

FILED

SEP 21 2012

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ625-12-1

Superior Court

Docket Number 12 - 09 - 00164 - 5

STATE OF NEW JERSEY)

v.)

INDICTMENT

TROY BUNERO)

and)

FRANCIS LONGO.)

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

COUNT ONE

(Conspiracy - Second Degree)

TROY BUNERO

and

FRANCIS LONGO

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 January 1, 2006 and on or about February 29, 2012, 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)

TROY BUNERO

and

FRANCIS LONGO

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 TROY BUNERO and FRANCIS LONGO, each 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 each commit one or more acts relating to one or both of their offices, but constituting unauthorized exercises of one or both of their official functions, knowing that such acts were unauthorized or that they were committing them in an unauthorized manner or did refrain from performing a duty imposed upon one or both of them by law or clearly inherent in the nature of one or both of their offices, that is, the said TROY BUNERO and FRANCIS LONGO, each then and there being a public servant, to wit: a Supervisor with the North Bergen Department of Public Works, and each 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 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 or overtime 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 TROY BUNERO, FRANCIS LONGO, 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)

TROY BUNERO

and

FRANCIS LONGO

between on or about January 1, 2006 and on or about February 29, 2012, 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 TROY BUNERO and FRANCIS LONGO, each 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 each commit one or more acts relating to one or both of their offices, but constituting unauthorized exercises of one or both of their official functions, knowing that such acts were unauthorized or that they were committing them in an unauthorized manner or did refrain from performing a duty imposed upon one or both of them by law or clearly inherent in the nature of one or both of their offices, that is, the said TROY BUNERO and FRANCIS LONGO, each then and there being a public servant, to wit: a Supervisor with the North Bergen Department of Public Works, and each 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 subordinate North Bergen Department of Public Works employees perform work at private residences or vehicles 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) perform renovation work at the said TROY BUNERO's private residence; (b) repaint FRANCIS LONGO's personal vehicle at the North Bergen Department of Public Works garage; and (c) perform personal household labor at the private residence of another supervisor with the purpose to secure a benefit for the said TROY BUNERO, FRANCIS LONGO, 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)

TROY BUNERO

and

FRANCIS LONGO

between on or about January 1, 2006 and on or about February 29, 2012, at the Township of North Bergen, in the County of Hudson, elsewhere, and within the jurisdiction of this Court, did commit the offense of Pattern of Official Misconduct in that one or both or them did commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said TROY BUNERO and FRANCIS LONGO, each then and there being a public servant, to wit: a Supervisor with the North Bergen Department of Public Works, and each 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)

TROY BUNERO

and

FRANCIS LONGO

between on or about January 1, 2006 and on or about February 29, 2012, at the Township of North Bergen, 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 tools, equipment, 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)

TROY BUNERO

and

FRANCIS LONGO

between on or about January 1, 2006 and on or about February 29, 2012, at the Township of North Bergen, 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: tools, equipment, 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 TROY BUNERO and FRANCIS LONGO 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)

TROY BUNERO

between on or about January 1, 2006 and on or about February 29, 2012, 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 North Bergen Department of Public Works, falsely reporting regular or overtime hours worked by TROY BUNERO 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.

