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THE CITY OF NEW YORK
TRADE WASTE COMMISSION
253 BROADWAY, 10TH FLOOR
NEW YORK, NEW YORK 10007

DECISION OF THE TRADE WASTE COMMISSION DENYING THE APPLICATIONS OF HOLLYWOOD CARTING CORP. AND SILVER STAR CARTING CORP. FOR LICENSES TO OPERATE AS TRADE WASTE BUSINESSES

Hollywood Carting Corp. ("Hollywood") and Silver Star Carting Corp. ("Silver Star") (collectively, the "Applicants") have applied to the New York City Trade Waste Commission (the "Commission") for licenses to operate as trade waste businesses pursuant to Local Law 42 of 1996. See Title 16-A of the New York City Administrative Code ("Admin. Code"), §§ 16-505(a), 16-508. Local Law 42, which created the Commission to license and regulate the commercial carting industry in New York City, was enacted to address pervasive organized crime and other corruption in the industry, to protect businesses using private carting services, and to increase competition in the industry and thereby reduce prices.

Local Law 42 authorizes the Commission to refuse to issue a carting license to any applicant that it determines, in the exercise of its discretion, lacks good character, honesty, and integrity. See Admin. Code §16-509(a). The law identifies a number of factors that, among others, the Commission may consider in making its determination. See id. §16-509(a)(i)-(x). These illustrative factors include the applicant's failure to provide truthful information to the Commission in connection with the license application. See id. §16-509(a)(i).

Because Hollywood and Silver Star are closely affiliated companies – sharing, among other things, principals, business premises, and employees –

their license applications are considered together. Based upon the record as to the Applicants, the Commission finds that Hollywood and Silver Star lack good character, honesty, and integrity, and denies their license applications, because, in sworn depositions in connection with those applications, two of the Applicants' principals made numerous materially false statements concerning the Applicants' business practices and the workings of the New York City carting industry prior to the enactment of Local Law 42. In essence, the Applicants, in the face of overwhelming evidence to the contrary, denied or professed ignorance of the carting industry cartel, the role played by the local trade associations (of which the Applicants were members) in enforcing the cartel's anticompetitive rules, and their own adherence to those rules.

I. BACKGROUND

A. The New York City Carting Industry

Virtually all of the more than 200,000 commercial business establishments in New York City contract with private carting companies to remove and dispose of their refuse. Historically, those services have been provided by several hundred companies. Beginning in the late 1950's, and until only recently, the private carting industry in the City was operated as an organized crime-controlled cartel engaging in a pervasive pattern of racketeering and anticompetitive practices. The United States Court of Appeals for the Second Circuit has described that cartel as "a 'black hole' in New York City's economic life":

> Like those dense stars found in the firmament, the cartel can not be seen and its existence can only be shown by its effect on the conduct of those falling within its ambit. Because of its strong gravitational field, no light escapes very far from a "black hole" before it is dragged back . . . [T]he record before us reveals that from the cartel's domination of the carting industry, no carter escapes.

Sanitation & Recycling Industry, Inc. v. City of New York, 107 F.3d 985, 989 (2d Cir. 1997) ("SRI") (citation omitted).

Extensive evidence presented at lengthy City Council hearings addressing the corruption that historically has plagued this industry revealed

the nature of the cartel: an entrenched anticompetitive conspiracy carried out through customer-allocation agreements among carters, who sold to one another the exclusive right to service customers, and enforced by organized crime-connected racketeers, who mediated disputes among carters. See generally Peter Reuter, Racketeering in Legitimate Industries: A Study in the Economics of Intimidation (RAND Corp. 1987). After hearing the evidence, the City Council found:

(1) "that the carting industry has been corruptly influenced by organized crime for more than four decades";

(2) "that organized crime's corrupting influence over the industry has fostered and sustained a cartel in which carters do not compete for customers";

(3) that to ensure carting companies' continuing unlawful advantages, "customers are compelled to enter into long-term contracts with onerous terms, including 'evergreen' clauses";

(4) "that the anti-competitive effects of this cartel have resulted, with few exceptions, in the maximum [legal] rates . . . effectively being the only rate available to businesses";

(5) "that businesses often pay substantially higher amounts than allowed under the maximum rate because carters improperly charge or overcharge for more waste than they actually remove";

(6) "that organized crime's corrupting influence has resulted in numerous crimes and wrongful acts, including physical violence, threats of violence, and property damage to both customers and competing carting firms";

(7) "that recent indictments have disclosed the pervasive nature of the problem, the structure of the cartel, and the corruption it furthers through the activities of individual carters and trade associations";

(8) "that unscrupulous businesses in the industry have taken advantage of the absence of an effective regulatory scheme to engage in fraudulent conduct"; and

(9) "that a situation in which New York City businesses, both large and small, must pay a 'mob tax' in order to provide for removal of trade waste is harmful to the growth and prosperity of the local economy."

Local Law 42, § 1.

The criminal cartel operated through the industry's four leading New York City trade associations, the Association of Trade Waste Removers of Greater New York ("GNYTW"), the Greater New York Waste Paper Association ("WPA"), the Kings County Trade Waste Association ("KCTW"), and the Queens County Trade Waste Association ("QCTW"), all of which were controlled by organized crime figures for many years. See, e.g., Local Law 42, §1; United States v. International Brotherhood of Teamsters (Adelstein), 998 F.2d 120 (2d Cir. 1993). As the Second Circuit found, regardless of whatever limited legitimate purposes these trade associations might have served, they "operate[d] in illegal ways" by "enforc[ing] the cartel's anticompetitive dominance of the waste collection industry." SRI, 107 F.3d at 999.

> The . . . 1986 [New York State] Assembly [Committee] report stated that no carting firm in New York City "can operate without the approval of organized crime." Hence, even the[o]se carters not accused of wrongdoing are aware of the "evergreen" contracts and the other associational rules regarding property rights in their customers'

> locations. The association members–comprising the vast majority of carters–recognize the trade associations as the *fora* to resolve disputes regarding customers. It is that complicity which evinces a carter's intent to further the trade waste association's illegal purposes.

Id.

In June 1995, all four trade associations, together with seventeen individuals and twenty-three carting companies, were indicted on enterprise corruption, criminal antitrust, and related charges as a result of a five-year investigation into the industry by the Manhattan District Attorney's Office and the New York Police Department. See People v. Association of Trade Waste Removers of Greater New York Inc., et al., Indictment No. 5614/95 (Sup. Ct. N.Y. Cty.) ("People v. GNYTW"). The defendants included capos and soldiers in the Genovese and Gambino organized crime families who acted as "business agents" for the four trade associations, as well as carters closely associated with organized crime and the companies they operated. Simply put, the carting industry's modus operandi, the cartel, was indicted as a criminal enterprise.

More carting industry indictments followed. In June 1996, both the Manhattan District Attorney and the United States Attorney for the Southern District of New York obtained major indictments of New York metropolitan area carters. The state indictments, against thirteen individuals and eight companies, were (like their 1995 counterpart) based upon undercover operations, including electronic surveillance intercepts, which revealed a trade waste removal industry still rife with corruption and organized crime influence. The federal indictment, against seven individuals and fourteen companies associated with the Genovese and Gambino organized crime families (including the brother and nephew of Genovese boss Vincent "Chin" Gigante), included charges of racketeering, extortion, arson, and bribery. See United States v. Mario Gigante et al., No. 96 Cr. 466 (S.D.N.Y.). In November 1996, the Manhattan District Attorney announced a third round of indictments in his continuing investigation of the industry, bringing the total number of defendants in the state prosecution to thirty-four individuals, thirty-four companies, and four trade waste associations.

The accuracy of the sweeping charges in the indictments has been repeatedly confirmed by a series of guilty pleas and jury verdicts. On October 23, 1996, defendant John Vitale pleaded guilty to a state antitrust violation for his participation in the anticompetitive criminal cartel. In his allocution, Vitale, a principal of the carting company Vibro, Inc., acknowledged that he turned to the trade associations, and specifically to Genovese capo Alphonse Malangone and Gambino soldier Joseph Francolino, to obtain their assistance in preventing another carter from bidding on waste removal services for a "Vibro-owned" building in Manhattan.

On January 27, 1997, Angelo Ponte, a lead defendant in the state prosecution and formerly the owner of one of the City's largest carting companies, pleaded guilty to attempted enterprise corruption and agreed to a prison sentence of two to six years and to pay $7.5 million in fines, restitution, and civil forfeitures. In his allocution, Ponte acknowledged the existence of a "property rights" system in the New York City carting industry, enforced by a cartel comprised of carters and their trade associations through customer allocation schemes, price fixing, bid rigging, and economic retaliation, for the purpose of restraining competition and driving up carting prices and carting company profits. His son, Vincent J. Ponte, pleaded guilty to paying a $10,000 bribe to obtain a carting contract to service an office building. Both defendants agreed to be permanently barred from the City's carting industry.

On January 28, 1997, Vincent Vigliotti became the fourth individual defendant to plead guilty to carting industry corruption charges. In addition, two carting companies and a transfer station run by Vigliotti's family under his auspices pleaded guilty to criminal antitrust violations. In his allocution, Vigliotti confirmed Ponte's admissions as to the scope of the criminal antitrust conspiracy in the City's carting industry, illustrated by trade association-enforced compensation payments for lost customers and concerted efforts to deter competitors from entering the market through threats and economic retaliation. Vigliotti agreed to serve a prison term of one to three years, to pay $2.1 million in fines, restitution, and civil forfeitures, and to be permanently barred from the City's carting industry.

On February 13, 1997, the KCTW pleaded guilty to criminal restraint of trade and agreed to pay a $1 million fine, and four individuals who were officers of or otherwise closely associated with the KCTW, as well as their affiliated carting companies, pleaded guilty to corruption charges. The

Brooklyn carters who were the KCTW's principal representatives -- president Frank Allocca and vice-president Daniel Todisco -- pleaded guilty to attempted enterprise corruption, as did Brooklyn carter Dominick Vulpis; each of their defendant companies pleaded guilty to criminal restraint of trade. Brooklyn carter and KCTW secretary Raymond Polidori also pleaded guilty to criminal restraint of trade, as did two related companies controlled by Polidori. These individual defendants agreed to pay fines ranging from $250,000 to $750,000, to serve sentences ranging from probation to 4½ years in prison, and to be permanently barred from the City's carting industry. The same day, Manhattan carters Henry Tamily and Joseph Virzi pleaded guilty to attempted enterprise corruption and agreed to similar sentences, fines, and prohibitions. All six defendants confirmed the existence of the criminal cartel and admitted to specific instances of their participation in it.

On February 24, 1997, defendants Michael D'Ambrosio, Robros Recycling Corp., and Vaparo, Inc. all pleaded guilty in allocutions before New York Supreme Court Justice Leslie Crocker Snyder. D'Ambrosio pleaded guilty to attempted enterprise corruption, and his companies pleaded to criminal antitrust violations.

On July 21, 1997, Philip Barretti, another lead defendant in the state prosecution and the former owner of the City's largest carting company, pleaded guilty to two counts of attempted enterprise corruption and agreed to a prison sentence of 4½ to 13½ years and to pay $6 million in fines, restitution, and civil forfeitures. Frank Giovinco, former head of the WPA, pleaded guilty to attempted enterprise corruption and agreed to a prison sentence of 3½ to 10½ years. Carters Paul Mongelli and Louis Mongelli also pleaded guilty to attempted enterprise corruption, and agreed to prison sentences of four to twelve and 3⅓ to ten years, respectively. All four defendants agreed to be permanently barred from the City's carting industry. On the same day, Philip Barretti, Jr. and Mark Barretti pleaded guilty to an environmental felony and commercial bribery, respectively, and agreed to be sentenced to five years probation. The Barretti and Mongelli carting companies also pleaded guilty at the same time. A few days later, the WPA pleaded guilty to criminal restraint of trade.

In the federal case, on September 30, 1997, Thomas Milo, a Gambino family associate, and his company, Suburban Carting, among others, pleaded guilty to federal charges of conspiracy to defraud the United States and to

make and file false and fraudulent tax returns, and, respectively, to defraud Westchester County in connection with a transfer station contract and to violate the Taft-Hartley Act by making unlawful payments to a union official. In their allocutions, Suburban and Milo admitted that one objective of the conspiracy was to conceal the distribution of cartel "property rights" profits by engaging in sham transactions.

The pleas of guilty to reduced charges by the state defendants took place in the context of an ongoing prosecution of the entire enterprise corruption conspiracy, in which testimony had begun in March 1997. The remaining defendants were the GNYTW, Gambino soldier Joseph Francolino and one of his carting companies, Genovese capo Alphonse Malangone, and two carting companies controlled by defendant and former QCTW head Patrick Pecoraro (whose case, together with the case against the QCTW, had been severed due to the death of their attorney during the trial). On October 21, 1997, the jury returned guilty verdicts on enterprise corruption charges – the most serious charges in the indictment – against all six of the remaining defendants, as well as guilty verdicts on a host of other criminal charges. On November 18, 1997, Francolino was sentenced to a prison term of ten to thirty years and fined $900,000, and the GNYTW was fined $9 million. On January 12, 1998, Malangone was sentenced to a prison term of five to fifteen years and fined $200,000.

On January 21, 1998, Patrick Pecoraro pleaded guilty to attempted enterprise corruption and agreed to serve a prison sentence of one to three years, to pay a $1 million fine, and to be barred permanently from the City's carting industry. On the same day, the QCTW, of which Hollywood and Silver Star were both members, pleaded guilty to a criminal antitrust violation and agreed to forfeit all of its assets. Numerous other guilty pleas followed. On December 21, 1999, all of the guilty verdicts were affirmed on appeal. See People v. GNYTW, 701 N.Y.S.2d 12 (1st Dep't 1999).

In sum, it is far too late in the day for anyone to question the existence of a powerful criminal cartel in the New York City carting industry. Its existence has been proven beyond a reasonable doubt. The proof at trial also established conclusively that the cartel which controlled the carting industry for decades through a rigorously enforced customer-allocation system was itself controlled by organized crime, whose presence in the industry was so pervasive and entrenched – extending to and emanating from all of the industry's trade associations, which counted among their collective

membership virtually every carter – that it could not have escaped the notice of any carter. These criminal convictions confirm the judgment of the Mayor and the City Council in enacting Local Law 42, and creating the Commission, to address this pervasive problem.

B. Local Law 42

Upon the enactment of Local Law 42, the Commission assumed regulatory authority from the Department of Consumer Affairs (the "DCA") for the licensing of businesses that remove, collect, or dispose of trade waste. See Admin. Code §16-503. The carting industry immediately challenged the new law, but the courts have consistently upheld Local Law 42 against repeated facial and as-applied constitutional challenges by New York City carters. See, e.g., Sanitation & Recycling Industry, Inc. v. City of New York, 928 F. Supp. 407 (S.D.N.Y. 1996), aff'd, 107 F.3d 985 (2d Cir. 1997); Universal Sanitation Corp. v. Trade Waste Comm'n, 940 F. Supp. 656 (S.D.N.Y. 1996); Vigliotti Bros. Carting Co. v. Trade Waste Comm'n, No. 115993/96 (Sup. Ct. N.Y. Cty. Dec. 4, 1996); Fava v. City of New York, No. CV-97-0179 (E.D.N.Y. May 12, 1997); Imperial Sanitation Corp. v. City of New York, No. 97 CV 682 (E.D.N.Y. June 23, 1997); PJC Sanitation Services, Inc. v. City of New York, No. 97-CV-364 (E.D.N.Y. July 7, 1997).

Local Law 42 provides that "[i]t shall be unlawful for any person to operate a business for the purpose of the collection of trade waste . . . without having first obtained a license therefor from the [C]ommission." Admin. Code §16-505(a). After providing a license applicant with notice and an opportunity to be heard, the Commission may "refuse to issue a license to an applicant who lacks good character, honesty and integrity." Id. §16-509(a). Although Local Law 42 became effective immediately, carting licenses previously issued by the DCA remained valid pending decision by the Commission on timely filed license applications. See Local Law 42, §14(iii)(a). The Applicants hold DCA licenses and timely submitted license applications to the Commission.

As the United States Court of Appeals has definitively ruled, an applicant for a carting license under Local Law 42 has no entitlement to and no property interest in a license, and the Commission is vested with broad discretion to grant or deny a license application. SRI, 107 F.3d at 995; see

also Daxor Corp. v. New York Dep't of Health, 90 N.Y.2d 89, 98-100, 681 N.E.2d 356, 659 N.Y.S.2d 189 (1997).

II. DISCUSSION

Hollywood and Silver Star each filed a license application with the Commission on August 30, 1996. The Commission's staff conducted an investigation of the Applicants. On March 24, 2000, the staff issued a 20-page recommendation that the applications be denied. On April 12, 2000, the Applicants submitted an 11-page response to the recommendation. See Affidavit of Victor Ferrante, sworn to April 10, 2000 ("Response"). The Commission has carefully considered both the staff's recommendation and the Applicants' response. For the reasons set forth below, the Commission finds that the Applicants lack good character, honesty, and integrity, and denies their license applications.

A. The Applicants

Hollywood and Silver Star are Queens-based carting companies, owned and operated by the widow and two sons of Vito Ferrante, who died in 1983. Upon his death, his widow, Phyllis Ferrante, became the owner of the two companies, and his sons Vincent (DOB 5/15/61) and Victor (DOB 7/29/62) took over the management of the companies. In 1991, Phyllis Ferrante transferred her interest in Silver Star to the two sons. According to the license applications, Victor Ferrante is the president of Silver Star and one of Hollywood's two general managers, and Vincent Ferrante is Silver Star's secretary/treasurer and the other general manager of Hollywood. Both men are principals of both companies within the meaning of Local Law 42. See Admin. Code § 16-501(d).[1]

The Applicants' customers, which number more than 2,500, are located principally in the Astoria, Woodside, Corona, Jackson Heights, and Flushing areas of Queens. The Applicants are located at the same business premises, 41-08 Berrian Boulevard in Astoria; they share the same telephone number, (718)274-8769. Not only their principals, but also their employees,

[1] Victor Ferrante asserts that he has never been a principal of Hollywood. See Response ¶ 1. However, as a general manager of the company, he plainly "participat[es] directly or indirectly in the control of" Hollywood and, therefore, is a principal of the company under Local Law 42. Admin. Code § 16-501(d); accord Transcript of Deposition of Victor Ferrante on February 18, 1998 ("1998 Victor Tr."), Vol. 1 at 7 ("my responsibilities [at Hollywood] are basically running the daily operations of the business").

are virtually identical. For example, they share the same bookkeeper, the same two collectors, the same sales representative, the same six salespersons, the same mechanic, and two of the same drivers. Under the circumstances, it is clear that these two companies are closely affiliated and that their license applications should be considered together. The Applicants have not objected to this approach.

Hollywood and Silver Star were both members of the QCTW from at least the early 1980's to May 1996, when they resigned – nearly one year after the QCTW was indicted on enterprise corruption charges. Victor Ferrante regularly attended membership meetings at the QCTW during that period. In the early 1990's, he was selected as an alternate member of the QCTW's board of directors, although he claims never to have actually served on the board. See Hollywood Lic. App. at 60; Silver Star Lic. App. at 58.

B. The Applicants' Principals' False Sworn Statements in Connection with the Staff's Investigation of the Applicants

The staff's investigation of Hollywood and Silver Star included depositions of two of the Applicants' principals, Vincent Ferrante and Victor Ferrante. Each was deposed twice. Victor Ferrante was deposed on February 19, 1998 and on February 24, 2000; Vincent Ferrante was deposed on February 19, 1998 and on February 25, 2000.[2]

As demonstrated below, during their depositions Victor and Vincent Ferrante each made numerous materially false and misleading statements in response to questions posed by the staff. Those statements pertained to matters fundamental to the staff's investigation of whether the Applicants have the good character, honesty, and integrity required for licensure in the City's carting industry. The Applicant's principals testified falsely about, among other things, their companies' business practices, the workings of the cartel, and the Applicants' adherence to its rules. Their false statements were so frequent and pervasive that, taken as a whole, they reflect a deliberate, concerted attempt to lie about the Applicants' knowledge of and

[2] After the February 1998 depositions, the staff advised the Applicants' attorney that, in the staff's view, Victor and Vincent Ferrante both had been deliberately evasive and untruthful in their sworn testimony on a number of material issues. In February 2000, the Ferrantes were deposed again. This decision relies principally upon their testimony in the second round of depositions, after the Applicants had been advised that the staff found the Ferrantes' initial testimony to be largely incredible.

participation in the cartel and otherwise to stonewall the staff's licensing investigation.[3]

1. False Statements Concerning Competition in the Carting Industry

Both Victor and Vincent Ferrante testified that the commercial carting industry in New York City was "competitive" throughout the period from 1979-80, when they entered the industry, to 1995, when the trade associations and major figures in the industry were indicted on enterprise corruption, criminal antitrust, and related charges. Thus, according to the Ferrantes, the industry was competitive when they first began working for Hollywood and Silver Star in 1979-80, was competitive when they took over the management of the two companies in 1983, was competitive when they became the owners of Silver Star in 1991, and remained competitive in 1995, when the indictment charging that the industry operated as a mob-run cartel was handed down. See Transcript of Deposition of Victor Ferrante on February 24, 2000 ("Victor Tr."), at 14-17; Transcript of Deposition of Vincent Ferrante on February 25, 2000 ("Vincent Tr."), at 6. According to Victor Ferrante, throughout that fifteen-year period customers typically received bids for carting services from four to six different carting companies. See Victor Tr. at 19-20. Competition occurred on the basis of both price and quality of service. See id. at 20, 25; Vincent Tr. at 17. Hollywood and Silver Star, as well as the other carting companies operating in the areas of Queens serviced by the Applicants, competed freely for customers without constraints or adverse consequences. See Victor Tr. at 111-12.

The Ferrantes professed surprise at hearing, at the time of the June 1995 indictment, that the City's carting industry was operating as a cartel. Victor Ferrante testified that, prior to the indictment, he had never heard of the term "property rights" and had no understanding or experience of the customer-allocation system described by that term. See Victor Tr. at 64-65. Vincent Ferrante testified not only that Hollywood and Silver Star "never

[3] We note the Applicants' curious assertion that, even though the staff "spent years . . . of intensive investigation" of them, it recommended denial of their license applications on only one ground – repeated lying under oath during the investigation. See Response ¶¶ 4-6. Of course, the notion that the staff has been devoting itself over the past several years to an investigation of these Applicants is frivolous; the Commission has received, and the staff has had to investigate, more than 1,400 license and registration applications to date. Nor do we see how these Applicants can take comfort in the fact that they are not accused of anything other than lying to the government agency that regulates them.

operated under the property rights system," but also that, as far as he knew, that system "was never operating" anywhere in the industry. Vincent Tr. at 35-36. Throughout the 1980's and up until mid-1995, Victor Ferrante did not have even an inkling that there was a cartel in the City's carting industry. See Victor Tr. at 117.

The Ferrantes' remarkable statements, under oath, about the longstanding presence of competition, and the absence of an anticompetitive cartel, in the City's carting industry are overwhelmingly refuted by evidence from numerous authoritative sources. As noted above, the City Council, after holding lengthy public hearings on the industry, found, in enacting Local Law 42, that "organized crime's corrupting influence over the industry has fostered and sustained a cartel in which carters do not compete for customers," and that "the anti-competitive effects of this cartel have resulted, with few exceptions, in the maximum [legal] rates . . . effectively being the only rate available to businesses." Local Law 42, § 1. Similarly, the United States Court of Appeals, after reviewing the public record, concluded that "from the cartel's domination of the carting industry, no carter escapes." SRI, 107 F.3d at 989.[4]

Moreover, the jury verdicts in the Manhattan District Attorney's criminal prosecution of leading New York City carters, their trade associations, and their mob associates established beyond a reasonable doubt both the existence of the cartel and its cardinal rule, "that no carter be permitted to compete for the business of a customer serviced by another carter." People v. GNYTW, Indictment at 3. Indeed, that prosecution was aimed broadly and directly at the property-rights system itself. The evidence at trial and the guilty verdicts on the sweeping enterprise corruption charges, as well as the many guilty pleas preceding and following the verdicts, underscored that the carting cartel's rules were so pervasive, entrenched, and rigorously enforced that no carter could credibly claim not to have known about them. The Ferrantes' categorical denials that they possessed even an inkling, let alone any knowledge, of any aspect of the cartel's workings cannot be credited.

The Ferrantes' assertion that competition has been the rule in the City's carting industry ever since they entered it twenty years ago is belied not only by the unanimous view of three branches of government but also by

[4] Silver Star and Victor Ferrante were among the plaintiffs in SRI.

the sworn statements of other carters in the industry. Reliable confidential sources with many years of personal experience in the industry have confirmed to the Commission that "carters in New York City 'respected' the customers of other carters. This meant that we did not 'take' the work of another carter and we expected that other carters would leave our work alone." Affidavit of Confidential Informant ("CI") #15407, sworn to January 16, 1997, ¶ 5; see also Affidavit of CI #15613, sworn to February 6, 1997, ¶ 4 ("By virtue of the 'rules' no carter would solicit another [trade association] member carter's customers.").

In addition, other carters questioned by the staff in connection with license applications have chosen to be forthcoming about the state of the industry before the enactment of Local Law 42. For example, Dominick Incantalupo, formerly the president of Chelsea Sanitation Service Inc. and M&M Sanitation Corp., testified that it was understood in the industry that carters "didn't solicit each other's stops," and that "everybody knew what the rules were." Dep. Tr., May 7, 1999, at 82-83. William Falletta, the president of Falletta Carting Corp., testified that the "knowledge in the street" was that carters would not solicit each other's customers. Dep. Tr., July 28, 1999, at 41-42. Michael Verrilli, formerly the president of Falso Carting Co., Inc., testified that "there was a property rights system," and that one of its rules was that carters would not solicit each other's customer accounts. Dep. Tr., May 6, 1999, at 73, 118-19. There are numerous other examples of truthful testimony by carters about the cartel.[5] The Ferrantes' testimony is in sharp and unflattering contrast to those accounts, and the Applicants have offered no explanation why these carters, but not the Ferrantes, were aware of the cartel's anticompetitive rules.

The Ferrantes' insistence that Hollywood and Silver Star operated in a competitive industry is further belied upon examination of their ostensible competitors in Queens. One of them was V. Marangi Carting Co. ("Marangi"). See Victor Tr. at 14; Vincent Tr. at 7. Marangi was controlled

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[5] The testimony of Philip Composto, the president of P.J.C. Sanitation Service Inc., was particularly forthright:

> A. . . . I was in the Yellow Pages, Brooklyn and Queens. They gave me a call. I went in, I went in. And there were times I used to have a problem.
> Q. What kind of problem?
> A I would get a phone call to tell me their work – this is their work.
> Q. The work belonged to somebody else?
> A. They would tell me it was theirs and that was it.

Dep. Tr., February 9, 2000, at 9.

by Patrick Pecoraro, who was president of the QCTW during its last years and was indicted in the 1995 carting industry prosecution. The trial evidence in that case was replete with references to Pecoraro's links to the cartel and to organized crime. See, e.g., People v. GNYTW, Ex. 106B (transcript of audiotaped meeting on August 16, 1994, among Pecoraro, Gambino soldier Joseph Francolino, and others, in which Pecoraro, on behalf of QCTW members, receives compensation payments from undercover detective posing as employee of non-QCTW member carting company that successfully solicited members' customers); id., Ex. 76B (transcript of audiotaped meeting on August 23, 1994, in which Pecoraro again receives compensation payments from undercover detective); id., Ex. 89B (transcript of audiotaped meeting on November 22, 1994, in which Pecoraro, Francolino, and undercover detective discuss compensation payments and bid-rigging); see also CI #15613 Aff. ¶ 10 ("common knowledge" in the industry that Pecoraro "was very 'tight'" with Francolino). Pecoraro ultimately pleaded guilty to attempted enterprise corruption. In his allocution, he admitted the following: that "the members of [the] QCTW . . . operated by means of a property rights system, the purpose of which was to prevent meaningful competition in the carting industry"; that "[t]his system was enforced by a group, 'the cartel,' composed of carters, carting-related businesses and their trade associations including [Pecoraro] and [the] QCTW"; that "[t]he methods used to enforce the property rights system included customer allocation schemes . . . and economic retaliation against those who broke the cartel's rules"; and that Marangi was part of the cartel. See People v. Delmar Waste et al., No. 5614/95 (Sup. Ct. N.Y. Cty.), Tr. of Plea, January 21, 1998, at 11-15. In light of the foregoing, the notion that Marangi was competing for customers against fellow QCTW members Hollywood and Silver Star is fanciful indeed.

Another longtime competitor cited by the Applicants was Vigliotti Brothers Carting Corp. ("Vigliotti Bros."). See Victor Tr. at 14; Vincent Tr. at 6. Vigliotti Bros., one of a number of carting companies controlled by the Vigliotti family, was indicted in 1986 in connection with a scheme to defraud the town of Oyster Bay on Long Island through systematic bribery of scalehouse operators at a town-owned landfill; the company pleaded guilty to theft of services later that year. In addition, the owner of other Vigliotti companies, Vincent Vigliotti, was indicted and pleaded guilty to attempted enterprise corruption in the Manhattan District Attorney's carting industry prosecution. In his plea allocution, Vigliotti, like Patrick Pecoraro,

admitted to the existence of the property rights system and the cartel, his and the QCTW's membership in the cartel, the cartel's use of customer-allocation schemes to enforce the property rights system, and his, his companies' and the QCTW's participation in cartel-related criminal activity. See People v. Vincent Vigliotti, No. 5614/95 (Sup. Ct. N.Y. Cty.), Tr. of Plea, January 28, 1997, at 4-14; see also Affidavit of Detective Anthony Farneti, sworn to March 24, 2000 ("Farneti Aff."), ¶ 6 (recounting statement of former acting boss of Luchese crime family that one of the Vigliotti family carting companies is a Genovese crime family "asset"). The evidence at trial confirmed Vigliotti's participation in cartel crimes. See, e.g., People v. GNYTW, Ex. 106B (transcript of audiotaped meeting on August 16, 1994, in which undercover detective complains to Francolino that Vigliotti is raiding his company's customers in retaliation for its refusal to join a trade association and follow its rules); id., Ex. 76B (transcript of audiotaped meeting on August 23, 1994, in which Pecoraro, on Vigliotti's behalf, accepts compensation payments from undercover detective). Again, in light of this evidence, the Ferrantes' description of Vigliotti Bros. as one of Hollywood's and Silver Star's competitors is simply not credible.[6]

Among the other putative competitors cited by the Applicants were the following:

- Five Counties Carting, which in 1989 paid $183,000 to settle civil bid-rigging charges brought by the State of New York;

- S & S Carting, one of whose former principals, Louis Salzano, was a QCTW board member;

- Hillside Carting, which was indicted in 1986 in connection with the Oyster Bay bribery scheme and pleaded guilty to theft of services in 1987;

- Republic Carting, which was indicted on bid-rigging charges and subsequently pleaded guilty in a carting industry prosecution by the Manhattan District Attorney in 1996.

[6] The Applicants complain that the staff mischaracterized the Ferrantes' testimony concerning Marangi and Vigliotti Bros. inasmuch as they were "minor," not "major," competitors of Hollywood and Silver Star. See Response ¶¶ 17-20. However, the staff made no such claim, and in their testimony the Ferrantes drew no such distinction. In fact, the Ferrantes described both Marangi and Vigliotti Bros. as among the Applicants' "principal" competitors. See Victor Tr. at 15, 16, 17; Vincent Tr. at 9.

See Victor Tr. at 14; Vincent Tr. at 7-8. None of those carting companies appears to have been particularly disposed towards competition.

Other aspects of the Ferrantes' own testimony contradict their assertions that Hollywood and Silver Star were competitors in a competitive industry. Thus, for example, the Ferrantes testified that during the past twenty years neither of the Applicants has ever had a dispute with another carting company concerning a customer. See Victor Tr. at 45-46; Vincent Tr. at 39. Such tranquility recalls the "quiet life" enjoyed by the monopolist; it does not suggest the hurlyburly of market competition.[7] The Applicants now contend that they "had regular and consistent disputes with other carters and competitors in our area." Response ¶ 27. However, they cite only two: (i) a 1987 "truck purchase dispute" with another carter, which obviously is irrelevant to the issue of disputes with ostensible competitors about customers, and (ii) a mid-1980's encounter with a salesman from Allied Sanitation which caused the Applicants to lower their price to keep a customer. Id. ¶¶ 28-29. It is telling that the Applicants' only account of a dispute with another carter about a customer concerned Allied Sanitation, which at the time was not a member of the QCTW and thus was not operating under, or playing by, the cartel's rules.

Moreover, although in his deposition Victor Ferrante readily averred that the Applicants solicited customers that were being serviced by other carters, he was hard pressed to cite any examples that did not involve changes in business type or ownership at the customer location in question. See Victor Tr. at 32-38. In those limited circumstances, the cartel's rules permitted customer solicitation. See CI #15407 Aff. ¶¶ 5-8; CI #15613 Aff. ¶¶ 5-8. The Applicants now purport to identify eight customers that they acquired or lost through "direct competition" with other carters. See

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[7] Citing to a deposition transcript page that does not exist, the Applicants assert that the Ferrantes' categorical testimony was taken out of context. See Response ¶ 26. The testimony cited by the staff is as follows:

> Q. Have you ever had a dispute with another carter about a customer?
> A. No.
>
> * * *
>
> Q. Did Hollywood or Silver Star since 1979 to the present, have you ever had a dispute with another carter about a customer?
> A. No.

Victor Tr. at 45; Vincent Tr. at 39. Nothing about the "context" in which the questions were posed suggests that they were limited in any way.

Response ¶¶ 21-22. However, only six of those eight customers are identified as having been acquired or lost before 1995, when the enterprise corruption indictment severely disrupted the cartel. Moreover, four of the remaining six customers were lost to Allied Sanitation or Our Family Carting, neither of which was a QCTW member. That leaves but two customers purportedly acquired by the Applicants through competition with other QCTW members during the period spanning the 1980's and early 1990's – hardly a testament to the overall competitiveness of the industry or the Applicants.

Furthermore, the Applicants' willingness to pay route-sale multiples of thirty-six times gross monthly revenue, see Victor Tr. at 79-89, does not suggest a competitive market. A carting company willing to pay another carter three years' worth of anticipated revenue from a customer in exchange for the opportunity to service that customer is necessarily presuming that it will continue servicing that customer for years to come. That is precisely what happened under the cartel. See People v. GNYTW, 701 N.Y.S.2d at 15 (describing cartel's "rules, one of which was that each carter had 'property rights' in its customer, which could be acquired by purchasing it from the current carter at an exorbitant rate calculated on the basis of the monthly rate paid by the customer").

The Applicants, however, assert that such "exorbitant" route-sale multiples had nothing to do with the workings of an anticompetitive cartel but, rather, were the result of a DCA rule change in 1988 or 1989. See Response ¶¶ 20, 31, 33. This contention cannot withstand the slightest scrutiny. Route-sale multiples as high as 50:1 were seen in the City's carting industry for many years before 1989, and 36:1 multiples were commonplace for decades. Hollywood paid a 36:1 multiple in 1988; Silver Star paid a 50:1 multiple in 1981. See Hollywood Lic. App. at 77-78; Silver Star Lic. App. at 123, 125, 127. For purposes of comparison, the multiples in the industry today do not exceed, and often are less than, 12:1.

In addition, the DCA rule change cited by the Applicants – a so-called "requirement" that a carter have a written contract with each of its customers – is a fiction. Throughout the 1980's and into the 1990's, the DCA's rules consistently required that a carter offer its customers a written contract; however, customers were never required to enter into written contracts with

their carters. None of that changed in 1988 or 1989.[8] Nor was there any change at that time in the widespread industry practice of ignoring the DCA's requirement that carters offer their customers written contracts. Under the cartel's "property rights" system, there was no need for such legal niceties; the customers were captive already. It was not until the early 1990's, when a national waste hauling firm, Browning-Ferris Industries, tried to enter and compete in the New York market, that the cartel members began to sign their customers en masse to long-term, self-renewing contracts (which in the Applicants' case were preprinted with the then-maximum legal rate of $14.70 per cubic yard). See, e.g., Affidavit of Victor Ferrante, sworn to December 17, 1997, ¶ 43 (stating that, of the 1,340 contracts submitted by Hollywood in support of its application for a waiver of Local Law 42's contract terminability provision, more than 1,300 were executed in or after December 1993); Affidavit of Victor Ferrante, sworn to December 17, 1997, ¶ 41 (stating that the comparable figure for Silver Star is 1,133 out of 1,140 contacts); see also id., Ex. B. (statements in Applicants' waiver applications that they have "generally, but not uniformly, charged the maximum rate allowed by the DCA"). The Applicants' assertion to the contrary is revisionist history without any basis in fact.[9]

2. False Statements Concerning the Trade Associations and the Cartel's Rules

The Applicants' professed ignorance of the central role played by the carting industry's local trade associations in enforcing the property-rights system, and of the specific rules governing the operation of the cartel, is no more worthy of belief than their insistence that they were operating in a competitive industry. Victor Ferrante testified that, until the 1995 indictment was handed down, he did not know that the QCTW enforced the carting cartel's rules; indeed, he testified that, even though he regularly attended the QCTW's meetings and was selected as an alternate on the QCTW's board of directors, he had no inkling that there even was a cartel. See Victor Tr. at

[8] A 1988 DCA rule change eliminated a separate requirement that carters file with the DCA a memorandum of contract form for each written contract entered into with a customer.

[9] The Applicants also try to explain away the cartel era's exorbitant route-sale multiples by reference to the investments made by some carters in waste compactors. See Response ¶ 32. This theory, too, does not hold water: (i) only about 3% of the putrescible waste generated in the City is compacted; (ii) carters may charge their customers a separate fee for compactor service; and (iii) the selling carter could always charge the buying carter separately for the value of any compactor it chose to leave behind.

68-69, 71-72, 117-18, 120-21. Nor did he know that the QCTW served as a forum for the resolution of disputes between carters about customers. See id. at 121-22. As far as he was aware, the only rules applicable to QCTW members concerned the payment of dues. See id. at 98-100.

This testimony is of a piece with Victor Ferrante's contentions about rules or practices governing or limiting customer solicitation in the industry. He testified that there were no such rules or practices at any time from 1980 to 1995. See Victor Tr. at 40-45. He further stated that Hollywood and Silver Star were free to solicit the customers of other carters, and those carters were free to solicit the Applicants' customers. See id. at 44-45.

Again, this remarkable testimony is overwhelmingly refuted by multiple authoritative sources. All four of the local trade associations were indicted on enterprise corruption charges; the indictment charged that the cartel "structured its criminal activity" through the trade associations. People v. GNYTW, Indictment at 3; see also Local Law 42, § 1 (corruption furthered by cartel "through the activities of . . . trade associations"). All four associations were convicted. The QCTW pleaded guilty to criminal restraint of trade and in its plea allocution admitted the following: that it was a part of the cartel; that the QCTW's members (which included Hollywood and Silver Star) "operated by means of a property rights system, the purpose of which was to prevent meaningful competition in the carting industry"; and that the QCTW enforced the property-rights system by means including "customer allocation schemes . . . and economic retaliation against those who broke the cartel's rules." See People v. Delmar Waste et al., No. 5614/95 (Sup. Ct. N.Y. Cty.), Tr. of Plea, January 21, 1998, at 25-28.

In addition, as noted above, the United States Court of Appeals found that the trade associations "operate[d] in illegal ways" by "enforc[ing] the cartel's anticompetitive dominance of the waste collection industry." SRI, 107 F.3d at 999. The Court further observed that "[t]he association members – comprising the vast majority of carters – recognize the trade associations as the *fora* to resolve disputes regarding customers." Id. The Applicants' contrary assertion, that they never realized what the QCTW was all about, has no basis in fact, logic, or common sense.

Other carters had no difficulty in discerning the illicit role played by the trade associations:

> [T]he primary function of the trade associations . . . was to enforce "rules" designed to protect the rights of member carters "in good standing." A member "in good standing" was a carter who respected the property rights of other member carters and was willing to pay the pre-determined multiple price for any route or "stop" that changed hands. By virtue of the "rules" no carter would solicit another member carter's customers. For the most part, all of the carters obeyed this rule and there was no need to ask the trade associations to enforce it.

CI #15613 Aff. ¶ 4; accord CI #15407 Aff. ¶¶ 3, 5. In the event of a dispute between two member carters over which one had the "right" to service a particular customer, the carters ordinarily would try to resolve the dispute through "swaps" of customer stops or similar compensation arrangements. See CI #15407 Aff. ¶¶ 6-9; CI #15613 Aff. ¶¶ 5-9. If the dispute was not resolved by the carters themselves, either carter could submit the dispute to the trade association for mediation and resolution. See CI #15407 Aff. ¶ 9; CI #15613 Aff. ¶ 9. The dispute would first be presented to the association's board of directors, which would hear from each carter and then vote its decision; in most cases, the losing carter would abide by the board's decision. See id. Occasionally, however, the losing carter would request intervention by the association's "business agent," i.e., organized crime's appointed representative, whose decision was final. See CI #15407 Aff. ¶¶ 10-12; CI #15613 Aff. ¶¶ 10-12. The QCTW's business agent was John Drago. CI #15613 Aff. ¶ 10.[10] In sum, it was common knowledge in the industry that the trade associations were the mechanism for resolving carters' disputes about customers. See, e.g., Transcript of Deposition of Dominick Incantalupo, May 7, 1999, at 55-56; Transcript of Deposition of William Falletta, July 28, 1999, at 54-60; Transcript of Deposition of Anthony DiNardi, August 4, 1999, at 80-81; Transcript of Deposition of William R. Falletta, August 24, 1999, at 63 (function of association "was to . . . straighten out any kind of disputes or settlements as far as stops or accounts").

[10] Victor Ferrante testified that he saw Drago at QCTW meetings, that to his knowledge Drago did not own a carting company, that he did not know what Drago was doing at the meetings, and that he did not ask. See 1998 Victor Tr., Vol. 1 at 45.

The Applicants now seek to distance themselves from the QCTW – an organization to which they paid the stunning total of $46,800 in dues during the last five years of their membership alone. See Hollywood Lic. App. at 94; Silver Star Lic. App. at 63. Victor Ferrante now asserts that he never attended QCTW meetings; instead, he says, he attended meetings of something called the "Counsel [sic] of Trade Waste." Response ¶ 11. However, his deposition testimony, both in 1998 and earlier this year, is otherwise. For example:

> Q. Did you personally attend meetings of the Queens County Trade Waste Association?
>
> A. I attended general membership meetings.
>
> * * *
>
> A. I don't know if they had them once a month or once every couple of months, I'm not sure.
>
> Q. And how often did you attend?
>
> A. I would try to make as many as I could.

1998 Victor Tr., Vol. 1 at 37, 42; accord Victor Tr. at 71-72 ("Q. When did you go there [to the QCTW]? A. General membership meetings every so often, once a month or every two months."). Indeed, Victor Ferrante specifically denied that either Hollywood or Silver Star was a member of the Presidents' Council of Trade Waste Associations, an umbrella group comprised of the QCTW and the other three local trade associations. See id. at 77-78. In light of this prior sworn testimony, the Applicants' attempt to distance themselves from their now-convicted trade association is a transparent sham.

The Applicants' account of Victor Ferrante's election in 1990 or 1991 as an alternate member of the QCTW's board of directors is a further illustration of their attempt to disassociate themselves from their trade association. The Applicants take pains to point out that he did not seek the post and did not serve in the position. See 1998 Victor Tr. at 38-41; Victor

Tr. at 117-18; Response ¶¶ 12-13.[11] Yet, the Applicants are silent on the critical issue of why Victor Ferrante was chosen in the first place to serve as an alternate member of the board of directors of a trade association that enforced an anticompetitive cartel and was controlled by organized crime. It surely was not because, as the Applicants would have us believe, Hollywood and Silver Star were vigorous competitors in the industry, willing to take on their fellow QCTW members in a lively battle for customers. Rather, it was likely because those in charge of the QCTW – such as its president, now-convicted racketeer Patrick Pecoraro, and its business agent, Gambino associate John Drago – believed that, if one day called upon to serve on the QCTW's board of directors, Victor Ferrante would be able and willing to enforce the cartel's rules, or, in his own words, take on the "enormous roles in the decision making, election and other processes" of the QCTW expected of its board members. Response ¶ 14.

The willingness of the QCTW's leadership to welcome Victor Ferrante into its fold highlights the absurdity of the Applicants' professed ignorance of the basic cartel rules governing the City's carting industry, and enforced by the trade association to which they belonged. Those rules – and in particular the cartel's cardinal rule against solicitation of customers serviced by association member carters – were well known throughout the industry. See, e.g., CI #15407 Aff. ¶¶ 5, 15; CI #15613 Aff. ¶¶ 4, 16. Indeed, the evidence at trial in the carting industry prosecution was replete with references to the cartel's rules. See, e.g., People v. GNYTW, June 18, 1997, Tr. at 3993 (QCTW member required to abide by QCTW rules in dispute with carter from different trade association); id., June 26, 1997, Tr. at 5679-80 ("the rule was the carter that lost the stop would have to be paid on what he lost, what was actually coming out of the stop"); see also id., Ex. 106B (transcript of August 16, 1994 audiotape of Gambino soldier and GNYTW business agent Joseph Francolino: "I abide by all the rules . . . and I expect everybody else to do the same . . . . And it's in the best interests of our future."); Ex. 79B (transcript of September 12, 1994 audiotape of Joseph Francolino: "When you are a New York member you abide by the New York rules. And if you're a Brooklyn member, you abide by the Brooklyn

[11] The gist of Victor Ferrante's testimony on this issue is that, after he learned that he had been elected as a board alternate, he consulted QCTW attorney Salvatore Spinelli (who has been identified by the Federal Bureau of Investigation as an associate of the Gambino organized crime family), who told him that, under the QCTW's bylaws, alternates had no prescribed duties, and he would cease being an alternate if he missed two consecutive board meetings.

rules when it pertains to Brooklyn. When it pertains to New York, it's New York. So, it's very simple. There's nothing complicated.").

In the words of the Ferrantes' fellow carter Dominick Incantalupo, "everybody knew what the rules were." Dep. Tr. at 82. Despite their sworn denials, the Ferrantes did, too. A confidential source with personal knowledge of the City's carting industry, how the industry operated in Queens, and the Ferrantes themselves has informed the staff that Hollywood and Silver Star traded customer stops with other carters in accordance with the rules of the property-rights system. See Farneti Aff. ¶ 7.[12] Since the Applicants were relatively large companies during the cartel era (with a total of about 2,500 customers) and longstanding members of the QCTW, it would have been quite surprising had they not followed the rules.

* * *

The Applicants observe that the staff simply found it incredible that they did not participate in, or even know about, the anticompetitive activities and cartel rules that held sway over the City's carting industry for decades and that were encouraged and enforced by the trade association to which they belonged. See Response ¶¶ 7, 9. Based upon the overwhelming evidence to the contrary, we, too, find the Applicants' professions of ignorance incredible. Particularly since those assertions were made repeatedly under oath, they fatally undermine the Applicants' ability to satisfy Local Law 42's licensing standard.

III. CONCLUSION

The Commission is vested with broad discretion to refuse to issue a license to any applicant that it determines lacks good character, honesty, and integrity. The evidence recounted above plainly demonstrates that Hollywood and Silver Star fall far short of that standard. In sworn testimony taken in connection with their license applications, both of the Applicants'

[12] The Applicants note that they are unable to refute this assertion because the carters involved in the stop trades and the stops themselves have not been identified. See Response ¶¶ 35-37. The source of this information has informed the staff (through the source's attorney) that the source will not agree to be named as the source of the information, or to consent to public disclosure of any further particulars of the stop trades, due in large part to fear of physical and economic retaliation. We have no reason to doubt the veracity of the information provided by this source, particularly in light of the totality of the evidence recounted above. In any event, even if we were to disregard this information, we would adhere to our conclusion that the Applicants were aware of and followed the cartel's rules.

owner-managers made false statements on a number of different issues. These issues were not only material to the licensing investigation; they were central to that inquiry and included matters such as the Applicants' business practices and knowledge of the industry in which they have operated for the past twenty years. The false sworn statements of Victor Ferrante and Vincent Ferrante depicted the City's carting industry during the 1980-95 period as a functioning market in which competition for customers was the norm and there was no mob-run cartel enforcing non-competition rules through local trade associations. As demonstrated above, that depiction bears no relationship to reality. Moreover, inasmuch as no carter who in fact was operating in the industry during that period could have had such a thoroughly baseless impression of it, the conclusion is irresistible that the Ferrantes' false testimony was a deliberate concoction intended to deceive the Commission and frustrate the licensing investigation. This type of conduct by a regulated entity makes a mockery of the investigative processes mandated by Local Law 42 and will not be tolerated. Accordingly, the Commission denies these license applications.

This license denial decision is effective fourteen days from the date hereof. In order that the Applicants' customers may make other carting arrangements without an interruption in service, the Applicants are directed (i) to continue servicing their customers for the next fourteen days in accordance with their existing contractual arrangements, unless advised to the contrary by those customers, and (ii) to send a copy of the attached notice to each of their customers by first-class U.S. mail by no later than May 3, 2000. The Applicants shall not service any customers, or otherwise operate as trade waste removal businesses in the City of New York, after the expiration of the fourteen-day period.

Dated: April 28, 2000

THE TRADE WASTE COMMISSION

Edward T. Ferguson, III
Chairman

Kevin P. Farrell
Sanitation Commissioner

Jane Hoffman
Consumer Affairs Commissioner

Edward J. Kuriansky
Investigation Commissioner

Deborah R. Weeks
Acting Business Services Commissioner