



**TESTIMONY BEFORE NYC COUNCIL
COMMITTEE ON SMALL BUSINESS
Oversight Hearing
June 25, 2025**

Good Afternoon Chair Feliz and Members of the Small Business Committee,

My name is Erin Piscopink and I'm testifying today on behalf of the NYC BID Association, where I serve as the Association's Co-Chair. I am also the Executive Director of the Soho Broadway BID in Manhattan. The BID Association proudly represents all of the city's 77 BIDs, some of whom will also testify today. All of our BIDs are deeply concerned about compliance with the city's unfunded containerization mandate.

Clean streets are near and dear to our BID hearts, our legal mandate, and our daily operations. For over 40 years, BIDs have been trusted partners to NYC, providing services including supplemental sanitation to districts that had been inadequately served by the city due to scarce resources. This includes the bagging and re-lining of overflowing corner basket trash cans. As per the FY23 SBS trends report, BIDs collect or replace over 10,000 trash bags every day. While some larger BIDs are able to haul those bags to sanitation warehouses, most medium-sized and smaller BIDs simply set nicely-tied bags on the sidewalk for DSNY pick up. Other BIDs have opted into the clean curb pilot program to reduce the number of bags at key corners but expanding containerizing to accommodate all of the public trash that BIDs bag would be far too costly for many BIDs.

However, DSNY finalized a rule in March that ignored testimony from over 100 BIDs, non-profit service providers, and community groups opposing the unfunded mandate. Now, DSNY threatens to fine BIDs for their current sanitation practices. They are saying that BIDs must somehow either haul away or containerize the public's trash bags. If BIDs fail to do so, they will be fined for the "improper disposal" of garbage starting January 1st. While we completely understand the desire to "get bags off the street" this is a huge operational and financial burden for BIDs. While BIDs are ready partners in getting trash off the streets, these changes to our operations will be financially impossible for many BIDs. There's also the complexity of siting containers with DOT, PDC and local stakeholders.

Let me be clear: If there is no funding in the FY26 adopted budget, there will be BIDs who cannot comply with this mandate as of January 1st. For most BIDs, it will likely take multiple years to ramp up to the "no bags" goal. This new unfunded mandate could also, for some districts, necessitate raising their assessment ceiling, a process that can take two years to realize. We estimate that at least \$5M in funding will be necessary in the FY26 adopted budget to purchase enough containers to service all of the city's BID districts. We hope the Mayor and City Council will come together to provide this funding.

If there is no funding, there is a real possibility that some medium and smaller BIDs will have no choice but to cease supplemental sanitation services altogether. In that case, the city would not have bags on the street – it would have overflowing trash cans along the nearly 300 miles of key corridors across the city. This is not what BIDs want, and we suspect it is not what the Council, DSNY or the Mayor wants. We remain committed to partnership with DSNY and the City of New York, but are pleading for the flexibility and resources needed to meet this unfunded mandate.

**Testimony of
Joshua Goodman,
Deputy Commissioner, Public Affairs & Customer Experience,
New York City Department of Sanitation**

**Hearing before the New York City Council
Committee on Small Business**

Thursday, June 25, 2025 1:00 P.M.

Oversight Hearing: Containerization Requirements on Business Improvement Districts

Good afternoon, Chair Feliz and members of the Committee on Small Business. I am Joshua Goodman, Deputy Commissioner, Public Affairs & Customer Experience at the New York City Department of Sanitation, and I am joined by Haris Khan, Chief of Staff at the New York City Department of Small Business Services.

In October 2022, the Adams administration kicked off the Trash Revolution by changing set-out times for both residential and commercial waste from 4:00 PM, one of the earliest set-out times in the country, to 8:00 PM effective April 2023, while also allowing earlier set-out if the material is in a container. This incentive of containerization was paired with major changes to DSNY operations, picking up more of the trash far earlier, including ending a practice by which up to one fifth of trash had been left out for a full day.

Just over one year ago, container rules went into effect for all businesses of every type in New York City, requiring them to get their trash off the streets and into a secure bin. We wrote 70,000 warnings to businesses as this rule went into effect, and have written tens of thousands of summonses since, gaining broad compliance and bringing bins to restaurants, delis, bodegas, drug stores, boutiques, and everything else on our commercial corridors. This is millions of pounds of trash off our streets.

The first containerization requirement for residential buildings in more than 50 years went into effect November 12, requiring all buildings with 1-9 residential units to use bins. This can be either their own, or the official NYC Bin, the cheapest high-quality bin available. This program was designed thoughtfully so that these bins would be by far the cheapest of their quality on the market at around \$50, a reasonable responsibility for most New York City property owners.

To date, New Yorkers have purchased over 800,000 of these bins at www.bins.nyc or at NYC Home Depot locations, and they have fundamentally altered the look and feel of our streets, replacing piles of black trash bags that attracted the rats, impeded pedestrians, and generally made New Yorkers feel that no one cared about their neighborhoods. These bins may look like simple pieces of plastic, but they have led to double digit percentage decreases in rat sightings citywide. Starting June 2026, this will be the only bin permitted for lower-density residential trash, to facilitate safer, cleaner mechanized collection.

That gets us to 70% of trash already covered by containerization requirements, and we have a plan for the remaining 30%. We are currently collecting trash from 1,100 stationary on-street containers called Empire Bins in Manhattan Community District 9 as part of the first full-district containerization pilot. The pilot has taken those huge piles of trash bags generated by the largest buildings off the streets and, instead, is storing them in secure containers just like you would see in Europe, South America, or Asia, years faster than anyone thought possible.

Many New Yorkers hate two things: the rats, and change, and these programs have tested which they hate more. With every step of this process – the change in setout times, the commercial containerization requirements and the residential containerization requirements – we were met with similar reactions: Segments of the population told us they broadly supported the concept of containerization, but they themselves could not containerize their trash for various reasons. There were excuses from many people and squeaks from many rats.

This administration, however, remained committed to getting every single bag of trash off our sidewalks. We knew that all New Yorkers deserved clean streets and sidewalks, not just some. And we knew that so many cities around the world solved this problem decades ago, without exceptions or carveouts.

That brings us to the issue we are discussing today. Earlier this year, after extremely lengthy community discussion, the city adopted a rule clarifying that any Business Improvement District, merchant association, neighborhood association, or other entity that performs cleaning services may not place any amount of refuse or recycling next to or against any public litter basket. Despite what you may have heard, the idea is simple: residents and businesses can't put bags right on the street. This rule simply holds BIDs and other similar entities to the same standard.

We appreciate the essential work that Business Improvement Districts and other entities perform, delivering services and improvements above and beyond those typically provided by the city, including street cleaning and maintenance, marketing and events, and beautification and advocacy. BIDs help to brand their districts and market small businesses on their corridor. They also provide a collective voice for the neighborhood and help inform city policy based on their unique local knowledge.

Over the course of one-on-one meetings with 66 of the City's 77 BIDs, as well as multiple meetings with the BID Association and with supplemental service providers like ACE, we have helped these entities to identify multiple options to comply with this rule: Compliance could look like an on-street container for a mid-sized BID, an extra litter basket for a smaller one, or direct trucking to a Sanitation garage for a large BID.

These meetings have been extremely productive and effective. For example, prior to a walkthrough, the Fordham BID expressed significant concerns about ability to comply with this policy, but by working together, we identified 19 appropriate locations for containers, and they will be placing orders soon. Our team helped the Bayside BID to determine that they can comply by simply adding about a dozen extra high-quality corner litter baskets. And the Flatbush Avenue BID has been able to revise their cost estimates down considerably thanks to our collaboration.

I want to be very clear: there are a number of low- or no-cost options for many organizations to comply with this rule, and despite the August 1 effective date, we will not be summoning anyone through at least the end of this calendar year. The implementation of the rule has already been extended well over 12 months from the date initially proposed by DSNY.

We are working with all BIDs in good faith, and many critics have come to see the importance of this program. New Yorkers deserve clean streets. Neither businesses, nor residents nor any other entity should be allowed to leave bags of trash on the street. Other cities around the world have been doing this for decades – we are certainly not the first. We can have clean sidewalks, clear corners, and passable curb cuts. We really can, if we just see this through to the end.

Thank you, and we look forward to answering your questions.



Bay Ridge 5th Avenue Business Improvement District
Re: Containerization Requirements on Business Improvement Districts
June 12, 2025

Chair Feliz and Members of the Committee,

Thank you for the opportunity to submit testimony regarding the proposed containerization requirements and their impact on Business Improvement Districts (BIDs). My name is Elizabeth Lovejoy, and I serve as Executive Director of the Bay Ridge 5th Avenue Business Improvement District in Brooklyn, representing over 250 small businesses along a vibrant commercial corridor.

The Bay Ridge 5th Avenue BID fully supports the Department of Sanitation's (DSNY) efforts to modernize waste management through containerization. Cleaner streets benefit everyone including businesses, residents, and visitors. We are committed to doing our part and complying with the City's mandate.

However, to meet the City's ambitious containerization goals, several barriers must be addressed:

1. Expedite the DOT Siting Approval Process

The current process for obtaining Department of Transportation (DOT) approval for container locations is overly time-consuming and lacks clarity. We respectfully urge the City to fast-track DOT's siting approvals specifically for BIDs, which are operating under tight timelines and resource constraints.

2. Simplify the Clean Curbs Application

The Clean Curbs application process, particularly the site plan requirements for both sidewalk and on-street installations, is highly technical and burdensome for BID staff. Smaller BIDs with assessments less than \$600,000 do not employ urban planners or civil engineers. Simplifying these requirements, or providing clearer guidance, would help more districts move forward without unnecessary delays.

3. Assign DOT Support for BID Projects

We strongly recommend that DOT designate a point person or team to support BIDs during this process. Having a dedicated representative who can assist with site plan reviews and field assessments would significantly improve communication and coordination between agencies and BIDs.

4. Recognize the Broader Scope of BID Operations

While sanitation is one of our priorities, BID operations encompass a wide range of services, including public safety, marketing, events, business advocacy, beautification, and more. Additional mandates must come with practical support and streamlined processes that do not detract from our broader mission.

We are ready and willing to collaborate with DSNY, DOT, and other City agencies to ensure successful implementation of containerization. With the right structure in place, we believe BIDs can be valuable partners in achieving cleaner, safer, and more welcoming commercial corridors citywide.

Thank you for your consideration.

Sincerely,

Elizabeth Lovejoy, Executive Director



Re: Oversight – Containerization Requirements on Business Improvement Districts

Dear Chairman Feliz and Committee on Small Business Members:

With all due respect, our message to you, which we at the Belmont Business Improvement District have reiterated over and over, is simple: If the City of New York, with its massive \$115B operating budget and \$173B capital budget, wants to mandate a cost on a voluntary service that our nonprofit organization, with its modest \$440,000 assessment, provides to benefit the city, then the city should fund that mandated cost.

Thank you very much for your time and consideration.

Peter Madonia
Chairman
Belmont Business Improvement District
718-294-8259



991 Amsterdam Ave
New York, NY 10025
Tel: (212) 666-9774
Fax: (212) 280-7730
info@columbusamsterdambid.org
www.cabid.nyc



June 25, 2025

Testimony of the Columbus-Amsterdam Business Improvement District (BID) regarding the Small Business Committee for Oversight on DSNY Containerization

My name is Daniel Bernstein & I am the Executive Director of the Columbus-Amsterdam BID. Thank you to the Small Business Committee for allowing me to testify in regard to the Oversight for DSNY Containerization. NYC BIDs vary greatly in size & budget, Our BID, a local community development nonprofit, has been in operation since 1987 & our boundaries cover both Columbus & Amsterdam Avenues from West 96th Street to West 110th Street (Bloomingdale neighborhood of Manhattan). We provide programs & services aimed at making our neighborhood cleaner, safer & more prosperous. Our sanitation “Clean Team” is comprised of 6 part time employees, 3 of which are deployed daily to sweep the streets & change the trash liners in the BID from 7AM-12PM.

I have worked in NYC BIDs for nearly 30 years & BID sanitation services are essential to NYC neighborhoods because as we all know DSNY & the City cannot clean all of NYC on its own. Local community development organizations, like BIDs, throughout NYC pick up the “major” slack of NYC & its agencies & make the City a more attractive place for visitors & residents alike.

The new DSNY rules regarding containerization will force many community groups like us to significantly alter &/or suspend their existing sanitation services due to the overwhelming financial constraints this rule is causing. This will result in overflowing trash receptacles, dirty sidewalks & illegal dumping. Additionally, the City is planning to fine organizations like us for doing their job bagging PUBLIC trash (not BID or commercial trash, Yes public trash). This does not make any sense as it is the work of groups like ours that make New York City look great.

Our BID produces 40-50 trash bags per day & we will need 6 locations for containers within our BID which will cost us \$35,000-\$40,000 to implement. This does not include staff time & maintenance, which will cost an additional \$50,000 annually (to comply with new DSNY rules). We strongly urge DSNY & the City Council to revisit this & make funding available for community groups & BIDs to comply with these new regulations.

Daniel J. Bernstein
Executive Director
Columbus-Amsterdam Business Improvement District (BID)
991 Amsterdam Avenue
New York, NY 10025
Office: (212) 666-9774
Fax: (212) 280-7730
Cell: (845) 502-6952
Email: dbernstein@columbusamsterdambid.org



Written Testimony of the Fifth Avenue Association

New York City Council Committee on Small Business

June 25, 2025

Good morning Chair Feliz and Members of the Small Business Committee:

My name is Ed Pincar and I am President of the Fifth Avenue Association, the Business Improvement District (BID) that works to ensure Fifth Avenue remains the most iconic street in the world. Our district spans Fifth Avenue from 61st Street to 46th Street and 57th Street from 6th Avenue to Madison Avenue, and includes dozens of national and international apparel and jewelry brands, legendary hotels, and cultural institutions that draw millions of New Yorkers and visitors from around the world.

Thank you for holding this hearing today on recently enacted DSNY rules requiring BIDs to place public litter basket garbage in rigid rat-proof containers that must be purchased and maintained by the BID. Keeping Fifth Avenue clean is one of the core missions of the Association, and currently we collect and dispose over 40,000 bags of garbage per year. The new DSNY rule will require us to purchase, site, and maintain approximately 10 containers that will cost at least \$90,000. This investment is significant, and like other BIDs we request additional partnership and support from the City to make the roll-out successful.

As you know, the current rule mandates containerization by August 1, with enforcement beginning in on January 2, 2026—which is little more than six months away. We support removing or delaying these timelines to allow each BID sufficient time to partner with DSNY along a schedule specific to the needs of each district. At a minimum, please consider extending the January 2, 2026 the deadline by at least one year to provide BIDs a longer runway to plan for, pilot and implement solutions that comply with these requirements. This small change would take considerable pressure off BIDs and the City to implement solutions that are not rushed and incomplete.

The City Council could consider removing or relaxing the financial impacts of this unfunded mandate by helping BIDs cover the cost to purchase and deploy these containers in each business improvement district that wants them. This is especially important for small- and medium-sized BIDs throughout the five boroughs.

Finally, DSNY must ensure that the rules and design criteria for containers that are purchased and installed now will remain in place for the foreseeable future. BIDs making these significant investments need assurances that the guidelines will not change in a way that requires additional investments to replace containers that are purchased today and remain in good working order in the future.

As my testimony shows, the Association values its partnership with the City and DSNY in providing supplemental sanitation services throughout our district. We believe the above changes will relax

the burdens currently placed on BIDs while working to achieve this shared goal of removing garbage bags on our sidewalks.

Thank you for your consideration and support.



Testimony by David Rose, Chairman, Fordham Road BID
New York City Council Committee on Small Business
Prepared: Wednesday, June 25, 2025

My name is David Rose, and I am the Chairman of the Fordham Road BID (the BID), the Bronx's busiest commercial corridor. If you can believe it, this is the 20th anniversary of the BID, which is home to more than 300 businesses. I am also a third-generation property owner, whose family's roots on Fordham Road trace back more than 75 years.

Thank you, Chairman Feliz, for the opportunity to testify at today's oversight hearing before the Committee on Small Business regarding the city's requirements for BIDs to containerize all trash. The BID has previously testified at prior hearings our concerns around this policy, so the focus for today is in a bit of a different direction.

As you are well aware, Fordham Road has no shortages of challenges. The recent Commercial District Needs Assessment Survey conducted by the BID a few years ago showed that the two most important issues for our businesses and community stakeholders both in and around the BID are public safety and sanitation. The glue holding these two together is enforcement.

The proliferation of illegal food and general merchandise vendors on Fordham Road makes compliance with containerization incredibly challenging for us. In the Spring, the BID began conducting informal vendor counts that we distribute publicly on a weekly basis. Simply put, the situation is getting out of hand and on some days, we see more than 350 vendors. In the last week alone, DSNY confiscated nearly 40,000 pounds of food from illegal food vendors. This is just the tip of the iceberg and in my many years on Fordham Road, this is the worst it's even been. It's devastating for our small business community, many of whom have been on Fordham Road for generations.

I am sharing this feedback with you, because in many locations along Fordham Road, vendors obstruct the right-of-way with their setups, with very little room for shoppers to navigate the sidewalk at various pinch points. And as you know, Fordham Road has a curbside bus lane on both sides of the street, limiting the placement of containers to our overloaded sidewalks on Fordham Road, which as a reminder to this Council is a restricted street (no general merchandise vending Monday through Saturday).

So, in order for us to comply with containerization, the Council must step up to the funding plate. The Council must find a way to help BIDs like ours pay for the containers and also to fund additional enforcement measures and initiatives for illegal vending so that the city's requirement for containerization for BIDs does not come into direct conflict with the out-of-control illegal vending and dumping we are seeing not just on Fordham Road, but around the City. This is also at the heart of why the BID also strongly opposes Intro 431.

Thank you for the opportunity to testify here today.

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Long Island City Business Improvement District

DSNY Rules Hearing

Relating to Entities Engaging in Cleaning Services

June 25, 2025

Testimony of Angel Hart, Long Island City Business Improvement District

Before the New York City Council

My name is Angel Hart, and I represent the Long Island City Business Improvement District (BID), the largest geographic BID in New York City. I'm here today to urge the City Council to provide funding for BIDs to comply with DSNY's new containerization rules.

For over 20 years, our BID has worked in close partnership with the Department of Sanitation. We share the City's goal of cleaner streets and rat mitigation. In fact, more than 50% of our budget is already dedicated to sanitation—everything from sweeping sidewalks and removing graffiti to bagging public trash from 120 corner bins across the district. Last year alone, we bagged over 45,000 bags of trash.

However, the newly proposed containerization rules place an unfunded mandate on BIDs like ours, expecting us to take on expensive and logistically complex changes—such as purchasing on-street bins, wheeled containers, or hauling trash ourselves—without any financial support. These costs are unrealistic, especially in a district as large and complex as ours.

Without funding or flexibility, these rules threaten the viability of BID-run sanitation services across the city. BIDs are not the problem—we are part of the solution. But if the City expects us to step up, it must step in with financial support.

We urge the Council and Administration to allocate dedicated funding for BIDs to implement containerization solutions in a way that reflects the scale, scope, and needs of each district. Let's continue working in partnership to keep NYC's commercial corridors clean, safe, and vibrant. Thank you.

MEATPACKING DISTRICT

32 Gansevoort St. 5th Floor
New York, NY 10014
212-633-0185

@MeatpackingNY
hello@meatpacking-district.com
meatpacking-district.com

Testimony to the New York City Council Committee on Small Business on behalf of the Meatpacking District Management Association City Council Chambers – June 25th, 2025

Good day, Councilmembers. My name is Evan Sweet, and I'm the Director of Neighborhood Operations for the Meatpacking BID. Thank you for the opportunity to testify.

I am here to ask the City Council to support NYC's business improvement districts (BIDs) as we work to comply with the administration's waste containerization mandate. We are thankful for the Council's proposal to include additional funding for the procurement of containers in the FY26 budget; however, additional support is required to resolve critical agency coordination issues that present a significant barrier to BIDs attempting to comply with the rule. Without this Council intervention, the containerization rule will be an unfunded mandate that threatens the viability of the not-for-profit organizations that supplement City sanitation services and keep our thriving commercial corridors clean.

The Meatpacking BID's Sanitation Operations

Good day, Councilmembers. The Meatpacking District is NYC's premier live, work, and play cultural district, serving over 50,000 daily visitors, workers, and residents. Central to our mission is managing public refuse. We allocate one-third of our operating budget to sanitation services and employ 12 full-time sanitation staff who service over 100 waste receptacles, sweep 92 block faces, and set out between 150 and 400 bags of public trash for DSNY collection each day.

Unlike residential containerization, which requires homeowners to purchase one or two \$40 containers, BIDs service large commercial areas requiring multiple specialty-designed containers. In the Meatpacking District, capital costs associated with compliance could be over \$100,000, funding the purchase of tilt trucks, storage containers, and other equipment needed to manage the trash we already successfully handle daily. Our operating budget will also need to increase to cover the additional maintenance of these assets. Without funding, this otherwise good policy will jeopardize services and programs provided by BIDs across the city, including in the Meatpacking District.

Unresolved Agency Coordination Issues

Despite raising concerns during the DSNY rulemaking process, critical inter-agency coordination problems remain unaddressed. We are hopeful the City Council can support BIDs seeking clarity on several administrative questions that preclude our ability to engage in the Clean Curbs program, and a clear path towards compliance:

Multi-Agency Approval Process: DSNY has provided no clarity on a process for how the Landmarks Preservation Commission will review container locations in historic districts. Without a DSNY or DOT-led expedited review process, our recent experience

with LPC suggests that the siting of containers within landmark districts would require full LPC review, which can take upwards of six months. Requiring BIDs to redirect limited staff effort to the overly burdensome processes, which could result in further complications as BIDs work towards compliance with the DSNY rule.

Procurement Complications: As certified non-profits with City contracts, BIDs must follow established procurement rules, including requirements for public competitive bidding. Considering these competitive solicitations often take 2-3 months to undertake, and there are only two tested firms in the New York market, timely competitive procurement is nearly impossible without an exemption or other modification to these rules by SBS.

The Need for Council Action

These unresolved issues prevent BIDs from even beginning the Clean Curbs application process, let alone meeting implementation deadlines. DSNY's implemented rule was created in a vacuum, and without consideration for the complexity of neighborhood operations or inter-agency coordination. As a result, BIDs cannot effectively transition to containerization without:

- The establishment of clear written MOUs and coordination protocols outlining how applications will be reviewed and processed by relevant city agencies.
- Clarity on how to resolve conflicts between compliance with the clean curbs rules and established procurement policies,
- Direct financial support to overcome the steep capital and operational burdens associated with compliance with the DSNY containerization rule.

Therefore, we ask the City Council to:

- Allocate funding to support the procurement of compliant containers in the FY26 budget.
- Push DSNY to establish clear inter-agency coordination protocols and a standard review process for Clean Curbs applications, especially related to DOT, LPC, and PDC review.
- Direct DSNY and SBS to develop procurement exceptions for BIDs seeking to acquire containers and other associated equipment.

BIDs are resilient partners in keeping your districts clean, but our supplemental services cannot continue without the support that the Administration failed to provide when creating this unfunded mandate. Without Council funding and intervention to resolve these agency coordination failures, BIDs will have to make difficult choices to reduce supplemental sanitation services, cut other programming, or risk violations for non-compliance with the DSNY rule.

Thank you again for the opportunity to testify.



**Morris Park Business Improvement District
966 Morris Park Avenue
Bronx, NY 10462**

**Testimony following the hearing of June 25, 2025, 1:00PM
Council Chambers, City Hall, New York, NY
for the NYC Council Committee on Small Business, FY2026 - Chair Oswald Feliz**

“Oversight – Containerization Requirements on Business Improvement Districts.

Testimony provided by email to: testimony@council.nyc.gov on June 26, 2025

by Dr. Camelia Tepelus Executive Director of the Morris Park Business Improvement District,
ed.morrisparkbid@gmail.com

This testimony is provided by Dr. Camelia Tepelus, the Executive Director of the Morris Park Business Improvement District in the Bronx, a BID with a \$390,000 in assessment revenue, 1 full time staff member, paying 2 full time supplementary sanitation staff from our vendor Streetplus \$153,000/year, to clean up sidewalks along 21 blocks of commercial corridor on Morris Park Ave in the Bronx.

We are a low density corridor, very pedestrian friendly, and we fully support the principle of containerization. Despite the rushed, somehow ad-hoc process this regulation followed, MPBID is committed to be in compliance within the August 1, 2025 deadline, after receiving significant guidance and real physical infrastructure support from DSNY. We would like to highlight the excellent communication and above-and-beyond service we experienced in working the assigned operational executive - DSNY Chief Frank Lettera. We communicated extensively, received 10 classic corner containers of a newer generation than those that we had, and also conducted a joint walk-through to assess needs and make recommendations as to sites where additional containers can be placed.

With DSNY’s guidance, MPBID is now in the process of applying to the DSNY’s “Clean Curbs” program to secure DSNY service to 2 additional locations with large volume containers offered by DSNY, and set up as per agreement with DSNY, DOT and NYC Parks.

We fully acknowledge that DSNY alleviated significantly our initial concerns – that were about the costs of the new policy on our budget as a medium-size BID – by essentially offering us the standard DSNY Clean Curbs containers. While we appreciate the solution-oriented work of on-the-ground DSNY personnel, we maintain several reservations of a different nature.

The points I do want to document here – are mostly of a **legal and jurisdictional nature**, in terms of responsibility, liability and compliance. Especially with regards to enforcement against non-compliance – the hearing pointed out to the large range of discretion of DSNY, but, in fairness, we also understand it is also a factor of DSNY’s own resources for enforcement.

Having listened to the audio recording of the hearing of June 25, 2025, MPBID would like to add to the record the following additional points that remained open-ended both from the DSNY’s testimony, as well as from our on-the-ground experience:

1. **Illegal dumping on BID-serviced commercial corridors** – all BIDs often experience illegal residential dumping of litter on the commercial corridors, with little or no enforcement. As we install larger capacity containers through the “Clean Curbs” program we are concerned that those sites will become the default dumping site for the community’s unwanted bulky items.
2. **Shared jurisdiction – DSNY, DOT/Parks, BID** – DSNY assisted MPBID in identifying 2 potentially suitable sites for placing additional large-storage containers. Jurisdiction for the specific sidewalks concerned is still in the hands of DOT and Parks, and we anticipate needing the help of DSNY in clearing these sites with the agencies having jurisdiction. We believe that the actual documentation needed to be submitted as part of the “Clean Curbs” **process needs to acknowledge jurisdiction of DOT and/or Parks**, and not only use the BID logo, and appearing to assign the entire responsibility on the BID, as the form shows now. Siting a new large litter container in a place where none was previously placed, is a decision not only of the neighboring BID, but a decision taken by the BID at the request, and alongside DSNY and DOT, our agency City partners.
3. For future similar regulatory improvements to the sanitation process, we expect **SBS to play a more active and assertive role in coordinating with the relevant agencies** – DSNY, DOT, Parks.
4. In the long-run, the **“Empire Bin”** solution currently pioneered in Harlem could be the standardized, automated and DSNY employee-friendly solution that commercial corridors may need.

I want to reiterate again that we clearly saw the constructive, solutions-oriented approach of DSNY’s operational staff. While solutions we may reach together – for the time being – to containerize excessive trash may be a helpful temporary solution, in the long run, there are modern, intelligent solutions implemented in other global cities to optimize this process.

Finally, we invite DSNY and all Council representative to review the report of the Center for Zero Waste Design report conclude by quoting you from the page 31 of the **Oct 2024, Center for Zero Waste Design** “On Containerization. Designing Waste Containerization into NYC Streetscapes” Waste managed by BIDs:

“We suggest that DSNY, in collaboration with BIDs and streetscape designers, come up with several standard solutions and sizing, so BIDs do not all have to come up with their own solution, but can use a citywide standard affordable solution.”

Full report available at [Center for Zero Waste Design](#)

Thank you for considering our testimony. Thank you again to DSNY’s operational staff and especially Chief Lettera for the substantive support provided to us in complying with this first-of-its-kind regulation. We will continue supporting DSNY and the City of New York in having clean commercial corridors generating funding going into the budget of the City that we all share.

Dr. Camelia Tepelus
Morris Park BID Executive Director
Ed.morrisparkbid@gmail.com
June, 26, 2025



APPENDIX:

Below is the Sample Installation Notification Letter part of the “Clean Curbs” process for BIDS, available for download on the DSNY website here

[DSNY - Clean Curbs Program Application](#)

The BID does **not** have authority to place any container in front of a private property, without the express consent of the property owner, and/or DSNY/DOT.

BID LOGO

Date

Owner or Property Manager
Address

**This letterhead should have 3 logos:
DSNY logo, DOT logo, BID logo**

Not solely BID logo and letterhead, since these City agencies are the ones ordering implementation of this measure that calls for the placement of large volume containers on the sidewalk/roadway adjacent to private property.

To Whom It May Concern:

The Department of Sanitation’s Clean Curbs program is coming to your neighborhood. The program will get garbage bags into rodent-proof containers, improving quality of life and public health. For more information about the program, please visit nyc.gov/cleancurbs.

Currently, bags of trash are stored for collection nearby on the sidewalk. Installation of containers through the Clean Curbs program will result in cleaner sidewalks with more space for pedestrians. The containers will be located on the street at **business address(es)**.

Please feel free to reach out with any questions regarding this letter to **BID contact** at **BID email/phone number**.

Sincerely,

BID contact, title



Oversight Hearing Testimony

Regarding DSNY Containerization Mandate and Entities Engaging in Cleaning Services

Submitted by: James Ellis, Executive Director North Flatbush Avenue Business Improvement District (BID)

June 24, 2025

Thank you for the opportunity to share this testimony today. My name is James Ellis, and I serve as the Executive Director of the North Flatbush Avenue Business Improvement District (BID), an organization serving Park Slope and Prospect Heights in Brooklyn since 1986. While this testimony may echo sentiments and realities expressed by my colleagues, I feel compelled to voice our deep concerns about the proposed DSNY containerization mandate.

As one of 76 BIDs in New York City, and as a nearly 40-year-old organization providing essential supplemental services in our neighborhoods, we have long prided ourselves on being a trusted partner to the City, its administrators, and agencies. However, this recent mandate has left us profoundly betrayed in the City's approach to partnership and collaboration. And to do so with no funding resources to operationalize such a massive change is additionally disappointing. The BID model, as created more than 40 years ago, speaks to partnership and supplemental services. This DSNY mandate is contrary to the language and intent of the original legislation; it removes the spirit of shared stewardship and governmental cooperation that the BIDs agreed to be part of; together we will improve everyday life in New York City.

The lack of substantive consultation with BIDs before implementing this mandate reveals a troubling disconnect between policy-making and operational reality. This top-down approach fails to recognize several critical issues:

Financial Feasibility:

Despite DSNY's certification that this rule "minimizes compliance costs for the discrete regulated community," the reality is starkly different. As independent non-profits reporting to Boards of Directors, our services and budgets are carefully outlined in our district plans and SBS contracts. The mandate could require tens of thousands of dollars in startup costs, with significant annual maintenance expenses that our already strained budgets cannot accommodate. Importantly, we cannot simply increase our assessments without undertaking a laborious legislative process.

Operational Challenges:

The mandate's implementation raises serious operational concerns:

- The rule lacks clarity on acceptable container types, alternating between references to "wheelie bins" and large on-street containers while only specifying a 55-gallon limit
- There are significant siting issues for container placement in our dense urban environment and specifically along North Flatbush Avenue which currently hosts curbside regulations to accommodate rush hour traffic demands
- Siting requirements and approvals must be vetted through NYC Department of Transportation, proven to be a time-consuming process with little flexibility. Additionally, we are shouldered with the task of

explaining these demands to impacted stakeholders (property owners, business operators). Their disapproval of these demands may then be unfairly aimed at our organization.

Unintended Consequences:

This mandate may force some BIDs to discontinue their public trash collection services entirely, leading to:

- Decommissioning 24 Big Belly compacting garbage bins along North Flatbush Avenue
- Overflowing public litter baskets
- Increased street debris
- Greater rat activity
- Degraded quality of life in our commercial corridors

Punitive Approach:

It is particularly troubling that we face fines for providing a public service. The trash we collect is not BID-generated or commercial waste – it is public trash. While the rule was modified to protect individual workers from fines, our organizations still bear the burden of compliance and potential penalties. This punitive approach also does not address the countless commercial corridors who do not have local stewardship similar to BIDs.

Proposed Solutions:

We urge the Council to consider alternative approaches:

1. Passing Int. 1279, sponsored by Deputy Majority Leader Ayala, which would delay implementation of these new rules until August 1, 2028. If there's no funding in the budget, this delay bill seems to be our only option.
2. Align this program with the forth-coming large residential containerization rollout to ensure consistency and efficiency
3. Establish designated periods during which bags can remain on street, with written DSNY agreements
4. Create a funding program to help BIDs purchase and maintain compliant containers
5. Develop clear guidelines for container placement that coordinate with other city agencies
6. Provide exemptions for BIDs based on operational constraints and district characteristics

The North Flatbush Avenue BID has discussed this mandate and currently does not see a financial or operational pathway to an August 1st compliance deadline as it currently stands. As a long-standing partner in maintaining clean streets, we ask the Council to recognize that BIDs are not the problem but rather part of the solution. We share the goal of a cleaner, more sustainable New York City, but this mandate, as currently structured, threatens to undermine the very services that help achieve that goal.

We remain committed to working with the Council and DSNY to develop practical solutions that serve our communities effectively while advancing the City's sanitation goals.

Thank you for your consideration of these concerns.



Hudson Square Business Improvement District

180 Varick Street, Suite 422
New York, NY 10014

212.463.9160
HudsonSquareBID.com
info@hudsonsquarebid.org
@HudsonSquareNYC

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June 25, 2025

Oversight Hearing: Committee on Small Business

Since 2009, The Hudson Square BID (HSBID) has overseen the transformation of Manhattan's former Printing District into a thriving creative hub. The area we manage is generally bounded by Clarkson Street in the north, 6th Avenue in the east, Canal Street in the south, and West Street in the west. HSBID is here today to request City budget support to comply with the new rules from the Department of Sanitation (DSNY) regarding trash containerization.

As of August 1, 2025, DSNY will require BIDs to containerize public trash bags. This mandate will require every BID in NYC to fund, purchase, and site on-street containers through the district and/or haul trash bags to DSNY facilities. We estimate that the cost of compliance with this rule to be over \$150,000 in start-up costs alone with significant ongoing annual operational costs. The start-up and annual compliance costs are significant for all BIDs but are completely impractical for smaller BIDs without significant financial support from DSNY. We respectfully request that the FY26 adopted budget include at least \$5M to help BIDs comply with this containerization mandate.

The financial penalties for violation of the new containerization rules take effect on January 1, 2026. It is wholly inappropriate to issue fines to City partners that provide supplemental services and have an existing contract with the City. In the case of HSBID, our District Plan does not include supplemental sanitation in its list of core services provided to the community. This program has continued under the explicit direction of our Board of Directors and could be halted at their discretion. It is also important to mention that these penalties would represent a significant cost and burden for nonprofits to absorb.

If the FY26 adopted budget does not include funding for BIDs to comply with this unfunded mandate, it is crucial to delay implementation of these new rules. Introduction 1279 would delay implementation of these new rules until August 1, 2028. We urge you to pass this bill until funding is available for all BIDs to containerize the public's trash in their districts.

While we support and appreciate the policy goal of containerization, it is unfair to burden BIDs with the full cost and penalty of containerizing public trash in our commercial districts. As always, BIDs are ready to help move the City towards the goals of containerization, but we must receive financial support.

From: [Pedro Suarez](#)
To: [Testimony](#)
Subject: [EXTERNAL] Testimony - Committee on Small Business 6/25/25 - DSNY Containerization Mandate
Date: Wednesday, June 25, 2025 3:29:07 PM

Dear Councilmember/Chair Feliz and members of the Small Business Committee,

I am the Executive Director of the Third Avenue Business Improvement District in the South Bronx neighborhoods of Mott Haven and Melrose, which is one of the oldest and most heavily trafficked commercial districts in the entire city. We have and continue to take steps towards implementing containerization and making additional investments in our supplemental sanitation program, but it will take time to get to where I think my BID needs to be. Additionally, I want to thank DSNY's sanitation workers on the ground, including the Bronx Chiefs, for working closely with my BID to address trash issues. My district continues to navigate challenges with severe quality of life issues including illegal dumping, littering, homeless encampments, and medical waste (especially syringes). As the city moves towards containerization in BIDs, I'd like to advocate that the DSNY/City budget include additional investments in the following:

- Allocating more funding to local garages, like Bronx 1, for more frequent litter basket collections in the HUB and addressing severe illegal dumping and littering situations. Even with containerization, overflow issues are still impacted by the frequency of collection. Smaller BIDs do not have the funding or infrastructure to scale up supplemental sanitation services quickly. As an example, my BID has not increased its annual base budget in 15 years. While I am taking steps to increase my base budget over the next several years, it will still require board and city council approval.
- Allocating more funding for DSNY cameras to address illegal dumping issues in District 17, especially the Hub. Councilmember Salamanca stated that he allocated half a million to DSNY cameras in District 17. How is that funding being used by DSNY?
- Allocating more funding for DSNY enforcement to hire additional personnel and conduct additional operations related to unlicensed vending, illegal dumping, and sidewalk obstructions. Currently, 40 DSNY enforcement personnel for 5 boroughs, which includes 76 commercial districts, is not enough to address quality of life issues and hold bad actors accountable on a consistent basis.
- The creation of a fund to assist smaller BIDs with the purchase of containers, especially as many BIDs need customized solutions to meet the unique needs of their districts. There is no one size fits all strategy for BIDs.

Allocating funding to the priority areas above would help ensure that economic centers, especially in low-income communities, have the resources needed to remain clean, safe, and vibrant for all New Yorkers.

[Pedro Suarez](#)

Executive Director

Third Avenue Business Improvement District

2825 Third Avenue, 3rd Fl.

Bronx, NY 10455

D (718) 218-5430

Email: psuarez@thirdavenuebid.org

Web: thirdavenuebid.org

Instagram: [@thirdavenuebidhub](https://www.instagram.com/thirdavenuebidhub)

Schedule meeting: <https://calendly.com/pedro-3rd-ave/virtual-meeting>

Testimony of Julie Stein, Executive Director, Union Square Partnership

Submitted to the New York City Council Committee on Small Business re: Oversight Hearing on Containerization Requirements on Business Improvement Districts – June 25, 2025

My name is Julie Stein, and I am the Executive Director of Union Square Partnership, the business improvement district for Union Square and 14th Street. I appreciate the opportunity to submit testimony today about the Department of Sanitation's new rules on waste containerization and the cost of implementation.

BIDs play a critical role in maintaining the cleanliness of our sidewalks and public spaces. We share the City's goal of creating clean, livable, and vibrant streets. However, this transition requires resources. Right now, there is no dedicated funding to support BIDs in meeting the new waste containerization requirement for the public trash that we bag, even though doing so comes with significant upfront costs.

For us to purchase the recommended Citibins or Metrostor containers and container-protection elements for our district, we estimate an upfront expense of at least **\$100,000**. This is a substantial cost for our organization (a medium-sized BID), and we know many other medium and small BIDs face similar financial hurdles. BIDs operate within fixed budgets and cannot simply increase our assessments to cover one-time expenses like this—in fact, we cannot increase our assessments at all without a legislative process that can take up to 2 years. With the rule only finalized in the beginning of March 2025 for implementation this year, these new costs for the recommended Citibin or Metrostor waste containers do not conform with our funding process. That means that the City is asking us to play a zero-sum game—cutting funding for other critical services we provide in order to make this investment in the recommended waste containers. The only relatively budget-friendly option for my organization is to buy tilt bins, which are not the state-of-the-art curb management solution that any of us are seeking.

The Council has already acknowledged the hardship of waste containerization to property owners with the passage of Councilmember Salaam's bill to provide funding for containers with secured lids to small residential buildings. While we are called a business improvement district, the members who pay our assessment in Union Square also include residential property owners like the ones the Council considers worthy of financial relief related to these rules.

To ensure the continued ability for BIDs to provide the range of services specified in our District Plans—we have asked the Council or Administration to include funding in this year's budget to support BIDs in acquiring the recommended waste containers. Investing in

BID waste containerization will allow us to continue providing the high-quality sanitation services that our neighborhoods rely on while continuing to fulfill our other obligations under our contract with the Department of Small Business Services.

Thank you for your time and consideration.



**Testimony by
Eman Rimawi-Doster, Senior Community Organizer
Disability Justice Program, New York Lawyers for the Public Interest
Before
The New York City Council
Committee on Committee on Small Business
Oversight - Containerization Requirements on Business Improvement Districts.
June 25, 2025**

Good afternoon, Committee on Small Business:

My name is Eman Rimawi-Doster, and I'm the Senior Community Organizer for the Disability Justice Program at New York Lawyers for the Public Interest.

We present this testimony to ensure that placement of all waste containers and bags affords accessible, clear paths of travel for people with disabilities – as well as those with strollers, suitcases, hand-trucks, and the like -- on sidewalks, curbs, and streets. Too frequently stacks of garbage bags and inappropriately placed containers also obstruct Access-A-Ride pick-ups/drop-offs, buses, and emergency vehicles, critical to an accessible city.

While New Yorkers deserve clean streets, this can't be accomplished at the expense of people with disabilities who need access to clear sidewalks, curbs, and streets. As a double amputee who fluctuates between using a wheelchair and a walker, having space to use the sidewalk, curbs, and streets is vital for my safety.

We also strongly support the goal of reducing the time that commercial waste spends on streets and curbs, and we continue to call for the full citywide implementation of the Commercial Waste Zones program as a way of simplifying waste collection, reducing the number of garbage trucks on local streets, and improving public and worker safety.

Thank you for your consideration.

**Eman Rimawi-Doster
Senior Community Organizer, Disability Justice Program
New York Lawyers for the Public Interest
151 West 30th Street, 11th floor
New York, NY 10001
erimawi-doster@nylpi.org**

(212) 244-4664 ext. 9305

About New York Lawyers for the Public Interest

For nearly 50 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, create equal access to health care, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

About NYLPI's Disability Justice Program

NYLPI's Disability Justice Program works to advance the civil rights of New Yorkers with disabilities. In the past several years alone, NYLPI disability advocates have represented thousands of individuals and won campaigns improving the lives of hundreds of thousands of New Yorkers. Our landmark victories include mandating that the MTA equitably provide its Access-A-Ride services to all applicants and riders with limited English proficiency. We have worked together with the MTA to bring about an "on demand" Access-A-Ride program, and to enable New York's most indigent residents to obtain Fair Fare discounts when using Access-A-Ride. We recently filed a class action lawsuit seeking to permit all Access-A-Ride users to access the same discount programs available to all other MTA transit users, as well as a class action to remedy the enormous gaps between subway cars and subway platforms system-wide.

Testimony on 6/25/25 Committee on Small Business Hearing

Open Plans writes today in regard to BID trash containerization requirements. Open Plans supports citywide trash containerization with containers placed in the curb lane. We also believe that placing the containerization burden on BIDs with little support is unwise, and not an effective strategy towards citywide implementation.

Placing the burden on BIDs to containerize trash places undue pressure on BIDs and exacerbates existing inequities. By requiring BIDs alone to be responsible for containerization in their districts, the City would be placing further financial and administrative burdens on organizations that are already stretched thin because they are asked to do too much with too little support from the City. While more resourced BIDs in highly patronized areas might have the resources to carry this out, smaller BIDs would have difficulty. This would not only hurt those BIDs, but could perpetuate inequality — where more resourced areas get appropriate containerization while less resourced areas get piecemeal or inadequate containerization.

The City should assist in the coordination of containerization, properly fund pilots, and create an actionable timeline for citywide implementation. The City benefits greatly from trash containerization both financially and through increased quality of life — less cluttered sidewalks, less rats, and more foot traffic. To reap these benefits to their fullest, it's also important that the City place bins in the curb lane whenever possible.

The city's trash containerization policy should not *rely* on BIDs, but rather be accomplished *alongside* BIDs.

Respectfully,
Open Plans

Sara Lind
Co-Executive Director
sara@openplans.org

Jackson Chabot

Director of Advocacy and Organizing
jacksonchabot@openplans.org

Michael Sutherland
Senior Policy & Legislative Analyst
michael@openplans.org

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VIA 200M.

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I represent: Road

Address: BID

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