



**The City of New York**  
**BUSINESS INTEGRITY COMMISSION**  
100 Church Street · 20th Floor  
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Daniel D. Brownell  
*Commissioner and Chair*

**Minutes of a Meeting of the  
Trade Waste Advisory Board**

Date and time: January 28, 2016 at 10:00 a.m.

Location: New York City Business Integrity Commission,  
100 Church St., 20th Floor, New York, N.Y. 10007

Attendees:

*Business Integrity Commission*

Daniel Brownell, Commissioner and Chair  
Noah Genel, General Counsel  
John Curry, Assistant Commissioner of Legal Affairs  
David Mandell, Deputy General Counsel for Regulatory Enforcement  
Santiago Mueckay, Policy Analyst (notes)

*Industry*

Ron Bergamini, CEO, Action Carting Environmental Services, Inc.  
Jessica Mayorga, Senior Director, NWRA  
Andy Moss, Assistant Secretary, IESI NY/Progressive Waste Solutions  
Thomas Toscano, CFO/CLO, Mr. T Carting Corp.  
Nino Tristani, Vice President, Five Star Carting, Inc.

Absent: John DiNardi, Michele Van Orden

BIC agenda items:

- 1) Rate Cap Increase
  - a. On October 30, 2015 the Business Integrity Commission held a rate cap hearing and collected written testimony regarding a possible increase to the rate cap.
  - b. In the near future, the Commission will seek to amend its rules through the CAPA process to increase the rate cap by 3.3% for both volume and weight.
    - i. The proposed increase would mean the rate cap would increase to \$18.87 per cubic yard of loose refuse (volume) and to \$12.38 per 100 pounds of refuse (weight).
    - ii. The Commission is currently going through the CAPA process to amend BIC's rules to reflect the rate cap increase.

- c. Commissioner Dan Brownell stated that the quality of the October 30, 2015 hearing and the written submissions were both very high.
  - d. The commissioner also stated that he would encourage the industry to see this as an ongoing conversation and further stated that once the new DSNY and BIC organics and recycling rules take full effect, he would be glad to discuss new rates based on the effect they may have on the industry.
- 2) Update on New Organics and Recycling Rules
- a. The Department of Sanitation and the Commission are engaged in ongoing conversations in order to review and promulgate the new organics and recycling rules. Both agencies are diligently working towards making sure both sets of rules match as seamlessly as possible.
    - i. Ron Bergamini shared an article ("City's Composting Program is a Mandate in Search of a Plan" by Norman Steisel, CityLimits, 21 January, 2016) which he believes summarizes the current issues that the city faces regarding organics collection.
    - ii. Nino Tristani made various comments regarding the current state of organics collection.
      - 1. He believes it is unfair to expect carters to collect organic waste by sending a third truck for organic waste pick up while also asking them to reduce truck traffic.
      - 2. He also stated that he doesn't know how the city plans to process organics with no end site for the collected organic waste.
- 3) Update on Zone Collection Study
- a. The City has hired BuroHappold Engineering as the consultant to take on the zone collection study.
  - b. The study is coming along and is expected to be completed by late spring.
  - c. The consultants are currently conducting interviews with carters and customers as supplementary information to the route data collected by the Commission.
    - i. Ron Bergamini stated the he had already been part of one these interviews and he thought the interview was very productive.
- 4) DOT Side Guard Project
- a. The Commission, the Department of Transportation and the Department of Citywide Administrative Services are introducing an incentive program for early adopters of truck side guards.
  - b. Licensed or registered carters who are in good standing with the Commission may apply to the Department of Transportation for a rebate for the installation of new side guards, subject to certain terms and conditions.
  - c. The new project plans to promote the goals of the Mayor's Vision Zero initiative.
  - d. More details will be emailed as soon as available but the Commission expects to hold an event in February to inform the industry about this new program.
- 5) Setting a Regular Date/Time for Trade Waste Advisory Board Meetings
- a. The Trade Waste Advisory Board will hold monthly meetings at 10:00am on the fourth Thursday of every month.
  - b. The meetings will take place at the Commission's office and are open to members of the Trade Waste Advisory Board.

Issues Raised by non-BIC TW Advisory Board members:

- 6) New Representative from NWRA
  - a. Steve Changaris will no longer be attending the Trade Waste Advisory meetings as he has taken a different position within NWRA.
  - b. Jessica Mayorga will be taking his place as a representative from NWRA on an interim basis.
- 7) Online Submissions of Customer Register
  - a. BIC hopes to introduce an online version of the customer register by the June 2016 submission date. The Commission is interested in working with carters to make sure the transition to the new online portal is as smooth as possible.
  - b. In general, the industry welcomes this change towards an online submission portal.
- 8) Length of Contracts
  - a. Various non-BIC members of the Trade Waste Advisory Board reiterated their desire for contracts that last longer than the current ones, which only last two years.
    - i. They believe the two year limit is antiquated and goes against the customer's needs.
  - b. They claim that the larger venues like arenas, hospitals, and large office buildings have been requesting longer contracts in order to be able to invest in the proper infrastructure (ex., compactors).
  - c. The Commission requested a written proposal from the industry to be discussed during the next Trade Waste Advisory Board meeting.