS CONTRACTORS CO., INC., a vendor of the City of Perth Amboy, goods and services at his residence, located in Perth Amboy, New Jersey, valued at approximately \$25,000, that is, hardscaping to include but not limited to paver walkways, a paver driveway, a paver patio, a concrete foundation for a shed, brick columns, and a cut-stone window border on the facade of his

residence, all with the purpose to secure a benefit to himself or another in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2.

All contrary to the provisions of N.J.S.A. 2C:5-2, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Official Misconduct - Second Degree)

JOSEPH VAS

and

JENICAR BUILDERS CONTRACTORS CO., INC.

who are named as defendants herein, and other persons whose identities are known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between on or about May 1, 2002 and on or about November 30, 2002, at the City of Perth Amboy, in the County of Middlesex, 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 JOSEPH VAS, acting with the purpose to obtain a benefit for himself or another, or to injure or 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 JOSEPH VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and

administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and ordinances of the City, to supervise all departments of the City government, to from time to time make such recommendations for action by the City Council as he may deem in the public interest, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in the performance of his official duties, 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 improperly solicit and/or accept from JENICAR BUILDERS CONTRACTORS CO., INC., a vendor of the City of Perth Amboy, goods and services at his residence, located in Perth Amboy, New Jersey, valued at approximately \$25,000, that is; hardscaping to include but not limited to paver walkways, a paver driveway, a paver patio, a concrete foundation for a shed, brick columns, a cement sidewalk, and a cut-stone window border on the facade of his residence, all with the purpose to secure a benefit to himself or another in excess of \$200, contrary to the

provisions of N.J.S.A. 2C:30-2, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Official Misconduct - Second Degree)

. JOSEPH VAS

who is named as a defendant herein, and other persons whose identities are known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between on or about November 1, 2004 and on or about August 6, 2005, at the City of Perth Amboy and at the City of Woodbridge, both in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said JOSEPH VAS, acting with the purpose to obtain a benefit for himself or another, or to injure or 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 JOSEPH VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and

ordinances of the City, to supervise all departments of the City government, from to time make such recommendations for action by the City Council as he may deem in the public interest, to authorize the reimbursement of medical and eyeglass expenses consistent with the terms of the city-issued employee benefits package, and to perform his duties in a legal and proper manner, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to display good faith, honesty and integrity, and to be impervious to corrupting influences, knowingly did unlawfully take or exercise unlawful control over the moveable property of the City of Perth Amboy, to wit: approximately \$5,926.90 by authorizing the payment of a personal medical bill in the amount of \$5,322 payable to the Mayo Clinic Jacksonville, located in Florida, and/or a personal eyeglasses bill in the amount of \$604.90 from Lenscrafters, payable to Joseph Vas, from the City of Perth Amboy, which bills were not properly submitted and/or covered under the terms of VAS' city-issued employee benefits package, with the purpose to secure a benefit for himself or another 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 the same.

COUNT FOUR

(Theft by Unlawful Taking - Third Degree)

JOSEPH VAS

between on or about November 1, 2004 and on or about August 6, 2005, at the City of Perth Amboy and at the City of Woodbridge, both in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of another to wit: United States currency in excess of \$500, with purpose to deprive the owner thereof, that is, the said JOSEPH VAS knowingly did unlawfully take or exercise unlawful control over approximately \$5,926.90, from the funds of the City of Perth Amboy Self Insurance Trust Fund Account, to pay for medical services which were not properly submitted and/or covered under the terms of VAS' city-issued employee benefits package, with the purpose to deprive the City of Perth Amboy thereof, contrary to the provisions of N.J.S.A. 2C:20-3, N.J.S.A. 2C:20-2(b)(2) and N.J.S.A. 2C:20-2(b)(4), and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Misapplication of Entrusted Property and Property
of Government - Third Degree)

JOSEPH VAS

between on or about November 1, 2004 and on or about August 6, 2005, at the City of Perth Amboy and at the City of Woodbridge, both in the County of Middlesex, did apply or dispose of property belonging to or required to be withheld for the benefit of the government in a manner which he knew was unlawful and involved a substantial risk of loss or detriment to the government, to wit: approximately \$5,926.90, in funds from the Self Insurance Trust Fund Account belonging to the City of Perth Amboy, in a manner which the said JOSEPH VAS knew was unlawful and involved substantial risk of loss or detriment to the owner of the property, thereby deriving a benefit in excess of \$1,000, contrary to the provisions of N.J.S.A. 2C:21-15 and N.J.S.A. 2C:21-8.1(b), and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Conspiracy - Second Degree)

JOSEPH VAS

and

MELVIN RAMOS

who are named as defendants herein, and other persons whose identities are known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between on or about January 1, 2006 and on or about July 31, 2006, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting and facilitating the commission of the crime financial facilitation of criminal activity, 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. Financial Facilitation of a Criminal Activity, in that JOSEPH VAS, MELVIN RAMOS, and other coconspirators who are not named as defendants herein, with purpose to evade a transaction reporting requirement of the State of New Jersey or of 31 U.S.C. sec. 5311, et seq., or 31 C.F.R. sec. 103 et seq., or any rules

or regulations adopted under those chapters and sections, structured or assisted in structuring, or attempted to structure or assist in structuring, transactions with one or more financial institutions, in an amount of less than \$75,000, that is, the said JOSEPH VAS and MELVIN RAMOS, and other persons whose identities are known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, with the purpose to make contributions to the United States Congressional campaign of Joseph Vas in a manner so as to evade applicable state and federal currency transaction reporting requirements, broke down or caused to be broken down a single sum of currency, namely approximately \$25,000 in cash, but meeting or exceeding that which is necessary to trigger a currency transaction reporting requirement at a financial institution, by causing one or more persons to write personal checks made payable to "Vas for Congress," which checks were deposited into the "Vas for Congress" campaign bank account so as not to trigger a currency transaction reporting requirement, and reimbursing the persons who wrote the personal checks with cash, as set forth below:

Donor (Initials)	Date	Amount
N.T.	2/01/2006	\$ 500
	5/18/2006	\$1,000
A.C.	2/01/2006	\$1,000
	5/18/2006	\$1,000
C.S.	5/15/2006	\$ 500
	5/18/2006	\$1,500
D.B.	2/2/2006	\$1,000
	6/1/2006	\$1,100
A.B.	5/17/2006	\$1,500
R.M.	5/17/2006	\$1,500
	6/1/2006	\$ 600
A.M.	6/1/2006	\$2,100
A.G.	5/22/2006	\$2,000
R.T.	5/22/2006	\$1,000
C.J.	6/01/2006	\$2,100
J.J.	6/01/2006	\$2,100
D.P.	4/30/2006	\$2,100
F.S.	7/1/06	\$2,100
J.M.	2/21/06	\$1,000
R.M.	5/17/06	\$2,000

J.R.	4/26/06	\$1,000
	5/15/06	\$ 500

in violation of the provisions of N.J.S.A. 2C:21-25e(3) and N.J.S.A. 2C:21-27;

2. Financial Facilitation of a Criminal Activity, in that JOSEPH VAS, MELVIN RAMOS, and other coconspirators who are not named as defendants herein, knowingly did engage in one or more transactions involving property in the amount of less than \$75,000, which was known or which a reasonable person would believe to be derived from criminal activity, with the intent to facilitate or promote the criminal activity, and/or knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, specifically the said JOSEPH VAS, MELVIN RAMOS, and other coconspirators who are not named as defendants herein, broke down or caused to be broken down a single sum of currency, namely, approximately \$25,000 in cash, into smaller donations in the name of nominee donors, by causing one or more persons to write personal checks made payable to "Vas for Congress," which checks were deposited into the "Vas for Congress" campaign bank account, and reimbursing the persons

who wrote the personal checks with cash, as described in Subparagraph 1 above and incorporated by reference as if set forth fully herein, contrary to the provisions of N.J.S.A. 2C:21-25(b) and N.J.S.A. 2C:21-27; and

3. Official Misconduct, in that JOSEPH VAS, MELVIN RAMOS, and other coconspirators who are not named as defendants herein, with the purpose to obtain a benefit for JOSEPH VAS or another, or to injure or to deprive another of a benefit in excess of \$200, did commit one or more acts relating to their offices, but constituting an unauthorized exercise 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 them by law or clearly inherent in the nature of their office, that is, the said JOSEPH VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and ordinances of the City, to supervise all departments of the City government, to from time to time make such recommendations for action by the City Council as he may deem in the public interest, to refrain from using or attempting to use his official position

to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in the performance of his official duties, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences; and the said MELVIN RAMOS then and there being a public servant, to wit: Aide to the Mayor of the City of Perth Amboy, having thereby the official functions and duties, among others, to act as the personal aide and liaison between the Mayor, the public, and various governmental agencies, to perform administrative duties, to coordinate the activities of municipal departments, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him or another official, directly or indirectly, in the performance of official duties, 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:

(a) request city employees to solicit contributions to the "Vas for Congress" campaign during work hours, (b) solicit city employees and others to make contributions to the "Vas for Congress" campaign during work hours, (c) provide city employees with cash during work hours in return for a personal check made payable to the "Vas for Congress" campaign, in a manner so as to create the impression that the contributions were personally made by the city employees and others, and (d) use the City of Perth Amboy physical facilities and its property for political campaign activities, all for the benefit of JOSEPH VAS and/or the "Vas for Congress" campaign, with the purpose to secure a benefit for JOSEPH VAS or another in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2.

All contrary to the provisions of N.J.S.A. 2C:5-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Financial Facilitation of
Criminal Activity - Third Degree)

JOSEPH VAS

and

MELVIN RAMOS

between on or about January 1, 2006 and on or about July 31, 2006, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this court, (1) with purpose to evade a transaction reporting requirement of the State of New Jersey or of 31 U.S.C. sec. 5311, et seq., or 31 C.F.R. sec. 103 et seq., or any rules or regulations adopted under those chapters and sections, structured or assisted in structuring, or attempted to structure or assist in structuring, transactions with one or more financial institutions, that is, the said JOSEPH VAS, MELVIN RAMOS, and other coconspirators who are not named as defendants herein, with the purpose to make contributions to the United States Congressional campaign of Joseph Vas in a manner so as to evade applicable State and federal currency transaction reporting requirements, broke down and caused to be broken down a single sum of currency in an amount of less than \$75,000 into smaller sums, but meeting or exceeding that which is necessary to

trigger a currency transaction reporting requirement at a financial institution, by causing one or more persons to write personal checks made payable to "Vas for Congress," which checks were deposited into the "Vas for Congress" campaign bank account so as not to trigger a currency transaction reporting requirement, and reimbursing the persons who wrote the personal checks with cash; and/or (2) knowingly did engage in one or more transactions involving property in an amount of less than \$75,000, which was known or which a reasonable person would believe to be derived from criminal activity, with the intent to facilitate or promote the criminal activity, and/or knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, specifically the said JOSEPH VAS, MELVIN RAMOS and other coconspirators who are not named as defendants herein, broke down or caused to be broken down a single sum of currency in an amount of less than \$75,000 into smaller donations in the name of nominee donors, by causing one or more persons to write personal checks made payable to "Vas for Congress," which checks were deposited into the "Vas for Congress" campaign bank account, and reimbursing the persons who wrote the personal checks with cash, contrary to the

provisions of N.J.S.A. 2C:21-25(b), N.J.S.A. 2C:21-25(e)(3),
N.J.S.A. 2C:21-27 and N.J.S.A. 2C:2-6, and against the peace of
this State, the government and dignity of the same.

COUNT EIGHT

(Official Misconduct - Second Degree)

JOSEPH VAS

and

MELVIN RAMOS

who are named as defendants herein, and other persons whose identities are known and unknown to the Grand Jurors, who are names as coconspirators but not as defendants herein, between on or about January 1, 2006 and on or about July 31, 2006, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this court, did commit the offense of official misconduct, in that the said JOSEPH VAS and MELVIN RAMOS, acting with the purpose to obtain a benefit for JOSEPH VAS or another, or to injure or to deprive another of a benefit in excess of \$200, did commit one or more acts relating to their offices, but constituting an unauthorized exercise 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 them by law or clearly inherent in the nature of their office, that is, the said JOSEPH VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and

administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and ordinances of the City, to supervise all departments of the City government, to from time to time make such recommendations for action by the City Council as he may deem in the public interest, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in the performance of his official duties, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences; and the said MELVIN RAMOS then and there being a public servant, to wit: Aide to the Mayor of the City of Perth Amboy, having thereby the official functions and duties, among others, to act as the personal aide and liaison between the Mayor, the public, and various governmental agencies, to perform administrative duties, to coordinate the activities of municipal departments, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting

any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him or another official, directly or indirectly, in the performance of official duties, 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:

(a) request city employees to solicit contributions to the "Vas for Congress" campaign during work hours, (b) solicit city employees and others to make contributions to the "Vas for Congress" campaign during work hours, (c) provide city employees with cash during work hours in return for a personal check made payable to the "Vas for Congress" campaign, in a manner so as to create the impression that the contributions were personally made by the city employees and others, and/or (d) use the City of Perth Amboy physical facilities and its property for political campaign activities, all for the benefit of JOSEPH VAS and/or the "Vas for Congress" campaign, with the purpose to secure a benefit for JOSEPH VAS or another in excess of \$200, contrary to the provisions 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 the same.

COUNT NINE

(Conspiracy - Second Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Official Misconduct, Theft By Deception, False Government Contract Payment Claims, False Representations for Government Contracts, Tampering with Public Records or Information, Falsifying or Tampering with Records and Misapplication of Entrusted Property and Property of Government, did agree that:

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

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

1. Official Misconduct, in that the said JOSEPH VAS and MELVIN RAMOS, acting with the purpose to obtain a benefit for JOSEPH VAS or another, or to injure or to deprive another of a benefit in excess of \$200, did commit one or more acts relating to their offices, but constituting an unauthorized exercise 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 them by law or clearly inherent in the nature of their office, that is, the said JOSEPH VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and ordinances of the City, to supervise all departments of the City government, to from time to time make such recommendations for action by the City Council as he may deem in the public interest, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in the performance of his official duties, to

perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences; and MELVIN RAMOS, then and there being a public servant, to wit: Aide to the Mayor of the City of Perth Amboy, having thereby the official functions and duties, among others, to act as the personal aide and liaison between the Mayor, the public, and various governmental agencies, to perform administrative duties, to coordinate the activities of municipal departments, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him or another official, directly or indirectly, in the performance of official duties, 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:

(a) instruct and/or authorize another to request the said FRANCISCO DOMINGUEZ, JR. of IMPERIAL GROUP CONSTRUCTION, INC., a vendor doing business with the City of Perth Amboy, to pay an invoice submitted to the City of Perth Amboy by a catering company dated April 14, 2008, in the amount of \$58,006.48; (b)

instruct and/or authorize the said FRANCISCO DOMINGUEZ, JR. of IMPERIAL GROUP CONSTRUCTION, INC., to add the said amount of \$58,006.48 into its costs incurred in connection with a current contract with the City of Perth Amboy, by inflating the invoices submitted to the City of Perth Amboy, and (c) did authorize or caused to be authorized the payment of invoices submitted by IMPERIAL CONSTRUCTION GROUP, INC., which included the inflated amounts which included the cost of the catering company totaling approximately \$58,006.48, thereby circumventing Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., with the purpose to secure a benefit for JOSEPH VAS or another in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2;

2. Theft by Deception, in that the said JOSEPH VAS, MELVIN RAMOS, FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC. purposely did obtain in excess of \$500, to wit: approximately \$58,006.48, from the City of Perth Amboy, by deception, that is, by inflating and causing the inflation of invoices submitted by IMPERIAL CONSTRUCTION GROUP, INC. to the City of Perth Amboy which included the costs of a catering bill for an event held in the City of Perth Amboy at which JOSEPH VAS and other were in attendance on or about April 19, 2008, and creating or reinforcing the false impression that

the invoices submitted by FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC., were for monthly staffing plan costs, contrary to the provisions of N.J.S.A. 2C:20-4;

3. False Government Contract Payment Claims, in that the said JOSEPH VAS, MELVIN RAMOS, FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC. knowingly did submit or caused to be submitted to the City of Perth Amboy one or more claims for payment for performance of a government contract, to wit: one or more false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., in an aggregate amount of \$25,000 or above, contrary to the provisions of N.J.S.A. 2C:21-34(a);

4. False Representations for Government Contracts, in that the said JOSEPH VAS, MELVIN RAMOS, FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC. knowingly did make or caused to be made material representations that were false in connection with the negotiation, award or performance of a government contract valued in excess of \$25,000, to wit: one or more false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., in an

aggregate amount of \$25,000 or above, contrary to the provisions of N.J.S.A. 2C:21-34(b);

5. Tampering with Public Records or Information, in that the said JOSEPH VAS, MELVIN RAMOS, FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC., with purpose to defraud or injure, did make, present, offer for filing or use, or cause to be made, presented, offered or used, any record, document or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, to wit: one or more false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., contrary to the provisions of N.J.S.A. 2C:28-7(a)(2);

6. Falsifying or Tampering with Records, in that the said JOSEPH VAS, MELVIN RAMOS, FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC., with the purpose to deceive or injure the City of Perth Amboy, did falsify or caused to be falsified a writing or record or utter or caused to be uttered one or more writings or records knowing it/them to contain a false statement or information, to wit: one or more

false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., contrary to the provisions of N.J.S.A. 2C:21-4; and

7. Misapplication of Entrusted Property and Property of Government, in that the said JOSEPH VAS, MELVIN RAMOS, FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC. did apply or dispose of property belonging to or required to be withheld for the benefit of the government in a manner which they knew was unlawful and involved a substantial risk of loss or detriment to the government, thereby deriving a benefit in excess of \$1,000, to wit: approximately \$58,006.48 of funds belonging to the City of Perth Amboy, contrary to the provisions of N.J.S.A. 2C:21-15.

All contrary to the provisions of N.J.S.A. 2C:5-2, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT TEN

(Official Misconduct - Second Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said JOSEPH VAS and MELVIN RAMOS, acting with the purpose to obtain a benefit for JOSEPH VAS or another, or to injure or to deprive another of a benefit in excess of \$200, did commit one or more acts relating to their offices, but constituting an unauthorized exercise 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 them by law or clearly inherent in the nature of their office, that is, the said JOSEPH VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and

administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and ordinances of the City, to supervise all departments of the City government, to from time to time make such recommendations for action by the City Council as he may deem in the public interest, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in the performance of his official duties, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences; and MELVIN RAMOS, then and there being a public servant, to wit: Aide to the Mayor of the City of Perth Amboy, having thereby the official functions and duties, among others, to act as the personal aide and liaison between the Mayor, the public, and various governmental agencies, to perform administrative duties, to coordinate the activities of municipal departments, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting

any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him or another official, directly or indirectly, in the performance of official duties, 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:

(a) instruct and/or authorize another to request the said FRANCISCO DOMINGUEZ, JR. of IMPERIAL GROUP CONSTRUCTION, INC., a vendor doing business with the City of Perth Amboy, to pay an invoice submitted to the City of Perth Amboy by a catering company dated April 14, 2008, in the amount of \$58,006.48; (b) instruct and/or authorize the said FRANCISCO DOMINGUEZ, JR. of IMPERIAL GROUP CONSTRUCTION, INC., to add the said amount of \$58,006.48 into its costs incurred in connection with a current contract with the City of Perth Amboy by inflating the invoices submitted to the City of Perth Amboy; and (c) authorize or caused to be authorized the payment of invoices submitted by IMPERIAL CONSTRUCTION GROUP, INC., which included the inflated amounts which included the cost of the catering company totaling approximately \$58,006.48, thereby circumventing Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., with the purpose to secure a benefit for JOSEPH VAS or another in excess of \$200,

contrary to the provisions of N.J.S.A. 2C:30-2, N.J.S.A. 2C:2-6,
and N.J.S.A. 2C:2-7, and against the peace of this State, the
government and dignity of the same.

COUNT ELEVEN

(Theft by Deception - Third Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, purposely did obtain in excess of \$500, to wit: approximately \$58,006.48, from the City of Perth Amboy, by deception, that is, by inflating or causing the inflation of invoices submitted by IMPERIAL CONSTRUCTION GROUP, INC., to the City of Perth Amboy, which included the costs of a catering bill for an event held in the City of Perth Amboy at which JOSEPH VAS and others were in attendance on or about April 19, 2008, and creating or reinforcing the false impression that the invoices submitted by FRANCISCO DOMINGUEZ, JR., RICHARD BRIGGS, and IMPERIAL CONSTRUCTION GROUP, INC., were for monthly staffing plan costs, contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-

2(b)(2)(a), N.J.S.A. 2C:20-2(b)(4), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT TWELVE

(False Government Contract Payment Claims - Second Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, knowingly did submit or caused to be made to the government one or more claims for payment for performance of a government contract, to wit: one or more false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., in an aggregate amount of \$25,000 or above, contrary to the provisions of N.J.S.A. 2C:21-34(a), N.J.S.A. 2C:21-8.1(b), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT THIRTEEN

(False Representations for Government Contracts -Second Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, knowingly did make or caused to be made material representations that were false in connection with the negotiation, award or performance of a government contract valued in excess of \$25,000, to wit: one or more false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., contrary to the provisions of N.J.S.A. 2C:21-34(b), N.J.S.A. 2C:21-8.1(b), N.J.S.A. 2C:2-6, and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT FOURTEEN

(Tampering with Public Records or Information - Third Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure, did make, present, offer for filing or use, or caused to be made, presented, offered for filing or used, any record, document or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, to wit: one or more false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., contrary to the provisions of N.J.S.A. 2C:28-7(a)(2), N.J.S.A. 2C:2-6 and

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

COUNT FIFTEEN

(Falsifying or Tampering with Records - Fourth Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere and within the jurisdiction of this Court, with the purpose to deceive or injure the City of Perth Amboy, did falsify or caused to be falsified a writing or record or utter or caused to be uttered one or more writings or records knowing it/them to contain a false statement or information, to wit: one or more false invoices pertaining to services provided to the City of Perth Amboy by IMPERIAL CONSTRUCTION GROUP, INC., contrary to the provisions of N.J.S.A. 2C:21-4, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT SIXTEEN

(Misapplication of Entrusted Property and Property
of Government - Third Degree)

JOSEPH VAS

MELVIN RAMOS

FRANCISCO DOMINGUEZ, JR.

RICHARD BRIGGS

and

IMPERIAL CONSTRUCTION GROUP, INC.

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, did apply or dispose of property belonging to or required to be withheld for the benefit of the government in a manner which they knew was unlawful and involved a substantial risk of loss or detriment to the government, thereby deriving a benefit in excess of \$1,000, to wit: approximately \$58,006.48 of funds belonging to the City of Perth Amboy, contrary to the provisions of N.J.S.A. 2C:21-15, N.J.S.A. 2C:21-8.1(b), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT SEVENTEEN

(Misconduct by a Corporate Official - Third Degree)

FRANCISCO DOMINGUEZ, JR.

and

RICHARD BRIGGS

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, knowingly did use IMPERIAL CONSTRUCTION GROUP, INC., a corporation of the State of New Jersey, for the furtherance of criminal objects, that is the crimes of Conspiracy, in violation of N.J.S.A. 2C:5-2; Official Misconduct, in violation of N.J.S.A. 2C:30-2; Theft by Deception, in violation of N.J.S.A. 2C:20-4; False Government Contract Payment Claims, in violation of N.J.S.A. 2C:21-34(a); False Representations for Government Contracts, in violation of N.J.S.A. 2C:21-34(b); Tampering with Public Records or Information, in violation of N.J.S.A. 2C:28-7(a)(2); and Falsifying or Tampering with Records, in violation of N.J.S.A. 2C:21-4; and did derive a benefit therefrom in excess of \$1,000, contrary to the provisions of N.J.S.A. 2C:21-9(c) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT EIGHTEEN

(Pattern of Official Misconduct - Second Degree)

MELVIN RAMOS

between on or about April 14, 2008 and on or about September 24, 2008, at the City of Perth Amboy, in the County of Middlesex, 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 MELVIN RAMOS, then and there being a public servant, to wit: the Aide to the Mayor of the City of Perth Amboy, having thereby the official functions and duties, among others, to act as the personal aide and liaison between the Mayor, the public, and various governmental agencies, to perform administrative duties, to coordinate the activities of municipal departments, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in the performance of his official duties, 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 and omissions described in Counts Eight and Ten, which allegations are incorporated by reference as fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7a, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT NINETEEN

(Pattern of Official Misconduct - Second Degree)

JOSEPH VAS

between on or about May 1, 2002 and on or about June 30, 2008, at the City of Perth Amboy and at the City of Woodbridge, both in the County of Middlesex, 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 JOSEPH VAS, then and there being a public servant, to wit: Mayor of the City of Perth Amboy, as the chief executive and administrative officer in the City, having thereby the official functions and duties, among others, to enforce the charter and ordinances of the City, to supervise all departments of the City government, to from time to time make such recommendations for action by the City Council as he may deem in the public interest, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to refrain from soliciting or accepting any gift, favor, service, or other thing of value with the understanding that same was given or offered for the purpose of influencing him, directly or indirectly, in

the performance of his official duties, to approve and or authorize reimbursable medical and or eye glass expenses incurred by himself and others to perform his duties in a legal and proper manner, 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 and omissions described in Counts Two, Three, Eight, and Ten, which allegations are incorporated by reference as fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7a, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

DLG

Deborah L. Gramiccioni
Director
Division of Criminal Justice

A TRUE BILL:

Francis Ant
, Foreperson

Dated: *5/2/07*

FILED

MAY 21 2009

**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ570-09-3

Superior Court

09-05-00091-S

Docket Number

STATE OF NEW JERSEY)

v.)

ORDER OF VENUE

JOSEPH VAS)

MELVIN RAMOS)

JENICAR BUILDERS)
CONTRACTORS CO., INC.

FRANCISCO DOMINGUEZ, JR.)
a.k.a.

FRANK DOMINGUEZ)

RICHARD BRIGGS)

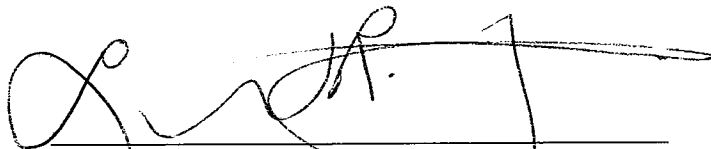
and)

IMPERIAL CONSTRUCTION)
GROUP, INC.

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

IT IS ORDERED on this 21st day of May, 2009, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Middlesex 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 Middlesex for filing.



Linda R. Feinberg, A.J.S.C.