

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON VETERANS

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December 16, 2008

Start: 01:00pm

Recess: 01:30pm

HELD AT: Council Chambers
City Hall

B E F O R E:
TONY AVELLA
Council Member

COUNCIL MEMBERS:
Letitia James

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

Wayne Mahlke
Hiram Monserrate's Office

Pat Toro
President
Vietnam Veterans of America, Queens Chapter 32

Ralph Di Toro
Vietnam veteran (disabled)

Dan Rossi
Vietnam veteran

COUNCILMEMBER AVELLA: Good

afternoon, everyone, I apologize for being a few minutes late, but one of my resolutions is actually going to be voted on at the Education Committee, which is meeting across the street.

Let me read, and obviously I'm not Chairman Hiram Monserrate, he's out of the country, so he did ask me to chair the meeting. Good afternoon,

everyone, I'd like to thank you all for coming to today's hearing. My name is Councilman Tony

Avella, and I'm standing in today for our

Veteran's Committee chairperson, Hiram Monserrate.

He was unfortunately unable to be with us today;

however, I know he is extremely proud, as I am, to put forward this legislation. The bill that we

examine today, proposed Intro 717-A, would amend

the law so that on all city buildings where the

American flag is flown, so will the POW/MIA flag be

flown. It is an important and symbolic reminder

for us as Americans. The flag was designed to

honor and express the gratitude of this country to

those members of the United States Armed Forces,

who have been or remain prisoners of war, or who

remain missing in action. Our country recognizes

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2 that we must tirelessly seek to determine the fate
3 of those service members who fought for our
4 country, and whose whereabouts are unknown. And
5 even though time passes, it does not become any
6 less important to continue that search. That is
7 why we are introducing this bill here today, so
8 that we can recognize the importance of the
9 search, not only to the service members, but to
10 their loved ones who stand by them. And that's my
11 cell phone going off in my jacket. Can somebody
12 shut that off? And also to recognize the
13 sacrifice of service members and their family, and
14 their families endure. Today's bill is still a
15 work in progress, and may be amended as we
16 continue to refine where the flags will be flown
17 in our city. But we are proud that our city is
18 moving forward with this honorable act, and we
19 thank you for being here today, and we will now
20 begin testimony. I would also add that the City
21 Council had passed legislation to have the flag
22 flown on park property, that was originally
23 introduced by Councilmember Jimmy Oddo, and he
24 also has a current--[laughs] I didn't know that my
25 phone was that difficult to operate--and he also

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2 has a current bill, which is pending, for the flag
3 to be flown on Department of Education property.
4 So this actual bill is actually more inclusive.
5 As a courtesy, the first person I will call on,
6 how do you know it's going to be you, you're
7 already getting u--[laughs] is Wayne Mahlke from
8 Councilmember Hiram Monserrate's office.

9 WAYNE MAHLKE: Thank you.

10 Councilman Monserrate would like to first thank
11 Councilman Avella for chairing the meeting. As
12 you stated, he is out of the country, and
13 Councilman Monserrate would like to thank the
14 members of the Veteran's Committee and its
15 cosponsors on Intro 717, including Council Members
16 Gentile, James, Liu, Oddo, and Felder, for their
17 support of legislation that will at long last
18 properly display our support for veterans. He
19 would also like to express his gratitude to the
20 many members of the Veteran's community, who
21 joined in the effort to bring this legislation to
22 the City Council, to this committee, and
23 hopefully, by the end of the week, to the mayor,
24 where it will at long last become city law. As
25 you know, this legislation states that prisoners

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2 of war and missing in action POW/MIA flags shall
3 be displayed on city owned or occupied buildings
4 all days of the year, except Sundays. More
5 importantly, the POW/MIA flag will fly next to the
6 American flag at each of these buildings. And
7 because the POW/MIA flag is an American flag, it
8 is a flag that represents the sacrifices made by
9 individuals for our country, and it represents the
10 hope we still hold for their return home.

11 Historically, the POW/MIA flag was created by the
12 National League of Families, and officially
13 recognized by Congress in conjunction with the
14 Vietnam War POW/MIA issue. As the symbol of our
15 nation's concern, and commitment to resolving the
16 fully, as fully as possible, the faiths of
17 American still prisoners, missing, and unaccounted
18 for in Southeast Asia, thus ending the uncertainty
19 for their families and the nation. But certainly,
20 and in the future, the flag is a symbol of our
21 abiding commitment to those who have served on
22 behalf of our country, around the world. This
23 legislation will provide and ensure an expression
24 of our support that will always be there. Thank
25 you.

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2 COUNCILMEMBER AVELLA: Thank you,
3 Wayne, and you can sit for a second, you know
4 [laughs]. I was actually unaware that the bill
5 was, had been introduced, up until I saw on a
6 hearing schedule. And let Councilmember
7 Monserrate know that I'll sign on as a sponsor as
8 well.

9 WAYNE MAHLKE: Thank you.

10 COUNCILMEMBER AVELLA: Thank you.
11 We only have three speakers, so I'll ask them to
12 call up, come up all at once. Pat Toro, Ralph Di
13 Toro, and Dan Rossi.

14 UNKNOWN SPEAKER: Nice job.

15 COUNCILMEMBER AVELLA: [laughs]

16 UNKNOWN SPEAKER: We'll make a
17 politician yet. [laughter]

18 UNKNOWN SPEAKER: I don't know if
19 he wants that. [laughter]

20 PAT TORO: You want us to introduce
21 all the way across here? Okay. Alright, my name
22 is Pat Toro, I'm President of the Vietnam Veterans
23 of America, Queens Chapter 32, and I'm all in
24 favor of this bill. I testified on the POW/MIA
25 flag flying over all the city parks when we got

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2 that through. To me this is a no-brainer. It
3 should never really even, there's really no
4 testimony even necessary for something like that.
5 We need to remember those who did not return,
6 whether they're POW or MIAs, or deceased. In this
7 particular instance, that flag, as the Councilman
8 Avella has stated previously, runs neck and neck
9 with the Vietnam War. That's when it came out,
10 that's when it's known from, but it's from all of
11 our wars. It's necessary that this, this bill go
12 forward, get turned into law, this way that
13 everybody knows we don't forget. We never will
14 forget, and it'll be a shame in this nation and
15 this city if we do forget. Just a little side
16 thing, I remember when the POW/MIA issue came up,
17 the flag over the parks, that one of the big
18 concerns, and if I'm not mistaken, I believe a
19 representative of New York City, stated that the
20 money wasn't there for the flags. Well, in this
21 particular case, we don't have to worry about
22 that, because I know where there's \$422,760--[off
23 mic]

24 [crosstalk, laughter]

25 PAT TORO: Okay, to repeat myself

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2 so that there's no misunderstanding, I am aware of
3 400, \$422,763 that is being held in the City
4 Council, supposedly for a slush fund of the
5 Veteran's Organization does not exist. Okay, so,
6 when this came out back in April, I submitted a
7 letter to the councilwoman, the speaker, asking
8 her how the veterans can get their hands on this
9 money and use it for the veteran's community. I
10 guess we have the money to buy the flags. That's,
11 that's all I have to say.

12 DAN ROSSI: Yeah, my name is Dan
13 Rossi, I'm a Vietnam vet, and naturally I'm in
14 favor of this bill. And the only thing I'm
15 looking at now is the opposition, and the only way
16 this opposition is money, it's the climate we're
17 in now. The one thing that was said about the
18 bill was that the flag will fly adjacent to the
19 American flag. Which means that if there's only
20 one flagpole, you'd have to put up a second, and
21 to amend the bill, maybe just put the flag
22 underneath like it's done in most cases. So
23 that's one of the things that they can't throw up
24 in our faces. Yeah. Basically, that's it. Thank
25 you.

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2 RALPH DI TORO: Yes, my name's
3 Ralph Di Toro [phonetic], I'm also a disabled
4 veteran, and I too am in favor of this bill. It's
5 long, it's long in coming, and it's due those who
6 didn't return, who were sacrificed or died for our
7 country. But I want to go a little bit further.
8 We, we tend to run these types of bills through
9 very quickly for symbolism, symbolic things. Park
10 names, flag flying, there, there are other issues
11 that have been pending in this committee for years
12 to help the vet, the ones that are alive. If, my,
13 here's my opinion: the flag that flies in my
14 honor, that I serve, the POW flag is going to fly
15 along with it, I honor and I serve it. But I
16 serve, I, as those are representative of the
17 people who fought or served their countries, and
18 if you don't respect them in life, if you don't
19 respect their wishes, if you don't respect and
20 take care of them, then flying a flag is simply
21 symbolic. Wearing a pin. I support America
22 'cause I wear an American flag pin, if you don't
23 wear it you're not supportive. What is there, is
24 the true issues are, how are the veterans being
25 taken care of? We have, we, this committee has

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2 been up, I'm a little bit - - a little bit, this
3 committee has been around now for over four years.
4 It hasn't done, in my estimation, anything to be
5 supportive of honoring any veteran. Now, we want
6 to hang a flag. Fine, I'm for it. I'm really for
7 it. We have a bill that you introduced, 446 and
8 447, of the gentleman sitting next to me here,
9 here right now, that could put hundreds of
10 veterans to work, that's shelved somewhere. And
11 unless this committee is going to really address
12 veterans issues, and call people to task, then I
13 feel this, this committee should be dissolved, I
14 really do. Because I've been coming here all the
15 time, and nothing really has been done. No issues
16 have been followed up with, oversight hearings, we
17 still don't know how many homeless vets there are.
18 They give you num--we still don't know. The ME
19 had a report of, about dead people that, not being
20 buried, Pat took over that one. So, even though
21 I'm very grateful for it, I'm also very bitter
22 about what has transpired with these
23 administration--And one other thing, before I
24 finish, I walk in the Veteran's Parade every year,
25 to honor those, young men and women who are now

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2 protecting my freedom, I walk past that review
3 stand, I don't see a mayor, I don't see nobody
4 from the, from the veteran's o--from the mayor's
5 veteran's office in that box, no one, to honor us.
6 That's the crux of everything. To, having a flag
7 is beautiful, people walk past that flag, they're,
8 veteran that's hungry can't eat that flag. And
9 that's, that's basically what I have to say, and I
10 thank you for your time.

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COUNCILMEMBER AVELLA: I want to
12 thank all three of your, but I, I do agree with
13 the last comments, you know I do, that this city,
14 whether it's the City Council, or the
15 administration, does very little, really, to
16 recognize, you know, the contribution of our
17 veterans. And despite the fact that myself and
18 others, and I know Hiram has tried as well, we
19 reach a roadblock, and it really is amazing. And
20 the one example I can bring up, that has just been
21 brought to my attention, is the issue which I
22 thought we resolved, in terms of the members of
23 the armed forces who are serving in Iraq and
24 Afghanistan, who are city employees. We had the
25 big fight of the, their salary, as opposed to

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2 their military salary. Well the administration is
3 still trying to shortchange them, in various ways.
4 And I think it's a disgrace, and I'm saying this,
5 you know, the while the mayor's representative is
6 here. So I'm actually doing legislation at this
7 moment, preparing legislation--and I see we're
8 being joined by Councilmember Letitia James--that
9 would eliminate them, these servicemen and women
10 from paying back anything. You know, if--they're
11 doing a service for this country, for the citizens
12 of this city, they shouldn't have to worry about
13 paying back anything. If it's a perq, if somebody
14 wants to consider it a perq, give them the perq.
15 Who the heck cares? You know, they're putting
16 their lives in jeopardy each and every day, and I
17 think it's absolutely disgraceful that the
18 administration continues to nickel and dime them.
19 But you're absolutely right, we don't do enough.
20 And that has got to change.

21 RALPH DI TORO: One other, can I
22 just say one other thing. This city is well known
23 and thought, being a sanctuary city, and I'm
24 grateful for that, because this country was built
25 up on immigrants. But it's very, very indifferent

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2 when it comes to veterans. This is not a
3 sanctuary city for us. We find, we find no help,
4 no way. Whether you call 311, what do you--the
5 city is not built, never was, doesn't have a
6 functioning thing. When I first testified in this
7 committee, I made a small little list I gave out.
8 I says, "Why don't you just get the names of those
9 serving?" and this four-five years ago, so when
10 they come back, you send 'em a package out.

11 "Thank you very much for being here, we love you,
12 here's a year's free transit pass, so when you go
13 looking for a job, etc." little things, completely
14 ignored and never done. You want to honor the
15 veteran, honor 'em in a way that will truly
16 symbolize what he served for. Thank you.

17 PAT TORO: I'd just like to add,
18 and in all the times that I've been coming here
19 and testifying, there's three faces that I see
20 here all the time. Councilwoman James, Councilman
21 Avella, and Councilman Monserrate. I don't know
22 where the rest of the committee is. Okay, I don't
23 think I've ever seen the committee all here at one
24 time, on any of these issues. And yet, when
25 Memorial Day and Veteran's Day come, they have no

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2 problem standing in front of the middle of the
3 parade, or in front of the parade, waving their
4 rif--American flag, saying how much they support
5 veterans. But they're on the committee that they
6 never show up for. We have a mayor who loves
7 doing that, who loves and this is not the first
8 time I'm said it, so, the mayor can't touch my
9 pension as far as I know of, so I'm not worried
10 about it. But this is the first time, it's not
11 the first time that I've said, that the mayor goes
12 to parade, stands in front with his all American
13 flag, and when he gets interviewed says, "We
14 support veterans." He's done absolutely nothing
15 for the veterans in the time that he's been in.
16 And he told me to my face, on the signing of the
17 POW/MIA bill for the flag to fly over the parks,
18 he said it to me, we were in the customs house, in
19 front of members of my chapter, he says, "The
20 Vietnam veteran has gotten screwed" his exact
21 words. And you know what? He's right, and he's
22 right in the middle of it. That's all I have to
23 say. And the representative from the mayor's
24 here--

25 COUNCILMEMBER AVELLA: Thank you.

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2 PAT TORO: --he can take that back
3 to him, too.

4 COUNCILMEMBER AVELLA:
5 Councilmember, do you have any--Seeing no one else
6 to speak, I will close the first public hearing on
7 this bill, and as was mentioned before, I think
8 we're hopeful to look at the bill, and we're
9 certainly going to take into, the comments that
10 were made, I think they were very good
11 suggestions.

12 UNKNOWN SPEAKER: - - what happened
13 with 446 and 447?

14 COUNCILMEMBER AVELLA: You're not
15 testifying anymore. I'll talk to right after.
16 [laughs]

17 UNKNOWN SPEAKER: - -

18 COUNCILMEMBER AVELLA: I'll - -
19 those are. With that, I close this public
20 hearing, and I close this meeting of the Veteran's
21 Committee.

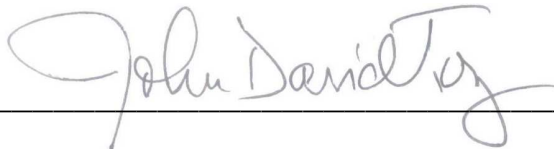
22 [background noise, crosstalk for
23 remaining meetings]

24

C E R T I F I C A T E

I, JOHN DAVID TONG 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 _____

A handwritten signature in cursive script that reads "John David Tong". The signature is written in black ink and is positioned above a horizontal line that serves as a signature line.

Date JANUARY 5, 2009