

NYC - Business Integrity Commission
April 28, 2021

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THE CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION
COMMISSION MEETING
PUBLIC MEETING

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Date: April 28, 2021

Time: 2:03 P.M.

Held remotely

Via Teleconference

Vanessa Walker
Court Reporter

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A P P E A R A N C E S :

Business Integrity Commission
DAVID FELDMAN, Deputy Commissioner, General
Counsel

Business Integrity Commission
Commissioner: NOAH GENEL

Department of Sanitation
Commissioner: EDWARD GRAYSON

Department of Investigation
Commissioner: MARGARET GARNETT

Department of Consumer and Worker Protection
Commissioner: LORELEI SALAS

Small Business Services
Delegate: ANDREW SCHWARTZ, Deputy Commissioner,
representing Commissioner Jonnel Doris

New York City Police Department
Delegate: JOHN DUSANENKO, Captain, representing
Commissioner Dermot Shea

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MR. FELDMAN: Good afternoon, we are all on record. Today is April 28, 2021. The time is 2:03 P.M.

Welcome to today's meeting of the New York City Business Integrity Commission. We are conducting this meeting via telephone conference pursuant to 202.1 issued by Governor Andrew Cuomo permitting the attendance of public meetings telephonically under Article 7 of the Public Officers Law.

This is a public meeting which was duly noticed for today's date at 2 P.M., along with the dial-in information for the phone conference. This meeting is being audio recorded and the recording and meeting minutes will be posted on BIC's website in a timely manner following the conclusion of this meeting.

I am David Feldman, Deputy Commission of Legal Affairs and general counsel for the Commission and joined by the following commission members:

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Noah Genel, Commission and chair of the Business Integrity Commissioner; Department of Sanitation Commissioner Edward Grayson; Department of Investigation Commissioner Margaret Garnett; Department of Consumer and Worker Protection Commissioner, Lorelei Salas; Deputy Commissioner for Legal and Regulatory Affairs, Andrew Schwartz of the Department of Small Business Services representing SBS Commissioner Jonnel Doris; and Captain John Dusanenko with New York Police Department representing Commissioner Dermot Shea. Thank you all for being here today.

Today the Commission will consider an application which the Commission staff recommended be denied. Zeus Waste Management submitted a renewal application for a license to operate as a trade waste business. The applicant was served with a notice of the grounds to recommend the denial of their application. The applicant was advised

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that they had ten business days to submit a sworn written response to the Commission. The Commission did not receive a response from the applicant.

On April 26, 2021, we e-mailed the Commission members the recommended denial decision regarding the application at issue. There have been no material changes made to the recommended denial decision since then.

The Commission will now consider the recommended denial. The Commission members will vote as to whether or not to adopt the staff's recommendation to deny the application. A vote of yes is a vote to accept the staff's denial of recommendation. A vote of no is a vote not to adopt the recommendations.

The staff attorney in charge of the denial recommendation of Zeus Waste Management Inc. is associate commissioner of legal affairs David Mandell. The Commission staff have recommended denial of this application

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based on the following ground as duly set forth in the staff's recommendations.

George Kalergios, a principal of the applicant, has been convicted of committing recent criminal acts relating directly to the applicant's fitness for licensure in the trade waste industry.

Before we move on to voting on this denial decision, I ask that everyone state their name prior to speaking so the record can clearly attribute each vote or any questions or comments to the correct speaker. At this time, I ask that all of the commissioners and designees unmute their phones by pressing star six to participate in the voting process.

Do any of the commissioners or designees have any questions or comments regarding this application?

Is there a motion from the commissioner or designee to adopt the staff's recommendation?

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MS. GARNETT: Margaret Garnett, so moved.

MR. FELDMAN: Thank you. Is there a second?

MS. SALAS: Lorelei Salas, second.

MR. FELDMAN: I will be calling on each commissioner and designee to collect votes.

Commissioner Genel?

MR. GENEL: Yes.

MR. FELDMAN: Commissioner Edward Grayson?

MR. GRAYSON: Yes.

MR. FELDMAN: Commissioner Margaret Garnett?

MS. GARNETT: Yes.

MR. FELDMAN: Commissioner Lorelei Salas?

MS. SALAS: Yes.

MR. FELDMAN: Deputy Commissioner Schwartz?

MR. SCHWARTZ: Yes.

MR. FELDMAN: Captain John Dusanenko?

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Unable to hear Captain Dusanenko, you can press star six to unmute your phone. Captain John Dusanenko, are you able to hear and unmute your phone?

It appears that Captain John Dusanenko is having some technical difficulties. Let the record reflect that majority of the commissioners and designees is present and voted yes --

MR. DUSANENKO: Captain John Dusanenko is a yes. I don't know how I got disconnected. I apologize for that.

MR. FELDMAN: Let the record reflect that the vote is unanimous and that concludes the matters before the Commission.

The denial decision will note each commissioner and designees' vote today. Thank you to the Commission members for their participation and the members of the Commission staff on the hard work on these matters. And thank you all for any members of the public who attended this telephone meeting today. We are

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off the record at 2:10 P.M.
(Time noted: 2:10 P.M.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF KINGS)

I, VANESSA WALKER, a Notary Public for and within the State of New York, do hereby certify:

That the above is a correct transcription of my stenographic notes.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of April, 2021.

Vanessa Walker
Vanessa Walker

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