

TESTIMONY ON INTRO #1116-B

January 28, 2021

Good Day Speaker Johnson, Madam Chair Ayala and Council Members. Thank you for adding my additional testimony on Intro 1116 B to the record.

My name is Michele Birnbaum, and I am Co-chair of the Vendor Committee of Community Board 8 Manhattan. I am testifying on their behalf today.

I have testified in the past on Intro #1116 as well as on other bills related to street vendor issues, and while I am heartened that you have addressed some of the issues that have concerned us in the past, this updated version still does not address some core concerns, i.e. the total number of vendors that will be on the streets, adequate community representation on the Vendor Panel and the lack of the initiation of a tracking system, despite the fact that new protocol calls for adding a technology chip to each food cart.

Each time myself and other stakeholders appear before you, the content of the next version of a bill does not quite mitigate the very protocols that we have asked you to curtail. So today, while I appreciate your incorporating a designated vendor enforcement unit which will have officers fully cognizant of vendor law, (a request that appeared in a CB8 2006 resolution), and while I'm also glad you are proposing a vendor review board, also suggested in that resolution, but with a larger compliment of community representatives, I will comment that on the key issues of siting and the number of licenses proposed, this Intro and all your previous mark-ups fall short.

At my last testimony, I talked to the Committee about the resolutions that CB8 passed that could serve you well to consider. Council Member Chin specifically told me she would like to see them, and I emailed them to her and the members of the Committee. Other stakeholders have testified and made their worthy suggestions.

I, and others, have given you many plausible and logical alternatives to raising caps to as much as 4000 or even eliminating caps, but you remain confident that it is important to fulfill that objective.

You say the reason for the increase is to eliminate the black market where a license can cost upwards of \$25,000. If a vendor has that much money to spend on a license that otherwise cost \$200, he/she must think that street vending is very lucrative. If this is true, then even if you have 4000 vendors on the street, the 4001st will pay the black-market price. Eliminating the black market should be the responsibility of an enforcement group or the police.

The Street Vendor Project's on-going demands for vendor proliferation are in direct conflict with the requests by veteran vendors, business and residential communities and the supermarket, restaurant and food industries. The food and hospitality industries and supermarkets hire more workers and immigrant workers than does the vendor community, and flooding the streets with vendors threatens those industries in a serious way. Veteran Vendors have not been given the preference they deserve in any of the vendor bills.

With the implementation of a well-thought-out considered plan that would keep the current number of street vendors as is, assign vendor locations, use the new chips that have been installed on carts to verify a cart's location and track their daily trips to their commissaries, and, record any citations they may receive, there is room for all to thrive

Enforcing the one person/one license law is good, and tracking could help with that.

Until you have a comprehensive program in place that you know works for the current number of licenses, it is ill-advised to increase those numbers.

What you are proposing is too damaging to the food stores, supermarkets, restaurants and cafes, too threatening to pedestrians crowding, and too likely to exacerbate poor sanitation conditions.

The increase of food and general merchandise sales on the streets will further devastate industry, and unless you have mitigation plans in mind for when bricks and mortar businesses go under, I strongly suggest that you reconsider this Intro and thoughtfully take-a-look at what the business the residential communities are recommending. Take them to heart and put them in this Bill.

Please do not implement Intro 1116 in its current form.

Thank you!

Michele Birnbaum
Community Board 8 Manhattan
(917)868-0748

Date: January 26, 2021

Honorable Speaker Cory Johnson

City Hall Office

New York, NY 10001

Email: SpeakerJohnson@council.nyc.gov

I, Marco Tamayo, architect-planner and I am Co-Chair of the Street Vendors Committee, of the Community Board #8 from whom I am speaking. I rise in opposition to the Intro 116 for the street vendors. In the Planning Together as the Honorable Speaker Corey Johnson says: "Comprehensive planning can uniquely center racial and economic justice within a full range of land use, budgeting, and policy tools toward the central goal of supporting equitable, inclusive growth..... I believe this kind of integrated, citywide process is capable of peeling away the structural inequities plaguing our city and confronting the challenges that lay ahead"

Honorable speaker if this is what you believe, why are you going to consider listing and maybe approving the "Intro 116" -increasing of street vendors- which has received strong opposition from the many stakeholders; and next year, your strategic plan is going to start in effect for encouraging an equitable solution for all.

During the last 100 years, the city has been operating with the plaguing of inconsistent, contradictory piecemeal mode which has conducted us to a great deficit of affordable housing, homelessness, stifling traffic conditions, black-market licenses, etc. Now without proper funding for the enforcement unit, Honorable, you are allowing to put on the floor the Intro 116 for the benefit of one group of people who offers a marginal contribution to the city economy while the small businesses especially the restaurants have been moving one trillion of dollars to the national economy. Furthermore, so far, nobody knows the real financial situation of the small business and if this is approved, it would be like a stab in the heart to the small businesses. Please stop this Intro 116.

Best,

A handwritten signature in black ink, appearing to read 'Marco Tamayo', with a circular flourish at the end.

Marco Tamayo,

Registered Architect.

- Cc: Diana Ayala (Chair) DAyala@council.nyc.gov
- Margaret S. Chin chin@council.nyc.gov
- Ben Kallos BKallos@BenKallos.com
- Peter Koo pkoo@council.nyc.gov
- Karen Koslowitz Koslowitz@council.nyc.gov
- Carlos Menchaca info38@council.nyc.gov
- Brad Lander lander@council.nyc.gov
- Justin Brannan AskJB@council.nyc.gov
- Kalman Yeger AskKalman@council.nyc.gov

From: Richardson, John <jrichardson@archinsurance.com>
Sent: Thursday, January 28, 2021 9:21 AM
To: Speaker Corey Johnson <speakerjohnson@council.nyc.gov>
Subject: Street Vendor Bill – Opposition

I am writing to express my opposition to the pending street vendor bill legislation – increasing the number of vendors and shifting policing responsibilities away from the New York City Police Department.

Street vendors cause congestion and unsanitary conditions. They slow down pedestrians and many times encourage pedestrians to go into the street to avoid the congestion. They unfairly compete with businesses in brick and mortar buildings. Most are ugly and are direct assault on our quality of life.

I am a lifelong New York City resident. I remember a time when there were many fewer vendors – particularly in Forest Hills. 71st Ave. between Queens Boulevard and Austin Street is a much less pleasant thoroughfare than it was years ago.

This bill is terrible legislation and I urge you to vote against it.

John Richardson
7407 Kessel St.
Forest Hills, NY 11375

John J Richardson
Vice President & Deputy General Counsel



Arch Insurance Group
210 Hudson St., Suite 300
Jersey City, NJ 07311
jrichardson@archinsurance.com
Office (201)743-4125; Mobile (646)309-0645

Testimony, CSL

From: Robert Lederman

Sent: Friday, January 29, 2021 9:15 AM

To: Robert Lederman

Subject: Fwd: How to destroy street vending with one new law

How to destroy street vending with one new law
by Robert Lederman

Yesterday Intro #1116 was passed by the NY City Council. If you read the numerous news articles rejoicing in the passage of this deceptive scam, you might believe it was intended to help immigrant vendors. Read between the lines and you will see a classic bait and switch.

Let's pretend a newspaper was actually going to write an objective article on this law. What might the article say:

1. In exchange for making 400 food cart permits available to food vendors who have already been working illegally and making a good living for decades, the City will create a new vending enforcement agency that will do nothing but summonses and arrest these same vendors. It will be laser-focused on food vendors, the very people this law pretends to be helping find relief from NYPD harassment and the financial ruin of the pandemic.
2. The permits will only be available to food vendors who are on the waiting list, in other words, food vendors who have already been working illegally for years or decades. New immigrants will not be able to get these permits for many years, if ever, because there are tens of thousands on that waiting list.
3. The BIDs will get to run a new version of the Street Vendor Review Board, which will be able to make any street they like completely restricted to vending. They will also be able to increase fines, and otherwise invent new vending restrictions and penalties.
4. The thousands of immigrant food vendors now operating illegally (no cart permit, no food handling license, no vending license) will still be 100% illegal. They will not be able to vend in subway stations, in crosswalks, on restricted streets, from a shopping cart or in any of the countless ways food vendors presently work.
5. The idea that this bill will give food vendors "financial relief" is absurdly cruel. A legal food vending cart will cost \$30,000 to \$100,000. If you vend from an illegal cart you will face summonses, confiscation and arrest, exactly as you did under the previous laws. This law will not help food vendors in ANY way

shape or form.

5. Due to the huge increase in food vendors competing with struggling restaurants, and the daily conflicts over vending spots that will surely follow, the City will be pressured to create a franchise program, exactly as is in effect in all NYC Parks. Only large corporations that can bid for multiple vending spots will be able to compete. The independent vendor will be left in the dust.

6. Lastly, this bill was written and pushed through the NY City Council by the Street Vendor Project (SVP), a front group financed by the NY City Council and the US Department of Justice. Not a single NYC vending advocacy group other than SVP supported this bill. All food carts will now have GPS and other surveillance features so that the City will be able to know exactly where each vendor is at all times. Every action this organization has taken since it began has harmed the entire vending community. In my personal opinion, SVP was started for the specific purpose of doing surveillance of immigrant food vendors, the vast majority of whom are Islamic or Latino.

Understanding how these Democrat elected officials and their front group SVP promoted such a hugely deceptive bait and switch on the vending community will make you savvy to how virtually all new laws are deceptive tricks, often intended to do the exact opposite of what they claim to be doing. Also note that this bill was 100% passed by liberal Democrat officials, virtually all of whom are puppets of the BIDs. They are literally wolves in sheeps clothing. -RL