

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND
SOLID WASTE MANAGEMENT

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October 20, 2022
Start: 10:12 a.m.
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HELD AT: COUNCIL CHAMBERS-CITY HALL

B E F O R E: Sandy Nurse,
Chairperson

COUNCIL MEMBERS:

Erik D. Bottcher
Amanda Farías
James F. Gennaro
Julie Menin
Chi A. Ossé
Kristin Richardson Jordan
Rafael Salamanca, Jr.
Majorie Velázquez
Nantasha M. Williams

A P P E A R A N C E S

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2 SERGEANT AT ARMS: This is a microphone test
3 for the Committee on Sanitation and Solid Waste
4 Management. Today's date is October 20, 2022,
5 recorded by Ederly Gonzalez Rodriguez, location at
6 the Chambers.

7 SERGEANT AT ARMS: Good morning. Would the Zoom
8 host please start the webinar? And once again, good
9 morning and welcome to the Committee on Sanitation.
10 At this time, we ask you please place phones on
11 vibrate or silent mode. Thank you for your
12 cooperation. Chair, we are ready to begin.

13 CHAIRPERSON NURSE: [GAVEL] Good morning
14 everyone. Thank you Sanitation taskforce. Committee
15 members will be joining us, DSNY Deputy Commissioner
16 Greg Anderson and Chief of Cleaning Operations for
17 joining us today, this morning.

18 Welcome to the 8th Committee of Sanitation and
19 Solid Waste Management hearing of 2022. Today, we
20 will be focusing on a slate of sanitation bills that
21 focus on increasing transparency of DSNY operations,
22 requiring sufficient receptacles for large buildings
23 and keeping our streets clean on a daily basis around
24 holidays and during extreme weather events.

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2 Today, we will hear the following sanitation
3 bills. First, we have Intro. 630 in relation to the
4 tracking of street cleaning operations. After years
5 of suspended street cleaning during the pandemic, the
6 city restored funding and brought back this critical
7 operation. Residential streets that were normally
8 cleaned twice per week were instead, only cleaned on
9 the later of the two days indicated on the street
10 sign. These modified alternate streetside parking
11 regulations were in effect until July 5, 2022, when
12 ASP was fully restored.

13 I along with Council Member Bottcher and Council
14 Member Gutiérrez introduced this bill to allow New
15 Yorkers to better track the progress of these street
16 sweeping operations in their neighborhoods via a new
17 GIS tracking system, similar to those DSNY
18 implemented for snow operations.

19 Next up, we have Intro. 693 in relation to the
20 provision of sufficient receptacles – why? It's no
21 rolling? Okay, sorry. Redeem the whole thing again.
22 Okay, are you sure? Okay, alright.

23 [GAVEL] Alright, good morning everyone. Round
24 two. So, thank you to our sole Sanitation Committee
25 Member who is here, Erik Bottcher. Thank you for

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1
2 being here with us this morning. Thank you to DSNY
3 Deputy Commissioner Greg Anderson and our Chief of
4 Cleaning for being here today. Welcome to the 8th
5 Committee on Sanitation and Solid Waste Management of
6 2022.

7 Today, we will be focusing on a slate of
8 sanitation bills that focus on increasing
9 transparency of DSNY operations, requiring sufficient
10 receptacles for large buildings and keeping our
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4 Yorkers to better track the progress of these street
5 sweeping operations in their neighborhoods via a new
6 GIS tracking system, similar to those DSNY
7 implemented for snow operations.

8 Next up, we have Intro. 693 in relation to the
9 provision of sufficient receptacles for the storage
10 of solid waste. The Public Advocate and I introduced
11 this bill to ensure the city's large buildings have
12 an appropriate sanitation operation. This bill
13 requires owners of buildings of 100 units or more to
14 have a dumpster of no less than 20 yards in length
15 for the deposit of refuse. The receptacle should
16 only be used for the respective building or dwelling
17 and should be adequate size and number to hold enough
18 waste that accrue in a 72-hour period.

19 Each receptacle should be made of a specific type
20 of metal that is acceptable to DSNY, DOHMH and HPD
21 measures. This is important because we want to
22 ensure there is no leakage of any source as well as
23 eliminate access and entry created by rodents in
24 receptacles.

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Next, we have Intro. 145 in relation to requiring the Department of Sanitation to remove fallen tree limbs, branches and vegetation that obstruct streets and sidewalks as a result of inclement weather. This bill focuses on sanitation operations regarding street trees post extreme weather events introduced by Council Member Brannan. We will not be hearing from Brannan today on this one, but we'll talk about it in the questions.

Next, we have two bills introduced by Council Member Yeger aimed at providing more transparency on DSNY violations and fines. For context, in 2021, there were a total of 192, over 192 DSNY residential violations citywide according to 311 data. Including violations like dirty sidewalk and failure to clean 18 inches into the street. These bills include Intro. 32 in relation to requiring a searchable dashboard for notices of violation issued by the Department of Sanitation and Intro. 33 in relation to requiring the notices of violation issued by the Department of Sanitation be accompanied by a photograph of the alleged violation.

Finally, we have two bills from Council Member Gennaro and Council Member Holden. Intro. 110 in

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2 relation to requiring that all public waste
3 receptacles be emptied by the Department of
4 Sanitation at least once per day. And Intro. 238 in
5 relation to collection of recyclable materials after
6 a holiday. I look forward to learning more about
7 DSNY operations around these issues and position on
8 these seven sanitation bills.

9 And finally, I just want to thank my team Annel
10 Hernandez who is my Director of Climate Environmental
11 Policy. I want to thank the Sanitation Committee
12 Taskforce Jessica Albin, Ricky Chawla, and Andrew
13 Lane-Lawless. Thank you taskforce and thank you to
14 everyone joining us today. So, now, I'll turn it
15 over to our Counsel to swear in the Administration.

16 COMMITTEE COUNSEL: Thank you Chair. Do you
17 affirm to tell the truth in your testimony before the
18 Committee today and to answer honestly Committee
19 questions.

20 GREGORY ANDERSON: I do.

21 JEFFREY PITTS: I do.

22 COMMITTEE COUNSEL: Thank you.

23 GREGORY ANDERSON: Great, good morning, Chair
24 Nurse and member of the City Council Committee on
25 Sanitation and Solid Waste Management. My name is

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2 Gregory Anderson, and I am Deputy Commissioner for
3 Policy and Strategic Initiatives at the department.

4 I am joined this morning by Jeffrey Pitts, who is
5 our newly promoted Chief of Cleaning Operations,
6 promoted last month to this critical role. Thank you
7 for the opportunity to testify today. The mission of
8 the Department of Sanitation is to keep New York City
9 clean, healthy and safe by collecting, recycling and
10 disposing of waste. Cleaning streets and public
11 spaces and clearing snow and ice.

12 Under the leadership of Commissioner Tisch over
13 these last six months, the Department has been laser
14 focused on cleanliness. Working to clean up our
15 streets in support of the city's economic recovery.

16 In June, the Administration and Council announced
17 unprecedented levels of funding for cleaning programs
18 in the adopted budget, including \$22 million for
19 additional litter basket service and more than \$12
20 million for precision cleaning and lot cleaning
21 programs.

22 Today, DSNY had the highest level of litter
23 basket service in memory. A total of 793 weekly
24 trucks compared to 588 trucks last year. The results
25 are clear. Since the additional litter basket

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2 service took affect at the beginning of July, 311
3 complaints for overflowing litter baskets are down 55
4 percent compared to last year. This new investment
5 was on top of funds added in the executive budget to
6 restore full street cleaning operations, which had
7 been cut in half during the pandemic and to establish
8 dedicated cleaning resources and equipment for
9 protected bike lanes for the first time ever. The
10 department has also expanded efforts to enforce basic
11 cleanliness laws. This is the basic social compact
12 in New York City.

13 Sanitation does its part to keep the city clean
14 and residents, businesses, property owners, and
15 others must do their part as well. We have refocused
16 our enforcement efforts on those violations that most
17 effect quality of life and that contribute to rodents
18 and vermin.

19 Most importantly, the Department has taken an
20 all-out approach to combat illegal dumping, which is
21 both a theft to public space and a menace to
22 communities across our city. We have installed
23 dozens of legal dumping surveillance cameras, with
24 dozens more planned in the current year, thanks to
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2 the generous support of member of this Council and
3 the state legislature.

4 The message we're sending is clear. If you dump
5 on our city, you will be caught and you will face the
6 consequences. This month, thanks to funding provided
7 also in the adopted budget. DSNY launched a
8 comprehensive evaluation of waste containerization to
9 create a scalable uniform approach that can work for
10 neighborhoods across New York City. This project is
11 intense in its depth and speed, and we expect to have
12 the final deliverables in the next few months.

13 And earlier this week, the Commissioner joined
14 the mayor to enthusiastically announce the new
15 proposed or the proposed new rules for waste set out.
16 These transformative new rules will shrink the amount
17 of time that waste sits on the curb before collection
18 and eliminate the city's five o'clock shadow of
19 garbage bags that appear on the sidewalk every
20 afternoon.

21 Under these proposed rules, the options are
22 simple. Residential properties can set out trash in
23 bags at 8:00 p.m. or in containers starting at 6 p.m.
24 Larger properties with nine or more units can opt in
25 for early morning set out and collection with waste

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2 being set out between 4 a.m. and 7 a.m. for
3 collection shortly thereafter.

4 Commercial establishments can set out waste and
5 bags also beginning at 8 p.m. or in containers
6 earlier up to one hour before they close. This is a
7 transformational change for New York City streets.
8 There will no longer be black bags on the sidewalk
9 before 8 p.m. when New Yorkers are coming home from
10 work, picking up their kids from school, or heading
11 out to dinner. DSNY is accepting comments on these
12 rules and will hold a public hearing on Friday
13 November 18th. We look forward to reviewing the
14 comments and enacting final rules in the coming
15 months.

16 This is a tremendous amount of positive change
17 in just the first ten months of this administration.
18 This department and our partners across New York City
19 government have wholeheartedly embraced the mantra
20 to get stuff done for New Yorkers.

21 Now, I'll briefly turn to the bills being
22 considered today. Intro. 32, sponsored by Council
23 Member Yeger would require the department to create a
24 searchable database of notices of violation issued.
25 Intro. 33, also sponsored by Council Member Yeger

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2 would require each notice of violation issued by the
3 department to be accompanied by a photograph. Intro.
4 112 sponsored by Council Member Holden would require
5 DSNY to empty all public waste receptacles, litter
6 baskets in other words, at least once a day. Intro.
7 145, sponsored by Council Member Brannan, would
8 require the department to assist the Parks Department
9 in the removal of down trees, branches and other
10 vegetation following increment weather. Intro. 238
11 sponsored by Council Member Gennaro would require
12 DSNY to collect recyclable material or materials
13 within two days following the departments 13
14 scheduled collection holidays. Intro. 630 sponsored
15 by the Chair, would require the creation of a
16 publicly available tracking application for street
17 cleaning operations similar to the Plow NYC system
18 available for snow fighting operations.

19 And lastly, Intro. 693, sponsored by the Public
20 Advocate would require residential properties of 100
21 or more units to provide for a dumpster not less than
22 20 yards in length. DSNY shares the goals of
23 cleanliness and effective equitable service delivery
24 that each of these bills intends to achieve. While
25 we have concerns with some of the bills, we look

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1 forward to discussing with Council how to best
2 achieve the goals they represent and together we can
3 create a cleaner, more vibrant New York City.
4

5 Thank you for the opportunity to testify today
6 and we're now happy to answer your questions.

7 CHAIRPERSON NURSE: Thank you Deputy
8 Commissioner. I just want to acknowledge Council
9 Member Chi Ossè, Council Member Holden and I also
10 want to turn the floor over to Council Member Holden
11 to make remarks about his bill.

12 COUNCIL MEMBER HOLDEN: Good morning. I want to
13 thank Chair Nurse for hearing Intro. 110, which would
14 require the Department of Sanitation to empty all
15 public waste receptacles, litter baskets. Sorry,
16 uhm, at least once daily. This would codify this for
17 the future, which is, that's the important thing
18 here, that we create that standard.

19 I also want to thank Sanitation Commissioner
20 Jesse Tisch for her work. In about six months, she's
21 done amazing things and you know she is certainly a
22 pleasure to work with. New York City is the most
23 densely populated city in the United States. Trash
24 receptacles along major thoroughfares are routinely
25 overflowing. Everybody knows that in New York City,

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2 so that's kind of a fact of life. And the mayor
3 understands you know that you know how we process
4 waste has to change. I think this legislation is a
5 compliment to his ongoing reforms. Emptying public
6 receptacles daily will improve our environment and
7 create a cleaner New York City, no doubt about that.

8 So, this bipartisan legislation will improve the
9 quality of life for all New York City residents.
10 This is very simple. I ask my colleagues to sign on
11 to Intro. 110 and again, I thank Chair Nurse for
12 hearing this bill. Thank you.

13 CHAIRPERSON NURSE: Thank you Council Member
14 Holden. And I think we can start up our lineup
15 questioning around Council Member Holden's bill while
16 he's here. So, we'll get right into it. So, for
17 Intro. 110 again is just to - is to require and
18 quantify that the public waste receptacles are
19 emptied at least once a day. As we all mentioned,
20 the Council fought really hard to get the twice per
21 day, six times per week litter basket change and it's
22 not a baseline program from what we understand, so
23 some of the questions we have and just in terms of
24 how that's going right now but let's start with you

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1 know what you're general thoughts about this bill
2 are.
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4 GREGORY ANDERSON: Sure, thank you and thank you
5 to Council Member Holden for introducing the bill as
6 well. So, as I mentioned in the testimony and as you
7 have mentioned Chair, the Administration and the
8 Council added an additional \$22 million in funding
9 this year for litter basket service, bringing the
10 service levels to the highest level ever. Nearly all
11 litter baskets citywide today are emptied at least
12 once a day. Many are emptied more than once a day
13 and that's really based on the level of need in each
14 commercial corridor in each area in each neighborhood
15 in the city and that's driven by pedestrian activity
16 proximity to transit stops and transit hubs, to
17 entertainment and other tourist attractions and a
18 number of other factors and these service levels can
19 vary from district to district and even very pretty
20 greatly within a single district based on that level
21 of need.

22 So, you know I think we support the intent of
23 this bill to keep our city clean, to empty our litter
24 baskets regularly, but I think we also know as the
25 Sanitation Department that we need to have the

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2 discretion and the ability to allocate our resources
3 effectively and appropriately across the city based
4 on what resources are available to us and that's
5 something that Chief Pitts in his office, cleaning
6 office in Sanitation headquarters do on a daily
7 basis. They're looking at, where do we have needs?
8 Where do we have available resources? And making
9 sure that we're meeting that need on a daily basis.
10 I think we certainly agree with the spirit of
11 emptying the litter baskets frequently and reducing
12 the number of overflowing litter baskets.

13 As I mentioned in my testimony, 311 complaints
14 for overflowing litter baskets down 55 percent year
15 to date compared to last year. It's a tremendous
16 improvement. We would love to see sustained
17 investment. Obviously, that's a conversation that
18 needs to happen in the upcoming budget.

19 CHAIRPERSON NURSE: Okay, so based on the
20 allocation that was given in July, right now, not all
21 litter baskets are serviced twice per day?

22 GREGORY ANDERSON: Yeah, that's correct. It
23 varies based on need.

24 CHAIRPERSON NURSE: I just wanted to clarify.

25 GREGORY ANDERSON: Yeah.

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CHAIRPERSON NURSE: Okay.

GREGORY ANDERSON: Almost every litter basket in every district is serviced the minimum of once a day but certainly not all of them are serviced twice a day.

CHAIRPERSON NURSE: So, almost every single one would be serviced, so but you didn't seem like you're saying the intent of this bill is good but you're not fully in alignment with it, even though as of the minimum, you have baskets being serviced once a day?

GREGORY ANDERSON: Yeah, given the current level of funding and you know if that level of funding continues in perpetuity, I think you know we would expect that that level of service would also continue. But you know, we need to hold on to that sort of management discretion to allocate resources where they're needed based on what resources are available.

CHAIRPERSON NURSE: Okay, so if we codify this, do you believe DSNY has the capacity and staffing to continue that work?

GREGORY ANDERSON: Again, we have the capacity and staffing today in Fiscal Year '23. As far as

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2 future fiscal years, that's a conversation for the
3 budget cycle.

4 CHAIRPERSON NURSE: So, you already alluded to
5 this but maybe you could hone in a little bit more
6 about which districts receive more services, more
7 frequency of services.

8 GREGORY ANDERSON: Sure, I'll start and then
9 maybe let Chief Pitts add in as well. So, the level
10 of service as I said, can vary even within a district
11 pretty substantially around here in Manhattan
12 Community District One. We have some baskets that
13 are serviced three times a day, some baskets that are
14 serviced just once a day based on those levels of
15 pedestrian activity. The level of use of the litter
16 basket.

17 In general, we try to focus the service on
18 commercial corridors, and I've done a lot of work
19 over the last few years, especially with this
20 additional funding in focusing on commercial
21 corridors in the outer boroughs. Places like
22 Roosevelt Avenue for example in Queens, that has
23 desperately needed additional service. We really
24 ramped up the service in that area, as well as parts
25 of Brooklyn and the Bronx. You know South East

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2 Queens, even Staten Island that you know previously
3 may not have had the level of service that they
4 needed, are currently being serviced much more
5 frequently.

6 And I'll let Chief Pitts add anything that he
7 would like to add.

8 JEFFREY PITTS: As Commissioner Anderson said,
9 you know we'll focus on the commercial corridors,
10 transit hubs, tourist attractions. So, if you want
11 to compare districts, Time Square, you couldn't level
12 up with the say Far Rockaway. But then Far Rockaway,
13 most people forget that we have seasonal changes, you
14 know, during the peak season when we up service and
15 then decrease service after the peak season. So, we
16 look at all those things including 311 complaints and
17 think advantage in elected inquiries.

18 CHAIRPERSON NURSE: So, you're saying you focus
19 more on commercial corridors, a level of service at
20 like Time Square is high. They are seasonal but are
21 there any particular areas that you could say like,
22 we service this area most frequently or this borough
23 or these hand full of districts more than others?

24 GREGORY ANDERSON: I would say you know that on
25 average, probably there's more service in Manhattan

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2 just based on the amount of pedestrian activity. And
3 remember, litter baskets are intended as our
4 Commissioner likes to say, for walking trash. The
5 coffee cup, the food wrapper, the newspaper that you
6 have as you're going about your daily routine. So,
7 pedestrian activity is the number one thing that we
8 look at but uhm, you know because of the additional
9 funding that we've received in the current fiscal
10 year and to a lesser extent in past fiscal years,
11 we've really increased the level of service in outer
12 borough commercial corridors as well and that's
13 particularly in response to what we saw during COVID,
14 which was that those outer borough commercial
15 corridors had their activity recover a lot faster
16 than Manhattan.

17 So, we have a higher level of service in those
18 places today than we did at any point in history.

19 CHAIRPERSON NURSE: That's great. I'm going to
20 turn it over to Council Member Holden for questions
21 about the bill.

22 COUNCIL MEMBER HOLDEN: Thank you Deputy
23 Commissioner. I just uhm, the intent of 110 is to
24 codify it obviously for the future.

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2 We understand that right now, with the additional
3 \$22 million, you are emptying the baskets, however,
4 every image that I have of litter baskets, it's
5 overflowing. I think everyone put up with that for
6 several years, maybe decades and it defeats the
7 purpose. Having a litter basket that's overflowing
8 with garbage all around it, blowing all over the
9 commercial districts. And 99 percent of the litter
10 baskets are in commercial corridors, I would imagine.
11 So, we're not talking about, this is not rocket
12 science. This is about emptying and doing the job
13 that you guys are supposed to do is to empty the
14 baskets. And for years, we didn't have that. We
15 have it now because the Council thought it was
16 important.

17 Now, we think it's important to make it official
18 and not to give you discretion because when you had
19 the discretion, you didn't do the job and it wasn't a
20 priority. It is a priority. Do you know that I
21 still have areas in my district that they - in
22 Ridgewood that they; the Civic Association said,
23 we're going to take these baskets out of the
24 commercial corridors because it's a mess. And we
25 don't want to have that mess in the neighborhood.

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2 So, they took them out because they weren't
3 emptied regularly. So, we don't want to leave it up
4 to the Department of Sanitation to decide they're
5 going to you know reduce it. They are going to have
6 two or three times a week and then we're back to
7 square one. So, this is a good bill. I would think
8 that you guys would support it, not just the intent
9 but to really empty these containers every day. And
10 if some don't need it, then you just go by it. If
11 nothing is in it, of course you're not going to take
12 the basket and you know dump it anyway as a symbolic
13 gesture. But we get it, just drive by it but we want
14 you to check.

15 So, if people are abusing the baskets, like
16 dumping household garbage, which some people do. We
17 expect enforcement of that but in the meantime, I
18 don't really hear a lot of comments on your testimony
19 about the bills, you're just mentioning the bills.
20 You're not even saying if you're for or against it,
21 which is very unusual for a hearing. I expect you to
22 on paper to say what you like about it and what you
23 don't like about it. I didn't hear that.

24 So, uhm, just the intent is kind of like a wishy-
25 washy thing. If you're for it, are you going to back

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2 it or not? If you're not going to back it, then the
3 Council needs to you know go to the next step on it
4 but at least tell us how you feel about it rather
5 than I'm not hearing much. You want that option to
6 not pick up garbage, the trash, but I don't think
7 that's - I don't think that's an option. Given the
8 history of not emptying the baskets and what it is
9 meant to the cleanliness of our districts. Thank you
10 Chair.

11 GREGORY ANDERSON: Yeah, thank you Council Member
12 for that. You know I think as it stands today, we
13 cannot support the bill. Uhm, and that's because
14 it's not just discretion to allocate resources, it's
15 discretion to allocate resources that we have and
16 that you know is a conversation that happens in the
17 context of the budget. We think you know
18 conversations around service levels should happen in
19 the context of the budget. We would love to do more
20 with more. We would love to continue to increase
21 levels of service. There's nothing that Chief Pitts
22 likes more than to have more resources available for
23 him for the frontline men and women in the sanitation
24 department to do their job.

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2 We as the Sanitation Department fully support
3 that but as far as determining levels of resource
4 allocation, we think that's more -

5 COUNCIL MEMBER HOLDEN: Well, again, I think we
6 need to speak to the Commissioner because then we're
7 headed in the wrong direction. We left it up to the
8 Department of Sanitation for years and where did it
9 get us? Do you understand the history of the litter
10 baskets and I have photographs I could show you over
11 a 30-year period. And every year, I'm photographing
12 a mess around the litter baskets in every district in
13 the city almost.

14 So, what you're saying is, let's just go back to
15 where we were before. In the future, I'm not talking
16 about today or this year, I'm talking about moving
17 forward. If we had the necessary resources and then,
18 you could, of course you could ask for the necessary
19 resources, but it's got to be priority. It should be
20 a priority in the Department of Sanitation to codify
21 this.

22 So, I will definitely speak, and I think the
23 Chair will speak to the Commissioner because this is
24 a very important - this is very important to the 51
25 Council districts. I know it is because I've heard

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2 the complaints from all over the city about this and
3 we've had hearings in the last Council to deal with
4 this and we finally came up with a solution and now
5 we have a bill that you know would make it official.
6 That yes, litter baskets, the emptying of litter
7 baskets are important. Thank you.

8 CHAIRPERSON NURSE: Thank you Council Member
9 Holden and definitely want to echo your comments. I
10 think if you're saying you already service the
11 baskets once a day, I don't understand why we
12 shouldn't just make it official and move it forward.
13 I do have some questions about the funding since you
14 were talking about this should be a conversation in
15 the context of resources. The Council fought really
16 hard. I want to credit Council Member Brannan. I
17 also want to recognize Council Member Yeger and I
18 know Council Member Julie Menin was here to push for
19 that.

20 So, how you know, that \$22 million, is that going
21 to take us through the end of the year, considering
22 this is not a baseline program?

23 GREGORY ANDERSON: Yeah, absolutely. When the
24 adopted budget was finalized in June, we put together
25 a plan that was a full 52-week plan that would allow

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2 that level of service to continue over the course of
3 the full fiscal year. So, that's what we have
4 implemented. So, we've spent down about 30 percent
5 of that funding and we're about 30 percent of the way
6 through the fiscal year.

7 CHAIRPERSON NURSE: Okay, and so, what would the
8 total cost of this bill be? If its \$22 million is
9 working for the year and that was for two times a day
10 for servicing baskets and you're baseline doing one
11 time a day, would that cover the cost of the program?
12 How much would it cost for DSNY to do this bill?

13 GREGORY ANDERSON: So, I don't have a cost
14 estimate with me today. I think we'd have to look at
15 what the actual baseline level of service is and sort
16 of what that looks like on a district-by-district
17 basis, but we can certainly have that conversation in
18 the future.

19 CHAIRPERSON NURSE: Okay, we definitely included
20 it in the questions we sent over, so we'd love to get
21 that specific follow up. Did anyone have a question
22 on this specific bill?

23 COUNCIL MEMBER BOTTCHEER: Hi, uhm, can you name
24 an example of a situation where a basket would not be
25 serviced once a day? And is that happening before

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2 the budget allocation? Where can you envision a
3 basket being left unemptied for more than one day?
4 And do you think that there's situations where that
5 would be appropriate?

6 GREGORY ANDERSON: I think there are some
7 situations where based on the level of need, a litter
8 basket does not need to be emptied every single day
9 of the week. There are baskets today in Staten
10 Island for example, where we have a litter basket
11 because there's occasional pedestrian traffic but
12 it's not enough that the basket needs to be emptied
13 on a daily basis.

14 So, that's the kind of analysis that the cleaning
15 office does. That each individual borough chief does
16 to look at how many resources do they have available
17 and where do those resources go.

18 COUNCIL MEMBER BOTTCHEER: Can you name uh, would
19 it be like an entire route that wouldn't be needed to
20 be emptied every day or it would just be like a
21 couple baskets along that route?

22 GREGORY ANDERSON: No, it's more a couple baskets
23 along the route and that's you know, in every
24 district, there are areas or specific baskets that
25 may require that level of service but the variation

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2 within districts can also be pretty large. You know
3 there are parts of Staten Island where we do have
4 daily service. There are some baskets on Staten
5 Island that may get service more than once a day
6 between the litter basket service and the collection
7 frequency together. So, you know that's the analysis
8 that we're doing as we determine how to allocate our
9 resources best across the city.

10 COUNCIL MEMBER BOTTCHE: If there's a basket
11 along a route and they're on the route anyway, even
12 if it's just a little, why not just empty it?

13 GREGORY ANDERSON: Well, they're not - I think I
14 may have misspoke. They are not driving past a
15 basket and not emptying it. That's not how they
16 determine the level of service. It's determining
17 which routes are run on which day. And every basket
18 that's on a given route and it varies based on
19 geography, but it's you know anywhere from 150, 170,
20 all the way up to 250, close to 300 depending on the
21 density. Every basket that's on the route gets
22 serviced by that crew.

23 COUNCIL MEMBER BOTTCHE: So, how likely is it
24 that you'd have an entire route of baskets and none
25 of them need to be emptied that day?

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2 GREGORY ANDERSON: It's more a question of how
3 like, which baskets are on which routes. You know we
4 may have in one district, two trucks on a Tuesday and
5 one truck on a Monday. So, the Monday truck has to
6 cover as many baskets as it can and we route to try
7 to maximize the number of baskets that it covers and
8 then on Tuesday, we have two routes that can cover
9 you know basically every basket across the district.

10 So, that's the kind of variation. We're not
11 sending out a truck to do the same route every day
12 and telling them, you know on Tuesday's you don't
13 pick up this one. We're actually changing the routes
14 on a daily basis based on that resource availability.

15 COUNCIL MEMBER BOTTCHEER: The intent of this bill
16 and what this bill would do from what I understand is
17 ensure that every day the trucks at least pass by the
18 baskets at one time. Like every route has a truck
19 passing through. Is that not realistic sounding to
20 you? How many baskets are on a route?

21 GREGORY ANDERSON: So, like I said, it varies
22 based on density. I think probably on the low end,
23 it's you know around 170 or so, 175. On the high
24 end, it might be close to 300. I don't think we have
25 any that get to 300 but it really varies based on

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2 density. You know, if you have a route in Manhattan
3 that's going up and down an avenue, you can cover a
4 lot of baskets really quickly if you're in you know
5 an outer borough where the baskets are more
6 sporadically placed or where you know the blocks are
7 longer or it's you know longer windy roads, you may
8 have fewer baskets just based on the amount of time
9 it takes to cover the distance.

10 COUNCIL MEMBER BOTTCHER: Because what happened
11 historically is the baskets would just be left
12 overflowing and those trucks wouldn't be passing by
13 every day. From what I understand what this bill
14 would ensure is that at least the trucks would be
15 passing by the baskets every day and if they're
16 overflowing, it would take care of it. It seems
17 pretty straight forward to me.

18 GREGORY ANDERSON: Yeah and you know that's
19 ultimately a question of resource availability and
20 that's a conversation that the administration
21 believes should happen in the context of the budget.
22 You know we are very happy with the level of service
23 that we're providing right now. We are thrilled that
24 it is the highest level of service we have ever had
25 in New York City, and you know we would love to

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2 continue the conversations about that level of
3 service in the budget.

4 CHAIRPERSON NURSE: That's great, so would really
5 love that specific feedback around how much would it
6 cost to service every basket. You know, if we want
7 to push forth the bill, you're saying it should be in
8 the budget. It would be great to know how much does
9 it cost. Council Member Ossè and then I'll pass it
10 to Yeger after for your remarks.

11 COUNCIL MEMBER OSSE: Thank you Chair Nurse and
12 hi guys, good morning. I just want to follow up on a
13 question that Council Member Bottcher asked. I know
14 that it depends on which baskets the DSNY goes by and
15 doesn't pick up on a regular basis in terms of the
16 need in those commercial corridors but are there - is
17 there any guidelines that the department has in terms
18 of certain corridors where you frequently see these
19 litter baskets overflowed multiple times a day? Do
20 you have you know a special duty of picking those
21 baskets up multiple times a day or is it just one
22 time a day for those baskets as well?

23 GREGORY ANDERSON: No, some of those baskets may
24 be collected you know as many as two or three times a
25 day. There are districts where we have basket trucks

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2 assigned on each of the three shifts. And so, those
3 baskets may be serviced on the midnight shift, on the
4 day shift, on the afternoon shift and you know that
5 determination is based on the level of need, the
6 amount of activity we're seeing, the frequency of
7 complaints. It's based on a number of factors that
8 you know we're using a lot of situational awareness,
9 a lot of real institutional knowledge from our
10 uniformed officers to make that determination.

11 COUNCIL MEMBER OSSE: And when you see that
12 certain baskets you know need to be picked up, uhm, or
13 refilled three or four times a day, do you consider
14 increasing that? Or what considerations does the
15 department have when you are consistently seeing you
16 know these certain corridors have those baskets
17 filled to the brim at all times of the day. Is that
18 something that you evaluate to expand more baskets in
19 that part of the neighborhood or corridor, provide
20 more services there? Does that make sense in terms
21 of my question?

22 GREGORY ANDERSON: Yeah, it makes a lot of sense
23 Council Member. Uhm, we don't see a basket filling
24 up as a bad thing. That's an indication of
25 commercial activity. It's an indication that our

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2 streets are vibrant. It's when it's overflowing that
3 we think it's a bad thing, so we try to match the
4 level of service based on available resources to how
5 the baskets are being used. And that's really the
6 calculation we do in places where even three times a
7 day isn't enough, we may add an additional basket on
8 that corner. There are a handful of corners in the
9 city that I'm aware of where you know we have;
10 there's four corners on an intersection. Each of
11 those four corners has two baskets and that's just
12 because of the amount of people flowing through that
13 area, the amount of litter that they are generating,
14 and you know, we try to match the number of baskets,
15 the level of service with the demand based on
16 resources.

17 COUNCIL MEMBER OSSÈ: And maybe Chair Nurse or
18 any members of the Committee may have answered this
19 question, but I'll ask you guys. Is there any type
20 of public data that you have in terms of how
21 consistently some of these baskets are picked up or
22 whether you see some of the higher density areas
23 where the bins are usually filled to the brim?

24 GREGORY ANDERSON: I don't think we have anything
25 publicly available on the level of service and the

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2 service frequency for individual baskets. That's
3 something we're open to a conversation with the
4 Council about. We do have a map that we update very
5 regularly on open data that shows where all the
6 baskets are located, and we're open to conversations
7 about.

8 COUNCIL MEMBER OSSÉ: And the final question that
9 I have for you and obviously, I know you wouldn't
10 have these numbers or any type of these documents off
11 the top of your head right now, but if you could send
12 them to me via email whenever you can. I think a
13 high-density area where I've heard many complaints
14 about how overflown the baskets are is Utica Avenue
15 between about Eastern Parkway to Dean Street. And I
16 have many residents that are always telling me and
17 calling my office saying that the litter baskets are
18 filled to the brim and would love to see some numbers
19 in terms of how often you are coming through that
20 corridor and letting the trash out of these trash
21 bins. Maybe if we need more trash bins on that
22 corridor, that's something I would like to know as
23 well but I would love to see those numbers in some
24 type of document or physical form.

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2 GREGORY ANDERSON: Yeah, we can absolutely follow
3 up.

4 COUNCIL MEMBER OSSÉ: Thank you so much. Thank
5 you Chair.

6 CHAIRPERSON NURSE: Thank you. The final
7 question on this bill is just, can you very quickly
8 share how – what is the frequency in which you
9 recalibrate? So, when you're seeing the conditions
10 change, how often are you adding a route or taking
11 away a route? Does that happen on a weekly? On a
12 monthly? On a quarterly basis? Like, how nimble are
13 you all based on your on the ground assessment with
14 your drivers and the workers?

15 GREGORY ANDERSON: Yeah, so, the resource
16 allocation generally is made on a fiscal year basis
17 because the funding is allocated generally on a
18 fiscal year basis. So, at the beginning of the
19 fiscal year, like we did this year with the
20 additional \$22 million, we'll sit down and say, you
21 know what makes sense as far as where we think those
22 resources should go. Over the course of the year,
23 we'll make adjustments along the way and that may be
24 looking at individual districts that need more
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2 service. Maybe looking at entire boroughs that need
3 more service.

4 CHAIRPERSON NURSE: So, it's as needed?

5 GREGORY ANDERSON: It's really as needed.

6 There's not like a standard cadence for that
7 evaluation, and it's really based on what Chief Pitts
8 and all of his officers are seeing in the field. All
9 the feedback they're getting from various types of
10 situations.

11 CHAIRPERSON NURSE: Okay, thank you. So, now,
12 I'm going to turn it over to Council Member Yeger to
13 give remarks about his two bills.

14 COUNCIL MEMBER YEGER: Thank you very much Madam
15 Chair. Good morning. I apologize that I wasn't here
16 when you testified. I don't drive the subway, I just
17 ride it, but I did read your testimony and I just
18 want to go through some of the questions regarding
19 the bills that I've introduced. And most of the
20 bills that are being heard today are just really
21 common-sense solutions to the problems that New
22 Yorkers face every single day and I do agree that you
23 know the department has an immeasurably difficult
24 task of keeping New York clean. And I think some of
25 these bills would help you do that but one of the

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2 jarring parts of your testimony is that I get to the
3 bottom of the second page where you first discuss the
4 bills being heard today and then keep reading and you
5 go through the bills. You reintroduced them to us
6 because we know what we introduced and you're just
7 telling us what we introduced. And then you get to
8 the line where it says, uhm, you have concerns about
9 some of the bills. We look forward to discussing
10 with the Council how to best achieve the goals they
11 represent. Well, here you are, here we are. What's
12 wrong with the bills?

13 I mean, we can go in order you want.
14 Introduction Number 32, it's my bill, introduced
15 early this year. It was first introduced in 2018 by
16 Councilman Alan Maisel. It was introduced in a
17 previous session of the Council by Councilman
18 Greenfield, my predecessor in 2017.

19 Introduction Number 33 was introduced in 2018 by
20 Councilman Alan Maisel. In the previous session of
21 the Council, it was introduced in 2014 by Councilman
22 Jimmy Vacca. In 2010, it was introduced by
23 Councilman Mike Nelson and in 2009, in a previous
24 session, also introduced by Mike Nelson. So, here we
25 sit, and it seems to me that the department does not

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2 have a fully formed opinion on these bills and I'm
3 just wondering how it came to pass that in 13 years,
4 the department has not come to have an opinion on the
5 bills that we're here to discuss today. You knew the
6 hearing was happening. You're ready to discuss with
7 the Council how to best achieve the goals they
8 represent. Discuss, tell us what's wrong with the
9 bill, what you'd like to see changed. If nothing,
10 tell us nothing and then we can go about doing the
11 things we do like passing them. But just to explain
12 to you the genesis of Introduction Number 32. Uhm,
13 in relation to requiring a searchable database for
14 notices of violation issued by the Department of
15 Sanitation. It costs the city nothing to do it. I
16 mean it's a database. The information is in there.
17 It's all in a computer already, all you got to do is
18 flip a switch, turn it on, let us be able to search.
19 It costs nothing. And I'm big into doing things that
20 cost nothing.

21 Introduction Number 33, it would require that
22 notices of violation issued by the Department of
23 Sanitation be accompanied by a photograph of the
24 alleged violation. Now, I'm not holding you
25 accountable for what I'm going to tell you but

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2 nonetheless, this is true. Uhm, a gentleman in my
3 neighborhood gets a summons within a day or two of
4 him calling 311 because of a missed pick up. We tell
5 people call 311 when you miss a pick up. He calls me
6 up and he says, "I don't care really that I got a
7 summons. I've lived here 40 years, never got a
8 summons but if it was my turn, it was my turn." And
9 he gets the summons for you know the street cleaning,
10 a kit kat wrapper on the street or what have you.

11 And he said the problem is that a day or two
12 later, I'm out at around that time and the guy, the
13 same guy who wrote the summons pulls up and writes me
14 a summons and I said, "there's nothing on the
15 street." And the gentleman tells me, but that's what
16 you get when you call 311 and complain that we missed
17 a pick up. That's one story.

18 We have stories like this all throughout the
19 city. We have stories of video cameras that were not
20 as prevalent in New York in 2009 when Mike Nelson
21 first introduced the bill picking up evidence of
22 enforcement agents writing summonses with the
23 violations that it exists. It's a simple bill to
24 keep people honest. It's not a difficult thing and I
25 don't doubt by the way that you know this will tie in

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2 directly to Introduction Number 32 of requiring
3 searchable database because as soon as we're done
4 today, income to Sanitation Enforcement Officers to
5 my neighborhood to start writing summonses. Let's
6 show Yeger what happens when he complains. These are
7 true stories. Sanitation Enforcement agencies, I'm
8 sure there are many good ones, but they target
9 neighborhoods. They target people. They target in
10 response to complaints. A set of enforcement agents
11 in my neighborhood this summer decided that they're
12 not going to write summonses for dirty streets
13 because the streets weren't dirty. Most people are
14 away in my neighborhood, so instead they're going to
15 start enforcing parking regulations and who do they
16 enforce it against? They wrote summonses to school
17 buses parked in front of schools for not violating
18 the no standing during street cleaning regulations
19 but for violating the don't park in front of school
20 regulation. Where the statute specifically says
21 school buses can park in front of schools. They
22 turned themselves into parking enforcement agents,
23 not sanitation enforcement agents. And they did it
24 why? Because they had summonses they had to write
25 and they're going to get yelled at if they don't.

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2 So, let me go back to my original question. I
3 appreciate that you listened to my little speech.
4 Here we are, we're sitting here, and you say you're
5 ready to discuss with the Council how to best achieve
6 the goals they represent. We want to pass the bills;
7 tell us how to get them better for you to be able to
8 pass them.

9 GREGORY ANDERSON: Thank you Council Member and
10 just to address a few of the things that you said,
11 I'll get to the bills, I assure you.

12 Uhm, on the issue of tickets being improperly
13 issued, you and I have had conversations about that
14 in the past. We have to my knowledge very swiftly
15 addressed every issue that you have brought to our
16 attention, and we have as a matter of department
17 policy, we have made it clear that that kind of
18 behavior is unacceptable. So, if there are still
19 specific issues happening, we need to know about them
20 and we will swiftly address them. We are also trying
21 to proactively address those issues, so.

22 COUNCIL MEMBER YEGER: And I appreciate that very
23 much Deputy Commissioner and I should have opened
24 with that saying that the department in response to
25 something that happened when we did bring this up

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2 with the departments leadership under this
3 Commissioner and under her immediate predecessor,
4 although limited to those two Commissioners, it is
5 true that they were attended to but wouldn't the bill
6 that requires an enforcement agent have to take a
7 picture of the item being violated just simply
8 address this problem without having it to rise to a
9 level of asking a Deputy Commissioner to fix the
10 problem? Because not every New Yorker who gets a
11 summons, calls their Council Member and says, I got a
12 summons. And then the Council Member picks up the
13 phone and calls the Deputy Commissioner and says, why
14 is this guy getting harassed like this?

15 Most New Yorkers get the summonses and just deal
16 with it because it's the price of being a New Yorker
17 is getting another summons. Wouldn't this bill just
18 simply fix that? And wouldn't the second bill,
19 Intro. 33 give New Yorkers the resources to turn
20 anecdote into either reality or falsity. In other
21 words, right now anecdotally, every neighborhood in
22 New York and every person living in every
23 neighborhood in New York believes that they are the
24 most targeted neighborhood in the entire city. It
25 doesn't matter what the statistics say. There are no

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2 statistics. We can't look it up. Give us the tools,
3 so that when folks in Council Member Nurses
4 neighborhood say, well, we get tickets more than
5 anybody else, she can say, well look at the stats,
6 that's just not true; they're all in Yeger's
7 district.

8 You know, it's a simple tool and I'm just trying
9 to understand what the objection is and why we're
10 here today because it just seems like you know, you
11 kind of just and I don't mean this disrespectfully,
12 please, but you're kind of just checking the box by
13 being here saying we're here. You guys have a
14 hearing, we'll show up, but we don't really care.

15 GREGORY ANDERSON: Sure, so to address the
16 specific bills, Intro. 32, there is already a
17 tremendous amount of information available on open
18 data about every notice of violation issued by every
19 agency that's returnable to oath, including
20 sanitation violations. So, there's a lot of
21 information there that's available to the public,
22 including where are the violations issued? What are
23 the violations for? So, you know we think that's
24 just duplicative of information that's already
25 updated in real time from department internal

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2 databases and from oath databases. So, that's our
3 position there.

4 Intro. 33, you know we cannot support Intro. 33
5 if it poses a very large burden for the agency for
6 two reasons. One, it has the potential impact on
7 cleanliness. We get, we get calls, texts, twitter
8 notifications, 311 complaints of all sorts from
9 elected officials from constituents from business
10 owners, from community leaders, telling us to do more
11 enforcement. Hold, Scapha, property owners,
12 businesses accountable and we need to be able to do
13 that. The reason this bill creates a challenge for
14 us is the way that photographic evidence effects the
15 way violations are adjudicated.

16 So, when we send a ticket to Oath, that ticket on
17 its own, serves as the entire case that the city is
18 making against the respondent. If we attach a
19 photograph to that ticket, the only way for that
20 photograph to be considered as evidence is if we send
21 an officer, an agent, someone to represent the
22 department to attest to the validity of the
23 photograph, when it was taken, where it was taken,
24 what's in the photograph, that it's outside of the
25 address that's listed and it's just simply impossible

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2 from a resource perspective for us to send those
3 agents, officers, representatives to every hearing.

4 And we think it's - even more so, we think that
5 it's wrong to take those agents and officers out of
6 the streets and put them in a hearing room or a
7 virtual hearing room or what have you.

8 COUNCIL MEMBER YEGER: I appreciate that very
9 much because you bring me to another good point, so
10 thank you. So, first of all, it would have been
11 helpful if you - just that's the one paragraph you
12 could have thrown into the bottom of this and just
13 said this is why we oppose it, and I could have saved
14 like you know five minutes in my first part of the
15 speech.

16 Exactly what you described is the challenge for
17 the department, is exactly why we need this bill.
18 Because when an officer, when the agency issues a
19 summons, that summons is prime evidence. In other
20 words, a lying enforcement agent is taken at the word
21 on a piece of paper with no ability to cross examine.
22 That piece of paper goes to Oath, the Oath judges are
23 machines. They don't rule against the city, they
24 rule in favor of the city. They rule against the
25 people all the time. They are machines. Their job

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2 is to say, affirmed. We sustain the summons. That's
3 their job. Their job is to make money for the city.
4 They are not getting paid to dismiss summonses. And
5 this bill, Intro. 33 is different from the one, two,
6 three, four versions introduced prior here to.
7 Because I put in a line; sometimes I write my own
8 bills, that each such notice of violation shall be
9 accompanied by an affidavit from the issuing agent
10 containing the date, time and precise location where
11 the photograph was taken and the name of the
12 individual who took the photograph. That to would be
13 prime evidence. It would be a record kept in the
14 ordinary course of business, obviously admissible in
15 the CPLR and rebuttable evidence of the facts
16 contained therein.

17 Okay, so in other words, you take the picture, an
18 affidavit comes along with the picture, who took the
19 picture. Same with the uh, when somebody gets a
20 camera ticket from you know going exactly the right
21 speed but 36 instead of 35. And there's an affidavit
22 on the back saying I inspected the camera. It works
23 well, I checked it out. It's all good, sign my name,
24 etc.. It's all computer generated but the purpose is
25 that if the guy who writes the ticket is a liar,

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2 that's perjury and they should be prosecuted. And
3 this happens more - if this happened once in my
4 lifetime and I never heard it again and I would never
5 say a word about it, but this happens all the time.

6 So, now that you've heard the back and you're
7 answer has been that we don't want to burden Oath.
8 We don't want to burden them with sending all these
9 people to come and testify. Now that you've heard
10 that there's a reason for it, could we get you the
11 agencies support on this bill?

12 GREGORY ANDERSON: Council Member, I cannot
13 support the bill here today. I think you know we are
14 open to further discussions about the changes that
15 you've made. We're open to further discussions about
16 enforcement. Generally, we're open to discussions
17 about specific issues you're seeing. We can't
18 support the bill here today, but you know, look
19 forward to those conversations.

20 CHAIRPERSON NURSE: Thank you.

21 COUNCIL MEMBER YEGER: Thank you very much Madam
22 Chair.

23 CHAIRPERSON NURSE: I have some questions about
24 the bill just to bring some more information on the
25 record. For Intro. 32, you know you said this is

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2 public data, but can you just remind us how many
3 notices of violation does DSNY issue?

4 GREGORY ANDERSON: Sure, so notices of violation
5 returnable to Oath Fiscal Year '21, 268,000. Fiscal
6 Year '22, 249,000. Fiscal Year '23 to date around
7 93,000.

8 CHAIRPERSON NURSE: And do you know how many are
9 successfully pushed back against?

10 GREGORY ANDERSON: Yeah, so, that information is
11 kept by Oath. You know we do receive reports on that
12 information and it's you know broken by the types of
13 violations that are issued. So, we do receive
14 information about dismissals, about appeals, from
15 Oath.

16 CHAIRPERSON NURSE: Can you give us a ballpark
17 estimate, percentage estimate? So, last year, how
18 many notices of violations were successfully defeated
19 by the people who receive the ticket?

20 GREGORY ANDERSON: I don't have that number here
21 in front of me, but we can certainly provide it.

22 CHAIRPERSON NURSE: It would be really helpful I
23 think for the conversation. Uhm, and do you have
24 some geographic data where you could say where you're
25 getting more violations versus not?

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2 GREGORY ANDERSON: Yeah, I mean I have, in front
3 of me I have it broken down by Community Board. So,
4 if there is like a specific -

5 CHAIRPERSON NURSE: Maybe you could give us the
6 top five?

7 GREGORY ANDERSON: Uhm, in terms of top five
8 community boards, it uh, sorry, I don't have it
9 sorted. But for example, you know in the Bronx, you
10 have community Board 12, which geographically is the
11 largest Community Board in the Bronx, received the
12 most violations in the Bronx, 2,700 so far year to
13 date.

14 In Manhattan, Community Board 12 also
15 geographically the largest, 2,200 year to date. Uhm,
16 let's see, in Brooklyn, Brooklyn Community Board 1,
17 not geographically the largest but probably one of
18 the top three geographically and one of the highest
19 in population has 2,400 year to date.

20 CHAIRPERSON NURSE: What's your lowest? Where
21 you issued the lowest number of violations?

22 GREGORY ANDERSON: Uh, give me one second. It
23 looks like uhm, Queens Community Board 6 appears to
24 be the lowest for Fiscal '23 year to date.

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2 CHAIRPERSON NURSE: Okay. And then for Intro.
3 33, how many notices of violation does DSNY issue to
4 property owners related to dirty conditions each
5 year?

6 GREGORY ANDERSON: Yeah, so uhm, you know the
7 breakdown of our violations based on sanitation
8 conditions of all kinds; dirty sidewalk, dirty area,
9 failure to clean, improper receptacles, overflowing
10 receptacles, it's a - for this year at least, it's
11 probably about 85 percent of the total that are
12 issued for the sanitation conditions generally.

13 CHAIRPERSON NURSE: Okay and you also get the
14 disputes? The dispute data?

15 GREGORY ANDERSON: Yeah, we get a report from
16 Oath on a monthly basis.

17 CHAIRPERSON NURSE: Okay, thank you. Council
18 Member Yeger, do you have any other questions on your
19 bill? Okay, thank you. Uhm, so we're going to move
20 onto Intro. 145, in relation to requiring the
21 Department of Sanitation to remove fallen tree limbs,
22 branches and vegetation that obstructs streets and
23 sidewalks as a result of in climate weather. Do you
24 have an opinion on this bill?

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GREGORY ANDERSON: Yeah, so this is something we obviously already do. You know we are there to support our sister agencies following any disaster emergency situation. Whether it's a hurricane or strong winds, we're there to help the Parks Department you know through the Down Tree Taskforce that's organized by OEM. You know, we're there. We are part of the response. It is a whole city effort. Many other agencies also participate in those efforts, and you know everything from NYPD, FDNY, addressing legitimate public safety issue in real time, to the Parks Department and their forestry division doing the cutting and prioritizing those service requests after the storm. So, we're, you know we're certainly a part of that effort.

CHAIRPERSON NURSE: Okay, great. It sounds like you're supportive.

GREGORY ANDERSON: I think you know there some concerns about the bill from the Parks Department perspective, particularly the 72-hour requirement. We would defer to the Parks Department to speak to that but as far as you know Sanitation Department offering its assistance as resources allow, we

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2 already do that, and we'll continue doing that
3 indefinitely into the future.

4 CHAIRPERSON NURSE: Okay, for Intro. 238 in
5 relation to collection materials after a holiday, I
6 know you have all been working on this. Can you talk
7 a little bit about how that's been going this year as
8 you've been kind of slowly rolling that out?

9 GREGORY ANDERSON: Sure, so this is something
10 that we've put in place for the last two holidays
11 that we had and the most recent holiday, we actually
12 saw a really, really productive use of those
13 resources. I think we collected something like 6,500
14 tons of trash on the holiday. And everything that
15 wasn't collected on the holiday itself was picked up
16 you know on the Tuesday following.

17 So, really, a major shift in terms of our ability
18 to provide that service to residents of the City of
19 New York.

20 CHAIRPERSON NURSE: And when you're doing that,
21 are you having enough - I mean, the way it's been
22 framed, when you're putting it out publicly is that
23 you have your workers who are volunteering to take on
24 this shift. Uhm, so, is that enough folks selecting
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2 to take that shift to cover the whole city or is it
3 just targeting kind of your high needs areas?

4 GREGORY ANDERSON: Yeah, so the most recent
5 holiday, we had 1,500 volunteers, actually more than
6 1,500 volunteers, which is a great number. We were
7 able to run you know 700 plus trucks on the holiday
8 itself. Remember, these are contractually uh, set
9 holidays. These are you know days off that the
10 workers have earned and deserved. We're asking them
11 you know if they can to come in on the holiday if
12 they want to and the important thing is anything we
13 don't get on the holiday itself, we are getting that
14 next day. We're getting it you know Tuesday on the
15 midnight shift or on the day shift.

16 CHAIRPERSON NURSE: No, I understand that but so,
17 you've been able to - do you have a cer- are you
18 focusing those resources in specific areas? Are you
19 able to cover the whole?

20 GREGORY ANDERSON: No, we're using them across
21 the city.

22 CHAIRPERSON NURSE: Okay, okay.

23 GREGORY ANDERSON: And we're trying to spread
24 them evenly around, across all of the boroughs and
25 districts.

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2 CHAIRPERSON NURSE: Okay. Uhm, sorry, I had a
3 follow-up question, but it escaped me. Uhm, but
4 we'll move on. I'll come back if I remember it.

5 For Intro. 630, in relation to tracking of the
6 street cleaning operations; this is where the street
7 sweepers, the brooms, mechanical brooms, would be
8 available online for folks to see in real time
9 similar to the way Plow NYC does. What are your
10 thoughts on this bill?

11 GREGORY ANDERSON: So, this is something we've
12 been looking into independently. We do have GPS
13 devices on all of our street sweepers, so you know
14 this bill we do support and I think we just want to
15 work with the sponsor, you to talk about the timeline
16 and some of the specific scope requirements of that.
17 We're early in the uh, sort of IT development phase
18 right now doing exploratory work on what would be
19 necessary. What do we want it to look like? So,
20 that's something that we'd like to have further
21 conversations about.

22 CHAIRPERSON NURSE: Okay, and do you have any
23 initial budgetary costs for a program like this?

24 GREGORY ANDERSON: We don't. We're still early
25 in that sort of requirement, collecting process.

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2 CHAIRPERSON NURSE: Okay, uhm, for Intro. 693,
3 this is the bill with the Public Advocate Williams
4 and I, in relation to do the provision of sufficient
5 receptacles for the storage of solid waste. Do you
6 have any thoughts on this bill?

7 GREGORY ANDERSON: So, as written, I don't think
8 we can support it. We do agree with the intent to
9 containerize more waste and get black bags off the
10 curb. It would be somewhat infeasible to retrofit
11 existing buildings with the kind of dumpsters that
12 the bill is envisioning.

13 With that said, as I mentioned in my testimony,
14 we are doing a really comprehensive evaluation of
15 waste containerization right now and should have the
16 results of that in the next few months. We're happy
17 to keep Council apprised of how that's going, what
18 we're learning, and you know certainly once we have
19 any recommendations or plans from that process, we'll
20 work with the Council to make that happen.

21 CHAIRPERSON NURSE: And do you have a scope of
22 the study that McKenzie is going to be working on
23 that you can share with us?

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2 GREGORY ANDERSON: Yeah, we could share with you
3 the scope of work that they have. I don't have it
4 here with me but it's a relatively detailed document.

5 CHAIRPERSON NURSE: Okay, yeah, we would really
6 love that follow-up.

7 GREGORY ANDERSON: Sure.

8 CHAIRPERSON NURSE: Okay, and then I just had
9 some other questions just to keep us updated on some
10 of the you know commercial waste zones. One of the
11 biggest pieces of reform. We really want to make
12 sure that's moving forward.

13 So, I wanted to ask you know, how many, since we
14 last had a hearing on the CWZ, how many staff has
15 DSNY hired specifically for CWZ implementation?

16 GREGORY ANDERSON: Yeah, so we have 18 full-time
17 staff onboard right now and that's dedicated to
18 commercial waste zones. Obviously, we have a lot of
19 other folks in our legal division, in our analysis
20 division who are also working on that implementation.

21 CHAIRPERSON NURSE: So, you had 18. In May, you
22 said you would bringing 30 positions.

23 GREGORY ANDERSON: Yeah, so the 30 positions that
24 I mentioned at the hearing earlier this year were
25 related to our -

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CHAIRPERSON NURSE: Outreach and education.

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GREGORY ANDERSON: Our outreach team

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specifically. So, that's actually a vendor that will

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be bringing those onboard. We're in procurement

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right now. We had an RFP go out probably in August

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or so and we're reviewing the responses and should

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have that contract moving forward shortly.

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CHAIRPERSON NURSE: So, for the 18 folks that you

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did bring on, is that your full goal or what's the

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goal you need to get to to implement?

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GREGORY ANDERSON: Yeah, so we still have more

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hiring to do.

14

CHAIRPERSON NURSE: Do you know how many you're

15

trying to fill?

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GREGORY ANDERSON: I don't have that number here

17

today and I think we're looking at as we go through

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the implementation process, looking at what's the

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right mix of titles? What's the right mix of skill

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sets that we need in order to really implement this

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really complicated uhm, program successfully.

22

CHAIRPERSON NURSE: Okay, we'd love to get more

23

follow up on that.

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GREGORY ANDERSON: Sure.

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2 CHAIRPERSON NURSE: On just how many people you
3 need to effectively run this program. That is the
4 biggest piece of waste reform. Uhm, so for the 30
5 positions focused on outreach and education, has DSNY
6 started conducting this critical business outreach?

7 GREGORY ANDERSON: So, we are uh, we have an in-
8 house outreach and program team that's part of the
9 Borough of Commercial Waste. So, they've been doing
10 outreach all summer long basically since they've been
11 onboarded.

12 CHAIRPERSON NURSE: How does that outreach look?

13 GREGORY ANDERSON: So, right now, they're
14 primarily focused on educating businesses about
15 commercial recycling, commercial organics. As of
16 next month, we have enforcement beginning on the
17 Straw Legislation that was passed two years ago.

18 So, they're educating businesses about a whole
19 range of policies and regulations. They're also -
20 the information that we use, which is available in
21 many different languages, also has information about
22 commercial waste zones. What to expect when that
23 comes but we're not really doing specific targeted
24 commercial waste zones outreach yet because we
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2 haven't inflected the Carters. We don't really have
3 a clear message to give to those businesses yet.

4 CHAIRPERSON NURSE: Okay, so right now, just to
5 regurgitate what you said to me, you have 30 folks or
6 you're beginning to fill those 30 positions with that
7 vendor, and they are doing, carrying a basic flyer.
8 What's the form? Are they going door to door to
9 businesses and it's not necessarily targeted?

10 GREGORY ANDERSON: So, it's eight in house staff
11 that are dedicated to the outreach team. 30 or
12 potentially more that will be hired by the vendor
13 through the contract that we're currently in
14 procurement on. So, we have inflected that vendor.
15 We haven't started hiring those people, but we expect
16 them to be on board in the next few months.

17 So, what the eight people are doing is, they're
18 going out and they are going door to door.

19 CHAIRPERSON NURSE: Door to door, okay.

20 GREGORY ANDERSON: With specific materials about
21 commercial recycling, commercial organics and other
22 laws and regulations that effect businesses. Also,
23 just offering information about how to select a
24 private Carter. Making sure that businesses have
25 private Carters, because that's obviously a

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1 requirement even today and they're doing that. They
2 are also you know attending you know trade
3 association meetings; you know hosting webinars.
4 They are trying to get the information out there in
5 as many ways as possible but primarily doing that
6 door-to-door outreach.

8 CHAIRPERSON NURSE: Great. Okay, yeah, we'll
9 definitely want to continue to follow along on that
10 effort. I don't have any further questions today.
11 Uhm -

12 GREGORY ANDERSON: And actually, Chair, just
13 going back to Intro. 238, just because I did not
14 state a position on the record.

15 CHAIRPERSON NURSE: Okay.

16 GREGORY ANDERSON: We believe chasing refuse
17 after a holiday is the most effective use of our
18 limited resources because refuse and organics as
19 well, attract rats, create odors. They're the sort
20 of fundamental cleaning and quality of life issue.
21 So, that's where we put our resources. Chasing
22 recycling after a holiday, would distract from
23 chasing that refuse.

24 CHAIRPERSON NURSE: Okay, thank you for that and
25 I just wanted to say definitely echo the comments and

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2 sentiments of Council Member Holden. I felt like you
3 all could have provided a little bit more substantive
4 feedback on this, given most of these are re-
5 introductions, with the exception of the GIS one,
6 which you sounded very supportive of. Uhm, and next
7 time, we would really appreciate a little more
8 substance provided. So, thank you very much. It's
9 the end of this hearing. [GAVEL]

10 UNIDENTIFIED: It is very nice of you. More than
11 I would do you know. She is a good Chair. Sure.
12 So, they can't hear me now? I mean, we can hear me
13 you know but can they hear me?

14 CHAIRPERSON NURSE: The big they. They might be
15 able to hear you in a minute.

16 UNIDENTIFIED: Okay, I haven't said anything bad
17 yet though, yet. Nice uniform, it's cool, three
18 stars, that's awesome.

19 CHAIRPERSON NURSE: Congratulations.

20 UNIDENTIFIED: Yeah, it's like you know. So, a
21 sanitation worker, a fire fighter and a cop walk into
22 a bar okay. I'm really pushing it here you know.
23 I'll tell you the punch line later once we're done
24 here. It worked out for the sanitation worker.
25 That's all I'm saying.

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2 CHAIRPERSON NURSE: Oh, okay, I don't need to
3 gavel right?

4 SERGEANT AT ARMS: No, you're good.

5 CHAIRPERSON NURSE: Okay, okay, so thanks for
6 staying an additional five to ten minutes. I want to
7 recognize Council Member Jim Gennaro to say any
8 remarks about your bill and if you have any
9 questions.

10 COUNCIL MEMBER GENNARO: Thank you Madam Chair.
11 I really appreciate this. I had a doctor
12 appointment. I'm late, I'm holding you folks up.
13 I'm holding everybody up, I really appreciate this
14 opportunity.

15 My bill is Intro. 238, which by now, you've
16 probably already testified on, and I won't take up
17 too much time. Going back to 1989, which I was in
18 city government for when we passed city recycling law
19 and mandated weekly collection of recyclables and
20 uhm, you know my reading of the law; I'm not an
21 attorney, was that there was you know no exceptions
22 to the weekly, like weekly collection, that weekly
23 collection. So, and that has never really been the
24 case when it comes to holidays, and I wanted to
25 tighten you know tighten that up. Notwithstanding

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2 all the logistical hoops that the department would
3 have to go through in order to accomplish that. And
4 so, what 238 seeks to do is to I guess further
5 clarify in Black Letter Law that you know weekly
6 recycling collections means what it has always meant,
7 which is weekly recycling collection, notwithstanding
8 a holiday. And uhm, and that's what I really want to
9 advocate for. Just going back to - also an example
10 on Columbus Day, city holiday, the city or at least
11 Queens eight decided to do regular sanitation
12 pickups. If you're doing regular sanitation pickups,
13 you know why aren't you just sending the folks out to
14 do the recycling as well. So, not a lot of people
15 put stuff out because it was a holiday, but they had
16 people out there. But you know generally as I
17 indicated you know my constituents, many of whom
18 don't have a place to store recyclables for two
19 weeks, are looking for weekly recycling pickups which
20 they believe they were promised way back when but
21 have never received and I figured I would take this
22 opportunity to you know elevate the issue through
23 this law and to set in law in a very clear way that
24 weekly recycling pickups, means weekly recycling
25 pickups and just like when you have a holiday, I

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2 believe the term of art is chasing, right. So, if
3 you have a pickup, people who get Monday pickups,
4 it's a Monday holiday, you know one-third of the area
5 is going to get picked up the following day on
6 Tuesday. One third of the area is going to get
7 picked up on Wednesday and the other third goes to
8 the next collection, which is Thursday. And perhaps
9 there's a paradigm for chasing, which I believe is a
10 term of art for recycling as well.

11 And I would love us to have a handshake right
12 now. I think we should just do it. I think the
13 Chair is for that. Kalman I know is for it. So,
14 that's my statement and my question. I hate to have
15 you repeat what you've already done to the people who
16 are here on time, which does not include me. And so,
17 if you could go through that again for the late Jim
18 Gennaro, that would be great.

19 GREGORY ANDERSON: Absolutely.

20 COUNCIL MEMBER GENNARO: I'm not dead, I'm just
21 late okay.

22 GREGORY ANDERSON: I appreciate that.

23 COUNCIL MEMBER GENNARO: Okay.

24 GREGORY ANDERSON: And so, and we were just
25 talking about this bill toward the end of the

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2 hearing, so it's still fresh in our minds. So, for
3 sanitation, both man power and equipment are limited
4 in quantity. There's not an unlimited amount of
5 those things and so, because of that limitation, we
6 have to choose between refuse and recycling. Which
7 one do we chase following a holiday? We flat out
8 choose refuse. It is the way stream that attracts
9 vermin and rats. It is the way stream that creates
10 odors. It is the way stream that contributes most to
11 cleanliness issues, so the efforts that we have made
12 historically as well as the efforts over the last two
13 holidays to really improve our holiday collection
14 have been focused on refuse and in Queens on
15 organics.

16 You know, if we had unlimited infinite resources,
17 we would love to chase both, but we cannot. There
18 are cases where we prioritize the recycling over
19 refuse particularly when there are back-to-back
20 holidays. Christmas and New Years for example always
21 fall seven days apart based on the way the calendar
22 works. So, in that case, we will allocate resources
23 on the second holiday to chase the recycling material
24 so that folks don't have to hold it for an extra
25 week.

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2 We understand that this is an inconvenience for
3 residents and that it's frustrating, particularly for
4 people that have that sort of Monday holiday issue
5 because a lot of the holidays do fall on Monday's but
6 that's you know our position is that that refuse
7 takes priority.

8 COUNCIL MEMBER GENNARO: And I don't, I don't
9 disagree with everything that you said. I don't
10 think it would take infinite resources to do that. I
11 think it hyperbole, but you know the fact remains
12 that I think this is just you know, this law just
13 seeks to clarify that what seems to me was set forth
14 in Black Letter Law in 1989, that weekly collections
15 means weekly collections. And uhm, so, I'm under the
16 impression that this law already exists. It's not a
17 suggestion, it's the law and laws, even if they are
18 expensive or inconvenient to comply with, still
19 exist. And so, uhm, you know offer a program or
20 whatever. I just think we have to be straight here
21 you know about what we're doing.

22 And so, it's been so long since the first
23 recycling bill was passed into law that mandated
24 weekly recycling pickups. That has never happened
25 and everyone just kind of like lets it go and said

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2 this is just the way it kind of is. It works better
3 for the department. They are not fully complying
4 with the law. Again, you know my opinion. So, I
5 felt the need to do this clarification and so, uhm,
6 you know this is just a side bar to Council here.
7 Uhm, I would - if we can't get this law done, I would
8 like the- you know existing law examined further you
9 know to see if that does or does not mandate weekly
10 pickups in which case, the administration is in a
11 position where they have to do it, or they have to
12 you know put forward some amendment to the original
13 law that sort of clarifies their position on why they
14 are not in a position financially or logistically to
15 do this. Because right now, I think we have
16 something that we're - people are promised weekly
17 collections in law, and they don't get it. So, hence
18 this clarification law. That's not going to pass
19 with the administration. That doesn't mean that we
20 don't do it, but you know we'd like to do things in a
21 cooperative way and uhm, so uhm, so if this is a no
22 for the administration then maybe we go back to -
23 maybe we go to Plan B which is just you know call for
24 the enforcement of the law that's already on the
25 books, which mandates weekly collections. And then

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2 if the Administration is not in a position to do
3 that, then they should you know offer an amendment to
4 the original recycling law as to, this is how they
5 want to do it.

6 I don't think there was a lot of latitude from
7 the original law. I think people that did the
8 original law were not - I mean I was staff in 1989.
9 I didn't come onto the Council until the 2000's but
10 uhm, I think the Council at the time should have
11 pressed the issue a little further and made sure that
12 they had you know weekly recycling. And so, I guess
13 we'll have to figure out where we go from here
14 because my constituents are very frustrated that they
15 have to store recyclables for two weeks. It just
16 doesn't work for them and if there were not a law on
17 the books and if that - it had to be picked up, then
18 I would say okay, I can look into it. I can like try
19 to do it but as far as I'm concerned, this is already
20 done. This is just like a clarification to make sure
21 it's like super done. But you know, so, that's my
22 position. I'll take it up with the Chair and the
23 Council. You know the Chair and other you know
24 Council Members and I appreciate your straight
25 forward testimony on what your position is. I get

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2 it, I don't disagree with it, but the law is the law.
3 I mean as I see it but thank you and thank you for
4 waiting. I know it puts you out because it's, we're
5 like you know we're in you know like we had the
6 hearing and now we're in the hearing post season now
7 because I showed up late. We had to like reboot and
8 get all the networks on board and all that. So, but
9 thank you very much. Madam Chair, thank you for
10 holding things for me and Kalman is still there, my
11 wing man. He is still backing me up, so I appreciate
12 him being here as well, listening to the post game.

13 So, thank you all very much and thank you for
14 your indulgence Madam Chair.

15 CHAIRPERSON NURSE: You don't have a response, or
16 you do have a response?

17 GREGORY ANDERSON: No, thank you for that Council
18 Member.

19 CHAIRPERSON NURSE: Okay, okay, alright, so now
20 we're going to officially close this out. [GAVEL]
21 Thank you.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 27, 2022