

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON VETERANS

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November 15, 2010
Start: 10:30 am
Recess: 11:29 am

HELD AT: Committee Room
250 Broadway, 14th Floor

B E F O R E:
MATHIEU EUGENE
Chairperson

COUNCIL MEMBERS:
Fernando Cabrera
Daniel Dromm
Lewis Fidler
Vincent J. Gentile
David G. Greenfield
James Sanders, Jr.

A P P E A R A N C E S

Ethel Griffin
Commissioner
New York County Administration

Bonnie Gould
Bronx Public Administration

Mr. Alfonsi
Former Commissioner
New York County Administration

Sissy Stein
Concerned Citizen

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2 CHAIRPERSON EUGENE: Alright, so
3 we're going to start. Please turn your phone off
4 and silence please. Good morning. My name is
5 Mathieu Eugene and I serve as a chair on the
6 Committee on Veterans. And the Committee on
7 Veterans is here today to consider the resolution
8 218 which was introduced by council member Lew
9 Fidler. This resolution calls on the City Human
10 Resources Administration to change its rules to
11 allow public administrators to act as
12 organizational friends for the purpose of people
13 obtaining veteran benefits. As a result of
14 current rules which does not allow public
15 administrators to open burial benefit and indigent
16 deceased veteran are frequently buried at Hart
17 Island [phonetic] otherwise known as Potter's
18 Field.

19 New York City is home to
20 approximately 250,000 veterans. About 22,000 of
21 these veterans are over 85 years of age. 92,300
22 are between the age of 65 and 84. And 83,000 are
23 between the age of 45 and 64. Sadly many of these
24 veterans are indigent and do not have the
25 resources to pay for their burials. Both the

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2 federal government and New York City provide death
3 benefit for indigent veterans.

4 The federal government provides a
5 place in a national cemetery to all veterans who
6 are honorably discharged in addition to financial
7 benefits. For veterans who die while in a federal
8 veteran administration facility the government
9 also provides transportation to the cemetery.
10 However he does not provide transportation to
11 veterans who do not die in a federal veteran
12 facility. New York City provides \$900 in death
13 benefits to veterans. However only a limited
14 group of people or organizations may apply for
15 this benefit.

16 Public administrators, for example,
17 cannot apply for these benefits. If Human
18 Resource Administration rules are changed to allow
19 for public administrators to apply for burial
20 benefits on behalf of the veterans many more
21 veterans would be buried in national cemeteries
22 given the honor and the dignity they deserve.

23 This morning we will hear testimony
24 from the Public Administrator's Office, the Human
25 Resource Administration as well as civil, other

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2 veterans and advocacy group. Before we start I
3 would like to thank and commend council member Lew
4 Fidler for this wonderful resolution that address
5 the needs of the veterans and also the Public
6 Administration for continuing also the needs of
7 those people who serve our country.

8 Let me acknowledge the members of the
9 committee who are here with us today. We have
10 council member Lew Fidler, council member Cabrera,
11 council member - - . Thank you gentlemen. And to
12 all of you here, thank you for coming. And I
13 would like, having said that I would like to call
14 the members of the panel.

15 Bonnie Gold from the Bronx Public
16 Administration, please. And, Ethel Griffin,
17 please from the New York County Public
18 Administration. Thank you. Thank you very much.
19 You may start any time your presentation.

20 ETHEL GRIFFIN: First of all, I
21 haven't seen the complete bill but in terms of the
22 New York. I'm Ethel Griffin. Commissioner Ethel
23 Griffin, New York County Administrator. And I
24 believe we've been working with the Veteran's
25 Administration Group, the public administrators in

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2 terms of trying to resolve this or at least to
3 establish something with the next of friend with
4 one our previous deputies.

5 The problem right now is not so much
6 the burial as it is getting the body from the city
7 morgue to Calverton. Because the city vehicles
8 are not allowed to leave the city limits. So
9 therefore we have a transportation problem from
10 that point to the next point and I believe the
11 morgue has also been working on this. We don't
12 have a problem with it. The only issue is that if
13 we do make an application as a next of friend we
14 have to be able to assure that number 1, the
15 funeral directors, when they will be paid and we
16 have to work out a proper procedure for doing it.

17 If it's just a matter of doing a body
18 release which we do in all instances which allows
19 the funeral director to then take some type of
20 form that we are able to issue to them to the city
21 to get paid. I'm not exactly certain how the
22 city's payment schedule works. So I'm sure
23 there's someone here from HRA who will be able to
24 explain that.

25 But in terms of what we do, acting as

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a fiduciary we would be able to make the request and/or support for any organizations and request which we had discussed doing that at one point and that is if there were a veteran's group who'd be interested in actually taking care of those arrangements. The public administrator would then assume technically financial responsibility and responsibility as a fiduciary in terms of them being able to go ahead and make the arrangements. So whichever way the bill goes we would be willing to act as a friend in terms of doing that signature.

CHAIRPERSON EUGENE: Thank you very much. I think we're going to listen to both of them before we start the asking questions. Would you please?

BONNIE GOULD: My name is Bonnie Gould, I'm the Bronx Public Administrator. The Bronx is home to many veterans, many indigent veterans unfortunately. My office is the front line, we are often the very first to be notified of the death of these veterans. Unfortunately as things stand right now if a person is identified as a veteran it can take months for them to be

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2 buried and to be taken out to Calverton and this
3 just seems tremendous disservice to these people
4 who served our country. If we had a mechanism in
5 place that would allow the public administrator to
6 serve as organizational friends and as we were
7 able to work with HRA successfully to arrange for
8 the funding and the mechanism here. I believe we
9 could have the delivery of the body out to
10 Calverton much more rapidly and these gentlemen,
11 men and women, can sit in a morgue for months and
12 that just seems a travesty. So I would very much
13 support a resolution enabling us to serve as an
14 organization friend.

15 CHAIRPERSON EUGENE: That's it?
16 Alright, thank you very much. Let me ask you one
17 question. Maybe a few questions before I give the
18 microphone to my colleagues and to ask the
19 questions. You said the city vehicle can not
20 leave the city limits. This is a problem and you
21 so what can you do, we do to ensure that this
22 problem is resolved?

23 MS. GRIFFIN: Well, I think that what
24 we need to have is some type of transportation
25 system from the morgue to Calverton because the

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2 burial plot is already there and also the, I think
3 the morgue is going to provide a casket. Now it's
4 not the greatest casket in the world but it's a
5 possibility that if we had a number of funeral
6 directors who would be willing to do this and I'd
7 like to say that there are a number of them who
8 actually have been doing it. And I see my
9 colleague who has worked on this for years here
10 now. My ex-colleague. But in any case the main
11 problem was getting some funeral directors who'd
12 be willing to take the money the city offers. Now
13 I want you to know the city doesn't offer a lot of
14 money but I've been assured there are some funeral
15 directors who would probably be willing to sign up
16 and take the veterans out for the day. I think
17 they get approximately \$900 but I mean some of the
18 very small funeral homes would probably benefit
19 from making that amount of money.

20 But I believe there is some
21 regulation and I want to be quoted on this
22 particularly. But that a city vehicle with the
23 city plate on it or an official plate is not
24 supposed to leave the city limits. And of course,
25 Calverton is in Suffolk. So that presents a

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2 problem with them in terms of transportation.

3 Because I know the morgue has really interested
4 and has been working on that particular issue.

5 CHAIRPERSON EUGENE: But in addition
6 to this particular issue, is there any other
7 reason that you know the veterans cannot benefit
8 by the fact that they will not be buried in a
9 veteran cemetery?

10 In addition to the fact that the city
11 vehicle cannot leave the city limit? Is there any
12 other issue, any other challenges?

13 MS. GRIFFIN: Well, I guess just the
14 fact that there's a discrepancy where they die in
15 our facilities to take care of them and they die
16 on the street. Which is an issue that comes to
17 the public administrator. We as the administrator
18 to the estate of any one that dies without a will
19 or anyone who is willing or able to do it so that
20 entails a lot of indigent people and people
21 without family. In fact, is there is anyone close
22 to them, a cousin, the public administrator
23 doesn't act. WE'RE speaking of people who
24 actually do not have a close relative and/or a
25 friend who is willing to step forward and make the

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2 application that could probably be made with HRA
3 so what happens is that no one does it because
4 they don't want to assume the responsibility
5 and/or financial liability may attach to that.

6 So the benefit is, that we would
7 administer that estate and if the person. We
8 actually now when someone dies and we know about
9 it and we find out either from the morgue's list,
10 we actually go to the residence that's if they
11 happen to have one. And there are a lot of events
12 if they're veterans may have small bank accounts
13 or some money to pay for their own burial. We do
14 that as a matter of course we would anyone else.
15 We're speaking of the ones who have nothing at
16 all. And would allow them to be buried in a
17 titled grave and number 1 because city cemetery
18 does not issue titles to graves and they would
19 upon information and belief be buried in their own
20 personal grave with their own marker.

21 CHAIRPERSON EUGENE: So could you
22 tell us what your office have been doing as put in
23 place to resolve those two issues? Is there
24 anything that you have been doing?

25 MS. GRIFFIN: We have not--well, my

1 office has not been able to do very much about it.
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3 What we do actually is we notify the veterans'
4 affairs office for the Mayor to notify first of
5 all that the person is eligible for whatever
6 benefits they happen to be because clearly there
7 are people who are not necessarily eligible. And
8 if we find any addition in their apartment that
9 they were either a veteran or discharged papers or
10 whatever we will then look into it.

11 We wait until city council to lead
12 us, the Mayor's office verifies that the person is
13 actually a veteran and entitled to benefits and
14 then we make whatever arrangements we can based on
15 the amount that the VA is going to allow and the
16 amount that we determine the person has either in
17 their own personal funds or whoever is willing to
18 try to bury them.

19 If in fact we find nothing we cannot
20 do anything. And the job falls back to the morgue
21 to try to arrange for either to get the person out
22 to Calverton or to find a funeral director who
23 will volunteer to do it.

24 CHAIRPERSON EUGENE: Thank you very
25 much. Now I want to recognize council member Lew

1 Fidler who is going to ask some questions.

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3 COUNCIL MEMBER FIDLER: Thank you
4 very much Mr. Chairman. I introduce Reso 218
5 immediately after a veteran's hearing on April 28,
6 2008. Upon the submission of testimony from the
7 Bronx Public Administrator's office. So sometimes
8 it pays to come and we do listen. Now I have a
9 slightly different understanding of the problem
10 which is that there is an entitlement to a veteran
11 to be buried in the veterans cemetery.

12 And the issue is simply that of
13 transportation of the body. And someone who
14 qualifies as an organizational friend may apply to
15 HRA for the transportation costs for the body and
16 then that person can then be buried in a national
17 cemetery but in the absence of that person. And
18 as I understand what type of case a public
19 administrator would have would likely be someone
20 who has unfortunately died frequently without
21 assets, without family to administer the estate,
22 there is very likely no one to come forward in any
23 way and as was explained in 2008 it's then left to
24 the public administrator to either find someone to
25 serve as an organizational friend or to have the

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2 person buried in Potter's Field in an unmarked
3 grave which I think is the ultimate indignity you
4 have to a veteran who has served this country,
5 fought for this country, and then not be entitled
6 to the very minimal benefit that they could be
7 buried in the veterans cemetery simply because no
8 one could come forward to apply for the money to
9 transport the body.

10 And the public administrator's
11 offices have been doing their best to prevail upon
12 funeral directors to volunteer that service but
13 with difficult economic times that was becoming
14 almost impossible to do. Is that a correct
15 understanding of the situation?

16 MS. GRIFFIN: Yes.

17 COUNCIL MEMBER FIDLER: So, what this
18 resolution asks is that HRA permit the public
19 administrator to be an organizational friend.
20 That for some reason HRA regulations bar the
21 public administrator's office itself from being
22 the friend, that would be the conduit to apply for
23 the money so that a funeral director, regardless
24 of city lines or not would be able to be paid to
25 transport the body to the veterans cemetery, is

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that correct?

MS. GRIFFIN: Yes.

COUNCIL MEMBER FIDLER: So that's what this resolution urges and I know that HRA who will be here is here. Perhaps they can explain why public administrators are excluded from this role. I certainly didn't understand it after that hearing in April of '08. I know we're not voting on this resolution today. I've been told we're not voting on this resolution today and my only hope is that HRA is going to come and sit in those seats and tell us that they are going to exceed to your requests and tell us they are going to change their regulations so I hope that's the case.

This is really, it's a sad thing when anyone dies indigent and alone. It's doubly sad when it's a veteran and it's triply sad when some regulation somewhere is the only thing that's standing between a proper veteran's burial and being buried in Potter's Field in an unmarked grave without the ability for family and friends to come and visit because Potter's Field is not open for visiting. You know, that to me is an insult on top of a tragedy so I really hope that

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2 HRA is going to change that and that the public
3 administrators will be able to take on that
4 additional role and responsibilities so that
5 veterans who die in indigent fashion, whose family
6 is indigent as well will be able to enjoy the
7 benefits that other veterans can. Thank you Mr.
8 Chairman.

9 CHAIRPERSON EUGENE: Thank you council
10 member Fidler, we have been joined by council
11 member Sanders. I think council member Sanders
12 has some questions also.

13 COUNCIL MEMBER SANDERS: Thank you Mr.
14 Chair, I'm in the middle of three hearings at the
15 same time. Well, who says that you can't split
16 yourself more than one. One of the hallmarks of a
17 civilized society is how we deal with the question
18 of visiting the deceased. It seems to me that
19 understanding that laws were meant for the man and
20 not man for the law we should never let the law
21 get in the way of common sense. That the law may
22 have meant well in the process that started
23 somewhere along the line and back in some musty
24 library where they were researching these things
25 it may have been a good move but councilman Fidler

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2 is right that the bottom line is, can we be as
3 respectful to the veterans as possible? Can we
4 be? If the law prevents that then the law is
5 wrong and this is why I am going to sign on with
6 you sir because it's just common sense and you're
7 saying that it's taken two hearings just to get to
8 the point of—we should, we in government should
9 never get stuck on stupid. When we find ourselves
10 doing dumb things we should just back up and say
11 you know maybe it makes sense at a certain point
12 but it doesn't make sense now and we're just not
13 going to defend the indefensible so I urge the
14 HRA. Come on. We all have larger issues. HRA,
15 you've got a job out there that needs to be done
16 and you've got enough stuff to work on. Let this
17 one go, let everybody win here and let's honor
18 those who have brought honor to all of us. I am
19 honored to sign on sir. Thank you very much Mr.
20 Chair.

21 CHAIRPERSON EUGENE: You are very
22 welcome, council member Sanders. So you mentioned
23 that in your presentation that it takes months for
24 a veteran to be buried. Could you explain what
25 are the reasons exactly that it takes so long for

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2 them. All the issues, all the challenges not only
3 one - - just to help us comprehend the situation.

4 MS. GRIFFIN: I just would like to
5 say that I'm not up on this issue as I should be I
6 just recognize that Steve Alfonsi who just
7 testified before who's a former Bronx Public
8 Deputy Administrator and he is up on all this plus
9 he's a veteran. So if you would permit I would
10 like to - - .

11 CHAIRPERSON EUGENE: Oh I would love
12 to.

13 COUNCIL MEMBER FIDLER: Mr. Chairman,
14 Mr. Alfonsi's letter was the testimony received
15 back in 2008 that was the basis for my resolution
16 so.

17 CHAIRPERSON EUGENE: Thank you for
18 this information. Thank you.

19 MR. ALFONSI: Good afternoon
20 gentlemen.

21 CHAIRPERSON EUGENE: Good afternoon
22 and welcome. The question is that it takes months
23 for a veteran to be buried so we want to know what
24 are the reason for it takes so long for a veteran
25 to be buried?

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2 MR. ALFONSI: Thank you for putting
3 me up here and giving me the opportunity to
4 testify.

5 CHAIRPERSON EUGENE: You're welcome.

6 MR. ALFONSI: My name is Stephen
7 Alfonsi, and the former Deputy Public
8 Administrator for Bronx county and I'm very
9 familiar with the issues involved with burials of
10 veterans. It appears this, that when a veteran
11 and my colleagues have testified that accurately
12 that when a veteran is indigent and has no assets
13 to be buried the onus falls upon the city of New
14 York to go ahead and bury that person whether it
15 is a veteran or an indigent non-veteran. Normally
16 speaking within the five counties of New York City
17 we have Potter's Field. Potter's Field is the
18 burial place as we know for indigent persons.
19 Specifically for a veteran, I believe back in
20 2008, HRA did change their procedures and did
21 change it to allow organizational friends to
22 become available to bury veterans. At that time
23 when I testified, I emphasized that although well
24 intentioned and these are usually always veterans
25 organizations that have stepped forward - - recall

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2 the two names but there are two that are currently
3 - - do that. Although well intentioned but they
4 do not have the wherewithal. They are not
5 attorneys, they are not familiar with estates,
6 they are not familiar with the complexities that
7 occur with a veteran when a veteran is buried and
8 there are potential assets available. What's
9 delaying the process is when there are
10 organizational friends who are currently trying to
11 provide this service, meaning they are going out
12 and finding an undertaker to go ahead and bury
13 that individual, take that individual to Calverton
14 and then that organizational friend applies to HRA
15 for the assets and then once the assets are
16 available then the undertaker is paid.

17 That process has become muddled
18 because the organizational friends just do not
19 have the real wherewithal to take into the
20 complexities that may arise during their process.
21 It was my testimony in 2008 that the Public
22 Administrators bury people every single day. They
23 bury indigents, they bury people in regular graves
24 when there are assets available, and it was my
25 testimony then that it made sense to allow the

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2 public administrators to become organizational
3 friends so that they could go ahead and bury the
4 veterans.

5 HRA to my knowledge was not balking
6 at that. What HRA was concerned about is that if
7 the public administrators become "organizational
8 friends" they could bury other people beside
9 veterans which would according to their testimony
10 bankrupt HRA. Because there are so many people,
11 so many indigents that are buried in Potter's
12 Field all day, every singled day of the year, that
13 the vast majority would bankrupt HRA. So I would
14 suggest if this legislation goes through it limits
15 the public administrators to be allowed to be
16 organizational friends specifically for veterans
17 and not just for indigents.

18 CHAIRPERSON EUGENE: It seems to me
19 that the problem is the length of the process.
20 But what have you been doing to try to reduce the
21 length of the process or to resolve this
22 situation. Is there anything, any work has been
23 done to try to resolve this situation? Any
24 outreach to the different organizations, the city,
25 to MOVA?

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2 MR. ALFONSI: If I may, the process
3 is this, once we have identified that the indigent
4 person is a veteran and is eligible to be buried
5 at Calverton, the public administrators at this
6 stage are no longer in the process. They are no
7 longer in the process. It is the Mayor's Office
8 of Veteran's Affairs who contacts the
9 organizational friend which is a Veteran's
10 organization. And that is where the delay occurs.
11 The organizational friend getting a funeral home
12 and getting a funeral home to take those remains
13 to Calverton. The public administrator's office
14 is removed from the process.

15 CHAIRPERSON EUGENE: But I do
16 understand. What I mean, have you addressed the
17 issue with the Mayor's Office of Veterans, MOVA?
18 Did you reach out to them and say hey guys, you
19 know all veterans they deserve more than that? We
20 got to make sure that those people as you say can
21 not stay that long. We have to pay the respect
22 they deserve, we have to show the dignity that
23 they deserve from us. Did you reach out to MOVA
24 and to the Mayor's office. What did they say?
25 Did they make any effort to correct that?

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2 MR. ALFONSI: Yes, I have spoken in
3 the past with the Mayor's Office for some
4 veteran's affairs and they are aware of the
5 situation and they also are aware that the two
6 veteran's organizations that were organizational
7 friends were trying their best but were delayed
8 but for various reasons. What exactly those
9 reasons are I do not know but I suspect it's just
10 a matter of understanding and knowing the process.

11 CHAIRPERSON EUGENE: Alright, thank
12 you. Now I want to pass on, let me call
13 microphone over to council member Fidler.

14 COUNCIL MEMBER FIDLER: I don't know
15 if you want to say pass on at this hearing.

16 CHAIRPERSON EUGENE: You had a
17 question also.

18 COUNCIL MEMBER FIDLER: Just one,
19 thank you again Mr. Alfonsi. It was in fact your
20 memo that helped promote this and this is a
21 resolution and not a bill and now I'm kind of
22 wondering why we didn't do it as a bill. It's
23 clearly the intent of the resolution to affect
24 only the indigent veterans. IT doesn't in the
25 resolve clause it doesn't actually say indigent

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2 veterans it's probably my naiveté in not knowing
3 that organizational friends existed for anything
4 else. But we can certainly make that change
5 necessary. And I would ask council to I guess
6 amend the bill, to add those three words. The
7 resolution to add those three words and to look
8 into why we can't legislate and mandate this as
9 opposed to asking politely that it happen. Mr.
10 Alfonsi and actually for any of the three of you,
11 should the HRA change the regulation and allow the
12 public administrators to be organizational friends
13 for indigent veterans, how much time would be cut
14 off the process of burying your indigent veteran
15 and your best estimate? And how many deceased
16 veterans would likely benefit from being put into,
17 buried in the national cemetery as opposed to
18 Potter's Field on annual basis?

19 MS. GRIFFIN: I have no idea because
20 we don't have those statistics but I would assume
21 that if in fact we were able to apply—if we were
22 to make the application it should be a matter of a
23 week or a couple of weeks because essentially all
24 you have to do is once you identify the person,
25 identify the funeral director. The funeral

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2 director goes directly to the morgue and picks up
3 the body and then makes arrangements to go out to
4 Calverton. So we get a list of people who are
5 probably willing to do that. And even if we say
6 one person would go out one week and pick up if
7 there were a couple if there were one or two then
8 they would be willing to do that. So I'm assuming
9 that once we got through the administrative burden
10 which I'm not certain how long it takes for the
11 person to be identified as a vet and to determine
12 whether or not what benefit level he would be
13 eligible for. Our portion would only take
14 approximately I'd say a week.

15 COUNCIL MEMBER FIDLER: So the
16 process could conceivably be shortened from weeks
17 to months.

18 MS. GRIFFIN: It could be because we
19 would have already identified funeral directors
20 who would be willing to do it so it would be a
21 matter of paperwork. We'd fill out the form or
22 whatever is required for either the funeral
23 director or HRA. They would get the documents so
24 they would be able to do it. The other issue is
25 it seems to be a transportation problem. If in

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2 fact there was some way that the city's vehicles
3 could be used to transport the person or the
4 morgue would be able to set up some type of
5 transport system because they do have a transport
6 system to Potter's Field it's just they don't have
7 one to go further. But this bill would be a step
8 in the direction of correcting the errors now.

9 COUNCIL MEMBER FIDLER: And I saw
10 your colleagues shaking their heads in agreement
11 to your estimates so I know that didn't reflect on
12 the record so I want to note it on the record.
13 Thank you.

14 CHAIRPERSON EUGENE: I want to
15 recognize council member Drumm.

16 COUNCIL MEMBER DRUMM: Thank you Mr.
17 Chair. Have you reached out to veteran's groups
18 on this issue? And have they given you any
19 feedback on this change, the proposed change?
20 Because they're currently the ones who are
21 supposed to be doing it now?

22 MR. ALFONSI: I have spoken to
23 veteran's groups on this in the past on these
24 functions. The veterans group, I do not recall
25 their name. But was one individual and he was

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2 doing this out of the kindness of his heart and
3 trying to get this done as quickly as possible.
4 However, if you're not in the, for the lack of a
5 better word in the business of burying people. It
6 becomes daunting. And it's a huge learning curve
7 and there are issues that do arise and I'll speak
8 to one issue because this is something that has
9 happened.

10 An indigent veteran is identified and
11 the public administrator's office is no longer is
12 involved, the Mayor's office of Veteran's Office
13 contacts the friend and they go ahead and arrange
14 for the burial. The person is buried in
15 Calverton. Then the application is made to HRA to
16 reimburse for the expenses. HRS has a vast
17 computer system that they go in and they find that
18 that indigent person is not indigent but actually
19 has some assets perhaps in New Jersey. HRA then
20 will not be allowed to reimburse that \$900. Now
21 that friend has to try to collect those assets
22 from New Jersey from a bank account in New Jersey
23 and has no way to do that. So the undertaker then
24 is out whatever cost of the undertaker so the
25 undertaker is never paid. That becomes a problem.

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2 The public administrator's office does that
3 routinely.

4 COUNCIL MEMBER DRUMM: So how does
5 one get to become an organizational friend?

6 MR. ALFONSI: There's an application
7 process.

8 COUNCIL MEMBER DRUMM: And that goes
9 through the public administrator's office?

10 MR. ALFONSI: No, that goes through
11 Human Resources Administration?

12 COUNCIL MEMBER DRUMM: Human
13 Resources, okay? And do you have any idea of how
14 many veterans are buried up in Potter's Field?
15 Did we mention that before?

16 MS. GOULD: Well, I can say in the
17 Bronx I would say a quarter of our population?

18 COUNCIL MEMBER DRUMM: I'm sorry how
19 many?

20 MS. GOULD: I would say in the Bronx
21 a quarter of the cases that we're handling for
22 veterans and once they're identified I'd say
23 between 200 and 250 minimum a year.

24 COUNCIL MEMBER DRUMM: Significant.
25 Thank you.

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2 CHAIRPERSON EUGENE: Do you have any
3 data on how many veterans were buried in New York
4 City this year? And also the previous year? And
5 what percentage of those veterans were indigent
6 when claimed? And can you tell us also for those
7 the public veteran's office identified or
8 confirmed a deceased person is indeed a veteran?

9 MS. GRIFFIN: That information would
10 be with the Mayor's office because there are five
11 public administrators in the boroughs. So the
12 only thing that we do is we contact the Mayor's
13 office and they, as Steve said, if we're not doing
14 the burial then the rest of it falls on them and
15 I'm not certain what they in fact do. And I'm not
16 certain what statistics they would be keeping but
17 obviously they would have more information on how
18 many times they pay on or someone pays on the
19 burials.

20 CHAIRPERSON EUGENE: But for the sake
21 of better serving the veterans don't you think
22 that you guys to get a better idea of how many
23 veterans were buried or how many veterans are
24 indigent. Do you think that this is the type of
25 information that you are to know?

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2 MS. GRIFFIN: No, I don't think so
3 because we don't make a distinction between
4 different parties in terms of indigent burials.
5 We would like to bury anyone who is indigent but
6 we're not allowed to for financial reasons so in
7 terms of our procedure we are to determine whether
8 or not the person has benefits. And when we make
9 the determination that that particular person has
10 benefits then we contact the organization under
11 which their benefits fall. We do that with social
12 security or any other organization that we have so
13 I'm not certain what benefit we would gain from
14 keeping a separate record from it when in fact
15 either the Mayor's office is keeping it as is the
16 morgue. Because the morgue works diligently on
17 doing this also.

18 CHAIRPERSON EUGENE: Thank you very
19 much, we are—do you know the cost of each burial
20 at Hart Island?

21 MS. GRIFFIN: I think it's about—I'm
22 not certain someone should be from there. I
23 believe it's maybe about \$900 or a little bit more
24 maybe a \$1000.

25 CHAIRPERSON EUGENE: Approximately.

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3 MS. GRIFFIN: It's not that it's a
4 free service. The facility does charge for
5 burials in Potter's Field but there is a cost
6 associated with it so I'm no sure what it is.

7 CHAIRPERSON EUGENE: Let me, we have
8 been joined also by council member Carmen Arroyo
9 and also council member - - . I don't know if
10 they have questions but it seems that council
11 member Lew Fidler has another question. And I'm
12 sorry we have been joined also by council member
13 Gentile.

14 COUNCIL MEMBER FIDLER: As I listen
15 more questions come to mind. We're asking HRA to
16 make available \$900 transportation benefit to
17 allow people to be given a proper burial but the
18 city is also expending approximately the same
19 amount of money to bury them in Potter's Field
20 anyway, right? So this is sort of cost neutral to
21 the city. That's my first. I see people saying
22 but the microphones are not picking it up.

23 MR. ALFONSI: Yes, council member
24 without having the exact amount of what the cost
25 is associated with burying someone with Potter's

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2 Field but it's come to our knowledge anecdotally
3 that it's approximately the same and that's how
4 HRA has come up with the number of \$900 not just
5 to organizational friends but if you were a friend
6 of someone who died and was indigent and you
7 wanted to go ahead and bury that person you could
8 as long as that burial was less than I believe the
9 number is \$1400 you could then apply to HRA to be
10 reimbursed up to \$900. So an individual could
11 then apply to HRA to be reimbursed some of the
12 cost that that individual incurred when burying
13 someone so.

14 COUNCIL MEMBER FIDLER: So
15 organizations can do it, individuals can do it,
16 friends can do it. The public administrator
17 can't.

18 MS. GRIFFIN: The public
19 administrator is excluded specifically from that
20 statute.

21 COUNCIL MEMBER FIDLER: Yes, I know
22 which is what's in the resolution but the other
23 thing Mr. Alfonsi talked about earlier the
24 situation where we discovered assets in New
25 Jersey, I assume HRA is then empowered to file a

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2 lien and get reimbursed for the money if they find
3 that they \$900 or some sum and then found out that
4 there were sufficient assets I mean isn't that how
5 it would work?

6 MR. ALFONSI: It sounds correct but
7 it's a little bit more complicated than that
8 because what happens is that I'm an attorney,
9 we're all attorneys here. I'm an estate attorney.
10 It becomes an estate asset so a fiduciary would
11 have to be appointed in my legal expertise and
12 then the lien against that estate could be imposed
13 once the fiduciary is appointed the fiduciary
14 would collect the assets and pay the creditor in
15 this case the HRA.

16 COUNCIL MEMBER FIDLER: And every
17 matter - - assets are discovered?

18 MR. ALFONSI: That's correct.

19 COUNCIL MEMBER FIDLER: So it's
20 nothing out of the ordinary and then except here
21 the burial took place when we thought they - -
22 indigent and then later on. I mean it's not any
23 different than a Medicaid lien you know same exact
24 way it would work.

25 MR. ALFONSI: That's correct. Just

1
2 one caveat. If HRA discovers that there are assets
3 available and that burial has already taken place
4 which is how it works right now. HRA will not go
5 ahead and pay the \$900 to the organizational
6 friend.

7 COUNCIL MEMBER FIDLER: Why?

8 MR. ALFONSI: Because there are
9 assets available. And then HRA says to the
10 organizational friend or the friend of the family
11 I'm sorry there are assets available.

12 COUNCIL MEMBER FIDLER: So we'd
13 rather have the funeral director who has provided
14 the service than have HRA do what every other
15 social services agency provides benefit to people
16 who turn out to have sufficient assets from doing
17 which is to file a lien and wait to be paid like
18 any other lien holder in the state that has
19 assets.

20 MR. ALFONSI: An estate would have to
21 be created.

22 COUNCIL MEMBER FIDLER: But it is if
23 I'm correct the obligation of the public
24 administrator's office to create an estate when
25 assets are discovered with someone whose case is

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referred to the VA's office, correct?

MR. ALFNOSI: You're absolutely correct, council member.

COUNCIL MEMBER FIDLER: Okay so. So someone would have to then let the public administrators office know.

MR. ALFONSI: No, Mr. Smith who was a veteran who was buried in Calverton and whom HRA has a lien against, public administrator please create the estate, please do the = = petitioning in the court, collect the assets, then reimburse HRA. The public administrator's office would not be aware of that absent of HRA or someone identifying that to the public administrator's office.

COUNCIL MEMBER FIDLER: Right. So I guess my point is that this is how it's done anyway for everybody except HRA I this particular circumstance. I mean in a social services benefit is granted, life for there after if assets are discovered the public administrator in it's due course upon being notified or locating the assets will create an estate, will honor liens, will pay out creditors of the estate in the same way as if

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2 this was not in the public administrator's office
3 and they hadn't died and it was a matter before
4 the surrogate. Simple thing. I mean I really
5 don't understand. I mean maybe we need to hear
6 from HRA. I don't understand what the problem is.

7 MR. ALFONSI: You're correct in your
8 analysis, council.

9 COUNCIL MEMBER FIDLER: Thank you.

10 CHAIRPERSON EUGENE: I think that I
11 acknowledged council member Cabrera already but I
12 just want to make sure that it is in the record
13 because I know that most of us have civil hearing
14 at the same time. We are being joined again by
15 council member Cabrera. And I want to recognize
16 council member - - who has a couple of questions.

17 COUNCIL MEMBER: Thank you very much.
18 I, like you are an attorney and have practiced in
19 the surrogate's courts in three of the five
20 boroughs. I'm just kind of confused as the, and
21 to follow up what my colleague was asking.
22 Procedurally I understand that the public
23 administrator in the creation of the estate is
24 getting information from a third party or an
25 entity to start the process of actually creating

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2 that estate. But would it be fair to say that in
3 the course of having to bury someone in Potter's
4 Field the city has to go through certain steps in
5 order to identify in general who they're burying,
6 whether there are any next of kin, whether there's
7 notifications that need to be made. So all of
8 that process, processer stuff is happening any
9 time if someone has not claimed the body of
10 someone who's turned into a morgue in the city of
11 New York. Yes?

12 MR. ALFONSI: Yes, that's correct.

13 COUNCIL MEMBER: So in other words,
14 the preliminary steps which is the basis by which
15 the public administrator would take action are
16 actually already being done by a city agency
17 somewhere along the line and that information is
18 being gathered and presumably we are databasing
19 it, yes?

20 MR. ALFONSI: That's correct, yes.

21 COUNCIL MEMBER: Okay, and so I know
22 you did just say that this was a relatively cost
23 neutral endeavor in that the costs are very
24 comparable to the costs for transport. Is there
25 any additional federal assistance available based

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2 on the fact that these individuals identified are
3 veterans of the armed forces and therefore
4 eligible for other benefits which perhaps the city
5 could lien in the course of doing this?

6 MS. GRIFFIN: Well I'm not certain of
7 that answer I think you would have city's burial
8 people about that the veterans. However I do know
9 we are generally told that there's \$250 available
10 to most vets but I believe that scale is graduated
11 in terms of different issues. I'm not certain of
12 that. But we do know we're starting off with
13 \$250, and also I'd like to say on behalf of the
14 morgue. They basically before they send anyone to
15 Potter's Field we have an arrangement with them if
16 they notify the public administrator and we
17 investigate all of those cases that are indigent.

18 And if we do determine number one
19 that they are a veteran, then either we are
20 already taking action on it or the morgue is
21 taking action on trying to work out some
22 arrangement to the veteran. I think that the
23 Mayor's office would be able to speak more clearly
24 on that. But we do have a procedure where we do
25 not allow anyone to go to Potter's Field without

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2 thoroughly investigating their asset situation.

3 COUNCIL MEMBER: Well, again I would
4 wonder whether the Mayor's office would be of much
5 help because as I sit here and I've brought out at
6 other veteran's hearings the city of New York
7 spends only \$494,000 on Veteran's Affairs and I'm
8 sorry \$499,000 veterans affairs, \$493,000 of which
9 are for salaries for 4 people. So we actually
10 only spend \$6000 o our veterans in terms of
11 services outside of the salaries for the 4 people
12 at the Mayor's office and this year the city
13 council only allotted \$115,000 for veterans
14 throughout the entire city of New York.

15 I'm sure that you're aware that we
16 spend between 18 to 20 million dollars on
17 Immigrant Services, we spend 15 to 17 million
18 dollars on AIDS and research related to the Gay
19 and Lesbian community and we spend \$115,000 on the
20 people who fought and died for our country. So it
21 kind of concerns me and I appreciate what you are
22 saying that I need to talk to agency X and agency
23 Y but it seems that every time we talk to agency X
24 and agency Y we wind up back in the same place
25 which is our veterans get nothing.

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2 So you can understand my frustration
3 as someone who was in ROTC and went into the
4 police department thinking I was serving my city
5 and my country and finding that the statistics
6 don't bear out that my country and my city
7 reciprocate that respect to those who served it.
8 And I apologize that you're the person sitting in
9 the seat right now. But would you also agree with
10 me then that basically the databases that we
11 discussed and the information that you told us was
12 collected could be shared across citywide agencies
13 with relative ease.

14 MS. GRIFFIN: I'm not certain what
15 the database is but I know that we are not able to
16 check directly to determine whether or not someone
17 is a veteran. WE basically have to go through the
18 mayor's office for that information. Possibly if
19 it were shared it would make a difference but I
20 can't really say.

21 COUNCIL MEMBER: Okay. Well I would
22 just, Mr. Chair, I would suggest that you speak to
23 Governmental Operations Chair and talk about the
24 fact that they're not sharing this data across
25 city agencies in a way that's efficient and may

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2 actually help us not only identify our veterans
3 but identify the benefits they're entitled to and
4 follow up on assets as council member Fidler was
5 discussing because it seems to me that we're doing
6 a grave disservice to people who deserve better
7 from us.

8 CHAIRPERSON EUGENE: Thank you very
9 much. We have been joined also by council member
10 Greenfield. Do you have any questions? Any of my
11 colleagues? Let me ask you one thing. What is
12 the service that have been performed at the burial
13 at Hart Island? What service have been provided
14 when there's a burial out there at Hart Island?

15 MS. GRIFFIN: I'm not familiar with
16 the procedure. All I know is that is something
17 that is handled with the morgue.

18 CHAIRPERSON EUGENE: Do you know what
19 the cost is to the city if the public
20 administrator were to apply for veteran benefit?
21 What would be the cost? Would it be a difference
22 of cost?

23 MS. GRIFFIN: I'm not certain of that
24 either. Because we've never had the opportunity
25 or the option.

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2 MS. GOULD: I don't think there would
3 be additional cost to the city I think if anything
4 cost would be less. As has been pointed out our
5 offices are really ideally positioned to handle
6 this. We bury people everyday. We're positioned
7 to open up estates, to collect data, and assets in
8 the case where there is an error and there has to
9 be reimbursement. This is our area of expertise.
10 I don't think there is anyone better equipped to
11 handle it than us.

12 MR. ALFONSI: If I may, council man,
13 to echo what my colleague has just said.
14 Currently the organizational friend can go ahead
15 and bury that veteran. What's happening right now
16 id the delay. The delay because the
17 organizational friends who are veterans groups do
18 not have the expertise in this field. So the cost
19 that is going to be associated with burying that
20 veteran in Calverton is the same. It's just the
21 persons who are in charge of doing the process
22 that will change.

23 CHAIRPERSON EUGENE: I see. The
24 information of the groups that can handle the
25 burial but what does the group have been

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2 providing? What do they provide exactly? Could
3 you tell us in detail?

4 MR. ALFONSI: Basically what they
5 provide is this, once the mayor's office of
6 veteran's affairs has identified that there is an
7 indigent veteran they will contact the
8 organizational friend and let the organizational
9 friend know that the veteran is in the city
10 morgue. And that veteran needs to be buried and
11 is eligible to be buried at Calverton. Then it's
12 upon that organizational friend to make
13 arrangements with an undertaker and also to make
14 the application with HRA for reimbursement of
15 those expenses. That's what the organizational
16 friend is supposed to be doing. They try very
17 very hard to do it. Their heart is in the right
18 place. But they just don't have the expertise to
19 make that process flow quickly.

20 CHAIRPERSON EUGENE: Thank you very
21 much. Thank you so much. My colleague, do you
22 have any questions? No questions? So we're going
23 to have another hearing but before we--oh I'm
24 sorry. Now we have another witness. We're going
25 to call on - - going to call our next witness but

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2 before that I'll want to thank you for your
3 presentation and thank you also for what you have
4 been doing on behalf of our veterans.

5 We believe that all veterans deserve
6 the same respect and dignity because all of them
7 they have served with the same commitment and we
8 owe them a great deal of gratitude. They have put
9 their life in danger for us and I think that they
10 deserve the best that this country can provide,
11 the best that they can offer them. And we I think
12 that we should work together all of us together to
13 ensure that they get the benefit that they
14 deserve. And again thank you for the
15 presentation. Thank you very much.

16 MS. GRIFFIN: Thank you for the
17 opportunity to be heard.

18 CHAIRPERSON EUGENE: Thank you. Now
19 we're going to call the next witness. I hope that
20 I pronounce this right. Sissy Stein [phonetic].
21 Forgive me if I don't—

22 SISSY STEIN: Don't worry about it.

23 CHAIRPERSON EUGENE: Alright.

24 MS. STEIN: I didn't plan to say
25 anything. I was here at the upcoming hearing but

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2 I want to say is as you can see I use a service
3 dog, I live on 14th Street. My dog is walked on
4 Stuyvesant Park, the Beth Israel mental facility
5 is there. There are lots and lots of veterans who
6 hang out in that park who have mental illness and
7 have gone unidentified by the system mainly
8 because - - they don't trust the system and my
9 question is since the proportion of veterans who
10 are coming back with mental illness including PTSD
11 appears to be on the rise, how are we identifying
12 those who do not take advantage of social services
13 and do not want to and end up on the streets and
14 end up in homeless shelters.

15 And the other question that I have
16 are dead on the street. Is there fingerprint
17 records is there some way to easily identify
18 people who are dying on the street and who are
19 mentally disabled. And I don't know because I
20 missed part of this whether an honorable discharge
21 is necessary for getting burial benefits or would
22 be necessary - - whatever that I couldn't get a
23 copy of.

24 And there was a fire after the
25 Vietnam War and there were a number of people who

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2 were unable. It was Fort Benjamin something and
3 I'm getting too old to remember the name that had
4 a lot of the Vietnam veterans records and there
5 was a fire there in that that destroyed a lot of
6 the records and although there are people who have
7 reliefs from duty they do not have their honorable
8 discharge and I wonder if any of you are familiar
9 with that and if anything is being done to rectify
10 that and to reach out to people who are in that
11 position and I am now done. And I thank you.

12 CHAIRPERSON EUGENE: Thank you very
13 much and let me thank you on behalf of the
14 veterans. Thank you for your presentation. Thank
15 you for your point. Let me tell you that the
16 number of veterans coming back home increasing.
17 WE know that. We know that the veterans they are
18 not receiving the services that they deserve and
19 we are working very hard to make sure that we
20 provide with to all of them the proper services
21 that they deserve. At this point I think that
22 there are much more to be done. And while we're
23 working very hard to ensure that we take the
24 necessary step to serve of all the veterans to
25 recognize to identify all of them especially with

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2 what we are trying to do now we are trying to
3 identify all the veterans regardless of where they
4 serve and when they serve and also we are trying
5 to make sure that we put together all the services
6 available. We are trying to identify what are the
7 services available and what is missing in order
8 for us to make sure that all veterans benefit you
9 know, from the system and receive the best
10 services that the system can provide them with.

11 MS. STEIN: What is missing and what
12 well might be missing is certificates of relief
13 from disability for those veterans who have either
14 arrest records or convictions and who serve and
15 who are not eligible for certain benefits because
16 of their records. Unless they get a certificate
17 of release they are not able to vote. Excuse my
18 language but that really sucks.

19 CHAIRPERSON EUGENE: Thank you very
20 much again for your presentation. I would like to
21 meet with you after the hearing. Thank you very
22 much. Is there any other question? Hearing none.
23 The meeting is adjourned. Thank you very much.

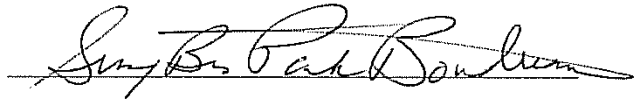
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C E R T I F I C A T E

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 December 14, 2010