

FILED

FEB 03 2016

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

REC'D

FEB 02 2016

State Grand Jury Judge

State Grand Jury
Number SGJ677-16-21
Superior Court
Docket Number 16-02-00014-S

STATE OF NEW JERSEY)	
)	
v.)	INDICTMENT
)	
RICHARD W. BERNARDI, SR.,)	
)	
and)	
)	
STRATEGIC ENVIRONMENTAL)	
PARTNERS, LLC.)	

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

COUNT ONE

(False Representations for a Government Contract - Second Degree)

RICHARD W. BERNARDI, SR. and
STRATEGIC ENVIRONMENTAL PARTNERS, LLC

between on or about January 1, 2010, and on or about October 6, 2011, in the City of Trenton, in the County of Mercer, in the Township of Roxbury, in the County of Morris, elsewhere, and within the jurisdiction of this Court, knowingly made material representations that were false in connection with the negotiation or award of a government contract, that is, the said RICHARD W. BERNARDI, SR., and STRATEGIC ENVIRONMENTAL PARTNERS, LLC ("SEP"), knowingly made false, material representations to the New Jersey

Department of Environmental Protection ("NJDEP") as to the financial condition of SEP or the ability to generate revenue through solar power generation equipment to obtain a contract with NJDEP related to a parcel of real property that included a landfill, also known as the Fenimore Landfill, located in Roxbury Township, New Jersey, worth in excess of \$5,000,000, contrary to N.J.S.A. 2C:21-34b, 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

(Theft by Deception - Second Degree)

RICHARD W. BERNARDI, SR. and
STRATEGIC ENVIRONMENTAL PARTNERS, LLC,

between on or about January 1, 2010, and on or about June 26, 2013, in the City of Trenton, in the County of Mercer, in the Township of Roxbury, in the County of Morris, elsewhere, and within the jurisdiction of this Court, purposely did obtain property of another in excess of \$75,000 by deception, that is, the said RICHARD W. BERNARDI, SR., and STRATEGIC ENVIRONMENTAL PARTNERS, LLC ("SEP"), obtained a contract with the New Jersey Department of Environmental Protection ("NJDEP") related to a parcel of real property that included a landfill, also known as the Fenimore Landfill, located in Roxbury Township, New Jersey, worth in excess of \$5,000,000, by purposefully creating or reinforcing the false impression as to the financial condition of SEP or the ability to generate revenue through solar power generation equipment, contrary to N.J.S.A. 2C:20-4a, N.J.S.A. 2C:20-2b(1)(a), 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

(Financial Facilitation of Criminal Activity - First Degree)

RICHARD W. BERNARDI, SR. and
STRATEGIC ENVIRONMENTAL PARTNERS, LLC,

between on or about June 26, 2013 and on or about February 10, 2015, at the Township of Bedminster, in the County of Somerset, at the Township of Millstone, in the County of Monmouth, elsewhere, and within the jurisdiction of this Court, did engage in one or more transactions involving property, in an amount of \$500,000 or more, known or which a reasonable person would believe to be derived from criminal activity, knowing that each transaction was designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, that is, the said RICHARD W. BERNARDI, SR. and STRATEGIC ENVIRONMENTAL PARTNERS, LLC ("SEP"), did engage in one or more transactions transferring funds among different bank and financial institution accounts they controlled, in an amount of \$500,000 or more, known to be derived from criminal activity, 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 which the said RICHARD W. BERNARDI, SR. and SEP knew to be derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b(2)(a), N.J.S.A. 2C:21-27a, 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 FOUR

(Theft by Deception - Second Degree)

RICHARD W. BERNARDI, SR. and
STRATEGIC ENVIRONMENTAL PARTNERS, LLC,

between on or about January 1, 2006, and on or about February 15, 2011, in the Township of Roxbury, in the County of Morris, elsewhere, and within the jurisdiction of this Court, purposely did obtain property of another in excess of \$75,000 by deception, that is, the said RICHARD W. BERNARDI, SR., and STRATEGIC ENVIRONMENTAL PARTNERS, LLC ("SEP"), obtained a mortgage worth \$950,000 from the seller, whose identity is known to the State Grand Jury, of a parcel of real property that included a landfill, also known as the Fenimore Landfill, located in Roxbury Township, New Jersey, by purposefully creating or reinforcing the false impression that SEP possessed the ability to cause solar generation equipment to be placed on that property and generate revenue to assist SEP in paying off the mortgage within a certain agreed time period, contrary to N.J.S.A. 2C:20-4a, N.J.S.A. 2C:20-2b(1)(a), 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 FIVE

(Theft of Services - Second Degree)

RICHARD W. BERNARDI, SR. and
STRATEGIC ENVIRONMENTAL PARTNERS, LLC,

between on or about December 1, 2009, and on or about August 30, 2012, in the Borough of Florham Park, and in the Township of Roxbury, in the County of Morris, elsewhere, and within the jurisdiction of this Court, purposely did obtain services that they knew were available only for compensation, in excess of \$75,000, by deception, that is, the said RICHARD W. BERNARDI, SR., and STRATEGIC ENVIRONMENTAL PARTNERS, LLC ("SEP"), purposely obtained the services of an engineering company, whose identity is known to the State Grand Jury, that they knew were available for compensation, worth in excess of \$1,500,000, by creating or reinforcing the false impression that SEP intended to begin paying the engineering company for work performed for SEP relating to a parcel of real property that included a landfill, also known as the Fenimore Landfill, located in Roxbury Township, New Jersey, once SEP received approval from the New Jersey Department of Environmental Protection to begin operations at that landfill, contrary to N.J.S.A. 2C:20-8a, N.J.S.A. 2C:20-2b(1)(a), 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 SIX

(Misconduct by Corporate Official-Second Degree)

RICHARD W. BERNARDI, SR.

between on or about January 1, 2010 and on or about January 26, 2016, at the Township of Millstone, in the County of Monmouth, at the City of Trenton, in the County of Mercer, at the Township of Roxbury, in the County of Morris, elsewhere, and within the jurisdiction of this Court, purposely or knowingly did use, control or operate a corporation for the furtherance or promotion of a criminal object, thereby deriving a benefit of \$75,000 or more, that is, the said RICHARD W. BERNARDI, SR., did use, control or operate Strategic Environmental Partners, LLC, a corporation of the State of New Jersey, for the furtherance or promotion of the criminal objects of False Representations for a Government Contract, in violation of N.J.S.A. 2C:21-34b; Theft by Deception, in violation of N.J.S.A. 2C:20-4a; Financial Facilitation of Criminal Activity, in violation of N.J.S.A. 2C:21-25b(2); or Theft of Services, in violation of N.J.S.A. 2C:20-8a, as alleged in Counts One through Five, which are realleged and incorporated by reference herein, contrary to the provisions of N.J.S.A. 2C:21-9c and N.J.S.A. 2C:2-6, and against the

peace of this State, the government and dignity of the same.


Elie Honig, Director
Division of Criminal Justice

A TRUE BILL:


Elaine R. Bonley
Foteperson

Dated: Feb. 2, 2016

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

REC'D -
FEB 02 2016
State Grand Jury Judge

State Grand Jury
Number SGJ677-16-21

FILED
FEB 03 2016
State Grand Jury Judge

Superior Court
Docket Number 16-02-00014-S

STATE OF NEW JERSEY)

v.)

RICHARD W. BERNARDI, SR.)

and)

STRATEGIC ENVIRONMENTAL)

PARTNERS, LLC)

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 *2nd* day of *February*, 2016, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Morris 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 Morris for filing.

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