

FILED

JUN 24 2014

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ652-14-5

Superior Court

Docket Number 14-06-00086-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

LAWRENCE DURR)

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

COUNT ONE

(Official Misconduct - Second Degree)

LAWRENCE DURR

between on or about February 1, 2006 and on or about October 25, 2007, at the Township of Chesterfield, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, did commit the offense of Official Misconduct, in that the said LAWRENCE DURR, acting with a 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, that is, the said LAWRENCE DURR, then and there being a public servant, to wit: a Chesterfield Township

Committeeman or Chesterfield Planning Board Member, having thereby the official functions and duties, among others: (a) to not engage in a business transaction or professional activity which is in substantial conflict with the proper discharge of his duties in the public interest when he or an immediate family member has an interest; (b) to not use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others; (c) to not act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment; (d) to not use his public office or employment, or any information, not generally available to members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself; (e) to perform his duties in a legal and proper manner; (f) to display good faith, honesty and integrity; and (g) and to be impervious to corrupting influences, did knowingly take official action on matters that affected Renaissance Properties, Inc., doing business as Chesterfield, LLC (hereinafter "Renaissance"), a real estate developer with whom he had a personal financial relationship, despite an affirmative duty to recuse himself, to wit:

(1) in or before February 2006, the said LAWRENCE DURR,

in his capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member, did obtain information from Renaissance concerning a real estate development project, which information was not yet made available to the public;

(2) on or about May 2, 2006, the said LAWRENCE DURR did enter into a contract with Renaissance for the sale of the Transfer Development Rights (TDR) credits associated with Block 204, Lot 6.01 (hereinafter "Parcel 1"), in the Township of Chesterfield, which TDR credits were sought by Renaissance for the aforesaid real estate development project;

(3) on or about May 30, 2006, the said LAWRENCE DURR did submit an application to increase the number of TDR credits allocated to Parcel 1, despite the fact that the said LAWRENCE DURR was not the owner of said parcel. In the application submitted, where the name of the property owner is called for, the term "property owner" is crossed out and the term "contract purchaser" is filled in;

(4) on or about June 15, 2006, the said LAWRENCE DURR did appear before the Chesterfield Township Planning Board, representing himself with regard to his application to increase the number of TDR credits allocated to Parcel 1 and did receive an increase of the TDR credits allocated to Parcel 1;

(5) on or about August 2, 2006, the said LAWRENCE DURR did accept payment of \$150,000 in the form of a non-refundable deposit from Renaissance;

(6) on or about August 9, 2006, the said LAWRENCE DURR did appear in his capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member at a meeting of the Chesterfield Township Committee to advocate for the direct sale of additional TDR credits sought by Renaissance for the aforesaid real estate development project proposed by Renaissance;

(7) on or about September 6, 2006, the said LAWRENCE DURR did appear before the Burlington County TDR Bank Board in his official capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member to advocate for the direct sale of additional TDR credits sought by Renaissance for the aforesaid real estate development project;

(8) on or about April 10, 2007, the said LAWRENCE DURR, in his official capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member, did introduce Ordinance 2007-9 before the Chesterfield Township Planning Board relating to the aforesaid Renaissance real estate development project;

(9) on or about April 26, 2007, the said LAWRENCE DURR,

in his official capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member, did move before the Chesterfield Township Committee to adopt Ordinance 2007-9;

(10) on or about June 28, 2007, the said LAWRENCE DURR did assign TDR credits relating to Parcel 1 to Renaissance, pursuant to their contract of May 2, 2006, for the approximate sum of \$2,372,500;

(11) on or about July 12, 2007, the said LAWRENCE DURR, in his official capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member, did vote to second the introduction of Ordinance 2007-13 and related ordinances, authorizing the Township of Chesterfield to purchase a parcel of land related to the aforesaid Renaissance real estate project;

(12) on or about July 26, 2007, the said LAWRENCE DURR, in his official capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member, did vote to adopt Ordinance 2007-13, and did vote to second the adoption of Ordinance 2007-7-6 and related ordinances, authorizing the Township to assume a real estate contract that related to the aforesaid Renaissance real estate project;

(13) on or about July 27, 2007, the said LAWRENCE DURR

did receive payment from Renaissance of \$2,372,500 for the TDR credits of Parcel 1; or

(14) on or about October 25, 2007, the said LAWRENCE DURR, in his official capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member, did vote to second the adoption of Ordinance 2007-10-6, allowing for the funding of a real estate purchase between the Township of Chesterfield and Renaissance, related to the aforesaid Renaissance real estate project,

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:30-2a, and against the peace of this State, the government and dignity of the same.


COUNT TWO

(Speculating or Wagering on Official
Action or Information - Second Degree)

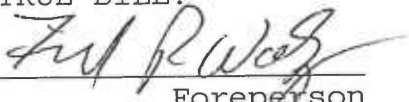
LAWRENCE DURR

between on or about February 28, 2005, and on or about July 27, 2007, at the Township of Chesterfield, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, in contemplation of official action by the said LAWRENCE DURR or by a governmental unit with which the said LAWRENCE DURR was associated, namely the Chesterfield Township Council or the Chesterfield Township Planning Board, or in reliance on information to which the said LAWRENCE DURR had access in his official capacity as a Chesterfield Township Committeeman or Chesterfield Planning Board Member, and which information had not been made public, knowingly did acquire a pecuniary interest in a property, specifically Block 204, Lot 6.01 (Parcel 1), in the Township of Chesterfield, which property may be affected by such information or official action, thereby acquiring a benefit, or having sought to acquire a benefit, with a value of more than \$200, contrary to the provisions of

N.J.S.A. 2C:30-3, and against the peace of this State, the government and dignity of the same.


Elie Honig, Director
Division of Criminal Justice

A TRUE BILL:


Foreperson

Dated: 6-24-14

FILED

JUN 24 2014

State Grand Jury Judge

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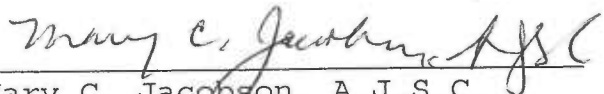
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ORDER OF VENUE

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

IT IS ORDERED on this 24th day of June, 2014, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Burlington ~~Warren~~ 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 Burlington for filing.



Mary C. Jacobson, A.J.S.C.