



The City of New York
BUSINESS INTEGRITY COMMISSION
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Michael J. Mansfield
Commissioner/Chair

TRADE WASTE ADVISORY BOARD
MEETING MINUTES

Date: April 14, 2011
Time: 10:00 AM – 11:15 AM
Location: 100 Church Street 20th Floor, New York, NY 10007

NEXT MEETING: To Be Determined

Attendees:

Michael Mansfield	Commissioner/Chair – Business Integrity Commission
Ilene Chin	Deputy Commissioner for Operations – BIC
John Curry	Assistant Commissioner for Legal Affairs/ Acting General Counsel - BIC
Hector Serrano	Assistant Commissioner for Licensing – BIC
Stephen Verrelli	Chief Investigator – BIC
Chris Mahon	Lieutenant - BIC
Ira Spaner	Director of MIS - BIC
Matthew Gonzalez	Computer Analyst - BIC
Michael Mirabella	Attorney - BIC
Patricia Corrigan	Attorney - BIC
Damyon Filiberto	Filco Carting Inc.
John Isabella	Isabella City Carting Corp.
Dennis Gaeta	Gaeta Interior Demolition Inc
Ronald Bergamini	Action Carting Environmental Services Inc.
Andy Moss	IESI NY Corporation
David Biderman	National Solid Wastes Mgmt Association
Josh Knobloch	CitiWaste, LLC

Agenda:

1. Update on cardboard theft.
2. Second Avenue subway
3. Commission email notification implementation
4. 2011 Summer Streets Initiative
5. Customer Register

Attendees not present:

1. Ken Richards (Great Forest)

Discussion

Agenda

The Commissioner started the meeting by introducing John Curry to the board. As discussed at the previous board meeting, John Curry is taking over as Acting General Counsel for the Commission as Eric Dorsch has left the Commission for the private industry. He then went on to thank Ron Bergamini and John Isabella for giving a tour of their facilities to Deputy Mayor Steel.

Customer Register

The Commissioner explained that the Commission was working on the rate cap. He stated that to properly study the rate cap, the Commission needs accurate data from the customer register. He added that even if the rate cap was abolished, customer registers would still be required and carters would still have to report what they are charging customers. He then introduced Ira Spaner, Director of MIS, to discuss on the integrity of the customer register information.

Mr. Spaner stated that because the information submitted by carters is not clean, it is difficult to conduct analysis of the data. He stated that while one carter may have a complete and clean register, the disparities of a few carters' registers can cause major changes to the data calculations when it is being analyzed citywide. He showed a chart detailing the rate cap citywide as calculated using data from the carters customer register, and it showed major variances in values over the time period shown.

Mr. Spaner stated that while data has gotten better in terms of less blank fields in the customer data, the new focus is on the accuracy of the data being entered and submitted to the Commission. He stated that extraneous data in the fields affects the calculation of data. Some examples of information that affects the data are: stating tonnage, when the register asks for per 100 pounds (lbs.) and stating additional measurements that require numbers only (such as amount of waste). He stated that due to these issues, it is difficult to ascertain accurate information such as amount of waste collected and the rates charged.

To further illustrate the customer inaccurate information, Mr. Spaner pointed out that the compilation of the customer registers show that the carters pick up from about 130,000 customers. Whereas, Dun and Bradstreet reports has upwards of 250,000 businesses in the city.

After Mr. Spaner concluded his presentation, the Commissioner then asked the board what they thought of training sessions with the carters' customer register preparers to show them the proper way to fill out the register and what type of data goes in which fields. The board liked the recommendation. The Commissioner stated that he would look into this and come up with a viable schedule for this training initiative. He went on to explain that this will help get accurate and clean data to the Commission as it would help identify businesses that generate small amounts of waste and add it to DSNY's stream which is illegal, instead of doing business with a private carter.

Second Avenue Subway

The Commissioner then brought Michael Mirabella, an attorney with the Commission, to explain the current issue with waste pickup and the Second Avenue subway construction. Mr. Mirabella stated that the register data has been extremely helpful in who has been picking up within the vicinity of the Second Avenue subway project. He stated that BIC wants the industry's input on what may be the best method to properly dispose of waste, while also accounting for which waste belongs to which carter, and which waste is residential as opposed to commercial. One member of the board stated the only problem is when the MTA moves the barricades around, it hampers the system in place and that that is when the waste becomes unidentifiable as to who it belongs to or whether it is commercial or residential. This

member also stated that the pickup system is running smoothly and is better than when the project first started.

Email Notification System

Mr. Spaner then returned to present the Commission's email notification system to the carters. He stated that the Commission has initiated an email system on the Commission's website (<http://www.nyc.gov/bic>) that will send out notifications to the carters on various Commission issues such as directives, new laws, information, press releases, and other news. He then showed the board how to get to the email notification system.

The screenshot shows the homepage of the Business Integrity Commission (BIC) website. At the top, there is a navigation bar with links for Search, Email Updates, and Contact Us. Below this is a secondary navigation bar with links for Residents, Business, Visitors, Government, and Office of the Mayor. The main header features the BIC logo and the text 'THE CITY OF NEW YORK BUSINESS INTEGRITY COMMISSION'. A search bar is located on the left side. A vertical menu on the left lists various categories: Home, About BIC, Trade Waste, Markets, Gambling, Approved/Denied Companies, Forms, Rules & Regulations, Advisory Board Info, Employment, Press Releases, and Contact BIC. At the bottom of this menu is a 'TRANSLATE THIS PAGE' link. The main content area includes a photo of a car transfer station, a paragraph describing the BIC's mission, and a list of services provided. On the right side, there is a section for Michael J. Mansfield, Commissioner/Chair, with a link to his bio and more resources. A red box highlights the 'Sign up for Email Updates' link in the top right corner.

At the Commission website, click the highlighted link.

The screenshot shows the 'E-Mail Update Registration' form. The form is titled 'E-Mail Update Registration' and 'Subscribe to the BIC Newsletter'. It provides instructions on how to subscribe, including entering an email address, password, and zip code. There are two columns for registration: 'Registration' and 'Update'. The 'Registration' column has fields for Email Address, Password, Confirm Password, and Zip Code. The 'Update' column has fields for Email Address and Password, along with a 'Forget Password?' link. There are 'SUBSCRIBE' and 'CANCEL' buttons at the bottom of the form. A checkbox is checked, indicating a preference for HTML format when available.

Fill out the information, you may register as many people as you like. Then click Subscribe.

Summer Streets Initiative

The Commissioner then introduced Patricia Corrigan, an attorney with the Commission, to speak about the City's Summer Streets 2011 initiative.

Mrs. Corrigan explained that as part of the GreeNYC initiative, each summer the city is sponsoring Summer Streets. This takes place the first three Saturdays in August from 7:00AM to 1:00PM on each Saturday. Mrs. Corrigan then explained that streets will be closed to all traffic. She explained that she would like to improve communication of waste pickup before the event begins and that she will be communicating further as the event nears via letter. She asked for the board's input on the matter and they stated if it were possible to do a later street closure time to facilitate businesses that close later.

Cardboard Theft

The Commissioner then explained the Commission's status regarding its ongoing cardboard theft initiative. He stated that DSNY and BIC have teamed up in its latest effort and that since that partnership; the Commission and DSNY have impounded over 17 trucks engaged in cardboard theft city wide. In addition, the Commission has also issued 47 enforcement actions in regards to the cardboard theft initiative.

The Commissioner reiterated that the board should continue informing the Commission of any cardboard theft issues. He stated to call 311 and tell the operators of the cardboard theft issue so that it is routed to the Commission.

Miscellaneous

A question had been raised about the ability to charge a fuel surcharge for customers. The Commissioner stated that carters are not allowed to charge a fuel surcharge to any customer, and that they can only raise a customer's rate per cubic yard or per 100 pounds as long as it does not go above the rate cap.

Another question was raised about the validity of the grey carter stickers that some businesses still display. Hector Serrano, Assistant Commissioner for Licensing, stated that the grey sticker is still valid as long as it is not malformed or faded. If that is the case, then the sticker needs to be replaced.

The final issue of the meeting was that the carters' question of building management companies who function as brokers and charging tenants above the maximum rate for waste removal services. The Commission stated that they would look into the issue.

The meeting was adjourned at 11:15 AM.