

in and around Marlboro Township ("Builder No. 1").

4. In or about 2002, there was pending before the Marlboro Township Planning Board and the Marlboro Township Council, a proposal to construct age-restricted housing on the site of the former Marlboro Airport and adjoining property. The Marlboro Airport property consisted of approximately fifty-one acres, and the adjoining property consisted of approximately one hundred acres.

5. The construction of age-restricted housing on the site of the former Marlboro Airport and adjoining property would have required the Marlboro Township Council to enact land-use ordinances to change the zoning for the Marlboro Airport property and adjoining property.

6. At all times relevant to this Count of the Indictment, there was a member of the Marlboro Township Council (the "Council Member") who was voluntarily cooperating with federal law-enforcement authorities.

7. On or about December 10, 2002, defendant RICHARD VUOLA met the Council Member in Marlboro for the purpose of determining whether the Council Member would support enactment of the land-use ordinances necessary to re-zone the Marlboro Airport property and adjoining property for age-restricted housing.

8. During this December 10, 2002 meeting between defendant RICHARD VUOLA and the Council Member, defendant RICHARD VUOLA

stated to the Council Member that those interested in developing age-restricted housing on the Marlboro Airport property and adjoining property did not believe that the Council Member would vote in their favor on the necessary land-use ordinances.

Defendant RICHARD VUOLA also told the Council Member that if the Council Member voted in favor of approving the necessary land-use ordinances, and gave defendant RICHARD VUOLA advance notice that the Council Member would vote in favor of approving the necessary land-use ordinances, defendant RICHARD VUOLA would procure a total of approximately \$150,000 in campaign funding for the Council Member.

9. On or about December 10, 2002, in Monmouth County, in the District of New Jersey, and elsewhere, defendant

RICHARD VUOLA

did knowingly, willfully, and corruptly give, offer, and agree to give the Council Member a thing of value, namely, \$150,000 in campaign funding, intending to influence and reward the Council Member in connection with a business, transaction, and series of transactions of Marlboro Township involving a thing of value of \$5,000 or more.

In violation of Title 18, United States Code, Sections 666(a)(2) and 2.

COUNT TWO
(Offering a Corrupt Payment)

1. Paragraph 1 of Count 1 is realleged and incorporated herein.

2. The Township of Manalapan, New Jersey is located in Monmouth County, New Jersey. At all times relevant to this Count of the Indictment, the Township of Manalapan received federal assistance in excess of \$10,000 per year.

3. In or about late 2000, an elected official of the Township of Manalapan (the "Manalapan Official") proposed to the Township Committee of Manalapan to re-zone certain properties within the Township of Manalapan (the "Re-zoning Proposal"). The Re-zoning Proposal would have restricted the development of certain properties within the Township of Manalapan according to the acreage of those properties.

4. Between in or about February 2001 and in or about April 2001, defendant RICHARD VUOLA met with the Manalapan Official at a diner located in Marlboro Township. During the course of that meeting, defendant RICHARD VUOLA told the Manalapan Official that he represented a builder that had applications before the Township of Manalapan Planning Board to develop certain property ("Builder No. 2"). Defendant RICHARD VUOLA further indicated to the Manalapan Official that the Re-zoning Proposal would negatively affect Builder No. 2's ability to develop that property.

5. During the course of this meeting with the Manalapan Official, defendant RICHARD VUOLA further stated that Builder No. 2 wanted that property to be excluded from the Re-zoning Proposal. Defendant RICHARD VUOLA further offered the Manalapan Official \$25,000 in exchange for excluding the property from the Re-zoning Proposal.

6. Between in or about February 2001 and in or about April 2001, in Monmouth County, in the District of New Jersey, and elsewhere, defendant

RICHARD VUOLA

did knowingly, willfully, and corruptly give, offer, and agree to give the Manalapan Official a thing of value, namely, \$25,000, intending to influence and reward the Manalapan Official in connection with a business, transaction, and series of transactions of the Township of Manalapan involving a thing of value of \$5,000 or more.

In violation of Title 18, United States Code, Sections 666(a)(2) and 2.

COUNT THREE
(Felon in Possession of a Firearm)

On or about August 13, 2003, in Monmouth County, in the District of New Jersey and elsewhere, defendant

RICHARD VUOLA

having been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess in and affecting commerce a firearm, namely a Browning twelve-gauge shotgun, serial number 2G82966.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT FOUR
(Felon in Possession of Firearm)

On or about August 13, 2003, in Monmouth County, in the District of New Jersey and elsewhere, defendant

RICHARD VUOLA

having been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess in and affecting commerce a firearm, namely a J. Stevens Arms Co., model Springfield 97C, .22 caliber rifle.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT FIVE
(False 1998 Tax Return)

1. Paragraph 1 of Count 1 is realleged and incorporated herein.

2. From in or about 1997 to in or about 2003, defendant RICHARD VUOLA was employed by a nightclub in North Brunswick (the "Nightclub").

3. From in or about June 1997 to in or about 2000, defendant RICHARD VUOLA was employed as a consultant to a transportation company (the "Transportation Company").

4. From in or about 1993 to in or about December 1997, defendant RICHARD VUOLA was employed by a document company (the "Document Company"). Defendant RICHARD VUOLA continued to receive income from the Document Company through in or about November 1999.

5. On or about April 14, 1999, defendant RICHARD VUOLA signed, filed, and caused to be filed with the Internal Revenue Service ("IRS") a 1998 United States Individual Tax Return on behalf of himself and his wife. That return stated that there was no gross taxable income for the calendar year 1998.

6. The tax return was signed by defendant RICHARD VUOLA, and contained a written declaration that it was signed under penalties of perjury.

7. The tax return was not true and correct as to every material matter in that the return did not report taxable income,

including approximately \$26,000 that defendant RICHARD VUOLA had received from the Nightclub, and approximately \$20,250 that defendant RICHARD VUOLA had received from the Transportation Company.

8. On or about April 14, 1999, in the District of New Jersey, defendant

RICHARD VUOLA

knowingly and willfully did make and subscribe a 1998 United States Individual Income Tax Return, Form 1040, as described in paragraph 5, which he did not believe to be true and correct as to every material matter, as described in paragraph 7.

In violation of Title 26, United States Code, Section 7206(1).

COUNT SIX
(False 1999 Tax Return)

1. Paragraph 1 of Count 1 and paragraphs 2 to 4 of Count Five are realleged and incorporated herein.

2. On or about March 2, 2000, defendant RICHARD VUOLA signed, filed, and caused to be filed with the IRS a 1999 United States Individual Income Tax Return on behalf of himself and his wife. That return stated that there was no taxable income for the year 1999.

3. The tax return was signed by defendant RICHARD VUOLA, and contained a written declaration that it was signed under penalties of perjury.

4. The tax return was not true and correct as to every material matter in that the return did not report taxable income, including approximately \$26,000 that defendant RICHARD VUOLA had received from the Nightclub, and approximately \$8,255 that defendant RICHARD VUOLA had received from the Document Company.

5. On or about March 2, 2000, in the District of New Jersey, defendant

RICHARD VUOLA

knowingly and willfully did make and subscribe a 1999 United States Individual Income Tax Return, Form 1040, as described in paragraph 2, which he did not believe to be true and correct as to every material matter, as described in paragraph 4.

In violation of Title 26, United States Code, Section
7206(1).

COUNT SEVEN
(False 2000 Tax Return)

1. Paragraph 1 of Count 1 and paragraphs 2 to 4 of Count Five are realleged and incorporated herein.

2. On or about February 26, 2001, defendant RICHARD VUOLA signed, filed, and caused to be filed with the IRS a 2000 United States Individual Income Tax Return on behalf of himself and his wife. That return stated that there was no taxable income for the year 2000.

3. The tax return was signed by defendant RICHARD VUOLA, and contained a written declaration that it was signed under penalties of perjury.

4. The tax return was not true and correct as to every material matter in that the return did not report taxable income, including approximately \$26,000 that defendant RICHARD VUOLA had received from the Nightclub.

5. On or about February 26, 2001, in the District of New Jersey, defendant

RICHARD VUOLA

knowingly and willfully did make and subscribe a 2000 United States Individual Income Tax Return, Form 1040, as described in paragraph 2, which he did not believe to be true and correct as to every material matter, as described in paragraph 4.

In violation of Title 26, United States Code, Section 7206(1).

COUNT EIGHT
(False 2001 Tax Return)

1. Paragraph 1 of Count 1 and paragraphs 2 to 4 of Count Five are realleged and incorporated herein.

2. On or about February 28, 2002, defendant RICHARD VUOLA signed, filed, and caused to be filed with the IRS a 2001 United States Individual Income Tax Return on behalf of himself and his wife. That return stated that there was no taxable income for the year 2001.

3. The tax return was signed by defendant RICHARD VUOLA, and contained a written declaration that it was signed under penalties of perjury.

4. The tax return was not true and correct as to every material matter in that the return did not report taxable income, including approximately \$26,000 that defendant RICHARD VUOLA had received from the Nightclub.

5. On or about February 28, 2002, in the District of New Jersey, defendant

RICHARD VUOLA

knowingly and willfully did make and subscribe a 2001 United States Individual Income Tax Return, Form 1040, as described in paragraph 2, which he did not believe to be true and correct as to every material matter, as described in paragraph 4.

In violation of Title 26, United States Code, Section 7206(1).

A TRUE BILL

FOREPERSON

CHRISTOPHER J. CHRISTIE
UNITED STATES ATTORNEY