

Trial Digs Into Suburban Dumping

Prosecutors alleged contaminated construction debris dumped at sites in Long Island's Suffolk County



Roberto Clemente Park, one of four places in Suffolk County where, prosecutors say, contaminated construction debris was dumped. PHOTO: STEVE REMICH FOR THE WALL STREET JOURNAL

By **CORINNE RAMEY**

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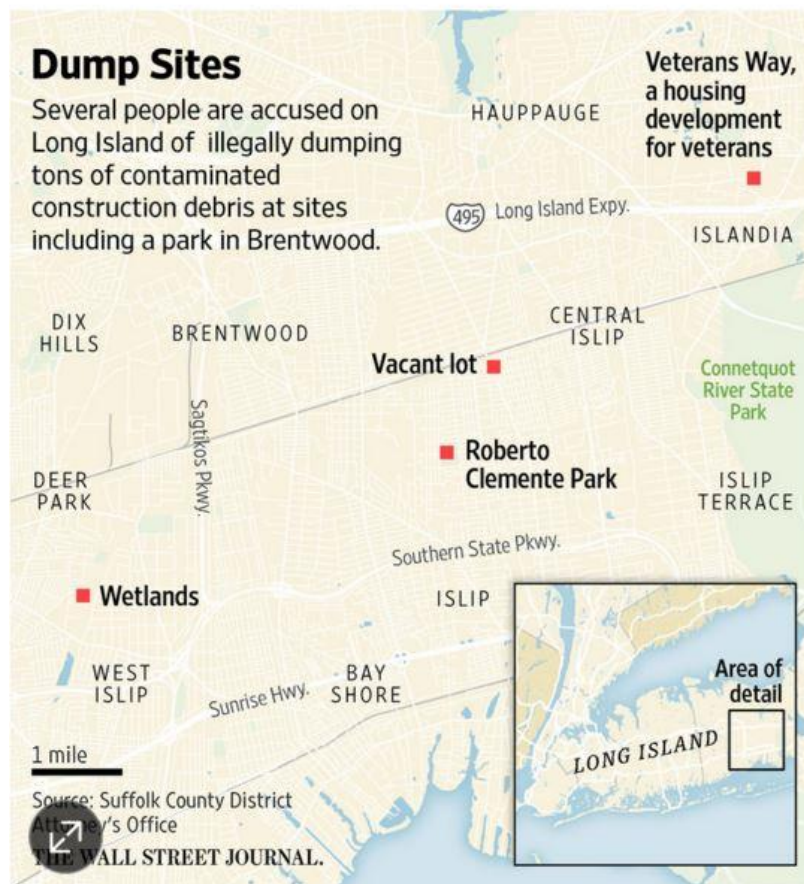
At the front of a Long Island courtroom, pieces of brick, cement, pipe and rebar sat inside a plexiglass case arranged on a crisp, white tablecloth, as if on exhibit in a museum.

That rubble is at the center of a trial about the alleged illegal dumping of what prosecutors say was more than 50,000 tons of contaminated construction debris at four places in Suffolk County, including a park.

The case has roiled Islip, a town of some 335,000 in central Long Island. The prosecution has indicated it may call 70 witnesses. Testimony on a recent day took jurors into the world of suburban waste haulers with their trucks bearing nicknames such as Green Goblin and Grim Reaper.

Intertwined in the case are longtime questions around illegal waste disposal on Long Island and the cozy relationships between public officials and politically connected local businesses.

“At the end of the funnel are the usually poor and minority people who have the waste buried near, or, in this case, on their property,” said Lawrence Levy, executive dean of the National Center for Suburban Studies at Hofstra University.



Suffolk County District Attorney Thomas Spota indicted six people in 2014 for alleged roles in illegal dumping. Charges include criminal mischief and violating state environmental laws by allegedly dumping materials containing asbestos, heavy metals and pesticides. All defendants pleaded not guilty.

A civil investigation by the state attorney general's office is ongoing, a spokesman said.

The trial of Thomas Datre Sr., 69 years old, and his son Thomas Datre Jr., 43, and their businesses, began Feb. 23 in State Supreme Court in Suffolk County.

“History will record that the public crucifixion of the Datre family for the last eight months was one of the lowest, most shameful moments in Long Island history,” said defense attorney Kevin Kearon at the time of the indictment.

The Datre family, which owns local hauling and construction companies, has made regular contributions to Republican candidates and committees in their historically Republican-controlled town. Clara Datre, who is married to Thomas Datre Sr., unsuccessfully ran for town supervisor in 2007.

Other defendants are expected to be tried later this year, a spokesman for the district attorney said. They are former Islip Town Parks Commissioner Joseph Montuori Jr.; Mr. Montuori's executive secretary, Brett Robinson; Christopher Grabe of Islandia Recycling; and Ronald Cianciulli of paving company Atlas Asphalt.

Alia Richards, the attorney for Mr. Grabe, said her client looked forward to his day in court. The other individuals, or their attorneys, couldn't be reached for comment.

In court last week, Eric Hofmeister, who was acting town supervisor while the dumping occurred, testified that Mr. Montuori told him there was construction in the park because a local church donated a soccer field. Prosecutors asked Mr. Hofmeister about fees that can be avoided by dumping illegally.



Thomas Datre Jr., left, and his attorney Kevin Kearon at First District Court in Central Islip. He has pleaded not guilty to illegal-dumping charges. PHOTO: STEVE REMICH FOR THE WALL STREET JOURNAL

Defense attorney Mr. Kearon portrayed Mr. Hofmeister as a high-ranking official who would have been immersed in any town decisions and was cooperating with a politically motivated district attorney.

“You were like the president of the United States to the Town of Islip, correct?” Mr. Kearon said. Mr. Hofmeister said that was true.

During other questioning, Mr. Kearon said the park was built on a former landfill and suggested the debris could have surfaced from the park’s past.

Testimony later that day featured Amber Weiss, the former girlfriend of Thomas Datre Jr.’s son Richard. She spoke of riding with Richard in the Datre’s trucks—the ones with names like Green Goblin.

Facebook photos from January 2014 introduced as evidence showed her sitting on Richard Datre’s lap inside yellow construction machinery in Roberto Clemente Park. She also saw Green Goblin taking away dirt from the field, she said.

“Ms. Weiss, did Richie follow Dad’s order no matter what it was?” said assistant defense attorney Michelle Pitman.

“Yes,” she replied.

The park site has driven much of the narrative around the case. The other sites are an affordable-housing development for veterans, a vacant lot and a wetland.

Brentwood, the hamlet in which Roberto Clemente Park is located, is 15% non-Hispanic white, and the Town of Islip as a whole is 56% non-Hispanic white, according to 2014 data from the U.S. Census Bureau.



A warning sign posted at Roberto Clemente Park in the hamlet of Brentwood. PHOTO: STEVE REMICH FOR THE WALL STREET JOURNAL

“This would not have happened in any other district than ours,” said Monica Martinez, a Democrat and Suffolk County legislator. She said constituents complained of children injured by construction debris while sledding in the park.

One day last week, Roberto Clemente Park sat empty save for two maintenance workers. A sign hung on the chain-link fence: “Active cleanup site no trespassing.”

Elizabeth Santana, 45, who lives across the street from the park and works at nursing home, said there are no other parks in the area.

Nelson Hernandez, 33, who lives nearby and works as a pool cleaner, said he used to bring his children to the park’s playground. “Before a lot of people came and play soccer,” said Mr. Hernandez, who was walking his Akita puppy, Dexter. “What I’m concerned about is a park for the kids.”

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