

COUNTY OF SUFFOLK  
DISTRICT ATTORNEY'S OFFICE



THOMAS J. SPOTA  
DISTRICT ATTORNEY

FOR **IMMEDIATE** RELEASE  
February 22, 2016

## **Trial starts tomorrow in Central Islip for father, son and family firms charged with dumping contaminated debris in Suffolk**

Opening statements are scheduled for **10:00 am tomorrow morning (Tuesday, 2/23) in Central Islip** in the trial of Thomas Datre Senior and Junior and four companies connected to the family for the alleged illegal dumping of tens of thousands of tons of contaminated construction debris at four different sites in Suffolk County in 2013 and 2014, District Attorney Thomas Spota said.

Thomas Datre Jr., 42, of St. James will be tried on 24 of the 27 counts in the indictment. The crimes include felony criminal mischief and multiple violations of state environmental laws for the dumping of tens of thousands of tons of construction rubble containing acutely hazardous and hazardous pesticides.

The dumpsites named in the indictment are a soccer field and recharge basin in a Brentwood park, a six-home development for Gulf War veterans in Islandia, an environmentally fragile wetlands area on the Islip-Babylon town border in Deer Park and a vacant lot at the corner of Sage Street and Islip Avenue in Central Islip.

The indictment "details a portrait of greed that left Suffolk County with an environmental catastrophe," said District Attorney Spota.

Dangerous toxins, including Dieldrin, Asbestos and other contaminants classified as "acutely hazardous" or "hazardous" were detected in the dumped debris.

The top charges in the indictment faced by Datre Jr. at trial are five counts of criminal mischief in the second degree. Criminal mischief in the second degree is a class "D" felony punishable by a maximum of two and one-third to seven years imprisonment. Datre Sr. is charged with one count of criminal mischief in the

second degree for the dumping of contaminants in 2013 at the affordable housing development for veterans.

Four Datre family businesses are also on trial. 5 Brothers Farming Corp. and Daytree at Cortland Square Inc. are charged with committing crimes at all four dumpsites. Datre Family Farms Inc. is charged with crimes committed at Clemente Park, and DFF Farms Corp. is charged with criminal mischief in the second degree and environmental charges for creating an illegal dump at the corner of Route 111 and Sage Street referred to formally in the indictment as 1625 Islip Avenue in Central Islip.

The criminal and environmental law crimes lodged against the Datre businesses are punishable upon conviction by hundreds of thousands of dollars in fines.

“The defendants saw an opportunity to make enormous profits by ignoring the environmental consequences dumping truckloads of contaminated demolition and construction debris from New York City here in their own county,” District Attorney Spota said. “By not going to a licensed and registered facility to dispose of this rubble laced with asbestos, heavy metals and pesticides, their net gain was pure profit.”

District Attorney Spota said a special grand jury reviewed evidence and heard testimony over eight months from over 60 witnesses during the investigation. The trials of the other defendants named in the indictment; former Islip Town Parks Commissioner Joseph J. Montuori Jr., Montuori’s executive secretary, Brett Robinson, Christopher Grabe of Islandia Recycling and Ronald Cinciulli of Atlas Asphalt, a Deer Park paving company, will be held later this year.

Suffolk County Assistant District Attorneys Mark Murray and Michelle Pitman will try the case before State Supreme Court Justice Fernando Camacho (third floor of the First District Courthouse) in Central Islip.

### **THOMAS DATRE, JR.**

**Charged with 24 counts relative to all four dump sites:**

### **ROBERTO CLEMENTE PARK:**

- (a) Criminal Mischief 2<sup>nd</sup> Degree: 2 counts
  - 1 count for soccer field
  - 1 count for recharge basin.
  
- (b) Endangering 3<sup>rd</sup> Degree: Reckless Release of a Substance Acutely Hazardous to the Environment: 1 count
  - 1 count for Dieldrin on soccer field.
  
- (c) Endangering 3<sup>rd</sup> Degree: Reckless Release of more than 2,000 pounds of aggregate weight of a substance hazardous: 2 counts
  - 1 count for soccer field
  - 1 count for recharge basin.
  
- (d) Endangering 4<sup>th</sup> Degree: Reckless Release of a substance hazardous: 2 counts
  - 1 count for asbestos at soccer field
  - 1 count for asbestos at the recharge basin.
  
- (e) Operating an Illegal Solid Waste Management Facility: Causes the Release of More than 70 cubic yards of solid waste into the environment: 2 counts
  - 1 count for soccer field
  - 1 count for the recharge basin.

**1625 ISLIP AVENUE, CENTRAL ISLIP:**

- (a) Criminal Mischief 2<sup>nd</sup> Degree: 1 count
  
- (b) Endangering 3<sup>rd</sup> Degree: Reckless Release of a Substance Acutely Hazardous:  
1 count for Dieldrin
  
- (c) Endangering 3<sup>rd</sup>: Reckless Release of more than 2,000 pounds of aggregate weight of a substance hazardous: 1 count
  
- (d) Endangering 4<sup>th</sup>: Reckless Release of a Substance Hazardous: 1 count (Asbestos)

(e) Operating an Illegal Solid Waste Management Facility: Causes the Release of More than 70 Cubic Yards of Solid Waste into the Environment: 1 count

**MAISIE PROPERTY: 175 BROOK AVE, 177 BROOK AVE, 201A BROOK AVE, DEER PARK:**

(a) Criminal Mischief 2<sup>nd</sup> Degree: 1 count

(b) Endangering 3<sup>rd</sup>: Reckless Release of a Substance Acutely Hazardous:  
1 count for Dieldrin.

(c) Endangering 3<sup>rd</sup>: Reckless Release of more than 2,000 pounds of aggregate weight of a substance hazardous: 1 count

(d) Endangering 4<sup>th</sup>: Reckless Release of a Substance Hazardous: 1 count (Asbestos)

(e) Operating an Illegal Solid Waste Management Facility: Causes the Release of more than 70 cubic yards of solid waste into the environment: 1 count

(f) Freshwater Wetlands Violation: 1 count

**VETERAN'S WAY, ISLANDIA:**

(a) Criminal Mischief 2<sup>nd</sup>: 1 count

(b) Endangering 3<sup>rd</sup>: Reckless Release of a Substance Acutely Hazardous:  
1 count for Dieldrin

(c) Endangering 3<sup>rd</sup>: Reckless Release of more than 2,000 pounds of aggregate weight of a substance hazardous: 1 count

(d) Operating an Illegal Solid Waste Management Facility: Causes the Release of More than 70 cubic yards of solid waste into the environment: 1 count

**THOMAS DATRE, SR.**

**Charged with four crimes committed at the Veteran's Way housing development in Islandia.**

**VETERAN'S WAY, ISLANDIA:**

- (a) Criminal Mischief 2<sup>nd</sup>: 1 count (Top charge)
- (b) Endangering 3<sup>rd</sup>: Reckless Release of a Substance Acutely Hazardous: 1 count for the pesticide Dieldrin
- (c) Endangering 3<sup>rd</sup>: Reckless Release of more than 2,000 pounds of aggregate weight of a substance hazardous: 1 count
- (d) Operating an Illegal Solid Waste Management Facility: Causes the Release of More than 70 cubic yards of solid waste into the environment: 1 count



SCDA COMMUNICATIONS  
[Robert.Clifford@suffolkcountyny.gov](mailto:Robert.Clifford@suffolkcountyny.gov)

A criminal charge is an accusation. A defendant is presumed innocent until and unless proven guilty in a court of law.

###