

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 25, 2015
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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
Ben Kallos
Brad S. Lander
Daniel R. Garodnick

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

Kathryn Garcia
Commissioner
NYC Department of Sanitation

Dennis Diggins
First Deputy Commissioner
NYC Department of Sanitation

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

Daniel Brownell
Commissioner/Chair
Business Integrity Commission

Peggy Tierney
Deputy Commissioner/Chief of Staff
Business Integrity Commission

John Curry
Assistant Commissioner, Legal Affairs
Business Integrity Commission

Salvatore Arrona
Deputy of Policy
Business Integrity Commission

Harry Nespoli
President
Uniformed Sanitationmen's Association

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

Latoya Wilson
Sanitation Worker

Cassandra Canelo
Sanitation Worker

Norma Ramos
Sanitation Worker

Charles Callaway
Senior Community Organizer
WE ACT for Environmental Justice

Tina Johnson
Vice President
Grant Houses Tenant Association

Jonathan Maribel
New York City Resident

Cecilia Davis
Harlem Resident
WE ACT Member

Robin Hollington
WE ACT Member

Oronde Tennant
Co-Founder, former President
WE ACT Member

Brad Taylor
Community Board 9 Member

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

Vandra Thorburn
Founder and President
Vokashi Kitchen Waste Solution

Eric Bruzaitis
OUTRAGE

Greg Todd

[gavel]

CHAIRPERSON REYNOSO: Good morning

everyone. [background comment] Alright; I've gotta hold on. But you can still have a good morning.

[background comment] Alright; I'm good. Good morning. Welcome to the Committee on Sanitation and Solid Waste Management hearing on the Fiscal Year 2016 Preliminary Budget and the Fiscal 2015 Preliminary Mayor's Management Report for the Department of Sanitation and the Business Integrity Commission. My name is Antonio Reynoso and I am Chair of the Committee on Sanitation and Solid Waste Management.

Today we will hear testimony from DSNY on its expense budget, capital plan and general agency operations. After we hear from DSNY we will hear from the Business Integrity Commission, or BIC, on its expense budget and general agency operations.

This is Commissioner Brownell's first budget hearing before our committee, so we want to welcome and thank him for joining us today; he'll be in the lineup.

The Department of Sanitation Fiscal 2016 expense budget totals are \$1.6 billion, which is

\$80.9 million more than Fiscal Year 2015's adopted budget. Congratulations. DSNY's proposed capital budget for Fiscal Year 2015-2018 totals \$1.1 billion and an increase of \$29.2 million or 33 percent since the last budget adoption. The Committee looks forward to hearing about such important issues as an update regarding the IT management systems and SMART, which is the Sanitation Management Analysis Resources Tracking, an update on major costs associated with the \$393 million in Fiscal Year 2016 Waste Export Program, an explanation on how the 125 new full-time positions added to the collection on a street cleaning program will be assigned.

The Business Integrity Commission's Fiscal Year 2016 expense budget totals \$7.4 million, which is \$428,000 more than Fiscal Year 2015's adopted budget. The Committee looks forward to hearing the Department's testimony on several important issues, including a breakdown of the Department's headcount by job classification, an explanation for the longer approval times for licenses and registrations as seen on the first four months of the 2015 Preliminary Mayor's Management Report compared to the same period in 2014.

2 I hope to hear from the Department on how
3 these performance measures can be improved. We'll
4 hear first from Commissioner Garcia, the Department
5 of Sanitation and then proceed to hear from
6 Commissioner Brownell of the Business Integrity
7 Commission. The Committee will then hear from the
8 members of the public and we thank you in advance for
9 your patience.

10 And before we hear from Commissioner
11 Garcia I would like to acknowledge my colleagues who
12 are present, Council Member Matteo from Staten
13 Island, the Big SI; thank you for being here. And I
14 just wanna say this is gonna be one of the last times
15 that we get to see Kate, who is my Financial Analyst
16 here and is the one that gives me all the great
17 information about how Sanitation is doing and has
18 really been part of the team in a real way; the
19 Education Committee is really hot right now, but
20 [laughter] there's a lot of love in this room and I
21 just wanted to give her something and this is a
22 sanitation truck from the City Store; [background
23 comments, applause] it's an... [background comments]
24 It's in mint condition; it'll be worth hundreds,
25 [laughter] it'll be worth tens and tens of dollars in

no time. [laughter] But thank you so much for your service; it was... I started the committee; I'm a brand new council member, so this is my first year; it was her first year in this committee as well, so it's been a great experience and I'm grateful for her support and her help and [background comment] she's moving on to greener pastures, as they usually do; that's what happens with talent.

So now we wanna hear from our Commissioner, the Kathryn Garcia.

COMMISSIONER GARCIA: Good morning Chairman Reynoso and members of the City Council Committee on Sanitation and Solid Waste Management. I am Kathryn Garcia, Commissioner of the New York City Department of Sanitation, and clearly not as interesting as next door. [laughter]

Thank you for the opportunity to discuss the Department's portion of the Mayor's Fiscal Year 2016 Preliminary Budget, the Mayor's Fiscal 2015 Preliminary Management Report and our current programs and operations.

With me this morning are Dennis Diggins, First Deputy Commissioner and Larry Cipollina, Deputy

2 Commissioner for Administration and Financial
3 Management.

4 As proposed, the FY16 Preliminary Budget
5 allocates \$1.57 billion in operating funds to the
6 Department to cover the costs of our cleaning,
7 collection, disposal and snow removal operations with
8 no service disruptions and necessary staffing. The
9 budget also allocates \$8.19 million to hire an
10 additional 93 uniformed supervisors for field
11 supervision and snow sectoring.

12 The Department's capital budget proposed
13 for FY16 is approximately \$238 million; of this
14 amount, \$126 million is allocated to facility
15 construction and rehabilitation, \$12 million for
16 information technology projects and \$100 million to
17 equipment and vehicles that are critical to support
18 our core service mission.

19 The Department's core mission is to keep
20 New York City healthy, safe and clean by collecting,
21 recycling and disposing of waste, cleaning streets
22 and vacant lots and clearing ice and snow. In
23 particular, street cleanliness and litter control are
24 essential to preserving and protecting the quality of
25 life for the city's residents and communities and I

am proud of the Department's uniformed men and women who work hard to deliver essential sanitation and street cleaning services daily to the public across the city.

In the first half of Fiscal Year 2015, the Department achieved an overall scorecard rating of 93 percent, with two-thirds of the city's 234 scorecard areas receiving average ratings of 90 percent or better.

As you know, in 2014 the number of clothing collection bins illegally placed on the city sidewalks and public areas reached a peak, with more than 2,093 of these bins tagged by the Department employees. However, through the joint efforts of this committee, the Council and the Administration, Local Law 67 of 2014 was enacted last November. I am happy to say that earlier this month the Department began enforcing the new law, which authorizes us to remove these bins immediately from public property, which will restore quality of life to many neighborhoods that were inundated by these offending and unlawful bins. As of yesterday we have removed all illegal clothing bins reported to the Department and will continue removing them as they are illegally

placed. [background comment] Yes, very good.

[background comments] It's a sign of when
legislation actually really works.

Responding to snow and ice conditions during winter is another critical mission of the Department to ensure safe travel on the city's roads and highways. The 2014-2015 winter storm season that began last November, and which I am reminded often is not officially over, was another successful yet challenging season and I am proud to acknowledge the dedication of our employees and the superb work they did this winter. Snow, sleet and freezing rain fell on our streets on 25 separate occasions this winter. The city also experienced one of the coldest Februarys in recorded history. The 2014-2015 winter storm season was the inaugural year for the Department's snow sectoring initiative. Sectoring, a routing concept that increases efficiency in coverage, was introduced this season in 18 community boards, including all Community Boards in the boroughs of Manhattan and Staten Island, together with Community Board 6 in the Bronx, Community Board 8 in Brooklyn, and Community Board 6 in queens. Under this initiative, the Department created new

snow routes by reducing the categories of streets designated from the traditional three tiers or primary, secondary, and tertiary to two categories of critical and sector routes. Dead end streets and streets with width restrictions, i.e., they can't fit the spreader down them, that we service by our specialized smaller equipment continue to receive more traditional service.

Over the course of 25 weather events this continuing winter season, the feedback received on sectoring has been overwhelmingly positive and we are working to expand the program over the coming year to all remaining Community Board districts.

In FY16 the Department's proposed preliminary snow budget is approximately \$77.8 million, the adopted snow budget for FY15 is \$60.3, though our estimated expenditures now stand at \$114 million to date for this snow season, excluding last Friday's storm. The official total snowfall accumulation for the city during 2014-2015 currently stands at 47-and-a-half inches and so far we have used 522,377 tons of road salt. All of the Department's road salt is stored in 39 enclosed or covered sites across the city; 29 of these sites are

permanent with salt stockpiled year round and 10 are seasonal, with salt stored only during the winter season. We do have a need for additional permanent and temporary storage locations and are pursuing additional sites. All of our snow equipment is upgraded annually and maintained year round to ensure preparedness as needed.

Thankfully, with the exception of our spring storm last week, we have seen some warmer temperatures over the past few weeks; however, this has brought to light the fact that snow litter has become an unusually large problem this year. Alternate side parking restrictions were suspended 29 times this winter due to snow removal and cold weather, though I am pleased to report that regularly scheduled street cleaning schedules have resumed.

The unsightly mess of grit and litter on sidewalks and along curb lines where snow mounds once occupied the streetscape is now disappearing. I would ask each member of this committee to join me in reminding the public that everyone has an important role to play in preserving and maintaining street cleanliness. I know you wouldn't drop and leave litter on your own living room floor, so I ask the

public to please use the nearest corner receptacle to deposit unwanted street trash. For pet owners, please also don't forget to pick up after your dog; it actually does not melt in the snow. As the weather begins to warm up, let's try to be more mindful of better trash disposal habits.

The sustainable and reliable long-term management of the approximately 12,000 tons of solid waste and recyclables generated by New Yorkers each day is a top priority of the Department. The FY16 budget proposes to allocate \$393.4 million in export tipping fees for the Department to continue its interim and long-term export operations. We are continuing to develop the long-term infrastructure component of the city's Comprehensive Solid Waste Management Plan, which establishes a fair and equitable five-borough waste management system, reduces the impact of waste management on historically overburdened neighborhoods and favors rail- and barge-based export over long-haul trucking.

I am pleased to report that earlier this month the Department opened the North Shore Marine Transfer Station in Queens, the first of four converted marine transfer stations to open under the

Solid Waste Management Plan. By this summer the facility will manage more than 1,750 tons per day of Department-collected waste from Eastern Queens, including nearly 1,000 tons per day that had previously been tipped at private transfer stations in Queens Community District 12; this reduces by half the average daily tonnage managed in this district.

Also starting this summer the remainder of department-managed waste generated in Queens will be transported out of the city by rail from Review Avenue Transfer Station. These two facilities represent significant progress toward the completion of the Solid Waste Management Plan and by this summer 58 percent of the city's waste will be transported out of the city by rail or barge in sealed containers in addition to the 12 percent taken directly to an energy from waste facility in Essex County, New Jersey.

The Hamilton Avenue MTS is near completion and is anticipated to open in FY17; construction is also underway at East 91st Street and Southwest Brooklyn MTS', which will be completed in 2017 and 2018 respectively. All four of these converted marine transfer stations will containerize

department-managed waste for export by barge and rail by a department contractor. The MTS' will also have the capacity to accept commercial waste. Working together with the City's Department of Design and Construction, we have also begun community outreach and the preliminary design of the Gansevoort MTS and Recycling Education Center.

Demolition and restoration on the Gansevoort Peninsula is expected to begin this June. This facility will accept recyclables for transport to our paper recycling vendor Pratt on Staten Island and to our metal, glass and plastic recycling vendor Sims in South Brooklyn.

The Gansevoort MTS is necessary in order to proceed with converting the West 59th Street MTS from a facility that handles paper to one that accepts commercial construction demolition waste generated in Manhattan.

When the Solid Waste Management Plan is fully implemented, significant amounts of waste-hauling truck traffic estimated at approximately 55 million vehicle miles annually from the city's roads and regional highways will be greatly reduced, including approximately 2.8 million miles by our own

department collection trucks. In reducing the city's reliance on a network of land-based transfer stations and long-haul trucking to export residential waste, the Solid Waste Management Plan will allow us to achieve greater equity in communities across the city.

Greater participation in both the city's and the regional recycling programs will help support a sustainable environment, healthier economy and stable job market. In recent years the Department has added more recycled materials, included mixed rigid plastic to its program. We offer convenient curbside collection and for our organics pilot we provide free containers. To grow our recycling programs we know we must continue to promote effective messaging that engages greater participation by residents and the general public, raises their environmental consciousness and helps produce new and better sustainability habits at home, at school and at work.

The FY16 Preliminary Budget allocates a total of \$29.8 million for waste prevention, recycling and sustainability programs and an additional \$1.3 million for 20 new positions in the

Bureau of Recycling and Sustainability to support new and expanding recycling programs.

Consistent with our goal to significantly increase diversion and participation rates, as well as reduce our garbage and greenhouse gas footprint, we are continuing to move ahead with several ambitious recycling initiatives.

Now in its second year, the pilot New York City Organics Collection Program currently serves more than 100,000 households, with more than 240,000 residents; this spring we will expand the pilot to five additional neighborhoods in Brooklyn, Queens, Staten Island and the Bronx, to serve a total of 133,000 households with nearly 340,000 residents, the equivalent of serving the populations of Yonkers and Albany combined. Neighborhoods being added to the program include parts of Greenpoint and Bay Ridge in Brooklyn; Glendale, Maspeth and Middle Village in Queens; Clove Lakes and Castleton Corners on Staten Island, and Riverdale in the Bronx.

As I've mentioned in the past, the Department's pilot Residential Organics Program is larger than many full-scale programs in cities across the country. We also have 150 high-rise apartment

buildings currently enrolled in the pilot Organics Collection Program in Manhattan and Brooklyn serving an additional 16,304 households and more than 60 more residential high-rise buildings going through the enrollment and outreach process. We also have more than 720 schools in portions of all five boroughs participating in the Schools Organics Collection. The pilot so far has provided us important data on participation, contamination and successful outreach strategies. For the residential curbside expansion I planned for this spring, the Department received an additional \$1.4 million in the preliminary budget, bringing the total budget for this program up to \$8.9 million in Fiscal 15. Additionally, the school program is funded for \$1.4 in FY15, bringing the total funding for both organics programs to a combined \$10.3 million.

The Department's primary goal of these pilots is to learn how our curbside collection service to divert organic material on a large scale can work and succeed in New York City. What we have determined so far is that there is some varying degree of willingness on the part of residents to participate but that the program shows promise. We

know that more work remains to be done in terms of reducing the contamination level of organics; we are presently reviewing options to help reduce the contamination of organics that could make the program more viable and the material more marketable.

The Department is also working with our partners Housing Works and Electronic Recyclers International to expand our re-fashionNYC and e-cycleNYC programs in apartment buildings. Through these programs residents can drop off unwanted clothing and electronics at no cost to them for proper reuse and recycling. Reaching across all five boroughs there are presently 548 buildings participating in the re-fashion program, with another 400 waiting in the enrollment process, and 900 buildings participating in the e-cycle program with another 3,975 buildings in the enrollment process.

In April the Department will begin the enforcement of the State's electronic waste disposal ban, which prohibits residents from disposing of electronic waste with their refuse. In addition to the e-cycleNYC program, city residents can drop off unwanted electronics at more than 95 locations across

the city, including any Salvation Army, Goodwill, Best Buy or Staples store.

Starting this year we are doubling the number of safe disposal events held in each borough to give city residents more opportunities to properly dispose of electronics, household hazardous products and prescription medications. Last week the Department sent safe disposal event mailers describing the program expansion and accepted materials to households across the city. The first event will be held Saturday, April 11 at Midland Beach on Staten Island. Information on the dates and times and locations of each of these events is now posted on our new website at NYC.gov/safedisposal and may be obtained by calling 311.

Additionally, the Lower East Side Ecology group is hosting 22 neighborhood collection events this spring, which began just last weekend and will continue through June; they are also accepting requests to host fall events.

We look forward to working collaboratively with the Committee and the Council in supporting all of our recycling and sustainability

efforts to promote a cleaner and greener New York City.

Improving the fuel efficiency of our medium and heavy-duty fleet and the energy efficiency at our facilities continues to be an important department goal that helps build on the progress we have achieved to date in meeting and exceeding current clean air and energy goals. One hundred percent of the Agency's fleet currently uses state-of-the-art electronically controlled clean diesel engines and 99 percent of our fleet is equipped with the best available diesel retrofit technology. Also, the use of hybrid electric light-duty vehicles has reduced the Department's light-duty fuel consumption and greenhouse gas emissions by approximately 50 percent.

In calendar year 2015 DSNY acquired and put into service seven new second-generation hybrid electric street sweepers. The Department now has a fleet of 14 of these advanced and fuel-efficient vehicles. The second-generation hybrid of electric sweepers are also capable of generating up to 10 kilowatts of electric power, enough to power a small garage during a blackout; it actually is very neat to

see a generator brought to this site and attached to a vehicle powering that particular building.

In FY16 the Department is expected to take delivery of approximately 400 clean diesel vehicles of which 25 will be collection trucks equipped with power-on-demand technology that we expect will save fuel and reduce greenhouse gas emissions. The Department's entire fleet currently utilizes B20 from April-November and B5 from December to March. Since August 2006, DSNY has reduced over three million gallons of petroleum made from diesel fuel.

To accommodate a growing number of electric vehicles in our fleet service beyond the 42 electrical vehicles we currently have, the Department has installed 49 Level 2 electronic vehicle chargers at various districts throughout the five boroughs.

I am also proud to announce that in October of 2014 the Department was the recipient of the prestigious Green Fleet Magazine's 2014 Sustainability All-Star Award, and as new technologies arise we will be at the forefront for maintaining the Department's reputation as having one of the cleanest municipal fleets in the country.

To promote an improved working environment while using less energy, many of our facilities utilize high-efficiency lights with occupancy sensors to control lighting and the expansion of rapid-roll doors that conserve heating, cooling in our garages is continuing. The Department also received grant funding for multiple building projects, including 250-kilowatt solar installations completed at Queens East garage and the Brooklyn South 14 garage; 11 lighting automation projects to provide lighting only where needed, including at our more than one-million-square-foot central repair shop; a summer boiler installation at our Betts Avenue facility to supply hot water to the central repair shop in neighboring NYPD repair shop, and one pilot project for the conversion to an instantaneous on-demand hot water heater.

We will continue to explore and test the latest green energy technologies and lead the way in promoting sustainable green practices for our fleet and buildings.

One of the most important missions of the Department and an important goal for me is to ensure that equal opportunities are available to all within

the agency. In keeping with the City of New York's program to make its workplace more inclusive of all the different people who make up our great city, I'm proud to announce that your former Office of Equal Employment Opportunity is now the Office of Equity, Diversity and Inclusion. This new office will foster an agency-wide work environment that empowers all members of our workforce and ensures the fair and equitable treatment of all workers. Equality of opportunity is an agency priority, with full support of department leadership. For our uniformed females, the Department has dedicated to making appropriate adjustments, such as proper facilities for woman, including restrooms, locker rooms and shower facilities. Additionally, the Department undertook extensive outreach during its most recent Sanitation Worker Exam Recruitment campaign by providing specialized outreach specifically to minority and female populations in New York City; over 93,000 applied and 73,000 took the exam in February.

In my first year as commissioner I am proud of the Department's outreach efforts to women and minorities and am committed to building upon these achievements.

2 This concludes my testimony and I look
3 forward to working with this committee and the
4 Council on future sanitation-related issues. Thank
5 you for this opportunity to testify today and my
6 staff and I will now be happy to answer your
7 questions.

8 CHAIRPERSON REYNOSO: Thank you very
9 much, Commissioner. So I just have a couple of
10 expense questions before I get to the capital.

11 I know that in the preliminary budget it
12 said waste export is at \$393.4 million; is there an
13 effort to try to reduce that or what options do we
14 have; this seems to take a chunk of your budget or
15 probably the largest part of your budget, just...
16 [crosstalk]

17 COMMISSIONER GARCIA: No, personnel is
18 always the largest part of my... [crosstalk]

19 CHAIRPERSON REYNOSO: personnel... oh, of
20 course.

21 COMMISSIONER GARCIA: of my budget.

22 CHAIRPERSON REYNOSO: personnel.

23 COMMISSIONER GARCIA: The decisions that
24 were made in terms of the Solid Waste Management Plan
25 mean that we anticipate that those costs will

2 continue to go up. That is actually a fully funded
3 number for all of the MTS' to be online, so we are
4 working with OMB to make sure that we have a more
5 precise figure for exec, but the Solid Waste
6 Management Plan is an expensive choice in terms of
7 the cost for disposal, but it does mean that there's
8 less volatility in what our costs will be.

9 CHAIRPERSON REYNOSO: Now I know every
10 single year we talk about these private contracts for
11 tertiary streets; I was hoping, and maybe a couple of
12 us were hoping that by now we would be done with that
13 contract, given that it's expiring; was it something
14 that you needed to use this year and will we
15 eventually see an end to it, given that there's been
16 an increase in headcount at the Sanitation Department
17 and hoping that they could take on those tasks?

18 COMMISSIONER GARCIA: So I mean, we
19 actually, with the sectoring project have made it so
20 that the tertiary contract is less needed, but you
21 know when we had a forecast of 30 inches of snow I
22 did activate them, just because we needed every plow
23 we could get our hands on in anticipation of that
24 blizzard; luckily we were not Boston and we ended up
25 receiving significantly less, but in those types of

situations we need all hands on deck. I do think that the Department can manage it and we are looking to figure out whether or not we will allow those to expire this January. I think one expires January 1st and some expire January 26.

CHAIRPERSON REYNOSO: Okay. Well given that you're doing the new route sectoring, which eliminates the tertiary streets, I just imagine that with only two routes or two categories, the third one would no longer... [background comment] that there won't be a need to service a category that just doesn't exist.

COMMISSIONER GARCIA: There will still be some dead ends and some other small streets that can't be serviced by a spreader and we do have routes that are DSNY routes to service those; it's very hard to let go of any additional plows when you're faced with a blizzard, but we do think that we can manage; our biggest hurdle is gonna be Queens East. Queens East is either highway or tertiary and they were very helpful in maintaining coverage during that period. But we are reviewing it and I think that we will be working internally and with OMB to see whether or not we should allow those to expire.

2 CHAIRPERSON REYNOSO: Okay; just you
3 know, with the increase in headcount we expect that
4 you could do more and not need that contract, but
5 also, Harry Nespoli from the Sanitation Workers Union
6 said that it doesn't matter how much snow falls this
7 year; with the increase in headcount he felt
8 confident that he would be able to handle it. So
9 just wanna say [background comment] a level of
10 confidence that you can have in the sanitation
11 workers that they'll be able to handle this.

12 COMMISSIONER GARCIA: Well he has a few
13 more years of experience dealing with snow than I
14 did, so I might have taken a more conservative
15 approach this past winter.

16 CHAIRPERSON REYNOSO: Okay. Well I still
17 do wanna emphasize that there is an increase in
18 headcount; we should consider all the savings that we
19 can and you know there's always the hiccups and we
20 always have concerns over these contracts and
21 exactly how they're being held accountable for the
22 work that they're doing and if we have an increase
23 headcount, I expected personally that we would get
24 rid of this contract and use that money for other
25

2 things. So that's just something that I thought
3 would be important.

4 Street cleanliness. So Bushwick, a
5 couple of schools or high schools in my district
6 actually took this on, by the way, which I'm excited
7 about; they took on street cleanliness... [interpose]

8 COMMISSIONER GARCIA: Good.

9 CHAIRPERSON REYNOSO: and they went to a
10 street in Manhattan, took a picture of the street I
11 think was rated at like a 94 and then they went and
12 took a picture in Bushwick, which is also rated a 94;
13 then they brought the pictures to me and there was a
14 discrepancy, of course; I guess there's different
15 standards in Manhattan than there are in Brooklyn...
16 [interpose]

17 COMMISSIONER GARCIA: No. No, there are
18 not.

19 CHAIRPERSON REYNOSO: but I believe that
20 the folks that go out and make these assessments have
21 an objective; they use their judgment as to what
22 these grades should be.

23 COMMISSIONER GARCIA: I don't judge it
24 and so I actually -- some of it, it can be mysterious
25 of how they route through the districts; I never know

where they're gonna be and what they're looking at, but they do have very specific criteria and pictures and then they rate it on like a 1-3 scale. And so they should be making the determination exactly the same way in Bushwick as they are making it in Manhattan. It is always a snapshot in time; they're not there every day, so that could be the result of the difference, but there is exactly the same criterion wherever you are in the city.

CHAIRPERSON REYNOSO: So we'll be having a hearing on that soon, 'cause I do wanna speak on that. If you're in a school and everyone gets a 96 grade or average in the entire school, something would be up; everyone would be concerned about why that's happening.

COMMISSIONER GARCIA: Everybody doesn't have a 93 right now; let's be... [interpose]

CHAIRPERSON REYNOSO: Well the thing is, I think we ought to raise our standards, I think we're too lax on what cleanliness means and what it is and if we're doing 94, which is, I think it's attributed to the great work that the Sanitation Department is doing; it still doesn't mean you can't do better, always improving; we have to evolve. I

2 think the standards we're using for street
3 cleanliness came about in 1970s and we're still using
4 the same exact system to measure street cleanliness;
5 I think we can progress and that getting a 70 is not
6 failing, it just means there's room for improvement
7 and I'm just hoping that we could talk about
8 modifying or seeing the evolution of the street
9 cleanliness program in the City of New York because I
10 think your average is like 93 percent across the City
11 of New York and I don't know if the residents
12 necessarily feel that their streets are 93 percent
13 clean, so.

14 COMMISSIONER GARCIA: Well I mean I would
15 also say that was through the first four months; I
16 don't think my average is gonna be that high when you
17 get the winter months in.

18 CHAIRPERSON REYNOSO: Right. Absolutely.

19 COMMISSIONER GARCIA: It may reflect more
20 of what you think you're seeing in the street.

21 CHAIRPERSON REYNOSO: Alright, so we'll
22 catch up on that and see how we're doing.

23 The temporary snow laborer program,
24 [background comment] how many days in the current
25

2 fiscal year did the Department employ temporary snow
3 laborers to clear curbs and crosswalks?

4 COMMISSIONER GARCIA: Eleven.

5 CHAIRPERSON REYNOSO: Eleven days. So...
6 and again, in Brooklyn, 'cause these are the streets
7 that I walk, [background comment] I've never seen
8 these snow laborers, I've just never seen them; maybe
9 they come out at night or in times, or maybe when I'm
10 working, but I've just never seen a snow laborer ever
11 and I don't know anyone that has either; I've never
12 heard of someone telling me, I saw someone cleaning a
13 curb or taking ice or snow off of a curb, I've never
14 heard of it; I've never seen it and I've asked
15 around, a small group of folks in my office and they
16 said they've never seen them either... [crosstalk]

17 COMMISSIONER GARCIA: So...

18 CHAIRPERSON REYNOSO: I just wanna know,
19 when do they come out; who they are; they've come out
20 11 times, and also, there's a concern about the curbs
21 and crosswalks being cleared at all and folks having
22 to jump over huge puddles of sleet I guess or of
23 water-downed snow, melting snow, so just wanna know...
24 [interpose]

2 COMMISSIONER GARCIA: Why don't you let
3 me talk to... 'cause I understand. So the snow
4 laborers, which we recruit in the fall, both the
5 Department of Sanitation as well as DOT; once we are
6 done with our first round of snow clearing, we do not
7 have enough supervision during the middle of the
8 initial event to have snow laborers, so after it
9 stops snowing is when they come out; they don't come
10 out during a storm. They arrive at the garage
11 usually that is closest to their house or closest to
12 public transportation; they tend to get used very
13 close to that location in order not to lose time
14 transporting them. And the next time we have a
15 snowstorm, which hopefully will not be this year,
16 until after November, we will tell you where they
17 are. I have to tell you that they don't have
18 uniforms, so I'm not sure if you didn't really know
19 what you were looking for that you would see them and
20 say oh I recognize that as a snow laborer that DSNY
21 is employing. In order to deal with crosswalks and
22 bus stops we have deployed not only snow laborers,
23 but in other districts we employ sanitation workers
24 to do that job and we had 50 skid-steers, which are
25 the Bobcats, to do it more efficiently this year, but

2 we also had a lot of folks doing hand work on some
3 extremely cold days. The truth of the matter though
4 is at a crosswalk, which we would encourage anyone
5 who had property next to a crosswalk to help us
6 clear; there are 313,000 of them. If the water can't
7 drain to a catch basin or is blocked by ice, you are
8 going to have a puddle and that puddle will be there
9 until we can get all the way to the catch basin. So
10 I mean, just creating a little stream for it to get
11 all the way down tends to help.

12 CHAIRPERSON REYNOSO: So thank you for
13 that explanation; I just think that we put so much
14 emphasis on clearing snow for vehicles and it seems
15 like cars are the residents of the city of New York
16 and not people, but pedestrians are just as
17 important; actually, they're more important than
18 vehicles, so... [crosstalk]

19 COMMISSIONER GARCIA: I gotta disagree
20 there.

21 CHAIRPERSON REYNOSO: Huh?

22 COMMISSIONER GARCIA: 'cause I'm not
23 actually clearing 'cause I want the public as much to
24 get around... [crosstalk]

25 CHAIRPERSON REYNOSO: Emergency vehicles.

2 COMMISSIONER GARCIA: it's about
3 emergency vehicles...

4 CHAIRPERSON REYNOSO: Right.

5 COMMISSIONER GARCIA: it's the, you know
6 the reason why we're out there, the reason why we're
7 uniform and the reason why, you know, we will spend a
8 lot of money to make sure the roads are clear; our
9 first priority is Fire Department, PD and ambulances;
10 I mean that's our first priority.

11 CHAIRPERSON REYNOSO: What we don't want
12 is the Fire Department having to take care of someone
13 that fell in a crosswalk or fell crossing the street.
14 I just think that we need to do a better job and
15 maybe figuring out a way to I guess, in this case
16 they don't even wear uniforms. Where are our
17 priorities when the folks that are cleaning the
18 crosswalks and the sidewalks or doing that type of
19 work don't even have uniforms and it just shows that
20 pedestrians tend to be second almost every single
21 time, so I just really wanna start prioritizing
22 people and making sure that they have an opportunity
23 to move around.

24 COMMISSIONER GARCIA: So I am absolutely
25 sure that if you ask the head of Local 831 he would

2 be happy to have you hire another 2,000 employees who
3 would wear the uniform. [laugh]

4 CHAIRPERSON REYNOSO: Thank you. So now
5 I wanna ask, regarding the East 91st Street MTS,
6 [background comment] there is an effort to see if we
7 can move the ramp and just wanna know if we had a
8 study done, if it was completed, an assessment and
9 whether or not we thought it was feasible and if it
10 is, whether or not in this budget we were able to
11 allocate funds to make sure that we could complete
12 that.

13 COMMISSIONER GARCIA: So the study is
14 still ongoing; we actually are working in partnership
15 with DOT because building a second ramp at 92nd
16 Street has serious implications for the FDR; you have
17 to move the entrance to the FDR further north to 94th
18 Street; it also means that the playground there would
19 be closed, so there are some serious implications
20 which we're still studying. The budget does not have
21 money in it at this point in time because a
22 determination has not been made yet whether or not to
23 move forward.

24 CHAIRPERSON REYNOSO: Do you have a soft
25 timeline in regards to when we can see that study

2 getting completed; it's just we would like to know
3 when we can get a definite answer?

4 COMMISSIONER GARCIA: I suspect that we
5 will have all of that completed in the next few
6 weeks.

7 CHAIRPERSON REYNOSO: Okay. So I'm gonna
8 say the end of April for you guys, the end of April.

9 COMMISSIONER GARCIA: Well only... there's
10 a... maybe mid May.

11 CHAIRPERSON REYNOSO: Alright, mid May;
12 that sounds good. As long as there's a timeline; we
13 just wanna be able to get an answer eventually and
14 that folks can expect it mid May. Thank you;
15 appreciate that.

16 What is the status of the memorandum of
17 understanding between the City and the State for the
18 Gansevoort MTS, 'cause I'm extremely concerned over
19 any deal that we would ever make with the state and
20 expecting that to be honored, but hoping that you've
21 made progress.

22 COMMISSIONER GARCIA: So the City's state
23 legislative office is actually in conversations with
24 the appropriate counterparts at the state level to
25 sign a memorandum of understanding; we think that

2 that will progress and allows us -- it is required;
3 we have to get to a memorandum in order to build the
4 MTS.

5 CHAIRPERSON REYNOSO: Yeah, I'm starting
6 to think and I always have thought that that was the
7 intention of the administration in the past to put
8 forth a memorandum of understanding that they would
9 never be able to reach because the state will never
10 give the money and... [interpose]

11 COMMISSIONER GARCIA: The memorandum of
12 understanding does not actually require the State to
13 give more than one dollar... [crosstalk]

14 CHAIRPERSON REYNOSO: Isn't it...
15 [crosstalk]

16 COMMISSIONER GARCIA: that is what the...
17 that is not in the law; the law requires the
18 memorandum, so dollar figures had been sort of
19 previously put forward, but the law requires the
20 contribution of one dollar from the State.

21 CHAIRPERSON REYNOSO: One dollar from the
22 State. Okay. I'm gonna call Kollwood [sp?]; I'm
23 gonna give him the dollar so that he can forward it.
24 But we do need to see progress there so we can move
25 forward with the Gansevoort MTS, but it looks like in

2 the testimony you said that you guys are moving with
3 the deconstruction or the demolition... [crosstalk]

4 COMMISSIONER GARCIA: Right, the... the
5 demolition's gonna start in June; we also have formed
6 a Community Advisory Board; we have our designers on
7 staff, Grimshaw is actually gonna be doing the design
8 for that marine transfer station; we've had some
9 conversations with the community, who were very open
10 and wanted to think about how we could leverage the
11 recycling education center and what's happening with
12 the opening of the Whitney and they High Line and how
13 that could be all part of one continuous almost sort
14 industrial, cultural experience.

15 CHAIRPERSON REYNOSO: Now I know you've
16 made great efforts to increase diversity in the
17 Department, especially when it comes to women and
18 just wanna... I wanna speak to garages, to get to the
19 point at the end, which I think is a facility issue.
20 [background comment] There is currently \$17 million
21 allocated for the design of the Bronx 9, 10 and 11
22 garage, [background comment] can you explain to us
23 what happened at that garage that necessitates the
24 building of a new one, 'cause we understand there was

2 a partial vacate order due to unsafe conditions while
3 we had employees there?

4 COMMISSIONER GARCIA: Yeah. So the
5 employees are only allowed to use the locker rooms
6 and the offices; you are not allowed to drive to the
7 second floor and you are not, except for in one
8 location, allowed to put a truck on that floor. We
9 think we've got two-foot voids underneath that
10 concrete floor, so it is considered to be a danger.
11 We did have one employee fall through a section of
12 the floor at one point, and so we have made some
13 adjustments, we've also put some tents up, but it is
14 not a good situation; it's not a situation that I
15 think is appropriate for our employees, male or
16 female and nor are we effective if we don't have a
17 place to put plows on trucks and be ready to fight
18 anything that may come in terms of mother nature or
19 even fulfilling our regular job; it's not the only
20 one.

21 CHAIRPERSON REYNOSO: So speaking to
22 that, so a facility where an employee falls through
23 the roof or falls through a floor... [crosstalk]

24 COMMISSIONER GARCIA: He fell through the
25 floor; not the roof.

2 CHAIRPERSON REYNOSO: from the second to
3 the first floor, whatever it is, if they're falling
4 through floors it's a huge concern; is the Bronx
5 garage the one in the state of most disrepair and
6 have you done an assessment on the rest of the
7 facilities to make sure that our folks are okay?

8 COMMISSIONER GARCIA: So yes, that is in
9 the state of worst repair, but I mean like we have
10 actually done assessments with -- actually we asked
11 the Department of Design and Construction to do
12 assessments of what we felt were our worst
13 facilities, including Queens 1, Queens 11, 13, you
14 know Brooklyn 6 is not in great shape; many of our
15 facilities date to the 1930s or are in old
16 incinerators or horse barns; there was really very
17 little investment, so we do have a priority list that
18 we are working with OMB on. One of the challenges
19 is; I know that the Bronx garages are in terrible
20 shape, moving money forward doesn't help me. We have
21 an ongoing assessment by one design firm; as soon as
22 that's done and exactly how we're gonna manage this
23 campus is determined, it will take us several months
24 to do an RFP to bring on a design consultant and then
25 it will usually take two years to do a design and

2 then we have to procure and then construct. So in
3 the interim what we've started and should hopefully
4 very soon register is something called a jobs order
5 contract, which allows us to do smaller capital
6 improvements; we've also put in place a requirement
7 contracts for boilers, roof repair and slab
8 replacement. We have some significant issues across
9 the board at many of our facilities. Some of our
10 facilities are beautiful, you know some are brand
11 new, some are in really great shape, but some of our
12 facilities have been neglected.

13 CHAIRPERSON REYNOSO: And I've been to
14 one of the nice ones; you've yet to invite me to one
15 of the bad ones... [laughter] I could imagine why, but
16 I'm sure Harry won't mind giving me a tour of the
17 worst ones. But I do wanna say -- but the garage and
18 facilities budget hasn't increased outside of the
19 work that's gonna be done to the Bronx site, so the
20 Bronx site has its almost \$206 million in new funding
21 and then everything that's left over, it's almost the
22 exact same amount in regards to garages and
23 facilities over the last fiscal year. So if we know
24 that we're in a state of disrepair, which I wanna say
25 I believe we've inherited, but what systems are there

2 in place to make annual assessments or assessments so
3 that we don't get to this place, but two, why is
4 there not a significant increase in garage and
5 facility repairs or capital improvements in those so
6 that we can make sure that our employees are safe,
7 'cause from what I gather here, we got to a breaking
8 point with this garage in the Bronx, but without an
9 increase in money to make sure that the rest of them
10 are okay, that we can't see someone else fall through
11 the floor?

12 COMMISSIONER GARCIA: Well hopefully we
13 will not have anyone fall through the floor...
14 [crosstalk]

15 CHAIRPERSON REYNOSO: Hopefully.

16 COMMISSIONER GARCIA: We have a new
17 assistant commissioner who was brought on and who is
18 focused on planning and assessment; it's part of her
19 role to make sure that we don't end up in this
20 situation in the future. I think what you'll find
21 with many of the Agency's capital budget is that some
22 of the bigger commitments they have decided to wait
23 until exec to start to roll out. But I would say
24 that OMB and the Mayor's Office have been very

supportive of what we need to do around the facilities.

CHAIRPERSON REYNOSO: So... and then I really wanna allow fow... [crosstalk]

COMMISSIONER GARCIA: So I'm gonna be optimistic and hopefully an exec that I get that there's more there... [crosstalk]

CHAIRPERSON REYNOSO: I hope so... I hope you don't get back to exec and see that we haven't seen [background comment] a huge increase, so I'm gonna make sure that I do my part in being supportive to the Department and making sure that we have safe garages for the workers there. And I do wanna say, if the garages are in disrepair and given the tradition that it's been mainly a male... a department that is run by men, not run by men, but worked by sanitation... [crosstalk]

COMMISSIONER GARCIA: I'm the second woman.

CHAIRPERSON REYNOSO: I do wanna say -- you said lockers, boilers; I guess restrooms; what are we talking about when we talk about the facilities, like locker rooms and restrooms for women in these facilities?

COMMISSIONER GARCIA: So... [interpose]

CHAIRPERSON REYNOSO: Oh facility, yeah.

COMMISSIONER GARCIA: you know, as I said before, not only are the facilities bad for men; they are also in some cases bad for women. We did bring on an engineering firm to do designs for our worse facilities where we had women, which are two incinerators and one horse barn, and that did take some time 'cause it's not actually easy to renovate any of those facilities; those contracts are in procurement at the moment; we have I think combined between two different budget lines around \$3 million this year and next year to sort of begin to deal with that. They don't have anything right now, they might have trailers or they might be using the supervisor's locker facility, but we have a lot of work to do going forward. There are cases -- many of our garages, as you know, are on campuses, so it might be, you know, Queens 4, 5, 6 in one place, Queens 11, 13, so each designated garage may not have their own facilities, but one or the other would and so they might be required to use the locker room that's in the garage but within the campus, so upstairs,

2 downstairs, across the street. Actually, usually not
3 across the street; across the way.

4 CHAIRPERSON REYNOSO: You know just
5 facilities is extremely important here and given that
6 there's a vacate order in one, I just think of -- if
7 it's a state of disrepair that I can only imagine --
8 you know and these are not amenities, these are like
9 the standard when it comes to facilities for
10 employees to be able to change and use the restroom
11 or... [interpose]

12 COMMISSIONER GARCIA: Yeah. No, I... I...
13 you... I do not disagree; I mean, I'm from Manhattan 6
14 and I barely have a garage anymore and most of my
15 vehicles are parked on 11th Avenue at this point...

16 CHAIRPERSON REYNOSO: Right.

17 COMMISSIONER GARCIA: and we are getting...
18 [crosstalk]

19 CHAIRPERSON REYNOSO: Well thank...

20 COMMISSIONER GARCIA: pushed out and one
21 thing I would ask the Council is, as you think about
22 making land use changes that you think about the core
23 services that should get incorporated into those
24 future envisioned communities, 'cause all of the
25

2 spaces that I might once have lived don't exist very
3 much anymore.

4 CHAIRPERSON REYNOSO: Thank you. Thank
5 you. Now I wanna allow for my colleagues; I just
6 wanna say, I wanna welcome Council Member King is
7 here, Council Member Kallos, Council Member Brad
8 Lander, Council Member Constantinides and Council
9 Member Gibson. And the first to ask questions is
10 gonna be Council Member Matteo. You know I think
11 we've got a good group of folks here; I don't wanna
12 necessarily put a time limit on anyone, so just be
13 respectful with your time and it would be
14 appreciated. Thank you guys.

15 COUNCIL MEMBER MATTEO: Thank you Mr.
16 Chair. Commissioner, I wanna thank you and your
17 staff, especially Chief Montanino in Staten Island
18 who did a great job of communication, your
19 communication with me during the storms was
20 appreciated. I wanna just start off with the Staten
21 Island sector plan; your thoughts on how it went, how
22 it improved over previous plans and also if you could
23 speak to the costs, if there's cost savings, if
24 there's additional costs and if we're looking to
25 expand sector plans in other parts of the city; in my

2 district I think the sector plan worked and I think
3 it was much better than previous years, so if you
4 could just comment.

5 COMMISSIONER GARCIA: Certainly. I think
6 that the sectoring was much more effective in terms
7 of getting service to the side street much more
8 quickly. It is more efficient in terms of the lane
9 miles to get to a route usually and I think that what
10 we saw and what the Department really thought was
11 that we were much more effective throughout all of
12 these different events. One of the things that it is
13 raising is the fact that we need more salt spreaders,
14 so we actually worked with OMB, based on our
15 projection of where we need to be and got 40
16 additional salt spreaders put on the Mack line this
17 year, and you won't see that in the budget yet
18 because it happened after preliminary got published,
19 but I think that really looking at the routes and
20 matching that to the equipment rather than having the
21 equipment matched to the routes has been a really
22 significant change.

23 COUNCIL MEMBER MATTEO: Now when you talk
24 about the salt spreaders, you know I think a few
25 storms ago it was more ice than snow and obviously we

2 didn't need the plow; I don't think we hit the two-
3 inch level [background comment] where we go with a
4 plow, so in a case like that, are we putting out more
5 salt spreaders and just using the plow equipment, you
6 know putting that aside and getting more spreaders
7 out, because I think that ice storm, over the weekend
8 I think it was, like I said, we didn't even need the
9 plows, it was just more salt; how are we dealing with
10 basically ice that's not gonna turn into the snow?

11 COMMISSIONER GARCIA: Right. No, I mean
12 like one of the biggest challenges, at least for me
13 going through this first season was that we had many
14 events that did not reach plowable conditions, though
15 many were forecast to reach plowable conditions, and
16 one of the reasons why we pushed to get more salt
17 spreaders. We are just much lighter if we're just
18 fighting ice. Right now, with all of my big
19 spreaders, little spreaders, things that I can
20 convert to spreaders, I'm at about 500. When I put
21 everything out, when I'm in a plowable storm, you're
22 adding another 1,800 vehicles to that mix. So how
23 quickly we're getting places is completely different.
24 We did get ready to plow a lot of times and it didn't

2 end up happening, but you know we need to be
3 prepared, so.

4 COUNCIL MEMBER MATTEO: Oh I completely
5 understand that, but I think we just have to learn
6 that from what happened this year, is that we have
7 all those plows like on Richmond Avenue waiting to go
8 and then all of a sudden we're not gonna use them,
9 you know and I get we need more salt spreaders. So
10 it's just the continuity that we need to work on
11 [background comment] together.

12 I just wanna hit a few points on the snow
13 laborers that the Chair brought up on Staten Island;
14 biggest problem, and I sent you a comprehensive list,
15 is the bus stops, we've got a lot of people taking
16 express buses to work and the problem is they
17 basically now have to sit, you know, basically in the
18 street [crosstalk, background comment] and that's
19 dangerous obviously, it's dangerous just on a normal
20 day, but it's dangerous with plows coming, puddles,
21 ice and you know I think we have to work together to
22 find a way to get more, like you said, I guess the
23 day laborers are working where they live, so I guess
24 we have to do more of an outreach before the season
25 again, I guess more Staten Islanders involved in the

2 day laborer program, so I think we need to work
3 together, because you know, we've got a lot of Parks
4 property, a lot of -- where bus stops are and you
5 could go through a whole stretch of three or four
6 blocks where it's ice and it's dangerous for
7 pedestrians waiting to get on these buses.

8 COMMISSIONER GARCIA: Right, I know; I
9 mean it's been a chronic issue about snow laborers
10 getting to Staten Island. You know hopefully the use
11 of the skid-steers help somewhat, but any feedback
12 you have about additional express bus routes -- we
13 heard that sort of, I think maybe two or three storms
14 in and I believe the chief started moving equipment
15 and people out to make sure we were handling those
16 express bus lanes.

17 COUNCIL MEMBER MATTEO: Well that was
18 great because of the continuity and the communication
19 that I was having with yourself personally and Chief
20 Montanino; we were getting the problematic bus stops
21 on Nevers Road, the service roads, but I think we
22 have to just sit down and I think add that to our
23 sector plan because the bus stops are a problem.

24 COMMISSIONER GARCIA: Okay.

2 COUNCIL MEMBER MATTEO: The last issue I
3 think for snow I wanna talk about is just the dead
4 ends; the Chair brought up the contracts and
5 everything; to get to the dead ends on Staten Island
6 we have to use the smaller equipment [background
7 comment] and do we have enough equipment if the
8 contracts are expired and Sanitation is ready to take
9 it on completely, 'cause obviously the bigger trucks
10 can't... [crosstalk]

11 COMMISSIONER GARCIA: They can't make it
12 on the dead end. Yeah.

13 COUNCIL MEMBER MATTEO: make the turn on
14 a dead end street in Staten Island, especially off
15 Todt Hill and Grymes Hill, you know, even parts of
16 Northbrook, Bard Avenue. So do we have that
17 equipment that we'll be able to use in those dead
18 ends?

19 COMMISSIONER GARCIA: So we believe that
20 right now on Staten Island we do have enough
21 equipment; we use not only the holsters which have
22 the salt, but we also use pickup plows to get in and
23 out of those dead ends. So we should have enough
24 equipment; that is what we are designed to do is to
25 get to those dead ends. One of the biggest

2 challenges is they also take the most abuse, they go
3 down more quickly than the bigger pieces; it's
4 something that we're constantly evaluating,
5 particularly as we tend to expand this, because as we
6 get into other areas of the city, I assume that I
7 will end up needing more of the small specialized.

8 COUNCIL MEMBER MATTEO: Okay. And just
9 the crosswalks and the catch basis for us; I mean we...
10 all the elected officials on social media trying to
11 get anyone who's physically able to help clean the
12 catch basis, you know [background comment] we all do
13 it in our blocks, but it's something I think we have
14 to discuss; I think the Staten Island delegation
15 would love to have another meeting to discuss the
16 positives and some of the negatives of the plan,
17 [background comment] so how we could work together
18 moving forward.

19 Another issue I wanna bring up is
20 electronic disposal program, the E-Waste. You now I
21 understand the intent, but on Staten Island, you
22 know, unintended consequence of the law, but
23 something that I think Council Member Ignizio spoke
24 about a few years ago, is the illegal dumping and
25 it's certainly happening; you see it along my

district in the West Shore, Gulf Avenue, parts of the South Shore; you see a lot of illegal dumping now with the TVs and other electronic equipment, so it's definitely an issue and one of the requests; I was wondering if Sanitation is looking or willing to discuss further with us some sort of pilot program where we can actually send some sort of truck; I don't know what truck you would use for it, but maybe -- I understand that if we just do a pilot program you may not have the equipment to do neighborhoods or want to [sic]; maybe we could set up something where a senior citizen can call and make an appointment and again, I know that there are other ways other than our pilots to be doin' [sic], but illegal dumping is happening and I think we need to address it, because at one point we're addressing it on the cleanup anyway, so we're gonna be wasting resources cleaning up; the enforcement issue, I don't know how well we can enforce Gulf Avenue and parts of South Shore/North Shore, so I was wanting your thoughts on it, if you're willing to have further discussions on maybe some sort of pilot program on some sort of pickup?

2 COMMISSIONER GARCIA: Sure. So obviously
3 we're just starting enforcement next week; we have
4 not enforced yet. You know obviously we are
5 enforcing a state law; the city law that was
6 preempted required the manufacturers to do home
7 service and under the state law they were not
8 required to do that. We are continuing to try and
9 figure out ways to make sure that we're providing the
10 most service. One of the things that's so
11 interesting about the illegal dumping, which we know
12 that there have been some out there, is if they
13 illegally dumped it at Staples, that would be fine
14 because that would be actually accepted there..
15 [background comments, laughter] you don't need to
16 take it to the woods. But we should continue to have
17 conversations in terms of -- you know, I know there
18 are a lot of areas in Staten Island that are still
19 very desolate and can be areas where we end up having
20 illegal dumping and making sure we're focusing our
21 enforcement resources on that I think is important,
22 particularly coming out of the winter months.

23 COUNCIL MEMBER MATTEO: Listen, I mean I
24 agree with you; I mean obviously we shouldn't be
25 dumping anywhere, you know... [interpose]

COMMISSIONER GARCIA: Yeah.

COUNCIL MEMBER MATTEO: just from your coffee cup to the TVs, but it is happening and I would like to have further discussions with you offline about it.

COMMISSIONER GARCIA: Sure.

COUNCIL MEMBER MATTEO: I'm gonna go through a few quick issues; I know everybody else wants to have some questions. You know we have the Council litter cleanup; we're going to be full blast, Council Member Ignizio and I are using Where to Turn in Staten Island, not-for-profit group that's gonna be cleaning weeds, cleaning debris; my point to you is I think that we should sit and discuss how we can use Sanitation and your lot cleaning crew and I know it's limited; it takes some time for them to get out, but how we can be helpful so that the locations in the South Shore and my district in mid-Island working with the Borough President's office and Council Member Rose, that we hit all the locations; that you know what we're doing, because we're going to have a pretty extensive cleanup plan come April 1st and we want Sanitation to be part of it and we also don't want to waste resources having Sanitation looking at

2 areas that we're doing with Where to Turn and the
3 other not-for-profit groups and the Borough
4 President's clean team, so I think just the way we
5 handled the sector snow removal plan, I'd like to
6 have a meeting to discuss our Staten Island litter
7 initiatives.

8 COMMISSIONER GARCIA: Yeah no, I'd like
9 to come out to Staten Island and meet with you and
10 the other members of the delegation and have our
11 cleaning chief come out, 'cause we also are feeling
12 like we need to be very aggressive this spring season
13 on cleaning across the city due to the fact that
14 we've had so many challenges with litter, so it'd be
15 a pleasure to come out.

16 COUNCIL MEMBER MATTEO: Great. Two small
17 issues; one, I appreciate the extra waste paper
18 baskets, especially along my new merchants groups
19 that we've created, we've created four in my district
20 and the only concern I have is some of them aren't
21 covered and the baskets are needed, but they overflow
22 because obviously -- and I'm not even talking about
23 the people who are illegally using it for personal
24 trash, [background comment] I'm just talking about
25 just some of these that are -- so I'm just looking to

2 see if we can get a few more covers, the blue and
3 green recycling and the regular... [interpose]

4 COMMISSIONER GARCIA: We have matching to
5 the blue/green which we can roll out; I believe we
6 have new inventory coming in this spring, so we would
7 be able to put matching covered baskets with your
8 blue/greens.

9 COUNCIL MEMBER MATTEO: Great. And one
10 final thing I wanna talk about; I just recently got a
11 call about Fahy Avenue in my district; we have trucks
12 coming from the West Shore that seem to be driving up
13 residential areas without their covers on, you know
14 private companies and the debris is coming out of the
15 trucks, hitting the cars; hitting some of the -- so
16 if Sanitation can work with me on some controls or
17 some sort of enforcement, or just being able to
18 contact these companies and saying listen, you need
19 to be putting covers on the back... [interpose]

20 COMMISSIONER GARCIA: I know we can work
21 with you on that, certainly. They're not supposed to
22 do that.

23 COUNCIL MEMBER MATTEO: Great. And the
24 last thing; I'd love for you to come out to the waste
25 transfer stations; if you can give me just some

1 COMMITTEE ON SANITATION AND WASTE MANAGEMENT 60

2 numbers on the Staten Island Waste Transfer Station;
3 how many working there; what's the tons of garbage...
4 [crosstalk]

5 COMMISSIONER GARCIA: Well your... your
6 tonnage is a little bit over... it's between 600 and
7 700 tons a day, may... [background comments] 12
8 sanitation workers and 5 supervisors. So they run
9 the actual tipping floor and then once the box
10 closes, that's the contractor who then moves it out
11 by rail... [interpose]

12 COUNCIL MEMBER MATTEO: Out by rail.
13 Okay. I'd love to go out and see that with you and..
14 [interpose]

15 COMMISSIONER GARCIA: Any time.

16 COUNCIL MEMBER MATTEO: again, when you
17 come out to Staten Island, I'd like to talk recycling
18 as well and I know we talked offline January; said
19 the numbers were low, but higher in February..
20 [interpose]

21 COMMISSIONER GARCIA: Yeah, my January
22 diversion numbers were not great; my February were
23 fabulous, so... [interpose]

24 COUNCIL MEMBER MATTEO: Just because of
25 the winter or?

2 COMMISSIONER GARCIA: Well I thought it
3 was maybe just because of the winter, but I don't
4 really actually know for sure why yet.

5 COUNCIL MEMBER MATTEO: Okay. Well I
6 look forward to discussing all these things offline
7 at a private meeting; I'll hand it back over to the
8 Chair so my colleagues can ask their questions.
9 Thank you, Commissioner.

10 COMMISSIONER GARCIA: Thank you.

11 CHAIRPERSON REYNOSO: Thank you. And I
12 just wanted to follow up. We talked about the law
13 only requiring one dollar for the Gansevoort MTS
14 situation; who in the state do you guys deal with or
15 talk to to try to negotiate that? Do we have a
16 contact person?

17 COMMISSIONER GARCIA: I believe that --
18 well it's done by the City Legislative Affairs folks;
19 I'm not sure who they're in contact with; I assume
20 it's someone in the Governor's Office.

21 CHAIRPERSON REYNOSO: Is there any way
22 that eventually we can get who that contact person
23 is; we just wanna be helpful... [crosstalk]

24 COMMISSIONER GARCIA: Sure, I'll make
25 sure Reggie gets it... [crosstalk]

2 CHAIRPERSON REYNOSO: up front.

3 COMMISSIONER GARCIA: coordinates it.

4 CHAIRPERSON REYNOSO: Okay. Thank you.

5 Now I would like to call on Council Member Ben
6 Kallos.

7 COUNCIL MEMBER KALLOS: Thank you, Chair
8 Reynoso. I'm Council Member Ben Kallos; I represent
9 Midtown East, Roosevelt Island and most notably, the
10 Upper East Side and East Harlem, which will be harmed
11 by a marine transfer station which is currently being
12 built from 91st to 93rd Street on the East River.
13 Sanitation costs continue to soar each year in large
14 part because of the implementation of marine transfer
15 stations. These marine transfer stations, such as
16 the one in my district, do not harm just the public
17 housing, parks and schools that they're literally
18 placed on top of, but they harm all of New York and
19 all New Yorkers, because the insidious truth is that
20 the marine transfer stations directly take funds from
21 our budget that could be used to support schools and
22 social services across the city. Last year I exposed
23 the fact that capital costs for the marine transfer
24 station in my district have quintupled since the
25 program began, from \$43.9 million in Fiscal Years

2002-2005; \$121.8 million from Fiscal Year 2008-2009; \$181.6 million in Fiscal Year 2013-2014; then \$215.1 million for Fiscal Year 2014-2015. The Independent Budget Office showed that the project costs of disposing trash would triple through the 91st Street marine transfer station from \$93 a ton to \$278 a ton for a cost of \$632.5 million over the next 20 years. But don't take their word for it; the preliminary budget before you today estimates that an additional \$43 million will be required to dispose of trash in Fiscal Year 2016 and that is without the 91st and Southwest Brooklyn transfer stations operational yet. We in the City Council have set a goal of making our city sustainable and keeping it intact for the next generation, but the plan that is unfolding continues to rise in cost year after year. In March of last year your predecessor said to this committee that the cost of the MTS at 91st was \$190 million; a few months later that figure was adjusted up to \$215.1 million. You have listed \$215.1 million as the projected cost today; do you anticipate that number to rise again a few months from now or is that the number you're sticking with through the final budget hearing?

COMMISSIONER GARCIA: I don't think that we've changed our number since I testified last year; I do anticipate that there will be change orders on this MTS due to the fact that there have been delays, particularly around accommodations we have made to Asphalt Green around summer camp and other issues that they have had that I'm sure will cost money. In addition, I know that I have requested numerous studies by the engineering firm to look at a variety of different ramps before the 92nd Street ramp; I have not seen all of those change orders, but I assume that those will be included.

COUNCIL MEMBER KALLOS: Thank you for making the accommodations for the Asphalt Green Summer Camp, they serve over 35,000 children and to the extent that 91st Street is a street that bisects Asphalt Green so that you have the aqua center on one side and the field, as well as children's play area on the other; I know a lot of people in my district, while I firmly oppose the marine transfer station, are eagerly awaiting the results of the study; what locations are currently being studied for other ramps and when do you estimate that those will come out?

2 COMMISSIONER GARCIA: So the one that the
3 community settled on, I actually asked to make sure
4 that there were some consistencies, so Asphalt Green
5 pledged to protect and NYCHA sent me a letter some
6 time ago saying that they all agreed that we should
7 look and evaluate a ramp that landed at 92nd Street
8 and York Avenue, so that is what we are in the
9 process of doing, and as I previously testified, I
10 anticipate that in the next few weeks all of that
11 work will be completed so that we can make a
12 decision.

13 COUNCIL MEMBER KALLOS: Has anyone looked
14 at a ramp perhaps with the Mayor's commitment to
15 environmental justice that we could just bisect
16 Gracie Mansion, which is adjacent to the marine
17 transfer station and just run the ramp through Gracie
18 Mansion and up to the MTS in order to completely go
19 around and farther away from our NYCHA developments
20 and Asphalt Green and other parts of the community?

21 COMMISSIONER GARCIA: That was actually
22 one of the ideas we came up with to come down York
23 right next to Gracie and that actually was rejected
24 by the community.

2 COUNCIL MEMBER KALLOS: Thank you. With
3 regard to capacity, my understanding is that this
4 marine transfer station will have capacity of about
5 5,000 tons as built; how much capacity are you
6 intending to use for Department of Sanitation; how
7 much for commercial trucks; what will the subsidy be
8 to commercial trucks and will you pledge not to
9 increase capacity beyond what you stated here today...?
10 [crosstalk]

11 COMMISSIONER GARCIA: So I think that's a
12 weekly number, 'cause our daily permit capacity is
13 1,644, so our average through put for DSNY is likely
14 to be around 570-580 tons per day; that does vary
15 after snow; I peak around 40 percent higher after a
16 snowstorm in terms of the amount that we're picking
17 up. We are permitted for 780 tons per day of
18 commercial and that is noise constrained, which means
19 they can only enter the facility in the evening and
20 that's why it's not more vehicles. While we do not
21 intend and I do commit to not try and change what my
22 permit requirements are unless there is an emergency
23 or upset exactly as the permit is written now; I am
24 not trying to increase that facility.

COUNCIL MEMBER KALLOS: So the permitted capacity is 780 commercial; what is the permitted capacity for residential?

COMMISSIONER GARCIA: Eight hundred and seventy, something like that; I'm doing the math in my head, 800 and... [crosstalk]

COUNCIL MEMBER KALLOS: And just, again, you will not apply to increase... you or somebody else at DSNY in the future will not be applying to increase the permitted capacity?

COMMISSIONER GARCIA: No, we do not intend to increase the capacity; we do have emer... the capacity is an average day; there's also emergency days and so it really ends up being a weekly permit, so what we have now is what we intend to stay with.

COUNCIL MEMBER KALLOS: With regard to evenings, what does that mean; what times does the evening start, by your definition; what time does it end; are we looking at getting commercial trucks every night starting at 4:00 and going till 8 a.m. the next day?

COMMISSIONER GARCIA: So the evening is eight to eight.

1 COMMITTEE ON SANITATION AND WASTE MANAGEMENT 68

2 COUNCIL MEMBER KALLOS: So from 8 p.m. to
3 8 a.m. we will have garbage trucks coursing through
4 all of Manhattan?

5 COMMISSIONER GARCIA: And there is a
6 possibility that that would all change during
7 wintertime; I mean like there were days that we did
8 seven to seven shifts for weeks at a time and we were
9 picking up refuse or recycling on the overnight or on
10 the day, the post day and it really depended on when
11 the storm hit.

12 COUNCIL MEMBER KALLOS: And what will be
13 the subsidies for commercial trucking to use the
14 facility?

15 COMMISSIONER GARCIA: We really have not
16 made a determination of what we are charging the
17 commercial; I wanna actually finish building the
18 facility and then start operating it before we're
19 even thinking about what's gonna happen with
20 commercial vehicles.

21 COUNCIL MEMBER KALLOS: Hopefully you'll
22 never have to make that decision. With regard to the
23 FY16 draft report, it indicates that four marine
24 transfer stations required under SWAMP are adding \$43

25

2 million to the cost of exporting our city's trash;
3 does this include 91st Street and Southwest Brooklyn?

4 COMMISSIONER GARCIA: [background
5 comment] It includes a partial for Southwest and
6 Hamilton and 91st Street. I anticipate that -- we
7 are actually in the process right now of rebidding
8 both Southwest and Hamilton, so having a total number
9 of how much the marine transfer stations will cost on
10 the contract side is really not knowable at this
11 moment. I don't think we've even -- we have received
12 the technical and cost, but I believe that you know
13 you're not permitted to open the cost until you've
14 made a determination on the technical, so I don't
15 believe that those cost figures have even been opened
16 yet.

17 COUNCIL MEMBER KALLOS: Do you
18 anticipate that the costs will go up once those
19 locations are operational?

20 COMMISSIONER GARCIA: I remain
21 optimistic.

22 COUNCIL MEMBER KALLOS: That we can open
23 new marine transfer stations without costs going up?

24 COMMISSIONER GARCIA: Without significant
25 cost increases, yes.

2 COUNCIL MEMBER KALLOS: I respectfully
3 disagree. With regard to the Independent Budget
4 Office, they issued a report that I referenced
5 earlier that the marine transfer station in my
6 district would triple waste disposal costs to a total
7 of \$600 million over the next 20 years; have you read
8 the report?

9 COMMISSIONER GARCIA: No, I have not.

10 COUNCIL MEMBER KALLOS: Would you commit
11 to reading the report from the Independent Budget
12 Office that will... [crosstalk]

13 COMMISSIONER GARCIA: No, I... I know what
14 my costs are and I understand and as I testified
15 before, the Solid Waste Management Plan is a very
16 expensive choice and it's a choice that was made
17 because of the fact that there were certain
18 neighborhoods that historically had taken more refuse
19 and in order for there to be a vision of borough
20 equity, there were very, very expensive decisions
21 made and very expensive contracts signed for long
22 durations. So the fact that it's very expensive is
23 not surprising.

24

25

2 COUNCIL MEMBER KALLOS: You bring up
3 borough equity; does any residential waste from
4 Manhattan go to any other borough?

5 COMMISSIONER GARCIA: No. So how does
6 redirecting waste from New Jersey to Manhattan help
7 borough equity?

8 [background comments]

9 COMMISSIONER GARCIA: So the question on
10 the Solid Waste Management Plan, which is a holistic
11 plan, which required the Council to vote on it and
12 which required the State to approve, is a whole plan;
13 no piece of it was looked at independently of any
14 other piece, so you can't pull out just 91st Street
15 and talk about 91st Street, you have to talk about
16 the whole plan, and let me just be clear, Newark is
17 not necessarily always thrilled to have us bringing
18 material to them; they have reached out through the
19 EPA to ask that we reduce truck traffic from New York
20 to New Jersey. So this is a long-term plan that's
21 being invested in by the City of New York and it was
22 an expensive choice.

23 COUNCIL MEMBER KALLOS: So along that
24 line, are you familiar with Rube Goldberg?

25 [background comments]

COMMISSIONER GARCIA: I'm sorry, who;
Ruth?

COUNCIL MEMBER KALLOS: Rube Goldberg; he
designed... [crosstalk]

COMMISSIONER GARCIA: Yes, a Rube
Goldberg solution. Yes, I've... I am and... [crosstalk]

COUNCIL MEMBER KALLOS: So just to
confirm the truck route. So a truck will drive from
Chelsea on the West Side through residential
neighborhoods throughout Manhattan, to 91st Street on
the East Side to a marine transfer station where
garbage will be tipped, then shoveled into a
compactor, then loaded into an intermodal shipping
container, then loaded onto a barge, then barged to
Staten Island, then transferred to railcar, then
transferred from railcar back onto a truck, then to a
landfill or waste energy incinerator in New Jersey,
New York or down south; is that correct? Did I miss
any steps?

COMMISSIONER GARCIA: No, that's correct.

COUNCIL MEMBER KALLOS: And that is
easier and more environmentally friendly than driving
a truck in Chelsea, into a tunnel in Chelsea to New
Jersey and then back?

2 COMMISSIONER GARCIA: Those vehicles
3 don't go to the Essex facility.

4 COUNCIL MEMBER KALLOS: Where do they go?

5 COMMISSIONER GARCIA: I think they're
6 going -- to IWS? -- [background comment] they're
7 going to IWS in New Jersey.

8 COUNCIL MEMBER KALLOS: So at IWS in New
9 Jersey, do trucks transport from the intermodal
10 facility to... from the railcar yard or whatnot to the
11 waste station or do they land straight at the waste
12 facility, and is it waste energy... [crosstalk]

13 COMMISSIONER GARCIA: They get driven by
14 DSNY employees to the facilities in New Jersey and in
15 -- you're absolutely right; that is the way that this
16 decision was made.

17 COUNCIL MEMBER KALLOS: So one of the
18 great things about... [crosstalk]

19 COMMISSIONER GARCIA: I think that
20 everybody knew...

21 COUNCIL MEMBER KALLOS: this
22 administration is that we've overturned so many bad
23 decisions from the previous administration; the
24 previous administration believed in stop and frisk; I
25 don't, we don't; it stopped, we're done; the city is

2 healing again. Don't we have a chance here to say
3 hey, that was a really bad idea and we have an
4 opportunity to do something better?

5 COMMISSIONER GARCIA: So I think that as
6 we've discussed, the administration remains firmly
7 committed to the Solid Waste Management Plan.

8 COUNCIL MEMBER KALLOS: So Community
9 District 5, Midtown; Community District 6, East Side
10 and East Midtown; Community District 8, Upper East
11 side, and Community District 11, East Harlem will be
12 served by the marine transfer station in my district?

13 COMMISSIONER GARCIA: Correct.

14 COUNCIL MEMBER KALLOS: Are you aware
15 that according to the New York City Department of
16 Health East Harlem and the Upper East Side have the
17 worst air quality of anywhere other -- it's worse
18 than Brooklyn, Queens, Staten Island or even the
19 South Bronx?

20 COMMISSIONER GARCIA: I know that they
21 have a hot spot on air quality, so the two things
22 that I would say is this administration made a
23 commitment to extend the Clean Heat Initiative
24 aggressively on the Upper East Side; one of the
25 causes of poor air pollution has been the use of

2 No. 6 heating oil, [background comment] and so there
3 were changes made to rules to have that be phased out
4 and the Mayor's Office has worked to make it so those
5 buildings on the Upper East Side are moving even more
6 quickly, and as I testified before, we actually won
7 an award last year from Green Fleet Magazine because
8 we run one of the cleanest fleets in the entire
9 country.

10 COUNCIL MEMBER KALLOS: Are you aware
11 that East Harlem has one of the... [interpose]

12 CHAIRPERSON REYNOSO: Ben, we just wanna
13 be... [interpose]

14 COUNCIL MEMBER KALLOS: Yeah.

15 CHAIRPERSON REYNOSO: respectful as
16 possible to all the Council Members, so I didn't put
17 a clock, but I do... [interpose]

18 COUNCIL MEMBER KALLOS: Absolutely; I'm
19 just gonna use as much time as my predecessor,
20 Council Member Matteo had, which... [interpose]

21 CHAIRPERSON REYNOSO: That did not
22 happen, Ben and you continue to do this; you don't
23 need to do that, Ben; okay... [crosstalk]

24 COUNCIL MEMBER KALLOS: So I... I... I'd... I'd
25 like to just finish; I realize folks may wish to send

2 their trash to my district, even though it's not
3 really gonna go from your district to my district;
4 I'd just like to finish the questions and have the
5 same opportunities that my colleagues did, so...
6 [interpose]

7 CHAIRPERSON REYNOSO: You did, Ben; you
8 had the same opportunities and this is your last
9 question and then I need to move on so the rest of
10 the Committee could speak.

11 COUNCIL MEMBER KALLOS: Do residents of
12 NYCHA developments at 92nd, 93rd, 94th, 98th, 99th
13 and 100th breathe the same air as will be polluted by
14 the marine transfer station and trucks going there at
15 91st and 93rd?

16 COMMISSIONER GARCIA: My trucks are not
17 part of the pollution issue... [crosstalk]

18 COUNCIL MEMBER KALLOS: No pollution from
19 your trucks whatsoever there, at zero percent?

20 COMMISSIONER GARCIA: Actually Mack Truck
21 would say that the air comes out of the tailpipe's
22 cleaner than the air that goes in.

23 COUNCIL MEMBER KALLOS: Well what would
24 you say; so you're saying that we can drive hundreds
25 of trucks through East Harlem, through NYCHA

developments, past them and there will be no impact on air quality?

COMMISSIONER GARCIA: We do not anticipate that there, as the SEQRA analysis found, that there will be air quality impacts.

CHAIRPERSON REYNOSO: Thank you for your questions, Council Member Kallos. I would like to now call on Council Member Brad Lander. [background comment] I mean, I'm sorry; Council Member King, followed by Council Member Brad Lander; I apologize.

COUNCIL MEMBER KING: Thank you, Commissioner. My colleagues have touched on a number of things; we talk about monies and budget and I know you're doing all that you and your team can do to make sure the city is cleaner; safe when it comes to snow removal, trash removal, you know when it comes to just the organics that have to be disposed of. I just wanna say to you; thank you for your efforts, thank you for your energy; thank you to all that you have done to help make New York a better and a cleaner and a smarter place to live. That's all I wanna say to you and your team and thank you and keep up the good work [background comment] and I'm looking

forward to continue working with you. Thank you...

[crosstalk]

COMMISSIONER GARCIA: Thank you, Council Member. I hope you had a good event last week.

CHAIRPERSON REYNOSO: Thank you, Council Member King. I would like to now call on Council Member Brad Lander from Brooklyn.

COUNCIL MEMBER LANDER: Thank you very much, Chair Reynoso. Commissioner, it's always good to see you and I of course especially wanna thank you after a brutal winter of snow for all that you and your team did to keep the streets clear; I am encouraged by all the work on the wide range of sustainability issues and like the Chair, really appreciate the efforts on diversity and especially gender diversity and I'm proud to have -- you know, Mr. Chair, I make a small cameo in the Women of the Sanitation Department video, so [laughter] I showed it to my daughter and encouraged her to think about a broad set of careers. [laugh]

I'd also be remiss in saying, you know if I didn't point out -- well it's actually in Council Member Menchaca's district, just across the line, the Hamilton Avenue MTS is two-and-a-half blocks from my

2 house, it is looking great; we are encouraged to see
3 it gong up there; we think it's the right location
4 for it and my district is proud to do its fir share
5 in helping us address our solid waste issue, so I
6 know you said in your report it's on track to be
7 complete in construction, sometime this year..

8 COMMISSIONER GARCIA: Yeah no, the bigger
9 challenge is that we did have problems with the
10 contract procurement on the other side; we could not
11 get an agreement with Jersey City to use Greenville
12 Yards through our contractor ISI, so we had a new
13 procurement done; those are back -- we are reviewing
14 them now, so that will be the critical path.

15 COUNCIL MEMBER LANDER: Yeah. With the
16 idea that it would be barged somewhere else or with a
17 different contractor there.. [crosstalk]

18 COMMISSIONER GARCIA: Oh it's... no, it's
19 gonna definitely not go to Greenville.

20 COUNCIL MEMBER LANDER: Got it. Okay.
21 But we don't know where yet?

22 COMMISSIONER GARCIA: I don't know where
23 yet; I mean all of the major players in solid waste
24 did bid -- Waste Management, Covanta, ISI, Tully and
25 I can't remember the last one; I'll get in trouble

2 for that, but they also have a variety of different...
3 where it will barge to and then get onto rail at
4 different intermodal sites.

5 COUNCIL MEMBER LANDER: Great. So even
6 though it's due to be complete in construction,
7 that's gonna delay its opening a little bit...?
8 [interpose]

9 COMMISSIONER GARCIA: Yeah. Yeah.

10 COUNCIL MEMBER LANDER: Okay. Well it
11 looks good and I'll also let my colleagues know, you
12 now that MTS is immediately adjacent to an asphalt
13 plant, so... you know and it's in an area with
14 residential, with homes quite nearby, certainly
15 within a couple of hundred feet, hey look, it's on
16 the highway, it's in a good location, but you know I
17 continue to support the entire Solid Waste Management
18 Plan, as my colleagues do and we appreciate that the
19 administration is moving forward with it, it's the
20 right thing from the point of view of fair share and
21 environmental justice and we are eager to see the
22 Department continue moving forward.

23 COMMISSIONER GARCIA: Yeah.

24 COUNCIL MEMBER LANDER: Thank you.
25 Couple questions about composting; as you know, I'm

2 thrilled that our district, Windsor Terrace and Park
3 Slope, is part of the pilot program and I just wanna
4 know, we've seen some fantastic success in our
5 district and in some materials you gave us in Park
6 Slope now there's, where the composting pilot is
7 place, if I'm not mistaken, we're over 35 percent
8 total diversion; right, if you add recycling and
9 composting or right at about 35 percent... [crosstalk]

10 COMMISSIONER GARCIA: We... Yeah, you are
11 the number one Community Board in the city, yes;
12 Manhattan one; sometimes close on your heels, but
13 they don't have organics; they were a little bit of a
14 step up, but it clearly, not only are we seeing
15 organic material, but it makes people more conscious
16 and so we are actually also seeing more paper and
17 more metal, glass and plastic, so we're very excited
18 about that... [crosstalk]

19 COUNCIL MEMBER LANDER: And I just, you
20 know, knowing from my own household, it's just once
21 you have the opportunity to know that the food waste
22 is going somewhere, then the likelihood you're gonna
23 recycle the container is a lot higher than...
24 [crosstalk]

25 COMMISSIONER GARCIA: Yes.

2 COUNCIL MEMBER LANDER: if you didn't;
3 you're otherwise just likely to throw the plastic
4 container with the food in the trash as well, so
5 we've seen it on our block; you can just witness the
6 volume of trash bags relative to recycling and
7 compost is down and to see that in the numbers and
8 know that we're getting above a third diversion
9 [background comment] is really very, very encouraging
10 and I look forward to the day when we're not number
11 one, but when really all across the city the
12 composting pilot rolls out further and we see these
13 improvements.

14 One budget question I had is that I saw
15 you put the cost in your testimony of the program
16 itself; I know there's a need also though to expand
17 capacity, you know, either in the city or through
18 contract for composting; is that something you guys
19 are looking at and thinking about how it will take
20 place...? [crosstalk]

21 COMMISSIONER GARCIA: Yeah, so we have
22 enough contract capacity at this moment; as we plan
23 out how we're gonna continue to expand the program
24 beyond pilot areas there will be a need long-term for
25 both I think composting and anaerobic digestion is

another alternative, which I actually think will be very appropriate on the commercial side. We have been partnering with DEP to see what we can do to leverage their facilities, but we are also actively looking at where we might be able to figure out how to do more composting in the city. It's a little premature and there are some challenges with siting, so we have not put a dollar figure because it would really be making up a number.

COUNCIL MEMBER LANDER: Okay. And I guess I should be using organics recycling, and I'll say this to my colleagues as well you know, and I find this in the neighborhood a lot; when you say composting, people of course imagine putting their scraps in their own back yard, which is great if people are doing it, but the organics recycling program is simply putting your food scraps in a sealable brown bin; you would have thrown them out anyway; we have collection twice a week; it really is very simple and no different than taking your food and putting it out like you would be in your garbage anyway, so I think we wanna keep educating people that it's a very simple program that doesn't require you to be an environmentalist or to use your compost

2 in your back yard and yet we see big advantages for
3 the city overall, so.

4 COMMISSIONER GARCIA: Yeah.

5 COUNCIL MEMBER LANDER: Just two more
6 questions; one, as you know, I'm, together with
7 Council Member Margaret Chin continuing to advocate
8 for applying a per bag charge on plastic and paper
9 bags; that's primarily driven by the environmental
10 benefits, to be sure, but there are some real cost
11 savings as well that we discussed in our hearing, so
12 could you just remind me what we estimate that the
13 city spends per year sending plastic bags to
14 landfills?

15 COMMISSIONER GARCIA: I believe our
16 estimate's about \$40 million of what we spend to take
17 plastic bags. To be quite honest with you, my issue
18 is the fact that they end up as litter and because
19 they're, particularly the single-use plastic bags are
20 so light, they end up in trees and the current head
21 of EPA's Region 2 likes to send me pictures from her
22 neighborhood in Brooklyn of plastic bags in trees.
23 So you know that's really a problem, 'cause they're
24 really hard to get out and they make things look
25 awful.

2 COUNCIL MEMBER LANDER: Yeah. And we
3 heard at our rally yesterday, earlier this week, as
4 well from Sims Recycling, who talked about all the
5 work they've done to try to make it a usable product
6 and all the problems it causes them in their
7 recycling, but as it's a budget hearing, I wanted to
8 respect the Chair and just make sure that we flag; it
9 is a budget issue as well because we're spending a
10 lot of money to landfill a waste product that if we
11 put the charge on, we'll have 60-90 percent less of;
12 it doesn't have to do somewhere else; we don't have
13 to compost it, we don't have to recycle it; we just
14 don't have to have them all in the first place..
15 [interpose]

16 COMMISSIONER GARCIA: Yeah.

17 COUNCIL MEMBER LANDER: And you gave one
18 stat at that hearing in the fall that also surprised
19 me that I think is worth remembering; even the paper
20 bags, which are certainly recyclable, unlike the
21 plastic bags, the vast majority of them don't wind up
22 getting recycled; right?

23 COMMISSIONER GARCIA: Right. I mean I
24 think that one of the things that -- because the
25 program's evolved over time and we've been taking

2 mixed paper for quite a while now, is there is sort
3 of the holdouts of the traditionalists who still view
4 recycling of paper as newspaper and cardboard and
5 thinking through that that's also the Cheerios box,
6 you know the Eggo Waffles box, everything else
7 sometimes; they are not focused on that.

8 COUNCIL MEMBER LANDER: So we are paying
9 to landfill quite a lot of paper grocery bags as
10 well; is that right...? [crosstalk]

11 COMMISSIONER GARCIA: Yes.

12 COUNCIL MEMBER LANDER: So budget savings
13 there as well. So that's great, thank you. And then
14 my final question just relates to the capital budget
15 in the capital plan; I thought that conversation you
16 were having with the Chair was interesting about the
17 challenge long-term of bringing up to where we need
18 them to be, all those facilities and we are eagerly
19 anticipating the administration's 10-year capital
20 plan and I think when we see it it's going to, you
21 know, confront us with this challenge, that if we
22 continue to limit ourselves to the 15 percent of the
23 budget that we'll put to death service for capital;
24 there's no way we're gonna be able to keep the city
25 in a state of good repair, keep the roads

reconstructed; so I guess my question for today is only, as you've prepared for the 10-year capital plan, have you tried to take really that long-term look at what your facilities need and put the full and honest cost of your facilities' upgrades in that plan, recognizing that we're not gonna have the money for it in this year's capital budget, but that we really do need to get a true cost of what state of good repair means for the city going forward?

COMMISSIONER GARCIA: So I would say we have the first phase of that. We have true costs that we have provided to OMB in the actual years where we think we could feasibly use it, going through the challenges of procurement and design and all those other pieces and tried to be very honest about what that was. I think that there are other facilities that we haven't gotten to; it's like the ones that sort of had a screaming red light on them, we were able do that in-depth analysis, but I'm sure I'll find others out there that need attention.

COUNCIL MEMBER LANDER: Okay, that's alright. I might push a little more on that when we get the 10-year capital plan, because I understand the impulse to be realistic and write down what we

2 think we're gonna have to spend, but I also think as
3 we really look at this more comprehensive capital
4 plan that it's gonna be important to understand the
5 cost, the true cost of state of good repair and make
6 some honest plans to try to achieve it, even if the
7 numbers scare us, so thank you. Thank you,
8 Mr. Chair.

9 CHAIRPERSON REYNOSO: Thank you, Council
10 Member Lander. I just wanna -- just a couple of
11 things you mentioned, organic waste and just wanted
12 to know what the quality of the organic waste was,
13 'cause we know we're doing it, and I just wanna say,
14 I don't necessarily get perks by being Sanitation
15 Chair, because I still don't have the organics
16 program in my district, but we're working on it and
17 go figure that Brad, Park Slope again is somewhere
18 near the top and doing something good.
19 Congratulations again.

20 But just wanna speak -- what is the
21 quality of the organics we're getting; is it useful,
22 is it... [interpose]

23 COMMISSIONER GARCIA: So we have seen
24 actually the quality on the residential side be
25 pretty good... [interpose]

2 CHAIRPERSON REYNOSO: Okay.

3 COMMISSIONER GARCIA: the challenge
4 actually has been on the school side and there are a
5 lot of things that we're trying to do to combat that;
6 some are structural; we've been working with DOE in
7 terms of making sure that they're using more
8 compostable products; we have spent a lot of time and
9 attention, both us and GrowNYC in schools that have
10 the organics program, to make sure that their
11 stations are set up correctly, working on education
12 of both the teachers, the principals, the food staff;
13 the custodial staff, but that has been very
14 challenging.

15 CHAIRPERSON REYNOSO: We know. And I'll
16 get back to more questions regarding organics; I just
17 really want to allow for Costa Constantinides from
18 Queens, followed by Council Member Gibson from the
19 Bronx.

20 COUNCIL MEMBER CONSTANTINIDES: Thank
21 you, Mr. Chair and I'll definitely do my best to be
22 brief. [laugh]

23 CHAIRPERSON REYNOSO: Alright. As long
24 as you respect time, my brother.
25

COUNCIL MEMBER CONSTANTINIDES:

Absolutely. Absolutely.

Thank you Commissioner, it's always great to see you again.

COMMISSIONER GARCIA: Thank you.

COUNCIL MEMBER CONSTANTINIDES: Just wanted to ask a few questions, one about recycling bins in communities; I know that my district was slated to get them; really looking forward to seeing their implementation; do you know when that might be; when we're gonna start seeing them out and...

[crosstalk]

COMMISSIONER GARCIA: Are you talking about public space recycling?

COUNCIL MEMBER CONSTANTINIDES: Public space recycling; is there something... an expansion of that program we're gonna see in the future or?

[background comments]

COMMISSIONER GARCIA: So I mean, I don't have your schedule on me right now, but I can get that for your office, but yes, it is... it is...

[crosstalk]

COUNCIL MEMBER CONSTANTINIDES: Okay, but it... it was...

2 COMMISSIONER GARCIA: anticipated; I just
3 don't know exactly when.

4 COUNCIL MEMBER CONSTANTINIDES: I know
5 they were supposed to come last year, so we're...

6 COMMISSIONER GARCIA: Well we had a
7 challenge with the fact that I can put the bins out
8 -- I have the bins; I could put the bins out; I did
9 not have the dual bin trucks available...

10 COUNCIL MEMBER CONSTANTINIDES: Okay.

11 COMMISSIONER GARCIA: in order to pick it
12 up and so we've been trying to make sure we're
13 matching and we have a bunch of dual bins coming into
14 service right now.

15 COUNCIL MEMBER CONSTANTINIDES: Okay.
16 I'll be definitely looking forward to seeing them in
17 our community and that sort of leads into my next
18 question about pickups. You know, I'm still -- I'll
19 ask the same question I asked last year; you know we
20 have this cleanup initiative, it's wonderful; part of
21 the rationale to have that is that there's so much
22 litter that's going around; we used to have two
23 pickups in our community, up until about three or
24 four years ago when the budget got slashed; we are
25 looking for additional pickups, you for our bins on

2 the corners; it does get a little rough, especially
3 when there isn't that twice-a-day pickup; we haven't
4 had that in a few years.

5 COMMISSIONER GARCIA: Right. No, I mean
6 like you know, we have not refunded much of the
7 basket routes, but I mean there is, and I anticipate
8 there will be again the funding that the Council was
9 given and many Council Members either used that
10 funding for mobile litter patrol or for basket
11 pickup.

12 COUNCIL MEMBER CONSTANTINIDES: Right and
13 we still would like to work with you to try to get
14 additional pickups in addition to the litter that was
15 getting picked up as well...

16 COMMISSIONER GARCIA: Right. We aren't
17 funded for that.

18 COUNCIL MEMBER CONSTANTINIDES: Okay.
19 And then I ask about this, the garage on 21st Street
20 and 34th Avenue and it's technically not in my
21 district, but it's right across the street from it;
22 we get complaints regarding the trucks... [crosstalk]

23 COMMISSIONER GARCIA: Everything?

24 COUNCIL MEMBER CONSTANTINIDES:
25 Everything, yeah; we get... yeah and... and... [crosstalk]

2 COMMISSIONER GARCIA: Uhm...

3 COUNCIL MEMBER CONSTANTINIDES: it seems,
4 you know, trucks being parked on the sidewalk, you
5 know, sidewalks being blocked, all the... [interpose,
6 background comments], so... [crosstalk]

7 COMMISSIONER GARCIA: Uhm...

8 COUNCIL MEMBER CONSTANTINIDES: the
9 trucks not being washed and sort of... [crosstalk]

10 COMMISSIONER GARCIA: I mean like...

11 COUNCIL MEMBER CONSTANTINIDES: you know,
12 there's a lot of issues that sort of surround that
13 garage and again, I would like to work with you to
14 see how we can...

15 COMMISSIONER GARCIA: Right; I need a new
16 garage.

17 COUNCIL MEMBER CONSTANTINIDES: make that
18 easier on the community. Hm?

19 COMMISSIONER GARCIA: I need a new
20 garage.

21 COUNCIL MEMBER CONSTANTINIDES: Okay.
22 [laugh]

23 COMMISSIONER GARCIA: And my biggest
24 challenge there is swing space, so finding someplace
25 where we could go in the interim while a new garage

2 was done. I mean there are multiple issues -- size,
3 structure -- around that facility.

4 COUNCIL MEMBER CONSTANTINIDES: Is there
5 any plan to build a new garage...

6 COMMISSIONER GARCIA: We are working and
7 having discussions with OMB around the future for
8 Queens West 1.

9 COUNCIL MEMBER CONSTANTINIDES: Okay;
10 that's good to hear.

11 COMMISSIONER GARCIA: But if you know of
12 a space where we could go temporarily, you should let
13 me know.

14 COUNCIL MEMBER CONSTANTINIDES: I will
15 absolutely be on the lookout for that. And again, I
16 wanna thank you; I wanna reiterate what some of my
17 colleagues talked about and thank you for your great
18 work and all the men and women of the Sanitation
19 Department that did a great job this past winter, so
20 thank you.

21 COMMISSIONER GARCIA: Thank you.

22 CHAIRPERSON REYNOSO: Thank you, Council
23 Member Constantinides, and I'd like to call on
24 Council Member Vanessa Gibson, and happy belated
25 birthday again.

2 COUNCIL MEMBER GIBSON: Oh thank you.

3 CHAIRPERSON REYNOSO: Yes.

4 COUNCIL MEMBER GIBSON: Still
5 celebrating.

6 CHAIRPERSON REYNOSO: I could imagine.

7 COUNCIL MEMBER GIBSON: One thing about
8 birthdays, you get to celebrate all month.

9 Good afternoon, Commissioner to you and
10 your time; I too wanna express my sincere
11 appreciation and gratitude for the Sanitation's
12 efforts to get us through a very difficult winter. I
13 represent the Bronx, along with Andy King, so a
14 couple of my questions are with respect to Bronx
15 West 4, which overlaps in my district.

16 So the first thing I wanted to ask about
17 is the State's electronic waste disposal ban,
18 unfunded mandate, 'cause that's exactly what it is.
19 I used to serve as an assembly member in Albany and I
20 know a lot of the mandates that the State puts down
21 on localities, so the one challenge I have with this
22 is the education, the expansion of the sites where
23 you can drop off your electronics; what services are
24 we offering for disabled New Yorkers and seniors that
25 cannot get to the Salvation Army, Goodwill, Best Buy

2 or Staples? So I'm in the Bronx and we don't have a
3 lot of Staples; the one Staples we had at the Gateway
4 Mall has closed, so absent of having these locations
5 in close proximity, are we offering anything to
6 disabled New Yorkers or senior citizens that have
7 electronics to dispose of that cannot get it to one
8 of these drop-off locations?

9 COMMISSIONER GARCIA: So as you are
10 aware, the City law did require the manufacturers to
11 pick up at people's homes; the State law preempted
12 the City law and said that manufacturers did not have
13 to pick up at homes. The City does not pick up any
14 electronics now at apartment buildings or anywhere
15 else. We have worked with our partners, so if you
16 buy a TV at Best Buy, they will come and take away
17 the old one, and some of the nonprofits also will do
18 room cleanups and take away electronics when they do
19 a room cleanup, so we are working with the nonprofit
20 community and with the manufacturers to make sure
21 that there are options for people who have challenges
22 meeting the requirements of the law.

23 COUNCIL MEMBER GIBSON: So the 95
24 locations that you're talking about expanding, would
25 that include community organizations, so what I'm

2 trying to get a sense of; Sanitation sends out an
3 incredible amount of mailers which we all get, very,
4 very helpful, but if you're looking at educating New
5 Yorkers about locations, then can we consider some of
6 these community partners if you're sending a mailing
7 out to Bronx residents, providing a list or sharing
8 it with the Community Boards, with the churches, the
9 Borough Presidents, and the elected officials so that
10 we can in turn share that information with our
11 constituencies, because I already get calls from
12 tenants in my own building that want to discard and
13 have no way of discarding it and I have to find a
14 community group that can do that.

15 COMMISSIONER GARCIA: Right. So I mean
16 we would be happy to work with you on outreach within
17 your community and what the most effective channels
18 would... Some of the 95 do include some community
19 people who actually have relationships with
20 electronics recyclers and will take electronics
21 material and [background comment] quite a bit of it.
22 So we'd be happy to work with you on that.

23 COUNCIL MEMBER GIBSON: Okay. And I'm
24 also thinking; I mean, some of our residents have
25 lots of antique appliances, so they don't necessarily

2 have like the Best Buy warranty or any one of the
3 electronic stores, so they simply can't take it back
4 to Best Buy. But I appreciate that; I will work with
5 your staff... [crosstalk]

6 COMMISSIONER GARCIA: They... Best Buy has
7 to take back everything.

8 COUNCIL MEMBER GIBSON: Okay.

9 COMMISSIONER GARCIA: It's not as if you
10 have to have purchased it at Best Buy... [crosstalk]

11 COUNCIL MEMBER GIBSON: Okay.

12 COMMISSIONER GARCIA: that's not the
13 requirement.

14 COUNCIL MEMBER GIBSON: Okay. And I'll
15 work with your office to see how I can help my
16 district in the Bronx.

17 I wanted to ask about step streets. So
18 step streets are these wonderful connecting streets
19 that are primarily located in Northern Manhattan and
20 the Bronx; in my district I have 20 step streets in
21 Bronx West 4 and they're heavily used; it's the Parks
22 Department, Sanitation and DOT; DOT operates the
23 lights, Sanitation cleans and Parks also has
24 oversight. Many challenges with step streets in
25 terms of cleanliness because they're so heavily used;

2 the Bronx sits on a hill, so many people use them to
3 connect to streets after getting off mass transit.
4 So since they're primarily located in Upper Manhattan
5 and the Bronx, is there anything that we could do in
6 those respective districts to focus a little bit more
7 on step streets since they are so heavily used and
8 obviously I'm concerned about the summer season
9 approaching where they'll be even more used by
10 residents?

11 COMMISSIONER GARCIA: We will talk to the
12 folks in the districts to make sure that we're
13 dealing with the cleanliness issues and whether or
14 not we're appropriately using our cleaning personnel
15 and hitting those as well as everywhere else we need
16 to hit. You're on the terminal moraines, the
17 glaciers; they're the ones who did it to you.

18 COUNCIL MEMBER GIBSON: Yes; I got it.
19 And again, I'm very, very cognizant of them because I
20 do get several calls from schools and others because
21 they are all across my district and it's really on
22 the west side, in West 4, so I'm very familiar with
23 step streets, but most people have not heard of them;
24 would you believe?

2 COMMISSIONER GARCIA: We assign personnel
3 during snow to step streets to make sure they're
4 clear; we know that they're our responsibility.

5 COUNCIL MEMBER GIBSON: Okay. And then
6 my last -- not more so a question, but I just want to
7 put an idea out to you. In the Bronx I represent the
8 civic area, so I represent family, criminal, civil, I
9 represent housing; every courthouse in the Bronx is
10 in my district and it's bounded by 161st Street and
11 the Grand Concourse and I can't tell you the
12 challenge I have faced with the parking by court
13 officers and administrators on the Grand Concourse,
14 because of the insufficient amount of indoor parking
15 that we have at all of the courts, so what has
16 happened is; West 4, which is Bronx Community Board
17 4, our cleanliness waits are affected because on the
18 Grand Concourse the street cleaning rules is 8 a.m.
19 to 9:30, so if court officers have to report to work
20 at 9 they park at 8:00 and they do not move and my
21 streets do not cleaned, so the residents along the
22 Grand Concourse, because this is still residential,
23 have complained to Board 4 and me about the lack of
24 cleanliness because while we wanna score 100, we know
25 that we will never get there. So I've been working

2 with the officers' union and all the other officials,
3 but I'd really like to put it on you and your team to
4 see what we can do to try to address issue, because I
5 need my streets to be cleaned, but I also know that
6 my court officers need parking and so I don't know
7 what we can do, but I wanted to bring that to your
8 attention.

9 COMMISSIONER GARCIA: So what we've done
10 in the past in other areas, or say near a precinct
11 house... [crosstalk]

12 COUNCIL MEMBER GIBSON: Other civic
13 areas.

14 COMMISSIONER GARCIA: No, on your
15 precinct house, where you know PD is parking their
16 vehicles on what are alternate sides, spots, is we've
17 been able to work with either that organization or
18 the court officers and we'll tell them ahead of like,
19 you guys need to move your cars, like you know,
20 here's where we're coming. I mean the same thing
21 also happens with teachers in many areas and we've
22 usually been able to work with them to make sure that
23 the broom gets in. So we'll make sure that there's a
24 connection made to the court officers to get the
25 broom in there.

COUNCIL MEMBER GIBSON: Okay; I appreciate that, 'cause god knows it's been a challenge and I just feel like we can try to be a little bit more creative. And you know, also with the solid waste transfer and MTSI, appreciate this Department's efforts to really provide equity. I represent a community in the Bronx that usually shoulders the burden of what I call citywide problems, so with all due respect to all of my colleagues, and I've gone on record saying this before, we have to look at fairness and equity; poor communities of color should not shoulder the burden of solid waste for the entire City of New York and I appreciate the opportunities to be a part of those conversations because it really has been unfair for a long time; the Bronx and Chair Reynoso's districts and all of the other districts that represent people that look like us should not have to shoulder the burden of the entire city, so people have to understand that this is about fairness and everyone needs to share in what is a citywide problem, so I appreciate the Department's efforts to do as much outreach as possible and really make sure that all New Yorkers understand the magnitude of what we're

2 dealing with in the city as far as solid waste. So I
3 thank you for your work and look forward to working
4 with you. Thank you again, Chair for your
5 leadership. Thank you.

6 CHAIRPERSON REYNOSO: Thank you. Thank
7 you, Vanessa; appreciate it. I just have a couple of
8 questions before we close out. The leaf and yard
9 waste collection that we used to have; I think that
10 there's an opportunity here, especially with the
11 compost and the organics recycling that we're doing;
12 is there an effort here to consider reinstating that
13 program?

14 COMMISSIONER GARCIA: So we have not been
15 considering it for this season; it would cost about
16 \$3 million. We did see, during the last time we ran
17 the program, a significant drop-off in tonnage when
18 we required people to use the paper bags. We also,
19 right at this moment, do not have some of the compost
20 facilities in the boroughs that we used to.

21 CHAIRPERSON REYNOSO: Speaking of compost
22 facilities, so just wanted to know if -- is there
23 capacity right now to take on the expanded pilot
24 program, and just we expect this to continue to grow
25 and whether or not you think that we can continue to

2 build capacity for organics here in the city...?

3 [crosstalk]

4 COMMISSIONER GARCIA: So I mean, clearly
5 we have enough capacity for the pilot areas and the
6 pilot expansion areas; it's primarily going to our
7 site on Staten Island, a site in Upstate New York and
8 a site in Connecticut at this time. Clearly as we
9 think about a full citywide program, we will have to
10 identify additional capacity and put in place
11 additional contracts to take that anticipated
12 increase in material.

13 CHAIRPERSON REYNOSO: So Brooklyn 3,
14 they've asked for a garage that's in my district that
15 I'm trying to get rid of; they actually want it and
16 we can't seem to make progress and I just wanna know
17 if you could give us an update or what the situation
18 is; why is it that it's being delayed, just...

19 COMMISSIONER GARCIA: Yeah. No; I mean,
20 you know Brooklyn 3 is clearly right now in rented
21 space; it actually is not falling down space and so
22 therefore it has not been at the top of the list
23 compared to the facilities where we don't have
24 floors; we have requested funding for it to move
25 forward; we think that it's important to do long-term

2 and also because they actually want us, so I would
3 like to accommodate that, but... [interpose]

4 CHAIRPERSON REYNOSO: Is this an OMB
5 issue or just the money's not in there...? [crosstalk]

6 COMMISSIONER GARCIA: I mean this is the
7 overall capital budget and looking at the overall
8 capital budget and our facility needs, so we are in
9 ongoing conversations with OMB about that and you
10 know are pretty optimistic that we will see some
11 movement in exec.

12 CHAIRPERSON REYNOSO: Alright. So we'll
13 be looking to that, 'cause Williamsburg doesn't want
14 it, Bed-Stuy does; we're more than happy to
15 accommodate them in any way, shape of form; of course
16 we don't have control over the budget, but we're
17 looking forward to see exec and see if we can see
18 some progress there.

19 [pause]

20 So the Manhattan 6, 6A and 8 garage; when
21 does the Agency plan to start that ULURP process for
22 that garage?

23 COMMISSIONER GARCIA: So I anticipate
24 that it will go into ULURP this fall; we're in the
25 middle of a community outreach engagement with

Community Board 6 and a lot of other stakeholders; less about the garage and more about the fact that actually the block parcel includes two end pieces and what the future of those are, so the three pieces of property will go into ULURP as one, 'cause the garage is actually in the middle of the block. So we anticipate it going into ULURP in the fall and should be completed in the spring of next year.

CHAIRPERSON REYNOSO: So we wanted to know if the Sanitation garage is an as-of-right zoning use at 25th Street.

COMMISSIONER GARCIA: No; it will be dealt with -- the zoning will be dealt with during ULURP.

CHAIRPERSON REYNOSO: What was it before?

COMMISSIONER GARCIA: It was initially supe... no. So Manhattan 6 basically does not have a garage now, it lives on 11th Avenue; 8 is an incinerator, so they're not in decent facilities. The plan for a very long time had been that we would move two a site we had secured on 73rd Street. The 73rd Street site was then used in the last administration in a deal with Sloan-Kettering; I'm

2 not even sure I understand all of the pieces of the..
3 [interpose]

4 CHAIRPERSON REYNOSO: Yeah.

5 COMMISSIONER GARCIA: of the domino on
6 the real estate side, but what ended up happening is
7 that we no longer got that site; the 25th Street site
8 was identified and they gave us money; not quite
9 enough I don't think, but they gave us like \$200
10 million to build the garage, which is significant.

11 CHAIRPERSON REYNOSO: So was it as-of-
12 right in 79th Street?

13 COMMISSIONER GARCIA: It had been, but
14 that has since been rezoned for Sloan-Kettering on
15 their ULURP.

16 CHAIRPERSON REYNOSO: Yeah. It just
17 concerns me when we transfer land or move a project
18 from one site to the next where in one site it's
19 almost shovel-ready and in the other site we have to
20 start a ULURP process for a garage and it just delays
21 a project and you know, it only seems to happen in
22 Manhattan; I don't see those type of things happening
23 in Brooklyn, where things just start happening, even
24 when the community doesn't want it and you know,
25 Sloan-Kettering type facilities don't come to

2 Brooklyn and we don't trade sanitation garages or
3 sites for that to happen either; for example, what's
4 happening in Community Board 3 and Community Board 1,
5 in that not moving, but in Manhattan, of course
6 things start moving. So it's just very concerning
7 and I have my conspiracy theories as to that project
8 being done so that Manhattan doesn't need to get a
9 garage as soon as possible.

10 COMMISSIONER GARCIA: And the only thing
11 that I will say is that I actually think that you may
12 be correct; I have no idea, I can't really comment on
13 the conspiracy theory, but there's a reason that we
14 need to be there; I mean like, you may not want the
15 garage, but you absolutely want the service and where
16 the Department has come under criticism is when we
17 haven't been as quick to respond to something and
18 sometimes that is due to the fact that we are not
19 very near where you live and if we're not very near
20 where you live, it will take us longer. It's very,
21 very simple. Or if we can't get plows on our trucks
22 'cause we literally are standing outside and are
23 completely homeless, we will not be able to provide
24 the level of service that we pride ourselves in.

2 CHAIRPERSON REYNOSO: Appreciate that
3 comment by the way, but my conspiracy theory, very
4 important, if Manhattan doesn't want a garage, they
5 don't get one, they get Sloan-Kettering. So I just
6 wanted to... [interpose]

7 COMMISSIONER GARCIA: Well actually I
8 could tell you that I think there are a lot of people
9 who don't want Sloan-Kettering.

10 CHAIRPERSON REYNOSO: That's true. That
11 is true. That is true. Now this is my last
12 question. Our sanitation system, our waste
13 management system or the management of waste system,
14 I think it's old, we have old infrastructure, we
15 obviously have old buildings, and just want to know
16 if there is any effort in 10-, 20- or like a 50-year
17 plan of sustainability; there's no way we expect this
18 same type of operations to be the ones that are gonna
19 continue to handle our trash this way in the next 10,
20 20 years; we have to start thinking about the future
21 and whether or not you guys are thinking very big
22 picture or just kinda going year by year, just doing
23 your best to manage the waste under the current
24 infrastructure system that you have?

2 COMMISSIONER GARCIA: No, no; we are
3 thinking about things very long-term and about what
4 we need to put in place. Clearly there needs to be
5 investment in facilities to just get through our core
6 infrastructure, but really thinking about what is the
7 waste and how can you manage that waste and what can
8 we really mine from there to create sustainable
9 practices, whether or not that's organics or textiles
10 or metal, glass and plastic, any of those things, but
11 really thinking about how to move that material out
12 of the city effectively.

13 CHAIRPERSON REYNOSO: So when you look at
14 the MTA, for example and how terrible some people
15 might think it is right now in its state of repair,
16 how comfortable it is, the delays and how much they
17 charge for you to use it, the Sanitation Department
18 and the sanitation workers do such an amazing job
19 that I always say sanitation is not sexy, right, so
20 no one pays attention to it because you're doing such
21 a good job, but I do think that there is a need to
22 consider a long-term plan to increase how much
23 funding goes into the infrastructure and the
24 development of the future of the Sanitation
25 Department. So I'm pushing something called Pay as

2 You Throw or Save as You Throw and I'm hoping that
3 the proceeds of that or the majority of that can go
4 into building new infrastructure for the Sanitation
5 Department so we can continue to have a state-of-the-
6 art department and not a 100-year-old department. So
7 I'm looking forward to eventually having that
8 conversation with you and seeing if I can get you to
9 buy in more sooner than later.

10 COMMISSIONER GARCIA: Alrighty.

11 CHAIRPERSON REYNOSO: Alright. Thank you
12 so much for your time; I really appreciate it and
13 that's gonna conclude the Sanitation Department's
14 preliminary budget hearing and now we're gonna be
15 meeting with BIC; right, with BIC? [background
16 comments] Are we gonna get to the speakers of
17 Sanitation? [background comment] We're gonna do BIC
18 first and then we're gonna go to our speakers.

19 [pause]

20 [background comments]

21 CHAIRPERSON REYNOSO: Alright, I believe
22 we are... good afternoon, folks. [background comments]
23 So now we are at the second portion of our hearing
24 with Commissioner Brownell with the Business
25 Integrity Commission. I really wanna thank you guys

2 for coming. This is your first time in a preliminary
3 budget hearing; [background comment] it's gonna be a
4 lot of fun. The people behind you are more
5 threatening than I am; don't even worry about it.
6 No, I'm joking. But I'm looking forward to this
7 testimony; I'm looking forward to seeing your vision
8 and what you're gonna do out here with BIC; I'm
9 really excited to hear that, and take it away.

10 COMMISSIONER BROWNELL: Thank you, sir.
11 So good afternoon, Chair Reynoso and members of the
12 City Council Sanitation and Solid Waste Management
13 Committee. As Chair Reynoso said, my name is Daniel
14 Brownell; I'm the Chair and the Commissioner for the
15 Business Integrity Commission and thanks to Mayor de
16 Blasio, I've been at the helm of BIC since the
17 beginning of the summer of 2014.

18 As a former prosecutor I've had numerous
19 appearances in court, but as the Chair pointed out,
20 this is the first time I've actually appeared before
21 this legislative body. I'm here today with Deputy
22 Commission of Operations and Chief of Staff Peggy
23 Tierney, to my left, Assistant Commissioner for Legal
24 Affairs John Curry, to my right, and Deputy of Policy

2 Salvatore Arrona, further to the left. Thank you for
3 inviting us to testify today.

4 So let me begin my testimony by providing
5 you with a broad agency overview. For those of you
6 who are not familiar with BIC's jurisdiction, BIC is
7 a city agency that is responsible for investigating,
8 licensing and regulating two active industries; the
9 City's commercial trade waste industry and the
10 businesses that operate in the city's public
11 wholesale markets. BIC also regulates a third
12 industry, the shipboard gambling industry, but there
13 are no ships, so there's nothing to regulate at this
14 particular point. BIC's core mission is to ensure
15 that all these industries are free from organized
16 crime and other types of corruption and are able to
17 provide services in an open, competitive and fair
18 market.

19 The first industry that BIC regulates is
20 the commercial waste industry. In this particular
21 industry businesses ranging in size from sole-
22 proprietorships to publicly traded corporations that
23 provide for the removal of commercial trade waste,
24 such as putrescible and recyclables, construction and
25 debris, demolition debris, landscaping waste and

other more specialized forms of waste, like brown and yellow grease and nonhazardous electronic waste, commonly referred to as e-waste.

To give you a sense of the size of the commercial waste industry, as of February of this year there were 257 active trade waste licensees, 1,025 Class 2 registrants that haul construction and demolition debris, 656 Class 1 registrants typically known as self-haulers and 69 active Class 2 trade waste broker registrants. This is a total of 2,007 active companies in the trade waste industry.

In addition to regulating the commercial waste industry, BIC also regulates wholesale and other market businesses that operate in the city-owned public markets, as well as the area adjacent to the Hunts Point Produce Market; these businesses supply customers in local, national and international markets. New York City has six robust public wholesale markets; there are 28 active businesses in the new Fulton Fish Market, 62 in the Hunts Point Produce Market, 25 in the Hunts Point Meat Market, 38 in the Hunts Point adjacent area, 8 in the Gansevoort Meat Market and 18 in the Brooklyn Wholesale Meat Market. There are a total of 179 wholesalers,

2 loaders, unloaders, trade associations and other
3 market businesses operating in these regulated areas.

4 BIC's operations revolve around
5 licensing, in-depth intelligence gathering, rigorous
6 legal analysis and ongoing investigation and
7 enforcement of the industries it regulates. BIC also
8 develops and implements policies designed to further
9 promote competitive industry growth, increase
10 customer protection and set meaningful standards of
11 services. We routinely coordinate with other law
12 enforcement entities, such as the offices of the five
13 district attorneys, the United States attorneys for
14 both the southern and eastern districts, as well as
15 other city partners; the New York City Economic
16 Development Corporation, the Department of
17 Sanitation, the Department of Investigation and the
18 Department of Environmental Protection on matters of
19 enforcement, policy and regulation.

20 I will now detail a few of the Agency's
21 more major accomplishments during the past year.

22 BIC has undertaken a reorganization of
23 the Agency's legal, investigative and licensing units
24 and we are confident that the result will be a much
25 greater efficiency in these critical areas. Last

week we brought on a new general counsel who brings with him several years of experience at the Manhattan District Attorney's Office in areas relevant to BIC's work. We have also brought on a high-level manager with extensive experience in investigations and vendor integrity to oversee the day-to-day operations of the licensing and background intelligence units. This has allowed two of BIC's most senior attorneys to devote their talents and experience full-time to the extensive legal matters of the Agency.

We have also implemented regular case reviews with the legal staff which has resulted in the completion of several aged, somewhat stagnant cases. In the past few months we lost two valuable employees at our investigations unit due to other job opportunities; however, we were recently able to replace them with very well-qualified individuals with extensive investigative experience.

Additionally this past November BIC brought on a new director of information technology with a background directly related to the work of BIC. In addition to a strong background in computer forensics, he also has been involved in implementing and troubleshooting a new agency database. In

October of 2013 BIC launched NIMBUS, an integrated data management system; while the system meets the needs of the Agency, we continue to improve and enhance its functionality to maximize its potential.

As an important part of BIC's reorganization we have promoted a number of staff members in all areas of the Agency. We are very fortunate to have several outstanding employees at all levels and it is important to us to recognize their efforts and ensure that their talents and experience are maximized to the benefit of the Agency.

We continue to review all policies and procedures in all areas and our operations to identify ways in which BIC can not only operate more efficiently, but increase its presence in the areas under its purview.

As a law enforcement and regulatory agency, BIC ensures that all participants in the trade waste removal industry abide by the law; any individual or business that fails to comply with any of BIC's rules or regulations may be issued an administrative violation or be criminally prosecuted.

2 Two trends in the industry that BIC has
3 observed involve the theft of cardboard and the theft
4 of used cooking oil.

5 To the untrained eye, commercial trash
6 like cardboard that is placed on the curb for pickup
7 all looks the same and may seem worthless, however,
8 this is not the case and some recyclable materials,
9 particularly cardboard, are valuable commodities.
10 The theft of recyclable materials like cardboard is
11 behavior that negatively and unfairly impacts both
12 the licensed trade waste businesses and the customers
13 they serve. The Agency has zero tolerance for any
14 type of illegal activity and BIC addresses the issues
15 of cardboard theft by utilizing its investigative
16 enforcement and legal arms to find and punish the
17 perpetrators of such activities.

18 Yet another valuable recyclable material
19 that may be viewed as worthless is used cooking oil.
20 The transport of used cooking oil from commercial
21 establishments must be performed by a trade waste
22 hauler licensed by BIC. The illegal transporting of
23 used cooking oil has grown recently because it is a
24 comparatively inexpensive and easily refined material
25 that is used to produce biodiesel fuels. The amount

of used cooking oil discarded by commercial establishments in the city has made it an attractive market for both legitimate used cooking oil haulers who are licensed by BIC and by unlicensed operators who oftentimes steal the material.

For example, BIC recently denied the license application of a company called Oil Gorillas Incorporated that collected and recycled used cooking oil. Oil Gorillas was in the business of removing and transporting used cooking oil since February of 2012; ultimately BIC's vigilance resulted in the denial of Oil Gorilla's license renewal application. Among other items of concern, in addition to finding that Oil Gorillas had failed to disclose a principle of the business, BIC found that Oil Gorillas violated the Commission's rules by illegally transferring its license to numerous unlicensed individuals and unlicensed companies. In addition, BIC found that Oil Gorillas did not keep required business records; the denial of the license renewal applications of companies such as Oil Gorillas Incorporated reflect the Commission's effectiveness in the efforts to ensure that only

licensed companies that play by the rules can operate in this industry.

BIC supports any and all efforts to ensure that the public wholesale markets in the Bronx flourish. During the first week of March, Mayor de Blasio announced a plan to invest money to revitalize the infrastructure at Hunts Point and create new spaces for small businesses. To meet this goal we are doing our part as BIC by continuing our partnership with New York City Economic Development Corporation by providing law enforcement support and protecting the City's interests.

With that I would now like to address BIC's preliminary fiscal budget for 2016 and Fiscal Year 2015 PMMR. When I speak of Fiscal Year 2015 figures I will be using figures from the 2015 adopted budget and BIC's performance position as of February of 2015.

BIC's preliminary expense budget for 2016 is \$7.44 million; of that amount, \$5.35 million is allocated to pay for personal services and \$2.07 million is designated for other than personal services. The \$32,887 increase in BIC's 2016 PS

budget is funding for the DC 37 Union Collective Bargaining Agreement.

BIC's authorized headcount has remained consistent at 80 full-time employees; that's for Fiscal 2015, as reflected in one additional federal forfeiture-funded line [sic]. The \$1.09 million differential in BIC's overall OTPS budget for 2016 is largely attributable to the Agency's receipt in 2015 of substantial federal asset-sharing forfeiture funds which may be used to further the law enforcement efforts of the Agency.

On the revenue side, BIC's preliminary budget for Fiscal Year 2016 is \$5.96 million. The differential from 2015 is attributable to the aforementioned federal asset-sharing funds. For 2016, BIC is projected to collect \$3.87 million in trade waste license and registration and application investigation fees, which is a decrease of \$243,200 from 2015. This decrease is due to the two-year renewal cycle for trade waste licenses and registrations. BIC receives more renewal applications in the odd years than in the even years. For 2015 BIC is on target to collect \$4.12 million in these fees. Through the end of February of 2015 BIC

has collected \$3.17 million or approximately 77 percent of its revenue target. Licensing and registration application and investigation fees account for 69 percent of the Agency's revenue, which is consistent with previous years. The amount of the license and/or registration application fees depends on the types of businesses and material it transports. The application fees range from \$1,000 to \$5,000 and are granted on a two-year renewal basis.

Through responsible enforcement efforts, BIC is projected to collect \$1.5 million in fines and forfeitures for Fiscal Year 2016. In Fiscal 2015, BIC is on target to collect also \$1.5 million in administrative fees and forfeitures, which accounts for 25 percent of the Agency's revenue. Through February of 2015, BIC has issued 808 trade waste violations and collected \$1.18 million in administrative fines and forfeitures, which includes violations for infractions such as unlicensed and unregistered trade waste activity, failure to meet reporting requirements and illegal dumping. BIC issued 544 trade waste violations and collected \$1.08

million in administrative fines and penalties during the same period in Fiscal Year 2014.

The remaining portion of the revenue budget relates to charges for services and fees, which include market business application fees, investigative fees and other market fees and accounts for 6 percent of BIC's revenue.

Market application fees range from \$3,750 to \$7,500 and are issued on a two- or three-year renewal cycle. BIC's Fiscal Year 2015 expected revenue for these fees is \$360,500 and as of March 1, 2015 BIC has collected \$272,280. In Fiscal Year 2016, BIC has projected to collect \$588,000 in charges for services and fees, an increase of \$227,500. This is due to the three-year renewal cycle for market application fees.

BIC participates in the Federal El Dorado Task Force, along with many other law enforcement entities. As part of our involvement, the Agency receives shares of settlements achieved by the task force that reflect our participation. BIC must adhere to strict federal guidelines on the use of these funds, which are subject to periodic audit. These funds which supplement BIC's city budget may be

used for staff training, equipment, software and other needs related to the investigative functions of the Agency; they may not supplant BIC's City-funded budget. In Fiscal Year 2015, BIC received \$1.7... I believe million [background comment] in forfeiture funds, by far its largest amount ever.

Since assuming the position of Commissioner of BIC in mid June of 2014, the Agency has made improving performance in all areas a priority. While these efforts take time to be reflected in the statistical indicators and in fact may initially have an adverse impact on them, we have begun to see marked improvement in some areas in the past four months. Since November of 2015 [sic], the average age of a pending waste-hauling application decreased by 17 percent and the number of license and registration applications approved increased by 34 percent. In addition, the average of a pending public wholesale market application decreased by 23 percent and the number of registration applications approved increased by 33 percent.

In Fiscal Year 2015, BIC issued seven denial decisions against trade waste applicants and in Fiscal Year 2016, to date BIC has issued 17.

Denial of an application is the strongest administrative enforcement action the Agency can take, reflecting considerable investigative and legal effort. It also has a significant impact in terms of maintaining the fair and competitive market.

We would like to provide you with an update regarding the topic of Special Trade Waste Districts, or as it is more commonly known, Commercial Waste Franchise System. Any proposed changes to replace some or all of our current open market commercial waste system, including the idea of introducing a Commercial Waste Franchise System, must be studied extensively before any policy decision is considered. As part of BIC's powers enumerated in the Administrative Code, BIC has the authority to conduct studies into the commercial waste sector in order to assist the City in formulating policies. To this end, we are in the process of finalizing an agreement with New York University Center for Urban Science and Progress, otherwise known as CUSP, who will be tasked with conducting a comprehensive study that examines all the impacts of adopting a Commercial Waste Franchise System in New York City. We are fortunate that we have great city partners to

help us with this endeavor, including the Mayor's Office of Data Analytics (MODA) and the Department of Sanitation, both of which will be providing technical assistance and will be members of our working group as we move forward with this study.

BIC has also met with members from the Environmental Justice Coalition in our office, Chair Reynoso; we are committed to engaging all stakeholders, especially the City Council, and will continue to have conversations with all interested parties.

Yet another area in which BIC has been working on is our relationship and dialogue with community composters who operate community-based compost sites. Community composters have asked BIC to provide clarification and guidelines as to BIC's regulatory scheme in regards to their community-based efforts to collect and transport organic waste from local businesses to their community composting sites. BIC has been actively engaging with leaders and members of this community in developing a policy that supports organic waste diversion through composting. As part of BIC's efforts to understand the composting community, BIC has visited community composting sites

and met with members of the composting community in our offices to further our dialogue, collect important information about the work community composters are doing and the future of composting in the city, as well as obtain feedback as we develop our policy.

BIC understands the need to increase our organic waste diversion rates and the important role that computer composters and commercial carters can play in this effort. BIC is fully committed to supporting all efforts; we all share the same goal of diverting certain materials, including organic waste [background comments] away from our landfills. Organic waste can be composted and used for soil enrichment and energy purposes; BIC in no way, shape or form wants to hinder any efforts towards diverting the city's organic waste; as such, we would also like to make clear that BIC has not issued any violations to community composters. In order to support the community composters, it is my goal that in April of this year BIC will provide a framework within our regulatory scheme to encourage community composters to collect and transport organic waste.

As you know, the landscape of organic waste collection and processing is evolving; our current infrastructure to handle organic waste has limited capacity, but this will not be the case in the future. There will be a great emphasis on certain commercial businesses to separate their organic waste once the organic waste law is fully implement. BIC is committed to evolving along with the composting environment in the city and looks forward to working with the City Council and other agencies in continuing to develop sustainable policies to better our city.

My first year -- or nine months -- at BIC has been active and I'm grateful for the entire BIC staff for their work; we look forward to continuing to fulfill BIC's mission in the coming year. This concludes my testimony and I'm happy to take questions.

CHAIRPERSON REYNOSO: Thank you so much for your testimony; very thorough. I continue to [interpose] educate myself on the work that you guys do and I'm glad there was an example there regarding one of the cases with the Oil Gorilla guys; I'm glad to see that.

2 So I'm gonna ask a lot of questions...

3 [interpose]

4 COMMISSIONER BROWNELL: That's fine.

5 CHAIRPERSON REYNOSO: Okay, so we could
6 try to get to exactly where we wanna be. First, you
7 guys have 80 full-time positions; is there... how do
8 you break that down? For example, do you have... you
9 might have lawyers, but do you have folks that do
10 legal work or is it DOI that does the legal actions
11 or the prosecutions?

12 COMMISSIONER BROWNELL: Well Chair, it
13 just so happens that my fairly new Chief of Staff,
14 Peggy Tierney, I stole her from DOI; I actually used
15 to work with her there years ago, and she can answer
16 that question really well.

17 CHAIRPERSON REYNOSO: Awesome. Thank
18 you.

19 PEGGY TIERNEY: Just to clarify one
20 point; the authorized headcount, as per OMB, is 80
21 lines; we actually have 71 employees at any given
22 time, so you know that coincides with how much money
23 they give you and you know, how you fill those lines
24 that you're given. So we actually have 70 employees
25 at this time. We have executives, of course,

commissioner, general counsel, the folks you see sitting at this table at the top level; we have a background intelligence unit with intelligence analysts; there's about half-a-dozen in that unit, investigative squad, who are the folks that are out in the field doing criminal investigations, enforcement work; we have an audit unit, five or six in that unit and I can certainly give you a more detailed breakdown; I can forward that on. And of course, all the legal division, we have, I believe it's eight attorneys, general counsel, deputy general counsel, and our licensing unit, which has more clerical type positions; they're the intake point for all the information, and of course, the traditional, we have small IT shop, five folks, budget -- you know when you look at a list that I'll forward to you and you'll see director; in many cases that is the unit, you know there's a director for special operations, handles fleet; somebody that, you know takes care of all our office needs, so we have certainly all of those types of positions as well.

CHAIRPERSON REYNOSO: So the legal department; is the legal department just making sure that BIC is operating by law or doing their work by

2 law or do they prosecute when they find; say they go...
3 that Gorilla Oil has got a denied license or let's
4 say they find organized crime is happening; do you
5 actually go to court or not? I wanna just understand
6 how that works.

7 PEGGY TIERNEY: Okay. Probably best
8 answered by our Deputy General Counsel, John Curry.

9 JOHN CURRY: Good afternoon, Chair. As
10 part of the legal staff, they run a gamut of -- do
11 they appear at hearings? Yes, when violations are
12 written by say the market agent or the investigators,
13 they're returnable to usually ECB or oath and the
14 attorney would obviously sit with them, prep the
15 person; would appear before there. When an
16 application comes in and a background is completed,
17 at times if... and again, this is that something's
18 found; potentially a deposition would be scheduled
19 for the person to come in; sometimes people go into
20 -- say they are in tax arrears; our legal counsel
21 will sort of steer that person to either secure
22 counsel or work with their counsel, telling them,
23 these are some of our concerns. So the legal staff
24 is very broad; the denials that you may have seen on
25 our website, they're usually drafted by the staff

attorneys, submitted to the general counsel and then eventually voted on by the entire Commission and that's the sort of... So they kind of do multitasking and some of it is the day-to-day like any staff would have and then they also do monitor our rules and regulations when issues like that come up, say Article 78s and things where even the Law Department needs clarification for our rules and we would assist them in that.

COMMISSIONER BROWNELL: And also, so before I came to BIC, for a bit over 25 years I had been a prosecutor, which is completely different than what BIC does. So I worked at Manhattan DA's office for a long time and then a little bit in the U.S. Attorney's Office in Brooklyn. So what's different there is, that those are criminal cases that are brought in court, which is completely different than the administrative function that our attorneys perform at BIC. A big part of what BIC does, and I guess that's one of the reasons why I was hired, is because we interact -- our relationship with all the prosecutors is critical, not only because sometimes the things that we find are so serious; they go beyond just an administrative problem to a criminal

2 problem and we're not prosecutors, so we work with
3 federal prosecutors and with the FBI; John actually
4 has worked a bunch of cases over in the U.S.
5 Attorney's Office while being at BIC, and that's not
6 only really critical for the serious things we find
7 in commercial trucking, but it's also critical for us
8 because it provides us with a lot of the important
9 information that we need so that we can do our job in
10 the licensing thing, such as working on organized
11 crime cases so we know sort of who's out there and
12 what's doing what so that when we get an application
13 or a name comes up on the licensing side we have a
14 better appreciation for whether there's a problem or
15 not.

16 CHAIRPERSON REYNOSO: That's good to
17 know. That's good to know, 'cause I just wanted to
18 make sure that we have... I have an understanding
19 exactly; you said administrative work as opposed to
20 like the legal work on criminal cases; I think that's
21 very good to know. And then, you obviously work with
22 other folks, like federal prosecutors; maybe the DOI
23 sometimes, but you work with other agencies to try to
24 make sure that at the end of the day people are
25 complying with the rules and regulations.. [crosstalk]

2 COMMISSIONER BROWNELL: Right. And we're
3 actually doing a huge case right now and have been
4 for two years with the Manhattan DA's Office, where I
5 was before coming to BIC, which I expect I'll be
6 talking to you about in a couple months; I think
7 you're gonna find it pretty interesting.

8 CHAIRPERSON REYNOSO: Okay, I'm glad.
9 Alright. So now -- and I might jump back and forth
10 here. So now, I heard of a case, and anecdotally, I
11 wanna make sure that we give you some stuff about
12 what we're hearing, of a person that drives a truck
13 and collects metal; they found an air conditioner on
14 the street and they picked it up illegally; we know
15 that that's not legal, you can't pick up trash from
16 the street the way that this person did; that person
17 was levied with a \$6,000 fine and his vehicle was
18 taken away. Now I wanna know, so for me, and I'm
19 just -- let's say I'm a regular Joe -- is that fair;
20 I don't necessarily think the punishment fits the
21 crime there where a person's livelihood is pretty
22 much gone, \$6,000, I could imagine these guys are not
23 making, you know, \$6,000 a month, right; maybe they
24 make a lot less than that, but also, his van was
25 taken away, which is his primary means of work and he

2 needs to get that out of wherever it is. So has
3 there been an assessment made by BIC in regards to
4 fines and the cost of violations and whether or not
5 we're being more mindful, because I also wanna say a
6 second part is; it seems like there's guys who are
7 driving trucks, driving pickup trucks and there's
8 guys that have these big, you know, garbage trucks
9 that transport waste as well and I don't necessarily
10 know if BIC has gone through that process of making
11 sure that maybe they have licenses that are different
12 classes maybe [background comment] and whether or not
13 you've considered that as well.

14 COMMISSIONER BROWNELL: So I'm gonna let
15 John answer this, which I'm sure he's really happy
16 about, but the thing that I'd like to say is; first
17 of all, I'm happy to review any particular
18 circumstance with somebody and I do it all the time,
19 you know, with an attorney or whatever, and sometimes
20 you know we end up and we don't completely agree, but
21 a lot of times we do, so with regard to this
22 particular one, to the extent that we could locate
23 the exact circumstance; I mean you've heard from the
24 testimony that there's a lot of violations, it would
25 be hard to pinpoint it, but you know, we're happy to

2 consider and reconsider things and have discussions,
3 but in terms of the sort of larger question, I will
4 shoot it to John.

5 JOHN CURRY: Yes, Chairperson, I'm not
6 familiar with the specifics of that case, but to kind
7 of dissect it and kinda take it in parts, if somebody
8 was to -- I always use the example of the white van -
9 - if somebody was to pull up in a white van, opens up
10 the door and takes an air conditioner, as you said,
11 in violation of sort of the rules; if one of our
12 investigators or a market agent observed this and was
13 to issue the violation, it's not on the scene; in
14 other words, the -- and again, without knowing
15 whether the person had a valid driver's license,
16 there's a lot of moving parts -- an arrest would not
17 take place; what would happen is, an administrative
18 violation would be drafted, it would be served upon
19 the person -- we would look at the registration of
20 the vehicle -- and if it -- the problem is, it could
21 be an individual, meaning a young man or woman who
22 just saw sort of the crime of opportunity, but it's
23 returnable to oath; it would before oath; the
24 violation served, they get their due process and
25 again, the violations are coded; if they're to go in

front of ECB, there is a code where you'd know what the maximum and minimum violations are. For this type of violation it would be -- again, depending on the facts surrounding -- would be unregistered or unlicensed operation and the fines do go to a maximum of \$5,000 or \$10,000. As somebody who's been in a legal bureau or the legal unit for a long time, we would try to reach out to that person, number one, to fill out an application to bring them into the fold; if they do this, if it was a one-time violation, we would try to settle it; like there is no -- yes, and \$6,000 is just a number that, again, I would love for me to get the facts behind it, 'cause if that is, but \$6,000's not a round number that would be in any way, shape or form tied to that. Now again, I can't speak for Sanitation's enforcement; there's other people, when you're talking about refrigerators, pieces that are put out there, there's other people that, or potentially even the police, that would see this and do that. But for us, we do have a code, we're always revising it and again, we are bound by what's coded through ECB and then with the judges at oath, we do have our hearings, they're given their due process and we do see penalties, but I'd like to think there

2 is a scale of when -- and for me, I can speak
3 personally, I always try to tell a person, if you
4 fill out the application, if this is something you're
5 interested in, come into the fold and it levels the
6 playing field. But again, if you give me more
7 specific details I would love to review it.

8 CHAIRPERSON REYNOSO: Yes. And the
9 reason I'm asking this question in regards to the
10 budget is that you generate revenue through fines as
11 well and I wanna make sure that we're not just using
12 these fines to get you to a place where you're
13 fiscally, I guess... [interpose, background comment]
14 alright. So I just wanna make sure that we're on the
15 same page there, that you're not -- when I heard this
16 story, I don't know all the details and I would like
17 to introduce it to you, I started thinking, you steal
18 an air conditioner and you got charged \$6,000; I
19 think that that's a little too much and you got your
20 van taken away; there could be a lot of reasons -- no
21 license, illegally, no insurance -- there could be a
22 lot of reasons why that happened, so I'll get the
23 details; I just wanna make sure that we're doing
24 things respective of the size of the operation or of
25 the type of violation. Another thing is; do you

2 allow people to operate -- so what I'm hearing,
3 another -- it takes up to two years to get a license,
4 so if I want to be a waste hauler and I fill out an
5 application, I've gotta sit at home or find another
6 job for two years before you guys finally let me know
7 that I know start operating. Can I operate while the
8 application is pending?

9 [background comments]

10 JOHN CURRY: No, you're not allowed to
11 and the reason being, because of the history and sort
12 of, so you can kind of... While an application comes
13 in; it is very thorough, it's a heavily regulated
14 industry or industries that we look at, and the
15 theory is; some of the people, in fact that you've
16 maybe dealt with before -- NISWARMA [sic], David
17 Biederman and them -- they've complained to us in the
18 past about companies that would sort of put in the
19 application, in theory, the cost of the application,
20 would start operating and you could see how they
21 could start running, and again, 'cause I'm using an
22 example here, a rogue, where they go out, they steal
23 customers from long-time, people underbid of these
24 other groups, maybe don't have valid insurance 'cause
25 they go get binder but they never pay the premiums

and what happens is, we like to think the application -- well we hope your example is not true -- we try to get them done as soon as physically possible, we like to think that we've gotten better at it and yes, they do have to wait because of the fines we've talked about, they're not allowed to operate until they do get approval by us, but that's the reason, there's so many scenarios that I could give you, where a company comes in with not the best intentions, and we are, we're working to become more efficient, but the short answer to your question is no, they're not allowed to operate while it's pending and there are some reasons for that and in fact the industry itself would be the first one to tell you that we want to have all of the people on a level playing field and if you let somebody in who might have kind of put in his application with less than noble intentions, they could actually muddy up the industry because they could steal accounts, do bad things and then they're gone, whether it be through bankruptcy or even just people call us and say, they stopped picking up our cash, or if god forbid a tragedy that one of the trucks doesn't have insurance and if they were to hit someone or kill a pedestrian, you know that company,

2 that truck would be parked and they would be gone.

3 So that's part of it, but hopefully I've answered it.

4 [background comment]

5 CHAIRPERSON REYNOSO: You did and I think
6 that there is value to that; I just know that if
7 you're a hauler and you're moving around, you have to
8 wait two years to get in an application and that's
9 not how you necessarily look for work anywhere,
10 right; you're not... investing in a business, a lot of
11 these guys are small-time, white van, mom and pops
12 putting in an application for two years, this is not
13 like opening a big business for them and they're
14 making this long-term investment, it's something that
15 they think that they can do that can generate enough
16 income so that they can sustain themselves and when
17 an application takes that long you get into a
18 position where good people do bad things because of
19 the timing, right, so you have good people that maybe
20 say, while my application is pending I'm gonna start
21 doing this illegally [background comment] and then
22 get in trouble, get into fines, probably lose their
23 opportunity to be licensed and you've got good people
24 doing bad things.

So now let's speak to that, right, so the budget, you're allowed to have... you have 70 full-time positions; is there an effort here to speed up the process, which we're gonna go through now, to speed up the process of allowing for these applications to go through or these licenses to go through? And then, I wanna talk about whether or not you guys think that there's a place in BIC, because you guys are like ten different things, and if I go through the categories, there has to be a way to streamline this or make it more efficient or make it easier for folks like me to understand, because -- [background comments] Alright. So I just wanna go through a couple of statistics that BIC deals with.

Private waste haulers and within that there are registrants and licensees; I don't know the difference between a registrant and a licensee; then we have waste hauling applications -- geez -- new... sorry, pending waste hauling applications... [background comments] Give me one second; when I try to... 'cause I also... this is very tough to read; I just wanna let you guys know that, it's not easy; it's almost like people wanna know what you do and then get this and it's like there's no way they're gonna

2 understand what it is that we're trying to get done
3 here and I just feel like... [interpose]

4 PEGGY TIERNEY: Can I interject for one
5 second; I'm sorry... [crosstalk]

6 CHAIRPERSON REYNOSO: Yeah, absolutely.

7 PEGGY TIERNEY: as the person who has to
8 do that... [crosstalk]

9 CHAIRPERSON REYNOSO: Yes. Yes.

10 PEGGY TIERNEY: okay, with operations,
11 since I just, you know, came onboard and DOI did a
12 little bit of this, but not directly; that is exactly
13 something that I wanna work with Operations on to
14 streamline the reporting of our statistics and maybe
15 grouping things a little more clearly, so your point
16 is well taken; there are a lot of things there, a lot
17 of indicators and that's, you know, Operations lingo
18 and I've already discussed with working on them going
19 forward; I mean I just started in the end of
20 September; we had to do the first MMR right away, so
21 we just had to get the numbers, but I'm definitely
22 gonna be working with Operations to make that
23 something that hopefully, you know the average person
24 could sort of pick up and understand, because even
25 working at the Agency, some of it I needed translated

2 for me. So valid points, you know that's the
3 indicators that they had, that's what we worked with,
4 but we're gonna work with Operations to streamline
5 it. John can speak to some of the general
6 categories, because it really isn't as complicated..
7 [crosstalk]

8 CHAIRPERSON REYNOSO: Yeah, it's just a
9 lot of categories for the same... it sounds like
10 average time to approve waste hauling licenses and
11 then we've got average age of pending waste hauling
12 applications... [interpose]

13 PEGGY TIERNEY: I agree; will you come to
14 Operations with me?

15 CHAIRPERSON REYNOSO: Isn't that the same
16 thing? I hear you. It feels like it's the exact
17 same thing... [crosstalk]

18 PEGGY TIERNEY: I think...

19 CHAIRPERSON REYNOSO: but it's two
20 different categories.

21 PEGGY TIERNEY: I think John is best to
22 just break it down to you in about a half-a-dozen
23 categories, and that's kind of what it is..
24 [crosstalk]

2 JOHN CURRY: Chair... Chair Reynoso, I
3 don't mean to -- Like I've also been at the Agency
4 for a couple years and you're right, by the rules,
5 it's sort of... they do have these categories broken
6 out. The simplest way, and this is at least how I
7 keep it straight -- the licensing, the licensing
8 provision is commercial carting, the garbage..
9 [crosstalk]

10 CHAIRPERSON REYNOSO: Yes, exactly. Yes.

11 JOHN CURRY: putrescible waste, the
12 people that every single -- if Sanitation's not
13 picking it up, whether it's a pizzeria, bodega,
14 whatever, you need to have a private carter; that's
15 it. The registration is actually an exception or
16 exemption out of the licensing and it's for C and D
17 haulers, meaning it's the constructions sites; if
18 renovations are being done in the back of say one of
19 the buildings here on Broadway, the people, the
20 trucks you see, the tri-axle dump trucks that are
21 taking rebar, concrete, dirt; things like that,
22 that's the Class 2's. The Class 1's -- and I'll
23 probably get in trouble; the simplest way I can
24 describe it is the landscapers, they are the grass
25 clippings; they're also exempted from the licensing.

2 And then we have the markets, the wholesale markets
3 and because they're different -- and in those we do
4 have these disclosures and things, so you're right,
5 it's very complicated; I think you're seeing some of
6 how the sausage is made and unfortunately it is...

7 [background comment] Yes. Yes. And... [crosstalk]

8 CHAIRPERSON REYNOSO: So... So just very
9 quickly, so you have violations issued for licensees
10 and violations issued for registrants, so what you're
11 saying -- you should -- I just want like a pointer;
12 maybe you don't name it two different things and you
13 just give it classes, right, Class A, Class B and
14 Class C. [background comment] Alright. Thank you.
15 Because right here it says, violations issued
16 licensees 305; last year around the same time it was
17 92, right, and then you have violations issued for
18 registrants at 9; last year was 131. So now it seems
19 that licensees are getting more -- there's more
20 investigations or violations being issued to
21 licensees -- No, I mean -- I'm sorry -- to... to
22 licensees and a lot less to registrants; was that a
23 policy decision that you guys made saying the real
24 bad guys are here, so we should be focused out there
25 and not at this area, because the numbers are 305 to

2 9; I would much rather be a registrant than a
3 licensee; still don't know the different really, but
4 one group is getting more violations than another and
5 again, I say this it's because if there's parody in
6 the system or there's no equity or you're not trying
7 to figure out why you do things, then it's just about
8 generating revenue and that's what I don't want the
9 perception to be. I want there to be a policy behind
10 why you're going after people more than others and
11 being able to justify that. So I know you guys have
12 just gotten here to this point and you probably have
13 a vision in which direction you wanna go and you're
14 aligning, calibrating and making sure everything is
15 right, but these numbers are very -- they're all over
16 the place, there's no consistency, there's not method
17 to this madness when you read it; maybe you guys --
18 it's a different language and you understand it, but
19 I don't understand why there's so many differences
20 and changes.

21 COMMISSIONER BROWNELL: 'Kay, we'll look
22 into that.

23 CHAIRPERSON REYNOSO: Please. And just
24 justify every single -- why there's more; why there's
25 less; I think that that would really help. So..

2 Sorry; I gotta get back to... alright. [background
3 comments] So I guess I'm gonna ask a question
4 directly tied to what I just talked about, which is
5 the violations issued to private waste haulers during
6 the first four months of Fiscal Year 2015 was 513 and
7 that's an increase of 109 percent as compared to the
8 same period in 2014. Just wanna know, why is there
9 an increase in the number of violations issued to
10 private waste haulers? Despite the Agency going
11 through a major restructuring and falling short of
12 several other performance indicators, but it seems
13 like in this case it's 109 percent, it's a huge
14 increase, almost more than double and just wanna go
15 through the justification; why do we need to double-
16 down on the violations... [crosstalk]

17 COMMISSIONER BROWNELL: Why don't I start
18 off? I know that one of the things that happened
19 over the summer when I was first here is we decided
20 to have much less focus on Hunts Point and the
21 markets up there in terms of -- I think we developed
22 a much better relationship with the markets,
23 especially the produce market than maybe before and
24 so less focus and emphasis up there and you know the
25 problem of unlicensed trade waste activity is a real

problem in the city; it undermines the whole structure, first of all, of being properly licensed through BIC and having the proper equipment and everything else and so we see that I think more than anything else as an area that we really need to crack down and deter in every way we can people from doing that and then John has a couple more things to say.

JOHN CURRY: Yes, Chair Reynoso, I know, having gone through a couple of MMRs over the years, we've had similar questions because the scope of BIC's authority to basically regulate all these different industries, at times it's not as cyclical as you'd like; there's times that landscape is where the issue... Sanitation and other people called us and said if a composting considers all of these grasses being dumped in bad places and we they saw a big spike in violations back then and again, this was a predecessor before Commissioner Brownell; they had to come before the Chair and say, you know this is why we had to do it. Very similar, we were looking to basically, number one, level the playing field for unlicensed carters, which is always, you know whether it's NISWARMA or these other groups that tell us, there's these rogue operations. So we're kinda

2 geared by that; sometimes it's through 311, through
 3 our anonymous complaint line, but specifically for
 4 these, when we saw ones [sic], was theft of
 5 recyclables became big and it's kind of across the
 6 board; it was grease, it was cardboard and at that
 7 point, when we're looking to go out and do, you know
 8 surveillance to look at these places to see where
 9 recyclables were being stolen, in that net, which we
 10 don't think is a bad thing, we caught unlicensed
 11 carters and that -- again, part of it, again, goes
 12 back to my original thing; the goal isn't to generate
 13 revenue, it's not a cash cow that I think is worth
 14 it; what it is though is a way for us to bring people
 15 in and legitimize them and get them. Now some will
 16 never come into the fold, we know that. Yes...
 17 [crosstalk]

18 CHAIRPERSON REYNOSO: So... So you're using
 19 the stick and I'm thinking about a carrot, it's
 20 \$5,000 for some of these license fees, right, so if
 21 it's \$5,000 for a person that bought a truck that
 22 cost \$2,000 to do this work, right or \$3,000 if it's
 23 the white van situation, just wanna know again, like
 24 classes and being able to showcase that the big guys
 25 can pay \$5,000; maybe there's a certain tonnage that

you've gotta get through a year to be a Class C person or Class B or Class A, but a lot of the licensed folks, because they don't think it's work it, they wanna do the job, they think there's value in it, but not if they have to get into \$5,000 worth of debt before they even start the process. Is there a consideration for like pacing out or putting, again, classes to these; maybe \$1,000, \$5,000 and \$10,000? I don't know. But it's the same across the board, whether you have a big truck or a small truck or am I wrong? When you talk about carting let's say, again, metal, which I think happens... [interpose]

JOHN CURRY: There... There... Excuse me. There is a scale, there is a sliding scale. No again, people will tell you, I'm sure, that say well they still think it's cumbersome or cost prohibitive. For a self-hauler, one we talked about, and again, over-generalizing but a landscaper, it's \$1,000 and \$400 for each vehicle, which usually tend to be two or three vans to get the lawnmowers or trucks to pick up that -- the renewal fee is once again a \$1,000. For the Class 2's, which is this C and D, the construction and demolition; that's \$3,500 and again, \$500 per vehicle, which would be per dump truck and

2 it has to be in that company's name, and then for the
3 license it is \$5,000 for them and again, because this
4 the garbage trucks, the larger putrescible sort of
5 companies that are out there, and for each one their
6 vehicles are also \$500 and there's other fees that
7 can be associated, but so there is a scale; I under
8 stand the position of, if say you wanted to be a
9 small garbage company; yes, that is your initial
10 start-up cost, but there is a lot associated with
11 sort of us looking into your background to make sure
12 that the other carters are protected.

13 CHAIRPERSON REYNOSO: So the average time
14 to approve waste hauling licenses increased by 70.8
15 percent in the first four months of Fiscal Year 2015,
16 as compared to the same time last year. So just
17 wanna know, 70.8 percent increase and how long it
18 takes for an application to get approved. I just
19 wanna know, is because the transition is happening
20 and you guys wanna get to a good place and wanna like
21 streamline things or figure out a way to make the
22 system work...? [crosstalk]

23 COMMISSIONER BROWNELL: Well let me just...
24 So that's bad, that's bad and we know that. So one
25 of the first things I did when -- you know, licensing

and regulatory stuff is not in my background, so one of the first things I did over the summer as I started to learn the regulatory side of BIC was that we needed to completely restructure the Agency and I think the smartest thing I did since I've been here is bringing on Peggy from DOI, as I indicated, because she's not only run the background unit at DOI for more than 20 years, but she's got extensive experience well beyond that within DOI in terms of all sorts of administrative kinds of things. So... and I'm gonna turn this over to Peggy in a second, but one of the things that we are definitely focused on, and we've actually, and Peggy will speak to this more in a second, turned the ship around in the last couple months, is we need to be faster; there are probably things that we do that can be streamlined that are no longer necessary, but more than anything else, we need to get things done quicker on the regulatory side, and you know, there's no point dancing around that; that's just what's so and I'm expecting and I'm gonna sort of throw this out here, that when we appear in front of you next year the numbers are gonna be quite different. But let me

2 turn it over to Peggy who can give you a bit more
3 detail.

4 PEGGY TIERNEY: Council Member, I'm not
5 sidestepping that particular statistic at all and as
6 Dan said, the first thing, you know when I came over
7 is he said, RMMR [sic] stats, and through the
8 reorganization oftentimes what happens with these
9 types of statistics is when you start to take
10 corrective measures initially they actually have an
11 adverse effect, so if you had things that had been
12 open for two years and now you close it and that
13 number hits -- statistics can be tricky, so you don't
14 see immediate corrections; it's gonna take a little
15 time, but that's where we even highlighted in the
16 testimony a few areas that just in the last four
17 months have already started to show a correction. So
18 it's gonna take it a little time and the
19 reorganization is still in process, but as Dan said,
20 you know within six months to a year at the most
21 you're gonna see a dramatic difference in where we're
22 at, it just doesn't happen overnight, unfortunately..
23 [crosstalk]

24 CHAIRPERSON REYNOSO: So... and I'm gonna
25 be patient with you guys; I really wanna see you guys

succeed, for a long time I've thought that your primary function was to weed out corruption and as we progress and you know, either you did your job very well and we're moving further away from that, that we find out what your new primary function is and that you work towards that, right and that we get to that evolution is what I keep saying here. But the people that are getting hurt in this are the businesses and the haulers while we figure this stuff out; I'm soft on like mom and pop haulers that have one truck and that they really feel that they're getting hit hard for different reasons and I don't want anyone to do anything illegal, I just feel like illegal activity comes because of certain circumstances. And to get into the hauling industry you have to do a lot of research, work and you've gotta be part of a circle that makes it so that you think that this is profitable, right; this isn't just something you wake up and say hey, I'm gonna start hauling trash. So the people are getting into this business because they think there's an opportunity here and I just hope that you guys embrace that by saying this is the process, this is the application; we're gonna do this quickly, we're gonna do this well; we're gonna make

2 sure that everything is good on your end and then
3 we're gonna move forward in making that you have a
4 productive business and that we level the playing
5 field. But right now the people -- you're just
6 beating some folks up while you're going through your
7 transition and it's like if you're gonna reform and
8 you're gonna grow and you're gonna get better, there
9 has to be a time to allow them to do the same.
10 There's just a lot of confusion right now and I want
11 the dust to settle before we continue to move forward
12 and it's almost like we're shooting in the dark
13 still. It's just a lot, it's a lot that you guys
14 have to do and I just hope that you guys are patient
15 with the people that you're investigating and the
16 people that you're in charge of overseeing while you
17 get your stuff in line.

18 COMMISSIONER BROWNELL: I think we are;
19 it's doesn't mean we can't get better. And you know
20 one of the things I've tried to do, and I'm not
21 saying this is necessarily any different than the
22 commissioners before me, is to be willing to meet and
23 willing to discuss anything. Again, we may not end
24 up agreeing, but at least there has to be a
25 conversation.

2 CHAIRPERSON REYNOSO: Thank you for that,
3 because I've met with several folks that actually
4 wanna meet with BIC, they said we'd love to have a
5 meeting just to discuss on both sides and I tell
6 them, I'm not gonna push reform on one side without
7 pushing reform on the other side, so in this meeting,
8 if the group has some things that are justifiable and
9 are real and we can reform that to make it easier on
10 them, we're also gonna wanna make sure that we have
11 less illegal licensees; right? And if they're
12 illegally licensed and they're carting, when they're
13 going to these businesses, these businesses are
14 accepting their trash illegally and that could also
15 be a problem, right, and who's overseeing that issue?
16 And it's not you, which is also part of the problem,
17 it's two people or three people or three agencies
18 doing all this work and it's very tough here; I just
19 wanna make sure that I communicated how confused I am
20 and wanna make sure that we move forward and we get
21 to a place where it's easier to understand and we've
22 got streamline processes and we've doing things
23 efficiently and from what I gather with the new hires
24 that's where you guys are both going.

25 PEGGY TIERNEY: Absolutely.

2 CHAIRPERSON REYNOSO: So I'm actually
3 gonna be done with my questions; if you guys have any
4 final statements you'd like to make and I really
5 wanna be a partner in making this happen with you
6 guys.

7 PEGGY TIERNEY: Sounds good.

8 COMMISSIONER BROWNELL: Works for us.

9 PEGGY TIERNEY: Works for us.

10 CHAIRPERSON REYNOSO: Thank you. Thank
11 you very much. Thank you, guys.

12 [pause]

13 CHAIRPERSON REYNOSO: Alright, the next
14 lineup for public testimony is... [background comments]
15 Harry Nespoli [sp?], Norma Ramos, Latoya Wilson and
16 Cassandra Canelo [sp?]. And what I read here is that
17 Harry is the President of USA, [background laugh,
18 comment] so tough luck, Barack Obama.

19 So Harry, it's good to see you and..
20 [background comment] and your sanitation men here..
21 [background comment] workers. Are we gonna do
22 something about that? [background comments] Good.
23 [background comments][laughter] You have a lot of
24 work to do, Harry, but I'm gonna make a formal
25 request from myself and probably the Women's Caucus

of the City of New York that we change it to sanitation workers, alright? Or sanitation members; we can make something happen, but I wanna make sure we emphasize that, 'cause I was talking to the Commissioner and I kept wanting to say sanitation men and I was uncomfortable... [interpose]

HARRY NESPOLI: Don't let her fool you.

CHAIRPERSON REYNOSO: [laugh] I hear you. Well Harry, go ahead... [interpose]

HARRY NESPOLI: She's quite the lady.

CHAIRPERSON REYNOSO: I hear you. So go ahead, Harry; you can start.

HARRY NESPOLI: Well you mentioned who I'm with here today and I just wanna say that they're here on their own time and Latoya Wilson had an operation on her foot and she insisted on being here also and basically, they really... they're not familiar with the budget so much; neither am I, to tell you the truth; I'm only doing it about 40 years, but we'll be talking about cleaning, we'll be talking about trucks, we'll be talking about manpower; we'll be talking about that. I'm not gonna read it; you know me, I'm not gonna waste your time, it's a beautiful day out, no snow on the ground, no ice;

1 COMMITTEE ON SANITATION AND WASTE MANAGEMENT 160

2 sanitation workers got a break, but I just wanna say
3 that we have a very big problem on our job and you're
4 gonna get a history today and probably most of you
5 weren't even out of high school. In 1986 was the
6 first time we received two women on our job, '86 and
7 presently we have 155 that are hardworking, dedicated
8 people; 70 of them are single parents, so besides
9 working a 12-hour shift in snow, besides being forced
10 for 22 days doing that, they still have to go home,
11 they have to make sure the homework is done; they
12 have to make sure that they feed the family and maybe
13 come back to work on a swing shift. Now what do they
14 come back to? That's my charts over here. I will
15 need a microphone [background comment]... [crosstalk]

16 CHAIRPERSON REYNOSO: You're gonna need
17 it for testimony though and they're gonna hook you
18 up. [background comment] There you go. [laugh]

19 HARRY NESPOLI: Well this is... [crosstalk]

20 CHAIRPERSON REYNOSO: Yeah, do you have a
21 working microphone? Thank you guys. Alright; go
22 ahead... [crosstalk]

23 HARRY NESPOLI: Oh, you got a hand mic?

24 CHAIRPERSON REYNOSO: Yeah, they're gonna
25 give you a hand mic.

2 HARRY NESPOLI: and... I have 350 shop
3 stewards that were willing to come over here that
4 had... they're waiting for me for a shop stewards
5 meeting, and basically 99 percent of them are men and
6 they all feel the same way of what I'm gonna show you
7 here today. It's the agreement 1986 and I was part
8 of it; I wasn't the president, but I was on the board
9 that every facility in the Department of Sanitation
10 to have women facilities so that they could take
11 showers; they could clean up just like the men.
12 Along with that they said they would give them the
13 facilities and upgrade the men's facilities as they
14 went into that particular district; there's no sense
15 going in if the men's facilities aren't that good.
16 And they worked on this very closely until they just
17 stopped. The only way we get new facilities now for
18 our women and for our men is if a garage brand new
19 built and the way... the time it takes for these
20 garages -- on 57th Street it took 13 years to build a
21 garage, three different contractors were involved,
22 the workforce was living off the pier, if you
23 remember the fire that occurred on the west side of
24 the pier; that they were living in trailers. We have

2 a mic? No mic. Well... [background comments] I have
3 to explain these here.

4 CHAIRPERSON REYNOSO: We've gotta figure
5 this out. Harry, the mic will pick you up, just talk
6 as loud as you possibly can and... we have two mics on.

7 HARRY NESPOLI: Here we go...

8 CHAIRPERSON REYNOSO: There you go.

9 HARRY NESPOLI: Queens 1 [sic], this is a
10 shower booth for women that they expect the
11 workforce, after a hard day, to come in there and if
12 you see this particular environment in the shower
13 box; this box here, and one of the ladies right here
14 now that refuses to turn around and to get into that;
15 they were dropping off the ceilings as they were
16 there; they had to take extra care so they didn't
17 take anything home with them. This is a women's
18 facility, and I tried to jump from zone to zone, in
19 Brooklyn North 5; that's a women's facility that they
20 want the women to go to and to turn around and to
21 clean up. And believe me, I could've had this room
22 filled up, but I just don't wanna waste that much
23 time. This is law enforcement, law enforcement
24 agency, if you notice, the bottom of the shower is
25 all broken up; there's men and women that work there.

1 This is really good; this is the Bronx, so I covered
2 Queens, I covered the Bronx, I covered Brooklyn.
3 Bronx 4, they call it the dungeon. This is where
4 women have to go to their showers, to their
5 bathrooms. They walk down the steps; there's three
6 garages in one building; that's where they go down
7 the steps; when they get to the bottom of the steps
8 they have to go down even more; as you can see, the
9 Agency really like are guiding the women in the right
10 direction with the signs. If it wasn't for the men
11 and women, they wouldn't even know where they were
12 going. Now if you expect somebody to be outside in
13 90-degree weather, loading the truck, coming in and
14 going downstairs, then when you get downstairs to
15 actually see what you're dealing with -- there's
16 Bronx 4 again and here's Bronx 4; that's all what is
17 there, there's nothing else, that's it, as far as...
18 But like the Commissioner testified today, and let me
19 tell you something, it's probably the best thing that
20 happened to this job is that she got this job,
21 because she realizes what it's all about; the problem
22 is how to fix it, and that's why I'm here, I wanna
23 help fix it. This is my home base in Brooklyn; this
24 is her locker space; if she wants to go to the
25

bathroom for women, that locker space is over here; she has to walk out in the hallway and then the bathroom is over here and the shower. Now when you get there you would think well she's there; this is what she's dealing with when she's in there. What the Commissioner mentioned about the [background comments] there's one facility that's at the other end of the garage and they... they all turn around and they have to walk a city block within the garage; that means during winter, if the women in this particular four garages wanna go take a shower, they have to walk through the garage floor, which is not heated, and go to one location, take their shower, come back and then get dressed up. Look, one thing about this workforce, the men and the women, will turn around, and myself, I'll turn around as long as you show that something's gonna get done; we'll live with what we have to live with, but since 1986 I think that this workforce has waited long enough. So this morning I get up, looking forward to always seeing you, and come in here; I see an article in the paper that another agency received \$50 million for women's facilities that have 44 women; I think that there's something... there's unbalance here between

Sanitation and other agencies there, and what I'm asking for, I'm not asking for... the way I understand it, there's \$2.5 million in 2016 for women's facilities and in 2017 there's supposed to be \$8 million for garage repairs, not women's facilities, garage repairs, and in 2018 there's another \$8 million. You know what I see, I see something starting again and then I see something not finishing; that's not right, not to the people that work hard for the people of New York City that do the 22 straight days of 15 hours so that they could keep this city open. If you noticed this winter, I think that everybody in this city saw a very big improvement with this workforce and thanks to you, who helped me get some extra manpower that I was here last year for, I say thank you. So I have to stress and ask the Council, and when I'm done you can ask any of my women any personal questions you would like to ask, 'cause they're waiting for any questions that you wanna give. What you have here is a combination of two senior people and one younger person that just came on. So what I'm looking for is, if that \$8 million is in 2018 and \$8 million's in 2017, how can we get those millions to bring it up to 2016 so that

2 we can start something and show the workforce, just
3 show the workforce that the City cares about this
4 workforce.

5 With that I'm gonna get off that because
6 I'm sure you're gonna come back to it later on, but
7 I'd like to move onto street cleaning, which I think
8 is very important. I also question the ratings out
9 there too and I honestly feel that sometimes you've
10 gotta look back to what was good then and maybe bring
11 it back up now. I mean we used to have a unit in
12 Department of Sanitation that specialized strictly on
13 location. When I say location, I mean if a Council
14 Member has something going in their particular
15 district and they have a big something coming up,
16 there's 100 sanitation workers from this unit that
17 went in there with fire hoses, with brooms, hand
18 brooms, mechanical brooms; they made it spotless so
19 that the public can have whatever, the block party or
20 whatever they wanted there; it was a very big part of
21 this city and not only that, the workforce felt as if
22 they were obligated to go in there and do the job for
23 the public. The City had the cars off the streets
24 and we did it and then the children were playing out
25 there and they had a ball. Sometimes you have to

2 look back to that and sometimes -- and what it does
3 is, it kind of pleases the public, the taxpayers that
4 are paying the taxes to see this done in their
5 particular area.

6 Talk about trucks; last year there was a
7 threat of extending the sanitation trucks to 10
8 years; thank you again for helping us; it's at seven
9 now; I understand that creature is starting to rise
10 again. The trucks that we're using now went through
11 Sandy, went through a tornado and they went through
12 the hard winters; we can't cut this fleet short, we
13 need a seven-year turnaround; it's been here for the
14 longest time; whatever disaster hits this city, this
15 agency is involved in, we've done it, the hurricanes,
16 the tornados again, and the blizzards and those
17 trucks run 24/7; you cannot turn around and cut that
18 fleet short.

19 That's this testimony here that you can
20 read about; it's coming from a sanitation worker
21 that's been on the job quite a while and I'm very
22 proud of my workforce.

23 CHAIRPERSON REYNOSO: Thank you. I just
24 wanna say this is probably one of the more passionate
25 speaking moments that I've seen you in and I know

2 that you care deeply about this issue. I've been
 3 helpful in the past when I could and let me let you
 4 know that this is very important to me as well,
 5 especially when we talk about the women's facilities
 6 and making sure that if we're gonna bring in a
 7 diverse workforce, we've gotta make sure that they
 8 have the most professional environment possible; it's
 9 something that when you go in and you start your day
 10 that way, there's no way you can smile throughout
 11 your whole day and then to come back to that and then
 12 have to go home is just a negative experience the
 13 entire way and we need to change that and I'm gonna
 14 be helpful; I'm gonna be writing a response to the
 15 Department of Sanitation and OMB and the Mayor's
 16 Office to make sure they're paying attention to this
 17 and when we talk about equity, it's not only equity
 18 in gender or equity in diversity, but also within
 19 agencies; if one agency's getting \$50 million, they
 20 should all get it so that we can take care of
 21 everyone; no one agency should be prioritized over
 22 another.

23 I do wanna -- So that's one thing that --
 24 I'm gonna also write -- we should never pass seven
 25 years of age in a truck, it should never go past

that; we're asking for trouble when we're putting a 10-year-old truck out there or hundreds of 10-year-old trucks and seeing one of them -- the New York Post would love that picture of the truck breaking down in the middle of a snowstorm and that's not what we need, we need to make sure that we can do our job, and given the right equipment, I know you can.

We also talked about this tertiary street situation; I talked about it with the Commissioner; I tried to convince her that we've gotta get rid of it, given the increase in headcount that -- I told her you said at the last hearing that there is not a snowstorm you wouldn't be able to handle; she says that you had a lot more experience with handling snowstorms, so she understands... [crosstalk]

HARRY NESPOLI: Did she say I was old?

CHAIRPERSON REYNOSO: Huh?

[background comments]

HARRY NESPOLI: Did she say I was too old...? [crosstalk]

CHAIRPERSON REYNOSO: No, I don't think she... She said you know... No, she said that she's looking forward [background comments] to seeing though the black hair come back, [laughter] but she

2 did say that you have some experience with that and
3 she could understand how you're comfortable being
4 able to handle it with the force that you had, but
5 given the meteorologist saying it's gonna be 30
6 inches or whatever they predicted, she wanted to
7 cover all her bases, [background comment] so that's
8 why she kept it. So just wanna give you a heads up..
9 [interpose]

10 HARRY NESPOLI: Let me tell you
11 something; she did a hell of a job this year..

12 CHAIRPERSON REYNOSO: Yeah she did.

13 HARRY NESPOLI: she really did. She had
14 trucks positioned that haven't been positioned in
15 years; she had salt ready for this public no matter
16 what came; that only shows me that she does care, I
17 believe it; I just wanna help her. You know,
18 there's gonna be obs... you're gonna have obstacles
19 trying to fulfill this, but it's... again, it's not a
20 workforce that doesn't recognize the beginning of
21 something, as long as they could see the end of it,
22 not that two-and-a-half... what is \$2.5 million going
23 to do for those facilities? That's only a handful of
24 facilities; we have 59 facilities out there, you have
25 about 15 garages have no facilities. When that term

2 facility is used, if you're talking about going into
3 the super's office with a bathroom, so a lady can go
4 to the bathroom and so that everybody in that office
5 can hear, that's not the way it's done; it's gotta be
6 done right this time.

7 CHAIRPERSON REYNOSO: Yeah. And I agree
8 with that and I just wanna say, it costs \$2 million
9 for a comfort station by the Parks Department, for
10 one comfort station \$2 million, so if they're getting
11 \$2.5 million, I can't imagine that they're thinking
12 about this big picture long-term. But it is my
13 number one issue that I'm gonna be dealing with this
14 year; it's gonna be making sure that we see equity in
15 facilities. So Harry, I'm gonna call on you and I
16 know you'll be there and we're gonna see what we can
17 do... [crosstalk]

18 HARRY NESPOLI: I'll come on in [sic].

19 CHAIRPERSON REYNOSO: So I actually want
20 to actually get -- So I don't know if you guys have
21 testimony, but I would actually like to ask some
22 questions regarding your experiences here. From what
23 I understand, Miss Wilson, you've been on the job for
24 16 years, so given the amazing and the beautiful
25 conditions that you're dealing with now, I can't

2 imagine what it looked like 16 years ago; can you
3 tell me your experience regarding the 16-year-old
4 facilities [background comment] or when you first got
5 on the job how things were?

6 LATOYA WILSON: Well when I first got on
7 I started in Brooklyn North 8 and there were women
8 there already and the facilities were -- they kept it
9 pretty clean, because we all rely on each other to,
10 you know, do what we can and once I transferred to
11 Q-1, it was like a nightmare and that was my... when I
12 transferred there, I transferred there to be, you
13 know closer to home, but the problem is... I mean and
14 we're not expecting to walk into like the Hilton, you
15 run into a roach now and then, okay, but I think my
16 building is infested. I'm the one who put the glue
17 traps; I get them from the exterminator when he comes
18 and I put them in the shower stall and you can see
19 what happens. And it's not just my side of the
20 building; it's also where the men stay, so I mean, I
21 think it's just infested. You know I don't have a
22 degree or anything about that, but it's just too many
23 all the time; I can walk in in the morning and I'm
24 assaulted, I have to run back out, get the guys to
25 come in, kill them; they even sweep them up, that's

2 how nice they are, they sweep them up for me and then
3 I can go in, change and start my day.

4 CHAIRPERSON REYNOSO: So what does happen
5 when you see an infestation or you see a rat or and
6 something -- and by the way, even one roach is too
7 much; I just want to... your standards are so low at
8 this point, considering [laughter] what you have,
9 that I could only imagine that you guys are like, if
10 I get a roach a day, I'll take it... [interpose]

11 LATOYA WILSON: Yeah, sure.

12 CHAIRPERSON REYNOSO: But no, don't do
13 that. But I do wanna say, what happens when you
14 complain about the conditions; is there an -- and
15 Harry, maybe you could help me with this; is there an
16 exterminator that's supposed to come to these
17 facilities on a regular basis; are they not doing
18 their jobs or their contract... are we contracting with
19 the wrong guys; what's going on?

20 HARRY NESPOLI: Well first of all,
21 there's no contracts; that's it. There is rumors of
22 a time actually hiring a contractor to come in and to
23 do the garages. Exterminator -- we have one
24 exterminator on the job; it's not a contract, it's a
25 sanitation mate... [interpose]

2 CHAIRPERSON REYNOSO: One sanitation
3 person that deals with extermination for the entire
4 city?

5 HARRY NESPOLI: Fifty-nine garages.

6 CHAIRPERSON REYNOSO: Alright; it's very
7 efficient. So just to give you guys a heads up, you
8 know we're gonna try to fight for this as much as
9 possible, but Harry, that's a big deal; we're talking
10 about sanitation garages that have a lot of garbage,
11 that have a smell; to have one person that's dealing
12 with infestation just doesn't make any sense, it just
13 doesn't make sense to me.

14 So then we have Miss Canelo; how many
15 years -- you have eight months you started working?

16 CASSANDRA CANELO: Yeah. Thank you...
17 [crosstalk]

18 CHAIRPERSON REYNOSO: Congratulations; I
19 hope you're enjoying it.

20 CASSANDRA CANELO: For the most part.

21 CHAIRPERSON REYNOSO: Alright. Well
22 you're... yeah, [background comment] as I can tell, you
23 guys are not enjoying it too much. And that's
24 another -- I do want folks that come in and we're
25 asking a lot from the women to come into this

department and do this work and then we introduce them to these type of facilities; [background comment] this is not a job that you're gonna recommend to the next person and that's not good; we need to encourage people, encourage women to apply and to actually want to come on the job, because that's an issue; is the applications are majority male, so when they do the hiring it's very difficult, so if we wanna see some diversity, we need to make sure that this is an inviting agency.

So how many garages have you worked in since you've been on the job?

CASSANDRA CANELO: I've been in about six.

CHAIRPERSON REYNOSO: In eight months?

CASSANDRA CANELO: In eight months.

CHAIRPERSON REYNOSO: Alright; that's...

CASSANDRA CANELO: That's what happens when you first come on, you get sent out to different garages all the time.

CHAIRPERSON REYNOSO: Alright; you've gotta earn your stripes before they lock [laugh] in one garage; I understand... [crosstalk]

CASSANDRA CANELO: Exactly.

2 CHAIRPERSON REYNOSO: So you've been to
3 eight garages... [interpose]

4 CASSANDRA CANELO: I've been... yes, a
5 pretty decent amount... [interpose]

6 CHAIRPERSON REYNOSO: So what do you rate
7 them; how has your experience been in regards to the
8 facilities there?

9 CASSANDRA CANELO: Like you said, I guess
10 my standards were really low, because coming into --
11 I'm also from the same garage, Queens West 1, and
12 first time I tried to take a shower she told me don't
13 go back there; I looked; I never looked back there
14 again; it was just -- to me it was -- I was appalled
15 by... I don't go past the stalls because of that. So
16 when I go to other garages and I see the conditions,
17 I guess I'm kind of expecting it and it's horrible,
18 but I've been to garages, like he mentioned, where I
19 had to go in a office where there were people sitting
20 at the desk right outside the bathroom,
21 uncomfortable, and then I've been to garages where I
22 had to ask another female to accompany me because
23 it's dark in there and I don't know if something's
24 gonna pop out at me. So it's not... it's not pretty at
25 all.

2 CHAIRPERSON REYNOSO: So on top of the
3 infestation there's also issues with safety, with
4 lighting. So wanted to ask; so Miss Ramos, how long
5 have you been on the job?

6 NORMA RAMOS: I've been on the job 15
7 years.

8 CHAIRPERSON REYNOSO: Fifteen years. So
9 can you just speak to like what's been your worst
10 experience in the facilities?

11 NORMA RAMOS: Well I think I probably
12 came on like a year after Latoya; I've been to
13 Latoya's garage; I've been to, in 15 years...
14 [crosstalk]

15 CHAIRPERSON REYNOSO: Latoya's Garage;
16 that's what it's called... [crosstalk]

17 NORMA RAMOS: Uh no... [laughter]

18 CHAIRPERSON REYNOSO: it says Latoya's
19 Garage?

20 NORMA RAMOS: Well Latoya and Cassandra
21 both work in the same garage... [crosstalk]

22 CHAIRPERSON REYNOSO: Right.

23 NORMA RAMOS: I'm at Q-5; I guess I'm one
24 of the fortunate ones. My locker room would be I
25 guess the Hilton compared to their locker rooms, but

I also am in a newer facility. One of the reasons, and I told this to Harry today, one of the reasons that I never transferred out of my facility was because of my locker room, because after going to BK-5, after going to Q-1, after going to Bronx 2, Bronx 10; go to Q-2, where like Cassandra says, the desk is right here; the bathroom is right here. Good luck; okay. And it's gotten to the point where like I said, you know what Harry said, 30 years, it's time for everybody to catch up, you know, and in some of the facilities, like I said, it's disgusting. BK-5, I explained to someone the other day, looks like their bathroom was put together like an erector set; insert part A in part B and hope the wind doesn't blow it down, you know, but it's disgusting, it's you know. And I told Harry one of the reasons I particularly stayed at five was because of the female facilities available to me. You know and I mean I've had little issues with the shower dripping and you know, where I have to get stuff fixed and you know; I think some of the buildings are put up like, here's how not to put up a building, but you know what, that's totally different, you know bag, but they definitely need improvement. Like I said, one of

2 the... I work at Q-5; I actually live closer to the
3 Queens East garages; I will not transfer to the east
4 because I have seen some of their facilities. I do
5 not wanna be one of those women that have to walk two
6 garages away after picking up garbage, 'cause I'm
7 behind the truck, you know 98-degree weather and I'm
8 sweating, so all I... [crosstalk]

9 CHAIRPERSON REYNOSO: So it's like...

10 NORMA RAMOS: wanna do when I get
11 upstairs is peel my clothes off and be able to take a
12 shower and... [crosstalk]

13 CHAIRPERSON REYNOSO: Absolutely. So
14 it's almost like... it's almost like indirect hazing at
15 some point, because what you're doing is that -- and
16 by the way, we're gonna probably have the largest
17 increase in female sanitation workers in this hiring
18 sector... [crosstalk]

19 NORMA RAMOS: I saw that, yeah.

20 CHAIRPERSON REYNOSO: and what we're
21 saying to all of those women is that if you don't
22 have seniority, you're probably gonna be in these
23 terrible facilities... [crosstalk]

24 NORMA RAMOS: Exactly.

25

2 CHAIRPERSON REYNOSO: and this is what
3 you're gonna have to deal with, so... [crosstalk]

4 NORMA RAMOS: Exactly.

5 CHAIRPERSON REYNOSO: it's like
6 unintentionally doing it through the city, but if we
7 don't start dealing with the situation it's gonna be
8 a big problem.

9 NORMA RAMOS: I mean in my facility, like
10 I said, I do have one of the... [crosstalk]

11 CHAIRPERSON REYNOSO: And... I'm sorry, and
12 I wanna be clear that when I said -- I'm saying the
13 City is indirectly hazing; not you guys; I'm saying..
14 [crosstalk]

15 NORMA RAMOS: Right. Right. Right.

16 CHAIRPERSON REYNOSO: they're putting us
17 in a position where the people that come in new are
18 gonna be dealing with the most deplorable conditions
19 and I don't necessarily think that that's what we
20 wanna present to them.

21 NORMA RAMOS: You know I was telling --
22 like I said, mine is a newer one; I have -- and I'm
23 the only female in my garage, okay, but if there were
24 five of us, everyone would stand on line waiting; we
25 have one plug and one big locker room for what was

2 supposed to be maybe 10-20 women, you know. But I
3 could see us all now lining up who's gonna get to do
4 their hair first and who's gonna, you know, one plug;
5 if I have something plugged in there I can't plug
6 anything else in without it, you know, short-
7 circuiting everything, you gotta reset the circuit
8 breakers, you know, things like of that na... and like
9 I said, I'm fortunate 'cause I'm the only one, but if
10 there were more than, you know, five, six, seven of
11 us, it would be an issue also as far as, you know,
12 the showers working correctly and what not and like I
13 said, five women trying to blow-dry their hair at one
14 time... [laugh]

15 CHAIRPERSON REYNOSO: Right. What about...
16 [crosstalk]

17 NORMA RAMOS: Talk to the ladies you work
18 with, they'll tell you. [laugh]

19 CHAIRPERSON REYNOSO: What about -- Is
20 there a difference between the facilities that the
21 men use to the facilities that the women use..
22 [crosstalk]

23 NORMA RAMOS: Well the men's... in my
24 particular garage the men's, of course, is a lot
25 larger. Yeah, they do have I guess more outlets and

2 more -- you know, because like until I came to Q-5,
3 they never had a woman in Q-5, you know, there was no
4 one in my garage, so I kinda broke the guys in on
5 five, but you know like I said... [interpose]

6 CHAIRPERSON REYNOSO: But there was a
7 facility for you, even though there were no... there
8 were no women... [crosstalk]

9 NORMA RAMOS: There was a facility for
10 women, but there were no women that... [crosstalk]

11 CHAIRPERSON REYNOSO: You would think...

12 NORMA RAMOS: just gotten built.

13 CHAIRPERSON REYNOSO: So you would think
14 a facility that's unused would be brand new.

15 NORMA RAMOS: Yeah, you would.

16 CHAIRPERSON REYNOSO: Okay.

17 NORMA RAMOS: [laugh]

18 CHAIRPERSON REYNOSO: So... but...

19 [crosstalk]

20 NORMA RAMOS: You would.

21 CHAIRPERSON REYNOSO: and so in your
22 garages or in the -- I'm gonna go to the new person
23 here, to the rookie. In the garages that you've
24 been, do you tend to be one of the only women in the
25 facility or are there like a very small amount of

women and do you see a difference between the men's facilities and the women's facilities or are they just bad across the board; it doesn't really matter who you are; if you're a sanitation worker, you're gonna get a terrible facility...? [crosstalk]

CASSANDRA CANELO: I think... yeah, exactly; I think there just needs to be improvement on both. I haven't been into men's facilities... [laugh]

CHAIRPERSON REYNOSO: I'm sorry, guys.

CASSANDRA CANELO: but from what I hear, it's an ugly site in there also, so we're kind of all battling.

[background comments]

HARRY NESPOLI: Mr. Speaker... [background comments] You're aware of the fact that 7,000 women took the last test, so when they establish that list, you have to believe that the number that we're playing with now, 155, is gonna go up and [background comment] there are garages, 'cause I... there are garages that women have to turn around and actually go across the street for their facilities, [background comment] across traffic and everything if they want a women's facility. And I always offer my

2 help [background comment] to the department; if and
3 when this does go off, I'm gonna scope my contract
4 and look at it, 'cause I honestly feel that this
5 union has a say on where they should turn around and
6 start and if they're smart, I think that... we have
7 what we call a committee that can get together with
8 management and sit down and on the committee would be
9 women for the facility so that the junior person,
10 most junior person coming on the job can be put in a
11 location that has the women's facilities and the
12 men's facilities. So it's not only just getting the
13 money, it's directing the money in the right place.

14 CHAIRPERSON REYNOSO: Have you gone
15 through your contract negotiations with the Mayor's
16 Office already, Harry?

17 HARRY NESPOLI: I am so glad you brought
18 that up. [laugh, background comment] For the
19 record, we are working three-and-a-half years without
20 a contract; I spoke to Mr. Linn [sp?] and I'm going
21 to speak to this administration about my contract; I
22 would like to settle it up; I think I could settle it
23 up, but I need some more help from the other side of
24 the table.

2 CHAIRPERSON REYNOSO: Working conditions
3 has to be a part of it, and I would love for them to
4 grade these working conditions anything outside of an
5 F. [background comment] Yeah.

6 CASSANDRA CANELO: Okay, this is just to
7 give you guys an idea, because I'm sure you see
8 sanitation workers all the time, but you don't know
9 until you're really in it, because I didn't. When
10 you're working out there, you're having garbage juice
11 splash all over you; you have dogs passing urinating
12 on bags, so as you're throwing it in, it's coming on
13 your clothes, therefore it's staying on you for the
14 remainder of your shift; if you don't have a shower
15 back in your garage, it's not like you can go back to
16 your garage and change into a new uniform and feel
17 clean. There are so many conditions working in the
18 summertime and again, I've been here less than a
19 year, so I can imagine what they've been through;
20 working in the summertime and sweating outside and
21 then to come back and either have to go home in your
22 dirty uniform or to change into your clean clothes,
23 it's beyond disgusting, beyond. So just -- it's nice
24 when people can actually visualize what it is that we
25 have to go through and not just look at the general

2 idea that there's roaches and all these other things;
3 it's just disgusting altogether what we have to deal
4 with.

5 CHAIRPERSON REYNOSO: I'm gonna see if we
6 can get a tour with the Commissioner; Harry, if you
7 could host a tour to come [sic]; I'm gonna make a
8 request that we do a tour before the Executive Budget
9 comes up.

10 HARRY NESPOLI: Good, 'cause I was gonna
11 offer to the Council, anybody in their district, if
12 they would like to meet me in their district they
13 have a right to go into the garages, just to see what
14 we're talking about; I have no problem with that.

15 CHAIRPERSON REYNOSO: How's the Brooklyn
16 garage in Brooklyn North?

17 HARRY NESPOLI: Which one you want;
18 eight?

19 CHAIRPERSON REYNOSO: Williamsburg and
20 Bushwick.

21 HARRY NESPOLI: Bushwick, that's Brooklyn
22 East...

23 CHAIRPERSON REYNOSO: Yeah, but we call
24 it... [crosstalk]

25 HARRY NESPOLI: and I think Brooklyn...

2 CHAIRPERSON REYNOSO: sorry, we call it
3 Brooklyn North... [crosstalk]

4 HARRY NESPOLI: Well I think you should
5 come over and take a look at it...

6 CHAIRPERSON REYNOSO: Alright.

7 HARRY NESPOLI: Right? And we'll just
8 take a look at generally what the workforce...
9 [background comment]

10 CHAIRPERSON REYNOSO: Alright.

11 HARRY NESPOLI: the men also, what we're
12 working in.

13 CHAIRPERSON REYNOSO: Absolutely.

14 HARRY NESPOLI: They haven't put any
15 money into really garages in a very long time.
16 [background comments]

17 CHAIRPERSON REYNOSO: Well guys, I really
18 appreciate your testimony and your time here; I think
19 you guys -- you made your point very well and we're
20 gonna see where we go before Executive Budget, see if
21 we can see some differences and OMB step up and take
22 care of these issues. So thank you, Harry for your
23 testimony [background comment] and thank you so much
24 and stay strong; it hopefully gets better; [laughter,
25 background comments] I know for Miss Wilson, you've

2 been there for a long time, so you're like at this
3 point... [interpose]

4 LATOYA WILSON: It's not about me; I know
5 I won't see the changes in my career, but...
6 [crosstalk]

7 CHAIRPERSON REYNOSO: There you go.
8 Maybe...

9 [background comments]

10 LATOYA WILSON: for her and for all the
11 women [background comment] that are coming on who
12 took the test, 'cause I was encouraging women to take
13 the test... [crosstalk]

14 HARRY NESPOLI: Always. Always.

15 LATOYA WILSON: so when you don't have to
16 pick up garbage, just get on a job... [crosstalk]

17 CHAIRPERSON REYNOSO: Absolutely.

18 [background comment]

19 LATOYA WILSON: and you know it's not
20 about me, so hopefully these changes -- somebody can
21 do something.

22 CHAIRPERSON REYNOSO: We've still got you
23 for four years or something close to that, we'll see,
24 we'll see if we can get it done. We'll see.

25

[laughter, background comments] Alright. Thank you guys. [background comments]

Alright, so we're gonna call the folks from WE ACT, so Miss Tennant, Robin Hollington [sp?], Tina Johnson, Cecilia Davis and Jonathan Maribel [sp?]. After this we have one more panel and we're gonna be done. And thank you guys for your patience and waiting; we really appreciate it. [background comments]

[pause]

CHAIRPERSON REYNOSO: Alright guys, so... Alright. I'm pretty sure you guys have yourselves coordinated in some way, shape or form, so I don't know if you wanna start from left to right, from my left to right or your left to right; I'll give you guys the freedom to do as you wish.

[background comment]

CHAIRPERSON REYNOSO: Is it on, the mic on?

[background comments]

CHARLES CALLAWAY: Is it on now? Yes.

CHAIRPERSON REYNOSO: Get it closer to you, please. Thank you.

CHARLES CALLAWAY: Sorry 'bout that.

2 CHAIRPERSON REYNOSO: Thanks, sir.

3 CHARLES CALLAWAY: Hello, my name is
4 Charles Callaway; I'm the Senior Community Organizer
5 at WE ACT for Environmental Justice; we have sent you
6 a letter stating our issues where we want to talk
7 about the marine transfer station on 135th Street.

8 So I've just put a group of people from
9 the community together to express their concerns to
10 decommission the marine transfer station on 135th
11 Street and what we would like to see in the future.
12 So who would like -- I haven't had a particular
13 order, so actually...

14 TINA JOHNSON: I'll start.

15 CHARLES CALLAWAY: she'll start.

16 TINA JOHNSON: Good afternoon, members of
17 the Committee of Sanitation and Solid Waste
18 Management. My name is Tina Johnson and I'm the Vice
19 President of the Grant Houses Tenant Association. I
20 am here to speak about the decommissioning of the
21 West Harlem Marine Transfer Station and the rezoning
22 of the MTS for community use; therefore I
23 respectfully ask that you consider the following
24 recommendations on the subject.

2 I'm a lifelong member of the West Harlem
3 community, having been born and raised in the area;
4 I'm also the mother of three children who have also
5 been born and raised in the area; my children are
6 actually the fifth generation of my family being
7 raised in the neighborhood.

8 As lifelong residents, we have lived with
9 the many environmental hazards and problems that came
10 with it. Both my daughter and I suffer from chronic
11 health conditions that affect our breathing.

12 Decommissioning the MTS and rezoning it for community
13 use is an opportunity to create green jobs and
14 educational opportunities that can potentially
15 improve the environment in this community; it's an
16 opportunity for youth and neighborhood residents of
17 all ages to be engaged more productively in the
18 community.

19 In conclusion, rezoning the MTS is an
20 opportunity to bring a green space in the form of
21 jobs and educational opportunities to mitigate past
22 wrongs concerning the health of the West Harlem
23 community. Thank you for your time and attention.

24 [background comments]
25

2 JONATHAN MARIBEL: Good afternoon,
3 Committee on Sanitation and Solid Waste Management.
4 My name is Jonathan Maribel and as a millennial who
5 was born and raised in New York City, I am part of a
6 universal collective that holds the future of New
7 York City in its collective hands.

8 For too long our communities of color
9 have been the recipients of undesirable
10 infrastructure that are a part of our city's fabric,
11 such as our city's waste transfer stations and also
12 sewage treatment plants. For too long we have been
13 forced to bear the burdens of environmental
14 degradation and sacrifice our health for the sake of
15 our city's function. The fact that diseases such as
16 asthma and cancers are more prevalent in our
17 communities of color than in other communities served
18 is mere testament of this fact.

19 For too long the City has placed
20 nuisances in our back yards without regard for who is
21 affected and our voices of descent have been drowned
22 out by the more affluent and powerful.

23 The closing of the marine transfer
24 station was a victory not only for West Harlem, but
25 also for New York City as a whole. The original

siting of the MTS in Harlem demonstrated inexcusable discrimination against the people of Harlem on account of their income and race, but the closing of the MTS was a victory for justice. There are more battles to be fought in this war for equal rights and environmental justice, but right now we need to decommission the marine transfer station, right now it stands as an open sore of injustice brought upon our communities, but especially West Harlem right now that needs to be healed. Right now plans for uses and remodeling that would enhance West Harlem present multiple opportunities that can help build up this community, yet right now these opportunities are rotting away with every piece that falls off the marine transfer station structure as it stands now. By decommissioning the marine transfer station you can help heal this sore of environmental injustice, by decommissioning the marine transfer station you can give us the power to reclaim this part of our neighborhood which for so long has suffered and sacrificed so much for this city. By decommissioning the marine transfer station you would allow us to utilize the structure for a purpose that we as the community and as New Yorkers would be proud to call

our own as we move into a more equitable and sustainable future. The time for inaction is over and the time to decommission the marine transfer station is now. Thank you for your time.

CHAIRPERSON REYNOSO: Thank you for your testimony, sir. Good job.

CECILIA DAVIS: Good afternoon Committee Council Members. My name is Cecilia Davis; I've been a Harlem resident for 15 years; I have two children and I am a member of WE ACT. I enjoy going to the West Harlem piers to read my books and to watch the children shows that they have every summer. I realize that the marine transfer station has been closed since 2004 and as a WE ACT member I support the decommissioning of the MTS so we can make better use of the space for our community, like building green gardens, practicing hydroponics and aquaculture, or operating a waterfront environmental center or managing a farmer market. An urban farm would provide more fresh fruits and vegetables or a science barge project would be an excellent educational resource for our youth.

2 I ask that you stand with us on this
3 initiative as we work to make better use of the
4 facility so it doesn't just sit and rot away.

5 I'm providing my testimony today, urging
6 the Committee on Sanitation and Solid Waste
7 Management to decommission the MTS from Sanitation
8 Department to the New York City Parks Department. I
9 strongly believe the process will foster greater
10 benefits to the community. Thank you.

11 ROBIN HOLLINGTON: Good afternoon; I'm a
12 member of WE ACT, my name is Robin and I'm here to
13 speak about the 135th -- thank you -- Marine Transfer
14 Station. I live in the community with my children
15 for 15 years; we are frequently going down to the
16 park for peace, sightseeing and other regular [sic]
17 activities. As I understand, the MTS has been
18 wasting away since 2004; this is important to me
19 because it could be put to better use for my
20 community to be proud of and to create jobs and to
21 afford green markets. I urge you, the Committee of
22 Solid Waste material -- sorry -- to help with the
23 process of decommissioning the MTA [sic] and put it
24 to better use for the next generations to come.

25 [background comment]

2 ORONDE TENNANT: Good afternoon Committee
3 members; my name is Oronde Tennant and I'm a member
4 of WE ACT, a long-time Harlem resident and I'm a
5 graduate student at the CUNY School of Professional
6 Studies and the Murphy Institute. I'm also the
7 Co-Founder and former President of WE ACT at City
8 College, where I did my undergraduate studies and WE
9 ACT at City College is a student out-growth of WE ACT
10 for Environmental Justice, which is the for impact
11 organization based in Harlem that has been advocating
12 for the decommission process of the MTS for some time
13 now and since 2009 WE ACT, Manhattan Community Board
14 9 and WE ACT at City College continue to advocate to
15 expand the 135th Street MTS into a recreational
16 waterfront facility and boathouse.

17 I'm here today to ask that the City
18 Council support the transformation of the 135th
19 Street Marine Transfer Station into a publicly
20 beneficial waterfront facility for the West Harlem
21 Community. Through a community vision process
22 participants work together to develop the following
23 guidelines for redevelopment; I was actually a part
24 of that process and we have come up with
25 opportunities for recreational purposes and community

job development through restaurants, fitness and ecological educational classrooms; we want the redevelopment to be consistent with the 197-A Plan adopted by Community Board 9; we ask that you work to ensure that the intended reuses of the MTS are compatible with the zoning regulations, connect to public transit access and expand existing bus routes in the area, improve on-water access to the Hudson River, install street-side handicap accessible ramps which connect the MTS.

I'm here to also ask that the risk increased by the 135th Street MTS operations is not reintroduced into surrounding neighborhoods. So we can accomplish this goal by adhering to sustainable practices, such as installing solar panels to generate and supply the structure with solar electricity, explore the potential for wind energy from the Hudson River, develop a storm water collection system, construct green walls and green roofs on the building and develop an aquaponics system or center there.

Giving your role as City officials of the Sanitation Committee, we seek your full support on the completion of the decommission process which is

currently limiting our community from moving forward with its visions for a sustainable building that is clean and accessible. Thank you for listening to all our testimonies today.

[background comment]

CHAIRPERSON REYNOSO: Thank you guys; I just wanna say [background comment] a couple of things. So the SWAMP plan that was passed a while back, we made sure that equity was a big part of it and there is an effort actually to move the 91st Street Transfer Station and reopen the 135th Street one and it was the EJ community, or the environmental justice community that said absolutely not; that's what we continue to do is burden poor communities and communities of color; that's not where we're gonna do it. So just to know that the first step there was making sure that you didn't open up the 135th Street Transfer Station. What we wanna do is have a conversation because this is I think a lot more complicated than being able to respond here as to how committed this Committee or I can be in regards to my boys in **Troy Ave** color is all about the money; it's a lot of money what you're asking for; I think it would be great to possibly consider decommissioning this

and having EDC look at it and see what they can possibly do here, so I wanna start those conversations with you guys and see if we could sit down, have a conversation, talk about what process you guys wanna implement, and I also need to talk to the Department of Sanitation to see what they have in mind for this site, because it could be a lot different than what we're thinking and it could be something that's positive, but we don't know yet, so maybe engaging in those conversations.

I do wanna ask; what have you guys done so far; is this the beginning of this movement and environmental justice movement is one thing, but actually planning is a whole different one, so I just wanna know where you guys are.

CHARLES CALLAWAY: Alright. Once again, my name is Charles Callaway. We have done a lot of work on the MTS; we've had a couple of community surrets [sp?] around it; as you can see in the booklet, we have formed a booklet just telling you everything we've done. We have a working group meeting from the community; we also have a steering committee of people who are experts around marine stuff, experts of rebuilding, redeveloping, planners,

we have planners on our committee; we've also looked at it as -- we know it's a huge project we're undertaking, but we think that we are able to do it with the community's support and the City Council's support, so that's where we're at. So we understand this is going to be a long process, but we hope it is not too long. We're definitely looking in the -- within the next 10 years, so we understand that part. Actually WE ACT was a group that helped build the West Harlem Piers Park that took 10 years of planning; we've also built the first lead green bus depot, 146th Street and Lexington Avenue, the Mother Clara Hale Bus Depot, we're also involved in that and took the lead on that, so we understand the process, we just need to -- the first step is making sure that it gets decommissioned and we have been in talks with Department of Sanitation, Garcia and her assistant, Gregory Anderson and they have discussed to us just today, 'cause I saw them this morning, when we were here, that they have two more parts to decommission it. But we just wanna make sure that you're aware of what we're doing; that way we're all on the same page and yes, we would like to meet with you another time where we have renderings and drawings of stuff that

2 we have created from the Pratt Institute; we have a
3 couple of people who aren't here, we have an
4 environmental engineer who is not here; she has her
5 testimony there, and a couple more people that you
6 can look over and look at the testimonies.

7 CHAIRPERSON REYNOSO: Alright. Well
8 thank you guys for that and I will see if we can set
9 something up. Who's your Council Member?

10 CHARLES CALLAWAY: Mark Levine.

11 CHAIRPERSON REYNOSO: Alright; he's a
12 good guy; right...? [crosstalk]

13 CHARLES CALLAWAY: And we also have been
14 in talks with Gale Brewer, our Borough President, so
15 they have supported us... [crosstalk]

16 CHAIRPERSON REYNOSO: Are they... have they
17 verbally supported this effort?

18 CHARLES CALLAWAY: Yes.

19 CHAIRPERSON REYNOSO: Okay, good. Good.
20 So we'll see where we can go from there and I'll also
21 talk to them and see if I could be helpful. But
22 thank you guys for your testimony; really appreciate
23 it. Really good job, thank you... [crosstalk]

24 CHARLES CALLAWAY: Thank you very much...
25 [crosstalk]

TINA JOHNSON: Thank you for listening.

CHAIRPERSON REYNOSO: Yeah, and I could only imagine that Mark Levine wants to see this turned into a park, [laughter] as Parks Chair. But thank you guys.

[background comments]

CHAIRPERSON REYNOSO: Our final panel --

[background comments] it's gonna be Vandra Thorburn, Joseph Emm [sp?], Eric Bruzaitis; is Eric here?

[background comment] Alright, there he is, Brad Taylor and Greg Todd. This is the final panel and I just wanna say, these are... we give out gold stars in the Council now; you guys will receive the gold stars for your patience; these things are always long and I really appreciate the folks that we call last sticking around. [pause] Alright. These guys are all over the city. You guys are from all over the city of New York, so this is a good little group here. So I don't know if you guys wanna go from... let's go from this side down this way. So we're gonna go this way; is that good?

BRAD TAYLOR: Yeah. Thank you very much, Chair. My name is Brad Taylor and I'm actually speaking on the marine transfer station as well. I'm

a member of Community Board 9 and the marine transfer station is in our district; I'm speaking for myself, but I will just back up what WE ACT said, that we've been working closely with WE ACT on this project for many, many years.

I've lived for 22 years in the Manhattan Community Board 9 District, comprising of the West Harlem neighborhoods of Hamilton Heights, Manhattanville and Morningside Heights and served on my local Community Board for close to nine years. I and a number of local residents who you've just heard, are here to seek your assistance in getting the Department of Sanitation to complete the decommissioning of the West Harlem marine transfer station.

The West Harlem waterfront is one of the most cherished features of our part of the city; unfortunately our waterfront has been littered with more than our fair share of the environmental burdens, including the massive North River Sewage Treatment Plant, which takes up, by the way, almost a half-mile of our beautiful Hudson waterfront. We've got numerous MTA bus depots, a large DOS stockpile of salt and a major gas pipeline metering station that

1 serves much of Northern Manhattan, and last but
2 certainly not least, the Department of Sanitation's
3 marine transfer station on the Hudson River at
4 approximately West 136th Street.
5

6 Against this backdrop, the Community
7 Board and environmental groups such as WE ACT have
8 fought and continue to work towards a goal of
9 revitalizing and beautifying our waterfront; a major
10 success in this regard was the opening of the West
11 Harlem Piers Park in 2008. Our community's vision
12 extends to the revitalization of the MTS, which is
13 currently a blight on our waterfront.

14 And just to paint a picture here, this is
15 one of the few public facilities; there's a lot going
16 in this area and as you may know, Columbia's is
17 expanding into Manhattan and building a huge campus
18 and there are ideas about transportation hubs here;
19 it's gonna be a huge project going forward, but this
20 is a public facility and it could have a public
21 purpose and that's what we'd like to see.

22 So WE ACT and CB9 have held community
23 visioning sessions and drafted recommendations that
24 would truly transfer the MTS from treasure to trash.
25 What's needed now, and I realize this is a long

2 process, but we've gotta take this step by step;
3 what's needed now is for DOS to complete the
4 decommissioning of this station; it's been over 10
5 years since Mayor Bloomberg agreed that the MTS would
6 not be reopen, yet the decommissioning has dragged on
7 while the structure continues to deteriorate. I urge
8 the City Council in the strongest possible terms to
9 prioritize oversight of this project to ensure that
10 DOS completes this task promptly. The time for
11 action is now. Thank you for your time and
12 consideration.

13 CHAIRPERSON REYNOSO: Just wanted to ask
14 very quickly. You're saying completing the task;
15 have they started decommissioning other areas in and
16 around this site?

17 BRAD TAYLOR: My understanding is that
18 the decommissioning is almost complete; that there
19 was like one sticking point at the end of the
20 process... [crosstalk]

21 CHAIRPERSON REYNOSO: Okay.

22 BRAD TAYLOR: so I think we can push that
23 forward.

24 CHAIRPERSON REYNOSO: Alright. So thank
25 you very much for your testimony.

VANDRA THORBURN: Hi there [sic]. Thank you for having this opportunity to speak to you; my name is Vandra Thorburn and I'm the Founder and President of Vokashi Kitchen Waste Solution; it's a unique composting service in New York City; we use the Japanese method of fermenting food waste called Bokashi and we provide the necessary buckets and brand to help our subscribers collect and ferment all their food scraps, including items generally not accepted at traditional composting drop-offs, like meats, cheeses and processed food. Our service model is to collect and replace full buckets of fermented food waste and process at public and private gardens and green spaces.

Firstly, I'd like to really thank the Department of Sanitation's New York Compost Project for bringing together the many people involved in community composting initiatives last year. These efforts are described in their 2014 composting report which includes recognizing that five percent of the composting being done is using the Bokashi method; that's great news and an advance for the method, which I hope will encourage more people to use it, particularly in back yards and community gardens.

However, my appeal today is to make sure that the 2016 DSNY budget allows for ever greater support of community-based composting and recycling initiatives. Composting sites on Governors Island had added value in **Red Hook at Bigs** site under the Queensboro Bridge have all benefited for the last couple of years from DSNY's support.

So in fairness to other projects, I believe that DSNY needs to open up its process to RFPs so that similar efforts can be developed using a variety of technologies like anaerobic digesters, in-vessel systems, aerated static piles and as I'm demonstrating, extended trench and pit composting.

As you know, DSNY has a budget line just for the private carting and you referred to it, you asked how can we have got \$393 million that is going to the waste exporting and if you'll notice, that's gone up \$95,000 since 2013 and I have to say, in 2013 I came before a similar panel and I said, where's the RFP for us to bid in a certain sense for developing composting sites? So to see that another \$95,000 is going just to export this stuff, you know it burns a little and the -- So anyway, there is that **stuff** and the other thing I wanted to say about this is that

originally it was oh these are contracts, the waste export, it's all contracts, these are long-term contracts. Well what I'd like to know is, where is the long-term from in 2013, \$298,000; another \$95,000 has been added. So anyway... and I am the person that walks around New York City saying that's our pot of gold; that is the money that I think can and should be used to develop recycling initiatives, so when anybody says there's no money, it's right there. Okay.

And the other thing is... another point is to speak to the issue of sites. There is a huge DSNY lot at the corner of Nostrand Avenue and Flushing and as I understand the history, this site was to be used for a garage for sanitation trucks and salt but it never got built; it is now being rented to the school buses for their parking lot. But it's City property and it really can be and should be an ideal community composting and recycling center. So I'm really asking us to look at how we can reinvigorate not just the composting in communities, but also developing more comprehensive recycling efforts, and that would in fact -- so what I think I'm doing on the composting side I think can be done for, you know,

2 small businesses to help collect many more of the
3 materials, including the e-waste, but we want to have
4 a place where if we're going to collect this material
5 we can take it and in fact get some value for our
6 services.

7 CHAIRPERSON REYNOSO: Alright, thank...

8 VANDRA THORBURN: Thank you very much for
9 coming in; good to see you... [crosstalk]

10 CHAIRPERSON REYNOSO: Absolutely.

11 VANDRA THORBURN: Thanks.

12 CHAIRPERSON REYNOSO: Thank... Thank you
13 for your testimony as well. We know that -- we're
14 having conversations with the Sanitation Commissioner
15 in regards to siting of compost sites and we
16 eventually wanna be able to do this in a larger
17 scale... [crosstalk]

18 VANDRA THORBURN: Well I...

19 CHAIRPERSON REYNOSO: so it's something
20 that she's definitely interested in doing, but right
21 now she believes we have the capacity to handle it,
22 but again, a very local composting system is gonna be
23 very difficult to accomplish, right; we need to find
24 all the sites and so there's gonna be a couple
25 locations where this gonna be ... [crosstalk]

2 VANDRA THORBURN: Yes, sir... [sic]

3 CHAIRPERSON REYNOSO: real life... large
4 facility... [sic] [crosstalk]

5 VANDRA THORBURN: But I... let me just... can
6 I just say something on this? You know I'm using the
7 gold course and there is actually a lot of green
8 space around the golf courses; there are seven golf
9 courses in the Parks Department world, and we could
10 be taking ten tons of material at that site and
11 processing it a month easily; we could go even a
12 little higher, and I really want us to advocate for
13 smaller sites; the idea that Sanitation, which is oh,
14 we've gotta wait for a big... the big buck solution;
15 lets try and get as many smaller sites up and running
16 and then we'll see what a big buck solution should
17 be.

18 CHAIRPERSON REYNOSO: Absolutely. And I
19 do think that they are actually doing that right now;
20 I don't know if it's sustainable long-term, but I
21 think that they actually are moving towards like a
22 small site model right now... [interpose]

23 VANDRA THORBURN: Right.

24 CHAIRPERSON REYNOSO: so we'll see what
25 it looks like long-term... [crosstalk]

VANDRA THORBURN: Yes.

CHAIRPERSON REYNOSO: but I know that
it's definitely something we wanna do well, so..
[interpose]

VANDRA THORBURN: Well I would love them
to invite me to come and speak to them actually,
'cause I've been doing this now for three years and
we have the support of the golf course, which is
great and inside the parks as well too. And I also
wanted to call out and say thank you very much for
your help with BIC. So it did not go... [crosstalk]

CHAIRPERSON REYNOSO: We got a lot of...

VANDRA THORBURN: unnoticed that BIC is
looking... you know, so I've been very fortunate to
have you know my process sort of...

CHAIRPERSON REYNOSO: Yes.

VANDRA THORBURN: be on the radar, but
not attacked, as it were. [laugh] So we... we want..
we want... [crosstalk]

CHAIRPERSON REYNOSO: Yes, they... they
played... they played very nice.

VANDRA THORBURN: we want to really come
in again and share what we're doing in a way that
will bring us into the fold. Thank you.

2 CHAIRPERSON REYNOSO: Thank you. Thank
3 you very much; I appreciate it. Eric.

4 ERIC BRUZAITIS: Good afternoon.
5 Councilman, it's good to see you again; I'm here to
6 preach to the choir, coming from 34, but just a
7 couple items; I don't have any prepared testimony;
8 I'm just gonna hit a couple points. And to start off
9 with when the transcript gets around to your fellow
10 committee members and their staff, hopefully they
11 will hear that I am here in full support of 495, in
12 Intro 495; unfortunately I couldn't make the hearing
13 for that, but I want to express the support of
14 OUTRAGE, Greck [sp?] and also Community Board 1 in
15 Brooklyn for 495; hopefully that'll get voted on soon
16 and become the law in New York City.

17 I also wanna support Council Member
18 Lander's 209; the bag bill which, you know, I think
19 it's \$10 million that goes to... [interpose]

20 CHAIRPERSON REYNOSO: Twelve, \$12.5.

21 ERIC BRUZAITIS: Sorry, \$12 million that
22 is devoted to not only carting bags here and there,
23 but also pulling it out of recycling machines and the
24 litter problem that they create and hopefully that
25 money could go to the budget item, which is

2 enforcement, which is always OUTRAGE's pet peeve is
3 that there is not enough enforcement within the
4 Department of Sanitation; I know there are a lot of
5 challenges in Sanitation and you know having
6 enforcement officers is a burden in the larger
7 scheme, but a \$66,000 increase this year is... you
8 know, that's one staff person, hopefully, but you
9 know we need to have more enforcement and less
10 centralized, I guess, because like most of Brooklyn's
11 enforcement comes out of Coney Island and then
12 there's like one... you know so they really have to
13 travel far and it makes it difficult for them to do
14 proper enforcement instead of, you know, catching a
15 ticket for, you know, litter caught in my grate, you
16 know it could go to 115 tens [sic], which is
17 notorious waste transfer station for spewing garbage,
18 letting trucks queue, leaving their garage doors open
19 and things like that, so hopefully we can get more
20 money in the budget for enforcement in the future.

21 I'm happy to hear that North Shore is up
22 and running and hopefully Hamilton will be online
23 soon as well and also encouraged by curbside
24 composting; we'll have to see what the data shows on
25 that, but hopefully that'll also help reduce some of

the waste stream and put it to more beneficial uses. And on that as well, you know Waste Management now has the program where they're collecting waste and making slurry that's going to the digester eggs at the Greenpoint facility; there's a lot of open questions with that right now in terms of 250 tons a day, 18 more truck trips; even if Intro 95, I should say when Intro 95 becomes the law, you know we're still... Community Board 1 is still gonna bear the brunt of the city's waste hauling and you know 18 more trucks doesn't sound like a lot, but in the larger scheme those are trucks that are coming up to the Waste Management facility and then, you know, it's gonna be internal, right, because they're going from Waste Management, either Varick or... well they're both Varick; right, so and then over to the eggs. So hopefully there is an infrastructure fix or there's something that's gonna work itself out where that's not gonna be an additional burden for truck transportation in Community Board 1; be interested to see what the full data shows on that project and you know, because they are planning on expanding that, they're only a year-and-a-half into the pilot, so it'd be good to see what happens with that long-term.

2 And It's nice to be with Vandra, who in my other life
3 as a caterer, we use her services and hopefully more
4 businesses like Betty Brooklyn Catering will also use
5 those services as well and we produce maybe -- god, I
6 don't know, 50-100 pounds of compost a week that's
7 getting picked upon a regular basis and if more
8 restaurants and catering companies and other programs
9 used services like Vandra's, I think we'd go a long
10 way to reducing our waste burden in the city, so
11 thank you for the opportunity to testify.

12 CHAIRPERSON REYNOSO: Thank you. Thank
13 you. And we're hoping to get both 209 and 495 done...
14 495 before the end of this year, we're really trying
15 and we're making progress actually, so just to give
16 you a heads up, that the unions are starting to have
17 conversations with us regarding the feasibility of it
18 happening and we think we could get to a place where
19 we actually see a victory there and Hamilton is going
20 up and I think we lose about, I wanna say 7-900 tons
21 a day once that opens up, so I'm excited about
22 pushing that as well, so I really appreciate your
23 time here, Eric; always showing up for the community.
24 Just full disclosure; Eric represents OUTRAGE and
25 it's an organization in my district; I not only

2 represent it; of course I was born and raised in its,
3 so I'm definitely very fond of the work that you guys
4 are doing and thank you for looking out for the
5 community.

6 ERIC BRUZAITIS: Thank you for your
7 [background comment].

8 CHAIRPERSON REYNOSO: Thank you. Thank
9 you. Take care. Alright, you're the last man on
10 campus.

11 GREG TODD: Hopefully the last man
12 standing here. Yeah, I just wanna piggy back a bit;
13 something that Vandra mentioned -- I'm Greg Todd by
14 the way and I wanna thank Council Member Reynoso for
15 the opportunity to speak today. I'm gonna address
16 the site that she alluded to on the corner of
17 Flushing and Nostrand; also Warsoff, which we
18 affectionately refer to as Warsoff Wilds. Sanitation
19 has currently administered jurisdiction over a number
20 of publicly-owned lots in Brooklyn, and one of those
21 is 48 Warsoff Place and this particular lot, over an
22 acre in size, was seized by the City through eminent
23 domain in 1996; the intention was to build a
24 sanitation garage in a local community which lacks
25 such a facility; construction of the garage had

strong support. Now, almost 20 years later, no garage has been built; in 2013 a group of gardeners headed by Marissa Provenza and Oliver Lamb noticed the site on a list of vacant City-owned properties prepared by 596 Acres; this discovery led to a series of discussions with a local Council Member and Community Board 3, which led to nothing. In effect, the Community Board refused to even consider allowing gardeners to develop a garden on the site, even temporarily, citing their continued belief that Sanitation was about to build a long-awaited garage. They were separately advised by persons with knowledge of the Sanitation budget and its priorities that it was extremely unlikely they're probably building a garage in the foreseeable future. Amidst all this discussion, unbeknownst to anyone, the Department of Citywide Administrative Services leased the lot for use as a bus parking facility to service an adjacent community. This represent an egregious, very, I believe in the part of the City, to really consider uses of publicly-owned land that might benefit the community. A group of gardeners and composters are searching throughout the city for sites like Warsoff on which to develop a community-

based composting and gardening facility; the continued refusal of the City and the Sanitation Department to take it serious to look at a proposal is both frustrating and discouraging. At a time when the City-owned land is under pressure for housing development and when 17 existing gardens owned by the City are among those properties being threatened, we ask simply; is a parking lot really the best and highest use of 48 Warsoff Place? And we would just like to ask you to let us present a proposal to you for use of that site.

CHAIRPERSON REYNOSO: This is the garage for Community Board 3 that they were asking for.

GREG TODD: It's in Board 3, Community Board 3.

CHAIRPERSON REYNOSO: Right and this is the one we... so we wanna lose the trucks that we have parked underneath; I think the Williamsburg Bridge and we wanna move them over to Community Board 3, so we're very supportive of this project, but from the testimony I heard today from the Commissioner, is this something that they hope can be addressed at Executive Budget hearing? So in the next hearing, let's see if they add something to the budget that is

2 gonna start addressing that and this thing taken care
3 of. So I'll try to follow up with them; we're gonna
4 write them on response to this preliminary budget
5 hear and we're hoping they can answer all our
6 questions at the Executive Budget hearing and that is
7 definitely one of those top priorities, so we agree
8 100 percent in this Committee to make that happen.

9 So you guys waited this long; I really
10 wanna thank you guys again for everything you've
11 done, but I believe now that the Preliminary Budget
12 Hearing for Sanitation and Solid Waste is now over.
13 [gavel] Alright.

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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 10, 2015