

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 14-  
 :  
 v. : 18 U.S.C. § 371  
 :  
 NICHOLAS VENE : Hon.

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:

1. At all times relevant to this Information:

A. Defendant NICHOLAS VENE ("defendant VENE") was an owner of Reliable Wood Products ("Reliable Wood"), a recycling company that specialized in the processing and manufacturing of landscaping products, such as mulch. Reliable Wood had several locations and performed some of its operations at 1 Caven Point Avenue ("1 Caven Point") and 50 Caven Point Avenue ("50 Caven Point") in Jersey City, New Jersey (collectively, the "Properties").

B. United Water New Jersey ("United Water") was an environmental services company who, from at least as early as January 2002 until January 2014, had an agreement with the Jersey City Municipal Utilities Authority (the "JCMUA") to oversee and operate Jersey City's water treatment systems and provide the residents and businesses of Jersey City with water. As part of this agreement with

the JCMUA, United Water monitored the water usage of Jersey City residents and businesses and collected payment for the use of the water that it provided.

C. United Water used water meters to monitor and record water usage in Jersey City. When properly installed, all of the water which flowed from the water pipes operated by United Water into the water pipes owned by the Jersey City residents or businesses would be recorded by these water meters. In order to facilitate the collection of payment for water usage, United Water mailed a monthly billing statement to each of its customers. That billing statement set forth the particular customer's recorded water usage for the previous month and the current amount of money owed by the customer to United Water.

2. From at least in or about January 2007 through on or about March 31, 2012, in the District of New Jersey and elsewhere, defendant

NICHOLAS VENE

did knowingly and intentionally conspire with others to devise and intend to devise a scheme and artifice to defraud the JCMUA and to obtain property by means of materially false and fraudulent pretenses, representations and promises facilitated by use of the U.S. Mail, contrary to Title 18, United States Code, Section 1341.

3. It was the object of the conspiracy for defendant VENE and others to divert water from a meter and otherwise use unmetered water, and falsely represent to the JCMUA that the Properties' water usage was a lesser volume than their actual usage in connection with the payments of their monthly water bills.

4. It was part of the conspiracy that:

A. From at least in or about January 2007 through on or about March 31, 2012, water flowing from the Jersey City water pipe into the 1 Caven Point water pipe was diverted away from the water meter on that pipe. Thus, through this diversion, defendant VENE and others working for him caused United Water to obtain a false calculation of the volume of water used at 1 Caven Point by under-reporting such usage.

B. From at least in or about January 2007 through on or about March 31, 2012, defendant VENE was aware of the use of a water pipe at 50 Caven Point which was unmetered. Defendant VENE therefore caused United Water to not be provided with an accurate record of water usage at 50 Caven Point.

C. As a result of this scheme, defendant VENE and others defrauded the JCMUA of approximately \$100,000.

D. Defendant VENE and others used and caused the use of the U.S. mails to further this scheme, to include regularly mailing to the JCMUA payments for water usage that falsely represented that

such payments were for the full quantity of water used when, in fact, such payments did not account for water diverted from the meter or for otherwise unmetered water usage.

Overt Acts

5. In furtherance of the conspiracy and in order to effect the object thereof, the following acts were committed in the District of New Jersey and elsewhere:

a. On or about February 17, 2012, defendant VENE, as an owner of Reliable Wood, a tenant of the property owner, caused a check for approximately \$279.17 to be mailed to, and received by the JCMUA, which check did not accurately represent the volume of water used by Reliable Wood during January 2012.

b. On or about March 16, 2012, defendant VENE, as owner of Reliable Wood, a tenant of the property owner, caused a check for approximately \$181.53 to be mailed to, and received by the JCMUA, which check did not accurately represent the volume of water used by Reliable Wood during February 2012.

In violation of Title 18, United States Code, Section 371.

*Paul J. Fishman /rah*

PAUL J. FISHMAN  
United States Attorney