

05/24/2010

My name is Barbara Morris and I am the widow of John K. Morris, a disabled Navy veteran. John died a year ago January. He was 50 years old, and 100% service-connected disabled at the time of his death.

I am here today to talk about 2 specific issues:

The first is to tell the members of the Veterans Committee that there is a desperate need for a veterans resource center -- one that is adequately funded and staffed with experts who can help vets resolve issues and solve problems.

For several years before John's died, our life together was centered around the VA hospital. From our own experiences and observation, the VA medical center in Brooklyn & Manhattan are the central resource center for most vets. It's where they spend most of their time. While they tend to their medical needs, they struggle to keep their lives in order -- whether it be housing, benefits, taxes, dependents, employment, etc. Like most disabled veterans, my husband was not in the best of health, and constantly having to wrestle through the obstacles of government -- federal -- state -- and local was daunting. As his health deteriorated, he became more frustrated, depressed and unable to advocate on his own behalf. With the help of a resource center that has a direct link between the city, state and federal agencies, John could have accessed many benefits and services that he was simply unable to obtain on his own. After his death, I, too, struggled with mounds of paperwork and running around from agency to agency. In his memory, I will do all I can to support a resource center that can help vets and their families navigate through the bureaurcatic mazes of government, and will be happy to meet with you during the blueprint phase to discuss how you can design a plan to avoid some of the pitfalls that we experienced.

I would like to talk briefly about one more issue: As the widow of a service-connected disabled veteran, under NYS Law I am entitled to his specialized vending license, and obtained it from the Department of Consumer Affairs -- but it was not easy. Luckily, I knew what to do and was persistent.

I have not been as successful with the Department of Health. I ask that the City Council pass legislation that would right a terrible wrong. Several years ago, the City Council passed legislation to increase the cap in mobile food cart permits by 100 specifically for disabled veterans. The Health Department admits that it did not administer this mandate properly. As a disabled veteran with a specialized vending license, John should have been given his mobile food cart permit. Instead, he was placed on a waiting list and stood by hoping to be called, but instead those permits went -- and are still being issued today -- to non-veterans. Worse, is now the department allows the permit holders to lease out their permits which means the department will never reach most of the disabled veterans on those waiting lists. While the Department refuses to substitute my name on the list, it's seems a meaningless battle to pursue since the way it is currently being administered, John's number will never be reached. A simple solution is for the City Council to pass legislation that will maintain the current cap -- not increase it -- and give priority to disabled veterans and widows who possess a valid specialized vending license issued by the Department of Consumer Affairs according to State Law when one becomes available through attrition. This will rectify the terrible mess that the Health Department has made and provide an opportunity for disabled veterans to access meaningful employment. It's cost-effective and the right thing to do. I remind the Veterans Committee that it must work closely with the Consumer Affairs Committee to ensure that this Mayor and the Business Improvement Districts do not continue to erode and undermine the rights of disabled veterans to vend.

Barbara Morris

Barbara Morris

Testimony presented to the NYC City Council
Committee on Veterans Affairs 05/24/2010

BARBARA SHIELDS MORRIS
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Home: (212) 721-3493 Cell: (917) 499-7984

October 22, 2009

Steven Linden, Licensing Director
Environmental Health
NYC Department of Health & Mental Hygiene
125 Worth Street, Room 613
New York, NY 10013

Dear Mr. Linden:

Thank you for your letter of July 6, 2009. However, your response has raised a number of concerns that I will describe below with regard to the priority waiting list for disabled veterans and transference of name to the surviving spouse of a disabled veteran.

A. Perhaps there was some confusion with the term, "substitution" which I would like to clarify. Clearly, this is not a matter of simply switching one name for another without legal justification. Your letter states that the DOHMH regulations governing the issuance of mobile food vending permits does not allow John's name to be **replaced** by mine as his surviving spouse on the priority waiting list for disabled veterans, especially in light of the fact that under NYS Law (Article 35-a), the surviving spouse of a disabled veteran is accorded the **transference** of the "specialized" license governing the rights of disabled veterans to vend in New York City. It seems that DOHMH would be consistent with NYS Law in terms of transference of specialized licenses to the surviving spouse of a disabled veteran. If this is a "regulation", please forward a copy that addresses the transference of permits upon the death of the holder. If this is not a regulation, but a DOHMH "policy", I ask that you re-consider my request to **transfer John's list number #45 on the waiting list to me as his surviving spouse.**

B. I am very concerned that my deceased husband's standing on the waiting list was compromised. Your letter confirms that my deceased husband, John K. Morris is #45 on the "disabled veteran" waiting list and that DOHMH has "not reached his number or even begun to use this list due to a limited number of permit vacancies in this category." I would appreciate your response to the following:

1. Your literature states that a "new list" is created approximately every three years. Why was a new list created in 2007 when DOHMH has not yet exhausted the 2005 list, which DOHMH claims it has "not reached his number or even begun to use this list due to a limited number of permit vacancies in this category?" Wouldn't the disabled veteran list have priority over the non-veteran list?
2. How is it that veterans and non-veterans have been issued permits **before** disabled veterans while there is an established waiting list specifically for this population? It is my understanding that according to NYS Law, disabled veterans must have priority. How many mobile vending permits have been issued to disabled veterans compared with the number of mobile vending permits issued to non-veterans?
3. At the current rate of attrition, how long do you estimate it would take to reach #45 on the priority waiting list for disabled veterans?

Your prompt response is greatly appreciated.

Sincerely,


Barbara Shields Morris

Cc: Commissioner Farley
Commissioner E. Marcus



Health

NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE
Thomas Farley, MD, MPH
Commissioner

Steven Linden, Director of Licensing
Environmental Health
125 Worth Street, Rm 613
New York, NY 10013
212 788-4657tel
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Email: slinden@health.nyc.gov

July 6, 2009

Barbara Shields Morris
180 West End Avenue, #4E
New York, NY 10024

Dear Ms. Morris:

This is in reply to a letter you sent to the Department of Health and Mental Hygiene where you requested that your name be substituted for the name of your deceased husband, John Keith Morris, on the waiting list for a mobile food vending permit. You also requested that we verify if his waiting list number (#45) had been overlooked and passed over while he was alive.

Our records confirm that John Keith Morris, who had been issued mobile food vending license #1254011 had been able to secure waiting list #45 on the disabled veterans waiting list for a full-term mobile food vending permit. Please be advised that we had not reached his number or even begun to use this list due to a limited number of permit vacancies in this category. However, also be advised that positions on a mobile food vending waiting list are not transferable from one person to another and we cannot place your name on this list.

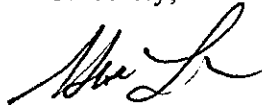
Even so, there are other options available to you:

- We expect to create waiting lists to sell only fresh fruits and vegetables in designated areas of the city this Fall. A pre-requisite to be considered for any waiting list position is that you have a valid mobile food vending license and to get a license, you need to first take the mobile food vending food protection course.
- You may apply for an operator's license and work someone else's permitted cart or truck.
- You may apply for a license and also apply for one of a different class of vending permits issued by the Department of Health & Mental Hygiene; a "restricted area" mobile food vending permit, which does not require a waiting list. These permits are exempt from the statutory limits which apply to street vending, and as such, do not authorize street vending. They do, however, authorize vending on private property in a commercially zoned area or on property under the jurisdiction of the New York City Department of Parks & Recreation.

- You may apply for multiple individual permits to operate a “temporary food service establishment” at city street fairs. These are even more restrictive than the “restricted area” permits mentioned above since they limit a person to a specific location assigned by the sponsor of the individual street fair on the specific day and time of the event. Please note that a mobile food vending license is not needed in conjunction with this type of permit, but you will need to have taken the Food Protection Course.

I have enclosed application packages for you to apply for a license, a restricted area permit or a temporary food service establishment permit. Please call (212) 487-4104 or 4105 if you have any questions about this process or to inquire about the establishment of new mobile food vending permit waiting lists in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve L.', written in a cursive style.

Steven Linden
Director, DOHMH Licensing

BARBARA SHIELDS MORRIS
180 West End Avenue, #4E
New York, NY 10024

April 20, 2009

Dear Sir/Madam:

I am writing to inform you that under current law, my name should be substituted for my deceased husband, John K. Morris, on the "waiting list" for a mobile vending permit. I also am bringing it to your attention that I believe my husband's number may have been overlooked and he was passed over while he was alive. His priority number on the list was #45. Attached is a copy of John's death certificate, our marriage certificate.

Prior to his death, John held a specialized "yellow" disabled veteran vendor's license. As the widow of a license disabled veteran vendor, and in accordance with New York State Law, the Department of Consumer Affairs authorized the transference of his vending license (both general and specialized "yellow" licenses) to me. Also, according to New York State Law, the specialized "yellow" was given the same priority number. I am enclosing a copy of his licenses as well as mine.

Therefore, please forward any forms that need to be completed in order to make this substitution. Also, please research your files and verify his current status.

Sincerely,



Barbara Shields Morris

Attachments

Cc: Commissioner Friedan
E. Marcus
S. Linden

*P.S. I will be taking the on-line
food handler course within
the next week or so.*

**Testimony of Joey Kara Koch, Esq.
Special Counsel to the Mayor**

Oversight: Methods to Enhance Outreach to the Veterans Community

May 24, 2010

**Committee on Veterans
New York City Council**

Good Morning Chairman Eugene and members of the Veterans' Committee. My name is Joey Kara Koch and I am Special Counsel to the Mayor and counsel to the Mayor's Office of Veterans' Affairs (MOVA). Unfortunately, Commissioner Newman is unable to appear today and I will be testifying on behalf of MOVA.

MOVA was established by Local Law 53 in 1987 and advises the Mayor on issues and initiatives impacting the veteran and military community. MOVA works closely with the U.S. Department of Veterans Affairs (VA), the New York State Division of Veterans Affairs (NYSDVA), City agencies, veterans' organizations, area military commanders, and other stakeholders to assist active service members, veterans, their dependents and survivors. MOVA is one of only a handful of city-level veterans' offices in the United States.

The veteran community in New York City is extremely diverse and complex. While there are over 225,000 veterans living within the five boroughs, over 100,000, or roughly more than a third, are over the age of 65. The veteran community consists of veterans who served during World War II, the Korean and Vietnam wars, Operations Desert Storm and Desert Shield as well as the current conflicts in Afghanistan and Iraq. Veterans from the different wars each have concerns and issues unique to their particular experiences. Thus, MOVA's constituency is varied by not only differing war experiences but also a relatively large age gap.

To perform the necessary outreach to this diversified population, MOVA must be creative and utilize all forms of communication. To promote the office, MOVA regularly attends meetings and events, fields thousands of constituent correspondence posed via their NYC.gov website, 311 and direct calls and staff emails. MOVA's website has had over 35,000 visitors this year and traffic to the site continues to increase monthly. Additionally, MOVA is located at Veterans' Memorial Hall, which provides office space to veteran organizations, and many referrals are made from those organizations. MOVA also has a social media presence on Facebook and their page is updated regularly.

New Yorkers regardless of military status. In these situations, MOVA is an additional resource that veterans rely on to help answer their non-veteran related questions.

In recognition of the courageous and personal sacrifices that many veterans, their families, and those currently enlisted in the military have made, MOVA is determined to ensure that they receive the services and respect they have earned.

Thank you for the opportunity to testify. At this time I will take any of your questions.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/24/2010

Name: Armando Crescenzi
(PLEASE PRINT)

Address: 2335 Yates Ave BX NY 10409

I represent: Disabled Veterans

Address: City wide

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Howard Dalton
(PLEASE PRINT)

Address: 635 E 103rd St Bklyn NY

I represent: vet

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

Outreach Services in favor in opposition

Date: 5/24/10

Name: Barbara Morris
(PLEASE PRINT)

Address: 186 West End Ave #4E

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/24/2010

(PLEASE PRINT)

Name: Joey Koch - special counsel

Address: _____ to the Mayor

I represent: Bloomberg Administration

Address: City Hall

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/24/10

(PLEASE PRINT)

Name: Jose Cabrera

Address: 2207 Astoria Blvd apt 2R

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms