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**SUPERIOR COURT
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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ571-09-7

Superior Court

Docket Number

09-04-00060-S

STATE OF NEW JERSEY)

v.)

ALBERT TAYLOR)

INDICTMENT

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

COUNT ONE

(Conspiracy to Commit Racketeering - Second Degree)

ALBERT TAYLOR

who is named as defendant herein, and other persons whose identities are known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, at the times and places specified, with the purpose of promoting and facilitating the commission of the crime of racketeering, did commit the crime of conspiracy in that ALBERT TAYLOR and the unindicted coconspirators agreed:

A. That one or more of them would engage in conduct which would constitute the crime of racketeering; and

B. That one or more of them would aid the others in the planning, solicitation and commission of the crime of racketeering,

that is that ALBERT TAYLOR and the unindicted coconspirators, being persons employed by or associated with an enterprise, which enterprise was engaged in or the activities of which affected trade or commerce, would conduct and participate, directly or indirectly, in the conduct of the enterprise's affairs through a pattern of racketeering activity, in violation of N.J.S.A. 2C:41-2c, all as hereafter described.

THE RELEVANT TIMES

1. The conspiracy occurred between on or about January 4, 2006, and on or about January 16, 2008.

THE RELEVANT PLACES

2. The conspiracy took place in the Borough of Lincoln Park, in the County of Morris, elsewhere, and within the jurisdiction of this Court.

THE ENTERPRISE

An underground storage tank testing company, doing business as Tank Automation, Tank Tek, IDC Tank, All Tank Services, Tank Environmental Service, and Computek Services, LLC, and located at 63 Beaverbrook Road, Suite 104C, Lincoln Park, New Jersey, constitutes an enterprise within the meaning of N.J.S.A. 2C:41-1c, in that it is a business engaged in and the activities of which affected trade and commerce.

ALBERT TAYLOR would directly or indirectly participate in the conduct of the affairs of the aforementioned enterprise through a

pattern of racketeering activity. The conduct and participation would include defrauding clients which had hired said underground storage tank testing company to provide services related to determining the integrity of underground storage tanks.

PURPOSE OF THE CONSPIRACY

It was part of the conspiracy that the purpose of the coconspirators in conducting and participating in the conduct of the affairs of the enterprise would be to obtain money and benefits for the members and associates of the enterprise to which they were not lawfully entitled by engaging in repeated acts of theft by deception, contrary to N.J.S.A. 2C:20-4.

METHOD AND MEANS OF THE ENTERPRISE

In order to achieve the purpose of the enterprise, one or more of the coconspirators would employ one or more of the following means and methods:

A. Members and associates of the enterprise sold a service which purported to provide accurate information regarding the integrity of underground storage tanks, when in fact said members and associates were well aware that the procedures and equipment being used were insufficient for this purpose. Specifically, several hundred clients paid from \$250 to \$1200 to have the enterprise evaluate whether an underground storage tank was leaking. The members of the enterprise represented that the underground storage tank was evaluated using a two part test. The first part of the

test was the "Alert 1050 Ullage Test", represented to measure the integrity of the empty portion of the underground storage tank and its piping. The second portion of the test was the "Alert 1000 Precision Tank Test", represented to measure the integrity of the portion of the underground storage tank filled with petroleum. No actual testing was done. The enterprise did not use equipment necessary to perform the "Alert 1050 Ullage Test". Moreover, the equipment used for the "Alert 1000 Precision Tank Test" was broken. Additionally, members of the enterprise were instructed to use the "Alert 1000 Precision Tank Test" equipment improperly, and record insufficient data from which to make a determination regarding the integrity of the underground storage tank. Despite the foregoing, almost every client of the enterprise was provided the same result, that the evaluation showed that a leak existed in the empty area of the underground storage tank or its associated piping.

B. Members and associates of the enterprise were hired to determine whether soil was contaminated with petroleum. Numerous clients paid the enterprise \$325 to \$850 to take soil samples and have said soil samples analyzed for the presence of hydrocarbons, for the purpose of determining whether an underground storage tank has leaked. Members and associates of the enterprise added petroleum to soil samples in order to ensure the soil was found to be contaminated with hydrocarbons, thus ensuring that no accurate analysis could occur.

C. Members and associates of the enterprise provided false information regarding underground storage tanks for the purpose of soliciting clients for a related business engaged in the removal of said underground storage tanks. By ensuring that the test demonstrated the underground storage tank was leaking, whether it was in fact or not, the enterprise also ensured that the client would have said underground storage tank removed.

THE PATTERN OF RACKETEERING ACTIVITY

The pattern of racketeering activity, as defined in N.J.S.A. 2C:41-1d would consist of at least two incidents of racketeering activity, including: theft and related crimes, all as described herein and in Counts Three and Four of this indictment.

All in violation of N.J.S.A. 2C:5-2 and 2C:41-2d, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Racketeering - Second Degree)

ALBERT TAYLOR

between on or about January 4, 2006, and on or about January 16, 2008, at the Borough of Lincoln Park, in the County of Morris; elsewhere, and within the jurisdiction of this Court, being employed by or associated with an underground storage tank testing company, doing business as Tank Automation, Tank Tek, IDC Tank, All Tank Services, Tank Environmental Service, and Computek Services, LLC, and located at 63 Beaverbrook Road, Suite 104C, Lincoln Park, New Jersey, an enterprise engaged in or activities of which affect trade or commerce, did conduct or participate, directly or indirectly, in conducting the enterprise's affairs through a pattern of racketeering activity, that is by the commission by ALBERT TAYLOR, either as a principal, accomplice or conspirator of two or more incidents of racketeering conduct, including: theft and related crimes, all as set forth in counts three and four of this indictment,

All in violation of N.J.S.A. 2C:41-2c and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

FORFEITURES

1. All allegations of Counts One and Two of this Indictment

are hereby incorporated by reference and re-alleged as if fully set forth herein, for the purpose of alleging forfeitures pursuant to N.J.S.A. 2C:41-3b.

2. The defendant has property constituting interests of things of value acquired and maintained in violation of N.J.S.A. 2C:41-2, as described in Counts One and Two herein, and

3. The said interest, subject to forfeiture to the State of New Jersey: one 2003 Chrysler PT Cruiser, vehicle identification number 3C8FY 68BX3 T6478 29, bearing New Jersey registration XA635U.

COUNT THREE

(Theft by Deception - Third Degree)

ALBERT TAYLOR

between on or about January 4, 2006, and on or about January 16, 2008, at the Borough of Lincoln Park, in the County of Morris, elsewhere, and within the jurisdiction of this Court, purposely did obtain by deception, property of another valued in excess of \$500; that is, the said ALBERT TAYLOR, did purposely obtain payment from clients, whose identities are known to the Grand Jurors, by submitting or causing to be submitted to said clients information that underground storage tanks were leaking, thereby creating or reinforcing false impressions to said clients that the integrity of said underground storage tanks had been accurately tested;

WHEREAS IN TRUTH AND IN FACT, as the said ALBERT TAYLOR, then and there well knew, no valid tests were performed on said underground storage tanks, due to the fact that the equipment used to perform the test was insufficient to perform the test as represented to said clients, the equipment used to perform the test was not functioning properly, the person who conducted the test was not properly trained to conduct said test, and the data collected as a result of the test was insufficient to make the determination regarding whether said underground storage tank was leaking, all contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(2)(a) and N.J.S.A. 2C:2-6 and against the peace of this State, the

Government and dignity of the same.

COUNT FOUR

(Theft by Deception - Third Degree)

ALBERT TAYLOR

between on or about January 4, 2006, and on or about January 16, 2008, at the Borough of Lincoln Park, in the County of Morris, elsewhere, and within the jurisdiction of this Court, purposely did obtain by deception, property of another valued in excess of \$500; that is, the said ALBERT TAYLOR, did purposely obtain payment from clients, whose identities are known to the Grand Jurors, by submitting or causing to be submitted to said clients results for the testing of soil for the presence of hydrocarbons, thereby creating or reinforcing false impressions to said clients that the soil had been accurately tested for the presence of hydrocarbons;

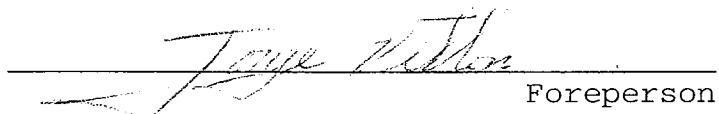
WHEREAS IN TRUTH AND IN FACT, as the said ALBERT TAYLOR then and there well knew, no valid tests were performed on said soil, and, instead, petroleum was added to the soil prior to testing, for the purpose of ensuring the soil would be found to contain hydrocarbons, in violation of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(2)(a) and N.J.S.A. 2C:2-6 and against the peace of this State,

the Government and dignity of the same.



Tina A. Polites,
Deputy Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 04-06-09

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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 6th day of April, 2009, 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.



Linda R. Feinberg, A.J.S.C.
Maria Marinari Sytek, P.J. Clerk