

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON VETERANS

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May 24, 2010
Start: 1:57 pm
Recess: 2:35 pm

HELD AT: 250 Broadway
Hearing Room, 14th Floor

B E F O R E:
Mathieu Eugene
Chairperson

COUNCIL MEMBERS:
Fernando Cabrera
Daniel Dromm
Lewis A. Fidler
Vincent J. Gentile

A P P E A R A N C E S (CONTINUED)

Joey Kara Koch
Special Counsel to Mayor Bloomberg
Counsel to Mayor's Office of Veterans Affairs

Jose Cabrera
Veteran Vendor

Armando Krisensy
Veteran Vendor

Howard Dalton
Veteran Vendor

Barbara Morris
Veteran Widow

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2 CHAIRPERSON EUGENE: Good morning,
3 good afternoon as a matter of fact. Let me
4 apologize for being late. At this, at one o'
5 clock I got three events going on. I just
6 confirmed a press conference with the speaker and
7 my other colleagues that you know, it was about a
8 very important initiative regarding the veteran,
9 our veterans and those brave men and women who
10 have served and did everything also to protect our
11 democracy and our way of life.

12 We just started a very important
13 initiative, a web page, a unified web page where
14 the veteran can go and find all the information
15 that they need to address their issues and also
16 all the information that they need about
17 organization they can get benefit from. That's
18 the reason why I am late and also I had to vote on
19 the Health Committee also at 1. Thank you very
20 much for your patience. I am very sorry about and
21 let's start the hearing.

22 Good afternoon, I would like to
23 thank everyone for coming to today's hearing. My
24 name is Mathieu Eugene and I am the chair of the
25 Committee on Veterans. Before we begin, I would

1
2 like to take a moment to thank our men and women
3 in uniform for the sacrifices they have made on
4 behalf of this country.

5 Today's hearing will focus on
6 Resolution 56 calling on the New York State
7 Department of Motor Vehicles to insert the
8 question on the driver's license application that
9 inquire about veteran status. In addition to
10 Reso. 56, we will also have an oversight hearing
11 on May 3rd and then there's outreach to veterans of
12 New York City. According to the VA, there were an
13 estimated 250 veterans living in New York City as
14 of 2009. These are studies that are based on the
15 2000 United States Census and 2006 Department of
16 Defense estimate. The actual number of veterans
17 living in New York City is not known but it is
18 assumed to be significantly higher than the VA
19 estimate indicated.

20 Resolution 15 calls upon the New
21 York State Department of Motor Vehicles to aid in
22 the effort to obtain an accurate count of veterans
23 in the state by including the question under its
24 application for a license whether or not and
25 individual is a veteran.

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2 In addition to the written
3 testimony provided to us from the Department of
4 Motor Vehicles Commissioner David J. Schwartz,
5 the committee will also hear today from the
6 Mayor's office on the oversight topic - - outreach
7 to the veteran community in New York.

8 In addition we will also hear from
9 testimony from the Veterans Association
10 organization, veterans advocates and other
11 military veterans. Can we start with the first
12 group?

13 CLERK: Joey Kara Koch, special
14 counsel to the Mayor.

15 JOEY KARA KOCH: Hi, how are you?
16 Good afternoon Chairman Eugene and members of the
17 Veterans Committee. My name is Joey Kara Koch and
18 I am special counsel to the Mayor and council to
19 the Mayor's office of Veterans Affairs.
20 Unfortunately, Commissioner Newman is unable to
21 appear today and I will be testifying on behalf of
22 MOVA.

23 MOVA was established by local law
24 53 in 1987 and advises the Mayor on issues and
25 initiatives impacting the veteran and military

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2 community. MOVA works closely with the U.S.
3 Department of Veterans Affairs, the New York State
4 Division of Veterans Affairs, city agencies,
5 veterans organizations, area military commanders,
6 and other stakeholders to assist active service
7 members, veterans, their dependents and survivors.
8 MOVA is only a handful of city level veterans
9 offices in the United States.

10 The veteran community in New York
11 City is extremely diverse and complex. While
12 there are over 240,000 veterans living within the
13 five boroughs, over 100,000 or roughly 1/3rd are
14 over the age of 65. The veteran community
15 consists of veterans who served during World War
16 II, through Korean and Vietnam wars, Operations
17 Desert Storm and Desert Shield as well as the
18 current conflicts in Afghanistan and Iraq.

19 Veterans from the different wars
20 each have concerns and issues unique to their
21 particular experiences. Thus, MOVA's constituency
22 is varied by not only their war experiences but
23 also a relatively large age gap. To perform the
24 necessary outreach to this diverse population,
25 MOVA must be creative and utilize all forms of

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2 communication. To promote the office, MOVA
3 regularly attends meetings and events, fields
4 thousands of items of constituent correspondence
5 posed via their nyc.gov website, 311, mail, and
6 direct calls and staff emails. MOVA's website has
7 had over 35,000 visitors this year and traffic to
8 this site continues to increase monthly.

9 Additionally, MOVA is located at
10 Veterans Memorial Hall which provides office space
11 to veterans service organizations and many
12 referrals are made from those organizations. MOVA
13 also has a social media presence on Facebook and
14 their page is updated regularly.

15 Many of the projects MOVA
16 undertakes are designed to bring awareness. For
17 instance, MOVA sent out 2,500 care packages to
18 3,800 New York service members currently serving
19 in Iraq and Afghanistan. Each care package, which
20 was assembled by over 250 volunteers with items
21 donated from all five boroughs, contained
22 toiletries, books, DVDs, snack food, as well as
23 information on MOVA for use upon return and
24 provided an unconventional means of outreach to
25 not only active military members of the military

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2 but also to people who donated their time and gave
3 items.

4 In addition, as per executive order
5 110 signed by Mayor Bloomberg, each agency has a
6 veteran liaison who meets quarterly with MOVA
7 staff. The liaisons ensure that veterans in their
8 respective agencies are aware of MOVA as a
9 resource and in turn MOVA is kept abreast of
10 agency policies and other issues that may affect
11 the veteran and military community.

12 For example, due to information
13 disseminated by an agency liaison, a city employee
14 reached out MOVA because their loved one exhibited
15 signs of mental illness upon returning from
16 overseas. MOVA was able to refer the employee to
17 a service provider that specializes in federal
18 mental issues. In this instance, finding the
19 appropriate mental health treatment would have
20 been much more daunting had the employee not been
21 aware of MOVA by the her agency liaison.

22 In order to best serve the needs of
23 the veteran community, MOVA has to be kept
24 apprised of veteran service organizations and
25 changes to federal rules and regulations. Each

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2 staff member is in constant communication with the
3 federal government and service organization in New
4 York City and around the country. These contacts
5 are maintained by each staff member and updated on
6 a regular basis.

7 While the veteran community has
8 unique concerns, many of the constituent issues
9 posed to MOVA might require a non-veteran related
10 solution. For instance, veterans reach out to MOVA
11 for birth certificates and MOVA refers them to the
12 Department of Health and Mental Hygiene. In many
13 respects, veterans issues are the same issues
14 faced by many New Yorkers regardless of military
15 status. In these situations MOVA is an additional
16 resource that veterans rely on to help answer
17 their non-veteran related questions. In
18 recognition of the courageous and personal
19 sacrifices that many veterans, their families, and
20 those currently enlisted in the military have
21 made, MOVA is determined to ensure that they
22 receive the services and respect that they have
23 earned. Thank you for the opportunity to testify
24 and I will take questions at this time.

25 CHAIRPERSON EUGENE: Let me just

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ask you some few questions because we are out of time but I know that MOVA is, you said that MOVA is doing anything possible by going to meetings and also to the webpage to contact the veterans. We know that according to the studies seek about 240 or 250 veterans live in New York City, but we know that this is not accurate, there may be more. What is MOVA doing to ensure that we have the right number of veterans living in New York right now, in addition to what you mentioned.

MS. KARA KOCH: Well, MOVA does rely on the federal government to provide that information. They're the ones who maintain discharge status and status of members of the military who are from New York who are overseas and those being discharged to New York City so MOVA relies on the federal government to provide that accurate information.

COUNCIL MEMBER EUGENE: Yeah, we know that also. We know that but you know that with Resolution 56 we are trying to ask the Motor Vehicle to include a box to ask the applicant if they are a veteran. What do you think about that? Do you think that's something that MOVA should

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support and we should go forward with?

MS. KARA KOCH: To be, I can certainly get back to you if the Mayor's office has an official opinion on the matter. So I can certainly get back to you with the official opinion. I'd have to read the resolution and read the bill as well to make an official statement on it.

COUNCIL MEMBER EUGENE: Do you have any other advice in term of how we can go about to find out exactly how many veterans are in New York right now because we know with the conflict in Iraq and Afghanistan that new veterans who are coming back home. Is there anything that you think that we should do to ensure that we to get the right number?

MS. KARA KOCH: Well, we definitely feel that getting the accurate number of veterans is absolutely important so that we can allocate resources appropriately. There is no question, that is something that needs to get done. Hopefully we can work together and come up with creative solutions for outreach. It could be any number of things from our Facebook page to writing

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2 the Commissioner and letting MOVA know that there
3 are various veterans in various areas that need
4 help and MOVA can reach out to them.

5 CHAIRPERSON EUGENE: Thank you very
6 much, thank you for your testimony. Can we have
7 the next group please?

8 CLERK: Okay, so we're going to
9 call Jose Cavall—sorry, Armando Krisensy, Howard
10 Dalton, and Barbara Morris.

11 CHAIRPERSON EUGENE: Thank you.

12 CLERK: Today because of time
13 constraints we are going to keep the testimony to
14 three minutes which is what we usually allot. I
15 just want to remind you all of that.

16 JOSE CABRERA: My name is Jose
17 Cabrera. I'm a United States Marine. I did two
18 tours in Iraq in 2003 and 2005. I've been working
19 as a vendor since around 2007. Now my issue is as
20 a veteran returning from Iraq, the most important
21 thing is coming home and transitioning. Now, I
22 tried to transition by going into vending. I went
23 ahead and got my licenses. I did every step I was
24 supposed to do and I went ahead and tried to get
25 my own permit. By law, I am allowed to have a

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2 permit to vend, my own permit so I can work for
3 myself and I can help myself.

4 Now, when I went to the Department
5 of Consumer Affairs I was told I needed permission
6 from the Parks Department to vend on Parks
7 Department property. Parks Department says you do
8 not need permission to vend on their property if
9 you are a disabled veteran. They even called the
10 Department of Consumer Affairs and told them this
11 and the Department of Consumer Affairs still
12 refused to hand out these permits.

13 I'm just returning from Iraq, you
14 know. I have a 30% disability and all I want to
15 do is work and for some reason I'm hitting all
16 these walls. And every time I come to these city
17 council meetings I tell the same story. I talk
18 about you know, I just came home. I'm trying to
19 work, how my permit is being denied to me, how the
20 city isn't helping, how concessionaires are the
21 ones that are given disabled veterans' spots and
22 the city council, and nobody's really wanting to
23 help so far. The first time I tell them this
24 story, they get a little fired up and the next
25 thing you know you don't get your phone calls

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returned, you know.

I've set up across the street from the Dakota building and tried to vend. I had a police officer come up to me and tell me I couldn't vend there. I said, I'm a disabled veteran, I'm allowed to vend in this area, it's the park. He said to me, I understand you're allowed to be here but this is where John Lennon was shot and you need to understand that and you can't work here.

Now, when I went to state court and I went to tell that same story to the judge, the officer didn't show up, the case was dismissed and now nobody's ever going to hear about that story.

This is what I'm dealing with, I'm dealing with a city that doesn't want to give me a permit to work, wants to sell my spot to concessionaires and then wants to drive me away from my own spots. And I tell this story and I don't get help.

I did two tours in Iraq, I came home and I am trying to transition. I had a rough two years coming back, drank a lot, spent my time in bars. I found vending. Vending helped me and

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then when it came to the point where I could really help myself I hit these walls and it all stopped.

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CLERK: I want to thank you very much for your testimony. I've just been informed that's actually two minutes. I apologize that I wanted to make sure we were all missing a page. So that's two minutes and we'll all go ahead. Thank you. Be sure to state your name for the record.

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ARMANDO KRISENSY: [off mic] My name is Armando Krisensy, I also work as a street vendor. I'm facing a lot of the same challenges trying to work as a street vendor. Back in 2004, the city unconstitutionally closed down midtown to disabled American vets limiting the number to roughly 150.

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That was the first problem, the first thing they did wrong. Naturally, veterans had to go find other places like to move into the Parks Department property because there's no place else really to work. Now we're being pushed out of Parks Department, we're not allowed to work in the parks anymore.

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2 You know, I can't tell you how many
3 locations have been shut down while I have been
4 working. I have nowhere else to work. It seems,
5 and the location's there, there are viable
6 locations. But there's a campaign of harassment
7 by the city against disabled American vets. You'd
8 think we were threatening the real estate
9 interests. It's a ludicrous proposition, we are
10 really no threat at all. We're just trying to
11 make a living out there.

12 So, first they prohibited us from
13 midtown, now we're having street closures, unfair
14 ticket blitzes. It is outrageous, you know, it is
15 just a shame. And the thing is, you're closing
16 down our spots, you're prohibiting us to work and
17 the spots get filled by illegal purse vendors.
18 It's amazing, what is this city thinking? Why
19 can't we get any help? If you walk down 42nd
20 Streets, disabled veterans can't work there. But
21 the street is clogged, you can't even get down the
22 streets with, they're not veterans and they're not
23 disabled. But the street is full of non-disabled,
24 non-veteran vendors. It's outrageous.

25 If the law was created for one

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2 thing, to relieve the congestion to keep the city
3 safe, you know, then enforce the law equally. But
4 because of our status as disabled American
5 veterans we're treated like second class citizens
6 and it's unconstitutional as far as I know in this
7 country it's unconstitutional to discriminate
8 against somebody because of their status. And
9 additionally I would like to say that the
10 Department of Health is willfully refusing to
11 issue food permits to veterans and that's a matter
12 of public record and—

13 CHAIRPERSON EUGENE: Thank you.
14 I'm sorry about you know, because of the time
15 issues that we are limited—

16 [off mic]

17 Yes?

18 HOWARD DALTON: My name is Howard
19 Dalton. I'm a paratrooper, four years in the
20 military. I also have issues with vending. I've
21 been trying to vend for the last four years and
22 they just keep closing down spots. You know what
23 I'm saying. I was around Radio City Music Hall
24 you know, just looking and I see a million purse
25 vendors, you know what I'm saying, and people that

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2 have no business vending at all having a good
3 time. And it's real sad, you know what I'm
4 saying, that veterans like myself and others, they
5 can't even make a living anymore. And it's
6 unequal, it's not equal out there anymore. It's
7 crazy.

8 You know, something has to change,
9 and I hope you guys really mean- I've been to a
10 couple of these meetings and it's fallen on deaf
11 ears. I don't want to call no names but the last
12 time I came to this meeting, it wasn't very
13 helpful, it really wasn't. It's like, it's here
14 for now and the next minutes when we walk out the
15 door, it's going to be gone.

16 I think city council really needs
17 to talk to us and really find out what's going on
18 because a lot of us are being put out of work.
19 You know, we're not terrorists. We're American
20 born. These are our rights and they are slowly
21 being taken away from us. These are our rights
22 and we fought for these rights and they are slowly
23 being eroded. You know, kick you off a corner
24 here, kick you off a corner there and that's it.
25 Never hear anything else about it. I think the

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2 city really needs to step up and take care of its
3 veterans. Thank you.

4 JOSE CABRERA: The city is
5 basically taking the veterans spots and they're
6 selling them to concessionaires. They're taking
7 our spots at the parks and they're giving them to
8 highest bidder. And then they're taking us and
9 they're pushing us out of these spots. They're
10 taking the competition for these concessionaires
11 and they're pushing them out and they're taking
12 their bid money.

13 CHAIRPERSON EUGENE: Thank you very
14 much. Let me let you know that as a new chairman
15 of the Veteran Committee, I value highly your
16 services and your sacrifices that you made for all
17 of us. We all owe you a good deal of gratitude
18 and I pledge to work together with you to address
19 the issues.

20 You've got to know also that this
21 is also a Consumer Affairs issue so I am willing
22 to meet together with you and also meet with the
23 Consumer Affairs and see how we can address that.
24 And I think again as a new chairman of the
25 Veterans Committee I will do everything in my

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2 power to help you. I just come from a press
3 conference, we are going to create a new webpage,
4 a unified webpage where we can put all the
5 services available, all the information that you
6 need in order to get the services that you
7 deserve. Again thank you for your testimony, I am
8 very sorry that we have limited time but I
9 guarantee and I take pledge to work together with
10 you because you deserve the best that we can
11 provide. Thank you very much. I am sorry, sorry,
12 Ms. Morris.

13 BARBARA MORRIS: Thank you. My
14 name is Barbara Morris, I am the widow of John
15 Morris. This is John. John was a disabled Navy
16 veteran, he died a year ago, January. John was 50
17 years old when he died and he was 100% service
18 connected disabled. I'm here today to talk about
19 two specific issues.

20 The first is to tell the members of
21 the Veterans Committee that there is a desperate
22 need for a Veterans Resources Center. One that is
23 adequately funded and staffed with experts who can
24 help vets resolve issues and solve problems. It's
25 good to hear that you speak of a website. I

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2 noticed that the MOVA website is redone and
3 streamlined and lots of links. Unfortunately, the
4 websites aren't people and it's very very
5 difficult for a disabled veteran to navigate
6 through all of the different components. Very
7 difficult.

8 For several years before John died,
9 our life together was centered around the VA
10 hospital. From our own experiences and
11 observations the VA medical center in Brooklyn and
12 Manhattan are the central resource center for most
13 vets. It's where they spend most of their time.
14 While they tend to their medical needs they
15 struggle to keep their lives in order, whether it
16 be housing benefits, taxes, dependents,
17 employment, whatever. Like most disabled veterans
18 my husband was not in the best of health and
19 constantly having to wrestle through the obstacles
20 of government was daunting. As his health
21 deteriorated he became more frustrated, depressed
22 and unable to advocate on his own behalf. I
23 believe that a resource center that really has a
24 direct link-- I'm sorry, sir, I would really
25 appreciate asking for a couple of minutes so I can

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just get through this.

CHAIRPERSON EUGENE: Go ahead for one or two minutes.

BARBARA MORRIS: Thank you. I think you got the message. There really is no direct link for disabled vets to help them through city, state and federal mazes, terrible, terrible mazes. I'd be happy to work with the committee and the members to talk about my experiences and my husband's experiences as a—perhaps they can create some streamlined blueprints that will end up in a resource center.

The second issue I want to talk about is that as the widow of a disabled veteran who held a specialized vending license, I was able to obtain a specialized license, I also have a yellow license to vend in the city of New York. I was able to finally get one through the Consumer Affairs. However, I ran into an awful lot of trouble and I included some letters in my testimony regarding a mobile food cart permit. It's a mess.

The Health Department admits that it did not administer the mandate to increase the

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2 cap to 100 to allow disable vets mobile food cart
3 permits and as a result many many many hundreds of
4 non-vets have got their mobile food cart permits.
5 Most disabled veterans are going to die on a
6 waiting list, there's two lists. There's no
7 sense. It's egregious. They'll never be reached-
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9 CLERK: I'm sorry we're going to
10 have to go time on this. We have your written
11 testimony though and it will be introduced to the
12 record, so.

13 BARBARA MORRIS: What I'd like to
14 just conclude that a simple solution is to allow
15 when there is an opportunity when a place becomes
16 available to give priority to the disabled vet.
17 Forget the list, give the disabled vet a priority,
18 that is-

19 CHAIRPERSON EUGENE: Thank you very
20 much. Thank you for your testimony. Let me ask
21 just one question, a very quick question. DO you
22 know how many veterans are in this situation? How
23 many altogether?

24 BARBARA MORRIS: You can't get any
25 answers from the Department of Health, they don't

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2 know. I have it in a letter, they write and they
3 say that they haven't finished the 2005 list and
4 my husband was on a 2007 list. And it's
5 impossible.

6 CHAIRPERSON EUGENE: Thank you very
7 much again to all of you. Thank you for your
8 testimony. Thank you so much.

9 We have also a testimony from the
10 Department of Motor Vehicles. Could you read the
11 statement for me please?

12 CLERK: For time's sake we are
13 going to go ahead and synthesize the DMV's stance
14 on what Resolution 56 was that we are introducing
15 today. Resolution 56, I'm sorry, calls upon the
16 New York State Department of Motor Vehicles to
17 insert a question on the driver's license
18 application to inquire about a veteran's status in
19 an effort to obtain an accurate count of veterans
20 in this state.

21 I can say that the DMV wrote and
22 provided us with written testimony which will be a
23 part of the record stating tat they are opposed to
24 this resolution or to the pending legislation in
25 the state mainly because they feel as though it

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2 will encumber in general their process of getting
3 people through the lines and of filling out the
4 paperwork that already exists.

5 That's about it and like I said
6 this will be included as part of our testimony so
7 the DMV was against the Resolution 56.

8 CHAIRPERSON EUGENE: Other person
9 to testify. Let me just say that to conclude.
10 You know, there are so many issues that we have to
11 address and I know we know that our veterans they
12 deserve better services and as a new chairman of
13 the Veterans Committee, I guarantee you and I said
14 that several times I will do everything in my
15 power to work together with you to ensure that you
16 have the services that you deserve.

17 And I want to let you know that
18 also the website that I spoke about that I
19 mentioned is just a good step in the right
20 direction. It didn't exist before that. So what
21 we are trying to do, we are trying also to know
22 approximately how many veterans we have in New
23 York. By knowing that, we will know exactly what
24 we have to do to ensure that all veterans they
25 receive the services that the conditions deserve.

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2 We know that we have to do much
3 more than that. This is not enough. We just
4 started. But I know also by working together with
5 you, the Veterans Committee, the different veteran
6 organizations, the city of New York and all of the
7 other groups and also I am planning to work
8 together with my colleagues at the city
9 government, the state government and the federal
10 government. And I do believe by working together
11 we will make a difference.

12 I cannot pretend that the committee
13 alone will be able to resolve all the problem but
14 it will require all of us to work together and
15 also to understand each other and to understand
16 the different issues. But I guarantee you one
17 more time to conclude that I will do everything in
18 my power because you do deserve that. And all of
19 us in New York and all of in the United States, we
20 owe you a good deal of gratitude and respect as I
21 said. And again if we don't have any more
22 testimony.

23 [off mic]

24 Yes, you can. Again thank you to
25 all of you for being here. Thank you and we will

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continue to work together and I'll be waiting for

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you. I know that you'll get back and that we have

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to get back. We have to continue to work

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together. Thank you very much. The meeting is

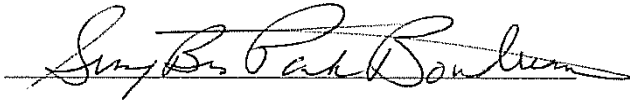
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adjourned. Thank you.

C E R T I F I C A T E

I, Sung Bin Park-Boudreau certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature_____



Date June 3, 2010