

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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March 27, 2017

Start: 1:08 p.m.

Recess: 3:40 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: ANTONIO REYNOSO  
Chairperson

COUNCIL MEMBERS: Andy L. King  
Vanessa L. Gibson  
Costa G. Constantinides  
Steven Matteo

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

Kathryn Garcia, Commissioner  
NYC Department of Sanitation, DSNY

Dennis Diggins, First Deputy Commissioner  
NYC Department of Sanitation, DSNY

Larry Cipollina, Deputy Commissioner for  
Administration and Financial Management  
NYC Department of Sanitation, DSNY

Harry Nespoli, President  
Uniformed Sanitationmen's Union

Dan Brownell, Commissioner and Chair  
NYC Business Integrity Commission, BIC

Noah Genel, Deputy Commissioner,  
Legal Affairs and General Counsel  
NYC Business Integrity Commission, BIC

Jennifer Hoo, Budget and Finance Director  
NYC Business Integrity Commission, BIC

Salvador Arrona, Director of Policy  
NYC Business Integrity Commission, BIC

Harris, Director  
Government and Community Affairs  
Brooklyn Botanic Gardens

Sarah Curry-Halpern, Chair  
Manhattan Solid Waste Advisory Board

Jackie Otman  
Advertising and Marketing

Monica Henley Appearing for:  
Kendall Christianson  
New Yorkers for Responsible Waste Management

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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[sound check, pause]

CHAIRPERSON REYNOSO: Good afternoon.

Welcome everyone to the great Sanitation Committee hearing for budget. Good afternoon and welcome to the committee on Sanitation and Solid Waste Management hearing on the Fiscal Year 2018 Preliminary Budget and the Fiscal Year 2017 Preliminary Mayor's Management Report for the Department of Sanitation and the Business Integrity Commissioner. My name is Antonio Reynoso and I am the Chair of the Committee on Sanitation and Solid Waste Management. Today, we will hear testimony the Department of Sanitation on its Expense Budget, Capital Plan and General Agency Operations. After we hear from DSNY, we will hear from the Business Integrity Commission on its expense budget and general agency operations. The Department of Sanitation's Fiscal Year 2018 Expense Budget totals \$1.675 billion, which is \$1.1 million less than the Fiscal Year 2017 Adopted Budget. DSNY's Proposed Capital Budget for Fiscal Year 2017 through 2020 totals approximately \$1.87 million, an increase of \$81.2 million or 4.53% since the last budget adoption. The Committee looks forward to hearing

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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1  
2 testimony on several important topics including an  
3 update on the Marine Transit Station, which are an  
4 integral part of the city's Solid Waste Management  
5 Plan, a status update on Electronics Collection Pilot  
6 on Staten Island, and an update on various capital  
7 projects on purchases including the East 91st Street  
8 MTS as well as the purchase of collection trucks and  
9 equipment, and also what is the city doing to achieve  
10 zero waste, and do we have a plan, and is there any  
11 funding attached to it. The Business Integrity  
12 Commission for the School Year 2018 Expense Budget  
13 totals \$8.5 million, which is \$664,000 less than the  
14 Fiscal 2016 Adopted Budget. The committee—the  
15 committee looks forward to hearing the department's  
16 testimony on important topics including increased  
17 enforcement efforts, targeting unlicensed waste  
18 haulers as well as agencies' performance in reviewing  
19 applications. We will first hear from Commissioner  
20 Garcia of the Department of Sanitation and then  
21 proceed to hear from Commissioner Brownell of the  
22 Business Integrity Commission. The committee will  
23 then hear from members of the public, and we thank  
24 you in advance for your patience. Before we hear  
25 from the Commissioner, I would like to acknowledge my

1 COMMITTEE ON SANITATION AND SOLID WASTE  
2 MANAGEMENT

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3 colleagues who are present, Council Member Andy King  
4 from the Bronx and Council Member Steven Matteo from  
5 Staten Island. Thank you guys for being here, and  
6 now we will hear from First Deputy Commissioner  
7 Dennis Wiggins, Deputy Commissioner Lori Supalena,  
8 and the Commissioner of the Sanitation Department,  
9 Kathryn Garcia.

10 COMMISSIONER GARCIA: Good afternoon,  
11 Chair Reynoso and members of the City Council  
12 Committee on Sanitation and Solid Waste Management.  
13 I am Kathryn Garcia, Commissioner of the New York  
14 City Department of Sanitation. Thank you for the  
15 opportunity to discuss the department's portion of  
16 the Mayor's Fiscal Year 2015 Preliminary Budget. The  
17 Mayor's Fiscal Year 2017 Preliminary Mayor's  
18 Management Report and to update you on the  
19 department's progress and accomplishments during the  
20 past year. I am joined by Dennis Diggins, First  
21 Deputy Commissioner and Larry Cipollina, Deputy  
22 Commissioner for Administration and Financial  
23 Management. As you know, the department's mission is  
24 to keep New York City healthy, safe and clean, and we  
25 are committed to conducting our operations as  
sustainably and responsibly and efficiently as

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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1 possible. Our fleet of over 3,000 vehicles and  
2 equipment meets the highest clean air emission  
3 standards. Our Organics collection program continues  
4 to expand to reach more New Yorkers residents. Our  
5 recent launch of the Commercial Organics Program and  
6 our new Commercial Recycling regulations that will  
7 take effect this summer helped to bring businesses in  
8 line with our zero waste goals. Together, these and  
9 other initiatives have helped the city move toward-  
10 forward on a path to achieving zero waste in  
11 landfills by 2030. In pursuing our agency objectives  
12 the department's Fiscal Year 18 Preliminary Budget  
13 commits funds to numerous programs ranging from major  
14 capital investments to the implementation of programs  
15 vital to our mission. The Fiscal Year 18 Preliminary  
16 Budget proposes to allocate a total of \$1.68 billion  
17 in operating funds for the department to provide the  
18 agency's core waste collection and disposal services,  
19 street cleaning and snow operations. These funds  
20 include \$1.7 million on the New York-under Mayor's  
21 Clean NYC Initiative to continue sending and holiday  
22 basket collection service in commercial areas,  
23 transportation hubs and bids and to continue  
24 supplemental highway ramp cleaning, and \$392.1  
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COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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1 million in export tipping fees for the department to  
2 continue its current interim and long-term export  
3 operations. Additionally, the Preliminary Budget  
4 allocates \$1.25 million in Fiscal 18 to begin the  
5 implementation process for commercial waste zones in  
6 New York City. Last year, the department in  
7 partnership with the New York City Business Integrity  
8 Commission conducted a year-long study and determined  
9 that establishing commercial waste collection zones  
10 could significantly reduce truck traffic and vehicle  
11 emissions associated with the private carting  
12 industry, and we look forward to working with the  
13 Council and a range of stakeholders in developing the  
14 implementation plan for this new strategy. We are  
15 proud that New York City continues to be a leader in  
16 recycling and sustainability. To bolster our  
17 leadership is committed to identifying new strategies  
18 that strengthen and increase public recycling  
19 awareness and participation. The Fiscal Year 18  
20 Preliminary Budget allocates a total of \$52.6 million  
21 to the department's Bureau of Recycling and  
22 Sustainability for waste prevention, recycling and  
23 sustainability programs including outreach and  
24 education, organics and community composting,  
25



1 textiles, electronic waste, harmful hazardous  
2 projects, re-use and donations and zero waste schools  
3 in addition to our recycling processing costs. As  
4 you know, the department continues to expand its  
5 Voluntary Residential Organics Collection Program.  
6 Today, nearly one million residents citywide now have  
7 access to organics collection service making our  
8 program the largest municipal curbside organics  
9 program in the country. Just last week, the  
10 department announced it's 2017 curbside organics  
11 collection expansion plan, which will start in five  
12 community boards in Brooklyn later this spring,  
13 districts 1 and 16 in May, and Districts 2, 13 and 15  
14 in June. By the end of 2017, nearly 3.3 million New  
15 Yorkers will have regular curbside organics  
16 collection service from the department. We are on  
17 track to grow our Organics Initiative to serve all  
18 New Yorkers by the end of 2018 with either curbside  
19 service or convenient neighborhood drop-off sites.  
20 From the inception of our current Organics Program in  
21 2016 through March 21, 2017, the department has  
22 collected over 60,000 tons of organic materials from  
23 participating households, schools and agencies. This  
24 includes near 1,800 tons from the school program and  
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COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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1 over 27,000 tons from residential buildings. During  
2 the same period, the department collected over 2,000  
3 tons from green market drop-off sites serviced by the  
4 department, over 3,000 tons of fall leaves, and over  
5 10,000 tons of Christmas trees through our annual  
6 January collection program. Additionally, all New  
7 York City schools participate in recycling and this  
8 year we launched the first hundred zero waste schools  
9 in Manhattan and Brooklyn to target intensive  
10 outreach to students, educators and staff to divert  
11 all recyclable or compostable material from these  
12 schools within five years.

14 In Fiscal Year 17, the department also  
15 began a targeted outreach program in community  
16 districts having the lowest recycling diversion rates  
17 by dedicating outreach personnel to help building  
18 management staff and residents increased recycling  
19 participation. In addition, the department and NYCHA  
20 have partnered to launch recycling collection  
21 services to all NYCHA developments. In the past  
22 year, the department has worked closely with NYCHA to  
23 complete the first phase of NYCHA Recycle, and I am  
24 proud to say that as of the end of last year, all New  
25 York City res—or all NYCHA residents have access to

1 recycling services. We are working with NYCHA to  
2 continue to develop new approaches for resident  
3 outreach and engagement to increase recycling  
4 diversion at NYCHA developments. As part of this  
5 effort, we have worked with Grow NYC to develop the  
6 Environmental Ambassador Program that trains and  
7 supports NYCHA residents interested in helping their  
8 neighbors to recycle.  
9

10 Turning now to Snow Operations. The  
11 department's proposed Preliminary Snow Budget in  
12 Fiscal 18 is approximately \$87.6 million. The  
13 adopted Snow Budget for Fiscal 17 is \$88.1 million.  
14 Though our estimate of expenditures now stands at  
15 approximately \$89.4 million to date for this snow  
16 season. Although Winter Storm Stella this month was  
17 less severe than anticipated by meteorologists, it  
18 still produced a heavy mix of snow, ice, sleet, heavy  
19 winds and frigid temperatures that required full  
20 mobilization of plowing, de-icing and hauling  
21 operations. The official total snowfall accumulation  
22 for the city during the 2016-17 snow season currently  
23 stands are 30.5 inches. The average is 25 inches.  
24 The department's Preliminary Ten-Year Capital  
25 Strategy includes approximately \$303.5 million for

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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1 projects in Fiscal 18. The Capital Ten-Year Plan  
2 also includes funding for the construction of new  
3 garages to serve the community districts of Bronx 9,  
4 10 and 11, Staten Island 1, Brooklyn 3, Manhattan 6  
5 and 8 and Manhattan 11. In addition, the plan  
6 includes funding in all years to achieve proper  
7 replacement cycles on the department's fleet of more  
8 than 2,200 rear-loader and dual ben collection  
9 trucks.  
10

11 The Fiscal 2018 Preliminary Budget also  
12 allocates \$26.6 million in capital funds to continue  
13 construction of the department's marine transfer  
14 stations in accordance with the city's approved Solid  
15 Waste Management Plan. The department expects to  
16 open the Hamilton Avenue Marine Transfer Station  
17 later this year pending the completion of a service  
18 contract for the transport and disposal of waste from  
19 that facility. Construction of the Southwest  
20 Brooklyn Marine Transfer Station is also underway,  
21 and we expect it to be completed by the end of 2018,  
22 construction of the East 91st Street Marine Transfer  
23 Station continues with expected completion by the end  
24 of 2018, and construction of the alternate ramp on  
25 East 92nd Street will begin in 2019. The completion

1 of these facilities is the final step in implementing  
2 the city's Comprehensive Solid Waste Management Plan  
3 a fair and equitable five borough plan to sustainably  
4 export waste from the city by rail and barge. The  
5 initiatives outlined in the SWAMP will together  
6 reduce truck traffic in and around New York City by  
7 more than five million miles per year, reduce  
8 greenhouse gases by 300-by 34,000 tons per year, and  
9 contribute to a more equitable distribution of waste  
10 manage infrastructure in New York City. The  
11 department considers the Mayor's Management Report to  
12 be an important management tool since the department  
13 by its nature is very service oriented. The  
14 information contained in the MMR assists department  
15 managers in regularly evaluating and monitoring  
16 agency programs, goals and objectives especially in  
17 key service areas. Continuing our emphasis on street  
18 cleanliness, in the first four months of Fiscal 17,  
19 the department achieved a citywide average score card  
20 rating of 96.1% compared to 94.4 during the same  
21 period last year, and the highest for the same four-  
22 month period in more than seven years since Fiscal  
23 Year 10. Incidentally, there has never been a same  
24 four-month period during any fiscal year since the  
25

1 score card program began in '75 that was that higher  
2 than 96.1%. As a result of our ongoing focus on zero  
3 waste programs, the curbside and containerized  
4 diversion rate increased from 16.1% during the first  
5 four months to 16.8 during the same period in Fiscal  
6 17. This is a positive sign of strong growth in both  
7 our traditional recycling programs, and our expanding  
8 Organic Pilot Collection program. In closing, I wish  
9 to thank Chair Reynoso and the Council for continuing  
10 to work with us as a close partner and for our  
11 support and commitment to our programs and policies.  
12 We look forward to working with all interested  
13 parties to finalize the budget in the coming few  
14 months. I am now happy to answer any questions.

16 CHAIRPERSON REYNOSO: Thank you,  
17 Commissioner. [coughs] So I want to start with a-  
18 this Ten-Year Capital Strategy. Can you just  
19 summarize the priorities? I know, you've-you've  
20 stated some of them here, but given that this is  
21 different from past years, how exactly it is  
22 different, and what you approached different than the  
23 past years regarding on how to move forward with that  
24 Ten-Year Capital Strategy as opposed to-I think we're  
25 used to in a four-year?

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COMMISSIONER GARCIA: So I mean we do a Ten-Year Capital Strategy every two years, and so our primary focus is always on making sure we have the tools necessary for Sanitation workers to be effective, and what I mean by that is that we have the trucks we need. We have the garages that we need, and we have the export infrastructure that we need. And so those are really the key components, and in addition to make sure that we have the technology that's moving us forward in the 21st Century.

CHAIRPERSON REYNOSO: So it would be—what would—what it would cost and what you would need to do to make sure that you're on par with—with the Ten-Year Capital Strategy I guess is what I'm asking.

COMMISSIONER GARCIA: Absolutely.

CHAIRPERSON REYNOSO: Okay, and you completed that strategy, and you feel confident that it's something that can be achieved?

COMMISSIONER GARCIA: Yes.

CHAIRPERSON REYNOSO: Because we know now that our trucks are not necessarily completely—what is it? Their seven-year lifeline.

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2                   COMMISSIONER GARCIA: So we actually  
3 agreed based on our past experience that we would  
4 move to an eight-year replacement cycle, and we are  
5 working on having a level buy with OMB, and that's  
6 what's reflected in the Capital Budget. One of the  
7 things we wanted to get away from was peaks and  
8 valleys, and to make sure that we had a level buying  
9 plan because otherwise everything starts to break at  
10 the same time, and so that's the approach. It may  
11 take us a little longer to get to the average age of  
12 four years, but we're less likely to have an 11-year,  
13 and we're less likely to have the trucks all break  
14 down at the same time.

15                   CHAIRPERSON REYNOSO: And—and an eight-  
16 year lifetime I guess is something that—would anyone  
17 be concerned about eight years over seven years, and  
18 whether or not eight years is too much or too old for  
19 these—and this equipment to be out there?

20                   COMMISSIONER GARCIA: No, actually, we  
21 think that based on where—what's happening in the  
22 heavy duty trucks sector that that is a very  
23 conservative approach to take.

24                   CHAIRPERSON REYNOSO: So, we have a new  
25 administration at the federal level? Is there



1 anything in—in what we're seeing at the federal  
2 government, I guess, level that would impact what's  
3 happening here in the city specifically for the  
4 Department of Sanitation?  
5

6 COMMISSIONER GARCIA: So, there—there are  
7 two programs that have some small amounts of federal  
8 money. We get some grant programming through DOT for  
9 clean air vehicles. So often we'll buy electric  
10 charges or something like that for vehicles, and then  
11 in addition we get some community development block  
12 grant money for lot cleaning. It is not—neither one  
13 is a very large part of our budget, but obviously  
14 anything that's going to happen more broadly to the  
15 city's budget as a whole could impact the department.

16 CHAIRPERSON REYNOSO: Regarding the  
17 commercial waste collection study, the budget—the  
18 budget includes \$1.3 million in 2018 through 2020.  
19 The department will engage consultants who assist  
20 with implementation of zone-based system for  
21 commercial waste collection. We just want to know  
22 how this new need is different from the funding that  
23 was included in Fiscal Year 2017's Preliminary Plan  
24 to conduct a commercial waste study, and is there a  
25 timetable when the plan will be released, and is the

1 department working conjunction with other city  
2 agencies to—to make that plan happen?

3  
4 COMMISSIONER GARCIA: Sure—certainly, so  
5 the—the first study was really to have an idea of  
6 what was even happening within the—within the  
7 commercial waste sector--because a lot of it was very  
8 opaque to us--to make the determination of whether or  
9 not we'd recommend moving to a zone collection  
10 system. And so obviously that study found that there  
11 could be a 68% reduction in vehicles miles traveled.  
12 And so the next step is--

13 CHAIRPERSON REYNOSO: [interposing] Can  
14 you repeat that? How many—how—how much of a  
15 reduction?

16 COMMISSIONER GARCIA: Sixty-eight  
17 percent.

18 CHAIRPERSON REYNOSO: Sixty-eight  
19 percent. I just wanted to hear that again.

20 COMMISSIONER GARCIA: A lot.

21 CHAIRPERSON REYNOSO: A lot.

22 COMMISSIONER GARCIA: Like three million  
23 gallons of diesel. So one of the things that we have  
24 to do is figure out with the zone system that we hope  
25 to have a consultant on board by the end of this

1  
2 fiscal year to start that process is the nitty  
3 gritty. How big exactly will the zone be? You know  
4 what are the boundaries going to be? You know are we  
5 are going to have it be exclusive or non-exclusive?  
6 You know, what are going to be all the requirements  
7 on the private carting industry, and also to make  
8 sure that we understand from the business sector what  
9 exactly their needs are. How are we going to  
10 structure something where a restaurant may need three  
11 collections in an evening because they're so busy  
12 they're flipping tables. Because they're obviously a  
13 very successful restaurant versus our large office  
14 building that may have storage space. And so all of  
15 that sort of very detailed analytical work needs to  
16 happen under this contract. So we assume that this  
17 will come-be done in about a year. So in the first  
18 portion of Fiscal 19, and we are working closely with  
19 the Business Integrity Commission, but also bringing  
20 in DOT, and Small Business Services to the extent  
21 that they have things to add for particular pieces of  
22 this.

23 CHAIRPERSON REYNOSO: So, you-2020 would  
24 sound like a good year to see the results of that  
25 study?

1  
2 COMMISSIONER GARCIA: No, 2019. If  
3 you're talking calendar years it would be--

4 CHAIRPERSON REYNOSO: [interposing] Okay.

5 COMMISSIONER GARCIA: --in 2019. So  
6 late-late 2018 or early 2019.

7 CHAIRPERSON REYNOSO: Okay. Thank you.

8 The Fall Leaf Collection Program it's included in the  
9 Preliminary Plan to reinstate it this year, but it's  
10 still not base-baselined. Just what was the  
11 experience last year? Why do we want to change it  
12 this year, and if we're going to change it, why not  
13 just do it permanently?

14 COMMISSIONER GARCIA: So, one of the  
15 things that's happening is that as new districts come  
16 into the Organics Program they automatically get leaf  
17 collection. There's no special day to put out  
18 leaves. You can put out your leaves today. You can  
19 put out your leaves in the fall, and so as we see  
20 more districts come online, you don't need to have a  
21 special leaf program because they're automatically  
22 going to get organics collection, and their leaves  
23 will get collected as part of that program.

24 CHAIRPERSON REYNOSO: Speaking of the  
25 Organics Program, I want to speak specifically to a

1  
2 potential vendor violating its permit or having  
3 numerous outstanding violations, and how can they be  
4 considered a responsible vendor, and whether that  
5 differs from the lowest responsible bid, whether the  
6 bid itself has to be responsible or whether the  
7 bidder has to be responsible, and how that's  
8 differentiated by you or whether it even matters for  
9 the purpose of procurement process, and just want to  
10 know if it's something that-- I guess legally I  
11 don't think it's something we need to consider at the  
12 moment, but I just want to know what process you go  
13 through to really try to get responsible bids and  
14 bidders to have contracts with City of New York?

15           COMMISSIONER GARCIA: So I think you're  
16 speaking of what was a competitive sealed bid, and so  
17 there is very little discretion in terms of the  
18 determination of responsibility. They have to have  
19 paid their taxes. They can't have outstanding  
20 violations with ECB. Those are the kinds of things  
21 that we can look at in that particular type of  
22 procurement.

23           CHAIRPERSON REYNOSO: And--and any of the  
24 winner of those RFPs or those contracts?

25

1  
2                   COMMISSIONER GARCIA: They're not RFPs.  
3 That's a different process.

4                   CHAIRPERSON REYNOSO: So what--what would  
5 we call them?

6                   COMMISSIONER GARCIA: These were--these  
7 were competitive sealed bids.

8                   CHAIRPERSON REYNOSO: Competitive sealed  
9 bids.

10                  COMMISSIONER GARCIA: And we bid  
11 contracts. (sic)

12                  CHAIRPERSON REYNOSO: But--but we do have  
13 access to at least a--what you call ECB violations?

14                  COMMISSIONER GARCIA: Uh-huh.

15                  CHAIRPERSON REYNOSO: And in the cases of  
16 all the folks that receive these contracts, these  
17 businesses that receive these contracts, none of them  
18 had any open ECB violations?

19                  COMMISSIONER GARCIA: They did not. They  
20 did not have open ECB violations. They may have had  
21 ECB violations in the past because I regulate many of  
22 those and we have written violations against them,  
23 but they had been corrected at the time of the  
24 contract.

25

1  
2 CHAIRPERSON REYNOSO: Okay. So whether  
3 they have 100 ECB violations and paid them off or  
4 they had one and paid them off, they—they go the same  
5 love (sic) because they're paid off.

6 COMMISSIONER GARCIA: If they've  
7 corrected the violation, yes.

8 CHAIRPERSON REYNOSO: Or paid the fine?

9 COMMISSIONER GARCIA: You need to  
10 correct. I mean for—for ours, you have to correct  
11 the violation.

12 CHAIRPERSON REYNOSO: Okay, so I'm—I'm  
13 just kind of giving you a heads up. I'm very  
14 interested in pushing laws that allow for us to  
15 modify that process that restaurants at the current—  
16 at this current moment they're graded on an A, B, C,  
17 D level on whether or not they're clean. All waste  
18 transfer stations don't get it. There's no  
19 determination in a private waste transfer facility  
20 whether they're good or bad players. So, you're  
21 right, you could receive 100 ECB violations and just  
22 work to correct them all, and still be eligible for a  
23 contract with the city, or you could be a great  
24 player with ECB violations following all the rules  
25 and being the best neighbor, and you get that same

1  
2 consideration that the other transfer station has,  
3 and the city is still dealing our contracts to a lot  
4 of these people, and a lot of these organizations and  
5 businesses in these communities specifically South  
6 Bronx, North Brooklyn and Southeast Queens, which  
7 seems to be the place where everyone wants to go. I  
8 love the Organics Program that we're pushing right  
9 now, the Organics Program we're pushing now. I don't  
10 want to call it a pilot any more, but the Organics  
11 Program. I—I believe in it. I think it's something  
12 we need to do, but so long as we allow for these  
13 contracts to be given to what I consider  
14 irresponsible bidders or irresponsible businesses  
15 it's not something that my community can continue to  
16 support. We're not going to burden—take on the  
17 burden of handling all of the city's organics and do—  
18 and give the responsibility to all these bad players  
19 in these districts. So just a heads up, we're trying  
20 to change that process so you could have more  
21 autonomy or discretion, which I know you don't want,  
22 but to have more discretion of who's—who's the good  
23 players and who are the bad players. [background  
24 comments] The Newtown Creeks Organics Program, which  
25 is where everything is going, so currently in



1 Freshkills, we have this digester gas capture and  
2 we're trying to figure out a way to use that to--so I  
3 guess can you just explain how that's happening in  
4 Fresh Kills.  
5

6 COMMISSIONER GARCIA: Yeah, so at--at  
7 Fresh Kills, actually what we're doing is we're  
8 capturing the landfill gas, and the landfill gas, but  
9 there's no digester involved. The landfill gas has  
10 been cleaned up and put back into the grid, and  
11 actually, we anticipate that we're going to see an  
12 additional \$3 million in revenue next year from that  
13 process. Namely from selling the environmental  
14 attributes. The gas is actually not making that much  
15 money any more, but the environmental attributes  
16 makes a lot of money. So that's different. So at  
17 Newtown Creek the concept is that it goes into a  
18 digester that digests the food in a similar way from  
19 your stomach producing natural gas through that  
20 decomposition process, and then I am not sure exactly  
21 where DEP is on their contract with National Grid of  
22 having that go back into the pipeline. Some of that  
23 gas is already being used at New Town Creek to power  
24 their boilers.

1  
2 CHAIRPERSON REYNOSO: So, is that—what's  
3 happening with Freshkills something that DEP is  
4 overlooking?

5 COMMISSIONER GARCIA: No, no, we do  
6 Freshkills.

7 CHAIRPERSON REYNOSO: But—well Newtown  
8 Creek would be a DEP?

9 COMMISSIONER GARCIA: It would be a DEP  
10 project. It's within their—it's within their  
11 property line.

12 CHAIRPERSON REYNOSO: So we should ask  
13 them. Okay, so that's—that's good to know that there  
14 is a difference there. Because I know there is an  
15 opportunity for gas capture, and I want to make sure  
16 that if you're taking advantage of it in Freshkills  
17 that we do the same in Newtown, but if it's a DEP  
18 versus Sanitation issue, then we'll contact them to  
19 make sure also.

20 COMMISSIONER GARCIA: Yeah, so I'm—I know  
21 of the project from a long time ago. I don't know  
22 its current status, but it's exciting. It could  
23 like—it could be empowering 2,500 homes with natural  
24 gas. That's a lot.

25

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

27

1  
2 CHAIRPERSON REYNOSO: It is. So, I want  
3 to—we have a lot of other questions, but I want to  
4 allow for my colleagues to get an opportunity to  
5 speak on issues that are important, and I want to go  
6 ahead and ask Council Member Steven Matteo first.

7 COUNCIL MEMBER MATTEO: Thank you, Chair  
8 Reynoso. Commissioner, I don't think it's any  
9 surprise I'm going to start with the E-Waste Program  
10 on Staten Island since we're both very proud of it.  
11 If you could just—I think today is 20–23 weeks since—  
12 since we started it. If you could start. If you  
13 could just give the numbers of how many items  
14 collected over the last 23 weeks?

15 COMMISSIONER GARCIA: Certainly. So, you  
16 know you I love this program--

17 COUNCIL MEMBER MATTEO: [interposing]  
18 Yes.

19 COMMISSIONER GARCIA: --and so over the  
20 last few weeks we have collected weeks we have  
21 collected 10,154 total pieces, many of them very  
22 large television sets, and--

23 COUNCIL MEMBER MATTEO: [interposing] We  
24 like our television sets.

25 COMMISSIONER GARCIA: Huh?

1  
2 COUNCIL MEMBER MATTEO: We like our  
3 television sets in Staten Island.

4 COMMISSIONER GARCIA: You do like your  
5 television sets, and there's been pretty strong  
6 consistent demand for the program. It dipped little  
7 bit a few weeks after the Super Bowl. I think  
8 there's a lull in TV purchases after Christmas and  
9 after the Super Bowl--

10 COUNCIL MEMBER MATTEO: Uh-huh.

11 COMMISSIONER GARCIA: --but we anticipate  
12 that it will pick back up as we move into the spring  
13 months.

14 COUNCIL MEMBER MATTEO: Okay, so, can you  
15 just explain how you had the startup for the program  
16 using Sanitation workers, and you had to buy certain  
17 equipment? Just give us an overview.

18 COMMISSIONER GARCIA: Certainly. So, we--  
19 we purchased ten trucks, and we're using Sanitation  
20 workers. We use approximately six a day to do the 60  
21 appointments, and then you go online or you call 311  
22 to make your appointment. You tell us what it is  
23 that you want picked up, and then we arrive at your  
24 house and take those electronics away. We take them  
25 to Freshkills. We palletize them and then ERI comes

1 and collects them, and takes them to a recycling  
2 facility.  
3

4 COUNCIL MEMBER MATTEO: Okay, and we're  
5 still within two weeks. Is that right?

6 COMMISSIONER GARCIA: Yeah, we're still  
7 within two weeks. We actually had a little bit of a  
8 decline in demand order, about 40 appointments a day  
9 until snow, and then at snow we stopped taking  
10 appointments. So there was an uptick last week.

11 COUNCIL MEMBER MATTEO: Yeah, I see after  
12 the middle of February it started moving back up to  
13 its normal pace and then the snow last week, and then  
14 it seems like we're back at our normal pace.

15 COMMISSIONER GARCIA: Right, and--

16 COUNCIL MEMBER MATTEO: [interposing] Do  
17 you know if-

18 COMMISSIONER GARCIA: --we have seen a  
19 decline in people coming to--

20 COUNCIL MEMBER MATTEO: [interposing] The  
21 events?

22 COMMISSIONER GARCIA: --to the events and  
23 to the household hazardous waste drop-off site and  
24 less--and less dumping. You see less TVs sort of  
25 wandering the roads of Staten Island.

1  
2 COUNCIL MEMBER MATTEO: Well, I agree  
3 with you. Before the launch, I think you estimated  
4 it at \$1.3 million for Fiscal 17 for Staten Island.  
5 Do you have a number that's budgeted for Fiscal Year  
6 18?

7 COMMISSIONER GARCIA: We are still in  
8 talks with OMB on exactly what our budget will be  
9 going forward for E-Waste, but I feel that we will be  
10 in a good place to make sure that we are meeting the  
11 needs of Staten Island.

12 COUNCIL MEMBER MATTEO: Excellent, and I  
13 appreciate that. Do you know—I don't know if you  
14 have this, but do you know if more requests are  
15 coming through 311 or through the website?

16 COMMISSIONER GARCIA: I don't know what  
17 the breakdown is, whether or not it's coming through  
18 311 or the website.

19 COUNCIL MEMBER MATTEO: Okay.

20 COMMISSIONER GARCIA: The one thing that  
21 I will say that it will make this program more  
22 challenging going forward is that ERI had been  
23 providing collection and processing for free, and  
24 that will not be true after December 31st.  
25

1  
2 COUNCIL MEMBER MATTEO: Okay. So we're  
3 going to have to address--

4 COMMISSIONER GARCIA: [interposing] We're  
5 going to have to pay for the collection and  
6 processing.

7 COUNCIL MEMBER MATTEO: [interposing]  
8 Yeah, okay.

9 CHAIRPERSON REYNOSO: We--can we please ask  
10 why--why that is just to clear it up for--for the folks  
11 that are--?

12 COMMISSIONER GARCIA: Because there's--  
13 across the state there is not any money in the CRT  
14 portion of the waste stream. They're very difficult  
15 to deal with and manage. So it's a problem. We  
16 actually have been doing much better than the rest of  
17 the state. They have been paying for processing and  
18 collection for a long time, and they will continue to  
19 pay for the apartment collection, and processing, but  
20 not for any additional curb sites. That wasn't in  
21 their initial framed (sic) contract. So--

22 COUNCIL MEMBER MATTEO: Do you have a  
23 number how much that's going to cost?

24 COMMISSIONER GARCIA: It's going to be  
25 about 21 cents a pound, but I have to go back and

1 look at what—what the total is that we're thinking.

2 I mean we're thinking in the order of like, you know,

3 [pause, background comments] Okay, so about \$480 a

4 ton probably.

5  
6 COUNCIL MEMBER MATTEO: \$480 a ton?

7 COMMISSIONER GARCIA: Yeah.

8 COUNCIL MEMBER MATTEO: Okay, and just my  
9 final E-Waste question. I'll—I'll touch on some more

10 topics, but as much as I'm proud that we work

11 together and the administrations have a program to

12 start on Staten Island that only exists on Staten

13 Island, but it's not—it's not happened a lot in the

14 past. I am looking forward to pushing this for a

15 city E-Waste program as I'm sure my colleagues are.

16 I know Chair Reynoso is certainly looking to expand.

17 So can you touch base, and talk to us about plans to

18 expand our citywide service and how much do you think

19 that would cost?

20 COMMISSIONER GARCIA: So we are still

21 working with OMB, but we know that this will be a

22 phased program in part because of the processing

23 back-in piece. There isn't enough capacity to take

24 it all, and so our thinking is that we will roll it

25 out across the city in the lower density areas.



1  
2 Because if you're over nine units, you have a program  
3 right now--

4 COUNCIL MEMBER MATTEO: Okay.

5 COMMISSIONER GARCIA: --that is available  
6 in all boroughs, but I'd have to get back to you on  
7 the specifics of what the estimate is for that entire  
8 program.

9 COUNCIL MEMBER MATTEO: And we would  
10 model it the same way through the same--

11 COMMISSIONER GARCIA: [interposing] Oh,  
12 absolutely.

13 COUNCIL MEMBER MATTEO: --the same  
14 equipment, the same steps?

15 COMMISSIONER GARCIA: Yes, we will be  
16 using the--since we aren't--cannot use a rear-loading  
17 truck, we will use the box truck and the cut-downs to  
18 pick up the TVs and the other electronics along with  
19 it we use some data boxes in order to make sure that  
20 the little stuff doesn't get lost. So we will  
21 continue to do that moving forward. We know people  
22 really like being able to make appointments.

23 COUNCIL MEMBER MATTEO: No, it's been--  
24 it's been an extremely successful program on Staten  
25 Island, and especially for seniors and my office and

1 my clean team has been helping getting the--the E-  
2 Waste to the curb. So it's been extremely  
3 successful. Looking forward to more on Staten  
4 Island--and--and to expand it citywide, and just--just  
5 finally do--do you see any problems that we need to  
6 work on, on the program--

8 COMMISSIONER GARCIA: [interposing] Yes.

9 COUNCIL MEMBER MATTEO: --anything that's  
10 come up that--

11 COMMISSIONER GARCIA: The biggest  
12 challenge in other boroughs is going to be staging  
13 areas because I don't have a Freshkills everywhere  
14 else. So I don't--I need a place where I can  
15 prioritize the E-Waste. So what--that's one of the  
16 things we're working on.

17 COUNCIL MEMBER MATTEO: Chair, before I  
18 do on, do you want to add anything to that?

19 CHAIRPERSON REYNOSO: I did regarding the  
20 Bill Geddes (sic). Do you--do you know where the next  
21 phase might be? I know you said--you mentioned low-  
22 low density areas. Any idea of where the next  
23 location might--and so this is the one place where the  
24 whole city is jealous of Staten Island, and this one  
25 issue here.

2 COMMISSIONER GARCIA: Uh-huh.

3 CHAIRPERSON REYNOSO: It's actually  
4 working. It's working well, and Matteo is a great  
5 example of someone that's going to hold the standards  
6 really high, and for him to be satisfied we're really  
7 excited about it going citywide. So just really want  
8 to speak to where you think it would be going next so  
9 that we can starting getting a little excited in  
10 those areas?

11 COMMISSIONER GARCIA: Yeah, I'm probably  
12 coming to North Brooklyn next, but [laughter]

13 CHAIRPERSON REYNOSO: Okay, we—and we  
14 have, you know, dozens of waste transfer stations  
15 that we could do the actual work. We have the  
16 facilities there, and for that, I would be very  
17 excited to see that happen.

18 COMMISSIONER GARCIA: Okay.

19 CHAIRPERSON REYNOSO: Okay, alright,  
20 thank you—thank you for that. I didn't know that  
21 until today--

22 COUNCIL MEMBER MATTEO: [interposing]  
23 there you go.

24 CHAIRPERSON REYNOSO: --Council Member.  
25 So thank you.

1  
2 COUNCIL MEMBER MATTEO: Are you closing  
3 the hearing or what are you going to do?

4 CHAIRPERSON REYNOSO: No, no, no, no.  
5 Ben Kallos has a lot of questions.

6 COUNCIL MEMBER MATTEO: No, I'm not done  
7 yet. [laughs] Andy knows I'm still going. Alright,  
8 so just to shift into--to the snow, and Commissioner,  
9 thank you and--and your staff for the constant--  
10 constant communication during snow storms. It's--

11 COMMISSIONER GARCIA: [interposing] Does  
12 everyone here know that he has branched out from  
13 Staten Island, and actually has taken on the Island  
14 of Manhattan as places that he--

15 COUNCIL MEMBER MATTEO: [interposing] Oh.

16 COMMISSIONER GARCIA: --provides during  
17 snow storms.

18 COUNCIL MEMBER MATTEO: We branch out.  
19 We--we do what we can. So just a few things. If you  
20 could just walk and tell us the process about the  
21 shift changes--

22 COMMISSIONER GARCIA: [interposing] So--

23 COUNCIL MEMBER MATTEO: --and how you  
24 switch from an eight-hour normal shift and when you--  
25

1  
2 you make that decision to shift to I think it's a 12-  
3 hour 7:00 to 7:00, if I'm correct.

4 COMMISSIONER GARCIA: Uh-huh.

5 COUNCIL MEMBER MATTEO: So would you just  
6 walk us through, you know, the process and when you  
7 make that change in preparation for a snow storm?

8 COMMISSIONER GARCIA: So, it really  
9 depends—it's driven by what the meteorological  
10 reports are. We're never going to swing to a 12-hour  
11 shift if I think that it's just a spreader storm. If  
12 we're talking about, you know, up to two—up to two  
13 inches, it's unlikely that we would split.

14 COUNCIL MEMBER MATTEO: Okay.

15 COMMISSIONER GARCIA: If you're talking  
16 into plowable snow, it's very likely that we will  
17 split, and so what you have to do is see we're  
18 operating on three—on three shifts. The biggest one  
19 is the 6:00 a.m. shift. Some of folks will end up  
20 going into night. So they'll work the day. Then you  
21 can't work them at night. They've got to work the  
22 next night, and then, you know, you're 12:00 to 8:00  
23 are going to come back at 7:00, and you're 4:00 to  
24 12:00 will stay on the overnight.

1  
2 COUNCIL MEMBER MATTEO: Okay. It's—it's  
3 basically based on the forecast.

4 COMMISSIONER GARCIA: It's based on the  
5 forecast. Yes. It's a trick logistical thing to make  
6 sure we don't accidentally put someone who just  
7 worked a full shift on another full shift.

8 COUNCIL MEMBER MATTEO: Right, and—and  
9 listen, and the great that the Sanitation men and  
10 women do shifting back to garbage pickup, and again  
11 just—just for our informative purpose, can you just  
12 give us the—how long it takes to shift back to  
13 garbage pickup and when you're making that call as  
14 well?

15 COMMISSIONER GARCIA: It really  
16 completely depends on how the storm goes. So in this  
17 last storm, you know, we were basically done with the  
18 initial plowing by the morning of Wednesday, but the  
19 temperatures had fallen very far at that point in  
20 time and much of what had fallen was not just, you  
21 know, seven to ten inches of snow. It was seven to  
22 inches of snow and then add in the heaviness of  
23 probably, you know, three-quarters of an inch of  
24 sleet and ice, which ended up becoming cinder blocks.  
25 So we spent a lot of time coming out like Wednesday,

1 Thursday, Friday into Saturday doing crosswalks, bus  
2 stops, bike lanes, piling and hauling an enormous  
3 amount of snow out of areas and melting it at the  
4 melters. So it was all that sort of work. And so we  
5 were carving out our staff for-to focus on that, and  
6 then if we had more staff available, they would on  
7 collections. So we did do some collections Thursday,  
8 Friday, Saturday, Sunday, but we were still carving  
9 out snow functions even into next week because we  
10 were clearing parking lanes on the alternate side--

11  
12 COUNCIL MEMBER MATTEO: Right.

13 COMMISSIONER GARCIA: --areas.

14 COUNCIL MEMBER MATTEO: I mean on Staten  
15 Island I think we were back on schedule very quickly.  
16 I think by that Monday, if not earlier, from the  
17 weekend collection. So-so using-when you're in  
18 operations using excess, if you can, to start a  
19 pickup, right?

20 COMMISSIONER GARCIA: Right, we're doing  
21 to prioritize--

22 COUNCIL MEMBER MATTEO: [interposing]

23 Until you just-until you're completely done?  
24  
25

1  
2                   COMMISSIONER GARCIA: Yeah, we're—we're  
3 going to prioritize this snow portion of it, and then  
4 do what we can after that on—on collections.

5                   COUNCIL MEMBER MATTEO: Right. Thank you  
6 for that information, and the last question on the  
7 storm is, you know, and you and I have talked about  
8 this at hearings offline about the bus stops, and the  
9 corners. I personally think we have agencies and  
10 they could do a better job and—and the contractors  
11 for the bus shelters, and helping out Sanitation, but  
12 can you just—I know you brought some—had some more  
13 equipment. Can you just let me know how many bypaths  
14 are on Staten Island, and how you're deploying them  
15 for the crosswalks and the bus stops and the corners?

16                   COMMISSIONER GARCIA: Sure like the—the—  
17 this is the second year that we had actually  
18 purchased Skid Steers and Bob Cats. This is the  
19 first year we had 50 and, you know, we had three on  
20 Staten Island. You know, this year we bought another  
21 50, and we were deploying them. They actually—we—we  
22 got a quite a few snow laborers, but not as many as  
23 we would have wanted, and they—they were often very  
24 slow because of how much ice there was. The Skid  
25 Steers are great.



2 COUNCIL MEMBER MATTEO: Uh-huh.

3 COMMISSIONER GARCIA: And so, we were  
4 deploying them on--primarily on bus stops and some  
5 crosswalks, but we'd give them--they--almost a route  
6 like follow this bus stop, do, you know, do the bus  
7 stop and do the crosswalk, do the bus stop, do the  
8 crosswalk.

9 COUNCIL MEMBER MATTEO: Right.

10 COMMISSIONER GARCIA: And we found them  
11 to be--to be very effective though in some places we  
12 were using front-end loaders--

13 COUNCIL MEMBER MATTEO: Man.

14 COMMISSIONER GARCIA: --because we needed  
15 to have that strong a piece of equipment to--

16 COUNCIL MEMBER MATTEO: [interposing]  
17 Because of the ice?

18 COMMISSIONER GARCIA: --because of the  
19 ice.

20 COUNCIL MEMBER MATTEO: Right. So do you  
21 have any plans to purchase more?

22 COMMISSIONER GARCIA: So we're looking at  
23 that because I want to make sure that we're--we have  
24 what we need into the next snowstorm. So we're sort  
25 of evaluating based on this winter season both, you

1 know, Skid Steers. I think we're actually okay on  
2 front-end loaders, but also maybe the small plows,  
3 which we're worked very well in these storms in many  
4 areas of the city, but they're not as robust as the  
5 really big spreaders, and so thinking about whether  
6 or not we've gotten the right fleet number on the  
7 Haulsters yet. We don't know that. We're just doing  
8 some evaluations at this time--

10 COUNCIL MEMBER MATTEO: [interposing]

11 Right.

12 COMMISSIONER GARCIA: --to see whether or  
13 not there's a need there.

14 COUNCIL MEMBER MATTEO: And--and the way  
15 we use them in--in areas in my district and New Dorp  
16 Beach and Westley, I think has show that that's the  
17 right call because those two neighborhoods have never  
18 been done that quickly--

19 COMMISSIONER GARCIA: Yeah.

20 COUNCIL MEMBER MATTEO: --this rush  
21 because I mean you--you see the streets, Wesley and  
22 New Dorp Beach has narrow streets that it's difficult  
23 for any truck to get through never mind a--a  
24 Sanitation truck. So I appreciate it, and I do  
25 appreciate the job the men and women of Sanitation

1 do, your commissioners and you did. So, I'm going to  
2 finish with one last question because I know my  
3 colleagues and—and just a quick update on Freshkills  
4 on the remedial work. Can you just give me an update  
5 on the final mound in Section 1-9?  
6

7 COMMISSIONER GARCIA: Certainly. So we  
8 continue to do construction on Section 1-9. The  
9 phasing of the closure activities will take us to the  
10 end of 2021, and that has been agreed to by the State  
11 as of last December, and it's really about making  
12 sure partly because we needed to be a little bit  
13 sensitive on this mound because it contains the World  
14 Trade Center material in it.

15 COUNCIL MEMBER MATTEO: Absolutely.  
16 Great, thank you, Commissioner. Thank you, Chair.

17 CHAIRPERSON REYNOSO: Thank you, Council  
18 Member. I just wanted to follow up on one—one part  
19 of it. Enforcement after a snow storm. A lot of  
20 folks on sidewalks our big issue and business owners  
21 or property owners not—not shoveling the snow on the  
22 sidewalks. How does that work? Do you do that  
23 immediately the day after maybe or how long after the  
24 last snow do you—do you guys send out your  
25 enforcement team?

1  
2                   COMMISSIONER GARCIA: The—the call out  
3 went to all the boroughs so they could start writing  
4 tickets at 11:00 a.m. on Wednesday. We were—we're  
5 still using some of our enforcement resources for  
6 other snow activities to manage the salt areas, and  
7 stuff like that, but tickets started getting written  
8 that day.

9                   CHAIRPERSON REYNOSO: Okay, thank you.  
10 Council Member Andy King from the Bronx.

11                   COUNCIL MEMBER KING: [pause] Thank you,  
12 Mr. Chair. Appreciate it. Commissioner always a  
13 delight, and the super team at Sanitation. I want  
14 thank you all for your service and keeping New York  
15 City and the way we keep it clean. I have just only  
16 about four questions. As I was going over your  
17 testimony, I just wanted to get clarity because  
18 between Council Districts and Community Districts,  
19 sometimes we get in a conversation in a room, and we  
20 don't know which one we're talking about. So in your  
21 Ten-Year Capital Budget, you talked about the Capital  
22 Strategy includes approximately \$303.5 million in  
23 FY18. The Capital Ten-Year Plan includes funding for  
24 new garages and community districts in the Bronx 9,  
25

1  
2 10 and 11. So I was trying to understand is that  
3 community board--

4 COMMISSIONER GARCIA: [interposing] No,  
5 it's--

6 COUNCIL MEMBER KING: --or Council  
7 District?

8 COMMISSIONER GARCIA: --it's community--  
9 it's community boards.

10 COUNCIL MEMBER KING: Say again.

11 COMMISSIONER GARCIA: Its community  
12 boards. All of our districts are contiguous with  
13 community boards not-not--council districts.

14 COUNCIL MEMBER KING: Not the Council  
15 Districts. Okay, so now--now I got clarity because  
16 millions they messed up the conversation not  
17 understanding. So I just wanted to make sure. So,  
18 for those stations who might need repair is there a  
19 plan? Because I know we were talking about creating  
20 new ones in these--in these districts. What happens  
21 to those who are already established and need help?  
22 What--what's the plan to help improve those--those  
23 stations in those communities?

24 COMMISSIONER GARCIA: So, you know, for  
25 stations that--that we have that are a little younger

1 than 9, 10 and 11, is what we do if we're going  
2 facility assessments to make sure that they have what  
3 they need, and we have smaller projects for other  
4 district garages where they may require a new roof,  
5 where they may require a new floor, but they don't  
6 require a whole new building, and we—we've added that  
7 to the Capital Plan.

9 COUNCIL MEMBER KING: Okay and I—I  
10 appreciate that. I just wanted to get clarity on  
11 that. I'm going to change on directions. I wanted  
12 to go into first of all talk organics and then snow.  
13 I'd like to know the organics that you have I wanted  
14 to know—I know you said there's about 1.8 billion New  
15 Yorkers are participating—native New Yorkers that are  
16 participating--

17 COMMISSIONER GARCIA: A little shy of a  
18 million now.

19 COUNCIL MEMBER KING: Shy of a million  
20 now.

21 COMMISSIONER GARCIA: And we get to 3.3  
22 this year.

23 COUNCIL MEMBER KING: Would you happen to  
24 have another breakdown, how it breaks down per  
25 borough, how many people are participating in my

1 borough? Because I'm pretty sure it's not all in one  
2 borough.  
3

4 COMMISSIONER GARCIA: No, and--and yes we  
5 can certainly provide you with where we are, but I  
6 will tell you that we intended to be in the Bronx in  
7 the late summer, and so, you know, there are two  
8 Bronx--Bronx Community Boards that we are in now, but  
9 they're relatively small compared to where we are in  
10 Queens and Brooklyn, but we will be doing a very  
11 large expansion in the Bronx later this year.

12 COUNCIL MEMBER KING: [interposing] Well,  
13 if you did at least according to the--

14 COMMISSIONER GARCIA: [interposing] We  
15 will be looking to you for help.

16 COUNCIL MEMBER KING: Yeah, whatever we  
17 can do. I'd like, of course, to be a part of the  
18 Organics especially our--our homeowners that I see  
19 you're expanding in five Brooklyn areas--

20 COMMISSIONER GARCIA: [interposing] I'm  
21 going to be in 8, 10, 11 and 12 in the height of the  
22 summer. That's where we intend to be.

23 COUNCIL MEMBER KING: Okay, alright, so  
24 I'll look forward to seeing you in 12 then.

25 COMMISSIONER GARCIA: I will be there.

1  
2 COUNCIL MEMBER KING: I-I thank you for  
3 that. So I do want to know, I'm not trying to go  
4 back to the future of part 3 or anything like that,  
5 but when we collect these organics what-what do we do  
6 with them? What do we-what-are they in-are they  
7 being transferred into energy, or are they get  
8 burned.

9 COMMISSIONER GARCIA: [interposing] Oh,  
10 yeah so--

11 COUNCIL MEMBER KING: What is happening  
12 with them?

13 COMMISSIONER GARCIA: --so it depends on  
14 how we're managing it. So some of it is going to  
15 Newtown Creek in Council Member Reynoso's District,  
16 and it gets converted into natural gas, and some of  
17 it is going to either our compost facility on Staten  
18 Island or there's a very large compost facility up-in  
19 Upstate New York, Mack and Row Farms where much of  
20 the material goes, and creates beautiful black gold  
21 soil.

22 COUNCIL MEMBER KING: Okay, any of that  
23 coming back down towards the city for use?

24 COMMISSIONER GARCIA: If you would like  
25 any compost in your district, we have a form online



1 and we are going to do a bunch of compost giveaways  
2 this spring.

3  
4 COUNCIL MEMBER KING: Okay, I'll look  
5 forward to us hosting that in the Twelfth District  
6 and doing an event around that.

7 CHAIRPERSON REYNOSO: Council Member, if  
8 you have any gardens, it's very popular.

9 COUNCIL MEMBER KING: It's very popular?

10 CHAIRPERSON REYNOSO: You've got gardens  
11 that dump a whole bunch of soil. Everyone would be  
12 happy.

13 COUNCIL MEMBER KING: That's what we love  
14 to do play in dirt. Okay, got it. Also, I'm going-  
15 now so I'm going to move into snow.

16 COMMISSIONER GARCIA: Uh-huh.

17 COUNCIL MEMBER KING: I know we did-  
18 haven't had the snow accumulations or the major  
19 headaches we had in the past, but 30 inches of snow  
20 as still 30 inches of snow and ice and sleet. I  
21 wanted to know is there a budget breakdown for like  
22 each borough? How much each borough gets for snow  
23 removal or is it just one big pot.

24 COMMISSIONER GARCIA: Yeah.

1  
2                   COUNCIL MEMBER KING: Please—please hear  
3 me out. My reason for asking that quest—asking that  
4 question, because I know in the past sometimes some  
5 communities get service better than others based on  
6 crisis situations whether you got—and I've heard that  
7 some people get pulled from one area to help another  
8 area. So I just wanted to know as far as you budget  
9 because you put everything in one budget. So I just  
10 want to know does the boroughs—is there—is there a  
11 fairness number? How do you judge? How do you send  
12 people if there is no budget line for each borough?

13                   COMMISSIONER GARCIA: So, the—the way—  
14 the—the budget is actually just one budget, but the  
15 way that we design our snow plans, which we provide  
16 to the Council in the fall is really driven by how  
17 many miles of street there are. And so whereas in  
18 the Bronx or in your area, you may not produce that  
19 much garbage. So I may only need to use five trucks.  
20 I have no idea what the numbers are, but I may only  
21 need to use five trucks to collect all of your  
22 garbage. But you may have a highway, and three times  
23 as much roadway as maybe someone in Community Board  
24 Bronx 1, and so, therefore, I need to make sure you  
25 have the right amount of vehicles and people for

1 plowing, and we try and make that even across the  
2 city that the equipment and the people for snow is  
3 matching the amount of miles we're going to have to  
4 plow.  
5

6 COUNCIL MEMBER KING: Okay, well, I see  
7 there is no separation in the budget for each  
8 borough?

9 COMMISSIONER GARCIA: [interposing] No,  
10 but I mean every--every borough has their own snow  
11 plan, and you can see exactly how many people we're  
12 assigning to your--your borough by title for snow--

13 COUNCIL MEMBER KING: Oh, okay.

14 COMMISSIONER GARCIA: --and how that  
15 matches up to your lane miles in the Bronx. So like,  
16 you know, in--in Bronx 1 or some of the ones in the  
17 South Bronx I may need ten trucks to do two blocks  
18 for garbage, but I only need one truck to do snow.  
19 And so that's how we balance it.

20 COUNCIL MEMBER KING: Okay. So you find  
21 that--I've noticed that there has been a change in  
22 pickup schedules or a slowdown in pickups. So I just  
23 wanted to know have you all noticed that, or what's  
24 the plan or is there's any budget cuts or anything  
25

1 that allows sometimes slow pickup, or is there enough  
2 staffing or--?

3  
4 COMMISSIONER GARCIA: So I think that one  
5 of the things that have happened I think people are  
6 addressing, too, is when we moved into night plow  
7 year we have a lot more collections happening either  
8 on the 12:00 to 8:00 shift or the 4:00 to 12:00 shift  
9 by design so that we will have more people available  
10 for snow operations on the overnight. And I think  
11 folks have felt that that was a delay, but really  
12 that was designed to make it so that we could more  
13 efficiently move into snow from collection  
14 activities. But there's been no change in our budget,  
15 but if you are on a route that normally got collected  
16 on the 6:00 to 2:00 shift, and because we've moved so  
17 many people to nights, it's now collected on the 4:00  
18 to 12:00 shift. So it's not really a delay. It's  
19 just us trying to make sure we're ready for snow and  
20 how many additional routes we have.

21 COUNCIL MEMBER KING: Okay, and I--and I  
22 appreciate that and I just add this before I just-- As  
23 you make your adjustments, and I heard you say about  
24 acknowledging what communities might because I might  
25 have a lot of garbage in one community, and one

1 might—they might have more highway litter. I will  
2 say, though—I'll speak on behalf of the Bronx and  
3 pretty sure in a number of neighborhoods around the  
4 city as well. When you're making your assessment as  
5 we are, and I'll take my district and Andy Cohen's  
6 district for example. We are like full of  
7 homeowners. So what tends to happen is that the  
8 homeowners just, of course, either we have to shovel  
9 or if trash doesn't get picked up kind of consistent  
10 for some reason the four legged animals know the day  
11 of your pickups and they are just out there when they  
12 now the trash goes out there between the raccoons,  
13 the possums, and the cats. They're just all in  
14 trash. So when there's a delay in trash pickup, we  
15 end up putting out the trash two or three times  
16 because we always have to clean up after we put it  
17 out. So I'm just sharing that with you. However,  
18 you are going to assess and manage. However, when we  
19 do a delay, what kind of effect it has on certain  
20 because some—some delays don't affect certain  
21 communities as I know they have affected ours. My  
22 neighbors come in consistently when there's a delay  
23 because that's when the four legged people are out  
24 there enjoying themselves. So I just wanted to give  
25

1 you that, you know, as you move forward in assessing  
2 our nice neighborhoods when shift in schedule. So  
3 with that being said, I'm full of—I'm done with  
4 questions and thank you Mr. Chair, but any comments  
5 I'd love to hear.

7 COMMISSIONER GARCIA: No, I mean I think  
8 perhaps as we move into night plow we might be able  
9 to tell you that like you're going to consistently be  
10 on 4:00 to 12:00 shift. Like you don't have to put  
11 it out until right before that happens. You know,  
12 but we try and make sure that we don't miss you  
13 either, because we've given you that information.  
14 There can be some swings back and forth.

15 COUNCIL MEMBER KING: Okay, thank you.  
16 Thank you, Mr. Chair.

17 CHAIRPERSON REYNOSO: We've also been  
18 joined by Council Member Chaim Deutsch and Council  
19 Member Ben Kallos, but it's Council Member Ben Kallos  
20 for questions.

21 COUNCIL MEMBER KALLOS: Yes, thank you to  
22 the Department of Sanitation and constituents for  
23 participating in the 91st Street Marine Transfer  
24 Station Community Advisory Group known as the CAG as  
25 well as two strong leaders in our community, Darryl

1 Hunt and Jill Eisner. Trash is—the cost of trash is  
2 going up, and we're literally going to be spending  
3 more dollars on trash, and we're literally putting  
4 our budget dollars into the trash. It's going from  
5 \$63.39 a ton and it's doubled to \$129.81 a ton  
6 according to a Friday report of the Independent  
7 Budget Office. So is the Independent Budget Office  
8 accurate? Is that report true?  
9

10 COMMISSIONER GARCIA: Their numbers are  
11 consistently true with what we anticipate and what we  
12 have anticipated for the last few years of what the  
13 cost would be for implementation of the Solid Waste  
14 Management Plan.

15 COUNCIL MEMBER KALLOS: So, they're  
16 indicating that we've gone from \$300 million and  
17 pretty steady in 2014 and your plan is to go up to  
18 \$420 million in 2021. So, I guess the first question  
19 is how much could we save by continuing to send  
20 garbage trucks that pick up any waste in Manhattan by  
21 the Department of Sanitation and continuing to send  
22 them all to New Jersey.

23 COMMISSIONER GARCIA: And as we've  
24 discussed that's not how the Solid Waste Management  
25 Plan works. The Solid Waste Management Plan is a

1  
2 global plan to make sure that we are not  
3 overburdening communities with other people's waste,  
4 and I know you're going to say--

5 COUNCIL MEMBER KALLOS: [interposing]  
6 Actually, I've been happy with all your--

7 COMMISSIONER GARCIA: --I know you're  
8 going to say that it's going to Jersey, but it would  
9 be even cheaper if it went to the Bronx. I could at  
10 least save the easy pass amount of money, but--

11 COUNCIL MEMBER KALLOS: [interposing] I  
12 don't want to get to the Bronx, but right now is any  
13 community in Manhattan--sorry. Is any community in  
14 New York City being burdened with waste from  
15 Manhattan or is it all going to New Jersey?

16 COMMISSIONER GARCIA: And as I'm going to  
17 continue with my answer to the previous question,  
18 we've had this conversation many times, and there's--I  
19 think the report rightly cites at the end of it, yes,  
20 the cost of this is going up. We have known that the  
21 cost was going to go up for a very long time. One of  
22 the things or the reasons why it's been so stable is  
23 actually because we have been making strides in terms  
24 of reducing the amount of waste the city is  
25 producing. So while the cost per ton had been going



1 up, we actually have been paying about the same  
2 because we've been producing less. So in addition  
3 what they end that report on is that it actually is  
4 achieving the goals that the Solid Waste Management  
5 was designed to achieve, which is reduce truck  
6 traffic and to reduce emissions in the city of New  
7 York, and to make sure that over the long haul—I  
8 think this is one of the things folks really forget  
9 is that at a certain point in the late 90s, the spot  
10 markets on waste disposal particularly in  
11 Pennsylvania were all over the place, and I wouldn't  
12 say that we've had an easy time even with trying to  
13 get long-term contracts for the waste coming out of  
14 the marine transfer stations. You've done like we've  
15 had to do the contract for some of those transfer  
16 stations multiple times because of challenges from  
17 other local communities outside of New York to New  
18 York City's waste. Most recently it's Seneca Meadows  
19 in Seneca Falls in Upstate New York, and so--

21 COUNCIL MEMBER KALLOS: [interposing] I'm  
22 suddenly short on time. I have to—I—in the negative  
23 time to ask questions about homelessness next door.  
24 So at \$129.81 per ton, if we hit zero waste or we  
25 reduce massively, do our costs go down or are we

1 locked into a 20-year-contract where we pay whether  
2 or not we use their scale. (sic)

3  
4 COMMISSIONER GARCIA: [interposing]  
5 There's a--there's--there is both a fixed and variable  
6 component on all of those contracts, and so we  
7 actually pay less if we reduce our waste.

8 COUNCIL MEMBER KALLOS: If you can  
9 forward those numbers, and so East 91st Street MTS  
10 when is it slated to open?

11 COMMISSIONER GARCIA: I believe we are  
12 slated to open at the end of 2018 and then the new  
13 ramp should be done at the end of 2022 according to--

14 COUNCIL MEMBER KALLOS: [interposing]  
15 Great.

16 COMMISSIONER GARCIA: --EDC's most recent  
17 schedule.

18 COUNCIL MEMBER KALLOS: Okay. So,  
19 according to a letter we have from the Administration  
20 dated September 28, 2015, it was promised that the  
21 ramp would be completed within 54 months, but no  
22 longer than 66 months. So that's March 2021. So if  
23 we can make sure that the Mayor is keeping his word  
24 on that, and if not, I think making sure that the  
25 amount of time that we're operating a marine transfer

1 station through—without a safer ramp is important.

2 Can we have a commitment to follow the original  
3 letter from 2015?  
4

5 COMMISSIONER GARCIA: Oh, no, I'm—I am—  
6 I'm aware that that was DDC's best estimate of how  
7 fast the construction would go, and I know that they  
8 have been moving aggressively on that project with A-  
9 Com as the designer. So, I---I am hopeful that they  
10 will get that done as quickly as possible, but I  
11 don't know that challenges they're having in terms of  
12 meeting the construction schedule.

13 COUNCIL MEMBER KALLOS: Okay. I will  
14 follow up with additional questions offline. I  
15 apologize for—for the brevity. Thank you.

16 CHAIRPERSON REYNOSO: Thank you, Council  
17 Member Kallos. Council Member Deutsch.

18 COUNCIL MEMBER DEUTSCH: Thank you,  
19 Chair. Good afternoon, Commissioner.

20 COMMISSIONER GARCIA: Hi, how are you?

21 COUNCIL MEMBER DEUTSCH: And as you know,  
22 I'm a very—a staunch supporter of Sanitation. I know  
23 in the last—the last three plus years, I have—we—our  
24 district has funded two soil spreaders, two  
25 Sanitation street sweepers, and also we work with

1 Sanitation workers on the football games and, you  
2 know, it puzzles me about how-how they love their  
3 jobs, the workers with their strongest of the men and  
4 woman of Sanitation and when I say woman yes there  
5 are women and working for the Sanitation Department.  
6 I see one right in front of me. That's you,  
7 Commissioner.

9 COMMISSIONER GARCIA: Uh-huh.

10 COUNCIL MEMBER DEUTSCH: And they really  
11 love their jobs. I just wanted to bring up this last  
12 ice storm that we had, and I know that whenever  
13 Sanitation goes up, and issues summonses, you know,  
14 when it comes to people not shoveling especially the  
15 commercial establishments that are vacant,  
16 residential homes that are under construction, you  
17 could see that the ice is still in front of the  
18 sidewalks at least for weeks to come. It all depends  
19 on the weather, and-and also those that don't shovel,  
20 you know, when-after a snow storm or-or ice storm, we  
21 need to hold these people accountable, and at the  
22 same time you have the seniors and the people with  
23 disabilities who sometimes they don't have the ways  
24 am means to shovel in front of their homes. So I  
25 know in the past that on the New York City Sanitation

1 website, they—they listed a number of organizations,  
2 which I don't think accomplished much because now  
3 it's not on the website any more, and I know that I  
4 have called them in the past, and they have no  
5 manpower available. So at the same time we need to  
6 make sure that the people with disabilities and the  
7 seniors are—are helped through—through the city. At  
8 the end of the day, if someone slips and falls if you  
9 have a senior that is self-sufficient she ends up  
10 slipping or he ends up slipping in the ice or the  
11 snow, and then we have to pay for a home healthcare  
12 worker, which is—which costs that city a lot more  
13 than anything else. So I think we need to come up  
14 with a plan, a solid plan by reaching out to—to  
15 homeless shelters, by reaching out to those who are  
16 on probation to reaching out to those who are  
17 unemployed, and have a time and place before this  
18 winter weather hit—hits. So this way we have a plan  
19 where we have the people, the personnel to go out  
20 there, and when someone wants a job, and someone  
21 wants to make a quick buck, they want to get paid  
22 right away. And it's listed on the website that it  
23 takes between four and six weeks for the city to  
24 issue a check, and it also states here that it could  
25

1 take up to I think it says here up to 16 weeks--up to  
2 12 weeks for that person to be issued a check by the  
3 city of New York. So it doesn't give a person  
4 incentive to go out there, and--and help and get paid  
5 \$12 an hour or \$15 an hour with overtime or \$22.50 an  
6 hour after working 40 hours. They want to get paid  
7 right away. So, I think now we're talking about the  
8 budgets we should be discussing about putting some  
9 type of plan together, and I'm sure my colleagues  
10 here agree with me, and my colleagues who are not  
11 here agree with me, and if we could work together and  
12 put together a plan to help those people with  
13 disabilities, to help those senior citizens and at  
14 the same time, go out there and issue the summonses  
15 to those who don't shovel. No one needs to slip and  
16 fall and be out of commission for sometimes several  
17 years or sometimes a lifetime. So is this something  
18 that you think that we could work together? Is this  
19 something that you think would will be feasible?  
20

21 COMMISSIONER GARCIA: So--so I think there  
22 are two separate things here. So, we have the snow  
23 laborers--laborers who are paid \$15 an hour who do our  
24 bus shelters and our crosswalks, and we had about  
25 1,600 registered, and about 500 to 600 showed up

1  
2 everyday. Many of those we have already issued a  
3 check for, but it does sometimes take time to get the  
4 timesheet from district to the payroll to get them  
5 paid, and make sure all the paperwork is correct and  
6 in place to go through. It's basically a paycheck  
7 like you get a paycheck from the City of New York  
8 with all of the pieces that come with putting a new  
9 employee on the payroll. But we don't shovel in front  
10 of private homes, and that is something that is done  
11 by—you know, the service is usually provided through  
12 New York City Service, and not through the Department  
13 of Sanitation, and we've worked with them and I  
14 didn't hear a lot issues this particular storm, and I  
15 can certainly check in. I'm seeing they've been  
16 working very hard to expand their network of non-  
17 profits that they were working with, and also to work  
18 with schools. So I think that I'll go back and talk  
19 to their commissioner about what their experience was  
20 in this last storm. I hadn't heard anything  
21 negative, but I'm certainly happy to go see whether  
22 or not, what we thought was going to happen did  
23 happen.

24 COUNCIL MEMBER DEUTSCH: So for the day  
25 of the storm if you hang out in a hospital just

1 during that time, you will see—I mean I know I—my  
2 daughter slipped on ice a year ago, and while I was  
3 in the hospital with her, there were at least two  
4 dozen people in the emergency room for the same  
5 thing, and it jut hurts me to see someone in the  
6 hospital and sometimes suffer for long periods of  
7 time. Like I said, it's sometimes for the lifetime  
8 because they slipped. So there are issues  
9 throughout, and I think that—I'm not saying, you  
10 know, if Sanitation does—is not responsible for those  
11 that go out and shovel private homes, I think we  
12 should work together, Sanitation with the Council  
13 and, you know, work with the not-for-profits to make  
14 sure that there's enough funding in there so we can  
15 get—we could accomplish this. And—and secondly, my  
16 colleague here Andy King mentioned about the—the  
17 back-up schedules during this process, and I know how  
18 tough it is to be out there especially in the cold  
19 for—for the workers, but if the elected officials  
20 even if you backed up let's say Tuesday's schedule,  
21 let's say—let's say it gets picked up on Thursday. If  
22 we get a schedule and we could pass that exact  
23 information out to our constituents and if we get a  
24 call on Tuesday saying when is my trash being picked  
25



1 up, and if I could answer them, my office could  
2 answer Thursday, right, then, you know, many of the  
3 constituents would be happy. They just want to know  
4 when the trash will get picked up. So, it's like  
5 people are just afraid of the unknown. They don't--  
6 once it's--they don't know when the trash will be  
7 picked up. They could call our office ten times--

8 COMMISSIONER GARCIA: Uh-huh.

9 COUNCIL MEMBER DEUTSCH: --and asking us  
10 when it's going to be picked up. So I didn't  
11 mention--

12 COMMISSIONER GARCIA: [interposing] I'm  
13 only--I'm only laughing because sometimes I'm the  
14 Commissioner and sometimes I am the constituent.  
15 [laughs]

16 COUNCIL MEMBER DEUTSCH: So--so even if we  
17 don't get it the exact day, if it's like a gap--a gap  
18 of 12 hours, at least we have information. If you  
19 give us 12 hours later at least we know how to  
20 respond to our constituent because sometimes the bags  
21 may--because--

22 COMMISSIONER GARCIA: [interposing] Well,  
23 I--you and I are completely on the same page. It's  
24 sometimes difficult for us to be able to predict  
25

1 exactly where we're going to get it, but just the  
2 pushback I get on the operational side, but that is  
3 the type of information we want to be getting out to  
4 communities about so that they know. So they know  
5 whether or not they should bother putting something  
6 out or not bother putting something out because most  
7 people are--particularly if you're in an outer  
8 borough and you have enough storage space, which  
9 isn't true everywhere, they'd rather hold it and not  
10 see it on the street than--and, you know, and wait  
11 until we tell them that we're coming. So I'll work  
12 with you in terms of how we can do better at  
13 messaging that rather than just saying we're delayed  
14 on collections and be--and try to be specific about  
15 exactly when we're getting there.

17 COUNCIL MEMBER DEUTSCH: Yes, especially  
18 the last week when they--when they picked up the trash  
19 it was like 50 mile per-hour winds. So then you had  
20 trash all over the street. So that came in the wrong  
21 time, but I--I thank you, and I look forward to  
22 working with your office. Your office has been  
23 great. I have to say very responsive, extremely  
24 responsive, and I look forward to continue working  
25 with you, Commissioner. I'm excited.

1  
2 COMMISSIONER GARCIA: Thank you.

3 COUNCIL MEMBER DEUTSCH: Thank you.

4 CHAIRPERSON REYNOSO: Okay. So, I just  
5 have one more set of questions, and then I think  
6 Council Member Gibson who is in the other hearing  
7 because she's in both committees is going to come  
8 through, and then we'll proceed and Harry will come  
9 up and speak. I just wanted to ask about recycling  
10 enforcement. We've got to get zero waste.

11 COMMISSIONER GARCIA: Uh-huh.

12 CHAIRPERSON REYNOSO: I'm going to say  
13 that I want to stay optimistic, but it's-it's  
14 difficult because this is such a-a difficult thing to  
15 do to accomplish. Just want to speak to where in the  
16 budget we're going to-it's shown I guess or is  
17 displayed that we're going to do that, or that we're  
18 going to be achieving that or getting closer I guess,  
19 but most folks would be asking is, is there a plan?  
20 Can we just see a plan that's outlined in detail as  
21 to how we expect year in and year out that we would  
22 contributed to achieving zero waste. I just really  
23 feel like right now it's very vague. We don't have a  
24 lot of insight. So I guess the confidence is-is a  
25 little low. So I just want to know what plan there

1 is. Is there any money attached to that plan, and if  
2 there's any detail?  
3

4 COMMISSIONER GARCIA: So certainly. I  
5 mean like so the biggest piece of it is the Organics  
6 Program, which obviously is rolling out across the  
7 city. Obviously, we had some setbacks on Styrofoam  
8 and plastic bags, which we felt would account for  
9 about 4% of our reduction. In addition, we think  
10 that moving the single stream most significantly  
11 improve recycling rates for which there is I believe  
12 line items in the budget for at this point in time.

13 CHAIRPERSON REYNOSO: Can you just follow  
14 up with that one. When do you think single stream  
15 would actually—when are you thinking about  
16 implementing that?

17 COMMISSIONER GARCIA: No, we don't  
18 anticipate it being ready to go online until 2020 as  
19 and the One NYC plan mainly because it's the easiest  
20 thing for me to do operationally is it's more  
21 challenging. Sims will need additional capital  
22 equipment in order to perform the function, and so  
23 they have retained an engineering firm to start that  
24 process of what to they need and—and how will they  
25 would they put it together. In addition, we—you

1 know, being very, very focused on NYCHA is a  
2 significant part of this program because obviously we  
3 don't get to zero without them, and then we are still  
4 considering other technologies as well as the  
5 Incentivization Program through the Save as you Throw  
6 Project. We have an RFP that is out on the street  
7 right now, which is funded, and so we're hoping to  
8 have that registered shortly so that we can begin to  
9 design that program. And so I mean I'm happy to take  
10 you through in more depth about how we're moving in  
11 that direction, but I feel—I feel pretty good about  
12 it.  
13

14 CHAIRPERSON REYNOSO: That's good to  
15 know. I think we're going to have a hearing on it.

16 COMMISSIONER GARCIA: Okay.

17 CHAIRPERSON REYNOSO: So when we find the  
18 time that we can do that, just to give confidence to  
19 the public that we're actually getting there in the--

20 COMMISSIONER GARCIA: [interposing] So if  
21 you actually were in the Organics Program like  
22 somebody in this room is—you and was really  
23 participating, you would that you have almost zero  
24 waste besides your plastic bags and diapers.  
25

1  
2 CHAIRPERSON REYNOSO: Are you saying that  
3 there could possibly be someone in this committee  
4 that wouldn't be working as hard as possible to  
5 achieve zero waste by being a part or active member  
6 in the recycling or in the Organics Program?

7 COMMISSIONER GARCIA: [interposing] No, I  
8 think that they are very active member, but I think  
9 that they could say that outside of like some very  
10 small number or products, they have almost nothing in  
11 their refuse container.

12 CHAIRPERSON REYNOSO: Well, when we get  
13 to like 0.1 and we wouldn't know who to go after, and  
14 not achieving zero waste in time there. (sic)

15 COMMISSIONER GARCIA: [laughs]

16 CHAIRPERSON REYNOSO: But we—we really—I  
17 think that the public just wants to know how that's  
18 going to be done, and I think it would be an  
19 interesting topic. I don't think we can go through  
20 it here in detail, but an entire hearing should be  
21 dedicated to that because it's important, and a lot  
22 of people want to see it completed. And now the—the  
23 last one is I just want you to speak to the Plow NYC  
24 program, your favorite program. Just some folks  
25 don't think it works. Other folks think it doesn't

1 work well. Just speak to your understanding of how  
2 that program is supposed to work, and whether it's  
3 doing what you would want to do. And then other  
4 folks want to make it so that it's online at all  
5 times so that when trash pickup is happening early in  
6 the morning they could drive around the trucks in the  
7 streets and so forth.

9 COMMISSIONER GARCIA: So-so I think that  
10 the Plow NYC program was—is very effective and  
11 robust, and one of the things that will happen is  
12 some back end architecture. It probably change over  
13 this year. DOITT is moving from Northrop Grumman  
14 system to a Cloud system, but they have to be ready  
15 for snow season again. So we'll see whether or not  
16 that happens this season or next season. I think  
17 that Plow NYC has been a very effective tool, and has  
18 worked very well, and I know that there has been some  
19 criticism and we have done some additional education  
20 of exactly what you should see on Plow NYC, and where  
21 there are challenges and where there are not  
22 challenges with it. For example, if you are—if the  
23 truck is under elevated subway, the GPS signal is  
24 scattered, and can give some very erroneous data.

1  
2 However, very broadly, I thin that it shows where we  
3 are, where we have been very effectively.

4 CHAIRPERSON REYNOSO: Okay, Commissioner,  
5 can you just give us a 20 to 30 seconds so that  
6 Council Member Gibson can just come across?

7 COMMISSIONER GARCIA: Okay.

8 CHAIRPERSON REYNOSO: I'm filibustering  
9 yes.

10 COMMISSIONER GARCIA: You're what?

11 CHAIRPERSON REYNOSO: Filibustering. The  
12 Democrats are going to be good at that this year.

13 COMMISSIONER GARCIA: [laughs]

14 CHAIRPERSON REYNOSO: Just like—that's  
15 okay. So Council Member Gibson playing dual role in  
16 two committees. Thank you for taking the time. I  
17 know I was hearing you talk on the other side asking  
18 questions. Yeah, you can hear through the door. So  
19 we knew you were—you were doing your jobs. So please  
20 proceed, and if you have any questions.

21 COUNCIL MEMBER GIBSON: It's okay. Sorry  
22 about that. When we talk about homelessness I just  
23 get very emotional, and we have Janelle Ofner (sic)  
24 next door. But thank you. Good afternoon  
25 Commissioner and thank you chair. So I'm sure most



1 of my questions have already been asked, but I always  
2 feel the need to talk about, you know, the budget and  
3 where we are as it relates to the step streets.  
4 [laughs] Step streets in the Bronx in Upper  
5 Manhattan and the last snow storm the Mayor was  
6 gracious and came to the Bronx, which I appreciated,  
7 and I shared with him, that, you know, we often  
8 struggle with step streets, and the under and  
9 overpasses because many may not know, but pedestrians  
10 use them a lot just as a quick access of travel to  
11 get to and from mass transit bus and train. So are  
12 we going to do anything differently this year that  
13 we've done in the past to ensure that there's a  
14 greater effort to expedite the cleanliness during  
15 the--the snow season.

17 COMMISSIONER GARCIA: Alright. So I mean  
18 as soon as--as soon as we were done with sort of the  
19 major plowing of the last snowstorm we started  
20 focusing on all the pedestrian infrastructure. Both  
21 with the Department of Sanitation, but I also would  
22 say DOT does an enormous amount as well, and--and  
23 really tries to fill in where--where they can and  
24 help us out. So on the overpasses, we've been able  
25 to use more mechanical equipment. The step streets

1 are still, you know, are challenging. So we were  
2 trying to hire as many snow laborers as we could as  
3 well as using Sanitation workers to do that hand  
4 work. It was very challenging with the amount of ice  
5 that we had with this storm, but it continues to be  
6 something that is, as soon as we are out of the heavy  
7 equipment on the plows that we are thinking about it  
8 and ready to address.

10 COUNCIL MEMBER GIBSON: Okay, and who's  
11 responsible for the subway steps? Is it a private  
12 contractor?

13 COMMISSIONER GARCIA: [interposing] The  
14 MTA.

15 COUNCIL MEMBER GIBSON: The MTA?

16 COMMISSIONER GARCIA: The MTA.

17 COUNCIL MEMBER GIBSON: Okay, okay  
18 because on that day I do recall there were some  
19 subway steps that were really not plowed at all and,  
20 you know, New Yorkers, of course, we have to get to  
21 and from and so many residents were traveling. The  
22 other thing I wanted to ask about is the partnership  
23 that DSNY has with the Housing Authority as it  
24 relates to recycling. I know we started at a  
25 particular development, and I wanted to find out

1 where were are with that. In a previous hearing that  
2 the chair had, we heard from many of the NYCHA tenant  
3 leaders. I always think sometimes that there isn't a  
4 greater effort that we use to try to get residents  
5 and New Yorkers to change their bad behavior but, you  
6 know, if you give us a chance, I mean I think many  
7 residents will demonstrate that they can learn and  
8 adjust to change. In public housing I have a lot.  
9 Ten developments, thousands of residents, and we're  
10 not yet at any of my developments, but certainly as  
11 you expand I wanted to find out where we are, any of  
12 the challenges, best learned practices, and how we  
13 can continue to expand recycling and NYCHA.

14  
15 COMMISSIONER GARCIA: At the end of  
16 December all NYCHA developments should have the  
17 infrastructure in place. They all have the service  
18 in place.

19 COUNCIL MEMBER GIBSON: Oh, okay. I  
20 didn't know that.

21 COMMISSIONER GARCIA: So the next step  
22 really has been while we have done some initial  
23 education to do more education and so we've been  
24 trying to be creative on that. So using NYCHA

1 residents to be environmental ambassadors, hiring  
2 folks through the Green Forest, Green City Forest--

3 COUNCIL MEMBER GIBSON: [interposing] The  
4 City Forest.

5 COMMISSIONER GARCIA: --Program. We just  
6 started that. We're finding that they're driving  
7 more people to our tabling events. So they're  
8 learning more about recycling, and so we are hopeful  
9 that that will begin to really get the education  
10 going, but we're trying to think creatively around  
11 how to reach NYCHA residents and what makes the most  
12 sense for engagement there. And so one of the things  
13 we want to do is make sure we were using NYCHA  
14 residents to do the engagement in NYCHA facilities.

15 COUNCIL MEMBER GIBSON: Okay. So how  
16 would I know that the Recycling Program are at my  
17 developments? Would I visibly see the recycling  
18 bins, or would I see literature or signs?

19 COMMISSIONER GARCIA: You should really--  
20 you see signage--

21 COUNCIL MEMBER GIBSON: [interposing]  
22 Okay.

23 COMMISSIONER GARCIA: --and you should  
24 see physical bins outside that are blue and green.  
25

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

77

1  
2 COUNCIL MEMBER GIBSON: Okay, okay. I'll  
3 look.

4 COMMISSIONER GARCIA: Okay.

5 COUNCIL MEMBER GIBSON: I just want to  
6 see what they look like. (sic)

7 COMMISSIONER GARCIA: [interposing] Okay,  
8 if they're not there let me know because--

9 COUNCIL MEMBER GIBSON: Okay, no, no  
10 problem.

11 COMMISSIONER GARCIA: I haven't been  
12 everywhere, but they're supposed to be there.

13 COUNCIL MEMBER GIBSON: Okay, well in  
14 addition, DSNY attends the District Services Cabinet  
15 meetings--

16 COMMISSIONER GARCIA: Uh-huh.

17 COUNCIL MEMBER GIBSON: --for the local  
18 community boards. I also encourage you to send staff  
19 to the monthly community boards, but then even beyond  
20 that NYCHA has the Citywide Council of Presidents.  
21 So I like to invite myself to our South Bronx  
22 Citywide Council of Presidents where all of the  
23 developments in the South Bronx their tenant leaders  
24 meet every single month, and talk about all issues  
25 relative to NYCHA, and when I attend I get

1 information, but I also share with them on a number  
2 of initiatives and, you know, efforts because they  
3 are the mouthpieces and the representatives that can  
4 get the information out to the broader developments,  
5 which is really challenging. So I certainly  
6 encourage if you have not done yet, to try to use  
7 them as an outlet to—to champion the Recycling  
8 Program.

10 COMMISSIONER GARCIA: No, and we would—we  
11 would love to. We are not—we should work with you  
12 on—on making sure that we have all of the correct  
13 information on when those occur to make sure we're  
14 leveraging that, and then family days and anything  
15 else that we can do that would give us an opportunity  
16 to talk with the residents.

17 COUNCIL MEMBER GIBSON: Okay, great, and  
18 we—do we get any federal funds for DSNY?

19 COMMISSIONER GARCIA: We get a little bit  
20 of federal funds. So we get some CDBG money for lot  
21 cleaning.

22 COUNCIL MEMBER GIBSON: The Community  
23 Development Block Grant?

24 COMMISSIONER GARCIA: Block Grant for lot  
25 cleaning, and then we get a little bit of money

1 through for things like electric chargers for clean  
2 vehicles.  
3

4 COUNCIL MEMBER GIBSON: Okay. So I just  
5 heard earlier today that the Administration is saying  
6 the sanctuary cities are going to lose funding. I  
7 don't know what that means. I don't know what most  
8 of what they say means most times, but just I know  
9 everyone is developing contingency plans on just  
10 projected cuts, and how we can make up for that so  
11 that there are no disruption in services.

12 COMMISSIONER GARCIA: Right. No, I mean  
13 I think that for us we are looking at whether or not  
14 we need to convert the Community Development Block  
15 Grant money, which would be the biggest piece. The  
16 other piece is much more—is much, much smaller—in to  
17 regular city funds, and also how we can just do  
18 things more efficiently to make sure we don't end up  
19 losing that service. But, you know, I think that  
20 the—it's more likely that we would have issues  
21 indirectly in that other city agencies would need  
22 funding from Sanitation, but we're going to cross  
23 that bridge when we come to it, and everything is new  
24 every single day under this Administration so--  
25

1  
2 COUNCIL MEMBER GIBSON: I agree. Yeah,  
3 soon and very soon, right? Thank you, Commissioner.  
4 Thank you, Chair.

5 CHAIRPERSON REYNOSO: Thank you, Council  
6 Member Gibson, and I will be sending a response, a  
7 letter in regards to the--to the Preliminary Budget  
8 and we will be mentioning the Manhattan 11 Garage--

9 COMMISSIONER GARCIA: Okay.

10 CHAIRPERSON REYNOSO: --and we'll just  
11 put that--that on the letter because it's something we  
12 want to talk about regarding equity and just your  
13 response to that, but we don't need that here because  
14 the local Council Member I understand is supportive  
15 of it, and I just wan to get more information from  
16 her before I proceed to ask questions on an issue  
17 that's not necessarily pertaining to my district, but  
18 thank you. Thank you so much for your time,  
19 Commissioner.

20 COMMISSIONER GARCIA: Thank you.

21 CHAIRPERSON REYNOSO: Now, I would like  
22 to call up the President of the Uniformed  
23 Sanitationmen's Union, Harry Nespoli. If he could  
24 come on up. [[background comments, pause] Okay.  
25 Hello, Harry. How are you today, sir?



COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

81

1  
2 HARRY NESPOLI: [off mic] I'm good. I'm  
3 good.

4 CHAIRPERSON REYNOSO: You've been up  
5 since what time?

6 HARRY NESPOLI: [off mic] I've been up  
7 since 4:30.

8 CHAIRPERSON REYNOSO: 4:30. Okay. So  
9 this is like the end of the day for you.

10 HARRY NESPOLI: [off mic] Yeah, it kind  
11 of is.

12 CHAIRPERSON REYNOSO: [laughs] Well,  
13 Harry--

14 HARRY NESPOLI: [interposing] [off mic]  
15 You know how it is.

16 CHAIRPERSON REYNOSO: Yes. So I just  
17 wanted to--if you have any testimony absolutely go  
18 through and we have some questions.

19 HARRY NESPOLI: [off mic] Why don't we do  
20 that.

21 CHAIRPERSON REYNOSO: So go ahead. Okay.

22 HARRY NESPOLI: [pause] [on mic] So am I  
23 at--? No? I have to raise my voice. [coughs] --and  
24 I--I was very fortunate to represent those women. 86  
25 they retired in 2007. They didn't have the luck of

1 what's going on now because of you and your  
2 committee. That the women's facilities are being  
3 recognized now in the Department of Sanitation. We  
4 have approximately 170 women that are on our job.  
5 Seven thousand women took the last test. So there's  
6 something coming on in the future. We have to move  
7 quicker with our facilities. Many of our women that  
8 are retiring now are retiring without the luxury of  
9 having a woman's facility, and it's very difficult  
10 but I know it's in the works as—as many things that  
11 we've talked about here and we accomplished with this  
12 committee. [pause] Also, you know, actually just  
13 put this away. You know, it doesn't really--

14  
15 CHAIRPERSON REYNOSO: [interposing] From  
16 the heart, Harry.

17 HARRY NESPOLI: Yeah. Also, the fact  
18 that you went out and the City Council and this  
19 Administration bought the proper equipment for our  
20 members to go out there and fight snow. As the  
21 Council Member from Sanitation knows, there was a  
22 time that we couldn't do our job. There was people  
23 holding us back. All we could do is what you give  
24 us, and you did it. This year we have little faith  
25 in God. We got hit at the end of it, but it was a

1 different snow. The ice—the ice made it more  
2 difficult. The temperatures at the end made it more  
3 difficult to do, but we did it, but I can honestly  
4 say 35 years in the union right now, this storm we  
5 were ahead of this storm. We were ready for the 22  
6 inches that they predicted for this city to get hit  
7 with. Just by the way it was positioned, just by the  
8 way the department got ready for it. They turned  
9 around. They had the position. The mayor put the  
10 alert out. Everybody was ready and, you know what?  
11 We didn't get it as bad as we thought, but the first  
12 thing that came in we were ahead, and that's the  
13 trick of a storm. If you don't catch that storm in  
14 the beginning, you lost it. Once you lose it, you're  
15 not getting it back until the sun comes out, but it's  
16 because of the equipment but you—I call bobcats that  
17 get the corners, the small plows that got into those  
18 streets out in Queens that we heard so much about,  
19 and we got out there and we did our job. I hear what  
20 we're doing now. I heard the Commissioner's  
21 testimony. I hear your questions. You know what's  
22 going on in the city, and every new thing that's  
23 going on demands manpower. Think about it. We're  
24 composting, we're recycling, we're turning around.  
25

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

84

1 We are now doing ins and outs of highways. We still  
2 have the 6,300 of manpower. At one time, this job  
3 had 11,500. You could operate different with 8,000,  
4 9,000 than you could 6,300. We showed what happened  
5 under the last administration when we got down to  
6 5,500. We could not protect the public. We couldn't  
7 do it. The mileage that we're responsible to clear  
8 for the people in New York City and I'm going to say  
9 it because I said it a long time ago: It's from New  
10 York to California and back. 5,500 don't cut it, and  
11 we found that out and that July before that storm hit  
12 I spoke personally to this Administration, and told  
13 them—they said what are you worried about? I said  
14 I'm worried about manpower. I'm worried about  
15 protecting the people. I'm worried about keeping the  
16 streets open for the police, the fire, the ambulance  
17 and for the public to move around. We couldn't do  
18 it. There was no way. When you get three inches in  
19 an hour you're going to keep up with 5,500, and what  
20 this agency now, the Sanitation Department is doing  
21 with 6,300 and everything that we're taking on it's  
22 amazing that we're going to continue doing this, and  
23 there's going to be more because the public demands  
24 more and they deserve more. Staten Island should be  
25

1 looking at right now street cleaning. Why is it that  
2 Stratten-Staten Island don't have the street cleaner  
3 that it needs? I don't know, but I'm here to thank  
4 you, and I'm anxious to actually see next winter  
5 when the storms come in and exactly what the impact  
6 is going to be, and what you gave us, and you gave  
7 the men and women the equipment to go out there and  
8 to the job, but if we start getting lax, we're going  
9 to look at the manpower, and just look at what we're  
10 accomplishing, and the new things that we-- Look,  
11 Sandy, we were the head of that. Staten Island, the  
12 people loved us in Staten Island. I had Sanitation  
13 workers turning around, going there to their  
14 neighbors' houses to help them out. They're not  
15 getting paid for it. The Rockaways got buried out  
16 there, and they noticed it, but we only could do it  
17 with what you give us. Now, that the trucks have  
18 been there, the--the E-Waste that we're taking on now.  
19 Seven years ago I sat here, talked about E-Waste, and  
20 talked about taking it on. Had a person who was  
21 willing to build a factory in Greenpoint to take the  
22 E-Waste. There's money in that, too. When you strip  
23 that down, there's money there. If somebody--nobody  
24 is going to build a factory unless they're going to  
25

1  
2 make money. So, let me just see if I covered  
3 everything here, and then I'll-I'll take whatever  
4 questions you want to, but basically, I'm here to say  
5 thank you. [pause]

6 CHAIRPERSON REYNOSO: And we-we  
7 appreciate that, Harry. I-I just-we missed you last  
8 year here, and-and I told someone I was like Harry  
9 must be okay because he doesn't miss these much. I  
10 just want to make sure that we're on the same page  
11 and-and agree that the Department of Sanitation is  
12 doing an amazing job. I-I think-well, I have eight  
13 years, nine years in the City Council working as a  
14 staff member, Chief of Staff and now as a Council  
15 Member, and I've got to say that our Commissioner  
16 Kathryn Garcia is one of the best commissioners that  
17 we've had in the Department of Sanitation.

18 HARRY NESPOLI: I agree.

19 CHAIRPERSON REYNOSO: So, and what she's  
20 done in that--

21 HARRY NESPOLI: [interposing] And this  
22 committee is good, too.

23 CHAIRPERSON REYNOSO: Well, it's easy  
24 when we get what we want because we make the right  
25 point.

1  
2 HARRY NESPOLI: Well, it's easy-look,  
3 it's-it's-it's-does the public want to be-feel safe?  
4 Does the public want to be able to walk around, drive  
5 their cars after 22 inches of snow? New Yorkers want  
6 that. You know, this is what it is. Hey, Washington  
7 shut down. I got a call. I told you at one of the  
8 meetings. I got a call from Washington Sanitation.  
9 They wanted to know did New York ever pull Sanitation  
10 trucks, plows off the street during a-during a-during  
11 a blizzard? No, that's what you got. That's what  
12 snow plows are for to open it up. So thank God we  
13 have it shut down.

14 CHAIRPERSON REYNOSO: Right. I hear you.  
15 So actually you answered my question, which I was  
16 going to talk about with the-the male and female  
17 actors (sic) and from what I'm hearing, everything  
18 that-that can be done has been done, and there's a  
19 couple of setbacks on some facilities regarding like  
20 asbestos and other-other things that they're trying  
21 to handle, but for the most part they feel very  
22 comfortable that they're going to get that done  
23 quickly, and the additional ramp cleaning that you  
24 talked about, that-it's something that I can't even  
25 believe we're getting to those details now in---in

1 what we're doing. We're talking about snowplowing  
2 and so forth, but I—I want to thank you and the work  
3 that you guys—you're doing in and advocating for  
4 your—your union and your commitment and your workers,  
5 but you answered the question that I needed. So I  
6 don't know if other Council Members have anything  
7 else to say. Council Member Deutsch.

9 COUNCIL MEMBER DEUTSCH: Hi, how are you?

10 HARRY NESPOLI: Good.

11 COUNCIL MEMBER DEUTSCH: Yeah, first of  
12 all, you have a very tough and tough demeanor and  
13 tough voice. You have spoken before the  
14 Commissioner. We probably wouldn't have a--

15 HARRY NESPOLI: [interposing] Yeah.

16 COUNCIL MEMBER DEUTSCH: We would have  
17 been too, we would have been too scared to ask the  
18 Commissioner any questions.

19 HARRY NESPOLI: No, the Commissioner is  
20 the voice.

21 COUNCIL MEMBER DEUTSCH: But when I first  
22 came in, I was a little upset because I call you at 4  
23 o'clock in the morning and you didn't pick up your  
24 phone, but I just realized it came at 4:30. So now  
25 you've called.



1  
2 HARRY NESPOLI: Yeah.

3 COUNCIL MEMBER DEUTSCH: But I just want  
4 to say thank you and thank you to the men and women  
5 of the Department of Sanitation and I got to know  
6 them on a personal level, seeing them on the street  
7 and stopping and say hello to them.

8 HARRY NESPOLI: They're real. They're all  
9 real.

10 COUNCIL MEMBER DEUTSCH: Yes [laughs] and  
11 I'm—you mentioned Sandy. You mentioned Staten Island  
12 but in Sheepshead Bay and Manhattan Beach and  
13 Brighton Beach--

14 HARRY NESPOLI: [interposing] Oh, yes.

15 COUNCIL MEMBER DEUTSCH: --they killed  
16 it. They were great and they all they left—they left  
17 their families while they were affected during Super  
18 Storm Sandy, and that is something really to show--  
19 that shows their devotion to the job they do. So I  
20 just want to say thank you on behalf of New York City  
21 Council and to all 6,300 current voices--6,301 with  
22 the Commissioner. Or 6,400?

23 HARRY NESPOLI: 63.

24 COUNCIL MEMBER DEUTSCH: 6,301?  
25

1  
2 HARRY NEPOLI: [background comments] Oh,  
3 great. Okay. [laughs] [background comments] So  
4 thank you. In good shape for numbers. [background  
5 comments] We need more. We need more manpower.  
6 That Sandy was, you know, there was a question before  
7 about the trucks, right? It's how you work the  
8 trucks. If you get hit we got involved in tornadoes  
9 until, and this was before the Commissioner, until  
10 the Sanitation got involved, those trees were still  
11 laying down there. They have a map for every single  
12 street in the city of New York. That's what opened  
13 that whole getting those trees out, and the  
14 Sanitation workers the men and the women. I was—I  
15 was in Staten Island overnight one night, and you see  
16 the women come in at 3 o'clock in the morning and  
17 they have the—the boots on, and they're changing  
18 their socks, and their feet were yellow from the  
19 wetness of the boots. You got to remember and—and  
20 this last storm walking to get—go after that garbage  
21 there's nothing but ice. So it's going to take a  
22 little time to get there, and get it done. I agree  
23 with you. I think that the elderly people, I think  
24 it's a great program if we can come up with some  
25 better ways to—to help those people out or the

1  
2 handicapped people. Without a doubt that should be  
3 our priority in this town. Don't forget about the  
4 elderly people. I'm close to it now. [background  
5 comments] So, no we should, we should help. That man  
6 should help and I know this Commissioner here  
7 whatever is doable, she's going to think about it and  
8 give it a shot. Anything that—that is good for the  
9 people in New York City she is definitely involved  
10 in.

11 COUNCIL MEMBER DEUTSCH: Harry, what do  
12 you think about Council Member Matteo not  
13 participating in the Organics Program?

14 COUNCIL MEMBER MATTEO: [off mic] That's  
15 what you're saying? It's rumors. (sic)

16 CHAIRPERSON REYNOSO: What did you say?  
17 It's rumors, rumors everywhere.

18 HARRY NESPOLI: I happen to like the  
19 Councilman.

20 CHAIRPERSON REYNOSO: [laughs] You like  
21 him. We love the program more.

22 HARRY NESPOLI: So do I. I love it, too.

23 CHAIRPERSON REYNOSO: There you go, but  
24 thank you for your time. I really appreciate it,  
25 Harry. Again, if you need anything, please reach out

1 to us. Let the Commissioner know and anything we can  
2 do we—we always will. Thank you.

3  
4 HARRY NESPOLI: We will

5 CHAIRPERSON REYNOSO: Alright, thank you.  
6 I'd like [pause].

7 HARRY NESPOLI: They limited facilities.  
8 (sic)

9 CHAIRPERSON REYNOSO: When—when they're  
10 done. When we're—when we're done, I want to do a  
11 before and after. So we're going to have your  
12 pictures and then we're going to have the DSNY's  
13 pictures, and we're going to see what we've done  
14 there, right.

15 HARRY NESPOLI: You got.

16 CHAIRPERSON REYNOSO: Will do. Thank  
17 you. Thank you. I'd like to call up [pause] I'd  
18 like to call up Commissioner Brownell and—and team  
19 from BIC for their testimony, and then shortly after  
20 his testimony we'll have the public, and then we'll—  
21 we'll be done. Thank you. [pause] Commissioner,  
22 welcome. [background comments] Absolutely. Go ahead.  
23 You can do your testimony, and then we'll—we'll go  
24 from there. [pause] [background comments]

25 COUNCIL MEMBER MATTEO: Hi, Commissioner.

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

93

2 COMMISSIONER BROWNELL: How are you?

3 COUNCIL MEMBER MATTEO: How are you?

4 COMMISSIONER BROWNELL: Good.

5 COUNCIL MEMBER MATTEO: We're ready when  
6 you are.

7 COMMISSIONER BROWNELL: Good afternoon,  
8 Chair Reynoso and member of the City Council,  
9 Sanitation and Solid Waste Management Committee. I  
10 am Dan Brownell, Commissioner and Chair of the New  
11 York City Business Integrity Commission or BIC.  
12 Joining me today are Deputy Commissioner for Legal  
13 Affairs and General Counsel Noah Genel, and our  
14 Budget and Finance Director Jennifer Hoo. Seated  
15 just behind us is BIC's Director of Policy Salvador  
16 Arrona. Thank you for allowing us to testify here  
17 today. First, I will update you on our efforts to  
18 provide effective oversight to the troubled heating  
19 oil supply industry through Intro No. 1268, which  
20 would place that industry under BIC's regulation. As  
21 you know, in November of 2015, the Manhattan District  
22 Attorney announced the indictments against nine  
23 companies and 44 individuals in the heating oil  
24 supply industry in connection with a widescale fraud  
25 called shoring. Through the shorting schemes,

1 unscrupulous heating oil supply companies cheated  
2 consumers of heating oil by charging the customers  
3 far more—for more oil than they actually delivered.  
4 This committee held a hearing on Intro 1268 last  
5 September. Since then, we have met with many groups  
6 who represent the victims of the shorting schemes  
7 including REBNY, the Archdiocese of New York, and the  
8 Diocese of Brooklyn and Queens, the New York City co-  
9 op and condo boards as well as various business and  
10 environmental groups such as the Environmental  
11 Defense Fund, the Water Keep Alliance and the Better  
12 Business Bureau. All of those organizations are  
13 deeply concerned by the wide reach of the fraud, and  
14 want to know what our government is doing to correct  
15 this. You should also know that the city agencies  
16 who currently perform some measure of oversight, DCA,  
17 FDNY, DCAS and DEP have been working with us to set  
18 up a more comprehensive and collaborative plan to  
19 effectively and fairly regulate this industry. But  
20 the reality is that unless Intro 1268 becomes law to  
21 establish a robust licensing structure under BIC,  
22 there is nothing that city agencies can do to remove  
23 the bad actors from this industry. Local and federal  
24 prosecutors have brought cases against the industry  
25

1 numerous times over the last 30 years [door bangs]  
2 yet the fraud persists. Piecemeal prosecutions  
3 clearly—clearly is not the answer here. Regulatory  
4 oversight is. Many of the individuals and companies  
5 indicated as a result of the shorting schemes in  
6 November or 2015 have now pleaded guilty, and the  
7 DA's office has collected several million dollars in  
8 forfeiture and restitution much of which the city  
9 should receive as perhaps the biggest victim of the  
10 fraud. Also, several of the company owners who store  
11 the oil have received jail sentences the longest of  
12 which to date is three to nine years in state prison.  
13 One of those owners, Charles Cuneo serves as the  
14 prime example of what is wrong with this industry and  
15 why effective oversight is essential to stop the  
16 continued victimization of heating oil consumers. In  
17 1998, the Manhattan DA's Office indicted two large  
18 heating oil supply companies and many of their owners  
19 and employees for cheating their customers. Cuneo, a  
20 driver at the time was one of those indicted. He  
21 eventually pleaded guilty to grand larceny for his  
22 role in the fraud and went to prison as a result.  
23 After his release, Cuneo got right back into the  
24 industry this time as the co-owner of a new heating  
25

1 oil supply company called Fourth Avenue Transport  
2 Incorporated. Once BIC and the NYPD started the most  
3 recent criminal investigation into the heating oil  
4 supply industry, we caught Cuneo and his driver of  
5 Fourth Avenue cheating their customers just as he had  
6 done in the 1998 case. The difference was that Cuneo  
7 had graduated from driver to company owner, and was  
8 now directing the fraud. He recently pleaded guilty  
9 to the charge of enterprise corruption, a high level  
10 felony, and will be going back to state prison. We  
11 cannot allow the heating oil supply industry to be a  
12 training for fraudsters. If the licensing structure  
13 proposed in Intro 1268 were to become law, people  
14 like Cuneo, Charles Cuneo would be driven from this  
15 industry in New York. Probably just as important  
16 anyone else who might initially contemplate engaging  
17 in such fraudulent activity would think again knowing  
18 that it could end their careers. Unfortunately, of  
19 the 13 heating oil supply companies recently indicted  
20 in November of 2015 and then February of 2016, all  
21 but two of those companies continued to operate in  
22 the city. They not only have their own customers,  
23 but also make deliveries for other companies. Any  
24 customer who takes a delivery from any one of those  
25



1 companies is at risk of being defrauded. In January  
2 of 2017, Crain's New York Business magazine published  
3 an expansive article about another pervasive heating  
4 oil scheme called blending. Blending is a cost  
5 cutting scam in which heating oil supply companies  
6 secretly and illegally add significant amounts of  
7 untreated waste oil into regular heating oil before  
8 deliveries. Not only does this mixture burn less  
9 efficiently, but it also damages building boilers and  
10 emits dangerous pollution into the City's air.  
11 Ironically, as shown in a current civil lawsuit based  
12 on this same scheme, the buildings most often  
13 targeted for this practice are located in the least  
14 wealthy areas of the city where incidents of  
15 respiratory problems are the highest. You should  
16 also know that based on information we receive from  
17 our sources in the industry, the practice of blending  
18 continues. The companies that do this know that if  
19 they are caught they currently face no serious  
20 consequences. Unfortunately, the consequences for  
21 the rest of us are dire. Not only must consumers pay  
22 for this compromised oil, but we all have to breathe  
23 the polluted air that results from burning it. BIC  
24 has also been involved in the city's planning efforts  
25

1  
2 to establish a zone collection model for the city's  
3 commercial waste collection. In September of 2016,  
4 New York City Department of Sanitation Commissioner  
5 Kathryn Garcia held the first of what will be many  
6 meetings of various groups to discuss those plans. I  
7 know that Commissioner Garcia just testified and  
8 brought you up to date on this. While most of the  
9 next steps are waiting for the procurement of a  
10 consultant to help guide the process, BIC and DSNY  
11 have moved ahead to form a zone collection safety  
12 working group to focus on improving overall safety in  
13 this dangerous industry. In addition to members of  
14 city government, the group includes trade waste  
15 industry participants, union leaders and  
16 environmental and other advocates. We have been  
17 holding monthly meetings since the early fall with  
18 the immediate goals of establishing standard  
19 trainings for industry workers and minimum  
20 requirements for safety equipment for the industry.  
21 The meetings have been very productive and I expect  
22 we will establish significant standards for the  
23 industry. DSNY has provided the group with their  
24 best people in the areas of training and safety,  
25 which has been a real asset. The thing I like best

1 about the meeting is that even though the  
2 participants come from various groups in the city,  
3 ones who are sometimes in opposition to one another  
4 regarding certain trade waste issues, it has been  
5 very—it has been their collective commitment to  
6 improve industry safety that has dominated the tenor  
7 of the discussions. As I have said many times now,  
8 the city's trade waste industry has made real strides  
9 over the past 20 years since the creation of BIC's  
10 predecessor commission. With BIC oversight in place,  
11 the trade waste industry has become largely a  
12 vibrant, competitive and fair one. Much of the  
13 credit for this must go to those in the industry  
14 itself who have worked hard for these improvements  
15 after so many decades of suppression under mob  
16 control. As one great example, the industry just  
17 presented its second Trade Waste Industry Safety  
18 Symposium last week, which focused on truck driver  
19 and helper safety. There were 150 attendees and we  
20 anticipate that the third symposium, which will  
21 likely be in the fall will center on demonstrations  
22 of the latest trade waste collection truck safety  
23 equipment. We continue to work collaboratively with  
24 leaders from the trade waste industry taking to heart  
25

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

100

2 the belief that since running their companies in the  
3 city is difficult enough, they should not have to  
4 labor under unnecessarily burdensome regulations from  
5 BIC. We told you a year ago that we were revised the  
6 Trade Waste Advisory Board to improve communication  
7 between BIC and the industry. The Trade Waste  
8 Advisory Board is comprised of members from BIC and  
9 representatives from the industry, and we meet  
10 monthly to discuss pending issues and initiatives.  
11 For us, it provides a space to fine tune potential  
12 new BIC regulatory measures and policies. We like to  
13 solicit the group's input before we implement them.  
14 The industry's members' candid responses have helped  
15 us devise better, more effective measures. For them,  
16 I think these meetings offer a place to voice their  
17 opinions about existing BIC regulations, and seek  
18 assistance with industry wide concerns or problems.  
19 One result of these meetings is that we are  
20 considering how to update and modify some of BIC's  
21 regulations to ensure that our regulations evolve as  
22 the industry changes. For instance, it seems clear  
23 that enforcing—continuing to enforce the two-year  
24 maximum term for contracts between business,  
25 customers and their trade waste—trade waste collector

1 is an outdated requirement. While it serve the  
2 purpose years ago, it is now an unnecessary burden on  
3 trade waste companies who need to have more long-term  
4 certainty as to who their customers will be. It also  
5 seems unnecessarily burdensome to require landscaping  
6 companies operating in the city to go through the  
7 same registration process with BIC as trade waste  
8 licensees and those who collect solely construction  
9 and demolition debris. The potential for corruption  
10 among landscaping companies, which are generally  
11 smaller businesses has—has never been of great  
12 concern. In sum, we should stop conducting extensive  
13 background investigations on them, which would  
14 greatly reduce the fees that they pay. We are also  
15 working on streamlining and shortening all our  
16 applications. Ever since starting at BIC I have  
17 heard the complaints that our applications are too  
18 long and onerous to complete. In response we have  
19 taken a fresh look at our applications with an eye  
20 toward asking on the questions we think are necessary  
21 for the thorough backgrounding we perform. While  
22 some would likely argue that even more revisions, for  
23 more revisions, we have significantly trimmed the  
24 questions and documents we require, which will make  
25

1 the process more customer friendly [coughs] without  
2 sacrificing thoroughness. Last fall we formed the  
3 Hunts Point Markets Advisory Board, which will meet  
4 on a quarterly basis at Hunts Point. The second  
5 meeting is this Wednesday. As with the trade waste  
6 industry, our aim is to work much more  
7 collaboratively with the market co-ops and  
8 businesses. Even though we have greatly loosened our  
9 enforcement in the Hunts Point markets over the past  
10 couple of years, we know that our relationship with  
11 them while improved could be better. As with the  
12 trade waste industry we know that the better our  
13 relationship is with those who regulate, the more  
14 effective we will be as regulators. As you know, the  
15 city's Economic Development Corporation is in the  
16 process of implementing significant changes in the  
17 infrastructure for both the meat and produce markets  
18 and some restructuring within the seafood market.  
19 City government and the markets share the goals of  
20 having clean, modern transportation accessible  
21 wholesale food markets run by vibrant businesses that  
22 are open to all. These markets are one of New York's  
23 great legacies that the city is working hard to  
24 update and revitalize. We plan to play our role by  
25

1 supporting those efforts as we move forward. Since  
2 this is a PMMR hearing, we want to provide you with  
3 some operational information. While the processing  
4 of all types of applications is important, during  
5 Fiscal Year 2016, BIC prioritized first time  
6 applications in order to allow new businesses to  
7 enter the marketplace without undue delay to the  
8 licensing process. This resulted in significant  
9 improvements in the completion time for new trade  
10 waste and wholesale market applications. At the end  
11 of the first quarter of Fiscal Year 2017, BIC reduced  
12 the number of pending waste hauling applications by  
13 40% compared to the same period in Fiscal 2016, and  
14 the average age of a pending new application dropped  
15 by 55% during this period. You should also know that  
16 with regard to determinations on subcontract  
17 applications, we have maintained and even improved  
18 our pace from Fiscal Year 2016 averaging one day from  
19 the time of receipt to decision. We approve the  
20 overwhelming majority of contract applications. With  
21 respect to wholesale market applications, the average  
22 time to approve a new public wholesale market  
23 application decreased by 34% in the first quarter of  
24 Fiscal Year 2017 compared to the first quarter of  
25

1 Fiscal Year 2016. During the same period the average  
2 age of a pending new public wholesale market  
3 application decreased by 37%. In the area of  
4 enforcement, BIC's efforts targeting unlicensed  
5 carters contributed to a 27% decrease in the number  
6 of carting complaints received in the first quarter  
7 of Fiscal Year 2017 compared to the first quarter of  
8 Fiscal Year 2016. In the first quarter of Fiscal  
9 Year 2017, the number of violations issues to public  
10 wholesale market businesses decreased by 40% compared  
11 to the first quarter of Fiscal Year 2016. This is  
12 due to stricter compliance with BIC rules and  
13 regulations in this industry. We also want to  
14 provide you with an update on our efforts to  
15 modernize the way in which carters submit information  
16 to BIC. I already describe for you how we are  
17 streamlining our application—our applications. To  
18 further improve our efficiency, we also moving ahead  
19 to make electronic BIC applications a reality.  
20 Completing and submitting applications electronically  
21 will make the filing process easier for the industry  
22 and will make it easier for BIC to process them. Once  
23 this system is completed for the trade waste  
24 industry, we intend to do the same thing for the  
25



1 public wholesale market. Yet, another technological  
2 innovation BIC has launched this past year has been  
3 our online portal, which allows carters to log in at  
4 any time to easily and efficiently update the  
5 information on their customer registers.

6 Historically, this information was submitted to BIC  
7 via Excel spreadsheets. The data was not

8 standardized and there were varying degrees of

9 formats leading to major problems in accurately

10 collecting and using the data. The online portal

11 should help to eliminate those issues. In closing, I

12 want to thank you Council Member Reynoso for all that

13 you have done regarding your sponsorship of the

14 pending heating oil legislation. You've been a great

15 champion for BIC both in backing us in our regulatory

16 efforts while challenging us to be more flexible and

17 open with those who regulate. As the city moves

18 forward with the anticipated significant changes to

19 the trade waste industry in terms of adoption of a

20 zone collection system, and an increasing focus on

21 better recycling, this committee could not be run by

22 a better chairman. That's a summary of the main

23 issues and projects that we've been involved with.

24 We look forward to answering your questions.  
25

1  
2                   CHAIRPERSON REYNOSO: Thank you,  
3 Commissioner. I just want to say you've done an  
4 amazing job at truly—and no longer beginning, but  
5 actually reforming BIC to a point where my  
6 conversations with Hunts Point Market have—have  
7 changed dramatically. We talked about the progress  
8 that they've made, how they feel that the enforcement  
9 is—is on par with the need. It's not overwhelming,  
10 or over—or over burdensome to them. So I—I really  
11 want to thank you for that. I know we had this  
12 conversation regarding the—the landscaping and—and  
13 saying that maybe we've—we've done enough there that  
14 we can move on from that. I just wanted to talk has  
15 that been through—or ask. I'm sorry. Has that been  
16 a rule or through a rule change or something that we  
17 would need to do in the City Council when it comes to  
18 that—to that landscaping portion of it?

19                   COMMISSIONER BROWNELL: Well, Council  
20 Member Chair Reynoso we are looking and we're—we're  
21 currently looking at both the code and the rules to  
22 see exactly how—how to accomplish that policy goal,  
23 and so it's really in the early stages. So I can't  
24 say that it would not take legislation. You just

1 need to more fully review it before we're ready to  
2 take the next step.

3  
4 CHAIRPERSON REYNOSO: Just update us on  
5 the progress that—that you're making there so we're  
6 all on the same page to make that work.

7 COMMISSIONER BROWNELL: I do know that  
8 there are some changes that we're contemplating, and  
9 it's more than what the couple I spoke of here that  
10 will definitely require new legislation.

11 CHAIRPERSON REYNOSO: Okay, and then I  
12 wanted to talk about the—targeting the enforcement—  
13 enforcement efforts targeting unlicensed waste  
14 haulers and the number of violations BIC issued in  
15 the area increased significantly for Fiscal Year  
16 21017 for the month-to-month period. Now these  
17 efforts also contributed I believe or BIC believes  
18 that this contributed to a 29% decrease in the number  
19 of waste hauling complaints it received. So while  
20 violations are going up, complaints are going down.  
21 Is that—are they mutually—mutually exclusive or  
22 something—or it's happening because of cause and  
23 effect?

24 COMMISSIONER BROWNELL: We think it's  
25 cause and effect. So targeting, issue violations for

1  
2 unlicensed activity has been really the thing we  
3 focused on, and we've lighted up on other things,  
4 which in some ways especially in terms of the markets  
5 I think has been seen as sort of harassment. And  
6 again as I said in the testimony, if you don't have a  
7 good relationship with the people you regulate, the  
8 possibility of actually doing a good job and  
9 accomplishing what you want to do is greatly  
10 diminished. So the problem with unlicensed activity  
11 is (1) it's viewed by those that do come and do it  
12 right and get a license as really unfair. We've  
13 seen—we've heard this especially from landscapers and  
14 also from—from C&D people where you tend to have more  
15 of that kind of activity. And then the other thing  
16 we've seen is that these companies they—they tend to  
17 be smaller ones because they're less visible. The  
18 other thing we see is the, you know, they obviously  
19 have a disregard for—for getting a BIC license as  
20 they should, and they also have a disregard for just  
21 about all the other rules. So you would have more  
22 activity in terms of illegal dumping. You know, not  
23 having proper equipment, and not, you know, properly  
24 equipping their—their employees or everything up and  
25 down the scale, and so that's—for those two main

1 reasons that's why we have really targeted there that  
2 area of enforcement.  
3

4 CHAIRPERSON REYNOSO: I see. So when  
5 they're bad, they're very bad.

6 COMMISSIONER BROWNELL: Well, they just  
7 do it. They do it all over.

8 CHAIRPERSON REYNOSO: Okay, now pending  
9 waste hauling applications we've seen it go down from  
10 830 to 494, which is that 40% reduction.

11 COMMISSIONER BROWNELL: Uh-huh.

12 CHAIRPERSON REYNOSO: We—we still want to  
13 do better, but I—I believe that's a great reduction.  
14 What do you think you can—do you think now there's a  
15 system or something you have in place that makes you  
16 feel confident that you would get to that 300 given  
17 the amount of decrease you've already seen?

18 COMMISSIONER BROWNELL: Yes. So there's a  
19 couple of things. One is we've hired two new  
20 background analysts. They haven't been with us very  
21 long. So in terms of them really sort of be up—being  
22 up to speed to really pull down that number is, you  
23 know, kind of just starting. Streamlining our  
24 applications not only is it easier and sort of I  
25 guess more pleasant isn't really the right word, but

1 it's less onerous for the applicants to fill it out,  
2 but for us it makes the actual backgrounding process  
3 faster, and I can't stress enough how once we get the  
4 applications to be online, that makes it much faster  
5 for us because one of the things we have to do now is  
6 with their old fashioned paper applications is we  
7 have to translate that first into electronic format,  
8 and that takes a lot of time, and it's really wasted  
9 time. And because you have human beings involved,  
10 you also have the possibility of errors being made in  
11 translating from the old fashioned paper into  
12 electronics. So putting the things online really  
13 avoids all that.

14  
15 CHAIRPERSON REYNOSO: And I'm looking  
16 forward to the day when we finally get there. I know  
17 that you started working on some type of system  
18 already, and hopefully eventually we could move it  
19 onto--

20 COMMISSIONER BROWNELL: [interposing]  
21 Yes.

22 CHAIRPERSON REYNOSO: --to taking care of  
23 these waste-wastes haulers. I do want to ask,  
24 though, about the-the pending waste hauling  
25 applications actually went up, and for us-and I guess

1 I want you to talk about how the priorities work  
2 there, and also how—well, priorities are important  
3 but also you need help. We'd like to know in this—in  
4 this committee if they have more manpower, they can  
5 actually achieve a lower wait times for these  
6 applications to be completed especially the pending  
7 waste hauling applications. Right. The average age  
8 of the pending waste hauling applications, not the  
9 actual number.  
10

11 COMMISSIONER BROWNELL: So we have two  
12 types of applications. We have new applications when  
13 a—when a business is either just starting up or just  
14 moving into New York City, they come and they—they do  
15 a first time application with us, and most of our  
16 applications are renewals. They have to be renewed  
17 depending on what kind they are every two or three  
18 years. So, if—if you come to New York or you want to  
19 start a business here, you—you cannot legally operate  
20 until you get a BIC license. Whereas, regard to a  
21 renewal let's say your renewal is up in two years,  
22 you continue to operate until and unless, and it  
23 almost never happens, you get denied by us on your  
24 renewal. So the thought is it's more important to  
25 get people who have aspirations of starting a

1 business in this city, have them be able to get up  
2 and running legally as fast as we can. Whereas with  
3 the renewals, I just said it doesn't hold them up or  
4 thwart them in any way in terms of continuing to  
5 operate in the city.

6  
7 CHAIRPERSON REYNOSO: Alright so now in  
8 the cases where some of these pending applications  
9 could be let's say criminals, what is--what is that  
10 percentage? How you field that? Because what we  
11 don't want is that you take a year let's say to get  
12 that done, and then in a year someone is operating  
13 illegally. What is the percentage of I guess--

14 COMMISSIONER BROWNELL: [interposing]  
15 Yes, it's not--

16 CHAIRPERSON REYNOSO: --denials.

17 COMMISSIONER BROWNELL: Especially in  
18 trade wastes I mean it isn't like you're going to  
19 find a criminal, and again, there's a whole aspect of  
20 this agency, which we generally don't speak of in  
21 which we do investigations. Sometimes they're just  
22 for regulatory violations, but more often than not,  
23 it's a combination of regulatory and a criminal  
24 investigation, and one of the things that--that BIC  
25 has done really well is we have a great relationship



1 with all of the law enforcement agencies in the city  
2 whether they're prosecutors, whether it's the  
3 Inspector Generals, whether it's anybody else doing  
4 law enforcement. So, if there's an investigation  
5 involving trucking, and one of the people that is  
6 very active in those investigations is one of our  
7 attorneys John Curry, who is involved with many  
8 different prosecutors. We're going to know about  
9 that, and our investigation of that isn't really  
10 going to have anything to do with a pending  
11 application or not. We're going to do that  
12 investigation. So that really isn't going to hold  
13 that up.

15 CHAIRPERSON REYNOSO: But—so you feel  
16 comfortable knowing that the renewals are something,  
17 you know, while it's pending folks are still  
18 operating, just prioritizing new applications over  
19 other applications in which someone can still operate  
20 is a preference, but my—my main, my big thing here is  
21 if you had more staff, you would be able to do both?

22 COMMISSIONER BROWNELL: So here's the  
23 thing about more staff. I say this heating oil bill  
24 is going to pass because it should happen. We've been  
25 undergoing for the last year renovations in our space

1 to make it more to—to really be more efficient in  
2 terms of our use of space. We figured out and OMB  
3 has been terrific with us and sort of figuring out  
4 the additional staff we need. The reality is—and we  
5 worked very hard to get ready for heating oil because  
6 when the bill passed, when the bill passes, it's  
7 going to take us some months. First of all, we're  
8 going to have to hire. OMB obviously isn't going to  
9 give us any money, additional money until the bill  
10 passes, and when that passes and we're ready as we  
11 can, but we now have to hire people, we have to train  
12 people, we have to go through the application  
13 process. So the reality is that what we would like  
14 to do is continue to make ourselves more efficient in  
15 terms of how we deal with the existing applications,  
16 and regulations making ready for the heating—the  
17 additional heating oil staff, which isn't going to be  
18 that many so that we can do both and do it  
19 effectively.  
20

21 CHAIRPERSON REYNOSO: And, of course, you  
22 know, I really want the heating oil bill to pass. I  
23 think it's important. We're having conversations  
24 internally to make sure we can make that happen,  
25 making sure everyone involved agrees that this is the

1 right way forward, and when that time comes, I know  
2 you guys will be ready, and I guess that staff  
3 upgrade would actually really help when it comes to  
4 efficiency.  
5

6 COMMISSIONER BROWNELL: [interposing] And  
7 again, we appreciate all your support.

8 CHAIRPERSON REYNOSO: Well, absolutely.  
9 I think, you know, it's-it's hard to-to see that  
10 investigation happen and-and the indictments and so  
11 forth, and folks pleading guilty. Already the amount  
12 of money that has been stolen from the city, from the  
13 churches, homeless shelters, hospitals and the  
14 blending oil situation as well--

15 COMMISSIONER BROWNELL: Right.

16 CHAIRPERSON REYNOSO: --and for us to  
17 stand still and not do anything when we see that is--  
18 is not easy to do. So, we'll see what we can do to  
19 continue to make progress on that bill for sure. The  
20 last---I just had one other question. The OTPS  
21 budget here includes \$327,000 in Fiscal Year 2017 and  
22 \$24-\$244,000 in the out years to realign the  
23 department's budget with the other-with the  
24 additional other than personnel services costs  
25

1 incurred. How much—how much staff did that cover? Do  
2 you know that?  
3

4 COMMISSIONER BROWNELL: Eight new staff.

5 CHAIRPERSON REYNOSO: Okay, so eight.

6 COMMISSIONER BROWNELL: I had it written  
7 down somewhere, and a lot of that has to do with the  
8 renovations that I spoke about. What we did is we  
9 sort of fronted the renovations with forfeiture money  
10 that we have and the city. To a large extent, a lot  
11 of that money is sort of paying us back for that  
12 forfeiture money.

13 CHAIRPERSON REYNOSO: Okay, well,  
14 Commissioner I—I'd like to thank you for your time.  
15 That's my lines of questioning is done here. I do  
16 appreciate your time and everything you're doing.  
17 Keep up the good work.

18 COMMISSIONER BROWNELL: Thank you, sir.

19 CHAIRPERSON REYNOSO: You're doing great  
20 work. Thank you, guys. Take care.

21 COMMISSIONER BROWNELL: Thank you.

22 CHAIRPERSON REYNOSO: Thank you.

23 [background comments, pause] I'd like [background  
24 comments] Yeah, I'd like to call up Kendall  
25 Christiansen, Jacqueline Otman, Sarah Curry-Halpern,

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

117

1 Brendon Sexton and James Harris for their testimony.  
2 Again, Kendall, Jacqueline, Sarah, Brendan and James.  
3 Thank you. [pause] Okay. So I guess you can—so you  
4 guys can start from my left to the right. Just  
5 introduce, read your testimony and then we'll be get  
6 to it. Thank you guys.

8 JAMES HARRIS: Hi. Can you hear me? I'm  
9 James--

10 CHAIRPERSON REYNOSO: [off mic] [on mic]  
11 and keep the mic as close to you—to you as possible.  
12 [pause]

13 JAMES HARRIS: Good afternoon. I'm James  
14 Harris, Director of Government and Community Affairs  
15 at Brooklyn Botanic Gardens. Thank you for giving me  
16 an opportunity to present testimony on behalf of BBG  
17 and NYBG. The New York City Compost Project was  
18 founded in 1993, as a partnership between the New  
19 York City Department of Sanitation, and the City's  
20 four botanical gardens. It originally focused on  
21 backyard composting, and now—has now grown to include  
22 community composting, urban farming and Organics  
23 Recovery Initiatives. Together, the citywide teams  
24 work to rebuild New York City's soils by providing  
25 New Yorkers with the knowledge, skills and

1 opportunities they need to produce and use compost  
2 locally. In each borough we work to expand New York  
3 City's composting footprint through education,  
4 outreach and community food scrap drop-off sites. We  
5 provide technical assistance to schools, community  
6 gardeners, block associations, the greening  
7 organizations to expand our respective boroughs  
8 composting footprint and build community around  
9 composting. NYBG provides ongoing technical  
10 assistance and training to 96 sites across the Bronx  
11 whereas, BBG reaches 80 sites across Brooklyn. We  
12 also provide advance training opportunities through  
13 master composting-composter classes at Brooklyn  
14 Botanica Gardens, for example. The eight-week master  
15 composter certificate course has trained nearly 300  
16 borough residents since the program's inception.  
17 This type of in-depth practical training in each of  
18 our institutions creates enthusiastic and  
19 knowledgeable compost ambassadors that take on  
20 leadership roles in their community, New York City  
21 schools and local organizations. We also engage our  
22 communities through outreach events such as the  
23 NYBG's annual pumpkin smash at Lehman College. This  
24 past November more than 1,800 children and adults  
25

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

119

1 participated in the Take Me or Break Me stations to  
2 smash, sling and take home more than 7,500 pounds of  
3 pumpkins and gourds repurposed from NYBG's Halloween  
4 displays. Community partners taught participants how  
5 to grow squash, cook the pumpkins and turn food scrap  
6 into compost. With technical assistance from the  
7 NYBG team, Lehman composted the smashed pumpkins with  
8 leave from the campus and distributed 115 cubic-cubic  
9 yards of this back to the community for greening  
10 projects. Collectively through the partnership with  
11 New York City Botanical Gardens we staff over 20  
12 community food scrap drop-off spots each week and  
13 process over 350,000 pounds of organics a year. The  
14 finished product is used at our gardens—excuse me.  
15 The finished product is not just a means to manage  
16 waste product, but it's a critical, but it's critical  
17 to healthy soils and environments throughout New York  
18 City and it's donated to local community  
19 organizations throughout our respective boroughs.  
20 The New York City Compost Project partnership with  
21 New York City Botanical Gardens provides a unique way  
22 for each of our institutions to serve our respective  
23 boroughs out in communities while reinforcing our  
24 strong environmental conservation message. We are  
25

1 honored to be part of this valuable program, and to  
2 support the Department of Sanitation's zero waste  
3 goal. We welcome your support for the New York City  
4 Compost Project, and ask that you further leverage  
5 this valuable partnership by supporting our request  
6 for a \$40 million increase in the Cultural Affairs  
7 Budget. These funds would be split equally between  
8 the cultural institutions groups—institutions and the  
9 Cultural Development fund groups, and will allow the  
10 city's botanical gardens as well as our colleague  
11 institutions to continue to train, educate and  
12 welcome children and families to our institutions  
13 across the five boroughs.

14  
15 CHAIRPERSON REYNOSO: So thank you so  
16 much for [coughs] your testimony. James, I did want  
17 to ask do you get any funding from the city of New  
18 York to—to do the work, to do this work?

19 JAMES HARRIS: We do. Each of the four  
20 botanical gardens do. Yes.

21 CHAIRPERSON REYNOSO: Okay, and—and are  
22 you taking in compost from—from residents or from  
23 residential areas?

24 JAMES HARRIS: Right. So each of us have  
25 drop-off sites throughout the boroughs so--



1  
2 CHAIRPERSON REYNOSO: So the individual  
3 resident will take it to the botanic gardens?

4 JAMES HARRIS: Right. In addition to we  
5 train community organizations to become drop-off  
6 sites. So it's multiples over the just six that we  
7 have.

8 CHAIRPERSON REYNOSO: But you don't—a  
9 Sanitation truck wouldn't necessarily come in and  
10 dump off compost?

11 JAMES HARRIS: No, we're—we're not asking  
12 people to come to the garden with their compost.  
13 [laughs]

14 CHAIRPERSON REYNOSO: Okay. So that's  
15 what we're doing. I see, and this is—this program is  
16 recently there was a press conference or something in  
17 the last week or so to--

18 JAMES HARRIS: [interposing] I think  
19 that's—I think that's right. I missed that. [laughs]

20 CHAIRPERSON REYNOSO: Okay, so we both  
21 missed it. It's okay. I just wanted to make sure  
22 that it was regarding the New York City Compost  
23 Project, which is different from the Organics  
24 Recycling Program that the Sanitation has—has and for  
25 me sometimes I get this confused. I want to continue

1 to be as supportive as possible to the work that  
2 you're doing, and that the botanic gardens, the  
3 Brooklyn Botanic Gardens continues to do. It's an  
4 amazing location. You guys are doing amazing work  
5 over there. I know that you're handling 350,000 tons  
6 or pounds. Sorry. We—we use tons--

8 JAMES HARRIS: That's not just us.  
9 That's the--

10 CHAIRPERSON REYNOSO: The entire network.

11 JAMES HARRIS: The network.

12 CHAIRPERSON REYNOSO: But—but it still  
13 doing that work to—to help us reach zero waste  
14 eventually. Thank you so much.

15 JAMES HARRIS: Thank you.

16 CHAIRPERSON REYNOSO: Thank you. Next.

17 SARAH CURRY-HALPERN: Hi, there. Good  
18 afternoon Chairman Reynoso and members of the  
19 Sanitation and Solid Waste Management Committee. My  
20 name is Sarah Curry-Halpern and I'm Chair of the  
21 Manhattan Solid Waste Advisory Board. We are a 30  
22 plus member organization of waste experts and  
23 concerned citizens across the—mainly Manhattan. I'm  
24 testifying on behalf of the—excuse me. I'm  
25 testifying on our behalf regarding the Department of

Sanitation's Fiscal Year 2018 Preliminary Budget.

Manhattan SWAB would like to thank Mayor de Blasio

for his leadership on bringing waste policy to

forefront of the Administration's agenda. New York

City is currently the world's most wasteful mega city

producing almost 12 million-million tons of trash a

year with approximately 83% of residential waste

going to landfill. This is not sustainable nor in

line with the city's environmental goals. Therefore,

we ask the City Council to support the full funding

of DSNY's FY18 Budget on waste prevention, reuse and

recycling. Specifically, the Manhattan SWAB would

like to highlight the following areas, which we

believe are crucial to achieving the city's goals

zero waste to landfill by 2030.

1. Research. Zero by 30 can only be

achieved if New Yorkers are aware of why waste is the

problem, and are given the right tools to help

achieve this ambitious goals. Recycling is not new

for New Yorkers yet our residential recycling rate

has barely broken 20% since the Curbside Program went

into effect. DSNY currently uses their Waste

Characterization studies to understand the

participation rate among communities across the city.

1 We suggest they add a market research and community  
2 survey components to identify the factors leading to  
3 waste behaviors, and the optimal local methodologies  
4 to achieve behavior change. Without market research  
5 to understand current behavior and program  
6 performance it will be difficult for DSNY to design,  
7 deliver and measure the effectiveness of campaigns  
8 and services.

10           2.     DSNY Programs. The Manhattan SWAB  
11 fully supports these existing DSNY programs and would  
12 like to see DSNY re-receive-excuse me-additional  
13 funds in the upcoming fiscal year to expand the  
14 geographical reach and frequency of the following  
15 programs: The city's reuse programs such as Donate  
16 NYC, Community Stop and Swaps and Refashion NYC.  
17 These are really at the frontline of waste  
18 prevention. The organics collection programs that  
19 collect food scraps and yard waste, already the  
20 largest of its kind as you know in the U.S. making a  
21 big impact in reducing waste and methane emissions,  
22 which contribute to climate change. The NYCHA's  
23 Recycles program. It was long overdue and it's  
24 crucial in offering recycling to all city residents,  
25 and Public Space Recycling. We'd really like to see

1 this expanded and intensified. We understand that  
2 contamination rates are high in existing public space  
3 recycling bins, but over time and as New Yorkers see  
4 more recycling bins as they are out and about, this  
5 will likely decrease. For years the city has taught,  
6 encouraged and expected three different waste  
7 disposal behaviors from its residents. That is  
8 separate refuse from recycling one way at home,  
9 separate it a different way while in an commercial  
10 establishment, and don separate it all while out on  
11 the street, and we think that is—that's not working.  
12 The city took the important step to standardize the  
13 separation and refuse and recycling in residential  
14 and commercial buildings. What message does it send,  
15 though, to New Yorkers and visitors to only provide  
16 one litter basket for all trash on the streets and in  
17 most plazas and parks? All while we are a city  
18 working to achieve zero waste. These public spaces  
19 are exactly where the city should be promoting its  
20 zero waste goal. So we would really like to see some  
21 public space recycling done throughout the city.  
22

23 3. Zero Waste Education and Outreach.  
24 Providing recycling at the litter basket is a first  
25 step in raising the 0x30 profile. Beyond that, the

1 city must have a clear consistent and easy to  
2 understand message on zero waste, and a robust public  
3 awareness education and outreach program to execute  
4 that message. We encourage DSNY to work closely with  
5 both NYC Department of Education and the charter and  
6 private school systems on zero waste education for K  
7 through 12. All children and their parents should be  
8 taught the negative environmental impacts of our  
9 consumption and disposal habit. We also support city  
10 funding for a high profile media campaign featuring a  
11 compelling message and coordinated branding around  
12 the 0x30 Initiative similar to NYC DOT's Vision Zero  
13 Campaign. Such a campaign should include billboards  
14 and bus ads as well as television print and on-line  
15 ads. Targeted outreach should reach audiences  
16 critical to the success of the Residential Organics  
17 Collection Program, as well as the updated recycling  
18 rules and new organics laws for businesses.  
19 Messaging should encourage New Yorkers to perform  
20 zero waste behaviors such as buying second hand and  
21 recycles while pointing out the potential benefits to  
22 them including saving money.  
23

24 4. Enforcement. After significant  
25 education outreach has been conducted to inform

1 businesses of their responsibilities to source  
2 separate recycling and for some organics, DSMY-DSNY  
3 must sent out well trained enforcement officers to  
4 ensure that these businesses are compliant. Since  
5 the FY16 budget, funding of DSNY Civilian Enforcement  
6 has been reduced in all five boroughs. This is not a  
7 solution to better compliance of recycling rules, nor  
8 more contamination prevention. We hope to see an  
9 increase in enforcement budget beyond FY17 levels  
10 enabling the department to effectively enforce new  
11 and existing Sanitation rules and laws such as again  
12 the new Commercial Waste Recycling Rules and the  
13 organics, the new organics laws.

14  
15 5. Save as You Throw. The greatest  
16 decrease in the city's waste tonnage will likely be  
17 achieved by using financial incentives to encourage  
18 behavior change. The US EPA has for decades  
19 considered Save as You Throw, which incentivizes  
20 residents to save money by producing less refuse to  
21 be one of the most effective methods for increasing  
22 diversion rates and reducing overall waste  
23 generation. Save as You Throw is included in the New  
24 York State Long Range Plan Beyond Waste and in Mayor  
25 de Blasio's One New York. Manhattan SWAB has and

1 continues to strongly recommend that the City  
2 implement an incentive program such as Save as You  
3 Throw, and we are eager to see the results of the  
4 DSNY study on how to implement such a program here.  
5 In conclusion, DSNY's efforts for waste reduction,  
6 reuse and recycling has a lot of room to grown in  
7 order to reach their full potential. So we ask that  
8 the Council and the Mayor fully fund DSNY's FY18  
9 Budget with that increase and reapportioned funding.  
10 But for waste prevention and management, the city  
11 will not reach it's zero waste goal. Thank you for  
12 this opportunity to speak with the committee and  
13 Manhattan SWAB looks forward to the committee's  
14 leadership on keeping zero waste at the forefront of  
15 the city's public policy agenda.  
16

17 CHAIRPERSON REYNOSO: Thank you, Sarah,  
18 and I'd just have a couple of questions. We are  
19 going to have a-a zero to 30 hearing--

20 SARAH CURRY-HALPERN: [interposing] Oh,  
21 good.

22 CHAIRPERSON REYNOSO: --in the City  
23 Council. I wanted to ask a lot of these questions  
24 that we're concerned about whether or not we can  
25



1  
2 achieve it. Whether education is an important part  
3 of it that we're not--

4 SARAH CURRY-HALPERN: [interposing] Yes.

5 CHAIRPERSON REYNOSO: --necessarily  
6 taking into consideration. What research has been  
7 done? Of course, the things that you're doing what--  
8 what role that's going to play in trying to reach--

9 SARAH CURRY-HALPERN: [interposing] Sure.

10 CHAIRPERSON REYNOSO: --zero waste. Also  
11 you talked about three different ways to collect  
12 garbage and three in the private and public. So  
13 those are all things we're definitely going to take  
14 on at that hearing. So, when we're there, we should  
15 actually meet prior to that hearing and really get--  
16 get an understanding of--of what questions need to be  
17 asked so we actually get a straight answer from  
18 Sanitation.

19 SARAH CURRY-HALPERN: That would be  
20 great.

21 CHAIRPERSON REYNOSO: The Commissioner  
22 seems confident that she has a plan. Not all of us  
23 know it. So I think in this hearing we'll be able to--  
24 we'll be able to be clearer there. So I'm excited  
25 to--to get that hearing going--

COMMITTEE ON SANITATION AND SOLID WASTE  
MANAGEMENT

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SARAH CURRY-HALPERN: [interposing] Right

CHAIRPERSON REYNOSO: --hopefully in the coming months. It's not going to happen right away, but it's going to happen.

SARAH CURRY-HALPERN: Well, the Manhattan SWAB would love to be at that hearing as well.

CHAIRPERSON REYNOSO: Well, thank you so much for your testimony.

SARAH CURRY-HALPERN: And thank you.

JACKIE OTMAN: Good afternoon, Chairman Reynoso and the members of the Sanitation and Solid Waste Management Committee. My name is Jackie Otman. I'm a native New Yorker and a member of various sustainability organizations, but today I'm here representing myself. I have 40 years of experience working on high profile advertising and marketing campaigns, including the original I Love New York Campaign. For the past 30 years, I've been focused exclusively on advising Fortune 500 companies and the U.S. EPA's Energy Star Label on the strategies for green marketing. I'm in total support of funding the various waste reduction and outreach efforts outline in the Department of Sanitation's Fiscal Year 2018 Preliminary Budget, but I think that you represent

1 just the beginning. The city is making enormous  
2 investments in personnel, infrastructure,  
3 public/private partnerships and education and  
4 outreach efforts to support our most ambitious goal  
5 of deserting—diverting zero waste to landfill by  
6 2030. In order to maximally leverage these efforts I  
7 believe we need to launch a major ad awareness and  
8 branding campaign for the fraction of the \$392  
9 million that the city is projected to spend this year  
10 to export our waste. A highly impactful campaign  
11 could be developed at among other things would  
12 positively reinforce our residents in establishing  
13 the new daily habits and trigger the changes to our  
14 consumption culture that are necessary to align us  
15 with zero waste. At the same time, we would be  
16 reinforcing our efforts to address climate change  
17 given that 42% of all greenhouse gas emissions are  
18 associated with the production, consumption and  
19 disposal of the goods and food. In developing such a  
20 campaign, I'm excited by the specific opportunities  
21 that I see to tap into the creativity and  
22 environmental passions or our city's Millennials who  
23 represent the bulk of the talent in our marketing  
24 agencies today. They can be listed very cost  
25

1 effectively to create the viable videos, the hash  
2 tags, the images and more than can make the daily and  
3 sometimes unseemly aspects of sorting our waste  
4 downright cool. So in planning for this year's  
5 budget, I encourage you to look for opportunities to  
6 support efforts by the DSNY and other city agencies  
7 and groups to find creative ways to provide New  
8 Yorkers with the daily positive messages and  
9 reminders that are necessary to achieve our zero  
10 waste by 2030 goal. Thank you.

12 CHAIRPERSON REYNOSO: Thank you. We were  
13 just having—having a conversation about this.  
14 Marketing and just the information is extremely  
15 important, and the Vision Zero situation and how much  
16 money goes into that campaign really has made an  
17 affect. You know, to-to-it helps. Everything helps.  
18 I agree that until we don't start taking the—the  
19 marketing and the information to get out to the  
20 public seriously, that there's no way we're going to  
21 be able to achieve this. Once you have these  
22 programs in place you got to educate people on what  
23 they are so you can follow through, and programs like  
24 Save as You Throw are easier to implement because of  
25 an educated population as well. So, we're going to

1 see if in the—the Executive Budget, the Preliminary  
2 Budget we can fight to add more funding into that,  
3 but have BNT. The Budget Negotiating Team meets  
4 tomorrow and we'll have those internal conversations  
5 as well, but I'm—I'm paying attention. I know this  
6 is definitely something we need to do. Vision Zero  
7 felt immediate in the way that this is kind of thrown  
8 off to 2030. So, people, the urgency is not there.

9  
10 JACKIE OTMAN: Right.

11 CHAIRPERSON REYNOSO: So we got to figure  
12 out a way to work together to build that urgency.

13 JACKIE OTMAN: Well, I just hear your  
14 support. Thank you so much.

15 CHAIRPERSON REYNOSO: Absolutely. Very,  
16 very, very important. I agree. Well, thank you.  
17 Thank you for your testimony.

18 JACKIE OTMAN: Thank you.

19 MONICA HENLEY: Hi. My name is Monica  
20 Henley, and I'm here today submitting testimony on  
21 behalf of Kendall Christianson and the New Yorkers  
22 for Responsible Waste Management, which is a trade  
23 association comprised of more than 50 companies that  
24 provide waste and recycling management services for  
25 New York City's commercial and industrial businesses

1 as well as through the Department of Sanitation. As  
2 you consider—consider the Department of Sanitation’s  
3 budget request for Fiscal Year 2018, the purpose of  
4 this testimony is to question the efficacy of the  
5 department’s plan to award a multi-year contract  
6 worth as much as \$8 million to a team of consultants  
7 for the purpose of planning how to restructure a  
8 pliant-term for blowing up the commercial waste  
9 services system that has served New York City well  
10 for decades, an attempt to replace it with an  
11 idealized hypothetical model of the system of  
12 districts and exclusive franchises that have been  
13 considered and rejected several times in the past.  
14 Last August based on a single set of studies from an  
15 initial team of consultants the Commissioner of DSNY  
16 announced the city’s unilateral decision to proceed  
17 with such a planning process. Unfortunately, no  
18 public hearings were held, no attempt to consult with  
19 either the industry of the city’s business community  
20 was made, and no comprehensive review of the benefits  
21 and impact of that decision were conducted. Given  
22 that the current open market system isn’t broken, it  
23 fairly meets the city’s core objectives of keeping  
24 the city clean, customers well served and prices  
25

1 competitive. We encourage the Council to consider  
2 better uses of that \$8 million. No evidence has been  
3 produced from the initial reports to suggest that  
4 districting and franchising is the only method by  
5 which the current system can be improved. In fact,  
6 evidence from other cities suggest that higher prices  
7 are the most likely consequence of a franchising  
8 system with some cities using franchise fees  
9 primarily to raise revenues. A better suggestion:  
10 \$8 million could be used to fund collaborative  
11 projects with the industry that immediately address  
12 the city's newly adopted environmental objectives  
13 including Zero Waste by 2030, and reducing greenhouse  
14 gas emissions by 80% by 2050. As the city's budget  
15 for waste export services continue to soar, according  
16 to the IBO's recent report, \$360 million, which is  
17 \$45 for each New Yorker will be necessary in Fiscal  
18 Year 2018 even as waste generation has remained  
19 constant. We can suggest specific investments that  
20 would be much more productive than funding a team of  
21 consultants to first learn about the city's  
22 sophisticated system for handling more than four  
23 million tons of waste, recyclables and organics every  
24 year, and then devising idealized-idealized models  
25

1 that inevitably will fail at dealing with New York  
2 City's never ending complexities. Finally—finally,  
3 I'd like to note that this industry is proud to  
4 employ thousands of New Yorkers who have experienced  
5 various barriers to employment such as having less  
6 than a high school education and having had to re-  
7 enter the workforce after being incarcerated. Most  
8 of the workforce live in the neighborhood around the  
9 businesses that perform commercial waste in New York  
10 City. These jobs pay two to three times the minimum  
11 wage in most instances, and can lead to a career path  
12 in which a person in the course of a few years could  
13 go from being an entry level worker to a driver of a  
14 supervisor with jobs that pay on average \$70,000 per  
15 year with a number of jobs actually paying six  
16 figures. We look forward to working with the  
17 Committee and the Council to consider an alternate  
18 path that will achieve the city's goals without  
19 destroying competition, forcing small companies out  
20 of business risking hundreds of good working class  
21 jobs. The locally owned companies that already  
22 provide the city with highly effective and efficient  
23 waste managed related services deserve better than  
24 what DSNY is currently proposing. The businesses  
25



1 that rely on our services expect better, too, and in  
2 the process the Council can direct \$8 million for  
3 better purposes. Thank you for your consideration.  
4

5 CHAIRPERSON REYNOSO: Thank you and thank  
6 you for your testimony, Monica. You know that we're—  
7 I respectfully disagree with your understanding of  
8 it, and I know that the \$8 million you believe can go  
9 to better use or other alternatives, I do want to say  
10 that the study that we initially put forth and  
11 actually found that the vehicle miles traveled in the  
12 private industry it could be reduced by 68% through  
13 a—a zoning model. It was an original I guess  
14 recommendation that was given. You are right to say  
15 another—another idea has not necessarily been  
16 proposed yet, and so forth, but I do want to say the  
17 inefficiencies of the vehicle was the miles traveled  
18 in that industry is—is—is alarming, and should the  
19 industry have been able to handle that on their own  
20 through just natural self-policing and just reform  
21 and progress, it would have been great. But I really  
22 feel that it was only after the student came out that  
23 they really started putting the schools on a lot of  
24 the work that they're doing including safety. So I  
25 just disagree of your assessment that it would be

1 detrimental. I think not changing it would actually  
2 be detrimental to the environment and to the health  
3 of our children especially in the South Bronx, North  
4 Brooklyn and Southeast Queens.  
5

6 MONICA HENLEY: And we understand. We  
7 just, you know, would love the opportunity to figure  
8 out if there is an alternate way without, you know,  
9 companies closing down and affecting the businesses  
10 throughout the city. So we just, you know, we would  
11 love more conversation to see if we can do that  
12 together.

13 CHAIRPERSON REYNOSO: Absolutely, and I  
14 would challenge the industry to—to present something  
15 that can reduce the vehicle's miles traveled anywhere  
16 near 68%.

17 MONICA HENLEY: Uh-huh.

18 CHAIRPERSON REYNOSO: Remember, we still  
19 have that. In the study it showed about in North  
20 Brooklyn—no I mean Coney Island Transit Station  
21 picking up trash in like north—in the North Bronx,  
22 and it just doesn't make any sense why a truck should  
23 be driving from Coney Island to the Bronx. There's  
24 just no sense. Out of there, there's no—right,  
25 there's no environmental justice there. So, I think

1  
2 the industry has done a good job of addressing the  
3 safety portions of it for example where we felt like  
4 it was falling short, and they put forth a response.  
5 They—they followed through. Their safety measures  
6 are actually going up. Their universal—there's like  
7 a universal look at how they're going to address  
8 safety. I still don't think we're there, but we've  
9 actually made a lot of progress there, and it was  
10 like industry initiated. In this one case, though,  
11 I—I, you know, I haven't heard of any alternatives  
12 yet. So I would love to—for you guys to maybe work  
13 on presenting that.

14 MONICA HENLEY: Sure. In the next month  
15 or so we'd love to show you something more solid.

16 CHAIRPERSON REYNOSO: Beautiful. Thanks,  
17 and it sounds good. I guess that's the last bit of  
18 testimony. Thank you so much for being patient, and  
19 we're 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 April 17, 2017