



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

TRADE WASTE ADVISORY BOARD
MEETING MINUTES

Date: September 23, 2010

Time: 10:20AM – 11:33 AM

Location: 100 Church Street 20th Floor, New York, NY 10007

NEXT MEETING: November 18, 2010, 10:00AM

Attendees:

Michael Mansfield	Chair – Business Integrity Commission
Ilene Chin	Deputy Commissioner for Operations - BIC
John Curry	Assistant Commissioner - BIC
Eric Dorsch	Deputy Commissioner for Legal Affairs / General Counsel - BIC
Sarah Nasir	Director of Audits - BIC
Peter Willumsen	Paralegal - BIC
Ken Richards	Great Forest Management Service
Amelia Marpman	Great Forest Management Service
David Biederman	National Solid Waste Management Service
Ronald Bergamini	Action Carting Environmental Services, Inc.
Andy Moss	IESI NY Corporation
Charles Rotante	Chambers Paper Fibers Corp.

Agenda:

1. Licensees acting as Brokers
2. DOT Container Permits

Attendees not present:

1. Michael Bass (J. Bass & Sons, Inc.)
2. Josh Knobloch (CitiWaste, LLC)
3. Dennis Gaeta (Gaeta Interior Demolition, Inc.)
4. John Isabella (Isabella City Carting Corp.)
5. Michael Milillo (Code Shred, Ltd.)

Discussion

Licensees Acting as Brokers

Representatives of Great Forest Management Services were introduced by Commissioner Mansfield to discuss the issue of licensees acting as brokers.

Commissioner Mansfield discussed the Commission's desire to ensure the continuing viability of the private trade waste hauling industry as well as to ensure a competitive and healthy market for hauling services. The Commissioner discussed a change in reporting requirements for audited financial statements as an example of reducing the burden on the industry.

The issue of licensees acting as brokers and sourcing out brokered services to themselves was raised by the Commissioner as part of a discussion on the continuing evolution and maturation of the industry. The notion of the possible viability of a business model built upon the above concept as well as the challenges to regulations that might arise from such a business was put to the Board for discussion. The issue was raised that there are many businesses which are seeking to have their environmental and waste needs assessed and the proper services provided. One solution proposed was to permit licensees to act as brokers and assess customer needs and then provide some or all of the assessed services. The need to ensure competitive pricing was raised as was the possibility that combined licensee/brokers might source remaining services to specific companies with which they had a pre-existing relationship to the possible detriment of the customer. The benefits of independent brokers providing independent analyses of customer service needs and advocating on behalf of consumers in seeking out the best prices for services was discussed. Issues of accuracy and standard metrics in waste stream analysis were examined and the possibility for customer benefits from standardization was discussed. The permitting a new class of licensee/broker with more stringent reporting requirements was examined as well as the possible corruption risks that might result from such a revocation of the separation between brokers and licensees. Protections for the consumer would arise from the ability to seek the lowest price for the suggested service. The question of why brokers are able to provide such dramatic savings for customers if price discovery can occur effectively was raised and timing in the pricing cycle and effects of the rate cap were mentioned.

Department of Transportation Permits

The new rules regarding the permitting of containers were discussed and the issue of DOT inspectors mistakenly issuing violations under the old rules was raised; but generally the implementation of the new rules was proceeding smoothly thanks to effective communication between DOT and the carters.

Discussion of Meeting Time

The meeting of was adjourned by the Commissioner at 11:35 a.m. with the next meeting to be held on November 18, 2010 at 10:00 AM.