

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ750-21-4
Superior Court
Docket Number 21-1-3-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

JOHN S. WINDISH)

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

COUNT ONE

(Official Misconduct - Second Degree)

JOHN S. WINDISH

between on or about January 1, 2018 and on or about May 14, 2018, at the City of Morristown, at the Township of Hanover, both in the County of Morris, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said JOHN WINDISH, 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 deprive another of a benefit in excess of \$200, did 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 was committing it 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 JOHN WINDISH, then and there being a public servant, to wit: a Mount Arlington, New Jersey Councilman, having thereby the official functions and duties of said position, including among others, to refrain from accepting donations, gratuities, contributions or gifts that could be interpreted to affect his official duties, to avoid being in a position whereby his official decisions can be influenced for personal gain, to conduct business according to the highest ethical standards of public service and to devote his best efforts to the interests of the Borough of Mount Arlington, 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 solicit or accept an unlawful payment of funds or did agree to provide public work or public contracts in exchange for funds, 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, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Bribery in Official and Political Matters - Second Degree)

JOHN S. WINDISH

between on or about January 1, 2018 and on or about May 14, 2018, at the City of Morristown, at the Township of Hanover, both in the County of Morris, elsewhere, and within the jurisdiction of this Court, knowingly did directly or indirectly solicit, accept, or agree to accept from another a benefit that is, funds in excess of \$200, as consideration for the performance of official duties or the violation of official duties, that is, the said JOHN WINDISH did solicit, accept or agree to accept approximately \$7,000 in United States currency from another, whose identity is known to the grand jurors (Person #1), as consideration for agreeing to use his official position as a Mount Arlington Councilman to provide public contracts or work for Person #1 within the Borough of Mount Arlington, contrary to the provisions of N.J.S.A. 2C:27-2, and against the peace of this state, the government, and dignity of the same.

COUNT THREE

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

JOHN S. WINDISH

between on or about January 1, 2018 and on or about May 14, 2018,
at the City of Morristown, at the Township of Hanover, both in the
County of Morris, elsewhere, and within the jurisdiction of this
Court, did commit the offense of Acceptance or Receipt of Unlawful
Benefit by Public Servant for Official Behavior, in that the said
JOHN WINDISH, being a public servant, that is, a Mount Arlington
Councilman, under color of his office and in connection with an
official act performed or to be performed by him, did directly or
indirectly, knowingly solicit, accept, or agree to accept a benefit
in excess of \$200 to influence the performance of an official duty
or to commit a violation of an official duty, to wit: to use his
official position as a Mount Arlington Councilman to provide public
contracts or work for Person #1 within the said Borough of Mount
Arlington, contrary to the provisions of N.J.S.A. 2C:27-10(a), and

