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2	TRANSCRIPT OF	
3	THE CITY OF NEW YORK	
4	BUSINESS INTEGRITY COMMISSION MEETING	
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10	FRIDAY, MARCH 31, 2017	
11	100 CHURCH STREET, 2ND FLOOR	
12	BOROUGH OF MANHATTAN	
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21	Reported By:	
22	Nicole Ellis	
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2	HEARING CONVENED AT 3:00 p.m.
3	PRESENT:
4	DAVID D. BROWNELL, Commissioner/Chair of BIC
5	NOAH D. GENEL, Deputy Commissioner of Legal
6	Affairs/General Counsel of the Commission
7	KATHRYN GARCIA, Department of Sanitation
8	MARK PETERS, Department of Investigation
9	LORELEI SALAS, Department of Consumer Affairs
10	ANDREW SCHWARTZ, Deputy Commissioner, Department of Legal
11	and Regulatory Affairs, Department of Small Business
12	Services
13	DOMINICK DORAZIO, Deputy Inspector, NYC Police Department
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1 Proceedings 2 MR. GENEL: Good afternoon. Today is 3 March 31, 2017, the time is 3:00 p.m., we are at 100 Church Street in New York on 4 5 the second floor. 6 I'd like to welcome you to the 7 meeting of the New York City Business Integrity Commission. I am Noah Genel, 8 9 Deputy Commissioner of Legal Affairs and General Counsel for the New York City 10 11 Business Integrity Commission, and I'm 12 joined by the following Commission 13 members: Daniel Brownell, Commissioner and 14 15 Chair of the Business Integrity Commission; 16 Department of Sanitation, 17 Commissioner Kathryn Garcia; 18 19 Department of Investigation, Commissioner Mark Peters; 20 21 Department of Consumer Affairs, Commissioner Lorelei Salas; 22 23 Deputy Commissioner for Legal and 24 Regulatory Affairs, Andrew Schwartz of the 25 Department of Small Business Services,

		4
1	Proceedings	
2	representing SBS Commissioner Gregg	
3	Bishop;	
4	And New York City Police Department	
5	Deputy Inspector, Dominick Dorazio,	
6	representing Police Commissioner James	
7	O'Neill.	
8	There are a number of items on our	
9	agenda today, which can be separated	
10	roughly into two categories: Rules and	
11	applications. We have two rules to	
12	consider. We will then turn to the	
13	applications, of which there are eight to	
14	consider.	
15	With respect to the rules, in	
16	accordance with applicable procedural law,	
17	copies of the rules were e-mailed to each	
18	of the Commissioners on March 24, 2017.	
19	The first rule to consider is a	
20	series of proposed rule changes related to	
21	the Mayor's retrospective rules review	
22	initiative, in which we reviewed our rules	
23	to ensure compliance with the Mayor's	
24	policies and to amend any rules that do	
25	not further those policies. Among the	

1	Proceedings
2	proposed amendments in this series of
3	changes is the addition of e-mails as an
4	acceptable form of service of various
5	documents and adding the failure to
6	appear, be examined, or to provide
7	testimony under oath as prohibited conduct
8	that could result in a denial of an
9	application.
10	Do any of the Commissioners have any
11	questions or comments regarding this
12	proposed rule?
13	(No response.)
14	MR. GENEL: Seeing none, is there a
15	motion to bring this proposed rule up for
16	a vote?
17	MR. SCHWARTZ: So moved.
18	MS. GARCIA: Second.
19	MR. GENEL: At this time we are going
20	to vote yes or no on this prosed rule. A
21	vote of yes is an indication that you
22	approve of the rule. If approved, the
23	rule will be published and we will hold a
24	public hearing in accordance with the City
25	Administrative Procedure Act to allow for

		6
1	Proceedings	
2	public comment on the rule.	
3	A vote of no is an indication that	
4	you do not approve of the rule. The rule	
5	must pass by a majority vote.	
6	How do the Commission members vote?	
7	MS. GARCIA: Yes.	
8	MR. PETERS: Yes.	
9	MR. BROWNELL: Yes.	
10	MR. SCHWARTZ: Yes.	
11	MR. DORAZIO: Yes.	
12	MS. SALAS: Yes.	
13	MR. GENEL: Let the record reflect	
14	that the vote is unanimous in favor of the	
15	rule.	
16	The second rule to consider is a	
17	proposed final rule that would delegate to	
18	the Commissioner and Chair of BIC the	
19	function of beginning the rulemaking	
20	process, including those procedures	
21	applicable under the City Administrative	
22	Procedure Act, also known as CAPA.	
23	Under this rule, the Commissioner may	
24	draft or direct others to draft proposed	
25	rules that he deems necessary to carry out	

1	Proceedings
2	the policies and objectives of BIC,
3	publish the proposed rules and have a
4	public hearing on them.
5	This rule does not change the fact
6	that a majority of members of the
7	Commission must still vote to actually
8	promulgate a rule. In other words, the
9	full Commission still votes on whether or
10	not to approve the final rule.
11	Do any of the Commissioners have any
12	questions or comments regarding this
13	proposed rule?
14	(No response.)
15	MR. GENEL: Seeing none, is there a
16	motion to bring this rule up for a vote.
17	MR. PETERS: So moved.
18	MR. SCHWARTZ: Second.
19	MR. GENEL: At this time we're going
20	to yes or no on this proposed rule. A
21	vote of yes is an indication that you
22	approve of the rule and no is an
23	indication that you do not. The rule must
24	pass by a majority vote.
25	How do the Commissioners vote?

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Proceedings
MS. GARCIA: Yes.
MR. PETERS: Yes.
MR. BROWNELL: Yes.
MR. SCHWARTZ: Yes.
MR. DORAZIO: Yes.
MS. SALAS: Yes.
MR. GENEL: Let the record reflect
that the vote is unanimous in favor of the
rule.
The next and last item on our agenda
is the consideration of eight different
applications, all of which the
Commission's staff has recommended to the
Commission be denied. Each applicant was
served with a Notice of Grounds to
Recommend the Denial of its application.
Each applicant was advised that it had ten
business days to submit a sworn written
response to the Commission. All
reasonable requests for an extension were
granted and last week all the Commission
members were recommended Denial Decisions
regarding these applications, as well as
any responses submitted by the applicants.

1	Proceedings
2	There have been no material changes made
3	to any of the recommended denial decisions
4	since then.
5	I will now review, with the
б	Commission members, the grounds cited for
7	each recommended denial. As we go through
8	each application, the Commission members
9	will vote as to whether or not to adopt
10	the staff's recommendation to deny the
11	application.
12	The first application to be
13	considered is the registration application
14	of America's Best Corp. to operate as a
15	market business in a public wholesale
16	market. The staff attorney in charge of
17	Amy Bedford.
18	The Commission staff recommends
19	denial of this application based on the
20	following two grounds as fully set forth
21	in the staff's recommendation:
22	One, the applicant provided false
23	information to the Commission by not
24	disclosing its sole principal's ownership
25	interest in a company;

		10
1	Proceedings	
2	And two, the applicant's sole	
3	principal provided false information to	
4	the Commission regarding certain	
5	individuals with whom he associated.	
6	Do any of the Commissioners have any	
7	questions or comments regarding this	
8	application?	
9	(No response.)	
10	MR. GENEL: Is there a motion from	
11	the Commissioners to adopt the staff's	
12	recommendation?	
13	MS. GARCIA: So moved.	
14	MR. PETERS: Second.	
15	MR. GENEL: How do the other	
16	Commissioners vote?	
17	MS. GARCIA: Yes.	
18	MR. PETERS: Yes.	
19	MR. BROWNELL: Yes.	
20	MR. SCHWARTZ: Yes.	
21	MR. DORAZIO: Yes.	
22	MS. SALAS: Yes.	
23	MR. GENEL: Please let the record	
24	reflect that the vote is unanimous in	
25	favor of adoption of the recommendation to	

1	Proceedings
2	deny.
3	The next application to be considered
4	is the registration application of J
5	Coffey Contracting Inc. to operate as a
6	trade waste business. The staff attorney
7	in charge of this application is Pamela
8	Peralta. The Commission staff recommends
9	denial of this application based on the
10	following five independently sufficient
11	grounds as fully set forth in the staff's
12	recommendation:
13	One, John and Jennifer Coffey were
14	principals of a predecessor trade waste
15	business for which the Commission would be
16	authorized to deny a license;
17	Two, the applicant's principal
18	testified falsely during his sworn
19	interview;
20	Three, the applicant's related
21	entities and its principals have failed to
22	pay taxes and other obligations for which
23	judgments have been entered;
24	Four, the applicant and related
25	entities have repeatedly engaged in

		12
1	Proceedings	
2	unregistered trade waste removal activity;	
3	And five, the applicant has knowingly	
4	failed to provide information and	
5	documentation required by the Commission.	
б	Do any of the Commissioners have	
7	questions or comments regarding this	
8	application?	
9	(No response.)	
10	MR. GENEL: Seeing none, is there a	
11	motion from the Commissioners to adopt the	
12	staff's recommendation?	
13	MR. SCHWARTZ: So moved.	
14	MR. PETERS: Second.	
15	MR. GENEL: How do the other members	
16	vote?	
17	MS. GARCIA: Yes.	
18	MR. PETERS: Yes.	
19	MR. BROWNELL: Yes.	
20	MR. SCHWARTZ: Yes.	
21	MR. DORAZIO: Yes.	
22	MS. SALAS: Yes.	
23	MR. GENEL: Let the record reflect	
24	that the vote is unanimous.	
25	The next application to be considered	

1	Proceedings
2	is the license renewal application of MAC
3	Hudson Industries Corporation to operate
4	as a trade waste business. The staff
5	attorney in charge of this application is
6	Pamela Peralta. The Commission staff
7	recommends denial of this application
8	based on the following three independently
9	sufficient grounds as fully set forth in
10	the staff's recommendation:
11	One, the applicant provided false
12	information to the Commission in
13	connection with its prior application;
14	Two, an undisclosed principal in the
15	business was also a principal in a
16	previously-denied predecessor trade waste
17	business;
18	And three, the applicant and its
19	principal failed to pay taxes and other
20	obligations for which judgments have been
21	entered.
22	Do any of the Commissioners have
23	questions or comments regarding this
24	application?
25	(No response.)

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1	Proceedings	
2	MR. GENEL: Seeing none, is there a	
3	motion to adopt the staff's	
4	recommendation?	
5	MR. PETERS: So move.	
6	MR. SCHWARTZ: Second.	
7	MR. GENEL: How do the other members	
8	vote?	
9	MS. GARCIA: Yes.	
10	MR. PETERS: Yes.	
11	MR. BROWNELL: Yes.	
12	MR. SCHWARTZ: Yes.	
13	MR. DORAZIO: Yes.	
14	MS. SALAS: Yes.	
15	MR. GENEL: Let the record reflect	
16	that the vote is unanimous.	
17	The next application to be considered	
18	is the registration renewal application of	
19	MDC Services Inc. to operate as a trade	
20	waste business. The staff attorney in	
21	charge of this application is Jonathan	
22	Jacobs. The Commission staff recommends	
23	denial of this application based on the	
24	following three independently sufficient	
25	grounds as fully set forth in the staff's	

1	Proceedings		
2	recommendation:		
3	One, the applicant provided false		
4	information on its applications to the		
5	Commission;		
6	Two, the applicant's principal		
7	provided false information during sworn		
8	testimony;		
9	And three, the applicant failed to		
10	pay fines for administrative violations		
11	related to the applicant's business for		
12	which judgment has been entered by the		
13	Environmental Control Board.		
14	Do any of the Commissioners have		
15	questions or comments regarding the		
16	application?		
17	(No response.)		
18	MR. GENEL: Seeing none, is there a		
19	motion from the Commissioners to adopt the		
20	staff's recommendation?		
21	MR. BROWNELL: Yes.		
22	MR. GENEL: Is there are a second?		
23	MS. GARCIA: Yes.		
24	MR. GENEL: How do the other members		
25	vote?		

1 Proceedings 2 MS. GARCIA: Yes. 3 MR. PETERS: Yes. MR. BROWNELL: Yes. 4 MR. SCHWARTZ: Yes. 5 6 MR. DORAZIO: Yes. 7 MS. SALAS: Yes. MR. GENEL: Let the record reflect 8 9 that the vote is unanimous. The next application to be considered 10 11 is the registration renewal application of 12 MPI Enterprise LLC to operate as a trade 13 waste business. The staff attorney in charge of this application is John Curry. 14 15 The Commission staff recommends denial of this application based on the following 16 17 three independently sufficient grounds as fully set forth in the staff's 18 19 recommendation: One, the applicant failed to provide 20 truthful information in connection with 21 the application; 22 23 Two, Floro Papandrea is an 24 undisclosed principal of the applicant; And three, the applicant knowingly 25

		17
1	Proceedings	
2	failed to provide information required by	
3	the Commission.	
4	Do any of the Commissioners have	
5	questions or comments regarding this	
6	application?	
7	(No response.)	
8	MR. GENEL: Is there a motion from	
9	the Commissioners to adopt the staff	
10	recommendation?	
11	MS. GARCIA: So moved.	
12	MR. PETERS: Second.	
13	MR. GENEL: How do the other members	
14	vote?	
15	MS. GARCIA: Yes.	
16	MR. PETERS: Yes.	
17	MR. BROWNELL: Yes.	
18	MR. SCHWARTZ: Yes.	
19	MR. DORAZIO: Yes.	
20	MS. SASLAS: Yes.	
21	MR. GENEL: Let the record reflect	
22	that the vote is unanimous.	
23	The next application to be considered	
24	is the registration renewal application of	
25	Rose Demolition and Carting Inc. to	

1 Proceedings 2 operate as a trade waste business. The 3 staff attorney in charge of this application is David Mandell. 4 The Commission staff recommends denial of this 5 6 application based on the following two 7 independently sufficient grounds as fully set forth in the staff's recommendation: 8 9 One, the applicant was recently convicted of offering a false instrument 10 11 for filing in the first-degree, a Class E 12 felony; 13 And two, the applicant and its 14 principal, Timothy Doheny, provided the 15 Commission with false and misleading information. 16 Do any of the Commissioners have 17 questions or comments regarding this 18 19 application? 20 (No response.) 21 MR. GENEL: Hearing none, is there a 22 motion from the Commissioners to adopt the 23 staff's recommendation? 24 MR. PETERS: So moved. 25 MR. BROWNELL: Second.

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1	Proceedings	
2	MR. GENEL: How do the other members	
3	vote?	
4	MS. GARCIA: Yes.	
5	MR. PETERS: Yes.	
6	MR. BROWNELL: Yes.	
7	MR. SCHWARTZ: Yes.	
8	MR. DORAZIO: Yes.	
9	MS. SALAS: Yes.	
10	MR. GENEL: Let the record reflect	
11	that the vote is unanimous.	
12	The next application to be considered	
13	is the photo identification card	
14	application of Thomas Sentina to work in a	
15	public wholesale market. The staff	
16	attorney in charge of this is Leigh Neren.	
17	The Commission staff recommends denial of	
18	this application based on the following	
19	five independently sufficient grounds as	
20	fully set forth in the staff's	
21	recommendation:	
22	One, Sentina has been publicly	
23	identified as an associate of the Gambino	
24	organized crime family and has associated	
25	with a member of organized crime;	

		2		
1	Proceedings			
2	Two, Sentina has been convicted of			
3	promoting gambling and filing a false tax			
4	return;			
5	Three, Sentina has committed			
6	racketeering activities and has associated			
7	with a convicted racketeer;			
8	Four, Sentina provided false and			
9	misleading information to the Commission;			
10	And five, Sentina has a pending			
11	criminal action against him for assaulting			
12	a customer in the New Fulton Fish Market.			
13	Do any of the Commissioners have any			
14	questions or comments regarding this			
15	application?			
16	(No response.)			
17	MR. GENEL: Is there a motion from			
18	the Commissioners to adopt the staff's			
19	recommendation.			
20	MR. BROWNELL: Yes.			
21	MS. GARCIA: Second.			
22	MR. GENEL: How do the other			
23	Commissioners vote?			
24	MS. GARCIA: Yes.			
25	MR. PETERS: Yes.			

1	Proceedings
2	MR. BROWNELL: Yes.
3	MR. SCHWARTZ: Yes.
4	MR. DORAZIO: Yes.
5	MS. SALAS: Yes.
б	MR. GENEL: Let the record reflect
7	that the vote is unanimous.
8	The final application to be
9	considered is the registration renewal
10	application of Tri-State Environmental
11	Inc. to operate as a trade waste business.
12	The staff attorney in charge of this
13	application is Leemor Peled. The
14	Commission staff recommends denial of this
15	application based on the following two
16	independently sufficient grounds as fully
17	set forth in the staff's recommendation:
18	One, the applicant provided false and
19	misleading information on its applications
20	to the Commission;
21	And two, the applicant's principal
22	provided false and misleading information
23	during sworn testimony before the
24	Commission.
25	Do any of the Commissioners have

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1	Proceedings	
2	questions or comments regarding this	
3	application?	
4	(No response.)	
5	MR. GENEL: Seeing none, is there a	
6	motion from the Commissioners to adopt the	
7	staff's recommendation?	
8	MS. GARCIA: So moved.	
9	MR. PETERS: Second.	
10	MR. GENEL: How do the other members	
11	vote?	
12	MS. GARCIA: Yes.	
13	MR. PETERS: Yes.	
14	MR. BROWNELL: Yes.	
15	MR. SCHWARTZ: Yes.	
16	MR. DORAZIO: Yes.	
17	MS. SALAS: Yes.	
18	MR. GENEL: Let the record reflect	
19	that the vote is unanimous.	
20	That concludes the matters before the	
21	Commission. I ask the members of the	
22	Commission to sign each denial decision	
23	that has been voted today.	
24	Thank you to the Commission members	
25	for their participation and to the members	

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1	Proceedings	
2	of the Commission's staff for their work	
3	on these matters. And thank you, also, to	
4	the members of the public who are here	
5	today. That concludes this meeting.	
6	(Time noted: 3:14 p.m.)	
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1	CERTIFICATE
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3	STATE OF NEW YORK ) : ss.:
4	COUNTY OF QUEENS )
5	
6	I, NICOLE ELLIS, a Notary Public for and within
7	the State of New York, do hereby certify:
8	I reported the proceedings in the within-entitled
9	matter, and that the within transcript is a true
10	record of such proceedings.
11	I further certify that I am not related to any of
12	the parties to this action by blood or by marriage
13	and that I am in no way interested in the outcome of
14	this matter.
15	IN WITNESS WHEREOF, I have hereunto set my hand
16	this 10th day of April 2017.
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18	NICOLE ELLIS
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