

**FILED**

DEC 17 2012

**State Grand Jury Judge**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ631-12-3

Superior Court

Docket Number 12-12-00227-S

STATE OF NEW JERSEY )

v. )

INDICTMENT

TIMOTHY J. GROSSI. )

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

COUNT ONE

(Conspiracy - Second Degree)

TIMOTHY J. GROSSI

and other persons whose identities are both known and unknown to the Grand Jury, who are named as co-conspirators but not as defendants herein, between on or about May 8, 2007 and on or about November 2, 2010, at the Township of North Bergen, in the County of Hudson, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Official Misconduct, Pattern of Official Misconduct, Theft by Unlawful Taking or Disposition,

Misapplication of Entrusted Property and Property of Government or Financial Institution, Tampering with Public Records or Information, or Falsifying or Tampering with Records, did agree that:

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

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

A. Official Misconduct, in that one or more of them, being a public servant, would, acting with purpose to obtain a benefit for himself or another in excess of \$200 or to injure or deprive another of a benefit in excess of \$200, commit an act relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or that he committed such an act 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, contrary to the provisions of N.J.S.A. 2C:30-2;

B. Pattern of Official Misconduct, in that one or more of them, being a public servant, would, acting with purpose to obtain a benefit for himself or another in excess of \$200 or to injure or deprive another of a benefit in excess of \$200, commit two or more acts of Official Misconduct that violate the

provisions of N.J.S.A. 2C:30-2, at least one of which was a crime of the second degree, contrary to the provisions of N.J.S.A. 2C:30-7;

C. Theft by Unlawful Taking or Disposition, in that one or more of them knowingly would unlawfully take, or exercise unlawful control over, the movable property of another, 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:20-3a.

D. Misapplication of Entrusted Property and Property of Government or Financial Institution, in that one or more of them knowingly would apply or dispose of property belonging to the government in a manner which he knew was unlawful and involved substantial risk of loss or detriment to the owner of the property, thereby deriving a benefit of over \$1,000, contrary to the provisions of N.J.S.A. 2C:21-15;

E. Tampering with Public Records or Information, in that one or more of them knowingly would, with purpose to defraud or injure, make a false entry in, or false alteration of, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, or 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, contrary to the provisions of N.J.S.A. 2C:28-7a(1) and (2); and

F. Falsifying or Tampering with Records, in that one or more of them, with the purpose to deceive or injure another or to conceal a wrongdoing, would falsify or utter any writing or record knowing that it contained a false statement or information, contrary to the provisions of N.J.S.A. 2C:21-4a.

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)

TIMOTHY J. GROSSI

between on or about May 8, 2007 and on or about November 2, 2010, at the Township of North Bergen, in the County of Hudson, elsewhere, and within the jurisdiction of this Court, did commit the offense of Official Misconduct, in that TIMOTHY J. GROSSI, a public servant, acting with the purpose to obtain a benefit for himself or another in excess of \$200, 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 an unauthorized exercise 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 on him by law or clearly inherent in the nature of his office, that is, the said TIMOTHY J. GROSSI, then and there being a public servant, to wit: Deputy Director with the North Bergen Department of Public Works, and having thereby the official functions and duties of said position, including among others, to supervise, manage, or oversee the operations and employees of the North Bergen Department of Public Works, to refrain from using or attempting to use his official position to secure unwarranted privileges 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 work or have one or more subordinate North Bergen Department of Public Works employees work on one or more election campaigns on Department time or using Department vehicles, for which they were paid for regular, overtime, or compensatory hours by the North Bergen Department of Public Works, including, but not limited to, election campaigns: (a) in Bayonne, New Jersey on November 4, 2008; (b) in Jersey City, New Jersey on May 12, 2009; and (c) in Jersey City, New Jersey on November 2, 2010, with the purpose to secure a benefit for the said TIMOTHY J. GROSSI, 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

(Official Misconduct - Second Degree)

TIMOTHY J. GROSSI

between on or about May 8, 2007 and on or about November 2, 2010, at the Township of North Bergen and at the City of Jersey City, both in the County of Hudson, elsewhere, and within the jurisdiction of this Court, did commit the offense of Official Misconduct, in that TIMOTHY J. GROSSI, a public servant, acting with the purpose to obtain a benefit for himself or another in excess of \$200, 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 an unauthorized exercise 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 on him by law or clearly inherent in the nature of his office, that is, the said TIMOTHY J. GROSSI, then and there being a public servant, to wit: Deputy Director with the North Bergen Department of Public Works, and having thereby the official functions and duties of said position, including among others, to supervise, manage, or oversee the operations and employees of the North Bergen Department of Public Works, to refrain from using or attempting to use his official position to secure unwarranted privileges 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 direct or have another direct one or more subordinate North Bergen Department of Public Works employees perform one or more personal tasks for the said TIMOTHY J. GROSSI or others, on Department time or using Department tools, equipment and vehicles, for which they were paid for regular or overtime hours by the North Bergen Department of Public Works, including, but not limited to: (a) installing window air conditioning units at the residence of TIMOTHY J. GROSSI; (b) installing windows at the residence of TIMOTHY J. GROSSI; (c) performing gardening work or other personal tasks at the residences of one or more individuals; (d) picking up or delivering political literature; and (e) taking photographs of political signs; with the purpose to secure a benefit for the said TIMOTHY J. GROSSI, 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 FOUR

(Pattern of Official Misconduct - Second Degree)

TIMOTHY J. GROSSI

between on or about May 8, 2007 and on or about November 2, 2010, at the Township of North Bergen and at the City of Jersey City, both in the County of Hudson, 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 TIMOTHY J. GROSSI, then and there being a public servant, to wit: Deputy Director with the North Bergen Department of Public Works, and having thereby the official functions and duties of said position, including among others, to supervise, manage, or oversee the operations and employees of the North Bergen Department of Public Works, to refrain from using or attempting to use his official position to secure unwarranted privileges 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 Counts Two and Three, which allegations are incorporated by reference as if fully set forth

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

COUNT FIVE

(Theft by Unlawful Taking or Disposition - Third Degree)

TIMOTHY J. GROSSI

between on or about May 8, 2007 and on or about November 2, 2010, at the Township of North Bergen, at the City of Jersey City, and at the City of Bayonne, all in the County of Hudson, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of the North Bergen Township Department of Public Works, including vehicles and employee services, including, but not limited to those acts described in Counts Two and Three, which allegations are incorporated by reference as if fully set forth herein, 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:20-3a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SIX

(Misapplication of Entrusted Property and Property of Government  
or Financial Institution - Third Degree)

TIMOTHY J. GROSSI

between on or about May 8, 2007 and on or about November 2, 2010,  
at the Township of North Bergen, at the City of Jersey City, and  
at the City of Bayonne, all in the County of Hudson, elsewhere,  
and within the jurisdiction of this Court, knowingly did apply or  
dispose of property belonging to the government, to wit: vehicles  
and employee services, including, but not limited to those acts  
described in Counts Two and Three, which allegations are  
incorporated by reference as if fully set forth herein, in a  
manner in which the said TIMOTHY J. GROSSI knew was unlawful and  
involved a substantial risk of loss or detriment to the owner of  
the property, thereby deriving a benefit of over \$1,000, contrary  
to the provisions of N.J.S.A. 2C:21-15 and N.J.S.A. 2C:2-6, and  
against the peace of this State, the government and dignity of  
same.

COUNT SEVEN

(Tampering With Public Records or Information - Third Degree)

TIMOTHY J. GROSSI

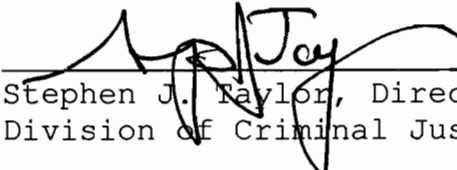
between on or about May 8, 2007 and on or about November 2, 2010, at the Township of North Bergen, in the County of Hudson, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure, did knowingly make a false entry in, or false alteration of, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, or 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, including one or more time sheets submitted to the Township of North Bergen or the North Bergen Department of Public Works, falsely reporting regular or overtime hours worked by TIMOTHY J. GROSSI or subordinate North Bergen Department of Public Works employees, contrary to the provisions of N.J.S.A. 2C:28-7a(1) and (2), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT EIGHT

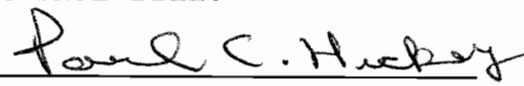
(Falsifying or Tampering with Records - Fourth Degree)

TIMOTHY J. GROSSI

between on or about May 8, 2007 and on or about November 2, 2010,  
at the Township of North Bergen, in the County of Hudson,  
elsewhere, and within the jurisdiction of this Court, with  
purpose to deceive or injure another or to conceal a wrongdoing,  
did falsify or utter a writing or record, that is, one or more  
time sheets submitted to the Township of North Bergen or the  
North Bergen Department of Public Works, reporting regular or  
overtime hours worked by TIMOTHY J. GROSSI or subordinate North  
Bergen Department of Public Works employees, knowing it to  
contain a false statement or information, contrary to the  
provisions of N.J.S.A. 2C:21-4a 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:

  
\_\_\_\_\_  
Deputy, Foreperson

Dated: \_\_\_\_\_

12/17/12