

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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December 19, 2013
Start: 10:50 a.m.
Recess: 11:34 a.m.

HELD AT: 250 Broadway - Committee Room
16th Floor

B E F O R E:
Letitia James
Chairperson

COUNCIL MEMBERS:
Maria del Carmen Arroyo
James F. Gennaro
Robert Jackson
Michael C. Nelson

2 CHAIRPERSON JAMES: Good morning
3 everyone and welcome to the hearing of the
4 Committee on Sanitation and Solid Waste
5 Management. My name is Letitia James and I am
6 the Chair of this committee and today's the
7 very last day that I will serve in that role.
8 We will begin--we will be going out with a
9 bang, voting on two of the most significant
10 bills we've had in this committee in my time as
11 Chair. It's unfortunate, I wanted to hold a
12 hearing on plastic bags, but time ran out.
13 Hopefully in my next role we will be convening
14 a hearing on that with the next chair of this
15 committee. The first bill that we will be
16 voting on is proposed Intro 1060A regarding
17 expanded polystyrene foam and sponsored by
18 Council Member Lou Fidler and myself. The bill
19 would call on the Department of Sanitation to
20 determine the recyclability of foam within the
21 existing DASNY infrastructure. If the material
22 is deemed to be recyclable, then the
23 Commissioner must designate it and include it
24 in our residential recycling program. If the
25 Commissioner determines that it's not

2 recyclable, then the material will be banned
3 from food service establishments in other
4 locations. Several notable changes have been
5 made to this bill since this committee last
6 heard it including a hardship exemption which I
7 argued for for small businesses and non-profits
8 and a six month grace period before tickets can
9 be issued. I'd like to commend the hard work of
10 my colleague Council Member Lou Fidler and his
11 staff on this bill along with several of my
12 committee colleagues, whose input on the bill
13 was instrumental in improving the legislation.
14 The second bill, Proposed Intro 1162 is
15 sponsored by myself and in conjunction with the
16 Mayor, and this bill establishes a commercial
17 composting program for large restaurants or
18 grocery stores, caterers and other food related
19 establishments beginning July 1st, 2015. The
20 Commissioner will be required to regularly
21 determine the amount of composting capacity
22 with 100 miles of the City and to require
23 composting at large food generators,
24 commensurate with the available composting
25 capacity. This bill also includes a six month

2 grace period. Again, time ran out. I wanted to
3 hold a hearing with regards to our community
4 gardens and small compost organizations
5 throughout the City of New York, and this is
6 another issue that we will pursue in my next
7 life. Both of these bills serve as important
8 and meaningful ways to improve our cities both
9 environmentally and economically and I urge my
10 colleagues to vote yes on both bills. Before I
11 turn the floor over to the Council Clerk for
12 our vote, I'd like to take this opportunity to
13 thank my colleagues on the Committee. In their
14 absence, Council Member Arroyo and Gennaro, and
15 the individuals who are here Council Member
16 Jackson and Council Member Nelson, and
17 Commission John Doherty at the Department of
18 Sanitation and his wonderful and capable staff,
19 including Bob Orlin, Andrea Ciccone, Madeline
20 Legori [phonetic], and Ellen Cooper. I'd also
21 like to thank all of my advocates, all of the
22 advocates and stake holders who have
23 contributed in meaningful ways to the work of
24 this committee and helped me and my staff to
25 help understand the important issues related to

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2 this committee. Now, with nothing further, I'd
3 like to turn the floor over to the Council
4 Clerk for the vote.

5 COUNCIL MEMBER JACKSON: Madam
6 Chair, may I be--speak on before vote is taken?

7 CHAIRPERSON JAMES: Yes.

8 COUNCIL MEMBER JACKSON: Thank you.
9 First, let me thank you for being the Chair of
10 the Sanitation and Solid Waste Committee in
11 this term of office. I think you've done an
12 excellent job as a Chair. I mean, even before
13 that as the Chair of the Contracts Committee,
14 and we look forward to your continuous advocacy
15 on behalf of the people of the City of New York
16 in your new role as of January 1, as a public
17 advocate of the City of New York. I look
18 forward to working with you, but more
19 specifically, regarding proposed Intro number
20 1060A, I understand that some changes were made
21 to the bill, in which at this point in time, I
22 can accept, understanding the issues and
23 concerns that I had in the beginning was one,
24 the impact on small businesses. I visited
25 several small businesses in my community and

2 heard from business owners as to the negative
3 impact this would have on their businesses
4 regarding cost factors. Number two, the whole
5 issue of recycling these products that they
6 were recyclable, and as you know, Madam Chair,
7 you may have been at the Black, Latino and
8 Asian Caucus meeting where we heard from both
9 sides on this particular matter way before the
10 hearing was held, and I'm very, very clear in
11 my mind that the items that we are going to ban
12 if they're not deemed recyclable. They are
13 recyclable, and in fact, the representative
14 from the industry, more specifically DART, had
15 indicated that not only the polystyrene, but
16 also all of the other plastic containers that
17 are currently going into the waste stream would
18 be recycled if in fact this particular bill had
19 not gone forward, and a bill that was sponsored
20 by my colleague Diana Reyna and myself. The
21 bottom line is this, that we are moving forward
22 on this particular bill, and I hope from a
23 realistic point of view and an honest point of
24 view and a honest point of view, that whoever
25 the Sanitation Commissioner is give this bill

2 the aspects of it to try to recycle them, an
3 honest shot and no bs. Sometimes people will
4 say one thing and do another, and I just want
5 to be honest and sincere in my commitment to
6 moving forward to improve our city and to
7 recycle as many things as possible that we
8 possibly can. So with that, I thank you Madam
9 Chair for bringing us together in moving
10 forward.

11 CHAIRPERSON JAMES: Thank you,
12 Council Member Jackson. Thank you for your
13 leadership. Thank you for approving those
14 amendments that I put forth and others, and
15 thank you for your support of the bill that has
16 been sponsored by Council Member Lou Fidler and
17 James, and thank you for your comments, your
18 kind comments with respect to my new role in
19 the coming year. Mr. Clerk, please read the
20 roll.

21 COUNCIL CLERK: Kevin Penn,
22 Committee Clerk, roll call on the Committee on
23 Sanitation and Solid Waste Management, Intro's
24 1060A, 1162A, Reso 2058, and pre-considered
25

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2 Reso Environmental Assessment. Council Member
3 James?

4 CHAIRPERSON JAMES: Let me just say
5 I was remiss in not thanking the staff for this
6 committee. I've had the best staff and far
7 superior to any other staff member of any other
8 committee in the entire City Council. That's
9 Jared Hover [phonetic]. Let's give a round of
10 applause to Jared Hover. Yay. [applause] He
11 has been accessible, light-hearted, and serious
12 and I just truly want to thank him. I also want
13 to thank Daniel Avery. Where's Daniel? Yay.
14 [applause] Whenever there were moments of
15 contention, you could always rely upon Daniel
16 for a joke. And of course, the lovely Kate
17 Sealy-Kirk [phonetic] who--what's your married
18 name? Okay, Sealy-Kirk. She's--everyone
19 congratulate her. She just married.
20 Congratulations on your nuptials and thank you
21 for all that you've done for this committee,
22 and on that, I vote aye.

23 COUNCIL CLERK: Nelson?

24 COUNCIL MEMBER NELSON: I'd also like
25 to say, congratulate the Chair. She's been

2 exemplary, and I've been proud to serve with
3 her, and it's going to be tough finding
4 somebody to replace you, but somehow, I guess
5 the Council seems to have a--but it's not going
6 to be easy at all. Having said that, I've gone
7 back and forth on this over the months, and
8 will all due respect, the small businesses,
9 which will be perhaps negatively impacted, I
10 think overall, we're looking at a severe
11 problem with Styrofoam cups. That's been said
12 you drink the coffee for five minutes and the
13 stuff is there for 500 years. So I think we
14 have to stop it. We should have stopped it
15 before. I vote aye.

16 COUNCIL CLERK: Jackson?

17 COUNCIL MEMBER JACKSON: I want to
18 thank all of the staff for doing a great job on
19 behalf of the people of the City of New York,
20 and I vote aye.

21 COUNCIL CLERK: By a vote of three in
22 the affirmative, zero negative and no
23 abstentions, all items have been adopted.
24 Members, please sign the committee reports.

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2 CHAIRPERSON JAMES: So I hope that
3 we can keep the rolls open, keep the rolls open
4 and I thank all of you. [gavel] Letitia James.

5 COUNCIL MEMBER NELSON: Signing out.

6 COUNCIL CLERK: Council Member
7 Arroyo?

8 COUNCIL MEMBER ARROYO: Aye.

9 COUNCIL CLERK: Final vote on
10 Committee on Sanitation and Solid Waste
11 Management four in the affirmative, zero in the
12 negative, no abstentions.

13 COUNCIL MEMBER ARROYO: Sanitation
14 Committee, Thursday, December, what, 19th? Now
15 adjourned.

16 [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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date 01/08/2014