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PRESS RELEASE

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D.A. Donovan and DOI Commissioner Peters join DOB and DEP to announce the arrest of professional engineers for falsifying asbestos reports done at former Mount Manresa

STATEN ISLAND, NY – Richmond County District Attorney Daniel M. Donovan, Jr., New York City Department of Investigation (DOI) Commissioner Mark G. Peters, New York City Department of Buildings (DOB) Commissioner Rick Chandler and New York City Department of Environmental Protection (DEP) Commissioner Emily Lloyd today announced that two professional engineers/certified asbestos investigators have been arrested and charged with offering a false instrument for filing after they submitted false asbestos assessment reports for work done at the former Mount Manresa site in Fort Wadsworth.

District Attorney Daniel M. Donovan, Jr. said, “These men violated the trust of the residents that live in the community surrounding the former Mount Manresa site by lying about the presence of asbestos, a deadly substance that has been known to cause cancer. Also possibly exposed to toxins were the workers who toiled in these buildings among the dangerous asbestos without proper protective gear. I want to thank DOI Commissioner Mark Peters and his office for their assistance in this investigation. I also want to thank ADA David Frey for spearheading the prosecution of this case.”

DOI Commissioner Mark G. Peters said, “Anyone who falsifies City inspection records jeopardizes the health and safety of New Yorkers and impedes the City's ability to protect its residents. DOI will continue to work with the Staten Island District Attorney and all our partners to identify this type of pernicious construction crime that undermines the public's well-being.”

DOB Commissioner Rick Chandler said, “I would like to thank District Attorney Daniel Donovan and DOI Commissioner Mark Peters for bringing these charges, and our partners at the Department of Environmental Protection for their help in identifying the fraudulent asbestos work at this site. The actions of these individuals could have caused a serious threat to public safety, and as a result a Stop Work Order was immediately placed on the site following the asbestos test results. The Department will be reviewing and taking any necessary action against active construction permits where these individuals were involved in certifying asbestos work.”

DEP Commissioner Emily Lloyd said, “I would like to thank District Attorney Donovan and Department of Investigation Commissioner Peters for pursuing this case and sending a strong message that the City of New York is serious about enforcing its asbestos regulations.”

Defendant PAUL SANTORO, 35, and his father, defendant GASPARE SANTORO, 74, were hired by the Savo Brothers, a construction firm, to conduct asbestos testings in buildings on the grounds of the former Mount Manresa site, located at 239 Fingerboard Road, which is now under development.

On April 22, 2014, defendant PAUL SANTORO filed three NYC Department of Environmental Protection forms with the Staten Island Borough Office of the Department of Buildings. Each form was signed by defendant GASPARE SANTORO and stated that three tested buildings on the Mount Manresa site were each respectively free of asbestos containing material (ACM).

The three building tested were Building 1C, known as the Founders Building, Building 3A, known as the Care Taker’s House, and Building 1A, known as the Bruno Building.

Based on those erroneous reports, demolition was allowed to begin.

Following an investigation, a search warrant was executed at the Santoro’s office on Oct. 22, 2104. A search of those premises uncovered lab reports that showed Chrysotile, the most commonly used form of white asbestos, was present in the materials collected from two buildings.

Building 1C, the Founders Building, contained Chrysotile 12.4 % in the materials submitted for analysis and Building 3A, the Care Taker’s House, contained Chrysotile 66.7% in the materials submitted for analysis.

The materials submitted for ACM testing from the third building, Building 1A, the Bruno Building, purposefully did not include the piping insulation, which both defendants later admitted to investigators was a type of piping insulation that commonly contained asbestos.

As part of the investigation, the DEP re-inspected the site and discovered asbestos. Subsequently, this led the DOB to issue a stop work order.

Laboratory results for a separate address, not related to the Mount Manresa site, were also uncovered during the search warrant execution. Those results showed 23.2% Chrysotile at an Ardmore Avenue address where asbestos testing had been conducted. However, on July 19, 2013, defendant PAUL SANTORO filed a NYC Department of Environmental Protection form with the Staten Island Borough Office of the Department of Buildings claiming that site was free of asbestos containing material (ACM).

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Assistant District Attorneys David Frey, Deputy Chief of the Investigations Bureau, is handling the prosecution of the case, under the direction of Assistant District Attorney Amy Legow, Chief of the Investigations Bureau.

The lead DOI investigator on the case was Assistant Inspector General Tiffany Dumas, working under the supervision of Inspector General Gregory Cho and direction of Senior Associate Commissioner Michael Carroll.

Carlstien Lutchmedial, director of Asbestos Enforcement, was the lead investigator for DEP.

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The charges contained in the criminal complaints are merely allegations, and the defendants are presumed innocent until proven guilty. The defendants are facing multiple counts of offering a false instrument for filing, a class E felony, punishable by up to 4 years in prison if found guilty.

Paul Santoro

2/2/79

187 Hamilton Place

East Windsor, NJ

Offering a false instrument for filing, a class E felony (4 counts)

Gaspare Santoro

5/19/40

32 Linwood Drive

Monroe Township, NJ

Offering a false instrument for filing, a class E felony (3 counts)

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