

COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT

JOINTLY WITH

COMMITTEE ON CONTRACTS

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CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND SOLID  
WASTE MANAGEMENT  
JOINTLY WITH  
COMMITTEE ON CONTRACTS

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November 20, 2024  
Start: 10:08 a.m.  
Recess: 1:25 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Shaun Abreu, Chairperson of the  
Committee on Sanitation and Solid  
Waste Management

Julie Won, Chairperson of the  
Committee on Contracts

COUNCIL MEMBERS OF THE COMMITTEE ON SANITATION AND  
SOLID WASTE MANAGEMENT:

Chris Banks  
David M. Carr  
Julie Menin  
Vickie Paladino  
Kalman Yeger  
James F. Gennaro

COUNCIL MEMBERS OF THE COMMITTEE ON CONTRACTS:

Erik D. Bottcher

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OTHER COUNCIL MEMBERS ATTENDING:

Jumaane Williams, Public Advocate

Nantasha M. Williams

Yusef Salaam

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A P P E A R A N C E S

Jessica Tisch, Commissioner of the New York City  
Department of Sanitation

Javier Lojan, First Deputy Commissioner

Joseph Antonelli, Deputy Commissioner of  
Management and Budget of the New York City  
Department of Sanitation

Joshua Goodman, Deputy Commissioner of Public  
Affairs and Customer Experience of the New York  
City Department of Sanitation

Charles Diamond, Attorney for New York City  
Mayor's Office of Contract Services

Laura Rothrock, Co-Chair of the Sanitation  
Working Group of the NYC BID Association and  
Executive Director of the Long Island City  
Partnership

Corey Kunz, Senior Vice President of Operations  
for Hudson Square Business Improvement District

Dirk McCall de Palomá, Executive Director of the  
Sunnyside Shines Business Improvement District in  
Queens

Tiera Mack, Executive Director of the Pitkin  
Avenue Business Improvement District in  
Brownsville

Jim Martin, Executive Director of Association of  
Community Employment

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A P P E A R A N C E S (CONTINUED)

Noah Sheroff, Executive Director of the Bayside Village Business Improvement District in Northeast Queens

Matt Molloy, Sanitation Supervisor for the Garment District Alliance

Rebecca Poole, Council of New York Cooperatives and Condominiums

Scott Hobbs, Executive Director of the Village Alliance

Jeffrey LeFrancois, Executive Director of the Meatpacking District Management Association

Mark Dicus, Vice President of Operations and Planning at the Fifth Avenue Association

Matt Jozwiak, Chief Executive Officer and founder of Rethink Food

Christina Datz-Romero, Co-Founder and Executive Director of the Lower East Side Ecology Center

David Goldberg, a principal with Streetplus Company

Sara Penenberg, Political Coordinator at SEIU

Samantha McBride, faculty member at Baruch College

Magdamary Marcano, self

A P P E A R A N C E S (CONTINUED)

Niki Cross, Staff Attorney in New York Lawyers  
for the Public Interest Environmental Justice  
Program

Tim Laughlin, President of Lower East Side  
Partnership and Co-Chair of the New York City BID  
Association Sanitation Working Group

Maddie Baker, Operations worker for Bryant Park  
Corporation and 34th Street Partnership Business  
Improvement Districts

Christopher Leon Johnson, self

Mary Arnold, on behalf of the Manhattan,  
Brooklyn, Queens, and Bronx Solid Waste Advisory  
Boards

Lateshia Peters, BK Rot

Lonnie Portis, New York City Policy Manager at WE  
ACT for Environmental Justice

Alia Soomro, Deputy Director for New York City  
Policy at the New York League of Conservation  
Voters

Anna Sacks, Solid Waste Advisory Boards of  
Manhattan, Brooklyn, Queens, and the Bronx

Clare Mifflin, Executive Director from the Center  
for Zero Waste Design

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A P P E A R A N C E S (CONTINUED)

Camelia Tepelus, Executive Director of the Morris  
Park Business Improvement District in the Bronx

Pedro Suarez, Executive Director of the Third  
Avenue Business Improvement District in the South  
Bronx

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SERGEANT-AT-ARMS: Good morning, and  
welcome to today's New York City Council hearing for  
the Committee on Sanitation and Solid Waste  
Management joint with the Committee on Contracts.

Please silence all cell phone and  
electronic devices.

Please do not approach the dais.

If you need assistance, we'll be more  
than happy to help you.

If you wish to submit testimony, you may  
do so at [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

Without further ado, Chairs, we're ready  
to begin.

CO-CHAIRPERSON ABREU: Good morning,  
everyone. Thank you, Chair Won, Sanitation and  
Contracts Committee Members, DSNY Commissioner Tisch  
and Deputy Commissioners Joe Antonelli and Javier  
Lojan, as well as the Mayor's Office of Contract  
Services. I'd like to also thank members of the  
public who are here to testify.

To minimize disruption, please place  
electronic devices on vibrate or silent mode.

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2 I would also like to acknowledge Council  
3 Members Julie Menin, Won, and myself who are here  
4 with us today. I promise more will be joining.

5 The purpose of today's hearing is to  
6 discuss the City's work to containerize all waste,  
7 including trash and organic material for beneficial  
8 reuse. New York City residential properties,  
9 institutions, and businesses collectively discard  
10 approximately 44 million pounds of waste each day.  
11 The notorious black bags which populated our  
12 sidewalks for decades have provided a buffet for rats  
13 and other pests and have occupied valuable pedestrian  
14 space. Storing waste in sealed rodent-proof  
15 containers will help keep New York City clean, reduce  
16 problems associated with pests and rodents, and allow  
17 for more efficient collections.

18 We are hearing nine bills today and one  
19 Resolution today. Intro. 498, which I sponsored,  
20 would require DSNY to collect organic waste from  
21 community gardens that request, by an online  
22 application, such organic waste collection. This is a  
23 logical extension and companion bill to the City's  
24 efforts to expand organic waste collection and  
25 maximize neighborhood participation rates.



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2 Pre-considered Intro. 2746, which I've  
3 also sponsored, requires DSNY, DCAS, and the DOE to  
4 create a program to require City-owned non-  
5 residential buildings to dispose of their waste in  
6 containerized waste containers placed outside of such  
7 buildings by June 2030. This would apply to 2,000  
8 buildings and include some of the City's largest  
9 producers of waste that rats love, our schools. Proud  
10 that we're able to do a pilot of 14 schools in West  
11 Harlem and it's already making a difference. The  
12 difference in the school containerization pilot has  
13 truly been a gamechanger for street cleanliness, and  
14 we're proud to be codifying this citywide and  
15 expanding it greatly.

16 Intro. Number 57 from Council Member Chi  
17 Ossé would increase the penalties for failure to  
18 store waste in a satisfactory manner in required  
19 receptacles and for placing waste at the curb or on  
20 the street or sidewalk prior to the time that waste  
21 can be placed out for collection.

22 Intro. Number 698, sponsored by Council  
23 Member Nurse, would clarify that for purposes of  
24 complying with Local Law 89 of 2023, which requires  
25 DSNY to establish and operate no less than 30 organic

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2 waste drop-off sites citywide with no less than three  
3 sites in each borough. The term organic waste drop-  
4 off site cannot be considered to simply be a  
5 standalone receptacle for organic or other waste.

6 Intro. Number 781, sponsored by Council  
7 Member Nurse, would require the DSNY Commissioner to  
8 designate organic waste as a recyclable material for  
9 City agencies and defines the term organic waste.

10 Next, Intro. Number 949, sponsored by the  
11 Public Advocate who will be here soon, would require  
12 that someone who manages or controls a building with  
13 100 units or more provide a dumpster for refuse.

14 I want to now give the opportunity for  
15 Julie Menin to talk about Intro. Number 1108.

16 COUNCIL MEMBER MENIN: Thank you so much,  
17 Chair Abreu, for holding this very important hearing.

18 Sanitation obviously remains a key issue  
19 that impacts all New Yorkers. Keeping the streets of  
20 our neighborhoods clean is a priority and my bill,  
21 Intro. 1108, ensures it remains a top priority for  
22 our city. Currently, DSNY does not have the authority  
23 to issue cleanliness violations or warnings to  
24 holders of revocable consents on the public rights of  
25 way. Bus shelters and Citi Bike stations are two of

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2 many examples and they can remain dirty with the only  
3 solution being to revoke a permit. We should not have  
4 to revoke permits to have clean streets, period.

5 My legislation would affect any person or  
6 entity responsible for either a permanent or semi-  
7 permanent structure on a sidewalk, street, alley,  
8 park, highway, or right of way and currently has a  
9 concession or franchise agreement with the City. That  
10 entity would now be responsible for ensuring the area  
11 is kept clean from trash. Failure to comply could  
12 result in penalties up to 500 dollars. The reality is  
13 many that have entered into these agreements with the  
14 City are companies. The issues that arise from trash  
15 on sidewalks or streets are very frequent. Complaints  
16 to 3-1-1 on trash have risen by double digits in all  
17 boroughs except for Staten Island compared to last  
18 year. In addition, there are more than 20,000  
19 complaints filed each month to DSNY which highlights  
20 a major issue that should be addressed and if we want  
21 to move forward with containerization, which we  
22 obviously do, we need to ensure that the areas that  
23 surround the containers remain clean as well. We all  
24 want clean and safe streets.

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2 I look forward to working with the  
3 Administration, with the Commissioner, and continuing  
4 to make sure our streets are clean and to clarify the  
5 Administrative Code and ensuring DSNY has the proper  
6 jurisdiction to do so.

7 I want to, in closing, thank the Chair  
8 for allowing me to speak and I want to thank the bill  
9 drafter, Nick Widowski (phonetic), and I want to  
10 thank my team, Jonathan Szott, Brandon Jordan, and  
11 Mercedes Anderson. Thank you.

12 CO-CHAIRPERSON ABREU: Thank you, Council  
13 Member Menin.

14 We are also hearing Pre-Considered Intro.  
15 2755, sponsored by Council Member Yusef Salaam, which  
16 would require DSNY to distribute official New York  
17 City waste bins to owners of residential buildings  
18 that have up to nine dwelling units and are required  
19 to set out residential waste and containers pursuant  
20 to DSNY rules. This bill would also require DSNY to  
21 establish a one-year program to reimburse any such  
22 owner who purchased official New York City waste bins  
23 prior to the law's effective date.

24 We're also hearing Pre-Considered Intro.  
25 2744 sponsored by Council Member Hudson, which would

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2 require DSNY to establish a program requiring all  
3 residential buildings with 10 or more dwelling units  
4 to replace waste in stationary on-street containers  
5 provided by DSNY by June 1, 2032. Buildings with 10  
6 to 30 units would be allowed to opt out of the  
7 program if they comply with alternative  
8 containerization requirements established by DSNY  
9 rule. The bill would also allow DSNY to charge  
10 property owners an annual fee of up to 55 dollars per  
11 dwelling unit for maintenance and other costs related  
12 to such containers and would be required to discount  
13 fees for Mitchell-Lama developments.

14 Finally, Reso. Number 284, sponsored by  
15 Council Member Nurse, would call on the New York  
16 State Legislature to pass and the Governor to sign  
17 Senate Bill 5713 and accompanying Bill A-3249 to  
18 require the establishment of a composting program at  
19 dormitories, dining facilities, and other facilities  
20 owned, occupied, or operated by the State University  
21 of New York, the City University of New York, and  
22 institutions subject to their jurisdiction.

23 I look forward to hearing detailed  
24 information from the Department of Sanitation about  
25 its work to get trash off our streets and into

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2 containers and the agency's very important work to  
3 divert waste from landfills through a curbside  
4 organic waste collection program. We are also looking  
5 forward to hearing from members of the community  
6 about their concerns and priorities regarding the  
7 containerization of refuse and organic waste.

8 I would like to thank everyone on my team  
9 in the Legislative Division for their work drafting  
10 this legislation and preparing for today's hearing.

11 I would like to now turn it over to Chair  
12 Julie Won to provide an additional statement to our  
13 hearing.

14 CO-CHAIRPERSON WON: Thank you, Chair  
15 Abreu, for initiating this hearing and for your  
16 leadership on this critical issue.

17 Good morning. My name is Julie Won, and I  
18 have the privilege of Chairing the Council's  
19 Committee on Contracts. As Chair Abreu mentioned,  
20 today's hearing examines the City's efforts to  
21 implement waste containerization with a particular  
22 focus on the contracting process and procurement, and  
23 I want to make it clear we support containerization.  
24 I hear every single day about people on our war on  
25 rats, and we are so incredibly thankful for your

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2 leadership, Commissioner, and for this Administration  
3 for taking on this war because it is no joke. Ever  
4 since containerization has started, I hear more and  
5 more stories of people who are sighting mice and rats  
6 in their own homes. They're like, these rats have  
7 nothing to eat, and that's a good problem for us to  
8 have. We hope to discuss several major contracts  
9 related to containerization..

10 Okay, we're going to pause briefly  
11 because we're having technical issues.

12 Okay, we're back online. Sorry about  
13 that.

14 As Chair Abreu mentioned, today's hearing  
15 examines the City's efforts to implement waste  
16 containerization with a particular focus on the  
17 contracting process and procurement. We hope to  
18 discuss several major contracts related to  
19 containerization, including the City's exclusive 10-  
20 year agreement with Auto Environmental Systems for  
21 official New York City bins, the 7-million-dollar  
22 contract with Contenur for on-street containers, and  
23 various organic waste processing contracts totaling  
24 over 96 million dollars. The scale and complexity of  
25 these contracts reflects the enormous challenge of

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2 transforming how New York City handles its waste. The  
3 Auto Environmental Systems contract alone calls for  
4 the production of 3.39 million bins across four waste  
5 streams by May 2026. While this agreement includes  
6 important protections like pricing caps to ensure  
7 accessibility, questions remain about the  
8 implications of relying on a single vendor for such a  
9 critical component of our waste management  
10 infrastructure over such a long period of time. I'm  
11 particularly concerned about how DSNY's new  
12 containerization requirements affect on our BIDs,  
13 also known as our Business Improvement Districts.  
14 These organizations have existing contracts with  
15 small business services that clearly define their  
16 role as supplementing waste management, not replacing  
17 City services for waste management, but now they're  
18 being asked to either buy and maintain containers or  
19 find ways to transport waste to Sanitation garages.  
20 This fundamentally changes their responsibilities  
21 without proper amendment to their contracts through  
22 Small Business Services. We also need to examine  
23 whether current contracts provide enough flexibility  
24 to address the changes needed to the City's waste  
25 management programs. Take our organic waste



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2 processing contract for example. While having  
3 multiple vendors at capacity, this approach raises  
4 serious questions about both effectiveness for cost  
5 and consistency. Are our existing contracts capable  
6 of handling a significant increase to their volume as  
7 we expand residential organics collections citywide?  
8 The bottom line is that these just aren't just  
9 administrative decisions, they have real financial  
10 impacts on our communities. Property owners,  
11 especially smaller ones for single owned homeowners,  
12 are facing significant costs to comply with new bin  
13 requirements. Our smaller BIDs are caught between  
14 these new mandates and their existing obligations.  
15 DSNY's proposed changes have a potential to end  
16 sidewalk sweeping and supplemental litter baskets  
17 emptying as we know it, and we also know that there  
18 is a high amount of concerns that the smaller BIDs  
19 may not be able to do this work and may end the  
20 supplemental contracts for sanitation altogether. We  
21 need to make sure our contracting approach considers  
22 the practical reality here as we expand the City's  
23 waste management goals that we all share together.

24 Today, we have an opportunity to examine  
25 these critical procurement issues and ensure our

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2 contracting strategies support effective  
3 implementation of containerization across the city.  
4 Both Committees look forward to hearing from DSNY as  
5 well as the Mayor's Office of Contracting Services  
6 about how we can structure future contracts to better  
7 serve our communities while meeting the City's waste  
8 reduction and sustainability goals that we all share.

9 Before we begin, I would like to thank  
10 the Committee Staff, Senior Counsel Alex Paulenoff,  
11 Policy Analyst Alex Yablon, and Finance Unit Head  
12 Jack Storey, and our Senior Financial Analyst Owen  
13 Kotowski for their hard work putting this together in  
14 today's hearing. I'll now turn back to Chair Abreu  
15 for the Committee Counsel to administer the oath, and  
16 we also acknowledge Council Member Jim Gennaro who is  
17 attending this hearing virtually. Thank you.

18 CO-CHAIRPERSON ABREU: Thank you, Chair  
19 Won.

20 Today we'll begin with testimony from the  
21 Department of Sanitation followed by Council Member  
22 questions. We will then move to testimony by members  
23 of the public starting with in-person attendees  
24 followed by those testifying on Zoom.  
25

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I will now turn it over to our Committee  
Counsel to administer the oath.

COMMITTEE COUNSEL BARRETT: Thank you.  
Good morning. My name is Morganne Barrett, Committee  
Counsel for the Committee on Sanitation and Solid  
Waste Management here at the New York City Council.

Our first witnesses will be from the  
Department of Sanitation. Thank you for being here,  
Commissioner Jessica Tisch, First Deputy Commissioner  
Javier Lojan, Deputy Commissioner of Management and  
Budget Joe Antonelli, and Deputy Commissioner of  
Public Affairs and Customer Experience Joshua  
Goodman. We also have witnesses from the Mayor's  
Office of Contract Services, Attorney Charles  
Diamond.

I will now administer the oath. Please  
raise your right hands.

Do you affirm to tell the truth, the  
whole truth, and nothing but the truth before this  
committee and to answer Council Member questions  
honestly?

FIRST DEPUTY COMMISSIONER LOJAN: Yes.

COMMISSIONER TISCH: Yes.

DEPUTY COMMISSIONER ANTONELLI: Yes.

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2 DEPUTY COMMISSIONER GOODMAN: Yes.

3 ATTORNEY DIAMOND: Yes.

4 COMMITTEE COUNSEL BARRETT: Thank you. You  
5 may begin when ready.

6 COMMISSIONER TISCH: Good morning, Chair  
7 Abreu, Chair Won, and members of the Committees on  
8 Sanitation and Solid Waste Management and Contracts.  
9 I am Jessica Tisch, Commissioner of the New York City  
10 Department of Sanitation, and I am joined today by  
11 our First Deputy Commissioner Javier Lojan; Joseph  
12 Antonelli, Deputy Commissioner of Management and  
13 Budget; Joshua Goodman, Deputy Commissioner of Public  
14 Affairs and Customer Experience; and by an official  
15 NYC bin over to my right, fresh from its new role  
16 changing the look and feel of New York City's  
17 sidewalks.

18 Over the last two years, DSNY has led the  
19 City of New York through a trash revolution. The  
20 effort to containerize the 44 million pounds of trash  
21 New Yorkers produce each day is decades in the  
22 making. Almost from the moment that Mayor Lindsay  
23 legalized the use of uncontainerized black trash bags  
24 more than 50 years ago, there have been people who  
25 recognize the need to do better and, as global cities

2 innovated, New York City fell behind. That is  
3 changing at long last. The days of Trash City are  
4 coming to an end. This effort began in earnest in  
5 April 2023 with a change to the time when waste may  
6 legally be set out at the curb. The old set out time  
7 of 4 p.m. was among the earliest in the world and it  
8 meant that the vast majority of trash set out for  
9 more than half of a given 24-hour period. The change  
10 in set out time also incentivized the use of  
11 containers by allowing containerized waste to go out  
12 earlier, thus helping New Yorkers to begin kicking  
13 the habit of putting trash directly on our sidewalks.

14           Between September 2023 and March 2024,  
15 DSNY phased in trash bin requirements for every  
16 single business in the city, and those bins are now  
17 fighting rats in commercial corridors in every corner  
18 of the city. While we have seen widespread  
19 compliance, we are also engaging in meaningful  
20 enforcement around this requirement, having issued  
21 approximately 60,000 summonses and warnings to  
22 businesses failing to use containers to date.  
23 Residents can also report this violation directly to  
24 3-1-1 and expect a next day inspection by DSNY.

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2           Last week, the first residential  
3 containerization mandate in 50 years took effect,  
4 covering buildings with one to nine residential  
5 units, everything from single-family homes through  
6 the nine-unit brownstone. These buildings are now  
7 required to place their trash out for collection in  
8 bins of 55 gallons or less with a secure lid and by  
9 June 2026 will be required to use the official NYC  
10 bin. This comes after months of outreach, including  
11 substantial work with your offices and is being done  
12 with a focus on equity. As a result, something  
13 amazing is happening. The entire city is talking  
14 about trash cans. The official NYC bin will allow for  
15 the use of standardized mechanical tippers, which are  
16 cleaner and safer for sanitation workers, half of  
17 whose line of duty injuries are sprains and strains  
18 from throwing bags, and it is available now at  
19 bins.nyc for about a third the cost of what similar  
20 bins sell for at retail. New Yorkers have ordered  
21 nearly 450,000 of these bins so far, and we kept our  
22 promise that every single order placed before October  
23 1st would be delivered by the time the mandate went  
24 into effect. Those bins are among nearly 300,000 that

25

2 have made it to homes across the city already with  
3 the rest well on their way.

4 In addition to lower density residential  
5 buildings, this bin requirement also covers the trash  
6 from all houses of worship, City agency buildings and  
7 other non-residential buildings that receive DSNY  
8 collection like non-profits, libraries, and  
9 hospitals. There will be a warning period for  
10 residential properties that runs through January 2nd,  
11 2025, but let me be clear about what this rule means.  
12 70 percent of New York City's trash in containers, a  
13 remarkable achievement that means fewer rats, reduced  
14 odors, and a reclamation of our public space and we  
15 are certainly not stopping there.

16 Mayor Adams has been clear, the plan is  
17 to containerize all trash across the entire city  
18 based on learnings from an upcoming pilot. In the  
19 spring of next year, DSNY will begin the installation  
20 of Empire Bins, a European-style stationary on-street  
21 container for use by larger buildings starting with  
22 Manhattan Community District 9 in West Harlem. Unlike  
23 similar on-street trash containerization programs in  
24 Europe, South America and Asia, Empire Bins will not  
25 be shared by the entire block but rather assigned

2 specifically to a large building for use only by that  
3 building staff. This will prevent bins from  
4 overflowing and essentially uses New York City's  
5 density, one of the supposed stumbling blocks of  
6 prior containerization efforts to our advantage going  
7 forward. The Empire Bins will be required for all  
8 buildings in the pilot area with 31 or more units,  
9 and buildings with 10 to 30 units will have a choice  
10 of either opting in to request the use of Empire Bins  
11 or containerizing via wheelie bins like the city's  
12 smaller residential buildings. When this first  
13 district is installed, there will be one entire part  
14 of the city with no bags of trash on the street, a  
15 perfect district to study and from which to plan  
16 expansion.

17           This sweeping change to waste set out in  
18 collection is only one of several major new  
19 initiatives taking place at DSNY. After decades of  
20 attempts, we now have a universal easy accessible and  
21 citywide curbside composting program, allowing all  
22 New Yorkers to set out their food scraps and yard  
23 waste every week on their recycling day. The response  
24 to this program has been astounding. Compostable  
25 waste diverted from landfill has risen 65 percent



1  
2 over the last two years and enthusiasm is unabated  
3 with Staten Island residents requesting more brown  
4 bins this summer and fall than any other borough.

5 I would like to take the opportunity as  
6 DSNY has done at four previous hearings to again  
7 raise the issue of commercial organic separation.  
8 Local law 146 of 2013 requires certain commercial  
9 establishments to separate their compostable  
10 material, but this law is now substantially out of  
11 step with the City's commitment to diversion of  
12 compostable waste. While the commercial waste zone  
13 system will improve commercial diversion, we also  
14 urge the Council to consider an update that would  
15 allow DSNY to require source separation at all  
16 commercial establishments in line with the progress  
17 made in residential diversion.

18 And speaking of the commercial waste zone  
19 system, one of the other substantial overhauls of  
20 waste operations in New York City, we are now only  
21 just over a month away from full implementation of  
22 the first zone, Queens Central. This initiative will  
23 end what was functionally a wild west of commercial  
24 carting after Brooklyn Borough President Antonio  
25 Reynoso and others worked for years to develop a

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2 thoughtful system for calling in the cavalry, DSNY.  
3 When the first zone is fully implemented right after  
4 the new year, DSNY will gain significant new  
5 enforcement capabilities, but we are not waiting to  
6 make it clear that things have changed. DSNY  
7 enforcement personnel have issued 114 summonses to  
8 commercial carters in Queens Central since the  
9 enforcement period began for everything from safety  
10 violations to offenses against basic cleanliness.  
11 This enforcement works. We are seeing drastic  
12 increases in compliance even before full DSNY  
13 authority takes effect.

14 We have convened the Commercial Waste  
15 Zone Safety Task Force, overseen trainings, and  
16 engaged in substantial and ongoing outreach to  
17 businesses. As predicted when Local Law 199 of 2019  
18 went into effect, the commercial waste zone program  
19 is leading to some industry consolidation. We remain  
20 steadfast in our commitment that there must be three  
21 carters per zone and that no carter may have more  
22 than 15 zones, including via subsidiaries, in order  
23 to maintain necessary market competition and keep  
24 prices down. In the case of current consolidation  
25 already underway that may necessitate a new award, we

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2 plan to use the existing RFP documents given their  
3 recency and continued relevance. In the future, as  
4 time goes on, that may change and new bids may be  
5 necessary. We continue to rely on the of this Council  
6 to make these long overdue changes a reality.

7           With that in mind, I will now turn to the  
8 bills on today's agenda. The Pre-Considered  
9 Introduction sponsored by Council Member Hudson is  
10 essential to the success of the trash revolution.  
11 This bill will allow for a sustainable model for  
12 expansion of Empire Bin on-street containers beyond  
13 the Pilot District. If you are interested in seeing  
14 full-scale containerization across the city, it must  
15 pass, and we support the concept of this legislation  
16 in the strongest possible terms. Our initial use of  
17 on-street containers in Hamilton Heights led to a 60  
18 percent decrease in rat sightings on blocks that had  
19 the bins, while the rest of the neighborhood was flat  
20 on the same statistic. We know this works, and I want  
21 to thank Council Member Hudson and Chair Abreu for  
22 their forward thinking in making sure that the M9  
23 Pilot has a mechanism for further expansion.

24           Intro. 57, sponsored by Council Member  
25 Ossé, is similarly important to our ongoing efforts.

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2 We strongly support the goal of making repeat  
3 cleanliness offenders pay for polluting our sidewalks  
4 and codifying containerization into law, and I look  
5 forward to working with you to advocate for this.

6 Intro. 498, sponsored by Chair Abreu,  
7 requires DSNY to collect waste from community  
8 gardens. The Department already provides this service  
9 to any community garden that requests it, and we are  
10 happy to support the Chair's Introduction, which will  
11 codify that important policy into law.

12 The next two bills on the agenda today,  
13 Intro. 698 and Intro. 781, both sponsored by Council  
14 Member Nurse, are a study in contrast around the  
15 diversion of beneficial reuse of compostable  
16 material. Intro. 781 expands composting, requiring  
17 source separation at all City agency buildings. Mayor  
18 Adams made a promise that all DOE schools would  
19 separate their compost, and earlier this year that  
20 promise was kept. With DOE already participating in  
21 this important program, DSNY supports this bill  
22 strongly. All residents and some businesses have to  
23 separate their compostable material, and City  
24 government should as well.

25

1  
2           It is frustrating then that Council  
3 Member Nurse's other bill, Intro. 698, could actually  
4 restrict access to composting by taking our extremely  
5 popular Smart Bin program and arbitrarily declaring  
6 that it does not comply with existing legislation  
7 around food scrap drop-offs, in particular, Local Law  
8 89 of 2023. This program is beloved, being used over  
9 1.2 million times in Fiscal Year '24. Why then would  
10 the Council simply say that it doesn't count, even  
11 though every single use of these Smart Bins keeps  
12 material out of landfill? It will be difficult for  
13 DSNY to justify the operating expenses of the Smart  
14 Bins if this legislation passes, and I must strongly  
15 oppose so that New Yorkers can continue to compost  
16 easily.

17           The next bill, Intro. 949, sponsored by  
18 Public Advocate Williams, has been reintroduced over  
19 a period of several years and calls for  
20 containerization of waste at certain large buildings.  
21 Containerization is absolutely the right idea, but  
22 this bill in its current form is not the right  
23 approach. As you all know, we are moving forward with  
24 a more fully developed citywide containerization  
25

2 plan, and I am in touch with the Public Advocate  
3 about aligning his bill with our work.

4           The Administration has similar feelings  
5 about the Pre-Considered Introduction sponsored by  
6 Chair Abreu. The specifics of the trash revolution  
7 were not designed haphazardly, but rather based on a  
8 detailed volumetric analysis and block-by-block  
9 surveys. Last week, we began requiring all City  
10 agencies to containerize their trash alongside and in  
11 a similar manner to all businesses and all lower-  
12 density residential buildings because this analysis  
13 showed that this is the phase of the trash revolution  
14 in which City agency buildings belong. This  
15 legislation has a very important goal, to  
16 containerize City agency trash, but it requires even  
17 small schools and offices to use Empire Bins, which  
18 our research shows are not appropriate in many cases.  
19 There certainly may be some municipal buildings that  
20 can support an Empire Bin, and we would be happy to  
21 work with the Chair on a revision that achieves the  
22 goal of universal containerization while maximizing  
23 the use of public space.

24           The third Pre-Considered Introduction,  
25 sponsored by Council Member Salaam, would create a

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2 reimbursement program for property owners who  
3 purchase the official NYC bin seen beside me here at  
4 the table, subject to future appropriations. I would  
5 like to remind the Council that, thanks to careful  
6 strategic planning and contracting by DSNY, this bin  
7 is the cheapest of its quality by far, around 50  
8 dollars, when similar bins can be well over 100.  
9 While each individual bin is inexpensive, the cost of  
10 a program like the one described in this bill would  
11 be quite high, given the overall number of bins  
12 purchased. Paying for one bin for each of the  
13 properties covered by this requirement would cost  
14 approximately 36 million dollars, and reimbursing all  
15 bins purchased to date would cost approximately 22  
16 million dollars. That is to say, nothing of the  
17 logistical challenges involved in a reimbursement  
18 program, verifying receipts, distributing checks, all  
19 of which would come with high staffing and  
20 administrative costs. We maintain that the low cost  
21 of each individual bin is the responsibility of the  
22 property owner, particularly given that it is the  
23 property owner who reaps the benefit and quality of  
24 life of not having bags of trash outside their home.  
25 That said, we welcome the opportunity to work with

2 the Council to explore even more ways to help  
3 property owners get these bins, and the Law  
4 Department is reviewing the bill.

5 Finally, we have Intro. 1108, sponsored  
6 by Council Member Menin. This bill thoughtfully  
7 identifies a loophole in DSNY enforcement authority.  
8 Most cleanliness violations written by the Department  
9 are premises-based, that is, written to a specific  
10 address, but how do we enforce against cleanliness  
11 violations that exist in our public realm and do not  
12 have a specific property address attached? While the  
13 Law Department is currently reviewing the bill  
14 language, we greatly appreciate and applaud Council  
15 Member Menin's leadership in introducing it, and we  
16 look forward to working with you together on it.

17 Council Member Nurse has also introduced  
18 one resolution on today's agenda, Reso. 284, calling  
19 for mandatory composting at SUNY and CUNY campuses.  
20 This is a good idea that we are happy to support.

21 Thank you, and we look forward to now  
22 taking your questions.

23 CO-CHAIRPERSON ABREU: Thank you,  
24 Commissioner. I would like to recognize that we have  
25



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2 Public Advocate Williams with us, Council Members  
3 Bottcher, Carr.

4 I will now turn it over to our Public  
5 Advocate to give his opening remarks on his bill.

6 PUBLIC ADVOCATE WILLIAMS: Thank you, Mr.  
7 Chair, I really appreciate it.

8 First, I just want to say to the  
9 Commissioner, just congratulations on some of the  
10 issues you've been working on, particularly getting  
11 trash out of our streets and into something and  
12 dealing with the rats, and that's, you know, even if  
13 there's not full agreement on all the legislation, I  
14 just want to make sure I said that, as you said  
15 before, it wasn't rocket science. I'm not sure why  
16 folks haven't did it, but sometimes you just need the  
17 right person in the right position, so thank you so  
18 much for that.

19 As was mentioned, my name is Jumaane D.  
20 Williams, the Public Advocate of the City of New  
21 York. Thank you, Chairs Abreu and Won and Committee  
22 Members for holding this hearing. Today, I'm  
23 introducing Intro. 0949 of 2024, which requires that  
24 someone who manages or controls a building with 100  
25 units or more provide a container for refuse. As of

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2 last week, properties with one to nine residential  
3 units must use a secure bin with a lid for trash,  
4 recycling, or compost. However, we know that New York  
5 City consists of different sizes of housing and  
6 buildings, and we continue to seek to curtail trash  
7 around the city as a whole. Any building, commercial  
8 or residential, with 100 units or more should have a  
9 large or ample size container for building residents  
10 to use. This will assist with rat mitigation and  
11 better the visual blight the city has endured that  
12 was exacerbated during the pandemic because everyone  
13 was working from home during the shutdown and  
14 generated more trash. Also, since the shutdown, many  
15 New Yorkers started working hybrid models, generating  
16 more trash from home as compared to when everyone  
17 worked in the office five days a week. Keeping the  
18 streets cleaner supports the City's sustainability  
19 goals to reduce gas emissions by 2050, allowing  
20 residents to have more access to space like sidewalks  
21 and bike lanes that will no longer have to face  
22 clutter from trash bags. Cleaner streets also assist  
23 with our carbon neutrality goals by encouraging New  
24 Yorkers to convert to containerization and explore  
25 pedestrian plazas and other open spaces that would

2 otherwise be blocked by trash building. Less trash on  
3 the streets creates more sustainable transportation  
4 options and biking and other public transit, while  
5 helping residents transition away from emitting gas.  
6 A 2019 report from the Mayor's Office of Climate and  
7 Environmental Justice, A Livable Climate, shared that  
8 over one-third of New York City's residential waste  
9 came from landfilling organic waste, which resulted  
10 in the release of methane, a greenhouse gas that  
11 warms the climate. The City has since begun to  
12 implement waste management strategies by mandating  
13 separate colored bins, containers with wheels to help  
14 separate waste, compost, which lowers methane and  
15 carbon and other garbage. In addition, the City  
16 slowly rolled out the implementation of violations to  
17 allow New Yorkers a period of adjustment. New York  
18 City mandating an adjacent street to house a  
19 container for any building with 100 units or more is  
20 the next logical step for a city that is combating a  
21 rat epidemic. A larger onus will be placed on seeking  
22 private partners in the field of sanitation and waste  
23 management who are looking to partner with the City  
24 to design and market products that are reusable or  
25 recyclable. Purchasing trash bins or receptacles

2 should not be seen as an additional cost to New  
3 Yorkers as they will help mitigate unforeseen costs  
4 to sidewalks and properties as well as prevent  
5 citizens from being consistently fined by the  
6 Department of Sanitation.

7 As containerization begins to take  
8 effect, we have a responsibility to ensure that this  
9 program runs smoothly for sanitation workers,  
10 residents, and those visiting our city. In mandating  
11 receptacles to the city's largest buildings, we can  
12 start work to establish a system that addresses  
13 containerization for buildings less than 100 units  
14 that can work for everyone without sacrificing our  
15 goal for a greener and more sustainable future. As  
16 the Commissioner mentioned, our office has been  
17 speaking, and I look forward to trying to figure out  
18 how our bill can more align with the work that's  
19 already being done. Thank you.

20 CO-CHAIRPERSON ABREU: Thank you, Public  
21 Advocate.

22 I would like to also recognize Council  
23 Member Paladino for joining us. Thank you.

24 Commissioner, regarding your testimony on  
25 Intro. 2746, I can say that we agree that we would

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2 require Empire Bins where appropriate and, where not  
3 appropriate, we need to make sure that that trash is  
4 also containerized so we're committed to working with  
5 your office to make our bill reflect what's  
6 practical.

7 COMMISSIONER TISCH: Thank you. You've  
8 always been a very good partner to us and we look  
9 forward to working with you on that.

10 CO-CHAIRPERSON ABREU: Thank you,  
11 Commissioner.

12 So, now I'm going to ask my first set of  
13 questions before I pass it over to my Co-Chair here,  
14 Julie Won. First set of questions are going to be on  
15 shared on-street containers. My first question is,  
16 does the DSNY know if it will ever allow businesses  
17 which produce a high volume of waste to use on-street  
18 containers instead of smaller wheelie bins?

19 COMMISSIONER TISCH: That is currently not  
20 contemplated, and I'll explain the thinking. A few  
21 things. First, commercial waste is collected not by  
22 the Department of Sanitation but by a network of  
23 commercial carters, private companies, and for the  
24 Department to implement these large on-street  
25 containers, we have to completely overhaul our fleet.

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2 We have to buy special trucks, automated side-loading  
3 vehicles that can hoist the on-street containers. To  
4 my knowledge, the commercial carting industry is not  
5 yet prepared to, its fleet is not prepared to hoist  
6 on-street containers. That's the first thing.

7           But the second thing is, due to the  
8 nature of the commercial carting rules in New York  
9 City, you could have two businesses next door to each  
10 other that each have a different commercial carter,  
11 and that will be true even in the realm of commercial  
12 waste zones, and individual businesses in New York  
13 City, like the vast, vast majority, do not produce  
14 enough waste to fill their own large four-cubic-yard  
15 on-street container and because you can have two  
16 businesses next door that don't have the same carter,  
17 they can't share the bins. For these reasons, we have  
18 determined that the wheelie bin is the appropriate  
19 solution for businesses in New York City at this  
20 time.

21           And I'll just also add that I've been  
22 very pleased with the compliance level that I've seen  
23 among businesses with this wheelie bin mandate that  
24 has been in effect now for about nine months. We  
25 started each phase with a warning period, and during

2 that warning period where we were not issuing  
3 summonses, we saw compliance go through the roof. We  
4 are doing enforcement for the small percentage of  
5 businesses that are not yet complying, but I think  
6 that the level of compliance that we have seen shows  
7 that the wheelie bin model is one that works for  
8 businesses in New York City.

9 CO-CHAIRPERSON ABREU: Thank you,  
10 Commissioner. Can you please describe the types of  
11 buildings that typically use off-street containers  
12 and loading docks for their refuse collection?

13 COMMISSIONER TISCH: Yeah. It's very large  
14 commercial and residential properties or properties  
15 in a campus type setting. They use off-street  
16 containers such as dumpsters or compactors at their  
17 loading docks. For these properties, the off-street  
18 collection is most often part of the initial design  
19 of a building or campus so that the proper  
20 infrastructure, i.e. the loading dock, can be put in  
21 place at the time of construction.

22 CO-CHAIRPERSON ABREU: I'd like to  
23 recognize Council Member Restler has joined us and  
24 Council Member Salamanca on Zoom.

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2           During the Hamilton Heights shared on-  
3 street container pilot program, the shared bins were  
4 regularly monitored and cleaned. Can you please  
5 describe how those monitoring and cleaning duties  
6 were performed and who did them?

7           COMMISSIONER TISCH: Yeah. DSNY  
8 collections operations supervisors regularly  
9 monitored the Hamilton Heights pilot and provided  
10 cleaning and maintenance services as required.

11           CO-CHAIRPERSON ABREU: Do you know what  
12 the fiscal cost to those duties performed was?

13           COMMISSIONER TISCH: There are no specific  
14 costs for cleaning and monitoring as those duties  
15 were absorbed by existing staff.

16           CO-CHAIRPERSON ABREU: Okay. What  
17 challenges does DSNY observe with the maintenance of  
18 these on-street containers and how will those  
19 experiences inform wider implementation of the use of  
20 these types of containers?

21           COMMISSIONER TISCH: Actually, the pilot  
22 of the on-street containers was quite smooth, I have  
23 to say, in my opinion. We looked at maintenance  
24 issues, and we tracked them very closely. I think the  
25 main issues that we had were with the lids sometimes



1 getting bent and in certain circumstances with the  
2 wheels. The beauty of that is that for the go-forward  
3 plan with the Empire bins, the contract that Chair  
4 Won referenced in her testimony, those container  
5 bins, they don't have wheels and they don't have  
6 those lids that break so I am not worried that the  
7 small number of maintenance issues that we saw in our  
8 pilot will be reflected in the go-forward plan.

10 CO-CHAIRPERSON ABREU: The 2023 Waste  
11 Containerization Study found that refuse collection  
12 may need to double in some instances to make citywide  
13 containerization feasible on about 20 percent of our  
14 residential streets. Does DSNY intend to expand its  
15 collection schedules as the study found would be  
16 needed?

17 COMMISSIONER TISCH: Chair, I think you're  
18 referring to our Future of Trash Report, which was  
19 our very first deep analysis of the possibility of  
20 containerization in New York City. Since that report,  
21 that initial report was published, we have updated  
22 our analysis and the report, and what the new  
23 analysis shows is that the number of 20 percent being  
24 incompatible with containerization is way too high,  
25 and that's because we changed the model between the

2 time we wrote that initial report and today. In  
3 particular, in that initial report, we had  
4 contemplated containerizing via Empire Bins all  
5 streams so not just refuse, but also metal, glass,  
6 plastic, paper, cardboard, and compost. Today, the  
7 go-forward model that we are working with is just  
8 using the Empire Bins for refuse and using wheelie  
9 bins for compost until we see the amount of compost  
10 go up, in which case we'd be thrilled to add Empire  
11 Bins but, because of that change in the model, we are  
12 going to be able to roll out Empire Bins to the vast  
13 majority of buildings that would require them.

14 CO-CHAIRPERSON ABREU: Would services need  
15 to be doubled under that?

16 COMMISSIONER TISCH: No, we do not  
17 contemplate the need to increase service levels.

18 CO-CHAIRPERSON ABREU: All right. What is  
19 the projected cost of the fleet needed to make on-  
20 street containers feasible?

21 COMMISSIONER TISCH: I will start and then  
22 I will let our Deputy Commissioner of Management and  
23 Budget add some detail. But the automated side-  
24 loading, we buy new trucks every year, just normal  
25 life cycle of trucks, as they get old, we replace

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2 them, so as we go full rollout citywide, as we get  
3 old rear-loading trucks that we would need to condemn  
4 or get rid of, they could be replaced by side-loading  
5 vehicles, which we don't have a final cost for as  
6 we're working right now under an R and D contract so  
7 I don't know what the go-forward cost is, but the  
8 side-loader today, even under the R and D contract,  
9 is not substantially higher than the cost of our  
10 standard collection trucks.

11 CO-CHAIRPERSON ABREU: Do you know what  
12 that cost is per unit?

13 COMMISSIONER TISCH: Joe, do you have  
14 that?

15 DEPUTY COMMISSIONER ANTONELLI: Yes, the  
16 cost of an automated side-loader is 621,000 dollars.

17 CO-CHAIRPERSON ABREU: And about how many  
18 of those do you think we're going to need for  
19 realizing citywide?

20 COMMISSIONER TISCH: I'll give you, for  
21 Manhattan Community Board 9, we have ordered 16 of  
22 them.

23 CO-CHAIRPERSON ABREU: So they're coming.

24 COMMISSIONER TISCH: They're coming.

25

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1  
2 CO-CHAIRPERSON ABREU: They're coming in  
3 the next few months. That's exciting. What's going to  
4 be the cost of citywide containerization with just  
5 the bins themselves?

6 COMMISSIONER TISCH: So, I don't think I'm  
7 going to be able to give you a satisfactory answer,  
8 but let me point to the Contenur contract, which  
9 Chair Won referenced. We recently registered a 10-  
10 year, 7-million-dollar contract with a company called  
11 Contenur to provide the large Empire Bins and the  
12 services associated with them, everything from  
13 manufacture, installation, cleaning, etc. so if we're  
14 using very high-level numbers, that's about 700,000  
15 dollars a year for Manhattan Community Board 9. That  
16 may not be what the cost is for every District, but I  
17 think it's a way of making it less amorphous.

18 CO-CHAIRPERSON ABREU: Thank you. Before I  
19 start, I'd like to recognize Council Member Salaam.

20 Most of the municipalities that have on-  
21 street containers either don't get much snow, or if  
22 they do, like in Zurich, they have underground  
23 storage for those bins. What would be the plan for  
24 snow with on-street containers? While it hasn't  
25 snowed much as in previous years, we know that

1 extreme weather events don't always go in one  
2 direction or the other, and we can still face  
3 challenging snow storms and blizzards in the future.  
4 Just figuring out what's the plan.  
5

6 COMMISSIONER TISCH: Absolutely, and this  
7 absolutely needs to work when it snows. So, a few  
8 things on snow. First, in the rules we've put in  
9 place to date, for example, wheelie bins, and also in  
10 the rules that we are contemplating for the large on-  
11 street containers, the Commissioner of the Department  
12 of Sanitation will have the authority to suspend bin  
13 requirements if it is ever necessary and so then the  
14 trash would go on the curb during the period of that,  
15 you know, weather emergency, and we could collect  
16 that way. The other thing to add here is that  
17 property owners today have a requirement to clean the  
18 sidewalk in front of their property and 18 inches  
19 into the curb, both for litter and also for clearing  
20 snow and ice. The rules that we contemplate extend  
21 slightly that requirement on property owners to keep  
22 clean and clear the area around the bin that will be  
23 assigned directly to that building as well.

24 CO-CHAIRPERSON ABREU: And my last  
25 question before I turn it over to Chair Won.

1  
2 According to the DSNY's Waste Characterization Study,  
3 about 80 percent of residential streets would be  
4 candidates for containerization. However, about 23  
5 percent would not be viable even with doubled  
6 frequency, such as in neighborhoods north of Columbus  
7 Circle, the Finance District, Midtown West, and  
8 Downtown Brooklyn. Can you speak more to these  
9 challenges and what could be possible in terms of  
10 trash management in these areas as the rest of the  
11 city moves towards containerization?

12           COMMISSIONER TISCH: Yeah, I think that  
13 also references the first report we put out. It was  
14 more theoretical, our Future of Trash report and, as  
15 I mentioned before, as we've changed the model since  
16 that study was done, and we now think that there will  
17 be very few exceptions.

18           CO-CHAIRPERSON ABREU: So, is it fair to  
19 say that the Empire Bin under this new model would be  
20 appropriate in these areas now?

21           COMMISSIONER TISCH: I believe so.

22           CO-CHAIRPERSON ABREU: All right, thank  
23 you. Chair Won?

24           CO-CHAIRPERSON WON: Thank you so much. I  
25 have a few follow-up questions.

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1  
2 For the container contract of 7 million  
3 dollars, you were saying that it's 700,000 dollars  
4 per year just for Manhattan?

5 COMMISSIONER TISCH: Roughly, yes. So  
6 roughly, it's about 700,000 dollars per year for  
7 Manhattan Community Board 9, so that's about 10  
8 containers?

9 COMMISSIONER TISCH: No, no, no, no. It's  
10 hundreds, if not thousands of containers.

11 CO-CHAIRPERSON WON: And how many of them  
12 are, can you help me understand where they're being  
13 distributed other than Community Board 9?

14 COMMISSIONER TISCH: Sure. The way the  
15 model works in Manhattan Community Board 9, starting  
16 this spring, every building of 31 units or more will  
17 get an Empire Bin assigned to that building.  
18 Additionally, every building in Manhattan Community  
19 Board 9 with 10 to 30 units will be allowed to  
20 request or opt in to use an Empire Bin or they can  
21 say, we don't want an Empire Bin. We want to use a  
22 wheelie bin like the 1- to 9-unit buildings in our  
23 district. That's why I can't give you an exact cost  
24 or an exact bin number, because I don't know how many  
25 of those 10- to 30-unit buildings are going to opt

1  
2 in. What I can tell you is we will know that number  
3 in January, and as soon as we have that number, we  
4 will both provide it as well as the more specific  
5 costs associated with Manhattan Community Board 9.

6 CO-CHAIRPERSON WON: Got it. Thank you for  
7 clarifying. So, if you have not enough registrations  
8 or opting in, for those, since you're already  
9 contracted for 7 million, if Community Board 9 has an  
10 under-registration and you still have money left  
11 over, could other community boards also sign up to  
12 opt into this program?

13 COMMISSIONER TISCH: So, the plan is to  
14 roll this out community board by community board.  
15 Obviously, if the pilot goes well, and there is  
16 certainly a lot to do with the pilot. So no, we would  
17 not have other community boards opt in if we get a  
18 low number of 10 to 30. We would just spend less  
19 money, and that is because the fleet that hoists  
20 these containers will be in Manhattan Community Board  
21 9 in our M9 garage, not in other garages.

22 Do you have something to add, Joe?

23 DEPUTY COMMISSIONER ANTONELLI: Yeah, I  
24 was just going to add that the pilot contract that we  
25



1 registered is specific to only one community  
2 district. It's not for expansion.

3  
4 CO-CHAIRPERSON WON: I would like to  
5 register Community Board 2 in Queens to be the next  
6 pilot.

7 COMMISSIONER TISCH: We look forward to  
8 your support of the Rat Act then.

9 CO-CHAIRPERSON WON: Okay, I would love to  
10 work with you on that.

11 I also want to follow up from our first  
12 question. I love that you were doing this in phases,  
13 and it takes nine months to go into effect. How long  
14 is the warning period that you have out of the nine  
15 months?

16 COMMISSIONER TISCH: For the wheelie bin...

17 CO-CHAIRPERSON WON: Yeah, for the current  
18 containerization with the wheelie bins for citywide?

19 COMMISSIONER TISCH: So, the mandate went  
20 into effect last week on November 12th, and we expect  
21 for the warning period to last through January 2,  
22 2025. We don't want to be punitive here. We really  
23 just want to see compliance, and what we saw with  
24 businesses was that warning period really did give an

1  
2 opportunity to drive compliance because the warnings  
3 look just like a summons. There is no cost attached.

4 CO-CHAIRPERSON WON: Can you share that  
5 percentage? You said that there was a very small  
6 percentage of businesses that you did have to  
7 enforce. Do you know what that percentage was?

8 COMMISSIONER TISCH: We've written about  
9 between warnings and summons. Do you have the number  
10 here? I do. I just got to find it. Yeah, warning and  
11 summons combined is 60,000, but I can get you, I have  
12 it in this binder, the breakout of how many were  
13 warnings and how many were summons. 34,000 warnings  
14 and 27,000 summonses so the majority were warnings,  
15 and the warning period was a month and we've been  
16 writing summonses for about eight months.

17 CO-CHAIRPERSON WON: Okay, got it. Okay.  
18 For more questions on legal or enforcement, does the  
19 City have a legal opinion from the Law Department on  
20 DSNY's authority to sanction or impose fines on BIDs  
21 when BIDs are supplemental or enhancing the services  
22 that are provided by DSNY?

23 COMMISSIONER TISCH: Yes, the Law  
24 Department advised that DSNY may impose such fines  
25 and that it would be appropriate to clarify in a rule

2 that the current activities of BIDs placing bags at  
3 the corner for DSNY pickup do not conform to DSNY  
4 standards for collection. The Department will publish  
5 a proposed rule shortly that will allow BIDs to be  
6 the recipients of fines for bags that are not  
7 containerized rather than fining the individual who  
8 works for the BID or works on behalf of the BID who  
9 places those bags on the curbs. That didn't feel  
10 right.

11 CO-CHAIRPERSON WON: But if this one, it's  
12 effective November 12th and the rules have not been  
13 published yet.

14 COMMISSIONER TISCH: Ah, two different  
15 things.

16 CO-CHAIRPERSON WON: Okay.

17 COMMISSIONER TISCH: On November 12th, let  
18 me give you the phases of the trash revolution or  
19 some of the phases, the abbreviated version. First  
20 phase was businesses. Businesses. We started with  
21 food related businesses, moved to chain stores, and  
22 then about nine months ago, the wheelie bin  
23 requirement went into place for all businesses  
24 citywide. Second phase was residences, small  
25 residences, one- to nine-unit buildings, as well as

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1 City agencies, houses of worship, etc. That went into  
2 effect on November 12th. The third phase is the BIDs,  
3 and we are not contemplating the bin requirement for  
4 BIDs to go into place until August of 2025 so right  
5 now we are working with the BIDs to plan so that they  
6 can meet the very same requirements that all one- to  
7 nine-unit residences, all houses of worship, all  
8 businesses in the city are currently required to  
9 meet.  
10

11 CO-CHAIRPERSON WON: Thank you for that  
12 clarification. Can you share, because there's a lot  
13 of BID members who are here or BID Executive  
14 Directors who are here who want to know when these  
15 rules will be published.

16 COMMISSIONER TISCH: The rules were  
17 actually just approved by the Law Department, and so  
18 it will certainly be published in the coming weeks,  
19 very soon.

20 CO-CHAIRPERSON WON: Okay.

21 COMMISSIONER TISCH: I don't have an exact  
22 published date, but I will go back, get a published  
23 date, and get it to you.  
24  
25

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1  
2 CO-CHAIRPERSON WON: Okay. But we could  
3 stand reassured that'll be published before January  
4 1, 2025.

5 COMMISSIONER TISCH: Oh, for sure.

6 CO-CHAIRPERSON WON: Okay, great. Thank  
7 you. Will continuation of BID bag refuse be mandated  
8 in a rule and/or through legislation? I guess you may  
9 not share that publicly right now, or could you share  
10 that?

11 COMMISSIONER TISCH: My feeling is that  
12 BIDs need to comply with the very same rules that all  
13 of their individual members, all of businesses on  
14 commercial corridors comply with and have complied  
15 with very well for the past nine months. I mean, if  
16 you walk down a commercial corridor today at trash  
17 time, you don't see as many big piles of bags on the  
18 street. You see wheelie bins, and it makes the  
19 commercial corridors look and feel so much better. If  
20 you walk down a commercial corridor now, a lot of the  
21 times, the only trash bags that you will see on the  
22 streets are the BID bags, and so all we're saying is  
23 that the BIDs will need to comply with the very same  
24 rules that their member businesses and one- to nine-  
25 unit residences and churches and everyone else

1 complies with in the City of New York. This is not  
2 intended in any way to be punitive or to be different  
3 than what all of their businesses do.  
4

5 CO-CHAIRPERSON WON: 100 percent

6 understand that sentiment and we completely support  
7 containerization, but I think the tension right now  
8 is that there's a difference between the businesses  
9 that are containerizing their own trash versus the  
10 street trash, which is from the pedestrians and from  
11 the public, which isn't tied to an individual  
12 business or those members.

13 COMMISSIONER TISCH: So, I walked down  
14 commercial corridors, and I see all the business  
15 trash, which is the majority of trash, out in  
16 containers and then literally next to every litter  
17 basket, I see mountains of garbage bags and it's  
18 disgusting. We don't have to live that way and we  
19 shouldn't live that way, and we have given the BIDs  
20 ample notice. We've been working with them for over a  
21 year. They have until August to comply. We're not  
22 mandating a containerization strategy. They can use  
23 wheelie bins like every business in the city. If they  
24 have more trash than a wheelie bin would be  
25 appropriate for, they can use large on-street

2 containers. We have a number of really big BIDs in  
3 this city that have already done this. The Downtown  
4 Alliance, Times Square. This is not rocket science,  
5 but it's a change and it's an important change and we  
6 want to give them time to figure out which strategy  
7 is going to work best for them, but we do expect  
8 compliance come August.

9 CO-CHAIRPERSON WON: For pedestrian trash  
10 that is not connected to any business and if you have  
11 a very busy corridor, so for example in my District,  
12 under the 7 train, which Sunnyside Shines is  
13 responsible for, a very small BID with two people  
14 full-time on staff, they are going to be responsible  
15 for trash that is coming in...

16 COMMISSIONER TISCH: Let me explain.

17 CO-CHAIRPERSON WON: Staff that they will  
18 have to figure out how to pay for the containers as  
19 well as the pickup.

20 COMMISSIONER TISCH: The only difference  
21 for the BID, well today they sweep up the trash on  
22 the street, they put the trash in a trash bag and  
23 they leave the trash next to the litter basket or  
24 they see a litter basket is full, they take the bag  
25 out of the litter basket, they put it next to the

2 litter basket, they put a new bag in the litter  
3 basket. The only difference here is instead of  
4 putting those bags on the ground next to the litter  
5 basket, we are asking them to put it instead in a  
6 container. This is not a major change to how these  
7 organizations operate and is absolutely essential to  
8 restore dignity and order to our streets and in  
9 particular to our commercial corridors, nor is it a  
10 massive financial burden. I mean for the smaller BIDs  
11 that will use wheelie bins, this bin costs 50 bucks,  
12 around 50 bucks, very high quality. Maybe they need a  
13 few. For larger bins, the large Empire Bins are, I  
14 don't know, giving you like an estimate is about  
15 2,000 bucks and that's an investment for the future.  
16 That's not 2,000 dollars a year. That's a 2,000-  
17 dollar bin that lasts for 10 years.

18 CO-CHAIRPERSON WON: For a larger BID, a  
19 50-dollar on both sides of the street because it's  
20 going to have to be on the north end and the south  
21 end of every street, those are already two  
22 containers, two times so, if you do the math, it may  
23 be a small dollar amount to purchase those containers  
24 for every single street side can, but for a smaller  
25 BID, it is not something that they can afford.



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2 For the smaller BIDs, for many of the  
3 smaller BIDs, wheelie bins, they're 55 dollars, will  
4 be sufficient, but every BID needs to look at it and  
5 every BID needs to figure out how much trash they  
6 produce and what the right containerization solution  
7 is. That's why we have opened many options to them.  
8 Additionally, they are encouraged to work with our  
9 Small Business Services who can make grants available  
10 to them to defray some of these costs.

11 CO-CHAIRPERSON WON: Which grants are you  
12 referring to directly?

13 COMMISSIONER TISCH: You would have to  
14 speak to our Small Business Services about  
15 opportunities that they have to provide financial  
16 support to BIDs.

17 CO-CHAIRPERSON WON: Because there  
18 currently are no grants available for my small  
19 businesses in any shape or form for the last two  
20 years since COVID has ended and there has been no  
21 program to cover the cost of additional purchasing of  
22 these containers.

23 COMMISSIONER TISCH: I look forward to  
24 working with you and with some of our Deputy Mayors  
25 and with the BIDs and with Small Business Services to

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2 understand what can be done to defray some of the  
3 costs, but I want to be really clear and on the  
4 record that nothing about this is intended to target,  
5 harm in any way our Business Improvement Districts.  
6 They are very important partners to the city in many  
7 things but chief among them cleanliness. They provide  
8 an essential service and what we are asking them to  
9 do is change a little bit, and I understand that  
10 change is hard and we, the City, will be partners  
11 with them every step of the way through that change.

12 CO-CHAIRPERSON WON: Thank you so much  
13 because I believe that our Business Improvement  
14 Districts want to be a partner with us for  
15 cleanliness for street cleanliness and for  
16 containerization, but right now a lot of them are  
17 struggling with, especially small businesses that can  
18 barely keep their doors open, increasing their  
19 membership will opt them leaving the BID entirely and  
20 the BIDs themselves do not have access to capital to  
21 mass purchase these containers so I'll definitely be  
22 following up with you and the BID associations to  
23 work with SBS to get a grant to purchase these bins  
24 because once they're purchased because the question  
25

2 just comes down to cost then I think everyone will  
3 comply.

4 Next question is BIDs frequently witness  
5 street vendors and other businesses and/or residents  
6 improperly disposing bags into the public  
7 receptacles, which BIDs may bag up as part of the  
8 supplemental sanitation services? How will the City  
9 separate out this trash from other public trash when  
10 issuing a summons or illegal dumping which we also  
11 see very often on the street trash cans?

12 COMMISSIONER TISCH: Maybe I'm not  
13 understanding the question, but I don't envision very  
14 much will change. Can you clarify what you're asking?

15 CO-CHAIRPERSON WON: So, for example all  
16 throughout Long Island City, we see very often people  
17 are illegally dumping into the onto the street trash  
18 cans, like into the Better Bins, and for them, if  
19 they purchase a container, their BID will be bagging  
20 them up but sometimes people will also just add their  
21 own household..

22 COMMISSIONER TISCH: I recommend what  
23 we're doing on the residential model and what the  
24 Times Square Alliance does and what the Downtown  
25 Alliance does which is lock the bin the so that the

2 bins can only be accessed by BID staff. That's how  
3 we're ensuring that there is no illegal dumping for  
4 example in residential bins. That's how the Times  
5 Square Alliance ensures that they don't have illegal  
6 dumping in their bins.

7 CO-CHAIRPERSON WON: So not in the  
8 containers but in the scenario that there are  
9 containers we have figured out how to pay for them  
10 for the BIDs but if somebody else illegally throws a  
11 trash bag of their household trash and it's on the  
12 sidewalk instead of in the container, which is not  
13 something that they can constantly surveil, how will  
14 you know who to summon?

15 COMMISSIONER TISCH: We will write  
16 summonses not based on the existence of the bag but  
17 based on an observation of who is leaving the bag so,  
18 if it is a vendor leaving the bag, the summons  
19 doesn't go to the BID, it goes to the vendor but...

20 (CROSS-TALK)

21 CO-CHAIRPERSON WON: (INAUDIBLE)

22 COMMISSIONER TISCH: If it is BID staff  
23 leaving the bag, that's how you ensure that the BIDs  
24 don't get dinged for trash that is not of their  
25 disposal.

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CO-CHAIRPERSON WON: Okay, so unless you physically witness a BID staff member failing to containerize, that's when they...

COMMISSIONER TISCH: That's right. That's how our summoning often works.

CO-CHAIRPERSON WON: Okay. Not if just a bag of random trash was found that does not...

COMMISSIONER TISCH: No, because then they would be held unfairly responsible for trash that is not for their management.

CO-CHAIRPERSON WON: Okay thank you. Does DSNY know if it will ever allow businesses which produce a high volume of waste to use on-street containers instead of smaller wheelie bins?

COMMISSIONER TISCH: Yeah. I addressed this a bit in Chair Abreu's Q and A. Right now, the model that we are going with has wheelie bins for businesses because of the nature of the commercial carting industry, meaning you could have two businesses next door to each other that have different commercial carters so they couldn't share a large on-street container. That happens all the time and that will continue to happen even when we roll out commercial waste zones because we have

2 competitive commercial waste zones, and also the  
3 commercial carters are obviously private companies  
4 and, right now to my knowledge, they do not have the  
5 fleet to support hoisting the Empire Bins. That could  
6 change down the road, but the go-forward strategy  
7 right now is wheelie bins for businesses.

8 CO-CHAIRPERSON WON: Got it, and I would  
9 also like to join Chair Abreu's support for the  
10 changes in the fleet so that we can continue to  
11 modernize our system.

12 COMMISSIONER TISCH: Thank you.

13 CO-CHAIRPERSON WON: Can you please  
14 describe the types of buildings that typically use  
15 off-street containers and loading docks for their  
16 refuse collection?

17 COMMISSIONER TISCH: Yeah. They're  
18 generally buildings that were initially designed with  
19 space for compactors or dumpsters or loading docks. I  
20 think these are some of the same questions that  
21 you're both asking.

22 CO-CHAIRPERSON WON: I'll just turn it  
23 back to you.

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1  
2 CO-CHAIRPERSON ABREU: I'd like to  
3 recognize Council Member Banks who has joined us as  
4 well.

5 There are some remaining BID questions I  
6 had. Many BIDs have non-DSNY issued receptacles such  
7 as Victor Stanley bins which have been previously  
8 approved by DSNY. Under the new agreement which trash  
9 receptacles will DSNY service?

10 COMMISSIONER TISCH: Nothing changes about  
11 the trash receptacles.

12 CO-CHAIRPERSON ABREU: All right.

13 COMMISSIONER TISCH: We just don't want  
14 BIDs leaving bags of trash on the ground next to  
15 litter baskets, whatever the litter basket is.

16 CO-CHAIRPERSON ABREU: All right. I'm  
17 going to pivot now to Manhattan Community Board 9  
18 Stationary On-Street Container Pilot Program. I know  
19 it's a favorite topic of yours and a favorite topic  
20 of mine. DSNY's proposed rules relating to the  
21 Stationary On-Street Container Program that will run  
22 in Manhattan Community District 9 starting next year  
23 indicate that buildings with 10 to 30 dwelling units  
24 must opt into the program before February 1st. Is  
25 this still the case and, if so, is DSNY engaged in

any outreach to owners of buildings of this size in  
MCD 9 to inform them of the opportunity?

COMMISSIONER TISCH: Yeah, I just realized  
I misspoke. I said to Chair Won that we would know in  
January. We'll know in February how many of the 10 to  
30 opted in, but it is the case that in Manhattan  
Community Board 9 buildings of 10 to 30 units will  
have about a six-week period to opt in to use Empire  
Bins. Otherwise, they will be using wheelie bins. The  
form will open on December 15th and close at the end  
of January, and we do have a substantial outreach  
campaign planned associated with the launch of that  
form.

CO-CHAIRPERSON ABREU: Any idea how many  
of them have opted in so far?

COMMISSIONER TISCH: No, it doesn't open  
until December 15th.

CO-CHAIRPERSON ABREU: Okay, so there's a  
plan in place.

COMMISSIONER TISCH: Yeah. We can keep you  
posted as the opt-in period goes, but we will know a  
more definitive number by February 1st.



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2 CO-CHAIRPERSON ABREU: Okay, and if  
3 there's any information you think we ought to be  
4 sharing to our constituents on that, let us know.

5 COMMISSIONER TISCH: Oh, yeah. We are  
6 definitely going to call on you since you're the  
7 local Council Member as we launch a major outreach  
8 campaign. The reason the outreach campaign hasn't  
9 started in earnest is when we do the outreach I want  
10 to be able to point people to a form and so it will  
11 start full scale December 15th when the form  
12 launches.

13 CO-CHAIRPERSON ABREU: The proposed rules  
14 indicate that the stationary on-street containers and  
15 the area of the roadway extending one and one-half  
16 feet beyond each side of the container must be kept  
17 clean, well-maintained, and clear of trash, debris,  
18 graffiti, vermin, food scraps, and unsanitary  
19 conditions. Who will be responsible for maintaining  
20 this level of cleanliness?

21 COMMISSIONER TISCH: The property owner,  
22 much like they're responsible... the bin will be  
23 assigned to the specific building and will only be  
24 able to be accessed by the building staff. It's going  
25 to be a huge win for supers, by the way, and

1 buildings are not going to have to store the trash  
2 inside in a trash room. They can put it out at any  
3 time of the day they want and they can use that bin  
4 for their trash storage, but today property owners  
5 have the responsibility to keep clean the sidewalk  
6 and 18 inches into the street. That cleanliness  
7 requirement will be extended to include the area  
8 around the bin.  
9

10 CO-CHAIRPERSON ABREU: So Contenur will  
11 not be required to maintain the bins?

12 COMMISSIONER TISCH: Oh, I'm so sorry. I  
13 thought you meant like keeping it clean. The property  
14 owner will be responsible for keeping the area around  
15 the bin clean, the ground around the area clean and  
16 litter free. Contenur will be providing deep cleaning  
17 services for the bins themselves because they are  
18 trash bins and they will need to be cleaned  
19 regularly, and that is part of that Contenur contract  
20 that I was discussing with Chair Won. That is part of  
21 the cost as well as provide general maintenance, if a  
22 part breaks, if the bin gets damaged.

23 CO-CHAIRPERSON ABREU: But the cleanliness  
24 around the bin, that's the property owner?

25 COMMISSIONER TISCH: Correct.

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2 CO-CHAIRPERSON ABREU: And will they be  
3 cited for failure to maintain this level of  
4 cleanliness?

5 COMMISSIONER TISCH: After a warning  
6 period, I'm sure, but again with all of these rule  
7 changes, we have made sure to put in place thoughtful  
8 warning periods. We do not want to be punitive. We do  
9 not enjoy being punitive. We really just want to  
10 drive compliance and, so far in the Trash Revolution,  
11 I am very pleased with the level of compliance that  
12 we're seeing.

13 CO-CHAIRPERSON ABREU: We have two major  
14 NYCHA complexes in that area, Manhattanville Houses  
15 and Grant Houses. Will they be included in the pilot  
16 program?

17 COMMISSIONER TISCH: Yes.

18 CO-CHAIRPERSON ABREU: Great. All right.  
19 I'm going to turn it over now to Council Member Julie  
20 Menin for questions or testimony.

21 COMMISSIONER TISCH: (INAUDIBLE)

22 CO-CHAIRPERSON ABREU: And I would like to  
23 recognize Council Member Yeger.

24 COMMISSIONER TISCH: Yes to the extent  
25 that they're not already containerized, meaning if

2 those complexes leave their bags on the street then  
3 yes. Some NYCHA complexes already are containerized  
4 with compactors and that type of thing.

5 CO-CHAIRPERSON ABREU: I'll come back to  
6 that.

7 COUNCIL MEMBER MENIN: Great. Thank you so  
8 much, Chair.

9 Commissioner, thank you for your  
10 testimony. Had a couple followup questions regarding  
11 my bill, Proposed Intro. 1108. Can you explain what  
12 currently happens if an entity has a franchise  
13 agreement with the City on a public space and does  
14 not keep the street clean? What happens currently  
15 now?

16 COMMISSIONER TISCH: Yeah. We can't do  
17 anything. Like the Department of Sanitation is  
18 literally powerless to enforce the cleanliness rules  
19 that we enforce for every business and every  
20 residence in the city for these entities that occupy  
21 massive portions of our curbside space so bus  
22 shelters, Citi Bikes, the new micro hubs. We  
23 absolutely need the authority to hold these companies  
24 that manage, maintain, operate these programs  
25 accountable for the very basic rules that we have in

2 New York City around cleanliness. Nothing more than  
3 we require of anyone else but certainly nothing less.

4 COUNCIL MEMBER MENIN: Great, and can you  
5 quantify if this bill goes into effect the difference  
6 that it will make? I mean how many of these public  
7 spaces would you estimate that we have that you're  
8 not currently able to have jurisdiction over?

9 COMMISSIONER TISCH: I'm embarrassed that  
10 I can't give you an answer, but like anecdotally  
11 there is one on at least half the blocks in New York  
12 City. I mean with the proliferation of the Citi Bike  
13 and the bus shelters and the micro hubs envisioned to  
14 go all over the place, like we need this. The city  
15 needs this for its cleanliness.

16 COUNCIL MEMBER MENIN: Great. Those are my  
17 only questions. Thank you so much.

18 COMMISSIONER TISCH: Thank you.

19 CO-CHAIRPERSON ABREU: Thank you, Council  
20 Member.

21 Commissioner, is the contract that DSNY  
22 has with Contenur for large stationary on-street  
23 containers worth approximately 7 million intended  
24 only to serve the on-street container program that  
25 would run in Manhattan District 9 starting next year

1  
2 or is the contract more expansive in that it includes  
3 the possibility of producing on-street containers for  
4 buildings in other areas of the city?

5           COMMISSIONER TISCH: I just want to be  
6 clear. It's a 10-year contract. I don't want anyone  
7 to get the wrong idea that this is seven million  
8 dollars a year. It's a 10-year contract. It covers  
9 the containers that we would need specifically for  
10 the pilot district, Manhattan Community Board 9, and  
11 when we bid this thing out, we bid it out in phases  
12 so we said phase one will be Manhattan Community  
13 Board 9. All the bidders, you give me a cost and a  
14 model for it. We said phase two would be additional  
15 future expansion. So, if things work great in  
16 Manhattan Community Board 9, we do not have to start  
17 the contracting process over from step one. We do not  
18 need to issue a new RFP and go through that year-long  
19 process. It will be much more abbreviated given how  
20 we chose to manage the procurement.

21           CO-CHAIRPERSON ABREU: So this existing  
22 RFP can be used for potential pilot expansions and  
23 things of that nature?

24           COMMISSIONER TISCH: Yes. That's how it  
25 was intended.

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2 CO-CHAIRPERSON ABREU: All right. My other  
3 question is regarding Hudson's bill. Could you please  
4 summarize for us how many buildings would be covered  
5 by this bill and what is the breakdown by building  
6 type and City agency?

7 COMMISSIONER TISCH: So, I love her bill.

8 CO-CHAIRPERSON ABREU: I'm sure.

9 COMMISSIONER TISCH: I call it the Rat  
10 Act, and what the Rat Act will do is allow us to  
11 containerize all buildings of 31 units or more  
12 citywide and any 10- to 30-unit building that opts in  
13 to do it. I don't know how many of the 10- to 30-unit  
14 buildings yet will opt in. Although when we see what  
15 happens in the pilot district on Community Board 9  
16 we'll be able to estimate it better the citywide wide  
17 number so I can't give you a number right now.

18 CO-CHAIRPERSON ABREU: Do you have a  
19 number with the 30-plus units that would be covered  
20 by this bill?

21 DEPUTY COMMISSIONER GOODMAN: Mr. Chair,  
22 the two groups together, the 10 to 30s and the 31-  
23 pluses is about 40,000 buildings. I'm sure we have a  
24 breakdown between the two and could get it back to  
25 you but, all told, it's about 40,000 buildings.

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2 CO-CHAIRPERSON ABREU: And would NYCHA's  
3 non-residential buildings be covered also?

4 COMMISSIONER TISCH: We do intend to cover  
5 NYCHA non-residential buildings that are not  
6 currently containerized.

7 CO-CHAIRPERSON ABREU: All right. I'm  
8 going to turn it back over to our Chair.

9 FIRST DEPUTY COMMISSIONER LOJAN: Chair,  
10 can I just go back to the question you had before  
11 about Manhattan building, Grant. Those are currently  
12 on our roll-on/roll-off service so they wouldn't be  
13 part of the Stationary On-Street Container Program.

14 CO-CHAIRPERSON ABREU: Thank you.

15 CO-CHAIRPERSON WON: I'll pass it over to  
16 Lincoln Restler to ask his questions.

17 COUNCIL MEMBER RESTLER: Thank you so  
18 much, Chair Abreu and Chair Won. I appreciate you  
19 both. Thank you for holding this hearing. Thank you  
20 for your leadership on this issue. I especially enjoy  
21 catching up with Shaun whenever I can on all things  
22 garbage.

23 Commissioner Tisch, I think that your  
24 tenure at the Department of Sanitation has been like  
25 the top highlight of this Administration, and I



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2 really appreciate the hard work that you and your  
3 team have done to try to clean up our streets. It's  
4 no easy task, but I think that the work that you're  
5 doing and the vision that you're laying out is  
6 impressive and appreciate your service and your  
7 leadership.

8 I have a few questions, mostly trying to  
9 just kind of better understand this. I get a lot of  
10 incoming from community members. Whenever there's  
11 change, there's questions and concerns. I really love  
12 these Contenur bins and what you're doing in Shaun's  
13 District, in Chair Abreu's District in West Harlem,  
14 and I have brownstone communities that are not more  
15 than 10 units, not more than 30 units, that would  
16 also really like these bins on their blocks and in  
17 their streets. In fact, they're struggling with some  
18 of the changes to containerization, and I can get  
19 into that in a little bit, but is there a world in  
20 which we can have some more flexibility and see this  
21 model also available in some lower density areas,  
22 one- to four-family areas, on average but brownstone  
23 communities like Brooklyn Heights or Cobble Hill,  
24 places that, Boerum Hill, would love to see that  
25 model of containerization?

2 COMMISSIONER TISCH: The answer is yes, it  
3 is definitely possible. It is, as you know, not  
4 currently contemplated, but I'm happy to have follow-  
5 up conversations with you about it. I'll say I am a  
6 little surprised and pleased to get this question  
7 because a lot of the feedback that we have heard is  
8 in lower density parts of the city where you don't  
9 have the big buildings, we've heard anecdotally that  
10 they don't want the on-street containers because it  
11 does have implications for parking. In Manhattan  
12 Community Board 9, for example, our environmental  
13 review estimates, again we don't know how many 10 to  
14 30 but about 2 or 3 percent, like that, but I would  
15 be happy to follow up with you and speak to your  
16 constituents so that if we have to make an adjustment  
17 in our planning we can.

18 COUNCIL MEMBER RESTLER: I think the  
19 conversation that Chair Abreu and I have been having  
20 is like different communities may want different  
21 things and having that flexibility is important, and  
22 I can say in my community we are totally happy to do  
23 the trade-off of a parking spot here and a parking  
24 spot there for a more seamless containerization of  
25

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2 our garbage and so if we can follow up, I appreciate  
3 it and would love to make that happen.

4                   Would it be okay if I just ask a couple  
5 more questions?

6                   CO-CHAIRPERSON ABREU: Please go ahead.

7                   COUNCIL MEMBER RESTLER: Thanks so much.

8 I'm concerned, so non-profits, some of my yeshivas  
9 get lumped in to the one to nine residential units  
10 and, therefore, have had some challenges with the new  
11 containerization model. Even they who love, in South  
12 Williamsburg, there's always a reticence to lose  
13 parking, but I think even that community would be  
14 open to a trade-off of being able to have the  
15 Contenur bins in their community as well.

16                   COMMISSIONER TISCH: Yeah. Understood, and  
17 I want to be very clear that we by no means want or  
18 expect or require schools, any schools, public  
19 schools, private schools, parochial schools, we do  
20 not require them to use 55-gallon wheelie bins for  
21 their trash. They produce lots of trash, and so the  
22 option that, for example, the DOE schools have gone  
23 with are these quite large tilt trucks that our  
24 Sanitation workers can operate. They're much bigger  
25 than 55 gallons, but they're lower to the ground.

1 They're on wheels, and that is the model that DOE is  
2 using right now in this gap because they are required  
3 to put their trash in containers but they don't have  
4 the Empire Bins yet and so that is what I recommend  
5 to any school, and we've had a few yeshivas approach  
6 us, any yeshiva that approaches us about it.  
7

8 COUNCIL MEMBER RESTLER: That's very  
9 helpful. We have gotten a bunch of complaints, and so  
10 we will help guide them in that direction.

11 Then two really last questions on just  
12 the containerization for the one to nine residential  
13 units. One, and we've gone back and forth with your  
14 team on this again but I want to continue to raise  
15 it, we have seen on the NYC bin company's website  
16 that they have a 25-gallon option. I have a lot of  
17 Brownstones in my District that have built enclosures  
18 in front of their homes and they can't fit these  
19 larger bins in the enclosures that they've  
20 constructed. They could fit a 25-gallon bin. That  
21 would accommodate their trash needs. Could we look,  
22 again, to see if the new mechanized kind of garbage  
23 pickup with these trucks could accommodate the 25-  
24 gallon bin?  
25

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COMMISSIONER TISCH: Yeah. We offer two sizes now, 45 and 35, and what you're saying is you want a smaller option of the 25.

COUNCIL MEMBER RESTLER: Yes.

COMMISSIONER TISCH: I'm happy to go back...

COUNCIL MEMBER RESTLER: And the company creates it. I don't know if it works with the truck but, if there's any way to make that work, I have just many, many homeowners. They built out these fancy, nice enclosures for their garbage. They look perfectly pretty. They don't work with the 35 and 45.

COMMISSIONER TISCH: I apologize.

Generally, when we do contracting, we like to make sure that it accounts for everything. That would require an amendment to the contract. It is certainly something that we can do. It just happens not to be a quick process.

COUNCIL MEMBER RESTLER: If it works operationally and it could be an amendment that would take effect for spring of 2026 when this would be required, it would be something that would build a lot of goodwill in my community for sure.

Then lastly...

2 COMMISSIONER TISCH: I'm kicking myself  
3 because in that contracting process, we did a 65  
4 gallon but we didn't do a 25 gallon. Anyway, go  
5 ahead.

6 COUNCIL MEMBER RESTLER: Well, if it's  
7 possible, it would be a big win, and we'd appreciate  
8 it.

9 Then lastly, and this is just maybe me  
10 being dense, you know per usual, but I struggle to  
11 just understand the idea of like using these NYC bins  
12 and the trucks is to mechanize the pickup, right, and  
13 make it easier for the Sanitation workers, better for  
14 the world, but ASP isn't in effect so like are we  
15 rolling these bins to the corner for them to be  
16 linked to the truck to be picked up? Is like that how  
17 this is going to work operationally, like it's just,  
18 I'm thinking about dense narrow streets.

19 COMMISSIONER TISCH: It's two different  
20 models. For the smaller buildings, they're putting  
21 the trash in the wheelie bins and for the..

22 COUNCIL MEMBER RESTLER: Yeah, that's what  
23 I'm talking about, for the smaller buildings with the  
24 wheelie bins. You're rolling them to the corner to  
25 be...

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1  
2                   COMMISSIONER TISCH: So, the Sanitation  
3 workers, they have two options. They can take the bag  
4 the bags manually out of the wheelie bin. These bins,  
5 the largest one is, our requirement is 55 gallons or  
6 less so that they can physically reach into the  
7 bottom so they can manually throw every bag as they  
8 do today or, if there is space between the cars, they  
9 can wheel the bin out and put it, all the new trucks  
10 are coming with these tippers, double tippers, so  
11 they can do two at once, double tippers where they  
12 can just put the latch on the tipper and mechanically  
13 tip.

14                   COUNCIL MEMBER RESTLER: That' sounds like  
15 a great policy.

16                   CO-CHAIRPERSON ABREU: I'm going to move  
17 on now to..

18                   COUNCIL MEMBER RESTLER: Thank you very  
19 much. I appreciate it.

20                   CO-CHAIRPERSON ABREU: Council Member  
21 Bottcher.

22                   COUNCIL MEMBER BOTTCHEER: Hi,  
23 Commissioner. How are you?

24                   COMMISSIONER TISCH: Good. How are you?  
25

1

COUNCIL MEMBER BOTTCHEER: I'm good.

3

Thanks. I want to commend you for all the progress  
that the City has made on containerization...

5

COMMISSIONER TISCH: Thank you.

6

COUNCIL MEMBER BOTTCHEER: In just under

7

three years when a lot of us were talking about

8

containerization when we were running for City

9

Council. I don't think we would've anticipated making

10

so much progress with respect to all the new policies

11

that have already gone into effect. When you and I

12

got together when you first got appointed, we talked

13

about containerization for like many minutes and

14

you've done a lot.

15

COMMISSIONER TISCH: Thank you.

16

COUNCIL MEMBER BOTTCHEER: As we see it

17

implemented including for small building owners, I

18

think one of our big challenges is going to be

19

working through the individual cases in which it's

20

hard for small building owners to follow the letter

21

of the regulations, and I wanted to ask now that the

22

policy is in effect and building owners are being

23

asked to do it, we're going to really see who can and

24

who can't, like physically, so what is the mechanism

25

going to be for your small building owner who like



2 doesn't have any room for the containers, how do you  
3 make sure that that person can get into compliance.

4 COMMISSIONER TISCH: Change is hard, and  
5 this change is a change that affects how every bureau  
6 and virtually every residence does something that  
7 they do several times a week, so I get it. This is  
8 big change to an important thing, and I by no means  
9 trivialize it. When we rolled the container mandates  
10 for businesses, we heard a lot of the same feedback,  
11 oh, we're never going to be able to do this, it's  
12 never going to work, my specific circumstance, it  
13 just isn't going to work, and guess what? Everyone  
14 figured it out. We certainly see mass compliance  
15 among businesses, and I think it's partially due to  
16 the fact that we tried to be very thoughtful at the  
17 outset in the rule drafting about the concerns people  
18 would have so, as an example, we were incredibly  
19 flexible with where the bins can be stored, indoors,  
20 outdoors, along the property line, within three feet  
21 of the property line, and so we are happy to work  
22 with any business that may be struggling, but I am  
23 very confident that what we have put forward is a  
24 flexible plan that can be complied with.

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2 COUNCIL MEMBER BOTTCHEER: Okay. So, in the  
3 coming weeks, will you be able to have individual  
4 consultations with property owners and help them come  
5 up with plans that comply?

6 COMMISSIONER TISCH: Josh is a Deputy  
7 Commissioner who is brilliant but, among the things  
8 he does...

9 COUNCIL MEMBER BOTTCHEER: We love Josh.

10 COMMISSIONER TISCH: All of our outreach  
11 so Josh will take that one.

12 DEPUTY COMMISSIONER GOODMAN: Thank you,  
13 Commissioner. Thank you, Council Member. There are a  
14 number of opportunities for individual residents to  
15 get assistance with their containerization  
16 strategies. We have weekly info sessions on this  
17 topic any member of the public can attend and ask  
18 questions so I want to mention that there actually  
19 are two forms through which someone can apply for an  
20 exemption. One is for disability, right, I have a  
21 disability that prevents me from complying, and one  
22 is I live in a situation where the bins would present  
23 a pedestrian hazard. There is no pedestrian access if  
24 I have these bins. We are going to look at every  
25 application that comes in on both of those, we are

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1  
2 going to take a hard look at them. Obviously, our  
3 inclination is to say everyone has to follow this  
4 rule, but you can go to [nyc.gov/dsny](http://nyc.gov/dsny) and tell us your  
5 situation now or get assistance now.

6 COUNCIL MEMBER BOTTCHEER: Okay. Thank you.

7 COMMISSIONER TISCH: Chair, I apologize. I  
8 had a hard stop at 11:40. The rest of the team will  
9 remain and answer any questions and, if anyone wants  
10 to follow up directly with me, I am always available.

11 CO-CHAIRPERSON ABREU: Thank you.

12 DEPUTY COMMISSIONER GOODMAN: Mr. Chair,  
13 I'm sorry. I know we lost Council Member Menin, but I  
14 do have some information on her question before about  
15 how many areas may be covered by her bill. There are  
16 51, just to put it on the record, there are 51 active  
17 franchise agreements in the city. Obviously, many of  
18 them have hundreds or thousands of locations, but  
19 there are 51 franchise agreements so that's at least  
20 some quantity to cover her bill.

21 CO-CHAIRPERSON ABREU: Thank you.

22 CO-CHAIRPERSON WON: Thank you so much.

23 Will DSNY confirm in writing that they will collect  
24 bags from containers that are part of the Clean Curbs

25

2 Program because currently there is no assertion in  
3 the Clean Curbs Pilot Program?

4 DEPUTY COMMISSIONER GOODMAN: I'm sorry,  
5 Madam Chair, just to clarify. The question is will we  
6 continue to collect from the Clean Curbs bins? Yes.

7 CO-CHAIRPERSON WON: Yeah. Okay, great.  
8 Will DSNY agree to a specific number of pickups and  
9 collection times for each BID including what days,  
10 times, holidays DSNY will pick up from the containers  
11 and other public receptacles?

12 DEPUTY COMMISSIONER GOODMAN: You know,  
13 DSNY does need to maintain flexibility about our  
14 collection schedule, things like snow EMS, but we are  
15 always in touch with our BIDs and are happy to remain  
16 in touch with our BIDs about the general level and  
17 time of frequency as long as there's understanding  
18 that circumstances may require a change.

19 CO-CHAIRPERSON WON: Okay. Will DSNY  
20 acknowledge that they will be accepting bags from  
21 BIDs at the DSNY garages or other agency-designated  
22 locations?

23 DEPUTY COMMISSIONER GOODMAN: I will  
24 acknowledge that under the proposed rule that is  
25 coming out in the coming weeks, one of the options

2 will be to have those discussions. There are labor  
3 concerns about some of the specifics. It is something  
4 we want to offer as an option, and we look forward to  
5 working with individual BIDs that are interested in  
6 that to see if it is viable for them in their area.

7 CO-CHAIRPERSON WON: Will DSNY facilities  
8 accept BIDs bags from private carters that they may  
9 hire?

10 DEPUTY COMMISSIONER GOODMAN: Again, it's  
11 something where we'd have to look at the labor  
12 specifics, you know, make sure that there's no  
13 displacement of the DSNY workforce involved in that.  
14 If there is not, if it's an option we can work out,  
15 we would like to work it out.

16 CO-CHAIRPERSON WON: Okay, great. How will  
17 the City work with BIDs on selecting sites for  
18 containers, and will the City inform property owners  
19 and businesses of locations adjacent to them?

20 DEPUTY COMMISSIONER GOODMAN: We will work  
21 together carefully and closely on that.

22 CO-CHAIRPERSON WON: Do the siting and  
23 container specifications need to comply with the  
24 Clean Curbs for BIDs?

25 DEPUTY COMMISSIONER GOODMAN: No.

2 CO-CHAIRPERSON WON: Okay.

3 DEPUTY COMMISSIONER GOODMAN: No. This  
4 would be a new set of, or at least it would be an  
5 additional set of standards that would be available.  
6 We really do want to add as much flexibility to this  
7 as possible, and I know there's been a lot of anxiety  
8 and potentially misinformation about it. The idea is  
9 to develop a solution that works for every BID to  
10 just meet a simple goal of no bags on the street.

11 CO-CHAIRPERSON WON: Okay. Containers can  
12 be placed on the sidewalk?

13 DEPUTY COMMISSIONER GOODMAN: Sidewalk,  
14 street, we're happy to work with them as long as it  
15 meets existing rules about pedestrian access.

16 CO-CHAIRPERSON WON: Will the City allow  
17 for containers to be sited in locations that are not  
18 currently in a DSNY route and, if so, will DSNY  
19 collect bags from those locations if they're part of  
20 the BID?

21 DEPUTY COMMISSIONER GOODMAN: The short  
22 answer is probably. There's always a situation where  
23 you've identified a location that the BID would  
24 prefer and there's, you know, hey, listen, there's a  
25 one-ways street right there and we really can't go

2 that way with the truck. Generally speaking, we would  
3 like to be flexible in making this work.

4 CO-CHAIRPERSON WON: Certain districts  
5 have bus lanes or bike lanes that occupy the curb.  
6 How will this impact implementation?

7 DEPUTY COMMISSIONER GOODMAN: Just  
8 coordinate with DOT, and we'll figure out what the  
9 right locations are.

10 CO-CHAIRPERSON WON: There's currently a  
11 backlog of container approvals in the City Clean  
12 Curbs Pilot Program of six weeks or more. Will there  
13 be a grace period for BIDs that have applied for  
14 locations but are waiting for City approval?

15 DEPUTY COMMISSIONER GOODMAN: Of course,  
16 absolutely.

17 CO-CHAIRPERSON WON: Does the Public  
18 Design Commission need to approve these containers?

19 DEPUTY COMMISSIONER GOODMAN: The ones  
20 that BIDs would use, no. If they are temporary  
21 wheeled containers, they would not require PDC  
22 approval as far as I know.

23 CO-CHAIRPERSON WON: Great. What will  
24 happen when complexities prevent a BID from  
25

2 physically being able to comply, be it siting or  
3 funding?

4 DEPUTY COMMISSIONER GOODMAN: If we come  
5 out and the BID leadership comes out and we spend a  
6 period of weeks analyzing it and we can't find any  
7 viable option, we would have to have that  
8 conversation. I mean, as I just mentioned to Council  
9 Member Bottcher, we obviously have a limited number  
10 of exemption processes in place. I believe that there  
11 will be very few if any situations where no solution  
12 is found given the number of flexible options we  
13 intend to offer, but, certainly if there is no way to  
14 do it, there's no way to do it.

15 CO-CHAIRPERSON WON: Okay. Will the City  
16 provide resources for small BIDs in less-privileged  
17 areas? If so, well, we talked about how we're going  
18 to work with SBS for grants. Is DSNY planning to  
19 reduce the levels of services as part of this  
20 program?

21 DEPUTY COMMISSIONER GOODMAN: No.

22 CO-CHAIRPERSON WON: If not, will  
23 additional DSNY pickups occur given the concentration  
24 of waste and limited capacity in each container?



DEPUTY COMMISSIONER GOODMAN: We'll look at what's necessary. The point is to not leave the trash out there so we are not confident from our analysis that additional service is necessary but, if there's an area where that is part of the approach, happy to have that conversation.

CO-CHAIRPERSON WON: If a BID is not able to comply and they're forced to suspend supplemental sanitation services, will DSNY provide additional collection services in those districts that BIDs opt out of supplemental services?

DEPUTY COMMISSIONER GOODMAN: DSNY is not forcing anyone to suspend its supplemental sanitation services. I do not anticipate that there will be any issue with services continuing as long as the BID does want to continue to offer them.

CO-CHAIRPERSON WON: Okay. Last question is for the SBS grant, we're about to embark on a new budget process starting January. That means that even if we are able to negotiate this funding for the SBS grant to go to small businesses for the BIDs to be able to comply to the purchasing of containers, that's not going to be until June of 2025 and, once the capital funds are released for them to purchase

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2 and for the orders to be placed, I fear for the  
3 timeline that we have for 2025 that you have for the  
4 BIDs so I just want to make sure that we are having  
5 those conversations, and I'm going to turn it back to  
6 Chair Abreu.

7 CO-CHAIRPERSON ABREU: Thank you, Co-  
8 Chair.

9 I have questions on New York City bins,  
10 specifically wheelie bins for the one- to nine-unit  
11 properties. Up to now, how many bins have been  
12 ordered for us by buildings with up to nine  
13 residential units?

14 DEPUTY COMMISSIONER GOODMAN: About  
15 450,000.

16 CO-CHAIRPERSON ABREU: Okay, that's a  
17 pretty significant number. How many bins are  
18 outstanding such that homeowners are waiting for bin  
19 delivery?

20 DEPUTY COMMISSIONER GOODMAN: We get  
21 thousands of new orders a day so there will always be  
22 bins that have been ordered and not delivered. We  
23 have delivered well over 300,000 including, the  
24 commitment when pre-orders opened July 8th was that  
25 if you placed your order by October 1st you would

1 receive your bin by the start of the mandate,  
2  
3 November 12th. That was about 215,000 people ordered  
4 in that period. Every single one of them got their  
5 bin, and we've delivered another 100,000 or so since  
6 then, in just the period since November 12th which  
7 only eight days. There are a number of bins left to  
8 be delivered. They are on their way in the coming  
9 weeks, and obviously that's part of the reason why  
10 the warning period is in effect until January 2nd.

11 CO-CHAIRPERSON ABREU: Do you have any  
12 estimate on how many outstanding bins there are that  
13 need to be delivered?

14 DEPUTY COMMISSIONER GOODMAN: Somewhere in  
15 the neighborhood of 90,000 to 110,000. We could get  
16 an exact number.

17 CO-CHAIRPERSON ABREU: It's fair to say  
18 that at least 300,000 were already delivered?

19 DEPUTY COMMISSIONER GOODMAN: Absolutely,  
20 yes.

21 CO-CHAIRPERSON ABREU: Okay, and 450 is  
22 like the overall level...

23 DEPUTY COMMISSIONER GOODMAN: So far, but  
24 again, thousands of bins are ordered every single  
25 day.

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2 CO-CHAIRPERSON ABREU: How many a day on  
3 average are you getting?

4 DEPUTY COMMISSIONER GOODMAN: It basically  
5 comes and goes depending on whether you talk about  
6 the bins that day or not. We see a big bump from the  
7 Shaun Abreu Twitter feeds...

8 CO-CHAIRPERSON ABREU: Yeah, right.

9 DEPUTY COMMISSIONER GOODMAN: In bin  
10 orders and when everybody's on television, but we've  
11 had orders from a few hundred to 10,000 in a day, and  
12 we expect that to continue for a while and then to  
13 die down when the bins are saturated in the market  
14 and everybody has one.

15 I'll just mention, by the way, that there  
16 is now, as you may have heard, an additional option,  
17 in addition to being able to get them online at  
18 [www.bins.nyc](http://www.bins.nyc), they're now at every single New York  
19 City Home Depot store. There are 22 Home Depots in  
20 New York City, and you can get the NYC bin at all of  
21 those locations for the exact same price down to the  
22 cent as online. That was pretty amazing to get a  
23 major retailer to not do any markup, so you can order  
24 online for in-store pickup or you can just go by and  
25 get them if you don't want to wait for delivery.

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1  
2 CO-CHAIRPERSON ABREU: Okay. Do you  
3 anticipate that all the bins will be delivered by the  
4 time that enforcement will begin?

5 DEPUTY COMMISSIONER GOODMAN: Well, all of  
6 the bins that have been ordered by now, yes, but if  
7 you order your bin on December 31st, no, it won't be  
8 there January 2nd, right, and that's why...

9 CO-CHAIRPERSON ABREU: So if you're a  
10 property owner, you order by December 31st, there's a  
11 possibility that you can be penalized for not having...

12 DEPUTY COMMISSIONER GOODMAN: You  
13 should've ordered your bin a long time ago. The  
14 orders opened July 8th. At a certain point, you run  
15 the risk of a summons and then you get your bin and  
16 you stop getting summonsed.

17 CO-CHAIRPERSON ABREU: Is the marketing  
18 effort still in full force...

19 DEPUTY COMMISSIONER GOODMAN: Absolutely...

20 CO-CHAIRPERSON ABREU: To make sure people  
21 are ordering their bins?

22 DEPUTY COMMISSIONER GOODMAN: Knocking  
23 doors, speaking to community boards, doing press and  
24 everything we can, social media, whatever we can, and  
25 appreciate your continued partnership on that but,

1 obviously, if 450,000 of them have been ordered, the  
2 word is out there.  
3

4 CO-CHAIRPERSON ABREU: After 2026 when  
5 City-approved refuse bins are required for use by  
6 low-density buildings, will a building be issued a  
7 violation for setting their MGPP recycling out in a  
8 container that is not in a City-approved..

9 DEPUTY COMMISSIONER GOODMAN: No. That  
10 rule only applies to refuse.

11 CO-CHAIRPERSON ABREU: DSNY rules allow  
12 residents to use a refuse container that is up to 55  
13 gallons in size, but Otto's website only gives users  
14 the option to order a refuse bin that is at maximum  
15 43 gallons in size. Will residents have the option to  
16 purchase a 55-gallon bin from Otto in the future? If  
17 so, when will this offer be available?

18 DEPUTY COMMISSIONER GOODMAN: Let me  
19 answer that question, Mr. Chair, but first let me  
20 just clarify. I think I misunderstood your previous  
21 question. After June 1, 2026, MGP and paper will be  
22 able to continue to go out in a bag as they are now.  
23 If you put them in a bin, it has to be the NYC bin.  
24 No, like your own recycling bin. You don't need a bin  
25

2 but, if you use a bin, it has to be the NYC bin. So  
3 just to clarify that. I misunderstood your question.

4 On your question about the size of the  
5 bins, the 55-gallon maximum is a long-standing limit  
6 in DSNY rules, and it was actually developed based on  
7 the weight and size of a bin, the ability of  
8 Sanitation workers to get the bags out of it. It was  
9 crafted without any consideration of what kinds of  
10 bins are actually produced. 35, 45 are standard  
11 sizes. A 55-gallon bin is actually not a standard  
12 size that is made. We are looking into whether it  
13 would be possible to produce a 55-gallon bin without  
14 a substantially increased cost, given that it would  
15 be a custom job. If that's something that we can do,  
16 it is something we are interested in doing, but the  
17 issue is that a 55-gallon bin was set based on  
18 weight, not because it's an industry standard size  
19 that exists.

20 CO-CHAIRPERSON ABREU: So it's something  
21 that's still being considered?

22 DEPUTY COMMISSIONER GOODMAN: It is  
23 absolutely being considered.

24 CO-CHAIRPERSON ABREU: The agreement  
25 between DSNY and Otto includes a scope of service

1 which describes that Otto could be required to  
2 manufacture bins 60 to 65 gallons in size. Does DSNY  
3 intend to activate this section of the scope of  
4 service so that New York City residents can purchase  
5 this larger bin?  
6

7 DEPUTY COMMISSIONER GOODMAN: It is  
8 something that we are considering once those double-  
9 rear-tippers reach full fleet saturation. A 65-gallon  
10 bin would be far too heavy for a Sanitation worker to  
11 lift. They are New York's strongest, but there is  
12 still a limit. If we get to the point where there is  
13 no lifting required anywhere in the city, a 65-gallon  
14 bin is something we would like to have a contractual  
15 option to produce.

16 CO-CHAIRPERSON ABREU: Will Otto honor a  
17 purchase by Council Members using their discretionary  
18 funds for residential wheelie bins to then provide  
19 the bins to their constituents for free?

20 DEPUTY COMMISSIONER GOODMAN: Yeah, of  
21 course.

22 CO-CHAIRPERSON ABREU: How is the  
23 concessionaire making deliveries from North Carolina  
24 to New York City?  
25



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2 DEPUTY COMMISSIONER GOODMAN: They have a  
3 warehouse in Brooklyn.

4 CO-CHAIRPERSON ABREU: Say that again.

5 DEPUTY COMMISSIONER GOODMAN: They have a  
6 warehouse in Brooklyn so they bring them up from  
7 their factory, and they warehouse them in Brooklyn  
8 and then they have box trucks that go around and  
9 deliver them.

10 CO-CHAIRPERSON ABREU: Are bins being  
11 shipped in mass or via individual orders?

12 DEPUTY COMMISSIONER GOODMAN: No. In mass.  
13 There's a routing software so they'll load up a truck  
14 and, okay, today we're delivering all these. That's  
15 why sometimes you might think like, as a resident,  
16 it's a good thing to just be able to put out there,  
17 well, I ordered mine, you know, November 7th and my  
18 neighbor ordered his on November 18th, how come we  
19 got them the same day. It's because routing  
20 efficiencies. We deliver them the same day, but you  
21 both still got them.

22 CO-CHAIRPERSON ABREU: And how are they  
23 getting to the warehouse? Is it rail, truck, trailer?  
24  
25

1  
2 DEPUTY COMMISSIONER GOODMAN: I'm not  
3 sure. I could ask Otto if you're interested. I would  
4 imagine it's a combination.

5 CO-CHAIRPERSON ABREU: Yeah, if you can  
6 just get us that answer. That would be great, if you  
7 don't have that right now.

8 We've been told at hearings that if bins  
9 are stolen, people can file a police report and call  
10 their local precinct. What kind of interagency  
11 coordination is planned so that NYPD is informed of  
12 this policy and constituents are able to seamlessly  
13 make a claim?

14 DEPUTY COMMISSIONER GOODMAN: The police  
15 report process obviously is a well-established NYPD  
16 procedure for stolen property. Our Enforcement Team  
17 will coordinate with NYPD to make sure that there is  
18 the appropriate level of cross-agency coordination.

19 CO-CHAIRPERSON ABREU: Is this a concern  
20 that the Department shares of...

21 DEPUTY COMMISSIONER GOODMAN: About stolen  
22 bins generally?

23 CO-CHAIRPERSON ABREU: Yeah.

24 DEPUTY COMMISSIONER GOODMAN: You know,  
25 obviously it's something that we hear a lot, people's

2 concern about it. I have to tell you, I'm speaking  
3 anecdotally here, but when I hear about it, it's in a  
4 hypothetical, isn't my bin going to be stolen, and  
5 you hear all kinds of, oh, you know, I bet that  
6 someone's going to, you know, Chicago has bins,  
7 Pittsburgh has bins, Detroit has bins, a lot of  
8 cities that are a lot more dangerous than New York  
9 have bins. There is not some sort of perpetual  
10 epidemic of bin theft. It's one of those things that  
11 may be a problem during a rollout period, and we were  
12 concerned about it, which is why the bins have a big  
13 white space on the side to write your address, it is  
14 why they have an RFID tag, and it's why they have a  
15 serial number.

16 CO-CHAIRPERSON ABREU: Thank you. Some  
17 constituents are concerned about having multiple bins  
18 out on their block at any given time, like trash,  
19 recycling, organics. Can you speak to those concerns?

20 DEPUTY COMMISSIONER GOODMAN: I would say  
21 that many constituents are also concerned about  
22 having bags of trash out on their sidewalks.

23 CO-CHAIRPERSON ABREU: That is true. That  
24 is true. We know that constituents care about a lot

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1 of things, and so you're saying there's a largely  
2 high compliance rate. Do you have a number of...

3  
4 DEPUTY COMMISSIONER GOODMAN: Very high.

5 CO-CHAIRPERSON ABREU: Of like how many of  
6 them are getting stolen versus?

7 DEPUTY COMMISSIONER GOODMAN: Oh, on  
8 theft? No. I mean it's not something that we've  
9 received meaningful reports on. It's something that  
10 is almost always reported to us as a hypothetical,  
11 what if my bin gets stolen, not my bin has been  
12 stolen.

13 CO-CHAIRPERSON ABREU: I also understand  
14 that perfect can be the enemy of the good here.  
15 Things do happen, but we want to make sure that we're  
16 paying attention to everybody's concerns.

17 DEPUTY COMMISSIONER GOODMAN: Absolutely.

18 CO-CHAIRPERSON ABREU: Council Member  
19 Bottcher. I understand you have more questions.

20 COUNCIL MEMBER BOTTCHEER: Hi. Josh, a lot  
21 of my BIDs are here from throughout my Council  
22 District, and they're here because they're not happy  
23 with, generally speaking, a lot of them are telling  
24 me that they're not happy with how things are going  
25 with the dialogue with the Department of Sanitation,

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1 and a lot of them are shaking their heads yes as I  
2 say that. They were shaking their heads no to a lot  
3 of the stuff you were saying before. How are you  
4 communicating with them? Are you meeting regularly  
5 with them? Are you really making an effort to  
6 understand how their operations work? They're telling  
7 me that a lot of things you're asking them to do run  
8 afoul to their contracts, both with the City and  
9 other vendors. They're telling me that some of things  
10 that you're asking them to do would require Landmarks  
11 approval, Public Design Commission approval, because  
12 they're not going to do the wheelie bins. They would  
13 want fixed containers, but generally speaking, will  
14 you commit to meeting, sitting down with them  
15 physically and meeting and talking..

17 DEPUTY COMMISSIONER GOODMAN: Of course,  
18 and I will tell you, Council Member, that I would  
19 like to have a lot more meetings on this topic  
20 because we've had quite a few, the BID Association  
21 and with many of the individual BIDs, both at the  
22 policy-making level and at the operational level, our  
23 Chief of Cleaning Operations has met with a number of  
24 the BIDs directly. I would really like this to  
25 continue, particularly because it's obvious from the

1 sort of murmurs and whispers that I've heard behind  
2 me, that there's a tremendous amount of  
3 misinformation about the proposed policy. Again,  
4 there's no draft rule out. There's a considerable  
5 rollout time still to come. There's room for site  
6 visits and negotiations and conversations, and I am  
7 concerned that many of these civic leaders seem to  
8 have a misunderstanding about what the proposed  
9 policy is or will be so I appreciate you raising it  
10 because I would be ecstatic to continue to meet with  
11 these groups and clear that up.

13 COUNCIL MEMBER BOTTCHEER: Yeah, so next  
14 week is Thanksgiving week but perhaps the following  
15 week you would sit with them, there's a lot of them,  
16 so maybe break it up by borough or something, would  
17 you that?

18 DEPUTY COMMISSIONER GOODMAN: We'll work  
19 out an exact date. I don't want to commit and then it  
20 turns out someone's on vacation, whatever, but, yes,  
21 these meetings have to continue to happen because,  
22 again, just to restate, the core of the policy is  
23 very straightforward. All the businesses and many of  
24 the residents are not allowed to leave a bag of trash  
25 on the street, and the idea is that a BID bag, which,

2 again, historically, the BID bags were the most well-  
3 managed trash in the city. It was great. It was  
4 amazing. You walk down the street, and the BID bags  
5 are nicely put together on the corner, but now,  
6 because of the progress and the forward march of the  
7 trash revolution, the BID bag trash is just about the  
8 only uncontainerized trash left in some of these  
9 neighborhoods so the point is to come up with a  
10 solution, any solution, that gets it off the street  
11 and, if a BID is saying, well, you know, we would  
12 require Landmarks approval for on-street containers,  
13 then they can use wheelie bins. Well, we don't want  
14 to use wheelie bins. Okay, then let's begin the  
15 Landmarks process. Any one of these questions has a  
16 solution so let's get to work on it.

17 COUNCIL MEMBER BOTTCHEER: Thank you.

18 CO-CHAIRPERSON ABREU: Thank you, Council  
19 Member.

20 We will now pivot to questions on  
21 organics, and I think that would be the end of my set  
22 of questions.

23 We've heard from buildings having a hard  
24 time coming into compliance with organics despite a  
25 real desire to do so. They note issues with smell,

2 storage, and other complications. Our office has been  
3 connecting buildings to community composting groups  
4 like the Lower East Side Ecology Center who are doing  
5 on-demand trainings, and I know Council Member  
6 Bottcher is doing that as well in his District. What  
7 is DSNY's plan to make use of the warning period  
8 prior to issuing violations for failure to recycle  
9 organic waste?

10 DEPUTY COMMISSIONER GOODMAN: We do offer  
11 our own trainings as well, and we've done a number of  
12 site visits, we've met with everybody who's asked for  
13 a meeting with DSNY to go over it. We're engaging in  
14 continued outreach, we're in this statutory warning  
15 period now under Local Law 89 of 2023, where  
16 separation of organic waste is required but we may  
17 not yet issue fines until the spring of 2025 so  
18 outreach is ongoing. We are working with the  
19 community compost organizations to make sure that  
20 they're sort of aligned with us and that we're  
21 reaching complementary audiences.

22 On the sort of smell and storage issue,  
23 it's one where, I think again, the real issue is just  
24 the challenges in making change. The curbside  
25 composting program doesn't create new waste; it just



2 sorts it differently so it's like that stuff was  
3 already in your trash room so I've never been really  
4 clear on what the issue is there, but we're  
5 continuing to work. We have a dedicated team that  
6 does building site visits around this topic, and  
7 we're going to continue to meet with anybody who  
8 needs our assistance.

9 CO-CHAIRPERSON ABREU: You mentioned that  
10 you've had a number of meetings with everyone who's  
11 reached out to you. What are those meetings like?

12 DEPUTY COMMISSIONER GOODMAN: I think I  
13 have a number here actually. We have a number of  
14 programs that are different types of trainings. We  
15 have a clean buildings trainings for City agencies,  
16 we have one for building maintenance staff, we have  
17 one specifically for NYCHA, and we trained over 900  
18 people in FY24. We've actually done 750 already in  
19 FY25 so we're way on track to outpace that across  
20 these different training types. All of this is  
21 available to sign up for on our website, and then we  
22 also share information about it at outreach events  
23 and community boards.

24 CO-CHAIRPERSON ABREU: What type of in-  
25 person contact does DSNY engage in?

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DEPUTY COMMISSIONER GOODMAN: These training would be one of the main pieces. We have door-knocking still ongoing in the three boroughs that just started receiving service. As you recall, we knocked every door in the one- to nine-unit buildings in Brooklyn and Queens when their service started, and now we're doing the three remaining boroughs. That includes information about how to get an info session. We've got people out there knocking doors now.

CO-CHAIRPERSON ABREU: What type of coordination is being done with community composting that are doing a lot of education and outreach at this moment?

DEPUTY COMMISSIONER GOODMAN: So far some with a plan to do a lot more. So far, because those contracts have just sort of been coming online after the FY25 adopted budget, we have shared all of our outreach materials and have had conversations about, hey, this is what we're giving out at the doors, we'd love it if you were giving it out at the doors too, please take this to your outreach events. We've provided a lot of materials but, going forward into the new year, we plan to work with those groups more

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2 closely on specific coordination around like, hey,  
3 can you do some work in this neighborhood, we're  
4 getting a lot of questions from here, can you help us  
5 with that, so some now, those conversations are  
6 ongoing, and we certainly want to ramp it up.

7 CO-CHAIRPERSON ABREU: When is enforcement  
8 going to start?

9 DEPUTY COMMISSIONER GOODMAN: I believe  
10 the law says April 2025. It might be March 2025.  
11 Whatever it says in Local Law 89.

12 CO-CHAIRPERSON ABREU: So, there's ample  
13 opportunity here, right...

14 DEPUTY COMMISSIONER GOODMAN: Yes,  
15 absolutely there is.

16 CO-CHAIRPERSON ABREU: To be partnering  
17 with the community composting groups. We secured 6.6  
18 million dollars in funding this past year's budget  
19 for them. They're a tremendous resource for raising  
20 awareness, getting people excited about this. As I've  
21 indicated in past hearings and throughout the budget  
22 fight, I think now's the time. Let's come up with a  
23 plan, and I would love to see more collaboration  
24 between DSNY and community composting groups.

25

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2           Previously, DSNY told us that tenants and  
3 building residents would be responsible for reporting  
4 lack of brown bins in their buildings. I want to  
5 state again that I am very concerned with putting the  
6 onus on tenants, especially considering how  
7 unresponsive management can be, and many tenants  
8 quite frankly feeling afraid to speak up about some  
9 of these issues. What is the current data on warnings  
10 that DSNY has given buildings so far?

11           DEPUTY COMMISSIONER GOODMAN: I will just  
12 say on your concern about whether it's something that  
13 tenants would be comfortable doing, it can be done  
14 anonymously through 3-1-1 for what that's worth.  
15 There is a 3-1-1 to report building not composting  
16 and, as with any 3-1-1 SR, you don't have to give  
17 your name.

18           I don't have a number on the warnings. We  
19 can look into it, but the other thing to keep in mind  
20 around this, I know it's a new program, we have about  
21 20 years of enforcement practice around failure to  
22 separate MGP paper, right, and the process is  
23 basically the same. If you lived in a building that  
24 wasn't recycling, you would either report it through  
25 3-1-1 or you would talk to your building management,

2 and our enforcement is the same. We go and check out  
3 what's left out at the curb, and that's what we  
4 intend to continue to do, is to treat it just the  
5 same as other forms of recyclable material.

6 CO-CHAIRPERSON ABREU: I'm curious to know  
7 why the Department doesn't have a number of warnings  
8 so far since it's been implemented now for weeks.

9 DEPUTY COMMISSIONER GOODMAN: Sure. I just  
10 don't have it in front of me. I mean, I know that the  
11 topic of this hearing was containerization so failure  
12 to source separate is something that we can pull for  
13 you.

14 CO-CHAIRPERSON ABREU: Yeah, I'm pretty  
15 sure there was notice that this hearing would also  
16 cover organics.

17 DEPUTY COMMISSIONER GOODMAN: Oh, yeah. I  
18 thought it was containerization of organics, but I  
19 apologize that we don't have it in front of you.

20 CO-CHAIRPERSON ABREU: Just making sure we  
21 didn't, we don't like to blindside anyone here.

22 DEPUTY COMMISSIONER GOODMAN: No, we read  
23 it as containerization of trash and organics, like...

24 CO-CHAIRPERSON ABREU: Okay, so if you can  
25 get us that information...

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2 DEPUTY COMMISSIONER GOODMAN: Sure we can.

3 CO-CHAIRPERSON ABREU: That'll be great,  
4 and I hope the numbers are high because we want  
5 buildings to be compliant. If they're low, let's  
6 start enforcing because this is something that we  
7 need to make sure that we're diverting from the  
8 landfill and, again, for the reasons I mentioned.

9 DEPUTY COMMISSIONER GOODMAN: Completely  
10 agree.

11 CO-CHAIRPERSON ABREU: What is the plan  
12 for robust enforcement after the warning period, and  
13 how does DSNY plan to engage large buildings in  
14 particular, which we've seen to be the slowest to  
15 come online?

16 DEPUTY COMMISSIONER GOODMAN: It's  
17 functionally the same as our enforcement about  
18 failure to separate recyclables, which means it's  
19 based on an analysis of what's out at the curb. We  
20 also know from 20 years of enforcing about recycling  
21 violations that the bigger buildings are often the  
22 offenders on this, and certainly we plan to target  
23 our work in the highest density parts of the city.

24 CO-CHAIRPERSON ABREU: What can DSNY do to  
25 assist communities who have complained that their

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1 building does not allow them to comply with organic  
2 recycling requirements? Is that the 3-1-1 complaint  
3 you referred to? Is there another way?  
4

5 DEPUTY COMMISSIONER GOODMAN: A 3-1-1  
6 complaint would be the right thing to do because then  
7 we can go and issue now warning and, later, summonses  
8 based on that.

9 CO-CHAIRPERSON ABREU: Is there an email?

10 DEPUTY COMMISSIONER GOODMAN: This is  
11 always sort of the issue. The law is clear that if a  
12 building has four or more units, the building  
13 management must provide a place for the separation of  
14 material. That's in the law that you all passed. But  
15 DSNY does have the ability to go inside private  
16 property, like we can't bang on the door and, hey, I  
17 have to come in and see your trash room and do an  
18 inspection, right. It's not something that we're able  
19 to do. So, our enforcement is based on what's out at  
20 the curb.

21 CO-CHAIRPERSON ABREU: I understand that  
22 there's a legal limitation, but DSNY can go inside  
23 businesses. Is that an authority that DSNY would like  
24 to have access to private buildings?  
25

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2 DEPUTY COMMISSIONER GOODMAN: I'm not sure  
3 whether it's an issue, I don't know if the First  
4 Deputy Commissioner knows whether it's an issue of  
5 legal authority or an issue of staff capacity, but  
6 it's something that has not been part of our policy  
7 to be able to go in and inspect trash rooms inside  
8 buildings.

9 CO-CHAIRPERSON ABREU: I think that's a  
10 huge missed opportunity for increasing compliance.

11 FIRST DEPUTY COMMISSIONER LOJAN: I  
12 believe it's more of a staff capacity issue. It's  
13 very time-intensive and it requires us to gain access  
14 to the building so that's part of the challenge we  
15 have with it, but it is something that we would look  
16 to focus on.

17 CO-CHAIRPERSON ABREU: Are there  
18 inspections being done currently for recycling  
19 compliance, for instance, in building?

20 DEPUTY COMMISSIONER GOODMAN: Only at the  
21 curb, not inside.

22 CO-CHAIRPERSON ABREU: I think this is a  
23 huge missed opportunity on City, I mean that was I  
24 guess news to me, but it's a huge missed opportunity  
25 I believe. I think that explains why a lot of



2 buildings are not complying. All right, well, we'll  
3 get back to that.

4 My two last questions, and I believe that  
5 you will confirm this, we've heard reports that DSNY  
6 has run out of free brown bins and that folks in  
7 affected boroughs are being told to purchase their  
8 own bin and put a DSNY sticker on it. Can you confirm  
9 if this is true?

10 DEPUTY COMMISSIONER GOODMAN: No, it's not  
11 an issue of having run out. It's that every borough  
12 when service came on had a set period of time where  
13 you could get a free bin. That period has now passed,  
14 right, so in Brooklyn it was three months, in Queens  
15 it was three months, for the Bronx, Manhattan, and  
16 Staten Island it was three months. They were  
17 different as the challenges came on, but it was  
18 always a three-month period, and that window closed  
19 October 28th. Now, if you need a new one, you didn't  
20 get one in time, you just need an additional one,  
21 maybe you want a second one which is great, you can  
22 go and purchase one at bins.nyc or use your own bin...

23 CO-CHAIRPERSON ABREU: So what is the City  
24 doing with its current brown bin stock?

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2 DEPUTY COMMISSIONER GOODMAN: We tried to  
3 be judicious with our budgeting and not over-purchase  
4 a tremendous amount. We have a small number left  
5 which would be used for maybe schools or for giveaway  
6 events with Council Members, but the order window was  
7 a set period of time. It was always announced to be a  
8 set period of time from when it went open. In the  
9 three boroughs that just came online at the end of  
10 July, it was said it would be until the end of  
11 October. By the way, for what it's worth, I mean as  
12 the Commissioner mentioned in her testimony, the  
13 Staten Island number, which was the most recent  
14 tranche, was like double what we had had in Brooklyn  
15 and Queens so the demand for this program is clearly  
16 there and is very gratifying to see and, if Council  
17 Members are interested in distributing free bins,  
18 it's something we always want to work on.

19 CO-CHAIRPERSON ABREU: I mean I want  
20 constituents to be able to still order them and get  
21 them free from the Department before you even give  
22 them to Council Members. It seems a little arbitrary  
23 for there have been a set deadline and you still have  
24 more, and why can't you just do another free  
25 giveaway?

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2 DEPUTY COMMISSIONER GOODMAN: There's a  
3 small number available. We could do a couple hundred  
4 or a couple thousand as a first come/first serve but,  
5 considering that Staten Islanders alone requested  
6 60,000 and received them, I don't think that would be  
7 a meaningful program.

8 CO-CHAIRPERSON ABREU: How small are we  
9 talking?

10 DEPUTY COMMISSIONER GOODMAN: It's a few  
11 thousand, and we would use them institutionally, like  
12 we need some, so we'd use them institutionally. If  
13 you want to work out something to do limited giveaway  
14 events and if you want to discuss opportunities to  
15 open that again in the future, certainly..

16 CO-CHAIRPERSON ABREU: The Mayor should  
17 pay for your bins.

18 DEPUTY COMMISSIONER GOODMAN: The bins are  
19 available for a very reasonable price. Everybody had  
20 the chance to get a free one. Everybody in the entire  
21 city who requested a free one did receive one and, if  
22 you need another one, they're available for purchase.

23 CO-CHAIRPERSON ABREU: My last question,  
24 there may be times when temperatures drop below  
25 freezing on the night prior to collection and organic

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1 waste that is set out freezes and sticks to itself in  
2 the brown bin. Does DSNY have a protocol in place  
3 that Sanitation workers can follow when this happens?  
4

5 FIRST DEPUTY COMMISSIONER LOJAN: I can  
6 take that. We really don't encounter much of that. A  
7 lot of the Sanitation workers just pull out the bags  
8 whenever they can, but they can report that to 3-1-1,  
9 their local districts if they find a specific  
10 problem, but generally we don't have that kind of  
11 problem.

12 CO-CHAIRPERSON ABREU: Thank you for your  
13 answers.

14 CO-CHAIRPERSON WON: We have a full room  
15 right now of many who are here to testify from the  
16 BIDs, and it's just been alerted to me again after  
17 hearing the testimony, smaller BIDs are stating that  
18 they will have to stop sidewalk sweeping and the  
19 replacing of liners of full public trash receptacles  
20 if DSNY's rules and SBS does not grant them finances  
21 in time to meet your deadline. If the rules don't  
22 allow for compliance and there is no financial  
23 support, this will just result in dirtier streets.  
24 Can you ensure that this will not happen, and will  
25 you stay to listen to their testimonies to craft

2 better rules so that they have clearer answers for  
3 compliance?

4 DEPUTY COMMISSIONER GOODMAN: Senior DSNY  
5 staff and legal counsel will be here until everyone  
6 has testified. I, again, have committed multiple  
7 times as did the Commissioner that we will meet with,  
8 hear from the BIDs, and that we believe that a lot of  
9 these concerns are warranted and a lot of these  
10 concerns are based on misunderstandings of the  
11 policy, and we look forward to clarifying that with  
12 everyone.

13 CO-CHAIRPERSON WON: Lastly, in Long  
14 Island City, we have very, very large apartment  
15 buildings, like usually 68 to 72 stories with  
16 thousands of people living in them, and every time  
17 there's Monday pickup, the trash fills up the whole  
18 entire block so I don't know how many containers they  
19 could possibly purchase to meet these requirements so  
20 I don't know what we're going to do.

21 DEPUTY COMMISSIONER GOODMAN: It's street  
22 trash collected by the BIDs is what you're referring  
23 to?

24 CO-CHAIRPERSON WON: No, not from the BIDs  
25 but separately from residents.

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DEPUTY COMMISSIONER GOODMAN: Right.

Remember the large buildings don't use these. They'll be getting the Empire Bins from the Contenur contract.

CO-CHAIRPERSON WON: Okay.

DEPUTY COMMISSIONER GOODMAN: The four-cubic yard on-street containers. These are for buildings with one to nine units.

CO-CHAIRPERSON WON: Okay. Because we just have massive, massive buildings, and I have not seen any of the Empire Bins.

DEPUTY COMMISSIONER GOODMAN: Right, because they're beginning in spring 2025 in Community Board 9.

CO-CHAIRPERSON WON: Okay, and then me next.

DEPUTY COMMISSIONER GOODMAN: Any expansion will require the passage of Council Member Hudson's bill.

CO-CHAIRPERSON WON: Okay, got it. (INAUDIBLE) pass that bill.

Okay, that's it. I'll turn it back to the Chair.

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2 CO-CHAIRPERSON ABREU: Thank you to the  
3 Admin for testifying. This panel is hereby excused.  
4 Thank you.

5 I now open the hearing for public  
6 testimony. I remind members of the public that this  
7 is a formal government proceeding and that decorum  
8 shall be observed at all times. As such, members of  
9 the public shall remain silent at all times.

10 The witness table is reserved for people  
11 who wish to testify. No video recording or  
12 photography is allowed from the witness table.  
13 Further, members of the public may not present audio  
14 or video recordings as testimony but may submit  
15 transcripts of such recordings to the Sergeant-at-  
16 Arms for inclusion in the hearing record.

17 If you may please keep it down? Thank  
18 you.

19 If you wish to speak at today's hearing,  
20 please fill out an appearance card with the Sergeant-  
21 at-Arms and wait to be recognized. When recognized,  
22 you will have two minutes to speak on today's hearing  
23 topic, Containerization of Refuse and Organic Waste.

24 If you have written statement or  
25 additional written testimony you wish to submit for

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1 the record, please provide a copy of that testimony  
2 to the Sergeant-at-Arms. You may also email written  
3 testimony to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) within 72  
4 hours of this hearing. Audio and video recordings  
5 will not be accepted.  
6

7 I am now calling up the first panel.

8 Laura Rothrock, Corey Kunz, Dirk McCall, and Tiera  
9 Mack.

10 CO-CHAIRPERSON WON: Thank you. Laura, you  
11 may begin when ready.

12 LAURA ROTHROCK: Thank you. Good  
13 afternoon, Chairs Abreu, Won, and Members of the  
14 Committee on Sanitation and Contracts. My name is  
15 Laura Rothrock, and I'm here today on behalf of the  
16 NYC BID Association where I'm Co-Chair of the  
17 Sanitation Working Group. I also serve as the  
18 Executive Director of the Long Island City  
19 Partnership. The BID Association represents 76 BIDs  
20 citywide, many of whom are here to testify. We  
21 appreciate you holding this hearing on waste  
22 containerization which is a key issue to our  
23 operations. I'm going to go a little bit off script  
24 based on some of the testimony from the Department of  
25 Sanitation. I have been a civic leader working on



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2 this issue for the past year, and any  
3 misunderstanding is the result of DSNY not giving us  
4 clarification on some of these rules so I appreciate  
5 Council Member Won and Council Member Abreu for  
6 bringing this to a public forum today where we can  
7 finally get some answers. BIDs have helped fill  
8 sanitation gaps in underserved areas including  
9 bagging and relining overflowing corner baskets that  
10 DSNY couldn't empty fast enough. BIDs collect or  
11 replace 10,000 trash bags daily, and those don't all  
12 fit in a wheelie bin so while some larger BIDs can  
13 haul them to Sanitation warehouses like the  
14 Commissioner mentioned, Times Square Alliance and  
15 Downtown Alliance that have budgets of 20 million  
16 dollars annually, some BIDs have under 100,000  
17 dollars annually in their budgets, and so most BIDs  
18 leave bags on the sidewalk for DSNY for pickup. Some  
19 BIDs have joined the Clean Curbs Program, but  
20 expanding containerization for all public trash would  
21 be prohibitively expensive, and it's not just about  
22 the cost. It also is about DOT and siting these in  
23 the curb. Many BIDs have applied for the Clean Curbs  
24 Program to buy these containers, and DOT has rejected  
25 all of the locations that BIDs have applied for so we

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2 simply can't comply with this without partnership  
3 from DSNY, and we have continually tried to meet with  
4 them and they have committed to meeting with us, but  
5 we have yet to have any of those meetings so we  
6 remain committed in partnering with DSNY, but we urge  
7 clarity flexibility and support to make this mandate  
8 feasible for all BIDs. Thank you.

9 CHAMBERS: (APPLAUSE)

10 CO-CHAIRPERSON ABREU: Sorry. Just keep  
11 your excitement to a wave if you can. I understand  
12 there's a lot of similarly minded individuals in here  
13 today.

14 Next up, just go from right to left and  
15 say your name when you speak.

16 COREY KUNZ: Good afternoon. I'm Corey  
17 Kunz, the Senior Vice President of Operations for the  
18 Hudson Square Business Improvement District. Since  
19 2009, we've overseen the transformation of  
20 Manhattan's former Printing District into a thriving  
21 creative hub. The area we manage is generally bounded  
22 by Clarkson Street in the north, 6th Avenue in the  
23 east, Canal Street in the south, and West Street in  
24 the west. I'm here today to comment on the new  
25 containerization requirements in New York City.

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2 Legislation being discussed today increases the  
3 penalties for failure to store waste in the required  
4 receptacles and at mandated times on the streets or  
5 sidewalks prior to collection by DSNY. While we  
6 understand and support the public policy to get bags  
7 up the street and have actively participated in the  
8 Clean Curbs Program to reduce bags in our district,  
9 we are concerned with how containerization efforts  
10 will impact BIDs. Over the last two years, DSNY has  
11 expressed to us and our colleagues that organizations  
12 like ours will no longer be able to bag public  
13 garbage and leave it on the street for DSNY to  
14 collect. Instead, we will be expected to cart garbage  
15 to a DSNY garage or purchase enough containers  
16 throughout the neighborhood to store bags awaiting  
17 pickup by DSNY. This approach would be a huge  
18 financial on operation burden HS BID and all BIDs  
19 across the city. Unlike other BIDs that focus mostly  
20 on sanitation and security, we were founded to  
21 implement streetscape improvements to make Hudson  
22 Square a place that prioritizes people over vehicles.  
23 We started supplemental sanitation services in the  
24 fall of 2020 because of service reductions at DSNY  
25 during the COVID-19 pandemic to keep our district

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2 attractive and welcoming as we were trying to lure  
3 office workers and visitors back to the neighborhood.  
4 In the case of our BID, we are concerned these  
5 financial penalties and exorbitant costs to comply  
6 with this new mandate could force us to cease  
7 providing supplemental sanitation services entirely,  
8 which would result in the overflowing trash cans and  
9 dirtier city sidewalks. The timing of this  
10 requirement is particularly concerning as our central  
11 business district is finally recovering from the  
12 economic decline caused by COVID-19. Pedestrian  
13 traffic is currently increasing as we welcome new  
14 major office tenants to the district. With more foot  
15 traffic also comes more public garbage. While we  
16 support and appreciate the important goals of  
17 containerization, we look forward to working with the  
18 City.

19 CO-CHAIRPERSON ABREU: Thank you.

20 DIRK MCCALL DE PALOMÁ: Thank you. Thank  
21 you for this opportunity to bring testimony. I'd like  
22 to thank Chairwoman Won from the Contracts Committee  
23 and Chair Sean Abreu from the Sanitation Committee.  
24 My name is Dirk McCall de Palomá, and I'm the  
25 Executive Director of the Sunnyside Shines Business

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2 Improvement District in Queens. This is an incredibly  
3 important topic and, as you can see, we have a large  
4 number of people from the BID Association because  
5 this proposal will affect all the smaller BIDs across  
6 the city. We cover 12 blocks on the north and south  
7 sides of Queens Boulevard from 38th street to 50th  
8 street and the first six blocks at Greenpoint Avenue,  
9 the first block of Roosevelt Avenue. Our assessment's  
10 a mere 360,000 annually. We're not even one of the  
11 smaller BIDs, but we're not well-financed like the  
12 Downtown Alliance or Times Square Alliance, the BIDs  
13 that the Sanitation Department rightfully points out  
14 can do containerization and have already done so  
15 because they have the funds to do it. We contract out  
16 our street sanitation work to Street Plus as we have  
17 since our formation in 2008, and our street team are  
18 very good at cleaning the sidewalks, making sure the  
19 trash cans are emptied. Queens Boulevard has a lot of  
20 restaurants. We have to empty these trash cans twice  
21 a day. If we're not emptying them, the trash is going  
22 to be overflowing, it's going to be everywhere. The  
23 large trash cans that they had have been replaced by  
24 smaller trash cans that only take up half the trash  
25 so it's already problematic, but we appreciate these

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2 goals but these goals, there's no mechanism to figure  
3 out how we're going to pay for it, how we're going to  
4 make certain the BIDs are able to do this. We're not  
5 opposed to containerization. We would support this  
6 but siting, you have to figure out where you're going  
7 to put these bins, where are they going to go, who's  
8 going to pay for the bins? The Department of  
9 Sanitation used to have the City Bin Program where  
10 you could apply and they would pay you back for  
11 buying the first City Bin. We tried to do that. We  
12 weren't successful in doing that. We need to have a  
13 mechanism where we're going to be able to fund siting  
14 these additional storage locations, figuring out how  
15 we're going to pay for additional staff to transport  
16 the trash bags. We have at least two trash bags per  
17 trash can.

18 CO-CHAIRPERSON ABREU: Thank you.

19 TIERA MACK: Hi. Thank you for having us.

20 My name is Tiera Mack. I am the Executive Director of  
21 the Pitkin Avenue BID in Brownsville, and I am a  
22 current City Bin user opposed to mandatory  
23 containerization for BIDs in commercial corridors.  
24 The Pitkin Avenue BID has an assessment of 225,000  
25 dollars. We cover 32 block faces and currently hold

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1  
2 52 litter baskets over 64 corners. The Pitkin Avenue  
3 BID has both in-house sanitation and a vendor. In  
4 FY24, our in-house vendor and sanitation staff  
5 provided 6,200 hours of service and while the vendor  
6 provided 2,100 hours at \$32.99 an hour, Pitkin bid  
7 did 4,000 hours at 19 dollars an hour. In FY24, our  
8 total spend on sanitation was 145,000 dollars with  
9 the BID assessment covering 92,000 and grants  
10 covering 51,000, and the majority of that is from the  
11 Small BID Grant, which is not baselined or guaranteed  
12 year over year. We do 39,000 bags of trash a year. We  
13 are able to containerize a third of them. We  
14 currently have 13 modules over three locations and  
15 they hold 65 50-gallon bags. The BID team  
16 containerizes about three hours a day and that's  
17 20,000 dollars a year. Though commercial corridor  
18 containerization has many benefits, there are also  
19 many limitations such as illegal dumping, which  
20 counteracts the intention of the program. Staff and  
21 labor costs. This is a 20,000-dollar initiative in  
22 addition to our street sweeping. Pay equity. In-house  
23 and vendor staff who receive lower pay are expected  
24 to do the jobs of DSNY staff. Maintenance costs.  
25 Since our installation, the BID has spent about 7,500

1 dollars on lock replacement, door repair, and other  
2 related expenses. The fight over public space. The  
3 community moving units from the curb to the sidewalk  
4 will prevent DSNY pickup and reduce parking is  
5 crucial in BIDs that are further away from train  
6 stations that have limited parking spaces or lots,  
7 such as on Pitkin Avenue. So, while we do believe in  
8 containerization and I've been doing it for two  
9 years, it is extremely difficult, extremely costly,  
10 and there are no additional funds to help us do this,  
11 and it's not feasible in our districts because of the  
12 limited amount of public space. Thank you.

14 CO-CHAIRPERSON ABREU: Thank you. All  
15 right. This panel is excused.

16 I'm now going to call up the next panel,  
17 beginning with James Martin, Noah Sheroff, my  
18 apologies if I'm butchering your name, Matt Molloy,  
19 and Rebecca Poole.

20 All right. You may begin.

21 JIM MARTIN: All right. Good afternoon,  
22 Chairs Abreu and Won, Members of the Committees on  
23 Sanitation Contracts. I'm Jim Martin, Executive  
24 Director of ACE, Association of Community Employment.  
25 ACE is a citywide non-profit that supports New



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2 Yorkers who have histories of homelessness,  
3 incarceration, and addiction by providing job  
4 training, work experience, and a lifetime support  
5 network that helps participants achieve economic  
6 independence. We are widely known in the council for  
7 our work providing supplemental sanitation services  
8 to many Council Districts here in the city, working  
9 with over 40 Council Members across five boroughs. We  
10 are so deeply grateful for the City Council's  
11 continued support of ACE's supplemental sanitation  
12 services through the Cleanup Initiative. As you know,  
13 this funding not only helps to keep the city clean,  
14 but also offers life-changing employment  
15 opportunities for our workforce development program  
16 participants. We have significant concerns about the  
17 planned rollout of containerization, including the  
18 DSNY directive that ACE is prohibited from leaving  
19 tied up trash bags adjacent to public garbage  
20 receptacles between DSNY pickups. Instead, DSNY will  
21 require us and our local BID partners to either  
22 identify alternative off-street collection locations  
23 or to transport the bagged trash to DSNY facilities  
24 ourselves. Unlike BIDs which are localized, ACE works  
25 over five boroughs. This will be both operationally

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2 and economically infeasible for us, and attempting to  
3 comply with this requirement will significantly  
4 impact our ability to deliver direct services. For  
5 context, last year ACE removed 900,000 bags of  
6 garbage from litter receptacles across Council  
7 Districts. Asking our workers to transport or truck  
8 these bags multiple blocks or even across the borough  
9 is simply impossible. Even if more storage solutions  
10 are identified, by complying with this requirement,  
11 ACE crews will spend significantly more time moving  
12 trash to designated drop-off points and less time  
13 providing the services that New Yorkers have come to  
14 rely on from us, including street sweeping, graffiti  
15 removal, senior snow removal, and sidewalk power  
16 washing, in turn negatively impacting the quality of  
17 life for hundreds of thousands of New Yorkers. Should  
18 the implementation of this policy result in ACE being  
19 unable to meet the terms of the Cleanup Initiative  
20 funding, we would have no choice but to terminate the  
21 employment of over 150 full-time graduates of our  
22 workforce development program. These men and women  
23 have worked hard and ACE's programs have come  
24 barriers to employment. They work very hard. They do  
25 so faithfully, serving the city every day. I hope

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1 that you will consider those folks when you take the  
2 measure under consideration. Thank you.

3  
4 CO-CHAIRPERSON ABREU: You got it. Next.

5 NOAH SHEROFF: Good afternoon to the  
6 Chairs and Members of the New York City Council  
7 Sanitation Committee. My name is Noah Sheroff. I  
8 serve as the Executive Director of the Bayside  
9 Village Business Improvement District in Northeast  
10 Queens. I would like to thank you for the opportunity  
11 to testify today. I would like to provide some  
12 insight into what a small BID is. Our situation  
13 applies to several BIDs across the five boroughs. The  
14 Bayside Village Business Improvement District is a  
15 small district covering Bell Boulevard in Northeast  
16 Queens from 35th Avenue to Northern Boulevard and  
17 41st Avenue just off of Bell, about 10 blocks of  
18 commercial residential, office, and mixed-use  
19 property. Currently, our assessment is 230,000  
20 dollars per year. Of that, approximately 69,000 per  
21 year is paid to our contracted supplemental  
22 sanitation service provider, Streets Plus. The BID  
23 receives grants, but they are not guaranteed year-to-  
24 year and are often, if not always, reimbursement-  
25 based. We pay money generally received from the

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2 assessment and get that money back. The BID contracts  
3 one worker, a rockstar named Yao, who works six days  
4 per week. According to the September monthly  
5 snapshot, 175 service hours were clocked and 501  
6 garbage bags were used. Yao currently places the bags  
7 next to each receptacle. The new mandate to  
8 containerize bags will not just create a greater  
9 burden for Yao, but the BID as well. Plain litter  
10 pickup services are costing close to 30 percent of  
11 the assessment. Adding additional services, like  
12 hauling all the bags to a central location or carting  
13 to a Sanitation garage, will further squeeze the  
14 budget and make it extraordinarily difficult to run  
15 programs.

16 Another matter that I would like to bring  
17 to your attention is that the practice of improper  
18 disposal does occur from the general public, as was  
19 mentioned earlier, and business owners have suffered  
20 this, creating situations such as this.

21 CO-CHAIRPERSON ABREU: Thank you very  
22 much. Let me see it.

23 NOAH SHEROFF: Yes, I can submit this as  
24 well.

25 CO-CHAIRPERSON ABREU: Please submit it.

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NOAH SHEROFF: Thank you.

CO-CHAIRPERSON ABREU: Thank you. Next up,  
please.

MATT MOLLOY: Good afternoon. My name is  
Matt Molloy. I'm a Sanitation Supervisor for the  
Garment District Alliance, a Business Improvement  
District in midtown Manhattan. The Garment District  
Alliance supports containerized garbage. However,  
there are aspects of Intro. 57 to which we  
strenuously object and we urge you to not support  
this bill. The Garment District is a non-profit  
501(c)3 that provides supplemental neighborhood  
sanitation services to the city's existing municipal  
DSNY service. It is clearly stated in our agreement  
with the City that the City cannot reduce service in  
a BID district unless the service is also being  
reduced citywide. In other words, a BID cannot be  
penalized for assisting the City with their  
obligation to clean the streets and remove publicly  
generated waste from public trash receptacles. The  
City is required to provide public waste receptacles  
on our streets, not BIDs. The Garment District will  
not privately pay for standard NYC containers  
required by DSNY. A BID may opt at their own cost to

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2 provide non-standard waste receptacles, but we cannot  
3 pay for City property or face penalties for not  
4 providing them. Similarly, the Garment District  
5 should not be forced to undertake responsibility for  
6 mapping locations of proposed containers. These are  
7 city streets, and DSNY must step up and manage them,  
8 including the siting of waste receptacles. The  
9 Garment District also strenuously objects to the  
10 proposal that we could be fined for leaving bags of  
11 garbage on the corners for DSNY collection. The  
12 contents of the bags that the GDA places on the  
13 corners are publicly generated street litter that GDA  
14 sweeps up to improve our neighborhoods.

15 CO-CHAIRPERSON ABREU: Make sure to submit  
16 your testimony.

17 MATT MOLLOY: Can I continue a paragraph?

18 CO-CHAIRPERSON ABREU: Yeah, you may  
19 continue a paragraph.

20 MATT MOLLOY: BIDs are voluntarily formed  
21 organizations which help the neighborhoods have clean  
22 and well-maintained environments in cooperation with  
23 and supplement to government agencies. They are not  
24 formed as the bill intends to replace or take on  
25 responsibility of government. This bill violates an

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2 agreement with the City and undermines the goodwill  
3 between public and private sector. We recommend the  
4 Council send this bill back to DSNY to work with the  
5 community groups to develop a better containerization  
6 plan. Thank you.

7 CO-CHAIRPERSON ABREU: Thank you.

8 REBECCA POOLE: Thank you, Chairs Abreu  
9 and Won, for holding this important hearing about  
10 waste containerization. We appreciate the opportunity  
11 to submit testimony. The Council of New York  
12 Cooperatives and Condominiums is a membership  
13 organization that provides advocacy, information, and  
14 education for housing cooperatives and condominiums  
15 throughout New York City. Over 170,000 New York  
16 families make their homes in CNYC member buildings.  
17 We applaud the City Council's determination to  
18 improve the quality of life for New Yorkers through  
19 containerization. However, many of our member  
20 buildings will be significantly negatively impacted  
21 by Intro. 2744 and Intro. 949, and our smaller member  
22 buildings have already been negatively affected by  
23 the implementation of containerization. Their issues  
24 will not be addressed by Intro. 2775. Many do not  
25 have room for the regulated bins. Several have

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2 received confirmation that the new bins are blocking  
3 fire exits. Waivers are not easily accessible. Medium  
4 and large-sized cooperatives and condominiums will  
5 also face granular issues with the location,  
6 installation, and use of permanent garbage  
7 structures. We respectfully request that Intro. 2775  
8 and Intro. 2744 be amended to require outreach and  
9 the formation of working groups that include co-op  
10 and condo homeowners in order to provide feedback.  
11 Most importantly, we ask you to reject the apparent  
12 inequity that exists between Intro. 2775 and Intro.  
13 2744. Like single-family homeowners, cooperative  
14 shareholders and condominium unit owners are  
15 homeowners who pay real estate taxes for services. We  
16 respectfully request that they be accorded the same  
17 rights and privileges as all other homeowners under  
18 the City's Administrative Code. The cost of  
19 installing and maintaining the permanent bins to  
20 improve the quality of life for all New Yorkers  
21 should come from the City's general fund and not be  
22 paid for by co-op and condo homeowners. Lastly, we  
23 are opposed to Intro. 949. Logistically, it is  
24 uncertain where dumpsters of the specified size  
25 should be placed and, given the dumpsters would



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2 reduce visibility, it would impede public safety.

3 Thank you for the opportunity.

4 CO-CHAIRPERSON ABREU: Thank you very  
5 much. This panel is now excused.

6 Mark Dicus, Jeffrey LeFrancois, Scott  
7 Hobbs, and Matt Jozwiak.

8 SCOTT HOBBS: Hi. Good morning, Chairs  
9 Abreu, Won, and the Members of the Committee. My name  
10 is Scott Hobbs, and I serve as the Executive Director  
11 of the Village Alliance. Since 1993, we have  
12 supported Greenwich Village's commercial corridors,  
13 which are home to predominantly small and independent  
14 businesses. We share the Department of Sanitation's  
15 goal of removing trash bags from the street. For over  
16 30 years, we've promoted supplemental sanitation  
17 services in corridors underserved by City Sanitation.  
18 However, DSNY's proposal to mandate waste  
19 containerization for public refuse bagged by the BID  
20 for DSNY pickup is an operational and financial  
21 challenge that is insurmountable for small BIDs like  
22 mine. First, implementing containerization requires  
23 collaboration with DSNY, DOT, and the BIDs. In 2022,  
24 despite receiving a DSNY grant for containerization,  
25 we were unable to place them due to disagreements

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2 between these agencies on placement. Second, 70  
3 percent of our 1.4-million-dollar budget is already  
4 allocated to sanitation and public safety. We cannot  
5 fund containerization infrastructure without  
6 significant cuts to these services. Unlike larger  
7 BIDs, we lack the resources to absorb the additional  
8 costs. Moreover, enforcement of this unfunded mandate  
9 would reduce and eliminate our supplementary  
10 sanitation services, leading to overflowing bins and  
11 undermining the goal of cleaner streets. BIDs were  
12 established to supplement these City services, not  
13 replace them. Shifting core responsibilities without  
14 financial support contradicts this intent. To address  
15 these issues, we urge the City to provide financial  
16 assistance for containerization infrastructure,  
17 collaborate with BIDs to identify feasible solutions  
18 for container placement, and postpone enforcement  
19 until it is practically feasible. The Village  
20 Alliance remains committed with working with the City  
21 and stands ready to partner with DSNY. However, we  
22 need equitable, realistic solutions to account for  
23 the unique challenges of smaller BIDs like ours.  
24 Thank you.

25

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2                   JEFFREY LEFRANCOIS: Mr. Chair, Madam  
3 Chair, I'm Jeffrey LeFrancois, the Executive Director  
4 of the Meatpacking District Management Association.  
5 We're a BID charged with maintaining the city's  
6 premier cultural district for 50,000-plus daily  
7 visitors, workers, and residents on the West Side,  
8 and central to our mission is the management of  
9 public refuse, which our hardworking sanitation staff  
10 sets out for DSNY collection. As a BID, we supplement  
11 the City's core services, improving what the City  
12 cannot otherwise address. Well-maintained waste  
13 management is central to our ability to host  
14 significant public programming while supporting a  
15 thriving retail and hospitality corridor. DSNY  
16 mentioned that BIDs pile bags of trash next to our  
17 receptacles, indicating it's unsightly, and I agree,  
18 but I ask you to look across the street from where a  
19 BID boundary ends and where sort of the other side of  
20 services picks up. You'll see overflowing trash cans  
21 and streets coated in litter. The BID believes trash  
22 containerization is a positive next step in New  
23 York's streetscape revolution, but we've not been  
24 welcome at the planning table, nor has DSNY attempted  
25 to understand our operations, contracts, and

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2 budgeting processes, and so we oppose DSNY's current  
3 proposal to mandate trash containerization for BID-  
4 collected public refuse. The proposal ignores long-  
5 standing partnerships, would reduce core City  
6 services, and violate contracts and procurement  
7 policies. The mandate will place an undue burden on  
8 BIDs by requiring complex applications and  
9 significant siting review processes. Notably, DSNY  
10 did not have accurate numbers for the City's expenses  
11 for this program, but it seems they had a clear  
12 understanding of what it would cost BIDs, and given  
13 their lack of engagement, I find that quite  
14 surprising. Beyond complicated DOT rules in the  
15 Meatpacking District, we're also uncertain about  
16 whether container placement and design would require  
17 approval through lengthy Landmarks review process. A  
18 good first step would be for DSNY to effectively  
19 demonstrate and pilot public containerization,  
20 managing this transition by identifying container  
21 locations and viable products. The cleaning services  
22 that BIDs provide are supplemental to DSNY's core  
23 function. Trash collected comes from not a household  
24 or commercial operator, but from the people of New  
25 York and visitors walking our streets. If DSNY wishes

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2 to implement this policy, they should recognize the  
3 partners that help them keep the city clean, and also  
4 be responsible for seeing it through. Thank you.

5 CO-CHAIRPERSON ABREU: Thank you very  
6 much. Next up.

7 MARK DICUS: Good afternoon, Chairs Abreu,  
8 Juan, and members of the Committee on Sanitation and  
9 Contracts. My name is Mark Dicus, and I'm the Vice  
10 President of Operations and Planning at the Fifth  
11 Avenue Association. The Association manages Fifth  
12 Avenue from 61st Street to 46th Street and 57th from  
13 6th to Madison, providing supplemental sanitation,  
14 security, maintenance, marketing services that  
15 benefit Fifth Avenue. Thank you for holding this  
16 hearing today. As you've heard from my BID  
17 colleagues, we all share the City's goals of getting  
18 bags of garbage off the street. Commissioner Tisch  
19 herself testified that these look terrible. I think  
20 we're all in agreement there. What we disagree on is  
21 how we get to the solution. We're concerned about how  
22 these containerization efforts are being implemented  
23 by DSNY and how they will impact non-profit  
24 organizations that manage BIDs across the City.  
25 Moving to containerization is a big change. It will

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2 require siting these containers in the public space,  
3 in parking spaces, curb extensions, and possibly on  
4 sidewalks. To plan for this change and this  
5 investment that BIDs will need to make, or not make,  
6 or the City will make, we need to know what the  
7 process is. We are required to implement this change  
8 by August of 2025. That is approximately nine months  
9 from now and we do not have even the proposed rules  
10 to be able to implement these changes.

11 Containerization will also require coordination with  
12 DSNY to determine how garbage will be collected. In  
13 our district, along Fifth Avenue in Midtown, DSNY  
14 comes down Fifth Avenue to pick up our garbage. We  
15 can't site containers on Fifth Avenue because all  
16 four of our lanes of traffic are filled with traffic.  
17 Parking regulations don't allow that. We will have to  
18 site our containers on cross streets, which DSNY does  
19 not drive down. So, how are we going to do that?

20 Lastly, I think you've heard from a lot of our  
21 colleagues about the willingness to participate in  
22 being good partners. We are willing to voluntarily  
23 decide to containerize public litter basket waste,  
24 but we oppose requiring BIDs to haul or containerize  
25 public litter basket waste as it improperly shifts

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2 essential City services from the City of New York to  
3 private not-for-profits.

4 CO-CHAIRPERSON ABREU: Thank you.

5 MATT JOZWIAK: Good afternoon. My name is  
6 Matt Jozwiak. I'm the CEO and founder of Rethink  
7 Food. I want to thank the Council for hosting this  
8 today and also the Administration for making, like  
9 what I agree with, a lot of progress in the past  
10 couple of years around sanitation, sustainability,  
11 and the issues that we talked about. Our interests  
12 here are slightly different. We're really focused on  
13 waste management for institutional food. We believe  
14 that there's an excessive food waste problem within  
15 our City shelters and any procured food across the  
16 City, and we believe that the containerization and  
17 separating organic materials will lead to shining a  
18 light on the excess and waste that is in the  
19 institutional food system and will lead to a  
20 reduction which will ultimately save the taxpayers  
21 millions and millions of dollars so I just want to  
22 once again thank everybody for hosting this and happy  
23 holidays.

24 CO-CHAIRPERSON ABREU: Thank you. This  
25 panel is excused.

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We're now moving on to Christine Datz-Romero, Bonnie Weber, David Goldberg, and Sara Penenberg.

Is Bonnie Weber here?

UNIDENTIFIED: Bonnie left.

CO-CHAIRPERSON ABREU: Thank you. You may begin.

CHRISTINA DATZ-ROMERO: Great. Thank you. Good afternoon. My name is Christina Datz-Romero, Co-Founder and Executive Director of the Lower East Side Ecology Center and also a member of the Save Our Compost Coalition. Unsurprisingly, today I'm going to talk about compost. It's a change of pace, but it was very interesting to hear the discussion about containerization. I'm here in support of Intro. 698, which clarifies basically the definition of organic waste drop-off sites. This is a historic bill. It was Local Law 89 that established that DSNY establish and operate no less than 30 organic drop-off waste sites citywide and a minimum of three sites in every borough. I was really shocked how Commissioner Tisch's opposition to this law was framed because she basically said in so many words that we would be taking out smart bins. There are over 300 smart bins



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2 in the city, and this bill doesn't aim to take out  
3 smart bins. It rather really reaffirms a commitment  
4 to community-based composting. My organization  
5 started a drop-off 30 years ago at Union Square where  
6 we collect organic food waste from people, and it's  
7 part of a cornerstone of the community composting  
8 movement here in the city, and it is important that  
9 we make this distinction because a smart bin is not a  
10 substitute for drop-offs like those, and we would  
11 like to continue them because it really is part of  
12 our system of collecting, well, I didn't get very  
13 far, of collecting food scraps and then turning them  
14 into compost on a local level. Thank you.

15 CO-CHAIRPERSON ABREU: Thank you,  
16 Christine.

17 DAVID GOLDBERG: Good morning. I am David  
18 Goldberg, a principal with Streetplus Company. We  
19 have been providing supplemental sanitation services  
20 to BIDs since 1991. We applaud the effort to try and  
21 containerize garbage towards a cleaner city. However,  
22 it's important to understand that BIDs, and  
23 especially smaller BIDs, will need more financial  
24 resources to execute containerization successfully.  
25 I'm afraid that our Clean Ambassadors will be

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2 spending an inordinate amount of time moving bags  
3 into containers and less time cleaning our vibrant  
4 commercial districts. Our teams presently sweep the  
5 sidewalks, curb lines, and empty and reline the trash  
6 receptacle. All bags are placed adjacent to the trash  
7 receptacles, providing an efficient way for the DSNY  
8 teams to go through a district quickly, cutting down  
9 and idling on our congested streets. Many BIDs have  
10 asked me, how many containers will I need and how  
11 much will it cost. It's an important question with  
12 varied answers. How frequently will DSNY empty the  
13 containers? How accurate are the DSNY schedules and  
14 pickups? Will a City budget deficit or financial  
15 issue reduce pickups, resulting in a need for more  
16 containers if the pickups are reduced? BIDs will also  
17 need to pay the vendors like myself to power wash,  
18 maintain, and clean these containers. It's also  
19 important to understand how garbage finds its way  
20 into the corner trash receptacles and garbage bags.  
21 It's not only coffee cups and food wrappers that end  
22 up in our corner receptacles, but garbage that is  
23 improper disposal, legal dumping, legal and illegal  
24 vendors, as well as businesses without private  
25 carters, as well as residents who use these trash

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2 receptacles for their own garbage. If we move forward  
3 with containerization, we must simultaneously  
4 confront the aforementioned violators to reduce trash  
5 in our city's streets and sidewalks. Moreover, our  
6 teams routinely need to clean mounds of garbage from  
7 the unhoused population that's strewn our streets all  
8 day. Thank you.

9 CO-CHAIRPERSON ABREU: Thank you. Sarah,  
10 nice to see you.

11 SARA PENENBERG: Good to see you too.  
12 Thank you to the Chair, people here, and to the  
13 Committee. My name is Sara Penenberg. I'm a Political  
14 Coordinator here at SEIU. We represent 175,000  
15 members across 11 states, Washington DC, and New  
16 York. We have 90,000 members that work in the city,  
17 and they are part of the essential property service  
18 sector of New York.

19 One of the cornerstones of our union is  
20 the Residential Division, which represents workers in  
21 apartment buildings, New York City, providing  
22 essential servicing like cleaning, including trash  
23 removal. Many of our members work in buildings that  
24 would fall under the guidelines of Intro. 2744, and  
25 this bill, if it moved forward, we want to make sure

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2 that it has safety for these residential workers. The  
3 City's goal to reducing the rat population is one  
4 that we fully support, and we know this impact, and  
5 our members know this impact to their safety. Rats  
6 pose significant health threats and safety risks,  
7 particularly to these workers who are tasked to  
8 maintain building sanitation and waste disposal. In  
9 its current form, however, the bill lacks adequate  
10 safeguards for the workers who personal safety and  
11 work conditions will be significantly impacted by  
12 these proposed reforms. We see several opportunities  
13 to improve these safety guards for residential  
14 workers. These include requiring employees to provide  
15 proper training and protective equipment to take  
16 necessary precautions to protect these workers and  
17 ensure any potential hazards. We also believe that  
18 this pilot program will provide invaluable  
19 information and policy efforts here so we want to  
20 make sure that we are working with Department of  
21 Sanitation through the rulemaking process to make  
22 sure that our members' voices are heard, and we urge  
23 the City to ensure robust safeguard for residential  
24 workers' safety as they continue to develop and  
25 implement this important policy. We are eager to work

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2 with the Council and make sure that this is done  
3 through the rulemaking process. Thank you so much.

4 CO-CHAIRPERSON ABREU: No, thank you very  
5 much, and we love 32BJ. We love your members and  
6 certainly want them to be part of this process,  
7 especially since you're the one doing the work. Thank  
8 you, Sara.

9 CO-CHAIRPERSON WON: Our next panel will  
10 be Wendy Brouwer (phonetic), Samantha McBride,  
11 Magdamary Marcano, and Niki Cross from NYLPI.

12 Thank you. You may begin when ready.

13 SAMANTHA MCBRIDE: Good day. My name is  
14 Samantha McBride. I'm a faculty member at Baruch  
15 College, where I teach environmental policy and  
16 program evaluation. I recently hosted a conference on  
17 New York City organic waste policy at Baruch,  
18 bringing together diverse stakeholders, including  
19 32BJ SEIU, and I serve as an advisor to Earth Matter,  
20 a grassroots compost organization on Governors  
21 Island. I don't represent any company, product, or  
22 consultancy. I support Intro. 498 with caveats.  
23 Community gardens must be credited for the organics  
24 they collect, with DSNY maintaining separate,  
25 accurate records. DSNY must also ensure clean

2 materials from these gardens are composted locally,  
3 not sent to co-digestion with sewage solids, and  
4 provide services without restricting gardens'  
5 operations, land tenure, or freedom of speech.

6 I support Intro. 698. Smart bins are  
7 useful but cannot replace the community and job  
8 development benefits of local composting drop-off  
9 sites. There is also a problem with how DSNY reports  
10 the quantity of organics coming in through smart  
11 bins. We need to know how much smart bins are  
12 bringing in every month, on every route, and there  
13 are simple methods to estimate this that DSNY can  
14 easily institute.

15 I also support Intro. 781 with caveats.  
16 Compostable bags and liners reduce the yuck factor  
17 and encourage participation in organics collection.  
18 The City should encourage their use instead of  
19 traditional plastic bags, which contribute to  
20 microplastics in compost and soil.

21 In closing, I urge the Council to hold  
22 DSNY accountable for improving organics policy. The  
23 current top-down approach, with low participation and  
24 poor curbside capture rates, cannot succeed alongside  
25 planned enforcement in 2025. DSNY must prioritize

1 local, community-based solutions, scale up  
2 neighborhood engagement, and rebuild trust to create  
3 a system that works for all New Yorkers. Thank you.

4  
5 MAGDAMARY MARCANO: Good afternoon. My  
6 name is Magdamary Marcano, and I'm a resident of the  
7 Bronx Council District 15, and I've been there for 56  
8 years. I would like to thank you for the opportunity  
9 to speak today, and I have three points that I wanted  
10 to bring up.

11 One of them is the validity of the sole  
12 source RFP the Department of Sanitation has used to  
13 force homeowners to purchase the trash receptacles  
14 that will be used to combat the rat situation in all  
15 communities. I did some research on the companies  
16 selected to provide those trash cans. The perspective  
17 of the homeowners on my block is that a contract of  
18 this magnitude should have been diversified. We  
19 homeowners would appreciate to be respected as you do  
20 businesses and other entities throughout the city.  
21 Secondly, where are the jobs for New Yorkers? Since  
22 the company selected to furnish those trash cans is  
23 located in Charlotte, North Carolina, and the owners  
24 of that company are Canadian and Bahamian, not United  
25 States.

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2                   The second item is the New York City  
3 Department of Sanitation has advised us about the  
4 police report. I know they answered that question if  
5 a can is stolen while sitting outside of my property.  
6 NYPD does not currently have adequate manpower to  
7 address more serious crimes. How do you expect them  
8 to take homeowners seriously about a trash can? Did  
9 the Department of Sanitation sit with NYPD as a  
10 partner and alert them of the additional duties they  
11 are expected to assume? That I say because I've been  
12 victimized with a stolen can. I am not opposed to  
13 containerization to combat the rat epidemic in New  
14 York because I've always used the can, and Sanitation  
15 was the one that refused to pick up my garbage in a  
16 can. I'm an avid fan of it, but the focus should have  
17 been on food sources, restaurants, food  
18 establishment, the corner trash cans, and large  
19 buildings that throw their cardboard packaging and  
20 compacted food bags on sidewalks of our streets. I  
21 love the idea of composting, but literally I live  
22 next door to the largest compost bin in the Bronx, a  
23 McDonald's trash dumpster. Why isn't Sanitation  
24 addressing those types of violators? Are we afraid  
25 they would leave? If large fast food establishment



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1 were to leave the Bronx, we would be a lot healthier  
2 for it and New York City a lot cleaner. Homeowners  
3 with less than nine units are disappearing due to the  
4 building explosion that is taking place in the Bronx,  
5 yet New York City continues to suck the money and  
6 life out of us all, especially the poorest community  
7 districts of the entire country. New York City,  
8 Department of Sanitation, and the Mayor's Office made  
9 itself responsible for the rat epidemic when they  
10 replaced the metal trash cans back in 1970 with  
11 plastic bags. I firmly believe that those responsible  
12 for the problem pay for the solution. Thank you very  
13 much for your time.  
14

15           NIKI CROSS: Good afternoon. My name is  
16 Niki Cross and I'm a staff attorney in New York  
17 Lawyers for the Public Interest Environmental Justice  
18 Program. Thank you to the Committee for the  
19 opportunity to testify and for continuing to advance  
20 programs and legislation that will help New Yorkers  
21 reduce the millions of tons of waste we unnecessarily  
22 dispose in landfills and incinerators each year. It's  
23 more critical than ever that municipal and state  
24 government take aggressive steps to reduce greenhouse  
25 gas emissions, protect public health and

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2 environmental justice communities, protect worker and  
3 public safety, and create good local green jobs in  
4 composting, reuse, and recycling. We strongly support  
5 Intro. 284 and Intro. 781, which together would  
6 ensure that all City agencies, CUNY facilities, and  
7 SUNY facilities manage organic waste as a recyclable  
8 material. This is critical to reduce the large  
9 amounts of waste generated and disposed by public  
10 agencies and universities and to ensure that millions  
11 of New Yorkers who work and interact with these  
12 agencies can abide by a single simple set of  
13 recycling rules at work and at school.

14 We similarly support Intro. 498, which  
15 would enable more New Yorkers to recycle organic  
16 material at community gardens. In parallel with these  
17 public sector programs, it is urgent that we  
18 implement and enforce robust organic waste recycling  
19 and food donation programs and rules across our huge  
20 commercial sector so that New Yorkers can be assured  
21 that this material is being donated or composted  
22 wherever they work, eat, shop, or recreate. Today is  
23 the fifth anniversary of the signing of the landmark  
24 Commercial Waste Zones Law, which remains our best  
25 opportunity to simultaneously reduce disposed

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2 commercial waste, eliminate millions of unnecessary  
3 truck miles, improve worker safety, and reduce  
4 pollution in environmental justice communities  
5 overburdened by private transfer stations and truck  
6 yards. Thank you.

7 CO-CHAIRPERSON ABREU: Appreciate you. The  
8 next panel is Tim Laughlin, Maddie Baker, and  
9 Christopher Leon Johnson.

10 TIM LAUGHLIN: Chair Abreu, Chair Won,  
11 thank you for this opportunity to testify. My name is  
12 Tim Laughlin. I am President of Lower East Side  
13 Partnership. I am also the Co-Chair of the New York  
14 City BID Association Sanitation Working Group. I  
15 think I'll be the first to congratulate Commissioner  
16 Tisch on her appointment to the New York City Police  
17 Department. On behalf of all BIDs, we look forward to  
18 working with her to keep our city and our  
19 neighborhood safe and clean. I think that that also  
20 provides a unique opportunity for new leadership at  
21 the Department of Sanitation that can collaborate  
22 specifically with Business Improvement Districts and  
23 non-profit providers like ACE, more importantly  
24 funded by the City Council to have additional service  
25 within our community. A lot of conversation at this

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1 hearing about consultation and engagement. I have  
2 been working for over two years with the Mayor, the  
3 Senior Advisors, the Deputy Mayor, and multiple  
4 Agency Commissioners on truly coming up with what our  
5 plan is for next steps. To date, the BIDs have not  
6 really had that opportunity for consultation. We are  
7 open to it, and we are open to containerization, but  
8 just making sure that we can really talk about the  
9 specifics. Again, this is the public's trash that we  
10 manage, and it's really important that we understand  
11 that many small BIDs will cease operations related to  
12 supplemental sanitation services if we can't come up  
13 with a policy that they can afford. We're not talking  
14 about the biggest BIDs in the city, let alone in the  
15 country. We're talking about some of the smallest  
16 organizations that really do that neighborhood work  
17 in the outer boroughs, some of which only have  
18 budgets annually of 80,000 dollars. I appreciate your  
19 leadership on this issue, and we look forward to  
20 collaborating both with you, City government, and the  
21 Department of Sanitation on possible and positive  
22 next steps. Thank you for your time.

24 CO-CHAIRPERSON ABREU: Thank you.

25

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2 MADDIE BAKER: Thank you all for this  
3 opportunity to testify. My name is Maddie Baker, and  
4 I work in operations for the Bryant Park Corporation  
5 and 34th Street Partnership Business Improvement  
6 Districts. I want to recognize many of the great  
7 points brought up by my BID peers, especially those  
8 who represent smaller BIDs who are disproportionately  
9 impacted by this enforcement. We have been working  
10 closely with members of DSNY to get our bins sited,  
11 and we look forward to getting our bags off of the  
12 ground. That being said, there's a significant cost  
13 to this implementation and an additional tax on our  
14 sanitation employees who will have to travel further  
15 distances with these bags, which has not been  
16 considered by DSNY. We are interested in getting our  
17 bags off the ground with longevity in mind. As  
18 Commissioner Tisch said earlier, this is an  
19 investment that could last for 10 years. Again, that  
20 being said, there has been no assurance that we will  
21 be able to use these bins for longer than one to  
22 three years, according to DSNY's imposed contract,  
23 which is not a sufficient amount of time for this  
24 investment to be worthwhile. At today's hearing, DSNY  
25 said these contracts were negotiable. We have made

2 attempts to negotiate this contract with DSNY, but  
3 have been stonewalled. We request a formal meeting  
4 with DSNY and DOT together to formally address the  
5 longevity of our potential investment in containers.  
6 Thank you.

7 CO-CHAIRPERSON ABREU: Thank you.

8 Christopher.

9 CHRISTOPHER LEON JOHNSON: Yeah. Hello. My  
10 name is Christopher Leon Johnson. Thank you, Chair  
11 Won, Chair Abreu, for hosting this hearing. I want to  
12 give my congratulations to the new NYPD Commissioner  
13 Jessica Tisch, who was the former, just like  
14 recently, former Commissioner of Sanitation. I know  
15 she'll do a great job as Commissioner, especially  
16 with her inventions of the mandated bins that we will  
17 have to use now in the buildings. So, I want to make  
18 this clear that I agree with Intro. 57, with the  
19 bins, but the problem is that it should be where  
20 anybody can buy any bin they want. I want to know why  
21 you have to buy a certain bin from a certain vendor  
22 to be in compliance. What happens if you don't want  
23 to buy those bins and you want to buy a better bin  
24 that could do a way better job than the bins that the  
25 City has made everybody buy? Will you be out of

2 compliance with that? Because now that's the bad  
3 area, is where you buy a better bin and you put it  
4 outside, and now DSNY and OATH could easily fine you  
5 money for having the wrong bin, even as a better bin,  
6 so let's keep this 100 percent. These BIDs are  
7 correct about this, right? It's going to hurt them.  
8 It is going to hurt the small BIDs, and the City,  
9 instead of them just buying, instead of just making  
10 people buy bins, why don't you just give these BIDs  
11 the money to implement services like community  
12 sanitation services and community cleanups more,  
13 instead of just making people buy bins. Bins is not  
14 going to solve anything at all. It's not going to  
15 solve it because the population is too big, it's a  
16 big population, and everybody is going, you walk out,  
17 what is it, 8 o'clock in the nighttime, and people  
18 still out in the high congested areas, in the CBD  
19 areas, on the 60th street, and they see these bins,  
20 they're going to open up and put trash inside there,  
21 and it's going to fill so it's not going to do  
22 anything at all. Unless you mandate locks on the  
23 bins, when you dispose them, it's not going to do  
24 anything. You let it out on the open... that's all I  
25 gotta say but thank you. Thank you.

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CO-CHAIRPERSON ABREU: Thank you for your  
time. This panel is excused.

CO-CHAIRPERSON WON: We'll now move on to  
remote testimony on Zoom. The first individual to  
testify will be Mary Arnold. Mary, you have two  
minutes. You may begin when ready.

MARY ARNOLD: Okay. Apologize, it's not  
doing my video. I'm testifying on behalf of the  
Manhattan, Brooklyn, Queens, and Bronx SWABs. This is  
firstly testimony on Intro. 498, collecting organics  
from community gardens. DSNY should not be in  
competition for organics with local compost  
processing sites such as botanical gardens. Instead,  
a system should be created to prioritize local  
compost processing and to recognize and rebalance  
excess compostables and send them to community  
compost processing sites, those that have been funded  
and those that are being established or expanded that  
have excess capacity. For example, Queens Botanical  
Garden has the capacity to process an additional ton  
of organics per week. It should be further modified  
to expand the funding for local composting  
infrastructure throughout all five boroughs, working  
toward the ultimate goal of achieving 100 percent



2 composting of food scraps throughout New York City.

3 Currently, diversion rates for organics source  
4 separation from other municipal solid waste is  
5 hovering around 4 percent. There is time for  
6 infrastructure to be built out as participation  
7 increases through a program of focused education  
8 paired with enforcement that is targeted to increase  
9 participation.

10           Testimony on Intro. 698, clarifying the  
11 definition of the organic waste drop-off site. We  
12 generally support this. However, we would like to see  
13 standalone receptacles that are used for food scrap  
14 drop-off sites, whether staffed or unstaffed, be  
15 allowed when they are managed by community or non-  
16 profit to count toward the minimum number of drop-off  
17 sites. We recognize that staffed drop-off sites  
18 provide educational opportunities. However, they can  
19 be costly. Community or non-profit managed sites  
20 should be permitted to establish drop-off locations.

21           SERGEANT-AT-ARMS: Thank you. Your time  
22 has expired.

23           CO-CHAIRPERSON ABREU: Thank you very  
24 much. We're now moving to Ashira Schwartz.

25           SERGEANT-AT-ARMS: You may begin.

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CO-CHAIRPERSON ABREU: Ashira has dropped  
off. We're now moving over to Lateshia Peters.

SERGEANT-AT-ARMS: You may begin.

LATESHIA PETERS: Oh, hi. I'm Lateshia  
Peters, and I'm here on behalf of BK Rot, which is a  
fossil fuel-free food waste hauling and composting  
service. It's community-supported, bike-powered. A  
little bit about me. I'm Gen Z, fairly new to the  
Brooklyn community, and I'm from Long Island and also  
very deeply disturbed by the changes in climate from  
rising sea levels to catastrophic natural disasters  
and so much more. I'm here to talk about my  
opposition or BK Rot's opposition to Law 57 and in  
support of 498, 698, and 284.

In terms of the opposition for 57, BK Rot  
believes that punishing people financially would be  
misaligned and would cause more harm to the low-  
income communities that we serve. We urge the  
Committee to reassess options that would encourage  
education or even connecting with other organizations  
such as ourselves or community gardens to promote  
more education about environmentalism and also  
sanitation laws.

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2 Specifically for 284, we are in support  
3 of CUNYs and SUNYs having composting programs, and we  
4 also urge the Committee to collaborate more with the  
5 youth and youth-led organizations and...

6 SERGEANT-AT-ARMS: Thank you, your time  
7 has expired.

8 CO-CHAIRPERSON ABREU: Thank you very  
9 much.

10 LATESHIA PETERS: All right, thank you.

11 CO-CHAIRPERSON ABREU: We'll now move over  
12 to Lonnie Portis.

13 SERGEANT-AT-ARMS: You may begin.

14 LONNIE PORTIS: All right, can everyone  
15 hear me?

16 CO-CHAIRPERSON ABREU: Yes, we can.

17 LONNIE PORTIS: Okay, great. Good  
18 afternoon, Chair Abreu and Chair Won. Thanks for the  
19 opportunity to testify today. I'm Lonnie Portis, the  
20 New York City Policy Manager at WE ACT for  
21 Environmental Justice. WE ACT is a member of the  
22 State of Our Compost New York City Coalition, a  
23 coalition of New York City organizations working to  
24 support legislation that protects, strengthens, and  
25 expands community composting across the city while

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2 uplifting environmental climate justice. I just want  
3 to say, although WE ACT supports containerization, I  
4 want to remind the DSNY and the Council that our goal  
5 needs to be waste diversion and refuse reduction, not  
6 just aesthetic and cleanliness. 41 percent of New  
7 York City's refuse consists of organics. On average,  
8 this amounts to about 1.1 million tons of organics  
9 being sent to landfills and incinerators annually.  
10 These landfills and incinerators are sited near low-  
11 income and communities of color outside of New York  
12 City, and with that comes a host of environmental  
13 health and climate issues. As we scale up  
14 containerization across the city, we must do it  
15 thoughtfully, prioritizing and incentivizing waste  
16 separation. Currently, we are concerned that the City  
17 is going down a path where New Yorkers are not going  
18 to separate their waste and just toss everything into  
19 one bin, which is counterintuitive to the City's zero  
20 waste goals. We recognize the complexity of running  
21 and maintaining a waste system of this size. However,  
22 we feel any one size fits all approach will not work  
23 and that different communities within the city  
24 require different, sometimes unique, solutions due to  
25 the lack of physical infrastructure for waste.

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2 Containerization is just a piece of a much larger  
3 waste system, and the City should take the  
4 opportunity to build a system and infrastructure that  
5 is grounded in environmental and climate justice. I  
6 can't see how much time I have left, but I'll quickly  
7 close with my testimony by voicing WE ACT's support  
8 for Intro. 498 and 698. Intro 498 requires the  
9 Department of Sanitation to collect waste from  
10 community gardens. This bill allows community gardens  
11 to increase their collection capacity and not turn  
12 away material that could end up in the trash.  
13 Although not addressed in this bill, there is concern  
14 that the organic waste collected by DSNY will not be  
15 turned into compost for soil amendments, but instead  
16 sent to co-digestion facilities. Intro. 698 clarifies  
17 the organic waste drop-off sites for the purpose of  
18 complying with local law.

19 SERGEANT-AT-ARMS: Thank you. Your time  
20 has expired.

21 LONNIE PORTIS: I'll submit detailed  
22 written testimony.

23 CO-CHAIRPERSON ABREU: Thank you, Lonnie.  
24 Next, we have Alia.

25 SERGEANT-AT-ARMS: You may begin.

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CO-CHAIRPERSON ABREU: Alia, are you on?

ALIA SOOMRO: Oh, yeah. Sorry about that.

Good afternoon. My name is Alia Soomro, and I'm the Deputy Director for New York City Policy at the New York League of Conservation Voters. Thank you, Chairs Abreu and Won, and Members of the Committees on Sanitation and Contracts for the opportunity to testify today. NYLCV has supported moving the city towards waste containerization and is excited to see DSNY's proposed rules for a pilot program in Manhattan Community 9, especially since similar programs have been long established in global cities such as Barcelona, Paris, Amsterdam. Waste containerization is important not only from a climate and environmental justice perspective, but also for improving New York City residents' quality of life. Containerization will reduce litter on the ground, the amounts of plastic trash bags on our sidewalks, and it will reduce the rat population. Waste containerization also has the potential to revitalize our city's streetscapes and sidewalks for public use.

With that said, NYLCV hopes that DSNY can one day move towards a comprehensive containerization program that includes trash, recyclables, and organic

1 waste to increase diversion rates. As the DSNY pilot  
2 program progresses, we underscore the need for long-  
3 term funding for automated side-loading trucks and  
4 containers. In the future, NYLCV hopes the City  
5 learns from the pilot program in CB9 to implement and  
6 fully fund a permanent citywide waste  
7 containerization program.

8  
9 In terms of the legislation being  
10 considered today, NYLCV supports Intro. 781. We are  
11 very happy to see the residential curbside organics  
12 program rolling out in all five boroughs. With this  
13 bill, City agencies can lead by example by requiring  
14 organic waste as recyclable material and help us move  
15 closer to our zero waste by 2030 mandate.

16 Similarly, we support the intent of  
17 Intro. 498, sponsored by Council Member Abreu,  
18 requiring DSNY to collect organic waste from  
19 community gardens. Ultimately, we think community  
20 gardens...

21 SERGEANT-AT-ARMS: Thank you. Your time is  
22 expired.

23 ALIA SOOMRO: Organic waste should become  
24 part of the residential organics pickup.

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2                   Just to close out, we support the intent  
3 of the two Pre-Considered Bills, 2744 and 2746.  
4 Ultimately, we want to invest and improve our  
5 streetscapes and waste containerization is the way to  
6 go.

7                   CO-CHAIRPERSON ABREU: Thank you, Alia.

8                   ALIA SOOMRO: Thank you for the  
9 opportunity to speak.

10                  CO-CHAIRPERSON ABREU: Thank you for  
11 testifying. Anna Sacks.

12                  SERGEANT-AT-ARMS: You may begin.

13                  ANNA SACKS: Hi, the Solid Waste Advisory  
14 Boards of Manhattan, Brooklyn, Queens, and the Bronx  
15 oppose Intro. 57, which would allow the Department of  
16 Sanitation to issue fines up to 3,500 dollars to  
17 large buildings that fail to store waste in a  
18 "satisfactory manner or place their waste on the  
19 sidewalk before the designated set out time." We  
20 believe that DSNY has a limited amount of enforcement  
21 capital before New Yorkers become fed up. We would  
22 like DSNY to use this enforcement capital on issues  
23 of substance rather than aesthetics. DSNY should  
24 reserve hefty fines for buildings that illegally  
25 dispose of hazardous waste and electronics rather



2 than buildings that put out waste at 7 p.m. instead  
3 of 8 p.m. Further, we would like to see DSNY and New  
4 Yorkers take separating out organics and recyclables  
5 seriously, which will help move our city's diversion  
6 rate from 19 percent to its potential 75 percent  
7 based on the last Waste Characterization Study. We  
8 strongly believe that DSNY should reserve its  
9 (INAUDIBLE) power for efforts that help divert waste  
10 from landfills and incinerators.

11 We strongly support the intent of  
12 Resolution 284 to establish organics collection and  
13 composting programs at institutions that are part of  
14 the State University of New York system and the City  
15 University of New York system. However, we do not  
16 endorse the Resolution as introduced, and we do not  
17 endorse Senate Bill 5713 because it includes sending  
18 organics to "waste energy," a.k.a. incineration  
19 facilities. The City Council Resolution should  
20 include a strong recommendation that the Senate bill  
21 be modified to exclude sending organics to "waste  
22 energy" and instead prioritize composting.

23 The Solid Waste Advisory Board strongly  
24 discouraged the enactment of Intro. 949, which would  
25 require managers of buildings with 100 or more units

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2 to provide a dumpster for refuse. The proliferation  
3 of dumpsters across the city does not serve the  
4 City's diversion and source separation goals.

5 Instead, we need to decrease the building solid waste  
6 and increase the source separation of organics and  
7 recyclables. To improve source separation, we need  
8 DSNY to conduct sustained public education and to  
9 maintain enforcement of a building separation of  
10 recyclables and organic materials. We do not need  
11 large containers to collect more of a building solid  
12 waste. It is not a good use of scarce...

13 SERGEANT-AT-ARMS: Thank you. Your time  
14 has expired.

15 ANNA SACKS: Public space, and the  
16 dumpsters would be a perpetual visual blight. Thank  
17 you.

18 CO-CHAIRPERSON ABREU: Thank you, Anna.  
19 Clare.

20 SERGEANT-AT-ARMS: You may begin.

21 CLARE MIFLIN: Sorry, I was having trouble  
22 unmuting myself. Thank you. I'm Clare Miflin,  
23 Executive Director from the Center for Zero Waste  
24 Design. We're a non-profit that develops research  
25 advocacy campaigns and policy tools for buildings and

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2 the City to achieve zero waste. We've been advocating  
3 for waste containerization since 2017 with the Zero  
4 Waste Design Guidelines, and we provided strategies  
5 to do that in our advocacy campaign, Put Waste to  
6 Work, which called on the incoming Adams'  
7 Administration to come up with a comprehensive plan  
8 to reduce waste, reach zero waste goals, containerize  
9 waste to improve quality of life, and to support  
10 composting to ensure city soils are made healthy with  
11 compost so we're really frustrated that the  
12 Department of Sanitation haven't put together a  
13 comprehensive plan at all, leaving City Council to  
14 try and add bills to ensure that zero waste and  
15 environmental justice goals and composting is all  
16 happening, and we really appreciate City Council for  
17 that.

18 But we see this huge lack. There's been a  
19 huge lack of engagement with stakeholders, even  
20 across City agencies, and we can't have a successful  
21 waste containerization plan without considering how  
22 can we reduce the amount of waste we produce to start  
23 with, how can we make it better for streetscapes, how  
24 can we make it easier for the BIDs and the small  
25 business owners and everyone trying to keep our city

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2 clean. We recently released a report called On  
3 Containerization. We had a panel discussion. It went  
4 in detail about better ways that we can containerize  
5 all waste and recycling and food scraps so we can get  
6 to zero waste goals and improve streetscapes, but I  
7 don't know if it's even been considered by the  
8 Administration because there's such a lack of  
9 collaboration so this suggests how containerizing  
10 waste cannot just hide the trash and help for litter  
11 and rats, but it can improve labor, improve  
12 streetscapes, reduce the burdens on business, BIDs,  
13 and building owners so we think the huge investment  
14 in a waste containerization plan just for trash  
15 that's not really thought through is short-sighted,  
16 and we're against all the bills.

17 CO-CHAIRPERSON ABREU: Thank you, Clare.  
18 We're moving on to Camelia Tepelus.

19 CLARE MIFLIN: Quick to say..

20 CO-CHAIRPERSON ABREU: Sorry. Your time's  
21 up. Mute her, please. We're moving on to Camelia  
22 Tepelus. Thank you.

23 CAMELIA TEPELUS: Good afternoon. Do you  
24 hear me? Hello?

25 CO-CHAIRPERSON ABREU: You may begin.

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2 CAMELIA TEPELUS: Thank you so much. Good  
3 afternoon. My name is Camelia Tepelus. I'm the  
4 Executive Director of the Morris Park Business  
5 Improvement District in the Bronx, a BID with 390,000  
6 dollars in assessment, one full-time staff member,  
7 paying two full-time supplementary sanitation staff  
8 from our vendor, Street Plus, that testified earlier  
9 that costs 153,000 dollars a year to clean up  
10 sidewalks along 21 blocks of commercial corridor on  
11 Morris Park Avenue in the Bronx. And no, our work is  
12 not exactly the same like the work of our individual  
13 members, because cleaning up four corners on 21  
14 blocks is not the same like a single business putting  
15 their trash in a single trash can. I'm an admirer of  
16 Commissioner Tisch's work, which I consider to be  
17 transformative for the city and arguably may become  
18 the most substantive impact of Adams' Administration  
19 on the city. I share with Ms. Tisch being on the list  
20 of New York City and State Above and Beyond  
21 Innovators 2023 issue on exactly the same page. I  
22 thank the two Co-Chairs of this hearing for the very  
23 pertinent questions related to the BIDs and the  
24 public trash that we collect to make our  
25 neighborhoods beautiful. It was stated that there

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2 were a lot of misunderstanding in terms of the "BIDs'  
3 trash" and of course there are because we have been  
4 asking DSNY for something in writing, the proposal of  
5 these proposed changes for months. The fact that DSNY  
6 does not want to provide us with anything in writing,  
7 no document whatsoever, I mean, leaves us in a place  
8 impossible to plan, to consider in our budget, to  
9 approve by our boards of whatever investment is  
10 necessary. We are looking forward to work with DSNY.  
11 We are supporters in this project, and we want our  
12 streets to be free from rats. But just to share with  
13 you an example of an experiment that Morris Park did.  
14 Anticipating this legislation, we instructed our  
15 workers to put all the trash that is now in bags next  
16 to trash cans, to put it in the trash cans.

17 CO-CHAIRPERSON ABREU: Thank you very  
18 much. Thank you. We're moving now to Pedro Suarez  
19 from Third Avenue BID.

20 SERGEANT-AT-ARMS: You may begin.

21 PEDRO SUAREZ: Good afternoon. My name is  
22 Pedro Suarez, Executive Director of the Third Avenue  
23 Business Improvement District, also known as the HUB,  
24 which is located in the South Bronx. I represent a  
25 community of over 300 businesses over 18 block faces

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2 in one of the most heavily trafficked BIDs in the  
3 city. I respectfully caution the City to not  
4 underestimate the rollout of containerization and  
5 small BIDs. Examples of successful containerization  
6 in some communities in Manhattan do not reflect the  
7 challenges and communities in the South Bronx. For  
8 example, bins and litter baskets are stolen. BID bags  
9 are not the only bags left on the street. My BID has  
10 issues with vendors, residential tenants, and other  
11 individuals regularly leaving bags and dumping trash  
12 and cardboard that my staff have to address. We have  
13 issues with vehicles overnight regularly dumping  
14 trash, industrial waste, such as toilets, air  
15 conditioners, planks of wood, and more. We have  
16 issues with homeless encampments and individuals  
17 regularly defecating on the street. We have pictures  
18 of all these scenarios. Permanent street  
19 containerization in my BID would cost anywhere  
20 between 25,000 to 50,000, over 10 percent of our  
21 annual City funding. We already have one set of eight  
22 containers, also known as City Bins, and these  
23 containers have attracted quality of life issues,  
24 including homeless encampments, defecation, illegal  
25 dumping, and drug use. Wheeled-out containers are not

1  
2 an option as the BID has very limited options for  
3 storage. Most recently, we conducted a walk through  
4 with Council Member Rafael Salamanca and DSNY  
5 Commissioner Tisch to discuss challenges around  
6 illegal dumping, and there is a need for additional  
7 DSNY cameras to conduct illegal dumping  
8 investigations. I look forward to further  
9 conversations with SBS, DSNY, DOT, elected officials,  
10 and the Mayor's Office to create implementation  
11 strategy that is responsive to the needs of my  
12 district and the people of the South Bronx. Thank  
13 you.

14 CO-CHAIRPERSON ABREU: Thank you, Pedro,  
15 for testifying.

16 I believe that's our last person to  
17 testify online.

18 This hearing is hereby adjourned. [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 25, 2024