

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 13-
: :
v. : 18 U.S.C. §§ 1341, 1346 & § 2
: :
ANIELLO PALMIERI : I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

At all times relevant to this Information:

1. Defendant ANIELLO PALMIERI was the Director of the Division of Facilities Management for Union County, New Jersey. Union County's Division of Facilities Management was responsible for the management and maintenance of the buildings owned and operated by the County. The Division of Facilities Management was responsible for purchasing millions of dollars of products and services per year on behalf of the County. Defendant ANIELLO PALMIERI oversaw the purchasing of building materials, tools, hardware, janitorial supplies and other supplies used by the various Bureaus of the Division of Facilities Management.

2. There was an individual who owned and operated a company ("the Company"), which was a commercial maintenance and construction business that sold, among other products, hardware, tools and accessories to counties in the State of New Jersey (hereinafter "the Owner").

3. Union County and its citizens had an intangible

right to the honest services of their public officials. As a public official for Union County, defendant ANIELLO PALMIERI owed Union County and its citizens a duty to refrain from receiving bribes and kickbacks in exchange for defendant ANIELLO PALMIERI's official action and assistance.

4. From in or about January 2006 to in or about September 2010, in Somerset and Union Counties, in the District of New Jersey, and elsewhere, defendant

~~ANIELLO PALMIERI~~

knowingly and intentionally did devise and intend to devise a scheme and artifice to defraud Union County and its citizens of (a) the right to his honest services, and (b) money by means of materially false pretenses and representations.

5. The object of this scheme and artifice to defraud was for defendant ANIELLO PALMIERI and the Owner to deprive Union County of the honest services of defendant ANIELLO PALMIERI and of money through deceit and trickery.

6. It was part of the scheme and artifice to defraud that:

(A) The Owner generated fictitious invoices to Union County for many hardware items. The Owner did not order the products contained in these fictitious invoices from any supplier, and did not ship the products detailed in these invoices to Union County. The Owner regularly hand delivered the fictitious invoices to defendant ANIELLO PALMIERI. After the invoices were received by defendant ANIELLO PALMIERI, payment

vouchers were generated by Union County and mailed to the Owner. The Owner signed the vouchers and returned these vouchers to defendant ANIELLO PALMIERI without the merchandise. Defendant ANIELLO PALMIERI approved the vouchers for payment by falsely verifying that the products were received by Union County and then forwarding the approved vouchers for payment. Union County regularly sent the Company checks by United States mail for these phony sales.

~~(B) To compensate defendant ANIELLO PALMIERI for his~~ official action and assistance in the scheme, defendant ANIELLO PALMIERI, for approximately the first six months of the scheme, accepted from the Owner half of the money that the Owner received from Union County for fictitious invoices in cash. Later, defendant ANIELLO PALMIERI received his share of the proceeds from the Owner in the form of gift cards, including \$1,000 gift cards to Lowe's and Sam's Club. In addition, defendant ANIELLO PALMIERI told the Owner to purchase and pay for the following products and services, among others, using defendant ANIELLO PALMIERI's share of the proceeds from the fraud: (1) on or about November 23, 2007, an oven range valued at approximately \$1,999; (2) on or about June 16, 2008, a Panasonic HDC-HS9 60 GB Hard Drive Camcorder valued at approximately \$749; (3) on or about December 27, 2008, a Bowflex physical fitness machine valued at approximately \$2,970; and (4) on or about June 10, 2009, a Canon PowerShot Digital Camera valued at approximately \$130.

7. The Company received more than \$120,000, but less

than or equal to \$200,000, in fraudulent proceeds from the fictitious invoices.

8. On or about the dates listed below, in Somerset and Union Counties, in the District of New Jersey, and elsewhere, for the purpose of executing and attempting to execute this scheme and artifice to defraud, defendant

ANIELLO PALMIERI

knowingly and intentionally placed and caused to be placed in a ~~post office and authorized depository for mail matters and things~~ as set forth below to be sent and delivered by the United States Postal Service, and caused to be delivered thereon, these matters and things as follows:

Approximate Date	Amount of Check to the Company
January 14, 2009	\$7,856.81
April 7, 2010	\$15,899.95

In violation of Title 18, United States Code, Sections 1341 and 1346, and Section 2.

Paul J. Fishman/rah
PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER: _____

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UNITED STATES OF AMERICA

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INFORMATION FOR

Title 18, United States Code, Sections 1341, 1346 & Section 2

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