

CITY COUNCIL  
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CONSUMER AFFAIRS

-----X

January 30, 2009

Start: 1:11 pm

Recess: 7:46 pm

HELD AT: Council Chambers  
City Hall

B E F O R E: LEROY G. COMRIE, JR.  
Chairperson

COUNCIL MEMBERS:  
Charles Barron  
James F. Gennaro  
G. Oliver Koppell  
John C. Liu  
Tony Avella  
Michael C. Nelson  
Elizabeth Crowley  
Alan J. Gerson

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

Edgar Butts  
Assistant Commissioner of the Bureau of Veterinary and  
Pest Control Services  
NYC Department of Health and Mental Hygiene

Andrew Eiler  
NYC DCA

Chris Manning  
Assistant Commissioner for Intergovernmental Affairs  
New York City Health Department.

Nellie McKay

Michael McGraw  
People for the Ethical Treatment of Animals

Brian O'Dwyer

George Fertitta  
CEO  
NYC & Company

Kimberly Spell  
Senior Vice President of Public Affairs  
NYC & Company

Ed Ott  
Executive Director  
New York City Central Labor Council

Demos Demopoulos  
Secretary-Treasurer and Executive Officer  
Teamsters Local 553

Father Brian Jordan

Michelle Villagomez  
Senior Manager of Advocacy and Campaigns  
American Society for the Prevention of Cruelty to  
Animals

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

Patrick Kwan  
New York State Director  
Humane Society of the United States

Dr. Stephen Zawistowski  
Executive Vice President  
American Society for the Prevention of Cruelty to  
Animals

Elizabeth Forel  
President  
Coalition to Ban Horse-Drawn Carriages

Christine MacMurray  
Vice President  
Coalition to Ban Horse-Drawn Carriages

Fiona Walsh  
Coalition to Ban Horse-Drawn Carriages

Dr. John Lowe

Dr. Dennis Farrell

Ian McKeever  
Co-Executive Director  
Horse and Carriage Association of New York

Stephen Malone  
Co-Executive Director Treasurer  
Horse and Carriage Association

Donny Moss

Edita Birnkraut  
New York Director  
Friends of Animals

Priscilla Ferel  
President  
Friends of Animals

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

Kieran Emanus

Walter McCaffrey

Hermilo Morquez

Tommy Doyle  
President  
Carriage Operators of North America

John Phillips  
Executive Director  
New York league of Humane Voters

Yetta Kurland

Emily McCoy

Jannette Patterson  
People for the Ethical Treatment of Animals

Charleen Feeney

Edward Callaghan

Gareth Smith

Peter Otero

Jill Weitz

Delores deFore

Ardele Murphy  
Coalition to Ban Horse-Drawn Carriages

Amanda Schinke

Frank Roddem

Brendan Fearon

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

Karen Maren

Giuseppe Riccobono

Lori Barrett  
Committee on Legal Issues Pertaining to Animals  
New York City Bar Association

Tracy Everitt

Lisa Cardon-Singh

Jill Harrington  
Friends of Animals

Solvejg Zaferes

Conor McHugh  
General Manager  
Clinton Park Stable

Patrick Byrne

Abigail Rodden

Jesus Rojas

Richard Feldman

Elaine Sloan

Thomas Fair

Dr. Wayne Johnson

Dina Allen  
Coalition to Ban Horse-Drawn Carriages

Christopher Gruning

Paulo Krummenauer

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

Virginia Grasi  
Executive Director  
Campaign for Fiscal Equity

Giuseppe Donofrio

Rina Deych

Zelda Penzel

Susan Wagner  
Founder and President  
Equine Advocates

Karen Lane

Cornelius Byrne

Walker Blankinship

Melissa Cowper-Smith  
Kensington Stables

Eva Hughes

Justin Monroe Vernon

Jason Trachtenburg

Rachel Trachtenburg

Livi French  
Director of the Caring Corps

Anne

Barbara Stork

Joseph Cirnigliaro

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

Naomi Semeniuk  
New York Bird Club

Marijo Anne Gillis  
Gillis Family Foundation

Susan Blankman  
Coalition to Ban Horse-Drawn Carriages

Michael Croland

Jessica Dasch

Barbara Dasch

Anna Risieka

Chantel Semanchik

Feliza Lopez

Kimberly Smith

Robyn Lazara

Ruth Santana

Yelena Ouchakova

Darya Kravtsova

Alberto Virzi

Alison Sterling

Ahmed Bilici

Edda Ness

Jacqueline Hoffner

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

Anita Mackey

Marzena Golonka

Linda Ann Gray

Louis Gedo

Coalition to Ban Horse-Drawn Carriages

Jennifer Abrams

Jeannie Reed

Maria Meringolo

Teresa Russo

Sheila Mahon

Dina Kalra

Coalition to Ban Horse-Drawn Carriages.

Dr. Deborah Tanzer

Mary Culpepper

Coalition to Ban Horse-Drawn Carriages

Dianne Carr

Mickey Kramer

Wayne Drach

Rita Garcia

Sarah Hugo

Claudia Emerson

Linda Marcus

Paul Stephen Heim



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

Zoe Stolbun

Helen Hugh

Dana Delvetta

Anita Demirs

Debra Reilly

Carolyn Spigel

Roxanne Delgado

Sandra Cummings

Emily Shen Miller

Sherry Reisch

Lade Abalucci

2 CHAIRPERSON COMRIE: I'm Leroy  
3 Comrie, I'm Chair of the Committee on Consumer  
4 Affairs. I'd like to thank everyone for attending  
5 today's hearing.

6 Today we'll be holding a hearing on  
7 two bills that concern the horse-drawn cab  
8 industry. The first bill is proposed Intro 653-A,  
9 which would increase rates for horse-drawn  
10 carriage rides and amend the regulations  
11 pertaining to carriage horses and their drivers.

12 The second piece of legislation  
13 we'll be discussing today is proposed Intro number  
14 65-A, which would repeal all sections of the  
15 Administrative Code permitting the operation of  
16 horse-drawn cabs.

17 The Council first enacted a  
18 regulatory and licensing scheme for horse-drawn  
19 carriages in 1989. The laws governing horse-drawn  
20 carriages were last amended in 1994 when certain  
21 restrictions were lifted and penalties for abusing  
22 horses were increased. As it has been nearly 15  
23 years since the committee last visited this topic,  
24 I look forward to hearing from all parties on the  
25 state of the industry and working together to

1  
2 ensure the health and safety of the horses,  
3 drivers, and public.

4 I understand that this hearing is  
5 addressing matter on which both parties on both  
6 sides of the issue--on which all parties on both  
7 sides of the issue will have very compelling  
8 testimony. I'd like to remind everyone that we  
9 must conduct this debate in a respectful manner  
10 and allow each panel to speak without interruption  
11 from the audience.

12 We've been joined by Council  
13 Members Charles Barron from Brooklyn; Council  
14 Member Oliver Koppell from the Bronx; Council  
15 Member Tony Avella, who is the prime sponsor of  
16 Intro 658-A.

17 And, with that, I would like to ask  
18 if anyone would like to say a few words. Council  
19 Member Avella?

20 COUNCIL MEMBER AVELLA: Thank you,  
21 Mr. Chair.

22 Obviously, I want to talk a few  
23 minutes about my Intro 65-A, which would ban the  
24 operation of the horse-drawn carriages in the City  
25 of New York.

1  
2           When I first introduced this bill  
3 in December 2007, three horse deaths had occurred  
4 in less than a year-and-a-half and it was clear  
5 that the time had come to ban the operation of  
6 these businesses within the city of New York.

7           The romanticized idea of enjoying a  
8 carriage horse ride through the streets of  
9 Manhattan can no longer justify the risk of  
10 serious injury or death to these animals or to the  
11 public at large.

12           While I am sensitive, and I know  
13 everybody who's going to talk in support of my  
14 bill is sensitive to the loss of jobs in this  
15 city, we cannot ignore the fact that this is an  
16 industry that makes its living on the backs of  
17 these animals, with no regard to the fundamental  
18 inhumane conditions under which they work. I  
19 think we've grown up as a society to recognize  
20 that cruelty to animals is no longer appropriate  
21 and we're going to be hearing testimony obviously  
22 from both sides, but I think we're going to be  
23 hearing expert testimony that will show that there  
24 is no way for this industry to operate and  
25 properly treat the animals.

1  
2 And it's not just about the  
3 animals, it's well, this is a huge safety factor.  
4 There is a reason horse and buggies don't exist in  
5 the city of New York anymore and when you call  
6 this some sort of a tradition, it's not. It's  
7 only been around since the 40s and they were only  
8 allowed to expand beyond Central Park in the  
9 1990s. This is not something that we should be  
10 doing any longer.

11 And just to cut off some comments  
12 that we may hear that I've heard from Mike  
13 Bloomberg and Speaker Christine Quinn, that this  
14 is a huge tourist industry and some of you have  
15 probably heard me say this before, you can't tell  
16 me that somebody in the Midwest or the Europe or  
17 anywhere around the globe is not going to come to  
18 New York City because they can't get a ride on a  
19 horse-driven carriage, that is absolutely absurd.  
20 And, in fact, the Mayor's comments and the  
21 Speaker's comments in this regard belittle, in my  
22 opinion, everything else that the city of New York  
23 has to offer.

24 I know this is controversial. It  
25 is something that's going to be debated, not only

1  
2 here today, but in the near future, but the time  
3 has come to ban this industry. It is time for New  
4 York City to join other metropolitan cities across  
5 the globe in respecting the plight of animals and  
6 recognizing the fact that this industry does not  
7 belong in New York City midtown traffic--it  
8 doesn't make any sense.

9 Thank you, Mr. Chair.

10 CHAIRPERSON COMRIE: Council Member  
11 Barron?

12 COUNCIL MEMBER BARRON: Thank you  
13 very much, Mr. Chair.

14 This has been a very difficult  
15 issue for me because normally I am with Council  
16 Member Avella on many issues and I'm still going  
17 to remain very open, but I really am concerned  
18 about job loss, and I'm also concerned about the  
19 health of horses. This is a very, very serious  
20 issue.

21 Similar to boxing, boxing is a  
22 sport that some people call for banning of because  
23 human beings actually die, some get brain damaged  
24 and others say, well, no, because a lot of people  
25 make a living boxing. Football is a very

1  
2 dangerous sport as well where human beings  
3 actually get brain injuries and these are some  
4 serious issues and so I see that as well as the  
5 horses.

6 I think it is cruel, it is  
7 something that bothers me, but I also realize that  
8 there are 260 some odd people licensed to do this,  
9 68 carriages licensed and it's a tough choice  
10 between human beings in this economic climate  
11 losing employment and also balancing my concerns  
12 about animal rights and my concerns about the  
13 horses.

14 So this is a very, very torn issue  
15 for me, it's not easy. I'm going to remain open,  
16 I am leaning toward people's employment, but I am  
17 going to remain open, I do want to hear some of  
18 the arguments.

19 I do have another meeting at  
20 immigration, so if you see me go, it's not because  
21 of a lack of interest in this issue, but I'm here  
22 and I'm open to talk to those on either side of  
23 the issue down the road a bit before the vote  
24 takes place.

25 But a very difficult issue and I

1

2 hope we have a very positive hearing. Thank you.

3

4

CHAIRPERSON COMRIE: Council Member  
Koppell.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

COUNCIL MEMBER KOPPELL: Mr.  
Chairman, I don't want to postpone hearing from  
people, let me just briefly say that horses have  
been pulling carriages and buggies for thousands  
of years. The fact is that, unfortunately, doing  
anything anywhere that involves physical activity  
or moving along can create accidents, obviously,  
accidents can happen, it's regrettable. We have  
many, many accidents that result in injuries and  
deaths to bicycle riders in this city and yet we  
don't ban bicycle riding, in fact, we're  
encouraging it. Cars create enormous dangers for  
people, even for animals, we don't ban cars. We  
try and make the environment as safe as possible.  
We should do that with respect to horses and  
carriages, but not ban an activity that gives  
people employment and gives people enormous  
enjoyment and I am sure that there are not many  
people who come to the city of New York only  
because they can take a carriage ride, but it's  
part of the ambience of the city, it happens to be



1  
2 part of the ambience of many cities around the  
3 world, it's something we shouldn't deprive the  
4 city of, we don't want to take away any features  
5 that make New York City attractive.

6 We have another bill on the agenda  
7 today that does something to improve the  
8 conditions of the horses and if there's more to be  
9 done in that area, I will support it  
10 wholeheartedly. There's a provision to increase  
11 the fares that the horse carriage owners can  
12 charge, that should make it easier for them to  
13 treat the horses in a better way. If they don't  
14 treat the animals well, they should be punished or  
15 lose their licenses.

16 But to me, it makes no sense  
17 whatsoever to deprive the city of something that  
18 provides jobs, that provides enjoyment, that's  
19 been done, perhaps Council Member Avella's right  
20 about only since the 40s, but even since the 40s  
21 is 60 years and it's been done for 60 years,  
22 there's no reason that it shouldn't continue, it's  
23 done in other cities and, frankly, it's  
24 interesting to see so many people here, I don't  
25 know where they stand on this issue, but frankly I

1  
2 wish that this many people would come to some of  
3 our hearings where we are concerned about the  
4 conditions under which people have to live.

5 That's not to say that animals aren't important,  
6 but I believe that our focus should be elsewhere  
7 and there's no reason why horses and people who've  
8 co-existed for tens of thousands of years  
9 shouldn't be able to continue to co-exist in this  
10 city.

11 And, therefore, I don't support the  
12 Avella bill, I support the alternative bill or the  
13 other bill on the agenda and I will certainly  
14 support any measures that make it more humane and  
15 more healthful for horses, so long as we keep the  
16 ability of those horses to take tourists and  
17 others around in our city.

18 Thank you, Mr. Chairman.

19 CHAIRPERSON COMRIE: Thank you.

20 We're going to now hear from the administration, I  
21 just want to remind everybody what I said earlier  
22 about the quorum.

23 I want to also note for the record  
24 that I did not make an opening statement, other  
25 than to try to stay to the facts so that we could

1  
2 hear from all sides. As Chairman of the  
3 Committee, I thought that was the fair thing to  
4 do.

5 At this time, we will now hear from  
6 Mr. Edgar Butts, Doctor at MBA, Assistant  
7 Commissioner of the Bureau of Veterinary and Pest  
8 Control Services, and also Andrew Eiler, and maybe  
9 also Chris if we start to ask a lot of legal  
10 questions. Right?

11 Whoever would like to start first.

12 MR. EDGAR BUTTS: Good afternoon,  
13 Chairman Comrie and members of the Committee of  
14 Consumer Affairs.

15 My name is Edgar Butts and I'm  
16 Assistant Commissioner for Veterinary and Pest  
17 Control for the Department of Health and Mental  
18 Hygiene of the city of New York.

19 Thank you for the opportunity to  
20 testify today regarding Intros 653-A and 658.

21 The Department of Office of  
22 Veterinary Public Health Services promotes and  
23 protects the health and quality of life for New  
24 York City residents and visitors by controlling  
25 animal-borne diseases and regulating animals. As

1  
2 part of this work, Veterinary Public Health  
3 monitors the use of carriage horses and other  
4 horses used for hire in the city to ensure safe  
5 and humane operations. The Office also  
6 investigates animal nuisance complaints and  
7 conducts pre-permit animal holding facility  
8 inspections.

9                   The Department of Health has the  
10 authority to license rental horses and regulate  
11 activities in the carriage horse industry to  
12 promote the health, safety, and well-being of  
13 these animals. We work closely with the New York  
14 City Department of Consumer Affairs, who is  
15 responsible for licensing of the carriage horse  
16 driver and of the carriage itself. Currently,  
17 there are 249 licensed carriage horses, 68  
18 licensed carriages, 21 licensed commercial  
19 stables, five of which are carriage horse stables,  
20 and 284 licensed drivers.

21                   Under Title 17 of the  
22 Administrative Code, the Department of Health has  
23 issued a detailed set of rules and regulations  
24 covering when, where, and under what circumstances  
25 rental horses are allowed to operate, details

1  
2 relating to the size and condition of their  
3 stables, and frequency of veterinary examinations  
4 and stable inspections, among others. The  
5 Department takes its work in this area seriously  
6 and works closely with the ASPCA and other equine  
7 groups to make sure rental horses are healthy and  
8 well cared for.

9                   To assist the Department in  
10 fulfilling its obligation, in 2007 the  
11 Commissioner of Health convened the Rental Horse  
12 Licensing and Protection Advisory Board to develop  
13 recommendations for better protecting rental  
14 horses and improving the overall welfare of the  
15 animals. As required by law, the Board consist of  
16 one representative from the carriage horse  
17 industry, one representative from the rental horse  
18 riding industry, two members of the public, one of  
19 which happens to be a veterinarian, and we also  
20 have an equine veterinarian who is also employed  
21 by the ASPCA. Over the past 14 months, the Board  
22 has met nearly a dozen times to discuss current  
23 issues affecting the industry, make site visits to  
24 stables and hack lines, and develop their  
25 recommendations. I'm happy to report that on

1  
2 January 28 the Board formally approved a set of 13  
3 recommendations that will be sent to Commissioner  
4 Frieden, who's the Commissioner of Health, for his  
5 consideration. We thank each of the Advisory  
6 Board members for their time and commitment on  
7 this issue.

8           With respect to the two bills  
9 before you today, it is the Department's belief  
10 that the carriage horse industry can be regulated  
11 in such a way to assure the health of horses used  
12 in the rental horse business and the safety of  
13 those who patronize them. It is our position that  
14 strengthening the current regulatory environment  
15 is preferable to an outright ban, therefore, we  
16 oppose Intro 658, which would make it unlawful to  
17 offer rides to the public on vehicles drawn or  
18 pulled by a carriage horse.

19           In contrast, Intro 653-A would  
20 amend several of the existing regulatory  
21 requirements for the horse-drawn carriages.  
22 Specifically, the bill would require stables where  
23 horses used for rental horse business are kept to  
24 be inspected at least four times a year and  
25 certified by the New York State Horse Health

1  
2 Assurance Program; require every rental horse to  
3 be examined no less than twice a year by a  
4 licensed veterinarian; require carriage horses to  
5 be no younger than five years of age and no older  
6 than 20 years of age at the time they are  
7 purchased to be carriage horses; increase the  
8 rates horse-drawn carriages may charge; establish  
9 a probationary licensing period and establish  
10 certain restrictions for new carriage horse  
11 drivers, and require year round access to drinking  
12 water at all publicly owned water troughs.

13           These provisions reflect careful  
14 thought on the part of the sponsors and  
15 demonstrate an understanding of the challenges  
16 facing the industry. In fact, several of these  
17 requirements are included among the 13  
18 recommendations approved by the Advisory Board.

19           However, out of deference to the  
20 members of the Advisory Board and a belief any  
21 discussion of updating the regulatory framework  
22 must be done in a more comprehensive, systematic  
23 way, the Department respectfully reserves comment  
24 on details of Intro 653-A until the Health  
25 Commissioner has had an opportunity to fully

1  
2 review and analyze the Board's recommendations and  
3 compare them to the provisions of the bill.

4 Thank you for the opportunity to  
5 testify and I will be happy to answer any of your  
6 questions.

7 CHAIRMAN COMRIE: And Mr. Eiler, are  
8 you going to testify?

9 MR. EILER: No, the administration  
10 testimony was given by Mr. Butts, so I'm--

11 CHAIRMAN COMRIE: Just checking.

12 MR. EILER: --just here to answer  
13 questions.

14 CHAIRMAN COMRIE: Okay. Just  
15 checking.

16 When was the last time that the  
17 horse carriage advisory board met?

18 DR. BUTTS: We met on the--it was  
19 last Thursday and then we met in person last  
20 Thursday, we visited some stables and we also had  
21 two telephonic discussions this week.

22 CHAIRMAN COMRIE: So you visited  
23 stables within the last two weeks with the  
24 advisory board?

25 DR. BUTTS: We visited riding horse



1

2 stables, I can tell you exactly the dates if you  
3 want of when we visited the stables.

4

CHAIRMAN COMRIE: Okay.

5

DR. BUTTS: Would you like that?

6

CHAIRMAN COMRIE: Yes.

7

8

DR. BUTTS: Yeah, hold on just a  
second.

9

MALE VOICE: Okay.

10

11

CHAIRMAN COMRIE: We've been joined  
by Council Member John Liu from Queens.

12

13

14

15

16

DR. BUTTS: January 31st, 2008, we  
visited Shamrock Stables and Clinton Stables.  
Okay. The two that we visited last week were the  
Jamaica Bay Riding Stables in Brooklyn and  
Kensington Stables.

17

18

19

CHAIRMAN COMRIE: Kensington is in  
Brooklyn also, right? [Pause] Yeah, okay. All  
right, thank you.

20

21

22

23

24

25

And you said that [pause] you've  
come up with 13 recommendations that will be sent  
to Commissioner Frieden, will the panel have an  
opportunity to talk to the Commissioner about the  
recommendations or what's the process that goes  
from here and how long do you expect that process

1

2

to take to develop and finalize the  
recommendations?

3

4

MR. CHRIS MANNING: Chairman, I'm  
Chris Manning, Assistant Commissioner for  
Intergovernmental Affairs at the City's Health  
Department.

5

6

7

8

As Dr. Butts said, the advisory  
board voted to approve the recommendations and  
send them to the Commissioner just a few days ago,  
so we would expect that the board would formally  
transmit those to the Commissioner soon and then  
he would take time to consult with staff and  
others to figure out--

9

10

11

12

13

14

15

CHAIRMAN COMRIE: Oh, so they--

16

MR. MANNING: --how to proceed next.

17

CHAIRMAN COMRIE: --haven't been

18

formally transmitted yet.

19

MR. MANNING: That's my

20

understanding, correct.

21

CHAIRMAN COMRIE: Are these

22

recommendations different from the recommendations  
that were recommended last year or they any

23

24

substantial differences in the panel came up with

25

last year?

1  
2 DR. BUTTS: There are differences  
3 and the board did a lot of work--the advisory  
4 board did a lot of work and what we tried to do  
5 was to improve the recommendations that had  
6 already been made in draft form.

7 CHAIRMAN COMRIE: Okay. And...

8 DR. BUTTS: This is the only--the  
9 ones that are going to the Commissioner are the  
10 only set of formal recommendations that the  
11 committee has moved forward, the previous  
12 recommendations were draft.

13 CHAIRMAN COMRIE: Okay. But you did  
14 send a formal set of recommendations to the  
15 Commissioner last year, correct?

16 DR. BUTTS: It was a draft set of  
17 recommendations.

18 CHAIRMAN COMRIE: Oh, it was a draft  
19 set.

20 DR. BUTTS: And the committee  
21 decided they wanted to make some additional  
22 modifications and there was lots of discussion, we  
23 visited all of the carriage horse stables and a  
24 number of the rental riding horse stables and the  
25 recommendations evolved and the interest of the

1  
2 committee or the advisory board was strictly the  
3 welfare of the horses.

4 CHAIRMAN COMRIE: Okay. And has  
5 that committee or commission or board talked to  
6 and heard from advocates and talked to people that  
7 were interested in doing everything they could to  
8 protect the welfare and health of the animals?  
9 Have they met with--who have they met with, other  
10 than doing inspections?

11 DR. BUTTS: They have not met with  
12 anyone. The committee is diverse in its  
13 membership and, other than informal discussions  
14 with members talking to other people, there were  
15 no formal meetings.

16 CHAIRMAN COMRIE: Okay. [Pause]  
17 For the record, we've gotten a letter from GALLOP,  
18 New York giving alternative learners uplifting  
19 opportunities.

20 Okay. Sorry, and how often do you  
21 conduct inspections now of the horse carriage  
22 industry?

23 DR. BUTTS: The DCA does that, we  
24 conduct inspections of the stable at least four  
25 times a year, each stable four times a year, the

1

2 carriage horse stables.

3

4 CHAIRMAN COMRIE: And do you have a  
5 list of any violations that were done in the last  
6 12 months?

6

7 DR. BUTTS: No, we had no violations  
8 in the last 12 months.

8

9 CHAIRMAN COMRIE: None at all.

9

10 DR. BUTTS: No, sir.

10

11 CHAIRMAN COMRIE: Okay. And did you  
12 receive complaints about horses causing traffic  
13 concerns? [Off mic] [Pause] Yes, have you  
14 received complaints about horses causing traffic  
15 concerns or who [off mic] would that go to? DCA  
16 or if a 3-1-1 person calls in, where would that  
17 complaint go?

17

18 DR. BUTTS: It does not come to the  
19 Department of Health, we're focusing on the  
20 welfare of the horses and the health of the  
21 horses.

21

22 CHAIRMAN COMRIE: So we don't have a  
23 tracking system to track the 3-1-1 complaints?  
24 Mr. Manning, do you have any idea?

24

25 MR. MANNING: If we get complaints  
about drivers or driving or traffic issues--well

1  
2 first of all, traffic issues would not be under  
3 us, that would be a traffic violation, but if we  
4 had any complaints against the drivers, yes, they  
5 would be 3-1-1 complaints against drivers of the  
6 carriage, that would come through our system.

7 CHAIRMAN COMRIE: Okay. And what  
8 role does the ASPCA play with the enforcement and  
9 regulation of the industry? What [crosstalk] in  
10 the industry?

11 DR. BUTTS: They basically have a  
12 group of enforcement people that inspect the hack  
13 lines and the stables and they also have an equine  
14 veterinarian and we work together with them to  
15 make sure that the regulations are being followed.

16 CHAIRMAN COMRIE: So they inspect at  
17 your request or do they inspect--

18 DR. BUTTS: No, they--

19 CHAIRMAN COMRIE: --independently?

20 DR. BUTTS: Independently.

21 CHAIRMAN COMRIE: So their  
22 inspections are over and above the ones that you  
23 stated that you do from your shop.

24 DR. BUTTS: Yes, sir.

25 CHAIRMAN COMRIE: Okay.

1  
2 DR. BUTTS: We do stuff  
3 cooperatively with them also.

4 CHAIRMAN COMRIE: Okay. I don't  
5 want to ask all the questions, I know my committee  
6 members have question. Normally it's the right of  
7 the committee members to ask first, so I'll have  
8 Council Member Barron and Council Member Avella  
9 will ask questions.

10 COUNCIL MEMBER BARRON: Thank you  
11 very much, Mr. Chair.

12 I just wanted to get--what would  
13 your definition be of cruelty to animals? How  
14 would you define that?

15 [Pause]

16 DR. BUTTS: Cruelty to animals to me  
17 is very obvious that if somebody's not taking care  
18 of an animal [pause] an animal, it's cruelty. I'm  
19 not an expert on that [crosstalk]--

20 COUNCIL MEMBER BARRON:  
21 [Interposing] Well not an expert, but some of your  
22 regulations, some of your regulatory  
23 responsibilities would have to be based upon some  
24 idea of what it is to be cruel to an animal. Is  
25 that correct? I mean if you're going to regulate

1

2

an industry to say that your concerned about the safety--and the reason why I'm asking this

3

4

question--

5

DR. BUTTS: Yeah.

6

COUNCIL MEMBER BARRON: --is because

7

I know the city also has off-track betting stuff

8

so that obviously the city has no problems with

9

horse racing and horse racing can be pretty cruel

10

to an animal, animals can die in horse racing and

11

they have the bites and stuff and all that and

12

spurs and whipping them and all of that.

13

So I just want to get a sense

14

'cause I'm clear about the job side of it, I'm

15

clear about the economic side of it, I'm trying to

16

get a better understanding on the protection of

17

the animal side of it, so that's why I'm asking

18

you how would you assure the protection of the

19

animal, at the same time preserving people's

20

rights to do that 'cause we're going to hear a lot

21

of testimony on people even saying that riding

22

horses are therapeutic for those who are disabled

23

and it's very helpful, I have people that would

24

really support a lot of it. I'm just concerned

25

now about the other side and how will you assure



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

the protection of the animal and it starts with your definition of cruelty.

DR. BUTTS: If we believe that there is a cruelty situation that is occurring, ASPCA is called and they come into inspect--

COUNCIL MEMBER BARRON:  
[Interposing] That's the procedure once you determine something's cruel, I want to know what do you determine as cruel.

DR. BUTTS: That's a [crosstalk]--

COUNCIL MEMBER BARRON:  
[Interposing] Easy question, it's--

DR. BUTTS: It's not an easy--

COUNCIL MEMBER BARRON: Sure. Sure is, seems easy to me.

DR. BUTTS: Okay. You'll go into [crosstalk]--

COUNCIL MEMBER BARRON;  
[Interposing] I mean see if you're going to be a regulatory agency--

DR. BUTTS: Okay.

COUNCIL MEMBER BARRON: --you have to know fundamentally and if you're having difficulties understanding fundamentally what

1  
2 cruelty is then how can anyone think that there's  
3 going to be a serious, authentic effort in  
4 protecting the safety of the horses.

5 DR. BUTTS: Okay. I'll give you an  
6 example--

7 COUNCIL MEMBER BARRON: Okay.

8 DR. BUTTS: --but I want to clarify  
9 our role is the health of the horses and if there  
10 is a cruelty situation, it is referred to ASPCA.  
11 But an example would be we go into a stable and a  
12 horse is ill or a horse is--and not being cared  
13 for, a horse is underweight and we see that the  
14 horse is being taken out in a field--

15 COUNCIL MEMBER BARRON:

16 [Interposing] All right, but let me ask you this--  
17 I don't mean to keep cutting you, but isn't there  
18 a correlation at least and if not a causation  
19 between cruelty and the health of the horse?

20 DR. BUTTS: I think if you're cruel  
21 to a horse, the health is not going to be good.

22 COUNCIL MEMBER BARRON; Exactly,  
23 exactly. So you would have to regulate the  
24 practices of that stable that leads to an  
25 unhealthy horse, which has to do with behavior and

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

treatment and whether it's fair or thoughtful or cruel.

DR. BUTTS: The regulations are clear that the animals have to be properly cared for, they have to be properly fed, they have to be properly housed, and they have to be properly taken care of.

COUNCIL MEMBER BARRON: And--go ahead.

DR. BUTTS: And if the weather is bad, if it's stormy or if it's snowing or if there's ice or if there's rain or if the temperature is above 90 degrees or below 18 degrees Fahrenheit, the horses have to immediately come in as soon as that happens. If that does not happen, then we or ASPCA will act accordingly.

COUNCIL MEMBER BARRON: Let me just ask you another one and then I'll move on.

DR. BUTTS: Sure.

COUNCIL MEMBER BARRON; Do you think there is something inherently cruel, even if you send the horses out in the right weather, feed them the right food, do you think there's something inherently cruel by putting all of the

1  
2 things that they need to put on the horses and  
3 getting on their backs and pulling whatever or  
4 having them pull a cart or whatever, do you think  
5 there--a carriage--do you think that it's any  
6 inherent cruelty to that?

7 DR. BUTTS: We don't believe the  
8 industry is cruel to the animals in what they do  
9 and that we regulate it accordingly, but if  
10 there's an aberration where there is cruelty, we  
11 will take action.

12 COUNCIL MEMBER BARRON: Right, so  
13 you're all right with all of the fundamental parts  
14 of it and just to get--I'm trying to get an idea  
15 of how you perceive cruelty, so if I jump off into  
16 another field,--horse racing, do you think, is  
17 that cruel just by getting on the back of the  
18 horses and all this stuff and the whipping and the  
19 spurs, would you consider that cruel?

20 DR. BUTTS: We don't regulate horse  
21 [crosstalk]--

22 COUNCIL MEMBER BARRON:  
23 [Interposing] I know you don't, I'm just asking  
24 you if you would consider that cruel. I'm just  
25 curious, not--

1

2 DR. BUTTS: Yeah--

2

3

3 COUNCIL MEMBER KOPPELL: Excuse me,  
4 Mr. Chairman--

4

5

5 COUNCIL MEMBER BARRON: Yeah--

6

6 COUNCIL MEMBER KOPPELL: --could you  
7 ask the witness to speak into the microphone.

7

8

8 DR. BUTTS: I'm sorry, I apologize.

9

9 CHAIRPERSON COMRIE: Okay. Dr.  
10 Butts, you got to speak right into the microphone.

10

11

11 DR. BUTTS: I will, I will, and I  
12 apologize.

12

13

13 COUNCIL MEMBER BARRON: I'm just  
14 trying--

14

15

15 CHAIRPERSON COMRIE: I appreciate  
16 your desire for wanting to have eye contact, but  
17 we will need the testimony on the record.

16

17

18

18 DR. BUTTS: Yes, sir. [Crosstalk]

19

19 COUNCIL MEMBER BARRON: I'm just  
20 trying to get a sense of you as a regulator, your  
21 sense of cruelty, I know you don't regulate the  
22 horsing, but I'm just trying to find out, since  
23 those are horses are too, do you consider that  
24 cruel, just the [crosstalk]--

20

21

22

23

24

25

25 CHAIRPERSON COMRIE: [Interposing]

1

2

Council Member Barron, can we kind of stay on  
topic [crosstalk]--

3

4

COUNCIL MEMBER BARRON:

5

[Interposing] It is on topic for me to make the  
correlation between cruelty and health, that is

6

7

the topic of whether the horses were healthy or

8

not, that doesn't mean that you can't ask a

9

question that is related to another area to try to

10

get an understanding of your idea of cruelty and

11

that's all I'm trying to get at.

12

DR. BUTTS: Well I think the

13

regulations are in place, I feel weird answering

14

this question 'cause we don't regulate it, but the

15

regulations are in place to govern horse racing

16

and if they're followed, it should [crosstalk]--

17

COUNCIL MEMBER BARRON:

18

[Interposing] So you don't--I'm just wanting to

19

get some fundamentally you're all right with the

20

idea of riding a horse and the horse having all of

21

that stuff in their mouth and the spurs and all

22

that, you're all right with that, as long as

23

regulated.

24

DR. BUTTS: The spurs are

25

problematic, but we want the horses to be taken

1

2 care of and not to have cruelty.

2

3

4 COUNCIL MEMBER BARRON: I'm just  
5 trying to get at, Mr. Chairman, not to take you  
6 off your point--

4

5

6

7 CHAIRPERSON COMRIE: [Interposing] I  
8 understand, I understand, it's just--

7

8

9 COUNCIL MEMBER BARRON: --but I'm  
10 just trying to--

10

11

12 CHAIRPERSON COMRIE: --we got a lot  
13 of people here, so it's up, just--

12

13

14

15 COUNCIL MEMBER BARRON: Right, all  
16 right, so I just want to get an understanding of  
17 what you see as cruelty, because to me that is at  
18 the very fundamental, that's at the basis of this  
19 argument, what is determined as being cruel, so I  
20 was just trying to get a sense of that from you.

15

16

17

18

19 With that, Mr. Chairman, I'll let  
20 the questioning go to others since you have a long  
21 meeting and a lot--and I have to get to another  
22 meeting and I shall return--

19

20

21

22

23 CHAIRMAN COMRIE: [Interposing] Yeah  
24 [crosstalk] staying, that's why, if you were  
25 staying, I'd give you more time.

23

24

25

COUNCIL MEMBER BARRON: Well I'll be

1

2 back. Thank you very much.

3

4

CHAIRPERSON COMRIE: Council Member,  
thank you, Council Member.

5

Council Member Avella?

6

7

COUNCIL MEMBER AVELLA: Thank you,  
Mr. Chair.

8

9

10

11

12

I have to admit that if I asked all  
the questions that I have, we would be here all  
day. So I'm going to have to limit the questions  
so we get to hear from the public because that's,  
after all, what a public hearing is all about.

13

14

15

16

17

18

19

20

But I do have some what I think is  
more relevant questions. First of all, let's go  
to the Rental Horse Licensing And Protection  
Advisory Board, you mentioned you set it up in  
2007. Why did it take 25 years to set that board  
up? You had the authority--the city had the  
authority to do it for 25 years, and it didn't do  
it. What took you 25 years?

21

22

23

24

MR. MANNING: Councilman, as we know  
this administration and this Commissioner have not  
been in office for 20 plus years, so there were--

25

COUNCIL MEMBER AVELLA:  
[Interposing] They've been in office for eight



1

2

years.

3

4

5

6

7

8

MR. MANNING: --there certainly there were a number of years where we were at the department and with this administration and the board was not convened admittedly, and there were calls to do so and the Commissioner heard those calls, and in response convened the board.

9

10

11

COUNCIL MEMBER AVELLA: Can we go over again who makes up this board and how were they appointed and who appointed them?

12

13

14

15

DR. BUTTS: The Commissioner appointed them, we tried to get a feel from the people on both advocates and the people against the carriage horses [crosstalk]--

16

17

18

COUNCIL MEMBER AVELLA: [Interposing] Oh, really, who'd you reach out to on the people who were opposed to it?

19

20

21

22

23

24

25

DR. BUTTS: Well [crosstalk]--

COUNCIL MEMBER AVELLA: Because you just said in your response to questions from Leroy Comrie--and I don't mean to interrupt, but I think it's relevant--that you didn't reach out to people, so who did you talk to and how did these people get appointed? Who made that decision that

1

2

certain people were going to be appointed?

3

4

5

6

7

8

9

10

11

12

13

DR. BUTTS: Okay. Let me clarify that he asked me, did the committee reach out to people, not did we reach out to people to choose the committee, I'd like to clarify that answer, because we did reach out to people, we talked to-- and I don't have a record of who we talked to, but we talked today, I talked to a number of people, I talked to the Mayor's Animal Alliance. There's a number of people that I spoke to, the people that I knew, we talked to the people in the horse industry--

14

15

16

17

18

COUNCIL MEMBER AVELLA: Well, I assume you talked to them, I'm pretty sure you talked to them, but who did you talk to that had been raising this issue for decades? I would have thought that would make some sort of sense.

19

20

21

DR. BUTTS: We got a lot of feedback from Jane Hoffman, who is the Director of the--or President of the Mayor's Animal Alliance.

22

23

24

25

COUNCIL MEMBER AVELLA: But, again, it's the Mayor appointing these people to a committee, the Mayor supports them, I mean, there's no question, he said that. So, in effect,

1  
2 you're talking to the same people who support the  
3 industry. What did you do to make sure that this  
4 board had some representation from the opposition?  
5 Those people who think the industry is inherently  
6 cruel? I think I already know the answer, but  
7 I'll give you the opportunity to respond.

8 MR. MANNING: So the law actually  
9 lays out the makeup of the board. The board  
10 exists appointed by the Commissioner to advise the  
11 Commissioner on how best to approach this issue,  
12 so the Commissioner is given the authority to  
13 choose. There are as we--two representatives, one  
14 of the carriage horse industry, one of the riding  
15 horse industry, two members of the public, outside  
16 groups were consulted to find individuals to serve  
17 in that role and then it specifies, of course, an  
18 equine vet.

19 So I think the Commissioner wasn't  
20 necessarily identifying individuals looking to  
21 weigh sort of pros and cons so much as he was  
22 looking to find people that had expertise in this  
23 particular field that could help him think through  
24 all of the details. So it wasn't designed to be  
25 biased in any way, one way or the other, it was

1  
2 supposed to be sort of based upon experience and  
3 technical expertise that they might be able to  
4 lend in helping provide recommendations to the  
5 Commissioner. So...

6 COUNCIL MEMBER AVELLA: Well, let's  
7 follow that up with the comment about that--to go  
8 back to your response again, have you subsequently  
9 or the board reached out to the animal welfare  
10 groups who have been talking about this issue for  
11 decades? Now that it's been in operation since  
12 2007, has anybody talked to them? Yes or no, it's  
13 a simple question.

14 DR. BUTTS: The answer is yes. I  
15 have, but I'm not on the committee and I don't  
16 know who the people on the advisory board have  
17 spoken to, it'd be recognized that one of the  
18 people on the advisory board is the equine  
19 veterinarian for the ASPCA. And there are people  
20 on both sides of the issue that I talk to, I'd  
21 rather not name names, but they're here today and  
22 I've spoken to them and I will continue to speak  
23 to them. I don't have--you know, I'm here to  
24 facilitate.

25 COUNCIL MEMBER AVELLA: An audit by

1  
2 the Controller showed in 2006--and this goes to  
3 your comments that the agency does do inspections--  
4 -no field inspections of horses were done in the  
5 entire year. Why was that?

6 DR. BUTTS: We disagree with that  
7 and we disagreed in writing with the Comptroller  
8 and that is not a correct statement.

9 COUNCIL MEMBER AVELLA:  
10 [Interposing] Do you have evidence to the  
11 contrary?

12 DR. BUTTS: Not with me, but we  
13 certainly, we do--

14 COUNCIL MEMBER AVELLA:  
15 [Interposing] Would you share it with us?

16 DR. BUTTS: I'm sorry?

17 COUNCIL MEMBER AVELLA: Would you  
18 share the evidence that you did inspections in  
19 2006 with us?

20 DR. BUTTS: I--

21 COUNCIL MEMBER AVELLA: If you're  
22 saying the Controllers wrong, you must have the  
23 evidence.

24 DR. BUTTS: We do.

25 COUNCIL MEMBER AVELLA: Can we see

1

2 it?

3

4

DR. BUTTS: We'll get back to you, yes, but I can tell you for a fact that was done.

5

6

7

8

COUNCIL MEMBER AVELLA: That's not an answer, we're going to get back to you. That could mean you get back to me and you're going to say you're not going to share the information. Are you going to share the information, yes or no.

9

10

DR. BUTTS: Yes.

11

12

13

14

COUNCIL MEMBER AVELLA: And the reason I ask to put you on the record about sharing the information because, on behalf of this issue and all the groups and everything, I foiled your agencies.

15

16

DR. BUTTS: Yes, sir.

17

18

COUNCIL MEMBER AVELLA: And when did we do that, over a year ago?

19

20

DR. BUTTS: May 27th, we responded to you, sir.

21

22

23

24

COUNCIL MEMBER AVELLA: Right. Only partially. We're still waiting for more information, and I got to tell you, what I got is almost meaningless and it's very interesting, even the sheets that you gave me, first of all, the

25

1  
2 figures that we were able to put through, and we  
3 went over this with some detail, does not match  
4 the figures in your testimony about the number of  
5 licensed drivers, the numbers of licensed carriage  
6 horses. So your own information that you gave us  
7 disagrees with your testimony.

8           So I'd be very curious as to why  
9 there's such a discrepancy, and there's a huge  
10 discrepancy, but the things that you gave us are  
11 just one page sheets, which describe--and, by the  
12 way, there were two different forms, I assume that  
13 in the middle of this in some year you changed the  
14 form, but it's interesting that there were two  
15 different forms. It's just the rental horse  
16 certificate of health, it doesn't really indicate  
17 was this done when the horse was brought online,  
18 was this an inspection that was done while the  
19 horse was working or when the horse was retired,  
20 it just says nothing. And the interesting thing  
21 about this first of all, is there's a paper clip  
22 on all of these copies, which means this was  
23 attached to something and, in my opinion, when you  
24 get a FOIA request, you're supposed to share the  
25 entire document. I'd like to know what else was

1

2 in the document that you haven't shared with us.

3

4 And the surprising thing--and I'm  
5 sure the industry will love this--every horse you  
6 inspected was in perfect condition. Every single  
7 horse. Now even the best intentions, you never  
8 found one situation where the horse was not in the  
9 best of condition even on one day? I find that  
10 remarkable, you know, and even the industry can't  
11 tell me that on every single day of every single  
12 year, their horses are in the best condition even  
13 with the best of intentions. So you can't tell me  
14 you gave us all the information and if you want  
15 I'll give you the list of all the things that were  
16 in that FOIA that you haven't given us.

16

17 And I think it's a disgrace that  
18 the city of New York violating the Freedom of  
19 Information law. You're supposed to be working  
20 for the people of this city, not for the industry,  
21 and for you to protect the industry and refuse to  
22 give us information or delay giving us information  
23 is an absolute disgrace. That's why the Freedom  
24 of Information Act exists, and there's no excuse  
25 for this.

25

I'm going to ask you, yes or no, am



1

2

I going to be given the rest of the information that I requested in a timely fashion?

3

4

5

6

7

8

MR. MANNING: Councilman, the follow-up letter that you submitted was just received and I think dated January 22nd, which was about a week ago. So we're reviewing your requests--

9

10

COUNCIL MEMBER AVELLA:  
[Interposing] No, but even in your--

11

12

13

14

15

16

MR. MANNING: --as follow-up and we'll respond accordingly. As you know, the FOIA law is very clear and we have our general office of General Counsel reviews all the documentation and decides what is permissible to share under FOIA law.

17

18

COUNCIL MEMBER AVELLA: But we did the follow-up--

19

20

21

22

23

24

25

MR. MANNING: [Crosstalk]  
COUNCIL MEMBER AVELLA: --letter only after you never sent any more information. Even in your first letter it says more information, if I remember correctly, is coming, nothing ever came, so we had to do the follow-up letter. We don't have to do a follow-up letter.

1  
2 It's your responsibility to provide us with that  
3 information and you can twist the law however you  
4 want, you have failed to properly follow the  
5 Freedom of Information law, that's a disgrace on  
6 both agencies part.

7 MR. MANNING: I'll just say a few  
8 things, one is our responsibility is to protect  
9 and promote the public health, which we do in a  
10 number of different ways. We'll respond to your  
11 most recent FOIA letter accordingly and as quickly  
12 as possible. If you have suggestions on how to  
13 improve the form, we'd be happy to take those back  
14 and take a look and the inspections themselves are  
15 actually done by licensed vets, not by the  
16 department.

17 COUNCIL MEMBER AVELLA: Now we've  
18 also made a request about the recommendations and  
19 the boards meetings and you haven't given us that  
20 information either. I don't expect an answer on  
21 that.

22 Let me just go quickly into my last  
23 thing and, Mr. Chairman, as I said, I could be  
24 doing this for the entire day, but we do want to  
25 hear from everybody else. What is the official

1

2 rate that they're allowed to charge?

3 [Pause]

4 DR. BUTTS: Thirty-seven dollars for  
5 the first half hour and then 17 or so I think for  
6 additional time--

7 COUNCIL MEMBER AVELLA:

8 [Interposing] Are you sure it's \$37?

9 DR. BUTTS: Wait a minute.

10 COUNCIL MEMBER AVELLA: Oh, this is  
11 sad, this is really, it's \$34.12 DR. BUTTS: Thirty-four, that's  
13 right, 34 and 17, that's correct.14 COUNCIL MEMBER AVELLA: I mean, you  
15 know, come on--

16 DR. BUTTS: I'm sorry, I just--

17 COUNCIL MEMBER AVELLA: --you're not  
18 prepared for this?19 DR. BUTTS: --it's 34, yeah, that's  
20 correct, 34 and 17. I got the numbers mixed up  
21 for the--sorry.22 COUNCIL MEMBER AVELLA: Okay. So  
23 let me have it again. What is your interpretation  
24 of the rate?

25 DR. BUTTS: Thirty-four for the

1  
2 first half-hour and then 17 for subsequent period  
3 that they can negotiate.

4 COUNCIL MEMBER AVELLA: Each  
5 quarter, correct?

6 DR. BUTTS: Each quarter.

7 FEMALE VOICE: Ten dollars for each  
8 15.

9 COUNCIL MEMBER AVELLA: Ten dollars  
10 for each 15 minutes.

11 FEMALE VOICE: Yeah.

12 COUNCIL MEMBER AVELLA: We're  
13 telling you what the law is, that's sad.

14 DR. BUTTS: Oh, okay, I'm sorry.

15 COUNCIL MEMBER AVELLA: That's sad,  
16 I mean, this is really sad. Anyway, I think I  
17 made my point, but--

18 CHAIRPERSON COMRIE: [off mic]

19 COUNCIL MEMBER AVELLA: --what do  
20 you do to go out there and check that they're  
21 actually charging this? Because I think, at least  
22 from the opposition side, the industry will never  
23 admit it, they're significantly overcharging  
24 people. You go up to them and it's \$50, so what  
25 are you doing to make sure they're following the

1

2 law?

3

4

5

6

7

DR. BUTTS: Well inspectors do go out there and check the signage and if anything is noted, then basically I'm sure that they write up violations, but the signage and so forth is checked on the carriages.

8

9

10

11

12

13

14

15

16

17

18

19

20

COUNCIL MEMBER AVELLA: I have here copies of some of printouts from the websites of some of these stables. I urge you to look at it because the rates they have on their own website are in violation of the law. I mean this is absurd, you talk about additional regulations--and let me say this, this other bill is a disgrace because we don't enforce the law now, how are we going to enforce new regulations? I dare you, I dare you to go on their websites and enforce the law, and I'll give you these documents. They're violating the law now and the city of New York is doing nothing about it.

21

22

Let me ask you a question, are they allowed to--should they be charging sales tax?

23

[Pause]

24

25

DR. BUTTS: Actually, I don't know, whether or not, they're supposed--

1

2

COUNCIL MEMBER AVELLA:

3

[Interposing] This--

4

DR. BUTTS: --I don't think that--

5

I'm not an expert in the sales tax law and,

6

therefore, I am not sure whether this is a

7

service, whether this is one of those things where

8

sales tax is charged. It's not--

9

COUNCIL MEMBER AVELLA:

10

[Interposing] I got to tell you, this is the

11

poorest testimony, you had to know these issues

12

were going to come up, didn't you do any research?

13

Well it's our opinion that they're

14

not supposed to be charging sales tax, but guess

15

what--they are and what happens to that money?

16

Whose pocket does it go into? And all you have to

17

do is go on YouTube and see some investigative

18

reports by people who went up to customers and

19

they were charged sales tax, in addition to being

20

overcharged. What are you going to do about this?

21

DR. BUTTS: Well on a sales tax

22

issue, the question there would be if they charged

23

the sales tax that was improperly collected, one

24

of the first things that happens is did they

25

submit it to the state. If they didn't submit it

1  
2 to the state, it's a violation of the state tax  
3 law and, therefore, that's a matter for the  
4 treasury--the state taxation department to address  
5 if someone is collecting sales tax that they're  
6 not supposed, and someone is collecting sales tax  
7 that is not being properly submitted to the state.  
8 That's not a department of consumer affairs issue  
9 at all. The sales tax issue is separate and apart  
10 from anything--

11 COUNCIL MEMBER AVELLA:

12 [Interposing] But you wouldn't--you don't consider  
13 it a consumer issue when somebody's being  
14 overcharged illegally?

15 DR. BUTTS: No, we would consider if  
16 someone came--but in terms of whether someone  
17 overcharges, we can look at the signs on a  
18 carriage on a horse--

19 COUNCIL MEMBER AVELLA: If you can  
20 find them.

21 DR. BUTTS: --well, we--okay.

22 COUNCIL MEMBER AVELLA: If you can  
23 find them. And if one of--

24 DR. BUTTS: However--

25 COUNCIL MEMBER AVELLA: --the

1  
2 drivers who's actually here doesn't hit you with a  
3 horse whip for doing that.

4 DR. BUTTS: --however, when we're  
5 talking about overcharging, we have to be able to  
6 establish that the overcharge occurred, and that  
7 would actually have to be some kind of evidence  
8 indicating that a consumer in fact paid a bill and  
9 was overcharged or re-fine someone actually  
10 overcharging somebody.

11 To make an overcharge violation is  
12 two things here, one is an advertising--or not an  
13 advertising, but a signage violation, which is the  
14 sign that has to be put on a carriage, that's  
15 something inspectors can check. If we're talking  
16 about overcharges, the only thing we can do there  
17 is to find an overcharge and that has to be  
18 something that actually occurred and we have to  
19 find out from somebody that that charge--

20 COUNCIL MEMBER AVELLA:

21 [Interposing] Well how do you do that when this is  
22 a cash-only business?

23 DR. BUTTS: Well, someone has to  
24 complain to us.

25 COUNCIL MEMBER AVELLA: No, but even



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

if somebody complained, it's a cash-only business,  
so how are you going to enforce that?

DR. BUTTS: Well they're supposed to  
give a receipt--

COUNCIL MEMBER AVELLA: Ah.

DR. BUTTS: --and the receipt is  
supposed to indicate what they were charged and  
the time, whatever.

COUNCIL MEMBER AVELLA: Do you go  
out and check that they actually are given  
receipts or that the license card, the rate card  
is not covered up and hidden?

DR. BUTTS: Well--

COUNCIL MEMBER AVELLA: How many  
times have you done that in a year?

DR. BUTTS: --well the problem with  
that is unless one of our inspectors were to take  
a ride and to see whether or not a receipt is  
given, the only way that we can do that is to find  
consumers or actual transactions where something  
happens where we would end up being able to find  
out that the proper receipts were not given or it  
was improperly filled out and so forth and so on,  
and that's not something that we can do by

1  
2 inspection, that we could require actual  
3 documentation.

4 COUNCIL MEMBER AVELLA: Well, you  
5 just said it though, unless an inspector actually  
6 takes a ride. Well what would be wrong with an  
7 inspector taking a ride to see what's going on?

8 DR. BUTTS: Well I suppose, but--  
9 that's an enforcement question in terms of whether  
10 or not it would be the best kind of way to use  
11 inspectors' time to take rides in Central Park to  
12 see whether or not they get a correct bill.

13 COUNCIL MEMBER AVELLA: All right.

14 DR. BUTTS: I mean that's an issue  
15 in terms of which is the better way to use  
16 inspector times.

17 COUNCIL MEMBER AVELLA: I don't mean  
18 to badger you, but I think the point has been made  
19 and you do represent the agency, so this is not  
20 personal.

21 Let me ask my final question, which  
22 is a simple answer. Has there ever been a  
23 situation where a driver or a carriage horse owner  
24 tried to bribe an inspector?

25 DR. BUTTS: I'm not in a position to

1

2

discuss ongoing matters like that.

3

4

COUNCIL MEMBER AVELLA: Even when there's been a case and it's been decided.

5

6

7

8

DR. BUTTS: When there's an ongoing investigation with respect to that issue, I'm not in a position to discuss the status or circumstances surrounding it.

9

10

COUNCIL MEMBER AVELLA: Thank you, Mr. Chair.

11

12

DR. BUTTS: It's an ongoing, you know--

13

14

15

COUNCIL MEMBER AVELLA: There's an ongoing investigation for the one that was highly publicized?

16

17

18

DR. BUTTS: Well I'm still not in a position to discuss the parameters of any kind of investigation.

19

20

COUNCIL MEMBER AVELLA: Okay. Thank you, Mr. Chair.

21

22

23

24

25

CHAIRPERSON COMRIE: Thank you. The inspector, when he encounters the carriage horse, he can ask the driver for his receipt book, can't he? And if the receipt book is part of what the inspector [crosstalk]--

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

DR. BUTTS: [Interposing] Yeah, there is a record, and that has been examined and it's been brought to the department, but my guess would be that I very much doubt that, if it's a cash business, that that will be incorrectly filled out.

CHAIRPERSON COMRIE: I would suggest that that would be part of their inspection methodology, that way they wouldn't have to go on rides, but if they could look at the receipt book or see the person when they're getting off the ride, but the rate card should be on--

DR. BUTTS: [Interposing] Yeah, the rate card--

CHAIRPERSON COMRIE: --should be prominently displayed on every carriage, correct?

DR. BUTTS: That's correct.

CHAIRPERSON COMRIE: And if it was covered up, they would get a violation for that, correct?

DR. BUTTS: Of course, I mean, that should be displayed.

CHAIRPERSON COMRIE: And if there was some knowledge that, if the inspector walked

1

2

up and there was an ongoing argument between a customer and a driver, they would talk to the customer to find out what the issue was?

3

4

5

6

DR. BUTTS: Well I'm sure that if the inspector were to confront such a situation, they would say some--somehow address the question, but I'm not--

7

8

9

10

11

12

13

14

15

CHAIRPERSON COMRIE: But the pick up and discharge points are pretty much fluid, they're in the same pretty much pick up and discharge, like there's not many people getting off in the middle of the park, so most of the pickup and discharge happens in the predetermined locations that have already been set up by Department of Health, Department of Parks, and your office, correct?

16

17

18

DR. BUTTS: No, well they're around Central Park, that's correct.

19

20

CHAIRPERSON COMRIE: Right. But the main pick up--

21

22

DR. BUTTS: Pickup points and probably the drop off points occur [crosstalk]--

23

24

CHAIRPERSON COMRIE: Fifty-ninth and 5th, that's their pretty much domain.

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

DR. BUTTS: [Crosstalk] of course.

CHAIRPERSON COMRIE: Right. So it's possible that they could, as part of their regular inspection, talk to the consumers, they are either being discharged or are on their way to being picked up. I would just recommend that as part of their inspection protocol, so we could move forward and we wouldn't have those questions that come up again next year if in fact or whenever we need do [crosstalk]--

DR. BUTTS: [Interposing] I'll be sure to note that as a possibility.

CHAIRPERSON COMRIE: Well I would hope that that would be part of the protocol before we do the next hearing or discussion on this issue.

And the issue of sales tax, if you'd get back to us with a definitive answer on that, I'd appreciate it.

DR. BUTTS: Definitely.

CHAIRPERSON COMRIE: Is there any other items that you wanted to share with us this afternoon? And with that, I want to thank you for being here today.

1  
2 I want to remind people to turn off  
3 their cell phones.

4 Now we're going to two minutes.

5 Thank you for your testimony this  
6 afternoon.

7 The first panel we'll hear from--

8 [Off mic]

9 [Pause]

10 CHAIRPERSON COMRIE: --is Nellie  
11 McKay and--

12 COUNCIL MEMBER AVELLA: McKay. It's  
13 pronounced McKay.

14 CHAIRPERSON COMRIE: McKay? Okay.  
15 Nellie McKay with a A, okay. And Michael McGraw.  
16 Did I pronounce McGraw properly? Got to find the  
17 humor in them moments.

18 [Pause]

19 The testimony is two minutes, if  
20 you're being repetitive of what someone has said  
21 before, I would ask you to please listen to the  
22 people that are testifying ahead of you so that  
23 you're not repetitive, that you're not repeating  
24 the same thing, so that we can have all of the 160  
25 plus people that have signed up to testify at

1  
2 least come to the mic to make a statement, and  
3 that's only reason I'm asking people, try not to  
4 be repetitive. If you've heard your testimony  
5 that was spoken ahead of you, you can just come up  
6 and say ditto, we would love you for that. Thank  
7 you.

8                   Whoever would like to go--oh,  
9 Nellie, I think I called you first.

10                   [Pause]

11                   COUNCIL MEMBER AVELLA: Press your  
12 button.

13                   CHAIRPERSON COMRIE: Turn on the  
14 mic.

15                   MS. NELLIE MCKAY: Oh, thank you.  
16 Hi, my name is Nellie McKay and I'm a New Yorker  
17 and I am here to recruit you.

18                   Horses don't belong in traffic.  
19 Why are all these people here in support of a ban?  
20 We don't turn a profit by ending this industry, we  
21 care about the horses, the horses who have to work  
22 out there in the blistering heat and the shivering  
23 cold, deprived of fresh air, real earth beneath  
24 their feet, and freedom of movement. The horses  
25 who when they're too old or sick to be exploited



1

2

any longer are sent to the slaughterhouse.

3

4

This is not an industry like boxing that Barron mentioned that sometimes ends in death, it usually ends in death.

5

6

7

As accidents show, both the humanitarian and safety angles point to ending this industry. It's not fun for them and it's dangerous for us.

8

9

10

11

12

13

14

Everybody's in trouble financially and I have sympathy for the carriage horse drivers who are worried about getting a job, but you don't have to be a carriage horse driver to have trouble with your mortgage--everybody's in trouble.

15

16

17

18

19

20

21

The horses deserve better and the people deserve better--both the drivers and pedestrians and we should ensure that they are given the opportunity to find replacement jobs that are not cruel to animals. We don't want to leave the drivers in the cold anymore than we want the horses to have to endure the cold.

22

23

24

25

Finally, New York is a progressive city and this is a glaring wrong. It's shameful that the well-being of animals are being ignored. You mentioned, sir, that other cities allow horse

1  
2 drawn carriages, but London, Toronto, Beijing,  
3 among many others have banned them and these are  
4 not cities to sniff at.

5 Mr. Barron once again mentioned the  
6 boxing, but when you have human beings who at  
7 least have some freedom of choice, animals have  
8 none. We're the only ones that are here speaking  
9 for them and the point of being a New Yorker and  
10 of living in the city is of speaking truth to  
11 power and if you really want to move on to human  
12 issues, which you have it seems an honest concern  
13 about, then please pass this ban. Thank you.

14 MR. MICHAEL MCGRAW: Thank you,  
15 Nellie. Good afternoon, and thank you for the  
16 opportunity to testify.

17 My name is Michael McGraw and I am  
18 speaking as a long time New York City resident on  
19 behalf of People for the Ethical Treatment of  
20 Animals, PETA, and our thousands of New York City  
21 members and supporters. I urge you to vote in  
22 favor of Intro 658 to ban horse-drawn carriages.

23 As New Yorkers, we know the city  
24 streets are difficult enough to navigate on foot.  
25 Imagine what it's like for a horse while stuck

1  
2 between stiff traces, attached to a carriage  
3 filled with people, being forced to trudge through  
4 congested traffic in all weather extremes for many  
5 hours on end year after year.

6 At night, these horses, who have  
7 often already served a lifetime of work before  
8 they came to New York, are confined to stalls so  
9 narrow and cramped that they don't even have  
10 enough room to lie down--something horses  
11 literally ache to do. Even after hours, they are  
12 not allowed to take the weight off their feet.

13 Everyone knows that we're in the  
14 midst of a very cold winter here in New York.  
15 Well what most people don't realize is that  
16 according to regulations, drivers can work these  
17 poor horses all the way to bone numbing 19 degrees  
18 without any consideration of wind chill. That  
19 means it could feel like five below on Central  
20 Park South and, while drivers are bundled up in  
21 thermal everything from hats and gloves and coats  
22 and blankets and something over their heads,  
23 horses I have seen are fully exposed to the  
24 elements as they pull carriages through the frozen  
25 streets, inhaling exhaust, and pounding the hard

1

2

pavement.

3

4

5

6

7

8

9

10

11

12

13

As someone who frequently visits the park, I have never seen water for horses in either of the troughs, they are always bone dry or filled with garbage, nor have I ever witnessed a carriage driver allowing a horse to drink from these buckets they say they carry. Any honest vet will tell you that horses require a lot of water, and working horses require even more. The only way to ensure an end to the senseless suffering of these worn down animals is for a permanent citywide ban on horse-drawn carriages.

14

15

New York needs to show it cares. Please support Intro 658. Thank you.

16

17

18

19

20

21

CHAIRPERSON COMRIE: Thank you. The next panel--thank you for being here this afternoon--is Brian O'Dwyer and George [pause] Fertigg, from New York City and Company? George New York City and Company? Okay. Your handwriting is worse than mine, so...

22

23

FEMALE VOICE: Say Brian O'Dwyer again, he just walked in.

24

25

CHAIRPERSON COMRIE: And Brian O'Dwyer.

1

2 [Pause]

2

3

I didn't call a young lady's name,  
4 is she with you?

4

5

MR. GEORGE FERTITTA: Yes.

6

7

MS. KIMBERLY SPELL: I am, I'm  
Kimberly Spell, NYC & Company.

8

9

CHAIRPERSON COMRIE: Can you fill  
out a card? They didn't tell me you had someone.

10

Mr. O'Dwyer?

11

[Pause]

12

13

I remind people to turn off their  
cell phones, please. We're trying to accommodate  
14 the outflow by opening up the second room.

14

15

I want to also note that Council  
16 Member Robert Jackson from Manhattan is here in  
17 the room, in the corner.

17

18

Mr. O'Dwyer, whenever you're ready.

19

20

MR. BRIAN O'DWYER: Thank you, Mr.  
Chairman.

21

[End tape 1, Begin tape 2]

22

23

MR. O'DWYER: Mr. Chairman, members  
of the Council, my name is Brian O. Dwyer. I  
24 chair the Emerald Isle Immigration Center in New  
25 York City, here is a private citizen, however.

24

25

1  
2 I'm here today in support of the  
3 carriage horses. I'm here for very many reasons,  
4 but I'm here as a proud son of an immigrant who  
5 came here at the turn of the century as an  
6 immigrant and made his living, his first job  
7 coming over from [off mic] as a carriage horse  
8 driver. Since that time, literally thousands of  
9 people, of immigrants, have made their lives  
10 driving carriage horses throughout Manhattan and  
11 New York City. It is a source of employment for  
12 the immigrant population. To disturb that  
13 employment, would literally be to take food out of  
14 the mouths of the most deserving of all people--  
15 our immigrant population.

16 Carriage horses over the years have  
17 provided a real backdrop for the history of New  
18 York City. A well-regulated carriage industry  
19 provides jobs for people and provides an  
20 attraction for the tourist industry.

21 I'm here in that support and urge  
22 the City Council on behalf of the thousands of  
23 immigrants who I represent in this city, not to  
24 disturb the carriage industry, but to give a well-  
25 regulated carriage industry the opportunity to

1  
2 continue cooperating to the city of New York and  
3 providing jobs for its immigrant population.

4 Thank you.

5 CHAIRPERSON COMRIE: Thank you.

6 MR. GEORGE FERTITTA: Good  
7 afternoon. I'm George Fertitta, CEO of NYC & Co.,  
8 the city's tourism and marketing and partnership  
9 organization. Thank you, Mr. Chairman and the  
10 Council, for allowing me to testify today in  
11 opposition to Intro 658-A, which calls for a ban  
12 on horse-drawn carriages in New York City.

13 The energy, vibrancy, and diversity  
14 of New York City have drawn people from across the  
15 globe for centuries. Each year, a record-breaking  
16 number of visitors come here to experience the  
17 newest trends, find the latest fashions, hear  
18 cutting edge music, eat in the most diverse  
19 restaurants, and share the most complex mix of  
20 arts and culture. At the same time, however,  
21 people continue to come to New York City to  
22 experience those iconic, transcendent, classic  
23 institutions that have made the city part of our  
24 collective memories. For example, every Christmas  
25 Eve for many years when my children were much

1  
2 younger, my family and I would have dinner in  
3 midtown and then take a carriage ride through  
4 Central Park. It may seem a little corny and  
5 cliché, but for us it was a special moment, a  
6 family tradition that we look forward every year.  
7 Another family tradition, by the way, was my  
8 children fighting over the blanket in the back  
9 seat every year as well.

10           That's the magic of New York City--  
11 amidst these soaring buildings and bustling  
12 streets, you can find an oasis. In this case, a  
13 taste of old New York and the romance in the heart  
14 of Central Park, piling into the back of a buggy  
15 with your friends and loved ones, making memories  
16 that will never leave you.

17           Forty-seven million people came  
18 here to make these types of life-long experiences  
19 in 2008. For many of these visitors, and certainly  
20 for many New Yorkers, as a horse-drawn carriage  
21 through Central Park is as powerful and alluring  
22 as a gallery opening in Chelsea or a concert at  
23 Madison Square Garden.

24           A romantic carriage ride is much  
25 more part of the fabric and texture of New York



1  
2 City as ice skating at Rockefeller Center, as  
3 catching a dinner and a show, taking the Staten  
4 Island Ferry past the Statue of Liberty or hopping  
5 on the subway and heading to Yankee Stadium.

6 In truth, I believe the value of  
7 our future is rooted in our past, and a ban on  
8 this piece of New York's history would be a  
9 detriment to our citizens, our visitors and our  
10 local economy.

11 Roughly 550,000 to 750,000 people--

12 CHAIRPERSON COMRIE: [Interposing]  
13 I'm sorry, they didn't tell you it was a two-  
14 minute deadline, so do you want to wrap up with  
15 one sentence?

16 MR. FERTITTA: Well, I would just  
17 like to wrap up that we do believe this is part of  
18 the fabric and the texture of the New York City  
19 experience and we think it'll be sorely missed.

20 CHAIRPERSON COMRIE: Thank you. Is  
21 the young lady testifying?

22 MS. SPELL: Actually, I was just  
23 going to be here for questions, additional  
24 questions if you have them.

25 CHAIRPERSON COMRIE: Council member

1

2

Koppell?

3

4

5

6

COUNCIL MEMBER KOPPELL: Just since he was about to say it, I'd like to say how many people take the carriage rides, is that the estimate you were going to give us?

7

8

9

MR. FERTITTA: The estimate is approximately 550,000 to 700,000 people take the carriage every year.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

COUNCIL MEMBER KOPPELL: Every year.

MR. FERTITTA: Yes.

COUNCIL MEMBER KOPPELL: Thank you.

MR. FERTITTA: Welcome.

CHAIRPERSON COMRIE: We've been joined by Council Member Cuomo.

COUNCIL MEMBER AVELLA: What?

CHAIRPERSON COMRIE: I'm sorry, Council Member Elizabeth Crowley.

[Off mic]

CHAIRPERSON COMRIE: Right district, definitely not the right name, I'm sorry. [Off mic]

Council member Avella, you had a question?

COUNCIL MEMBER AVELLA: Thank you,

1

2

Mr. Chair.

3

4

5

6

7

This is for New York City and Company, in your testimony, it says our early estimates project at least 1.5 to \$2 million direct hit in tax revenue. How do you come up with that?

8

9

10

11

12

MR. FERTITTA: For every dollar the visitor spends, the city gets approximately 6.7 cents in sales tax, personal income tax, business taxes, and so that really is the basis of the estimates.

13

14

COUNCIL MEMBER AVELLA: But remember, they don't charge sales tax.

15

16

MR. FERTITTA: For what?

17

COUNCIL MEMBER AVELLA: For the rides.

18

19

20

MR. FERTITTA: Well, but no, but for the visitors that come to New York City, their [crosstalk]--

21

22

23

COUNCIL MEMBER AVELLA: [Interposing] Oh, so they're only coming to New York City for the carriage ride.

24

25

MR. FERTITTA: No, that's not the only reason, I think you know--

1  
2 COUNCIL MEMBER AVELLA: But then  
3 your figure doesn't make any sense, come on.

4 MS. SPELL: Well I actually, Council  
5 Member, it's based on we understand that people  
6 don't come here--I'm sorry?

7 CHAIRPERSON COMRIE: You have to say  
8 your name and title for--

9 MS. SPELL: Oh, Kimberly Spell, I'm  
10 the Senior Vice President of Public Affairs for  
11 NYC & Company.

12 The calculation comes as an  
13 economic impact number, so, as you're well aware,  
14 tourism is one of the few industries right now  
15 that New York City is actually seeing some growth  
16 and some stability, and we recognize that people  
17 don't come to New York City just to ride a  
18 carriage, but it is part of the fabric and it's  
19 part of the texture. And we think a better  
20 alternative to allay the fears of you and other  
21 members of the PETA establishment would be to look  
22 at stronger regulation perhaps, more inspections,  
23 and I believe there is a piece of legislation  
24 that's going to talk about that. But I'm sorry,  
25 but an outright ban on the industry itself is

1

2 something that's--

3

COUNCIL MEMBER AVELLA:

4

[Interposing] I appreciate that, that's not my

5

question. My question is, how did you come up

6

with the 1.5 to \$2 million and I think he answered

7

it. I thought you were going to do a further

8

explanation of his answer.

9

I know what you're feeling is. I

10

wanted a real answer as to how you came up with

11

this figure, because we've had this situation

12

before and I think the example is the waterfalls.

13

You know, I think this city estimated \$60 million

14

or something like that was generated--

15

MALE VOICE: [Interposing] Fifty-

16

five million, I think.

17

COUNCIL MEMBER AVELLA: Fifty-five

18

million dollars--that's absurd, you know, that was

19

absurd, the media reported it as absurd. I'm

20

saying your figure is just made up.

21

MS. SPELL: Okay. Well actually--

22

COUNCIL MEMBER AVELLA:

23

[Interposing] Because you don't--let me finish--

24

because they don't charge sales tax and even said

25

it is an explanation sales tax, well they don't

1  
2 charge it, they're not supposed to be, they do it  
3 illegally, but we're not getting the money.

4 So my question is, is this just  
5 some general number that you figured, oh, this  
6 makes sense, but you really don't know?

7 MS. SPELL: Actually, no, we did do-  
8 -and this is a very conservative estimate today.  
9 It's based on personal income tax, business tax,  
10 which the city does get a part of, so you're  
11 talking about an industry that employs 400 people,  
12 New Yorkers who pay--I'm sorry--

13 COUNCIL MEMBER AVELLA: Okay.

14 MS. SPELL: --New Yorkers who pay  
15 taxes and the businesses that pay taxes, so  
16 that's--

17 COUNCIL MEMBER AVELLA:

18 [Interposing] So you're assuming that--that I  
19 could understand.

20 MS. SPELL: --so you look--I'm  
21 sorry, so I'll just give you a more complete  
22 answer--if you estimate an annual 300,000 rides,  
23 which is a conservative estimate that everyone's  
24 agreed upon, serving 750,000 passengers, at a cost  
25 of \$34 for 20 minutes, the average ride costs

1  
2 around \$50 when you do the tips, so that totals  
3 \$15 million spent on the rides. That money is  
4 going into the pockets of New Yorkers who employ,  
5 who are employed--

6 COUNCIL MEMBER AVELLA:

7 [Interposing] Do you know--

8 MS. SPELL: --and who pay taxes.

9 COUNCIL MEMBER AVELLA: I am so glad  
10 you said that. Could you get me what you just  
11 said in writing because I have every intention of  
12 asking the Internal Revenue Service to investigate  
13 every one of these stables because I'll bet good  
14 money that they didn't report what you just said.

15 MS. SPELL: It's in the written  
16 testimony that you have.

17 [Pause]

18 CHAIRPERSON COMRIE: Okay. No other  
19 question--we've been joined by Council Member Mike  
20 Nelson from Brooklyn.

21 Is there no other questions for the  
22 panel? Thank you for appearing.

23 MR. FERTITTA: Thank you.

24 MS. SPELL: Thank you.

25 CHAIRPERSON COMRIE: Next panel will

1  
2 consist of Ed Ott from Central Labor Council,  
3 Dennis Demopoulos, Teamsters Local 553; and Father  
4 Brian Jordan.

5 [Pause]

6 MR. ED OTT: I'll start.

7 FATHER BRIAN JORDAN: Okay. Who  
8 goes next?

9 [Pause]

10 FATHER BRIAN JORDAN: He'll go  
11 first.

12 [Off mic]

13 MR. DEMOS DEMOPOULOS: Okay.

14 [Pause]

15 [Off mic]

16 MR. OTT: I know, been here a day or  
17 two before.

18 [Pause]

19 CHAIRPERSON COMRIE: Whoever would  
20 like to go first.

21 [Pause]

22 MR. OTT: Hello?

23 [Off mic]

24 MALE VOICE: Push the--

25 MR. OTT: It is, hello? Oh, there



1

2

we go.

3

Good afternoon, Mr. Chairman. I'd-

4

-

5

CHAIRPERSON COMRIE: Good afternoon.

6

MR. OTT: --like to thank you for

7

this opportunity to testify. My name is Ed Ott

8

and I'm the Executive Director of the New York

9

City Central Labor Council, a federation of 400

10

affiliated local unions representing one-and-a-

11

half million working men and women in the city.

12

I am testifying today in strong

13

support of proposed Intro 653-A to provide a long

14

overdue fare increase for the city's iconic horse-

15

drawn carriage industry.

16

This is an issue of fairness and

17

doing what is right for working people, especially

18

in light of the current economic crisis facing our

19

city and our nation. The horse-drawn carriage

20

industry has not had a fare increase in almost 20

21

years. Their average operating costs for keeping

22

their horses and running their popular tourism

23

industry has gone up an average of 400 percent, we

24

can all do the math. The horse-drawn carriage

25

industry is an iconic image for New York. People

1  
2 from all around the world visit New York and the  
3 majority take a traditional carriage ride. Those  
4 who dispute this inherent fact are kidding  
5 themselves, no one else.

6 As the country's largest municipal  
7 labor federation, the Central Labor Council has  
8 always worked to support and advance New York  
9 City's workforce and help secure dignity and  
10 fairness for all workers. We will continue to  
11 fight hard on their behalf to make our city a  
12 viable place for them to live, work, and raise  
13 their families, but, we need the City Council's  
14 help and support.

15 At this time, I respectfully urge  
16 the Council to pass Intro 653-A as soon as  
17 possible. The proud working men and women of the  
18 horse carriage industry need relief, and they need  
19 it now.

20 I'd like to thank the Chairman  
21 again for his time and the Committee.

22 CHAIRPERSON COMRIE: Thank you.

23 Next?

24 MR. DEMOPOULOS: Good afternoon,  
25 Chairman Comrie and members of the Consumer

1  
2 Affairs Committee. I am Demos Demopoulos,  
3 Secretary-Treasurer and Executive Officer of  
4 Teamsters Local 553, one of the oldest local  
5 unions in New York, affiliated with the  
6 International Brotherhood of Teamsters, and part  
7 of Teamsters Joint Council 16 New York, which  
8 represents more than 120,000 Teamster members in  
9 the New York City area.

10 I testify before you today in full  
11 and complete support and solidarity with my union  
12 brothers and sisters employed in the NYC carriage  
13 industry. As leader of the newest members of  
14 Teamsters Local 553, our city's horse-drawn  
15 carriage operators, stable hands, and drivers, I  
16 am proud to represent these dedicated skilled  
17 workers and support their American right to job  
18 security, fairness, decency, and dignity.

19 On behalf of the entire Teamster  
20 organization, I urge the City Council to approve  
21 Intro 653-A, for a long overdue fare increase and  
22 progressive improvements for the horse carriage  
23 industry. They're looking for a bail-out, just to  
24 help for a bale of hay.

25 The Teamsters also urge the Council

1  
2 to reject any proposal that seeks to eliminate  
3 good union jobs, a New York City tradition, and  
4 horses.

5           You will hear testimony from many  
6 of my members that are immigrants-first generation  
7 New Yorkers. They made a life here for their  
8 families in this great country and city.

9           In a time when so many are under  
10 economic stress, and unemployment is at the  
11 highest levels in history, make sure these jobs  
12 are secure.

13           Council Members, this comes down to  
14 an issue of decency and justice for working  
15 people. Not to mention a job security for one of  
16 our city's most reliable employers and safe  
17 popular tourist attractions. It has been over 19  
18 years and they've waited long enough. The  
19 Teamsters urge you to vote yes on Intro 653-A, and  
20 vote yes for good union jobs and economic  
21 fairness.

22           Thank you very much.

23           FATHER JORDAN: Good afternoon, my  
24 name is Father Brian Jordan, I'm a Roman Catholic  
25 priest and a friar of the Franciscan order.

1

[Off mic]

2

3

FATHER JORDAN: Sorry, I got a big  
4 mouth anyway.

4

5

The Franciscans are the first  
6 animal rights group, as evidenced by our founder,  
7 Saint Francis of Assisi, who wanted animals as a  
8 precious part of God's gift of creation. Since  
9 the 13th century, Franciscans have been advocating  
10 for animals and have a special blessing ceremonies  
11 during the first week of each October.

10

11

12

This past October, I had the honor  
13 and the privilege of blessing 150 horses in the  
14 five stables located on the west side of  
15 Manhattan. I must say, I was greatly impressed by  
16 the tender loving care provided for the horses by  
17 the owners, the carriage drivers, and the stable  
18 hands. There is efficient technology to clean and  
19 feed the horses, regular checkups by  
20 veterinarians, regular refitting of shoes by  
21 Pennsylvania Dutch horse experts, I have seen  
22 firsthand what goes on in these stables the past  
23 four months. Not only I advocate for animal  
24 rights, but so do all who work there.

24

25

Second, as a labor priest, we're

1  
2 making a stand for workers' rights. I've spoken  
3 to nearly all who work within the stables and  
4 guide the horses. The overwhelming majority are  
5 Roman Catholic ladies and gentlemen. There are  
6 400 jobs who vastly contribute to the city both  
7 monetarily, as a tourist attraction. Their  
8 livelihood depends upon these jobs. I've spoken  
9 to their spouses and their children, they'll grow  
10 and love this worthwhile industry.

11 It grieves them terribly when  
12 distortions of this industry maligns them in the  
13 media. The children are proud of their fathers  
14 and mothers who guide these horses, hope one day  
15 to be horse drivers as well. I want to emphasize  
16 that the real issue here is workers' rights, not  
17 animal rights, the horse is well taken care of. I  
18 ask the members of the City Council to take care  
19 of those worker, the horse carriage industry, to  
20 hold workers' rights and support a pay increase  
21 for these fine women and men who hail from various  
22 immigrant backgrounds. Thank you.

23 CHAIRPERSON COMRIE: Council Member  
24 Avella, you had a couple of questions?

25 COUNCIL MEMBER AVELLA: Just two

1  
2 questions for my favorite union over there and the  
3 CLC.

4                   When did the union first become  
5 involved with the drivers?

6                   MR. DEMOPOULOS: Just around  
7 Christmas time.

8                   COUNCIL MEMBER AVELLA: Okay. How  
9 many of the 284 drivers have joined the Union?

10                   MR. DEMOPOULOS: I don't know the  
11 exact number right now--

12                   COUNCIL MEMBER AVELLA: Could you--

13                   MR. DEMOPOULOS: --it's in process  
14 now because there are so many of them.

15                   COUNCIL MEMBER AVELLA: Well there's  
16 only 284, I mean that's--

17                   MR. DEMOPOULOS: It's quite a large  
18 group and they're spread out over five stables and  
19 there are several shifts, so it's--

20                   COUNCIL MEMBER AVELLA:  
21 [Interposing] Okay. Could you get me--

22                   MR. DEMOPOULOS: --a work in  
23 process.

24                   COUNCIL MEMBER AVELLA: --that  
25 information?

1

MR. DEMOPOULOS: Surely.

2

COUNCIL MEMBER AVELLA: Thank you.

3

Thank you, Mr. Chair.

4

[Off mic]

5

MR. OTT: ...question also, it's not unusual for workers confronted with a situation like this to begin to organize at that point. It's one of the things that we try to teach workers is that when they're faced with crisis, it is the time to organize and that's kind of the phase that these guys are in right now.

6

7

8

9

10

11

12

13

COUNCIL MEMBER AVELLA: And add the only thing, I think you know that I have a very good labor record and this is not about the drivers, and we will do everything possible to get them some other job or job retraining, but there is an issue of the cruelty to animals and the safety factor here. And you have to take my word at that.

14

15

16

17

18

19

20

21

MR. OTT: If you could be so kind as to get me the information on that--

22

23

COUNCIL MEMBER AVELLA: Sure.

24

MR. OTT: --and we'll talk about it.

25

COUNCIL MEMBER AVELLA: Yeah, yeah.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[Applause]

CHAIRPERSON COMRIE: Okay. Quiet, quiet, you guys have been pretty good so far.

COUNCIL MEMBER AVELLA: Ed, we'd more than love to sit down and talk about it because I don't think you've heard the truth.

CHAIRPERSON COMRIE: Okay.

MR. OTT: We're going to talk about it.

CHAIRPERSON COMRIE: All right. Just one question for the panel, and that's you heard the administration say that they have come up with a list of 13 recommendations, do you think that any of those recommendations would be something that the industry could not live with?

MR. OTT: Could not live with?

CHAIRPERSON COMRIE: Right.

MR. OTT: No, I think they could live with them. In fact, I think you'll hear from some of the folks that actually do the work, they're proposing some very strong measures along those exact same lines.

One point I want to make, what I have learned over the last couple of weeks in

1  
2 dealing with this industry, guys that own these  
3 horses, they really care about these animals, it  
4 is their livelihood. This notion, this statement  
5 that was made before that they don't feed them,  
6 they don't give them water, that's just totally  
7 false. This is part of how entire families make  
8 their living. Some of these families have been  
9 taking care of horses for a long, long, long time,  
10 they know how to do it.

11 I personally believe that animals  
12 have a place in the human existence as both  
13 companions and as work animals, it's appropriate,  
14 it's consistent with all of human history, so if  
15 we can keep this out of the extremes, I think  
16 we'll all be better off.

17 [Pause]

18 CHAIRPERSON COMRIE: All right. I  
19 want to thank you gentlemen for testifying.

20 I want to remind people that most  
21 of you are normally not here on a Friday, so turn  
22 off your cell phones, people are looking for you  
23 and they're ringing all over the place, so please  
24 turn off your cell phones, put them on vibrate.

25 The next panel will be Michelle

1  
2 Villagomez, Patrick Kwan from the Humane Society  
3 and Dr. Stephen Zawistowski--excuse me, I'm pretty  
4 sure I mangled that last name--from the ASPCA.

5 [Pause]

6 They're all the way upstairs?

7 Okay.

8 [Off mic]

9 [Pause]

10 CHAIRPERSON COMRIE: We've been  
11 joined by Council Member Alan Gerson.

12 I said Mike Nelson, didn't I say,  
13 Mike Nelson? And Council member Mike Nelson from  
14 Brooklyn, didn't I say Mike before?

15 COUNCIL MEMBER NELSON: Yes, thank  
16 you. All right.

17 [Off mic]

18 CHAIRPERSON COMRIE: Double shout  
19 out, there we go.

20 [Pause]

21 I want to remind people there are  
22 people waiting outside to come in, they're  
23 probably cold, so if you--I know you're nice and  
24 warm, but if you want to let some people in, it  
25 would be a nice time.

1  
2 SERGEANT-AT-ARMS: Quiet down,  
3 please.

4 CHAIRPERSON COMRIE: Okay. All  
5 right, whoever would like to go first.

6 If everybody could be quiet, I know  
7 people are transitioning.

8 DR. STEPHEN ZAWISTOWSKI: Good  
9 afternoon. I am Dr. Stephen Zawistowski, I'm the  
10 Executive Vice President, for the American Society  
11 for the Prevention of Cruelty to Animals.

12 On behalf of the ASPCA I urge you  
13 to oppose 653-A, which would eliminate the  
14 authority of the Department of Health and Mental  
15 Hygiene, Consumer Affairs, the New York City  
16 Police Department, and agents of the ASPCA to  
17 inspect carriage horse stables.

18 Intro 653-A is vague and  
19 impractical. It does not state who will select  
20 the entity that has the veterinary training to  
21 conduct the inspections, and makes no mention of  
22 who would fund the inspections. In addition to  
23 removing oversight of this industry by law  
24 enforcement and ASPCA agents who have expertise in  
25 equine care and a commitment to the welfare of

1  
2 animals, there is nothing precluding the industry  
3 from self-regulating through a third-party  
4 arrangement. There is also no requirement that  
5 the results of the inspections be reported to the  
6 Department of Health, Department of Consumer  
7 Affairs, and the ASPCA.

8           The ASPCA's Humane Law Enforcement  
9 Department currently enforces state and local  
10 animal protection laws, including the New York  
11 State Animal Cruelty law and carriage horse  
12 protection laws found in New York City Department  
13 of Health and Mental Hygiene and New York City  
14 Department of Consumer Affairs Code and  
15 regulations.

16           During 2008, our agents conducted  
17 54 official stable inspections. Agents checked  
18 stalls for proper bedding, size, and cleanliness.  
19 They also checked the horses' feed to ensure a  
20 proper amount was on hand and that it was free of  
21 vermin and other contaminants. They evaluated  
22 lighting, ventilation, and unsafe conditions at  
23 the stables. They provided directives to correct  
24 identified deficiencies in these requirements and  
25 then followed up to ensure that they were indeed

1

2

corrected.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Without access to the stables, the ASPCA cannot monitor the condition of the horses or their living environment and cannot ensure that failures to comply with the law are addressed. Our agents also need to inspect logbooks at the stable premises in order to effectively enforce the daily working hours of the horses and verify the trip cards the drivers carry each day.

As detailed in New York City Controller Bill Thompson's most recent audit, this industry needs more effective enforcement, not less.

CHAIRPERSON COMRIE: Next person.

MR. PATRICK KWAN: Thank you to the members of the Consumer Affairs Committee and Councilman Avella for the invitation and opportunity for the Humane Society of the United States to testify at this hearing on Intro 658-A and 653-A.

I'm Patrick Kwan, New York State Director for the Humane Society of the United States. With over 10.5 million members and supporters--or one in every thirty Americans,

1  
2 including over 217,000 in New York City, the  
3 Humane Society of the United States is the largest  
4 animal protection organization in the nation.

5 Our New York office is located near  
6 Central Park South where we witness firsthand  
7 every day how mixing horses in city traffic are an  
8 inhumane and dangerous combination. Carriage  
9 horses often work in oppressive and inhumane  
10 weather conditions, including the sweltering heat  
11 and extreme cold. I trust that many of us here  
12 today remember the first blistering ice and snow  
13 storm this season that covered the city over the  
14 weekend of December 19th just before Christmas.  
15 The horses were forced to work, despite the bitter  
16 cold, despite the icy, dangerous, and slippery  
17 conditions, and despite the current laws that say  
18 they should not have been out on the streets  
19 working and competing in traffic with emergency  
20 vehicles. The status quo is not protecting the  
21 lives and welfare of the horses, the drivers,  
22 tourists, or New Yorkers.

23 It's also been a year and a half  
24 since city Comptroller Bill Thompson released an  
25 independent audit documenting the inhumane

1  
2 conditions carriage horses live and work in, yet  
3 the abuse continues. The report found horses are  
4 not provided with enough water, risk overheating  
5 on hot asphalt, and also forced to stand in their  
6 own waste because of inadequate drainage in  
7 stables.

8 We support efforts to improve the  
9 conditions of the horses and we again urge the  
10 city of New York to take immediate action on the  
11 Comptroller's recommendations that these horses be  
12 provided with adequate amounts of water and  
13 protection from the elements.

14 But meeting these most basic of  
15 needs is just the beginning. Horses deserve  
16 better treatment than to be forced to work in  
17 dangerous traffic conditions every day, often in  
18 harsh weather where their lives and welfare are  
19 threatened and the safety of pedestrians and  
20 drivers are put at risk.

21 The Humane Society of the United  
22 States urges the City Council to protect horses  
23 and public safety by supporting Intro 658 and  
24 imposing Intro 653, which will weaken enforcement  
25 of current humane laws.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON COMRIE: Next person.

MS. MICHELLE VILLAGOMEZ: Good afternoon, I am Michelle Villagomez, Senior Manager of Advocacy and Campaigns for the American Society for the Prevention of Cruelty to Animals.

On behalf of the ASPCA and its 25,000 New York City supporters, I urge you to support Intro 658-A to ban carriage horse operations in New York City.

We have taken this position for a variety of reasons. We are not opposed to the use of horses in pulling carriages for-hire, provided that the animal's physiological and behavioral needs are fully met. Unfortunately, neither the New York City environment nor the current law can provide horses with the fundamental necessities to ensure their safety and well-being. Carriage horses were never meant to live and work in today's urban setting.

Carriage horses are allowed to work for nine hours a day, seven days a week under conditions that don't meet their basic needs. In addition to the dangers inherent in working in congested areas, these horses spend their days

1  
2 directly behind buses, cars, and trucks inhaling  
3 their fumes. They have to travel through the  
4 midtown area in which streets are teeming with  
5 traffic, impatient drivers, and--pardon me--this  
6 poses numerous perils for carriage horses,  
7 drivers, and the public.

8           They can work in temperatures up to  
9 90 degrees Fahrenheit and temperatures as low as  
10 19 degrees with no adjustments made for humidity  
11 or wind chill; they don't have access to turnout  
12 areas; they are housed in stables which are  
13 antiquated and do not provide adequate  
14 ventilation.

15           As the primary enforcer of New York  
16 City's carriage horse laws with firsthand  
17 knowledge of ongoing problems and violations, the  
18 ASPCA has concluded that it can no longer accept  
19 the status quo.

20           One of the first legal cases the  
21 organization initiated under the cruelty law was  
22 that of a cart driver beating a horse with a spoke  
23 from one of his wheels. This legacy of  
24 responsibility to the plight of horses working in  
25 an urban environment is one that the ASPCA

1  
2 continues to take extremely seriously to this day.  
3 We consider carriage horses to be a hold-over from  
4 another time, animals whose lives of hard work and  
5 adverse living conditions in an overcrowded city  
6 are hidden beneath the facade of romance and  
7 nostalgia.

8                   It's for these reasons that the  
9 ASPCA supports Intro 658-A to ban carriage horses  
10 and we will continue to work for change to improve  
11 the health, welfare, and safety of all four-legged  
12 New Yorkers, and stand ready to assist the Council  
13 in any way to bring this proposed law to fruition.

14                   CHAIRPERSON COMRIE: Councilman  
15 Avella.

16                   COUNCIL MEMBER AVELLA: Mr. Chair, I  
17 promise, I'm not going to ask a question of every  
18 panel, but there are certain things that we have  
19 to bring out. And this--it's Patrick and  
20 Michelle, probably both of you can answer this--  
21 one of the previous speakers alluded to the fact  
22 that the carriage horse owners really care about  
23 their horses. And, Patrick, in your testimony,  
24 you mentioned about the recent ice storm  
25 snowstorm. Correct me if I'm wrong, here were

1  
2 very severe conditions, the carriage horses, the  
3 horse driven carriages, were out there in  
4 violation of the law and yet it took--the owners  
5 didn't take them off the street--it took the ASPCA  
6 to come out and force them off the street, am I  
7 correct? Is that a correct assumption of what  
8 happened?

9 MR. KWAN: That's correct,  
10 Councilman.

11 COUNCIL MEMBER AVELLA: Right, I  
12 think that's an important point to bring out  
13 because, if they really cared, why were they on  
14 the street in violation of the law? Thank you.

15 CHAIRPERSON COMRIE: Council Member  
16 Koppell.

17 Keep it down, please, no clapping.  
18 There may have been people that transitioned in  
19 and out, I want to remind the audience that there  
20 will be no clapping, hissing, commenting, loud  
21 noises, exclamations. This will be a hearing that  
22 will be conducted as democratically and as quietly  
23 and as efficiently as possible so that all the  
24 people can be heard.

25 Council member Koppell.

1  
2 COUNCIL MEMBER KOPPELL: Several,  
3 the first speaker said that 653-A would eliminate  
4 the authority of the various departments you  
5 mentioned to supervise the horse industry?

6 DR. ZAWISTOWSKI: The plan would be  
7 to bring in another group to do the inspections in  
8 the stables and what's key is the ability to get  
9 into the stables and be able to see where the  
10 horses are on days when we do suspend the horses  
11 or if there is a problem with a particular horse,  
12 we need to get into the stable so we can determine  
13 whether or not the horse is recovering, it's been  
14 seen by a veterinarian, and receiving proper care.

15 COUNCIL MEMBER KOPPELL: Well who  
16 should do that? Who should inspect the stables?

17 DR. ZAWISTOWSKI: Well, currently we  
18 are authorized by law to do that. We would not  
19 like to see that authorization leave but also, as  
20 you heard earlier, the Department of Health also  
21 has the authority to go into the stables and  
22 inspect them for their general conditions. Our  
23 concern would be that it would be an independent  
24 entity that is not either properly trained or  
25 responsive to the government in any way. Our

1  
2 agents are--complete New York State peace officer  
3 training and they're fully authorized as New York  
4 State peace officers.

5 COUNCIL MEMBER KOPPELL: Well, I  
6 understand that and we'll look into the question,  
7 obviously someone properly qualified should  
8 inspect the stables. Do you find now--you now  
9 have the responsibility of inspecting the stables,  
10 is that correct?

11 DR. ZAWISTOWSKI: It's one of the  
12 responsibilities that we have, we are not the only  
13 ones with that responsibility, but we do--and as I  
14 indicated, we did over 50 inspections last year.

15 COUNCIL MEMBER KOPPELL: And what  
16 was the result of those inspections?

17 DR. ZAWISTOWSKI: Typically, what  
18 we'll find are concerns with the lighting that's  
19 available, which results in the safety of the  
20 horses moving in and out, working with the drivers  
21 and the people in the stables. We've had concerns  
22 with waste in the stables and some other unsafe  
23 conditions.

24 COUNCIL MEMBER KOPPELL: And what do  
25 you do when you find those conditions?

1  
2 DR. ZAWISTOWSKI: We will give them  
3 essentially a notice to comply, which would  
4 require them to correct the situation.

5 COUNCIL MEMBER KOPPELL: Have you  
6 done that in the past, let's say, 12 months--

7 DR. ZAWISTOWSKI: Yes, we have.

8 COUNCIL MEMBER KOPPELL: --with any  
9 of the stables?

10 DR. ZAWISTOWSKI: Yes, we have.

11 COUNCIL MEMBER KOPPELL: And what is  
12 the result of that?

13 DR. ZAWISTOWSKI: They have  
14 generally complied.

15 COUNCIL MEMBER KOPPELL: So that  
16 what you're telling me is that your inspections,  
17 though they found some deficiencies, there has  
18 been general compliance after notice of violation.

19 DR. ZAWISTOWSKI: I think as  
20 Councilman Avella indicated, though, the problem  
21 existed, it wasn't corrected on their own part and  
22 it required us to do it; much the same as with the  
23 storm, the horses were out there until we put them  
24 back in.

25 COUNCIL MEMBER KOPPELL: Well I

1  
2 would--the question is whether your inspections  
3 can compel compliance, and you sort of indicated  
4 that it can.

5 DR. ZAWISTOWSKI: It can.

6 COUNCIL MEMBER KOPPELL: So have you  
7 issued any reports on the condition of the stables  
8 or, more important, the condition of the horses in  
9 the stables? Have you issued reports on that?

10 DR. ZAWISTOWSKI: We have not issued  
11 reports. I could provide the Council with a  
12 breakdown of the citations that we've dealt with  
13 in the past year.

14 COUNCIL MEMBER KOPPELL: Well what  
15 you're saying as the group responsible for--are  
16 you responsible for the health of the horses?

17 DR. ZAWISTOWSKI: The health is a  
18 part of the overall welfare of the horse and that  
19 would be covered under Section 353 of the state  
20 Code regarding overdriving and if you work a horse  
21 when it's not healthy, that would be considered  
22 overdriving and a violation of that Code.

23 COUNCIL MEMBER KOPPELL: And are you  
24 responsible for providing notice of violation of  
25 the code?



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

DR. ZAWISTOWSKI: Yes, we are.

COUNCIL MEMBER KOPPELL: Okay. Have you provided such notice of violation to the stables?

DR. ZAWISTOWSKI: I think we currently have three horses confined to stables because of concerns with underweight.

COUNCIL MEMBER KOPPELL: Okay. So you are policing the stables.

DR. ZAWISTOWSKI: Yes, we are.

COUNCIL MEMBER KOPPELL: So if you're policing the stables to make sure that they are complying with the rules, why is your organization recommending that the entire industry be dismantled?

DR. ZAWISTOWSKI: Because of the-- that's only a part of the problem that exists. What we have found is the difficulty of the overall conditions, the law is still limited, even if you go to the stables, given the conditions that exist there right now, they are second-floor stables, there are concerns with the fire code, and if there is a fire in one of those stables right now, it would be just about impossible to

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

move those horses out safely.

COUNCIL MEMBER KOPPELL: So if there are problems, have you cataloged those problems and brought them to the attention of the health commissioner?

DR. ZAWISTOWSKI: Yes, and in fact, one of our veterinarians who is on the current committee making recommendations has been a part of making some of those changes and we're hoping that they move through.

COUNCIL MEMBER KOPPELL: So if those changes are made and these problems are corrected, then it would seem to me the industry would be relatively protective of the horses, because that's your job and you say you have recommendations, if they comply with that, why would it be necessary to stop the industry altogether?

DR. ZAWISTOWSKI: It's only one of the problems that we're confronting over and over again. What we have seen are consistent difficulties and they would still be working in the streets of New York, where they're presented with the dangers of traffic, with the fumes, with

1  
2 needing to work in and out of cars and buses,  
3 certainly not the place and certainly not the  
4 romantic image given.

5 COUNCIL MEMBER KOPPELL: Well don't  
6 people who work in New York have to contend with  
7 those dangers also? Traffic fumes, everything  
8 else? Don't we all confront those problems?

9 DR. ZAWISTOWSKI: People in New York  
10 make that choice and they're not forced to do it  
11 for nine hours a day [crosstalk]--

12 CHAIRPERSON COMRIE: [Interposing]  
13 Okay, okay, okay. Calm down.

14 [Applause]

15 COUNCIL MEMBER KOPPELL: I see.

16 CHAIRPERSON COMRIE: Quiet, please.

17 COUNCIL MEMBER KOPPELL: So now let  
18 me ask you this, does the ASPCA also recommend a  
19 ban on horse racing?

20 DR. ZAWISTOWSKI: At this point, we  
21 are currently working with some folks at the  
22 federal level to address the number of the  
23 concerns certainly we've seen in the last couple  
24 of years [crosstalk]--

25 COUNCIL MEMBER KOPPELL:

1 [Interposing] Please, the answer, yes or no. Does  
2 the ASPCA recommend a ban on horse racing?  
3

4 DR. ZAWISTOWSKI: Not at this time.

5 COUNCIL MEMBER KOPPELL: Does the  
6 ASPCA recommend a ban on rodeos?

7 DR. ZAWISTOWSKI: Yes.

8 COUNCIL MEMBER KOPPELL: You do, all  
9 rodeos.

10 DR. ZAWISTOWSKI: Yes.

11 COUNCIL MEMBER KOPPELL: Okay. Let  
12 me--

13 [Applause]

14 CHAIRPERSON COMRIE: Please. Quiet,  
15 please.

16 COUNCIL MEMBER KOPPELL: Does the  
17 ASPCA espouse people shouldn't eat meat?

18 DR. ZAWISTOWSKI: No.

19 COUNCIL MEMBER KOPPELL: Does the  
20 ASP indicate that you shouldn't wear leather  
21 goods?

22 DR. ZAWISTOWSKI: No.

23 COUNCIL MEMBER KOPPELL: Okay.  
24 Thank you, Mr. Chairman.

25 DR. ZAWISTOWSKI: Councilman, can I

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

have a moment to address you?

CHAIRPERSON COMRIE: No.

DR. ZAWISTOWSKI: Thank you.

CHAIRPERSON COMRIE: Thank you for coming today and we'll go right to the next panel.

FEMALE VOICE: This is another panel  
[off mic]

CHAIRPERSON COMRIE: We had two panel from--two panels on one side, now we're having two panels on this side.

Elizabeth Forel, Christine MacMurray, and then the Fiona Walsh, and then we'll try to have one panel from each side as we move forward.

I want to remind people to please be quiet. I want to thank all of you for cooperating and remind people to turn off their cell phones.

[Off mic]

[Pause]

CHAIRPERSON COMRIE: Are all three people here? I only see one at the table.

COUNCIL MEMBER KOPPELL: I don't think they can go anywhere except the park except

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

to go to and from [pause] my understanding.

FEMALE VOICE: She's one that  
Elizabeth Forel--

[Pause]

CHAIRPERSON COMRIE: Okay. I'm  
sorry, we're missing a person. Your name is?  
[Off mic] And your name is?

MS. ELIZABETH FOREL: [Off mic]  
Elizabeth Forel.

[Off mic]

CHAIRPERSON COMRIE: Chris MacMurray  
is here? Hello?

FEMALE VOICE: She's not here right-  
-

CHAIRPERSON COMRIE: Did Chris  
MacMurray have to leave? Going once, going twice-  
-

FEMALE VOICE: Here [off mic]

CHAIRPERSON COMRIE: Gone.

MS. CHRISTINE MACMURRAY: Here,  
here.

CHAIRPERSON COMRIE: Chris McMurray,  
is there? Okay. She's in the other room? Okay.

[Pause]

2 FEMALE VOICE: Press this.

3 MS. FOREL: Okay. Okay. [Pause]

4 Do I begin? [Pause] Shall I begin?

5 CHAIRPERSON COMRIE: Okay. You can  
6 start.

7 MS. FOREL: Shall I begin?

8 CHAIRPERSON COMRIE: Yes.

9 MS. FOREL: Okay. My name is  
10 Elizabeth Forel and I am president of the  
11 Coalition to Ban Horse-Drawn Carriages.

12 In December 2005, there was no  
13 activity on the issue of the appropriateness of  
14 horse-drawn carriages in New York City. Then  
15 Spotty, the carriage horse, died a tragic death in  
16 January 2006 and the Coalition was born. It was a  
17 no-brainer.

18 Since that time, this issue has  
19 become a topic of conversation again. There is  
20 interest and compassion all over the city,  
21 country, and world for these issues. Our  
22 coalition has amassed over 35,000 signatures on  
23 our petitions, which include people from all 50  
24 states, 55 countries and, of course, New Yorkers.  
25 It's an issue whose time has come.

1  
2           There are many reasons why 19th  
3 century horse-drawn carriages do not belong on the  
4 crowded streets of New York City. I wonder why we  
5 cannot do better, why we are not better, more  
6 compassionate people than to continue to allow  
7 these horses to be exploited for profit. Working  
8 between the confining shafts of their carriage for  
9 nine hours straight, only to return to the  
10 confinement of a small stall with no opportunity  
11 for daily pasture time is inhumane.

12           Compassionate Campaigners -- How  
13 Animal Voters are Shaping the 2008 Presidential  
14 Election -- is an opinion piece by Lewis Bollard  
15 published in the Harvard Crimson last year.  
16 Bollard hits the nail on the head when he talks  
17 about the new electorate who care about animals  
18 and how they see a politician's attitude to  
19 animals as a broader reflection of his compassion  
20 and character. Bollard calls them news-savvy,  
21 socially integrated, and politically active. They  
22 are the people who sent out 300,000 e-mails to NFL  
23 Commissioner Roger Goodell successfully urging him  
24 to drop convicted dog fighter Michael Vick from  
25 the league. They're politically active, and



1  
2 willing to use their votes to protect the  
3 defenseless, so it comes as no surprise that there  
4 is such wide spread interest in the puppy for the  
5 Obama family, and not just any puppy, but it must  
6 be from a shelter.

7 Times are changing and the paradigm  
8 is shifting. It's particularly sad that the City  
9 Council has not kept up with this trend and seems  
10 unable to do a decent job for the animals. Thank  
11 you.

12 CHAIRPERSON COMRIE: Thank you.  
13 Next person, please.

14 MS. FIONA WALSH: Good afternoon,  
15 Mr. Chairman, City Council members.

16 My name is Fiona Walsh and I am a  
17 member of the Coalition to ban New York City  
18 carriage horses. I have been living in New York  
19 for over 14 years and since I came here, I have  
20 felt nothing but sadness and pity for the horses  
21 in the streets of New York City.

22 It has always seemed wrong and  
23 inconsistent with the Humane Society to have  
24 horses in the middle of busy traffic in all  
25 weathers and temperatures. Horses are prey and

1  
2 herd animals by nature and, even after many years  
3 of hauling tourists around Central Park, these  
4 natural instincts persists. As we have seen, they  
5 can spook with noise and accidents and deaths  
6 occur in both humans and animals.

7 I believe a majority of people both  
8 here in New York and from around the world no  
9 longer want to see carriage horses in New York  
10 City, especially when there are many more humane  
11 ways to enjoy our wonderful city. Thank you.

12 CHAIRPERSON COMRIE: Thank you.

13 Next person.

14 MS. CHRISTINE MACMURRAY: My name is  
15 Christine MacMurray and I am the Vice President of  
16 the Coalition to Ban the Horse-Drawn Carriage.  
17 I'm here today to support Council Member Avella's  
18 bill 658 to ban the horse-drawn carriage in New  
19 York City.

20 I am a high school English teacher  
21 by profession, but I have been an animal  
22 protectionist and activist most of my life. I  
23 started observing the horses when I first came to  
24 New York City in 1979 and have been working on  
25 their behalf to end the horse-drawn carriage ever

1  
2 since.

3           What I don't understand is why this  
4 is taking so long. Many people have been injured  
5 and many horses have been killed since I came to  
6 New York City. It is pointless to go on arguing  
7 endlessly about all the conditions under which  
8 these horses work. Of course, the industry argues  
9 that they are okay. And we argue that they are  
10 not. But the bottom line is that it's dangerous  
11 for the horses and for New Yorkers and visitors.  
12 That many horses have been killed under horrendous  
13 conditions, why isn't that enough to end this?

14           In years to come, people will look  
15 back and shake their heads wondering why in the  
16 world we let this and many other abusive  
17 activities regarding animals continue.

18           As long as I live, I will never  
19 forget the first horse who died after I had come  
20 to live in New York. I worked at the animal  
21 medical center, where I worked for over 20 years.  
22 A horse had died in the street of heat  
23 prostration. I remember talking to the  
24 veterinarians about it and they told me that this  
25 is one of the most horrible ways to die--the horse

1  
2 boils from the inside out. As long as I live, I  
3 will never forget those words, and I will never  
4 forget that horse.

5 Since the horses go out in 90  
6 degree weather with no adjustment for humidity, it  
7 will happen again.

8 [Pause]

9 CHAIRPERSON COMRIE: Thank you for  
10 coming, thank you for testifying.

11 Next panel is John Lowe, Dr. Dennis  
12 Farrell, Ian McKeever, and Stepan Malone--Stephen  
13 Malone.

14 [Pause]

15 DR. JOHN LOWE: Okay. This one's  
16 on, I guess, right?

17 [Pause]

18 CHAIRPERSON COMRIE: Can make sure  
19 that the light is on.

20 DR. LOWE: Yes, sir.

21 CHAIRPERSON COMRIE: Whenever you're  
22 ready to start.

23 DR. LOWE: Thank you.

24 My name is John Lowe. I'm a  
25 veterinarian, I've been practicing on horses for

1  
2 the last 50 years. Thirty-two of those years I  
3 was on the faculty of the New York State College  
4 of Veterinary Medicine at Cornell. I retired, as  
5 in an Emeritus Professor in 1991 and I've been  
6 practicing as a solo practitioner since then.

7 I've given written testimony to the  
8 Council and that gives more of my background, but  
9 I want to--last spring, the Carriage Association  
10 requested I examine their horses and stables and  
11 provide a written report. I videoed and took  
12 still photos during the examinations; I examined  
13 each of the five stables in one day; I examined  
14 and watched 130 horses jog, slow trot, for  
15 evidence of lameness one day and I rode alongside  
16 a driver and drove the horse through Central Park  
17 for another day. I repeated the driving in  
18 Central Park and inspection of the stables on  
19 December 17th.

20 Ladies and gentlemen of the  
21 Committee, the horses are well-kept and in good  
22 condition in all stables. In fact, 35% were obese  
23 from their easy life of light work, good feed, and  
24 good preventative medicine. These horses are very  
25 strong--pulling a hansom cab for a 1,500 pound

1  
2 horse, a draft horse, is not a hard job for them,  
3 especially when they only walk and, occasionally  
4 trot. Respiratory distress and asthma or heaves  
5 was very hard to find. I couldn't find horses  
6 with nasal discharges or horses that were coughing  
7 with a dry, heavey cough. [Tone] Is that it?

8 CHAIRPERSON COMRIE: That's it.

9 DR. LOWE: Oh, I'm sorry, well...

10 CHAIRPERSON COMRIE: That's okay.

11 Thank you.

12 DR. LOWE: All right. [Crosstalk]

13 CHAIRPERSON COMRIE: Next person.

14 MALE VOICE: Jesus.

15 DR. DENNIS FARRELL: My name is Dr.  
16 Dennis Farrell, I've been an equine practitioner  
17 for over 22 years. I've been called in to help  
18 out with the ASPCA and Board of Health at  
19 different times to examine the horses. I also was  
20 the veterinarian in Suffolk County that had the  
21 five cruelty cases against it--I even adopted one  
22 of the horses myself.

23 The point right now is that I don't  
24 think many people are aware, I always hear, they  
25 say these horses are so sad, they're a draft

1  
2 animal, they were bred for that, we bred them to  
3 do a certain job. It's as similar as some of the  
4 draft dogs, they're sad dogs and they were also  
5 bred for that situation.

6 But, overall, the one thing that I  
7 can see is that these horses coming into the city  
8 as comparable to horses on the outside--their day  
9 is regulated, they're not allowed to work in terms  
10 if it's too hot or too cold; they also have a  
11 situation where they don't have to worry about  
12 being sent for slaughter as what happened to many  
13 of the horses, the draft horses on the outside.  
14 These horses work an eight hour day, they're  
15 supervised by the ASPCA, they can be inspected 365  
16 days a year, two or three times a day if  
17 necessary.

18 What I've seen as I've been called  
19 in many times to assist in the care of the horses,  
20 I have had less dealings with these horses in  
21 terms of needs as compared to horses on the  
22 outside. The drivers and the people have been  
23 incredibly compassionate and caring for their  
24 animals. Anything that needs to be done, there's  
25 been no objection as to what should be done for

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

the benefit and the well-being of the horse.

CHAIRPERSON COMRIE: Thank you.

Next person.

Oh, we've been joined by Council member Jim Gennaro from Queens.

[Pause]

MR. IAN MCKEEVER: Is it on? Yes.

Good afternoon, Chairman Comrie and the Committee Members. My name is Ian McKeever and I am the Co-Executive Director of the Horse and Carriage Association of New York, an industry of five working horse stables in New York City representing 400 working men and women and 220 well-bred, highly-trained horses. I'm also the stable owner and manager of Shamrock Stables, where we care for 30 of those horses. I'm a proud member of the Teamsters Local 533 and want to thank them for their support here today.

Committee members, it's been over 20 years since the City Council last approved a fare increase for our business--20 years. Just to put that in perspective, at the start of 1989, Ronald Reagan had just left office and the Berlin Wall was still standing. I hardly need to point



1  
2 out the intervening two decades, operational costs  
3 have soared--hay has increased 600%; grain, 500%;  
4 the cost of shoeing the horse, which is needed  
5 once a month, cost \$60 in 1989 and costs \$200 now.  
6 The same is true for all costs affecting the  
7 business, horse health care, and labor and  
8 utilities to name but a few.

9           Therefore, we respectfully seek the  
10 City council's approval for \$50 for the first 20  
11 minutes and 90 for the 40 minute ride and we urge  
12 the committee to approve Intro 653-A to provide a  
13 long overdue cost of living fare increase on an  
14 industry.

15           We're the concierges of Central  
16 Park and are a landmark attraction in New York  
17 City. Just as important, we're a great source of  
18 information for tourists to help them maximize  
19 their enjoyment of the Big Apple.

20           Finally, I'd like to point out that  
21 in America today, most horses have jobs. It is in  
22 their nature and breeding to work. Be they race  
23 horses, show jumping horses, or New York City  
24 police horses--we are proud to be part of that  
25 American tradition. And as horse people we know

1  
2 that horses thrive in a working environment and  
3 enjoy interacting with man in a relationship based  
4 on respect, discipline, and affection.

5 I want to thank Speaker Quinn,  
6 Chairman Comrie, and the entire Committee for  
7 allowing me the opportunity to testify before you  
8 today on this important matter for working  
9 families of our industry. Thank you very much.

10 CHAIRPERSON COMRIE: Thank you.

11 Next person.

12 [Pause]

13 MR. STEPHEN MALONE: Good afternoon,  
14 Chairman Comrie and members of the Committee of  
15 Consumer Affairs. My name is Stephen Malone and I  
16 am the Co-Executive Director Treasurer of the  
17 Horse and Carriage Association, an industry of  
18 five working stables representing 400 hard-working  
19 men and women and 220 highly-trained licensed  
20 horses. I am the proud member of Local 553 of the  
21 Teamsters and an elected member of the Rental  
22 Horse Advisory Board of the Department of Health.  
23 Currently, I have the privilege to be the  
24 caretaker of five very fit draft horses and two  
25 licensed carriages.

1  
2 I started working in this carriage  
3 business 22 years ago and, as the son of a  
4 carriage driver, I spent my entire youth  
5 respecting tradition and wanting to be a part of  
6 it.

7 I respectfully urge the committee  
8 to approve Intro 653-A to provide a long overdue,  
9 completely reasonable fare increase for our  
10 industry. It has been almost 20 years since our  
11 last increase, our costs have risen enormously and  
12 we strongly believe it is the fair and decent  
13 thing to do.

14 We need a cost of living adjustment  
15 just as any licensed business does. Since my  
16 family became a part of this heralded business in  
17 1963, our industry has had a total of four  
18 increases spanning 46 years. As the nation's  
19 largest and most iconic horse and carriage  
20 association, we hold ourselves to an extremely  
21 high standard. It is a standard we all take with  
22 great pride, an iconic image that has been a  
23 symbol of New York and its traditions. NYC and  
24 Company, the biggest tourist information city has  
25 rated us in the top 10 attractions in the city.

1  
2 By the Council approving 653-A, it  
3 will assure the longevity and sustainability of  
4 one of the oldest and most popular tourist  
5 services in New York. It would also provide some  
6 much-needed economic relief off of a hard-working  
7 middle-class industry. It is very important to  
8 point out to the Council, approving this bill will  
9 have little or no effect on your constituents and  
10 their already extremely high living costs. Our  
11 carriage operation is a leisure service provided  
12 mostly to tourists, couples, and people  
13 celebrating special occasions.

14 CHAIRPERSON COMRIE: Thank you.

15 MR. MALONE: Close it up?

16 CHAIRPERSON COMRIE: You can do one  
17 sentence.

18 MR. MALONE: Okay. In closing, I  
19 would like to make it known to the Speaker,  
20 Members of the Council, and all in attendance that  
21 the horse and carriage industry takes great pride  
22 in its service we provide to our customers on a  
23 daily basis. We provide a tradition, we're proud  
24 of our excellent safety record, proud of our  
25 horses, and we're proud to represent this great

1

2 city.

3

CHAIRPERSON COMRIE: Thank you.

4

Council member Gennaro and then

5

Council member Liu.

6

COUNCIL MEMBER GENNARO: Thank you,

7

thank you, Mr. Chairman. I do apologize for

8

getting here late, I had a rally in my district to

9

save a bus line. I tried to schedule that at a

10

time that it would not conflict with this hearing,

11

'cause I wanted to be here for this hearing, for

12

the full hearing, but just the other day, the time

13

of this hearing got moved and so I had that

14

conflict and I regret that.

15

This is a question for the doctors,

16

just so I fully understand the relationship,

17

you're the regular doctors that kind of look in on

18

the horses? Like, what is the nature of your

19

relationship to the horses that work in New York

20

City in the horse carriage industry?

21

DR. LOWE: As I said, I examine them

22

on a request basis, in times that [crosstalk]--

23

COUNCIL MEMBER GENNARO: By whom?

24

By whom--

25

DR. LOWE: --works with [background

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

noise]

COUNCIL MEMBER GENNARO: Who asks  
you to--I mean--

DR. LOWE: The Carriage Horse  
Association [crosstalk]--

COUNCIL MEMBER GENNARO: Okay.

DR. LOWE: --said that, right? So I  
was working for them--

COUNCIL MEMBER GENNARO: So the  
carriage association--

DR. LOWE: --that's correct--

COUNCIL MEMBER GENNARO: Okay, okay.

DR. LOWE: --right, but as an  
outside person [crosstalk]--

COUNCIL MEMBER GENNARO: Yes, yes,  
yes, yes. And you also, sir, you--

DR. FARRELL: [Interposing] Yeah, my  
name is Dr. Dennis Farrell. I get called in in  
terms of for inspections, I'll also get called in  
for concerns that may be addressing it, if the  
horse not feeling well--

COUNCIL MEMBER GENNARO: Right.

DR. FARRELL: --or something occurs  
so my job is just to make sure that everything is-

1  
2 -the horses receive the utmost and best care that  
3 we possibly can give.

4 COUNCIL MEMBER GENNARO: And forgive  
5 me, but the ASPCA uses you as well, is that true?

6 DR. FARRELL: I was--for the SPCA up  
7 in Suffolk County, I was called in as their equine  
8 expert to address the two recent cases they've had  
9 of horse abuse.

10 COUNCIL MEMBER GENNARO: Right,  
11 right.

12 DR. FARRELL: And here in the city,  
13 I've been called in and asked to look at some of  
14 the horses when they've had issues here in the  
15 city and to make recommendations as to what can be  
16 done so these horses will have the best possible  
17 care [crosstalk]--

18 COUNCIL MEMBER GENNARO: Right.  
19 Okay. Do you have knowledge of the stables that  
20 are operated by the police department? Have you  
21 seen those horses? Are you familiar with that  
22 operation and have you personally viewed the  
23 horses in the police department that will use and  
24 how they're cared for? Is that within the realm  
25 of your expertise?

1  
2 DR. LOWE: I did that some time ago,  
3 but not recently.

4 COUNCIL MEMBER GENNARO: Okay. Have  
5 you, sir? Compared to the--

6 DR. FARRELL: [Interposing] Yes,  
7 I've seen the horses in Nassau and also in New  
8 York City and the care that's given--

9 COUNCIL MEMBER GENNARO: Right.

10 DR. FARRELL: --they, like the  
11 situation over here, they have hostlers 24/7--

12 COUNCIL MEMBER GENNARO: Right.

13 DR. FARRELL: --I mean there's  
14 somebody around the clock to take care of--

15 COUNCIL MEMBER GENNARO: Okay.

16 DR. FARRELL: --and provide their  
17 needs.

18 COUNCIL MEMBER GENNARO: How would  
19 you compare the horses that work with the  
20 carriages, their care, their treatment, their  
21 overall health, if you could compare that with  
22 horses that are used by this police department or  
23 other like local police departments that you may  
24 be familiar with, how would you compare the health  
25 and treatment and overall situation of the horses



1  
2 in the industry versus those that are operated on  
3 behalf of local police departments?

4 DR. LOWE: My charge was to examine  
5 the horses and determine whether they were in good  
6 health, and that I did and they were. Now, I  
7 didn't do an exhaustive examination on each horse-

8 -

9 COUNCIL MEMBER GENNARO: Right.

10 DR. LOWE: --where I watched them  
11 jog for lameness, I watched them work, I watched  
12 them in the stable eating and so...

13 COUNCIL MEMBER GENNARO: Thank you,  
14 thank you. And, sir, also--and forgive me for not  
15 calling you by name--'cause I know that you have  
16 some familiarity with horses that are used for  
17 police purposes, you indicated Suffolk County.

18 DR. FARRELL: Well I think the major  
19 thing is that everybody has a care and concern,  
20 whether they're a police officer or a carriage  
21 driver, their main concern is that this horse is  
22 not just an animal, but their partner.

23 COUNCIL MEMBER GENNARO: Right, but  
24 my--

25 DR. FARRELL: And it's what I'm

1

2 trying to say, I'll get to--

3 COUNCIL MEMBER GENNARO: Sure, yeah,  
4 okay.

5 DR. FARRELL: --my point right here,  
6 is that what is the major interest is that these  
7 horses are well taken care of and that the horses  
8 proceed to do their job in the proper manner, and  
9 it's not just as a business aspect, but also as  
10 their partner.

11 COUNCIL MEMBER GENNARO: Sure, but  
12 the point that I'm getting at, or trying to  
13 ascertain, whether or not the horses that service  
14 the carriages here in New York City, how they  
15 compare health-wise and treatment-wise to how the  
16 city of New York or other local governments treat  
17 their horses, and, in your opinion, does the  
18 carriage industry treat their horses on the same  
19 par as local government, police departments  
20 treated their horses? That's the question that  
21 I'm trying to...

22 DR. FARRELL: I think the question  
23 is quite evident that they do because the ASPCA  
24 examines these horses 365 days a year if  
25 necessary, there's no other place or industry that

1  
2 is subject to that type of scrutiny.

3 COUNCIL MEMBER GENNARO: Right.

4 DR. FARRELL: And to say that one is  
5 better than the other, I would say that everybody  
6 has the caring and the love to make sure that this  
7 animal, which is, like I said, their partner when  
8 they go out to work during the course of the day  
9 is more than just a car or a vehicle--you're not  
10 going to fill the tires with air--

11 COUNCIL MEMBER GENNARO: Right.

12 DR. FARRELL: --you're going to make  
13 sure that they're treated and if the weather or  
14 things aren't proper, you're going to make sure  
15 that things are taking care of in a proper manner.

16 COUNCIL MEMBER GENNARO: Sure, and  
17 so it is your testimony here today that these  
18 horses in the carriage industry are certainly  
19 treated as well based on what you have seen with  
20 what our police department and other local police  
21 departments that you may be familiar with how they  
22 care for their horses.

23 DR. FARRELL: I see the same level  
24 of care all across the board.

25 DR. LOWE: I concur.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL MEMBER GENNARO: Thank you.  
Thank you. Also--

CHAIRPERSON COMRIE: [Off mic]

COUNCIL MEMBER GENNARO: Oh, just one last question, the Chairman is asking me to move along because there are many people that wish to be heard from.

You're familiar with the times of days that they can operate, the number of hours, the temperature restrictions, and all the host of things, the regulatory structure under which--

[End tape 2, Begin tape 3]

COUNCIL MEMBER GENNARO: ...these horses work, do you feel that that is sufficient to protect the health of the horses?

DR. LOWE: Yes, I do.

COUNCIL MEMBER GENNARO: Thank you. Do you want to answer that question?

DR. FARRELL: I feel that they're meeting all the specifications of the ASPCA and that the Board of Health wants--

COUNCIL MEMBER GENNARO: Right.

DR. FARRELL: --and that even now new recommendations are being put in and I don't

1  
2 think there's any person who would not say that  
3 whatever could be done to benefit the horse in  
4 terms of their working conditions will not abide  
5 by it.

6 COUNCIL MEMBER GENNARO: And just  
7 once again, if you could just tell us how long  
8 you've been vets and how long you've been working  
9 with horses.

10 DR. LOWE: I've been working with  
11 horses for 60 years, I've been a veterinarian for  
12 50 years. And can I make a point about these  
13 horses? They're friendly, relaxed, you go through  
14 the stables and they want to come up and see you,  
15 you're out at the Central Park and they're very  
16 happy to have you rub them or pet them. Of  
17 course, under the driver's supervision, but horses  
18 that are abused just don't act that way.

19 COUNCIL MEMBER GENNARO: And, sir, I  
20 just want to just for the record--

21 DR. FARRELL: [Interposing] I  
22 [crosstalk] horses a good part of my entire life  
23 and I've been an equine practitioner for 22 years.

24 COUNCIL MEMBER GENNARO: Okay.  
25 Thank you. Thank you much for your testimony and

1

2 your service and thank you, Mr. Chairman.

3 CHAIRPERSON COMRIE: Council member  
4 Liu?

5 COUNCIL MEMBER LIU: Thank you very  
6 much, Mr. Chairman. Council member Gennaro was  
7 wise enough to ask most of my questions, but to  
8 follow up on one of your responses--and forgive me  
9 for not remembering the names all that well here--  
10 but the gentleman with the maroon tie--the doctor  
11 with the maroon tie, sitting--not you, Ian, the  
12 other guy with the maroon tie--the doctor with the  
13 maroon tie. The hours of operation and the  
14 temperature ranges, those were specified or  
15 recommended by the ASPCA? You said something  
16 about that.

17 DR. FARRELL: Well these are the  
18 recommendations that have been put in, whether  
19 it's the ASPCA or the city, I couldn't tell you  
20 exactly, I'm not going to put myself on the line,  
21 but these were the guidelines that I followed, so  
22 if it's--

23 COUNCIL MEMBER LIU: [Interposing]  
24 Oh, so you're not sure that they were  
25 recommendations by the ASPCA, I mean--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

DR. FARRELL: Well these--

COUNCIL MEMBER LIU: --it sounded like what [crosstalk] said.

DR. FARRELL: --these are the specifications that were given, that if it's too hot, they can't work, or if it's too cold. So whoever made those temperature arrangements, they're being followed.

COUNCIL MEMBER LIU: Okay. And it is 19 degrees too cold? Or is it okay?

DR. LOWE: No, it's not too cold. I watch horses with zero, 10 below out in where they have a shed to run in and out of. They play and kick and eat and enjoy being outdoors in that kind of weather. Maybe 10 below, they'll be a little quieter--

COUNCIL MEMBER LIU: And are they affected by the--

DR. LOWE: --but the--

COUNCIL MEMBER LIU: --are they affected by the wind chill?

DR. LOWE: They'll turn their backs to the wind or, if they have a shed, they'll get in a shed to get wind protection sometimes. They

1  
2 most dislike 35 degree weather when it's raining  
3 out.

4 COUNCIL MEMBER LIU: All right.  
5 Thank you.

6 [Pause]

7 CHAIRPERSON COMRIE: Did you have  
8 your hand up? Oh, Councilman Avella.

9 COUNCIL MEMBER AVELLA: I actually  
10 hadn't intended to ask this panel any questions,  
11 but listening to some of the testimony... First  
12 of all, from the two doctors, am I correct in  
13 assuming that when you go in and you did these  
14 inspections, you're paid by the Association or the  
15 individual stable?

16 DR. LOWE: That's correct, I was  
17 paid by the Association.

18 DR. FARRELL: I've received no money  
19 for--in other words, if I have to examine a horse  
20 and do some tests, I would get paid for that--

21 COUNCIL MEMBER AVELLA: Okay.

22 DR. FARRELL: --but in terms of  
23 being here today, I've received no money.

24 COUNCIL MEMBER AVELLA: No, that  
25 wasn't my question.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

DR. FARRELL: Okay.

COUNCIL MEMBER AVELLA: --about you're being here today. When your response to Council Member Liu, you said well in terms of the weather, you said that if they go in and out of sheds and everything but we're talking about horses that are out there for eight, nine hours with no shed, are you trying to equate the two together? Because it doesn't seem like [crosstalk]--

DR. LOWE: [Interposing] But the temperature is not lower than 19 degrees as the [crosstalk]--

COUNCIL MEMBER AVELLA: [Interposing] But he asked you--and I don't mean to paraphrase Council Member Liu--but he sort of asked you is 19 degrees enough and you sort of went on--

DR. LOWE: Oh, I [crosstalk]--

COUNCIL MEMBER AVELLA: --to expand on your question, no, they can be--let me finish-- that they could be out there in colder weather and that's when you through in the shed issue.

DR. LOWE: No, I was saying 19

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

degrees is very reasonable in the city and out there--

COUNCIL MEMBER AVELLA:

[Interposing] For eight, nine hours a day.

DR. LOWE: I do, if you see the animals shivering, and anybody can observe that, you know that they're not able to provide enough heat to maintain their normal [crosstalk]--

COUNCIL MEMBER AVELLA:

[Interposing] Now would you think that on a day when it's 10 degrees and the law says they have to be taken off the road, that the owners should have had the wherewithal to do that without having to be told?

DR. LOWE: Absolutely.

COUNCIL MEMBER AVELLA: Okay. I

have a question for the two owners, and you may not want to answer this question, but since the-- and you represent the Association--how many lobbyists does the Association currently employ?

FEMALE VOICE: Too many.

SERGEANT-AT-ARMS: Quiet, please.

[Off mic]

MR. MCKEEVER: And I don't mean to

1  
2 be--what's the word, it's really none of your  
3 business [off mic].

4 COUNCIL MEMBER AVELLA: Actually,  
5 it's public information.

6 MR. MCKEEVER: [Off mic]

7 COUNCIL MEMBER AVELLA: So you're  
8 refusing to say what's part of public information?  
9 Every lobbyist has to notify this state.

10 MR. MCKEEVER: [Crosstalk] So if you  
11 want to find out the lobbyists we have, look it  
12 up.

13 COUNCIL MEMBER AVELLA: Wow. I  
14 think you just told me a lot, sir.

15 SERGEANT-AT-ARMS: [Off mic] down,  
16 please.

17 [Pause]

18 CHAIRPERSON COMRIE: Okay. I'm  
19 going to move on to the next panel. Got another  
20 question?

21 COUNCIL MEMBER LIU: I just--

22 CHAIRPERSON COMRIE: All right, wait  
23 a minute, wait a minute, Council member Liu has a-  
24 -

25 COUNCIL MEMBER LIU: No, I wanted to

1  
2 say something for the record, because I had asked  
3 about it before and I do have a reliable source  
4 that says that it is the ASPCA that did propose  
5 the current temperature standard that's currently  
6 in the regulations.

7 CHAIRPERSON COMRIE: Right.

8 COUNCIL MEMBER LIU: And so I think  
9 if anybody has information contrary to that, I  
10 would invite you to say something.

11 But I also--my office is accessible  
12 to everybody, I think most of our colleagues' are.  
13 Nonetheless, there are lobbyists, they make their  
14 livelihoods being lobbyists as well and I would  
15 not hold it against anybody to hire lobbyists when  
16 your very own livelihoods are under attack.

17 CHAIRPERSON COMRIE: Quiet, please.  
18 I'm not going to belabor the need to make sure  
19 that, as I said earlier, this is the most  
20 democratic body I think clearly in the state, if  
21 not the country. Our offices are accessible and  
22 the reason we're having this hearing is to hear  
23 all sides and I am truly open to hear all sides  
24 and that's why I'm trying to move the hearing to  
25 be as expeditious and evenhanded as possible.

1  
2 With that, I want to thank the  
3 panel.

4 And I'll ask the next panel to come  
5 forward, Donny Moss, Edita Birnkrant from Friends  
6 of Animals, and Patricia--

7 FEMALE VOICE: Priscilla.

8 CHAIRMAN COMRIE: Oh, Priscilla  
9 Jenel from 1841 Broadway.

10 [Pause]

11 [Off mic]

12 CHAIRPERSON COMRIE: Oh, Priscilla  
13 Ferel [phonetic] from Friends of Animals.

14 And I ask people to print.

15 [Pause]

16 Are all three people here?

17 [Pause]

18 Priscilla's upstairs? She's coming  
19 down? Thank you. [Pause] The next panel, so you  
20 can start coming is Kieran Emanus, Walter  
21 McCaffrey, Hermilo Morquez, and Tony Doyle.

22 [Off mic]

23 CHAIRPERSON COMRIE: You want to  
24 start, ma'am. And since Priscilla is on her way?  
25 Go ahead.

1  
2 MS. EDITA BIRNKRANT: Okay. Thank  
3 you, Committee. My name is Edita Birnkrant and  
4 I'm the New York Director for Friends of Animals,  
5 an animal advocacy organization founded in 1957.  
6 I work out of our Columbus Circle office and I'm a  
7 lifelong New Yorker.

8 And I represent the many thousands  
9 of our NYC members who strongly support Intro 658-  
10 A, Tony Avella's bill that would ban the horse-  
11 drawn carriage industry.

12 The environment of New York City is  
13 utterly at odds with the conditions that are  
14 necessary for the well-being of a horse. Horses  
15 are prey animals, who frighten easily, and have an  
16 innate response to run when they are frightened,  
17 which has resulted in seven documented street  
18 accidents in New York City in just the past 18  
19 months, resulting in injuries to five people, and  
20 the deaths of three horses and the potential for  
21 future injuries and deaths is huge, and presents  
22 an enormous liability risk for the city as well.

23 As herd animals, horses require  
24 turnout, the opportunity to move about naturally,  
25 to graze, and to experience normal socialization--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

this is integral to their well-being.

They are denied this necessity and are instead confined in restrictive spaces their entire lives in the industry, either between the shafts of their carriages in the hostile and dangerous conditions they endure on the city streets, or in their narrow stalls--unable to do what comes most naturally to them as horses.

We cannot change the nature of New York City, which creates inherently cruel and oppressive conditions for a horse and we cannot change the nature of a horse, which is why I oppose Intro 653-A--a misguided bill that denies these basic facts.

Gandhi famously said the greatness of a nation and its moral progress can be judged by the way its animals are treated. The horse-drawn carriage industry is a blight on New York City's moral progress, but this Committee and the New York City Council has the opportunity to set a wonderful precedent for the rest of the world by changing that. Thank you.

CHAIRPERSON COMRIE: Thank you.

Next person. Next person.

1  
2 MR. DONNY MOSS: My name is Donny  
3 Moss. In 2008, I finished a documentary film  
4 called Blinders about the horse-drawn carriage  
5 controversy in New York City. The film took two  
6 years to make and is now airing on the documentary  
7 channel and in New York City on Channel 25.

8 Before I made this film, I had no  
9 background in animal advocacy, as a quick Internet  
10 search will show. In fact, I didn't have a strong  
11 point of view about this issue until I started  
12 interviewing equine experts. In addition, I made  
13 many efforts to interview the carriage owners, but  
14 they weren't interested.

15 On June 5th, 2008, the horse-drawn  
16 carriage industry's lobbying firm, Brown, McMahon  
17 and Weinraub, sent a letter to every City Council  
18 member describing me as a quote notorious animal-  
19 rights activist and asked them to boycott the  
20 public screenings of Blinders. In the letter,  
21 they claimed that the film has deliberate deceits  
22 and say that the public knows better than to  
23 believe the lies and exploitations. If the public  
24 knows better, then why is the industry so afraid  
25 that city officials will see Blinders? It's



1  
2 because they know that Blinders is factual and  
3 that the footage taken in the streets and behind  
4 the scenes indisputably exposes the cruelty and  
5 danger associated with operating horse and buggies  
6 in modern-day New York.

7           Tonight, Blinders will be screened  
8 for the public at Jivamukti Yoga at 841 Broadway  
9 at 8:30 p.m. I urge City Council members and the  
10 Mayor to watch this documentary so that they see  
11 the truth behind this tradition and make informed  
12 decisions about the fate of horse and buggies in  
13 midtown Manhattan.

14           Since I have 29 more seconds, I  
15 also want to address what one of the Council  
16 Members had asked about the police stables. When  
17 I was making Blinders, I actually asked for a tour  
18 of the stable on the Hudson River in the 30s and  
19 the police officer was nice enough to let me into  
20 the stable and showed me the 12 by 12 box stalls  
21 where the horses can turn around, lie down,  
22 stretch out, and get their REM sleep--something  
23 that would be impossible in the New York City  
24 horse drawn carriage stables. When I actually--  
25 and they have a rink in that stable where the

1  
2 horses--even though the police horses don't have  
3 carriages attached to their backs, they are  
4 roaming sort of freely, they have a rink where  
5 they can run around with each other--

6 CHAIRPERSON COMRIE: Thank you.

7 MR. MOSS: --and the horse-drawn  
8 carriages horses have no pasture--

9 CHAIRPERSON COMRIE: [Interposing]  
10 Next person, thank you.

11 It's a long day, if you guys want  
12 to stay till 11, I have a copy of Blinders in my  
13 bag. Thank you. Next person.

14 MS. PRISCILLA FEREL: Thank you, I'm  
15 Priscilla Ferel, I'm president of an international  
16 animal advocacy group called Friends of Animals,  
17 we were incorporated in New York City in 1957. My  
18 job in Columbus Circle where we still have an  
19 office started in 1974 and one of my jobs was to  
20 be out with a thermometer to figure out whether we  
21 had to hassle the ASPCA to get the horses off the  
22 street. That thermometer, of course, never  
23 accommodated the humidity.

24 Many thousands of our New York City  
25 members champion Tony Avella's Bill and his wisdom

1  
2 and courage at introducing it and we're very glad  
3 that you're holding this hearing to give us a  
4 chance to express that. There's really no way to  
5 improve the lives of these horses that have a  
6 daily existence, it's really contrary to their  
7 basic needs in a chaotic environment totally at  
8 odds with their physiology.

9 We also oppose Intro 653, a  
10 regulatory bill that assumes there is a way to  
11 make a wrong situation justifiable. Let New York  
12 City get the horses out of shackles, off the  
13 streets, and into sanctuaries where they can live  
14 their remaining years in dignity. Do the horses  
15 need a union to get there? Thank you.

16 CHAIRPERSON COMRIE: Thank you.

17 [Pause] I want to thank the panel for testifying  
18 and I do have a copy of Blinders, I'll pull it out  
19 while the next--I've watched it.

20 Next panel is Kieran Emanus, Kieran  
21 Emanus, Walter McCaffrey, Hermilo--

22 FEMALE VOICE: Morquez

23 CHAIRPERSON COMRIE: --Morquez, and  
24 Tommy Doyle.

25 FEMALE VOICE: And then this is the

1  
2 next panel.

3 CHAIRPERSON COMRIE: And the panel  
4 after that will be John Philippe, Yetta Kurland,  
5 Emily McCoy, and Jannette Patterson.

6 [Pause]

7 CHAIRPERSON COMRIE: I want to  
8 remind everyone that the testimony is two minutes.  
9 If you're doing a video, that's part of the  
10 minutes.

11 [Pause]

12 Whoever would like to go first can  
13 start.

14 MR. WALTER MCCAFFREY: Thank you  
15 very much, Mr. Chairman. My name is Walter L.  
16 McCaffrey, I am one of the lobbyists for the  
17 carriage horse industry, and for Council member  
18 Avella, I've been happy to keep score, there are  
19 three of us versus the seven who have been here at  
20 this table so far for the position in support of  
21 you--yes, sir, look it up under the New York State  
22 law, they are all lobbyist de facto and de jure.

23 I also want to clarify a point in  
24 terms of the weather standards that have been  
25 mentioned here. In my 16 years as a member in

1  
2 this Council, I saw this issue come forward twice  
3 and the standards that are in the current law were  
4 put there at the request of the ASPCA and the  
5 animal-rights community. Those were not changed  
6 subsequently in those years and so I want to be  
7 able to put that record in place.

8           We understand that much more must  
9 be done to be able to protect the safety of the  
10 animals, to be able to protect the safety of the  
11 public, and to be able to provide greater  
12 confidence in the operation of the industry. We  
13 have advocated a whole host of items, you see them  
14 before you, increasing fines, \$1,000 fine for a  
15 violation in terms of the animal-rights component.  
16 A thousand dollar fine for turning around and  
17 bilking any customers, which is an item that  
18 Council member Avella has indicated a concern.  
19 With permanent revocation as the third and final--  
20 you don't have measures that this Council or the  
21 previous Council put in place for items of a  
22 similar nature, and it is the industry that is  
23 advocating that--not anybody else, it's the  
24 industry and we're willing to put up or shut up  
25 Council Member, pass our proposals and see how it

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

works at that point.

We believe that this is an honorable institution. You've heard from organized labor about the need for jobs in the city of New York. To ignore the economic hardship of New Yorkers who you're about to hear from, quite frankly, would be disrespectful to the integrity of the city of New York. I thank you for the opportunity to have been able to speak before you and to come visit my old home.

CHAIRPERSON COMRIE: Thank you.

Next person.

MR. TOMMY DOYLE: Good afternoon, thank you for the opportunity to speak today. My name is Tommy Doyle, I am the President of the Carriage Operators of North America, I'm on the animal welfare committee of the American Horse Council, I'm an active member of the Unwanted Horse Coalition, I'm also a second-generation carriage operator and have over 30 years of city carriage experience, today operating 17 carriages and caring for a herd of 40 horses and mules in Charleston, South Carolina.

I'm here today to speak in favor of

1  
2 Intro 653-A, this is a measure that is good for  
3 the horse and good for the operator. The proposed  
4 increase is the first in 20 years. I think the  
5 one thing we can all agree on here is that  
6 everything has gotten more expensive in the last  
7 20 years. As a carriage operator, my costs have  
8 quadrupled. A fare increase will only bring New  
9 York City carriage operators inline with other  
10 major carriage operating cities like Minneapolis,  
11 Charleston, Annapolis, Maryland. My fares have  
12 quadrupled since 1989. Fare increase is good for  
13 the horse and good for the operator.

14 Millions of people have come to New  
15 York over the years to take carriage rides.  
16 Carriage wouldn't exist in New York City, if there  
17 wasn't a demand. Featured in countless films and  
18 on television shows, a Central Park carriage is a  
19 chance to sit back and experience the city with  
20 the animal that partnered with our ancestors  
21 building it. Whether it's a couple from  
22 California or a family from the lower East side  
23 coming to ride after the first snowfall, carriages  
24 are a New York City icon, offering a unique  
25 experience to tourists and locals alike.

1  
2           Rather than cruel and humane, they  
3 are kind and loving, improving quality of life for  
4 both those that ride in the carriage and the horse  
5 the pulls it. I'm here to tell you from  
6 experience, not opinion, that pulling a carriage  
7 in this city is neither cruel for the horse nor  
8 dangerous for the passenger.

9           Intro 653-A is good for the horse,  
10 good for the operator. Thank you.

11           CHAIRPERSON COMRIE: Next person.

12           MR. KIERAN EMANUS: Excuse me--good  
13 afternoon, Speaker Quinn [crosstalk]--

14           CHAIRPERSON COMRIE: [Interposing]  
15 Can you put the mic closer to your mouth, please?

16           MR. EMANUS: Good afternoon, Speaker  
17 Quinn, Chairman Comrie, and all members of  
18 Consumer Affairs Committee. I want to thank you  
19 for allowing me to testify.

20           My name is Kieran Emanus and I am a  
21 member of the Carriage Association of New York and  
22 the proud Teamster member of Local 553.

23           I have been a part of horse  
24 carriage family for the past 11 years. I will  
25 humbly testify before you today to urge you to



1  
2 support Intro 653-A and provide our industry with  
3 an exceedingly reasonable fare increase.

4 At this time of economic hardship,  
5 and people laid off everywhere you turn, this  
6 would be a chance for you to provide one industry  
7 a chance to survive. Unlike other businesses, we  
8 are not asking for a handout to continue to stay  
9 in business, we are merely asking you to increase  
10 our rate so that we can continue to pay our rents  
11 and out-of-control living expenses. This increase  
12 is imperative for me to provide a decent living  
13 for my wife and three children.

14 Lastly, I implore you to support  
15 Intro 653-A, sorry, do so to provide me and my  
16 family a little of economic relief during these  
17 extremely harsh times.

18 Thank you, Speaker Quinn, Chairman  
19 Comrie, and Members of the Committee for allowing  
20 me here today to testify on behalf of the Horse  
21 and Carriage Association.

22 CHAIRPERSON COMRIE: Thank you.

23 Next person.

24 [Pause]

25 MR. HERMILO MORQUEZ: [Off mic]

1  
2 Good afternoon--oh, sorry. My name is Hermilo  
3 Morquez [off mic] my name is Hermilo Morquez, I'm  
4 from Mexico City. I'm a proud member of the Horse  
5 and Carriage [off mic] city. I've been working in  
6 the industry for the past eight years. I'm so  
7 happy to be working with these guys, be working in  
8 stable, like stable man doing my weight [phonetic]  
9 up from a stable man to a horse and driver. I'm  
10 so happy to be working in Central Park, I'm really  
11 taken by the horses. There are people that say we  
12 don't really taken up by horses, I'm a driver, I  
13 was a stable man, I know how to be taken about  
14 horses.

15 I've been working with horses my  
16 whole life, a little village on the outside of  
17 Mexico City, we know about horses.

18 I'm here today, you guys, to  
19 strongly urge you guys to approve 563-A to a fare  
20 increase for horse and carriage industry. That  
21 going to be helping my family, going to be helping  
22 me a better way with the housing costs, gas  
23 prices, living every day. I just want to thank  
24 you to listen to me, to members of the Horse and  
25 Carriage Association and thanks.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON COMRIE: Thank you.

Council Member Gennaro has questions.

[Pause]

COUNCIL MEMBER GENNARO: Thank you, Mr. Chairman. Mr. McCaffrey, I just wanted to be clear here in that, while some have come forward and advocated for the passage of 653, I take it by your testimony and some of the proposals that you put forward, that it is your belief that we should make 653 tougher by adding some of these elements which are not in the bill 'cause very few of these elements are in 653. So this would make 653 or whatever bill came out of this process much tougher than the one that's on the table before us today. Could you--

MR. MCCAFFREY: [Interposing] Yes, Council Member, that is--

COUNCIL MEMBER GENNARO: --expand upon that?

MR. MCCAFFREY: --that is true, and it is what the industry is putting forward. They understand the importance of these issues while being characterized as if they are frivolous and do not care. They turn around and they ask for a

1  
2 doubling of the inspections by New York State  
3 licensed veterinarians; they now call for a new  
4 apprenticeship program that would be at least 80  
5 hours where new drivers would be teamed with  
6 experienced drivers; that there be a probationary  
7 period of six months in which a new driver would  
8 be limited solely to Central Park. They call for  
9 reduction of four hours in the daily operations of  
10 the industry on it; that there be a fine that says  
11 that if any horse is being worked in excess of  
12 nine hours during a shift, that the violation is  
13 \$500 on the first violation, second violation is  
14 60-day license suspension, and that the third  
15 violation would be causing the permanent  
16 revocation of a driver's license.

17           They also come forward and end up  
18 doing a number of things, they call for the  
19 requiring of carriage horses to receive 52 days of  
20 vacation during the course of a year on a  
21 nonconsecutive basis. They have gone out of their  
22 own expense to be able to provide water during the  
23 winter times and have recently now obtained what  
24 is a sort of technological marvel of a solar  
25 operated trough that allows the carriage horses to

1  
2 have access to water. They call for now standards  
3 in which we put in, quite frankly, and even the  
4 advocates on behalf of the horses put in rather  
5 weakly in terms of definitions of what are the  
6 adequate blankets during the winter periods of  
7 time. They end up calling now in terms of the  
8 control of the carriages having to be within the  
9 driver's control to deal with circumstances and,  
10 again, that's a stiff fine regiment that they have  
11 called for.

12 One of the things that was  
13 indicated today in a question that was made by one  
14 of the members was whether or not the industry  
15 agrees with the advisory board recommendations and  
16 the fact is, they do with the exception of one  
17 technical item on one program, and they have asked  
18 to have public posting online on a stable-by-  
19 stable, driver-by-driver basis of any violations  
20 so that someone could go to that and to be able to  
21 access type of information.

22 You know, those are the types of  
23 things that the industry is prepared to offer.  
24 And I understand that there is a certain element  
25 of skepticism out there, but it should never

1 border and going into the depths of cynicism.

2 This is what the industry is advocating for the  
3 best on all parties' parts.  
4

5 COUNCIL MEMBER GENNARO: Thank you.  
6 Thank you, Mr. McCaffrey, and I'll just make note  
7 of the fact that the Mayor, at his budget  
8 presentation this morning, and you know what those  
9 are like with your many years as part of this  
10 body, there was an indication by the Mayor that it  
11 was his expectation that the city would be losing  
12 25,000 tourism-related jobs and so certainly this  
13 Council is mindful of the need to retain jobs that  
14 are related to tourism.

15 MR. MCCAFFREY: Let me say, Council  
16 Member, absolutely right on the part of the Mayor,  
17 absolutely right on the part of this body to be  
18 concerned, but don't be concerned about numbers,  
19 be concerned about this individual driver and his  
20 family and his children and his livelihood--that's  
21 the best way to be able to look at this issue.

22 COUNCIL MEMBER GENNARO: Thank you,  
23 Mr. McCaffrey, and thanks to the panel. Thank  
24 you, Mr. Chairman.

25 CHAIRMAN COMRIE: I want to thank

1  
2 the panel for coming. I just want to ask one  
3 question, so you said that you would be willing to  
4 adopt any regulations that would come down from  
5 the Department of Health, correct?

6 MR. MCCAFFREY: Yes.

7 CHAIRMAN COMRIE: All right, thank  
8 you.

9 MR. MCCAFFREY: Looking forward to  
10 it, thank you very much [crosstalk]--

11 CHAIRPERSON COMRIE: Thank you for  
12 testifying.

13 MR. MCCAFFREY: --members.

14 CHAIRPERSON COMRIE: Thank you.  
15 John Phillips, New York League of Humane Voters;  
16 Yetta Kurland; Emily McCoy; and Jannette Patterson  
17 from PETA--

18 FEMALE VOICE: And then this is  
19 next.

20 CHAIRPERSON COMRIE: The next panel  
21 will consist of Charleen Teeny?

22 FEMALE VOICE: Feeney.

23 CHAIRPERSON COMRIE: Feeney?  
24 Charleen Feeney, Edward Callaghan, Peter Otero,  
25 and Gareth Smith.

2 [Pause]

3 CHAIRPERSON COMRIE: All right.

4 John, you can start, since you're at the mic.

5 MR. JOHN PHILLIPS: Good afternoon,  
6 Chairman Comrie and Members of the Consumer  
7 Affairs Committee. Thank you for holding this  
8 important hearing today.

9 My name is John Phillips, and I'm  
10 the Executive Director of the New York league of  
11 Humane Voters, a nonprofit animal welfare  
12 organization. On behalf of our more than 7,000  
13 members, I am here today to urge the committee to  
14 support Intro 658, the ban, and oppose Intro 653-  
15 A, and industry bill which would remove the  
16 ASPCA's much-needed oversight over this industry.

17 Intro 658 would repeal provisions  
18 in the Administrative Code that permit horse-drawn  
19 carriages in New York City. We support this bill  
20 to protect both the safety of the public and the  
21 horses used to pull the carriages. We believe  
22 that the horse carriage industry threatens the  
23 health and safety of drivers and pedestrians;  
24 causes quality-of-life problems for people living  
25 and working in neighborhoods near the stables; and



1  
2 is under-regulated and under-enforced.

3           The League, of course, is  
4 particularly concerned with the industry's effect  
5 on the lives of horses. We maintain that, even if  
6 the horses were given better care and tougher  
7 regulations were established, the inalterable  
8 conditions on New York City's busy streets are  
9 physically and psychologically detrimental to the  
10 horses. We believe the only humane solution is to  
11 get these horses off the streets and retire them  
12 to sanctuaries.

13           The issue of horses pulling  
14 carriages on New York City streets is not only  
15 about animal rights, as some have said, but more  
16 about human responsibility. Don't we have a  
17 responsibility to these horses under our care and  
18 watch? There's no doubt that they're suffering.  
19 Don't these horses deserve more than a nose-to-  
20 tailpipe existence? In the 21st century in New  
21 York City, do we really need horse-drawn  
22 carriages? The answer is no.

23           And, while we fully and  
24 emphatically support the ban, the League is  
25 sincerely committed to working together with the

1  
2 Committee and the City Council and even the  
3 industry to develop alternatives to horse-drawn  
4 carriages.

5 In conclusion, 'cause I only have  
6 20 seconds, this is New York City, let's not say  
7 for even a minute that we can't get these horses  
8 off the streets and preserve jobs. Yes, we can.  
9 Thank you for your time.

10 CHAIRPERSON COMRIE: Yes, we can.  
11 Next person.

12 MS. JANNETTE PATTERSON: Hello.  
13 Good afternoon, my name is Jannette Patterson and  
14 I live in Manhattan and I work for PETA. As  
15 someone who's concerned about animal welfare and  
16 who has lived close to the horse stables, I  
17 strongly support Intro 658, which will place a  
18 city-wide ban on the horse-drawn carriage  
19 industry.

20 When I moved to New York, I spent  
21 my first two years living on the far west side of  
22 the city, near the carriage horse stables, or  
23 warehouses, as they should be called. I worked  
24 from home and I took my dog on walks in this area  
25 so I was able to see firsthand these horrible

1  
2 conditions. I could smell the stables from blocks  
3 away especially during the summer, the stench is  
4 so strong I can't imagine how the horses deal with  
5 that. I watched as horses were taken out of the  
6 shafts of carriages, and walked up steep ramps to  
7 be put in a box--and it is a box. And Blinders,  
8 you'll see these conditions, this is a multi-story  
9 warehouse. These horses don't get a chance to go  
10 out and romp in a field and play with other  
11 horses, they're put away in a multi-story  
12 warehouse, which would be a deathtrap if there was  
13 a fire. There's a great deal of highly flammable  
14 hay that's stored in these warehouses and, in one  
15 case, there's an auto repair shop that's right  
16 next door.

17 As I walk along 9th Avenue, I would  
18 see horses being run back to the stables in heavy  
19 traffic, their drivers rushing to finish their  
20 shifts. As you may know, it's against the Code to  
21 run the horses to be cantered, but I saw this  
22 several times, and I saw horses being whipped to  
23 beat the red lights to get through.

24 Last summer I took this photo of a  
25 carriage horse standing on Central Park South. It

1  
2 shows an abrasion on his face from where the  
3 bridle rubbed him raw. It also shows tremendous  
4 sadness in his eyes.

5 For the past year, I've been  
6 involved in working on this issue and get the  
7 horses off the streets of New York. I've  
8 approached tourists standing in line waiting for a  
9 ride and I've talked to them about this issue. I  
10 convinced them to get in a Pedicab, which causes  
11 no suffering. Anybody who listens to this story  
12 and gets the truth, and not the fairy tale as it's  
13 told by these exploiters of these poor animals,  
14 know that it's wrong and they want to do the right  
15 thing.

16 Please, I respectfully ask that you  
17 support this ban and do the right thing for  
18 everyone involved.

19 CHAIRPERSON COMRIE: Next person.

20 MS. YETTA KURLAND: Good afternoon,  
21 Chairman, esteemed Council Members, my name is  
22 Yetta Kurland, I am a candidate for City Council  
23 in the third District, which houses many of these  
24 stables that are in discussion for today

25 And I am here because I believe one

1  
2 of the most important responsibilities we have as  
3 citizens of this city and one of the most  
4 important duties we entrust to our elected  
5 representatives is to stand up and protect those  
6 most vulnerable and in need of our protection.  
7 And as we sit here today, while outside the snow  
8 falls in freezing temperatures, we cannot turn our  
9 back on our responsibility to act with humanity  
10 and to the fact that horses are being forced to  
11 work right now in city traffic, in freezing  
12 temperatures, in ways which are unsafe for the  
13 horses and unsafe for our city.

14 And I want to say one other thing,  
15 I am delighted to see here today so many people  
16 and I'm delighted to see members of various labor  
17 unions--the Teamsters, the Labor Council, I have  
18 tremendous respect for Ed Ott, who spoke earlier  
19 today. And I want to just speak to the idea of  
20 proposition 658 and the divisiveness of  
21 introducing, perhaps unintentionally, proposition  
22 653-A.

23 We are being divisively positioned  
24 between standing up for the humane treatment of  
25 animals and standing up for human beings and I

1  
2 stand here to say that when we pass proposition  
3 658, we open the door to opportunity for more  
4 jobs, for better jobs, for our brothers and  
5 sisters in the unions and for all of us who  
6 believe that humanity is about the humane  
7 treatment of animals and the humane treatment of  
8 workers in this city. I urge all of us to do the  
9 right thing today and to vote for proposition 658.  
10 Thank you so much for your time.

11 CHAIRPERSON COMRIE: Next person.

12 MS. EMILY MCCOY: Hi, I'm Emily  
13 McCoy, I don't have a written statement. I don't  
14 work with any organization, I'm here on my own.

15 I'm the spouse of an immigrant; my  
16 parents are both union members, as is my husband;  
17 I'm a Roman Catholic, I don't know why any of this  
18 is relevant, but since other people brought it up  
19 before speaking, I thought I would also say that.

20 And to hear Council people ask  
21 other people who have come up and regarding human  
22 interest and well how is this going to affect  
23 people, I was actually assaulted by a carriage  
24 horse driver a number of years ago, who was  
25 breaking what was then on the books called Local

1  
2 Law 89. I had walked around the carriage in an  
3 attempt to see the license plate, when I realized  
4 that the license plate was in fact covered up by  
5 his coat, I lifted up the coat, and when that  
6 happened, he lifted his whip and whipped me.

7 Subsequently take off down Fifth Avenue, which, at  
8 the time, was against Local Law 89, turning east  
9 onto 57th Street where he was then stopped at  
10 Madison Avenue by a police car. I ran after the  
11 carriage as fast as I could and the carriage  
12 driver spent a weekend in lockup. These are the  
13 same people who are getting up and saying that  
14 they care so much for these horses and that this  
15 is about people and we care about people, and yet  
16 this is what a driver did to me.

17 Again, just as a citizen of New  
18 York City, I'm really disappointed to hear Council  
19 people that would actually compare jobs with what  
20 these horses go through, the importance of jobs.  
21 We all need jobs, I own a business, I pay taxes,  
22 I'm required to show what I sell and the money  
23 that I take in, so it's known that I'm paying the  
24 proper amount of taxes.

25 And I don't see the oversight here.

1  
2 I hear a lot of, oh well, we're following the  
3 rules. Part of the problem here is that the rules  
4 just are not--they're not hard enough, they're not  
5 enforced, it's almost like the fox is watching the  
6 henhouse and to hear the concerns about the  
7 animals dismissed by Council Members, because  
8 there's more important things, it's here in front  
9 of you now, you don't have to go out of your way,  
10 you can you make a vote on this, take a vote on  
11 this today and be done with this industry. There  
12 are other jobs to be had out there, it's tough for  
13 everybody right now, it's particularly tough for  
14 the horses.

15 CHAIRPERSON COMRIE: Thank you.

16 EMILY MCCOY: Thank you.

17 [Off mic]

18 CHAIRPERSON COMRIE: Thank the panel  
19 for testifying.

20 EMILY MCCOY: Thank you.

21 CHAIRPERSON COMRIE: Thank you very  
22 much. Gareth Smith, Peter Otero, Edward  
23 Callaghan, Charleen Feeney.

24 The next panel will be Jill Weitz,  
25 Dolores deFore, Carla Waples, and Ardele Murphy.



[Pause]

MS. CHARLEEN FEENEY: Good

afternoon, Chairman Comrie, and Members of the Consumer Affairs Committee. My name is Charleen Feeney and I am the wife of Stephen Malone, the Co-Executive Director and Treasurer of the Horse Carriage Association of New York, carriage driver, and owner.

Those who have spoken before me, I strongly agree with the long overdue fare increase for our industry. There needs to be a cost of living adjustment just as any licensed business needs.

I am also a licensed clinical social worker and, more importantly, a proud mother of three sons. My husband is my sons' idols and they are fascinated by horses and what my husband does for a living. Each year, they have him speak at their schools on Career Day and also insist that each teacher receives a free carriage ride at the end of each school year. They ask daily what horse he has driven and if they haven't already called him by cell phone to ask.

1  
2 No trip to the city would be  
3 complete if we don't take a ride by one of the  
4 stables or by the horses. They have a pure and  
5 untainted love for these animals. Children are  
6 sponges and learn first and foremost from what  
7 they see from their parents. How then can anyone  
8 claim that horses are treated inhumanely?

9 I just sat here and listened to  
10 someone say that animals are treated poorly and  
11 that she was treated poorly by a carriage driver.  
12 During the Christmas season, PETA stood in the  
13 middle of Central Park and harassed small children  
14 by yelling at them and telling them they were  
15 horrible people for taking carriage rides.

16 As a licensed social worker, I  
17 advocate for the poor, underprivileged, sick,  
18 needy, and inhumanely treated. Ethically and  
19 morally, I could never be married to and/or  
20 support a man I believe mistreated any living  
21 creature. The constant barrage of negative  
22 publicity has been has done irreparable harm to  
23 the families of this industry. My husband spends  
24 many hours fighting to save his beloved industry  
25 and little time actually working in the last year.

1  
2 And it's put a tremendous strain on our marriage  
3 and family and has forced me to return to work.  
4 The psychological and financial stress is  
5 indescribable.

6                   Lastly, I would like to ask you  
7 Councilman Avella, how am I to explain to my  
8 eight-year-old, six-year-old, and four-year-old  
9 son why you're so cold backers hate their fathers,  
10 and his colleagues.

11                   CHAIRPERSON COMRIE: Time, time.

12                   MS. FEENEY: Can I just finish my  
13 sentence?

14                   CHAIRPERSON COMRIE: Not if you're  
15 going down that road. 'Cause we're not doing  
16 personal attacks here.

17                   MS. FEENEY: Okay. Then I'm  
18 finished by saying, this is not only about horses,  
19 it's about hard-working, decent men and women who  
20 are trying to earn a living and support their  
21 families. It is the American dream to make an  
22 honest and fair living.

23                   CHAIRPERSON COMRIE: Thank you.

24 Next person.

25 [Pause]

1  
2 MR. EDWARD CALLAGHAN: My name is  
3 Edward Callaghan, I have been a carriage driver  
4 for 21 years. During this time, I have never  
5 received a ticket for any fault relating to my  
6 horse. For people to say that we're not regulated  
7 enough is not true. Last year, ASPCA carried out  
8 thousands of individual inspections of horse-drawn  
9 carriages and stables, there was no violations for  
10 any animal abuse issued. We also were inspected  
11 by the Department of Health, the Department of  
12 Consumer Affairs, and the mounted police unit on  
13 many occasions.

14 Each carriage makes four trips to  
15 and from Central Park every day. This takes  
16 approximately 15 to 20 minutes each way--that is  
17 99,280 trips per year. We have, according to Tony  
18 Avella, had seven incidents in 18 months. I think  
19 this is a very small number and a very good safety  
20 record comparing to accidents involving taxis,  
21 tour buses, illegal Pedicabs, and construction  
22 accidents. Does Tony Avella want to close all  
23 these industries also?

24 We are a highly visible business on  
25 the street all the time and with nothing to hide.

1  
2 We invite everybody to come and see our horses at  
3 work, check them out, they're there to be seen all  
4 the time. Tony Avella and friends say we are not  
5 a popular or important tourist industry. Out of  
6 49 million people that visited our city last year-  
7 -sorry, out of 49 million people that visited our  
8 city last year, the Empire State building released  
9 its figures for people that went up to the top to  
10 see our wonderful city, we did some calculations  
11 and we took approximately the same amount of  
12 people for rides through Central Park.

13 My expenses have doubled and  
14 tripled in some cases over the last 20 years, yet  
15 we have not received a fare increase in that 20  
16 years. We need this Committee to say no to the  
17 ban on horse-drawn carriages and yes to the  
18 increase of our fares and the laws that go along  
19 with that to help our horses also. We love our  
20 horses and our jobs. Thank you for your time.

21 CHAIRPERSON COMRIE: Thank you.

22 Next person.

23 [Pause]

24 MR. GARETH SMITH: Hello, my name is  
25 Gareth Smith and I have been a carriage driver

1  
2 since 2006. I apologize I'm very nervous speaking  
3 in public.

4 I'm very proud of what I do for a  
5 living. I've worked in other fields before, I'm a  
6 college graduate, I may work in other fields  
7 again, but I really enjoy what I do and I respect  
8 my co-workers. I do not work with people that are  
9 cruel to animals, nor would I work with people who  
10 are cruel to animals. I find it somewhat  
11 insulting that people who do not know me would  
12 think that I would do such a thing.

13 But to most New Yorkers, we're just  
14 the curious people who are in the park that have  
15 the funny hats and work with the carriages, but we  
16 are much more than that, we are fathers and sons,  
17 we are mothers and daughters, husbands and wives.  
18 We are working people.

19 The last rate increase for our  
20 industry was in 1989, over 20 years our costs have  
21 increased. Cost of living for both us and our  
22 horses--horses that we do care deeply about.

23 Please vote in favor of our rate  
24 increase, please vote against Tony Avella's bill  
25 to ban horse and carriages. As long as I have

1  
2 worked in the industry and as far as I've  
3 researched, since the ASPCA has been overseeing  
4 us, there has not been one single time that we've  
5 been cited for a cruelty violation.

6 I will not use all my time, I  
7 apologize. Thank you very much.

8 CHAIRPERSON COMRIE: That's okay,  
9 thank you. You did well for your first time.  
10 Better than I did my first time speaking, that's  
11 for sure.

12 You don't have to use all your  
13 time, so please and to let folks know, you don't  
14 have to use all your time. So next person.

15 MR. PETER OTERO: Good afternoon, my  
16 name is Peter Otero. I would just like to mention  
17 I think the most important topic here is safety.  
18 The importance of safety to a driver and owner is  
19 basically what we're shooting for and working with  
20 a horse, a new horse, a horse that we're not used  
21 to is earning the trust of the horse, because the  
22 trust of a horse displays the obedience of the  
23 horse and that's what we want. The obedience of  
24 the horse displays a happy horse. The Museum of  
25 Natural History for the past few months have been-

1  
2 -they've had an exhibition on this topic and also  
3 in breeding horses, these horses have been bred to  
4 do specific jobs, they've been doing that for  
5 hundreds of years now.

6 Trust is not something that's  
7 earned through cruel behavior, but in standing at  
8 the head of the horse remaining calm, cool, and  
9 confident under any circumstance, feeding our  
10 horse, giving our horse water when he needs it.  
11 Thank you.

12 CHAIRPERSON COMRIE: Thank you. I  
13 want to thank the panel for testifying.

14 And we'll have the next panel come  
15 up: Jill Weitz, Dolores deFore, Carla Waples, and  
16 Ardele Murphy.

17 The panel after that will be Frank  
18 Roddem, Brendan Fearon, Karen Maren, and Giuseppe  
19 Riccobono.

20 [Pause]

21 FEMALE VOICE: I don't know what I'm  
22 going to say.

23 [Pause]

24 CHAIRPERSON COMRIE: Ardele, would  
25 you like to start first?



1  
2 MS. ARDELE MURPHY: Hello, my name  
3 is Ardele Murphy and I am a volunteer with the  
4 Coalition to Ban Horse-Drawn Carriages and worked  
5 with the Carriage Horse Action Committee in the  
6 early 1990s. I support Intro 658, the bill to ban  
7 horse-drawn carriages.

8 Our city can no longer sustain such  
9 an inhumane, inappropriate and out-of-place  
10 business.

11 Today, I would like to address the  
12 Irish issue. Yes, it is true that many in the  
13 industry are Irish, but so am I and so is the head  
14 of the Coalition. Many of our members are Irish-  
15 American, some are even from Ireland. We have  
16 also worked on the issue with two Irish animal  
17 rights group: The Alliance for Animal Rights in  
18 Dublin and Animal Rights Action Network in  
19 Limerick.

20 The industry has always tried to  
21 deflect attention away from the horses and make  
22 people think that we are opposed to the industry  
23 because of their ethnic background. Anti-Irish  
24 sentiment may have been prevalent in the 1800s,  
25 but it is simply not a reality now. It is so

1  
2 absurd that we generally ignore these charges, but  
3 I am taking that opportunity now to set the record  
4 straight. We are not anti-Irish--never have been,  
5 but we are anti-carriage horse industry regardless  
6 to what race, color, gender, or ethnic group the  
7 drivers and owners belong.

8 New York City needs to join the  
9 other ranks of Paris, London, Toronto, Beijing--  
10 world class cities that have barred the carriage  
11 trade from setting up operations in their city.

12 Please free the horses, it's time.

13 Thank you.

14 CHAIRPERSON COMRIE: Thank you.

15 Next person.

16 MS. DOLORES DEFORE: My name is  
17 Dolores deFore, I'm--

18 CHAIRPERSON COMRIE: [Interposing]  
19 Please speak into the mic for the record, please.

20 MS. DEFORE: My name is Dolores  
21 deFore, I'm a retired teacher and animal rights  
22 act--[pause]

23 Horses do not belong in traffic,  
24 dodging cars and buses and breathing toxic fumes.  
25 Collisions with traffic have occurred with fatal

1  
2 results for the horses and property damage and  
3 injury for the people. [Pause] They work a nine  
4 hours shift in all kinds of weather and when their  
5 shift is over, their work is still not over, they  
6 are then obliged to slog through heavy midtown  
7 traffic to get to their stables on the far west  
8 side. When they get to the stable, they have to  
9 walk up a steep ramp to get to their stall.

10 Often, the stall is not large enough for them to  
11 lie down comfortably or stretch out their legs.  
12 This is not the way horses were meant to live.  
13 They are social animals and need the company of  
14 other horses. They need a pasture to run around  
15 in and a nice stall to rest in.

16 The way these carriage horses are  
17 treated is wrong, wrong, wrong. Thousands of  
18 visitors to New York City are shocked to see that  
19 the horses are used and abused in this manner. We  
20 demand a complete ban of the carriage horse  
21 industry and support Intro 658. Thank you.

22 CHAIRPERSON COMRIE: Thank you.

23 Next person.

24 [Off mic]

25 CHAIRPERSON COMRIE: Hit the button.

1  
2 MS. AMANDA SCHINKE: Carla Waples  
3 had to leave and she asked me to take her place  
4 this afternoon.

5 CHAIRPERSON COMRIE: Oh, you got to  
6 give us your name for the record.

7 MS. SCHINKE: My name is Amanda  
8 Schinke.

9 CHAIRPERSON COMRIE: Okay. Can fill  
10 out a card afterwards, please.

11 MS. SCHINKE: Okay.

12 CHAIRPERSON COMRIE: And please if  
13 anyone else is trying to sneak in for somebody  
14 else, let us know. Oh, it's okay, go ahead.

15 MS. SCHINKE: I have lived and  
16 worked in and around New York City for several  
17 years and I am here also in support of Intro 658  
18 to ban horse-drawn carriages.

19 These horses are working among  
20 taxis, sirens, buses, construction, and many other  
21 forms of congestion and noise and so many horses  
22 have already become spooked in traffic, causing  
23 property damage and human injury and some have  
24 even died in these accidents, so it's not a  
25 question of if another tragedy will happen, it is

1 a question of when.

2  
3 Passengers, bystanders, and the  
4 carriage drivers themselves are at the mercy of  
5 these large animals when they become frightened  
6 and take off. Horses and their cargo are usually  
7 stopped by a pole, building, car, or injury before  
8 a human being can safely bring them to a stop. No  
9 amount of training can completely prevent this  
10 type of fright, and nobody can be held accountable  
11 for such accidents when they happen, except for  
12 those who have the power to end this industry. We  
13 can't expect the carriage operators to prevent  
14 these kinds of unavoidable accidents.

15 In addition, the carriages can't  
16 quickly get out of the way when an emergency  
17 vehicle needs a clear path. And when the stressed  
18 drivers become violently angry--and there is video  
19 footage of these outbursts--the tourists who are,  
20 as we have discussed, so important to our economy  
21 are the witnesses.

22 All these incidents tie up even  
23 more of the authority's already precious time. No  
24 more resources should be used cleaning up this  
25 permanently stained industry. Complaints will be

1  
2 forever made on the horses' behalf when concerned  
3 people witness the conditions that these animals  
4 must live and work in.

5 Enough time and money, certainly  
6 time, has been spent discussing the issues of  
7 horse-drawn carriages. This issue should have  
8 been resolved when it was relevant--in the 1800s.  
9 We need to focus on how to keep New York City the  
10 forefront of progress, so please end this obsolete  
11 practice at this very important time.

12 CHAIRPERSON COMRIE: Thank you. I  
13 want to remind you that that's your time also, so  
14 don't sneak back here later, I'm taking a good  
15 look at you.

16 MS. JILL WEITZ: Hello, my name is  
17 Jill Weitz and I am a resident of New York City, I  
18 grew up in New York City as well. And I am very  
19 much in support of Councilman Avella's bill to ban  
20 horse-drawn carriages and I'm strongly opposed to  
21 Intro 653, which would reward an industry that  
22 operates in a way that should be of great concern  
23 to members of the Committee, the City Council, the  
24 Mayor, and taxpaying public. And I am sad to say  
25 that one of the sponsors of this bill is Oliver

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Koppell who is my Council member.

According to news reports, only 30 out of approximately 400 workers in the carriage horse industry joins a union. Does this mean that the rest are independent contractors? And, if so, what entitles them to be independent contractors under the law?

Visitors to our city who take horse-drawn carriage rides should be very concerned about their safety. Unlike Pedicabs, drivers of horse-drawn carriages are not required to have driver's licenses--in fact, less than 50% do. Even more alarming is the fact that there are open warrants out for the arrest of two horse-drawn carriage drivers.

Insurance coverage is one-tenth of that of the insurance coverage of Pedicabs. How can this industry put people in these carriages on city streets knowing that the insurance is inadequate? Horse-drawn carriages are only required to carry \$20,000 per carriage in insurance, covering both personal injury and property damage, as compared to the \$2 million for each Pedicab company and 200,000 for each Pedicab.

1  
2 I'm also deeply concerned, as  
3 Councilman Avella is, about the overcharging of  
4 tourists-which I've seen personally and the law is  
5 not being enforced. I've even seen the drivers  
6 charge sales tax.

7 And, as a matter of fact, from an  
8 economic point of view, this business is a black  
9 hole. There's no accountability, it's cash only,  
10 there are no meters, they don't pay concession  
11 fees to the city. What other revenue are the  
12 taxpayers losing from this business?

13 Does the Consumer Affairs Committee  
14 endorse these practices of this industry? And why  
15 would it reward them?

16 CHAIRPERSON COMRIE: Thank you.

17 [Pause]

18 Female voice: ...excuse.

19 CHAIRPERSON COMRIE: Thank you,  
20 whoever said that. I appreciate your testimony  
21 and thank you for coming down this afternoon. And  
22 the last person made some interesting comments.

23 So Frank Roddem, Brendan Fearon,  
24 Karen Maren, and Giuseppe Riccobono.

25 The next panel will be Lori



1  
2 Barrett, Tracy Everitt, Lisa Cardon-Singh, and  
3 Jill Harrington.

4 [Pause]

5 MR. FRANK RODDEM: Good afternoon  
6 [background noise] Comrie [pause] Good afternoon,  
7 Chairman Comrie and the Committee Of Consumer  
8 Affairs. My name is Frank Roddem.

9 First of all, I am a horseman. I  
10 have been a carriage driver and owner for the last  
11 22 years, I am one of the stable owners at Clinton  
12 Park Stables. I am the owner of four horses,  
13 three of which work at Central Park, the fourth  
14 horse named Finbar has been retired to my farm in  
15 the Catskills since 1990. He worked for me in New  
16 York City for 10 years at Central Park, he is now  
17 at the age of 24 and he is happy and healthy  
18 retired on my farm, which goes contrary to the  
19 many comments made by Council Member Avella saying  
20 that our horses only last four years and then we  
21 send them to slaughter. I find this an insult  
22 that comes right to the core of my being. Mr.  
23 Avella, I'm afraid you don't know me and you've  
24 never met my horses.

25 I personally have found homes for

1  
2 more than 16 retired carriage horses through the  
3 New York City Humane Society program, as opposed  
4 to the Humane Society of the United States which  
5 has commented against us. If you wish to see any  
6 of the proof of my horses on the farm, I have many  
7 videos on YouTube, you can go to channel stop lies  
8 and see truth, because, quite frankly, I'm fed up  
9 with the lies and I would like you people to see  
10 the truth. And I will state again, I am not just  
11 a carriage driver, I am a horseman, I own horses,  
12 I own a horse farm, I run a horse and carriage  
13 business, and I'm a co-stable owner at Clinton  
14 Park Stables. Horses are my life, they're not  
15 something that I do for half an hour behind a  
16 computer screen to say nasty things on blogs  
17 against businesses like ours.

18 I need four licenses to go to work:  
19 one for me, one for the carriage, one for the  
20 horse, one for stable. I work at a licensed hack  
21 stand, I charge a regulated price. I go through a  
22 designated trip through Central Park, I couldn't  
23 be more regulated, and in my 22 years, I have  
24 never been in violation of any law, and I've never  
25 been charged with animal cruelty and I'm highly

1  
2 insulted by Mr. Avella.

3 CHAIRPERSON COMRIE: Time, thank  
4 you. Next person.

5 MR. BRENDAN FEARON: Good afternoon,  
6 chairman, members of the committee here, general  
7 public. I'm flying off the cuff here, I didn't  
8 make any really prepared notes, but what I can  
9 say, my name is Brendan Fearon, I've been driving  
10 carriages in New York City 28 years this coming  
11 April.

12 What I can say is horses have  
13 always been part of urban life, you can checked  
14 out looking at illustrations of the 19th century  
15 all the way back to the ancient Egyptians,  
16 Carthaginians, etc., etc.. You can see that  
17 horses were bred for different purposes. Tthe  
18 type of horses that we use in New York City are of  
19 the draft breeds, which were initially bred for  
20 medieval combat in the 12th and 13th century. The  
21 Shires and the Percherons are ideal for this type  
22 of work in the city--they are quiet and patient.

23 I have personally in the last  
24 decade or so, I've been charged with about five  
25 different horses, I have three at present, I keep

1  
2 one actually out of the city up in the Catskill  
3 Mountains and I keep two in the city, and once  
4 every four months, I bring one in and take one  
5 out, so they're actually spending 30% of their  
6 lives outside New York City, or 33% to be correct.

7 I urgently encourage the Council to  
8 support the 653-A bill and throw out Mr. Avella's  
9 658 bill. Thank you very much. I won't use any  
10 more of the time.

11 CHAIRPERSON COMRIE: Thank you.

12 Next person.

13 MS. KAREN MAREN: Good afternoon, my  
14 name is Karen Maren, I'm against the Intro for  
15 658.

16 In my opinion, the horses are  
17 treated well. Some said that they aren't fed or  
18 given water--that isn't true. If they weren't  
19 fed, then everyone would notice and there wouldn't  
20 be any questions to remove the carriages, but  
21 they're well treated. If some believe that they  
22 aren't, then there should be stronger regulations.

23 [End tape 3, start tape 4]

24 MS. MAREN: They said that in the  
25 winter that there were people--that ASPCA were

1  
2 telling the carriage drivers to go inside because  
3 of the weather, but people don't do well in  
4 following directions, that's why the ASPCA is out  
5 there, that's why cops are out there. And they  
6 said also that many--for example, here, they said  
7 many times to be silent, no clapping or comments,  
8 but yet it occurred. There is always one that  
9 ruins it for others, but right now we can't afford  
10 to let one person ruin and end the jobs for many.

11 CHAIRPERSON COMRIE: Thank you.

12 MS. MAREN: Thank you.

13 CHAIRPERSON COMRIE: Thanks for  
14 coming down. Next person.

15 MR. GIUSEPPE RICCOBONO: Good  
16 afternoon. My name is Giuseppe Riccobono. I'm  
17 here today to say that they are trying to ban the  
18 horse industry.

19 In the long history of horse and  
20 carriage, there have been a few fatalities as you  
21 know, I would like to say that in any industry,  
22 fatalities happen any given time--that doesn't  
23 mean to ban them. Please consider that many  
24 family with children and responsibilities are at  
25 stake. Please keep supporting our business in the

1

2 years to come.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

In 1989, we were here for the same issue. Like then, new law went into effect, but new law [pause] So we protect the horses, not ban the horse carriage. Since then, we did not have a rate increase so we can survive and give us a rate increase. That's all I have to say. Thank you very much for your time.

CHAIRPERSON COMRIE: Thank you. I want to thank the panel for coming down today and I appreciate your testimony.

Next panel, Lori Barrett, Tracy Everitt, Lisa Cardon-Singh, Jill Harrington.

The panel after that will be Conor McHugh, Abigail Rodden, Jesus Rojas, and Pat Sawyer from the horse carriage industry.

Are they here? Okay. Sorry, can't read your scratch. We have all four people, who's not here? Can you say your names?

MS. LORI BARRETT: Good morning, my name is Lori Barrett, I'm a member of the New York City Bar Association's Committee on Legal Issues Pertaining to Animals, and I appreciate this opportunity to voice the City Bar Association's

1  
2 support of Introduction number 658-A in relation  
3 to banning the horse-carriage industry and our  
4 opposition to Introduction number 653-A.

5 For several years the City Bar  
6 Association has urged the Council to enact  
7 legislation to ameliorate the extremely harsh  
8 conditions under which our City's carriage horses  
9 work and live, while at the same time, stating  
10 that such legislation could not create fully  
11 humane conditions and that a ban of the carriage  
12 horse rides was the only truly humane solution.

13 Many of the Association's reasons  
14 for supporting the ban have been touched on by  
15 other speakers, so let me summarize our reasons  
16 for opposing Introduction number 653-A.

17 Unfortunately, while 653-A may seek to improve  
18 conditions, it would not significantly promote the  
19 health, safety, and well-being of the carriage  
20 horses and may actually worsen their conditions.

21 Perhaps most troubling, the bill  
22 eliminates the authority of the ASPCA and city  
23 agencies to conduct regulatory inspections, it  
24 seems to allow the carriage horse industry to  
25 choose its own inspectors, and, in any event, does

1  
2 not provide an inspection system with  
3 accountability, incentive to acknowledge any  
4 violations by the industry, and obligations to  
5 release findings to the government or to the  
6 public. The bill requires that stables be  
7 certified by the New York State Horse Health  
8 Assurance Program; however, it does not provide a  
9 deadline by which stable owners must be certified;  
10 it does not provide for penalties for failing an  
11 inspection; and it does not require that proof of  
12 certification be presented as a condition for  
13 license renewal.

14 Moreover, the proposed introduction  
15 imposes a requirement that horses be provided with  
16 water by a city agency, funded by taxpayer  
17 dollars, rather than on the industry itself.  
18 Additional reasons for the Association's  
19 opposition to this bill are set forth in a comment  
20 submitted to the City Council. Thank you.

21 CHAIRPERSON COMRIE: Thank you.

22 Next person.

23 MS. LISA CARDON-SINGH: Hi, my name  
24 is Lisa Cardon-Singh, I want you to know that I  
25 would like you to support Intro 658-A to ban



1  
2 horse-drawn carriages.

3 I feel that they are a major  
4 liability to the state and to the city. I feel  
5 that it's difficult to maneuver around the horses  
6 as my husband is a yellow cab driver and he has  
7 personally seen many incidences where the horses  
8 have been spooked and panic and it is almost  
9 impossible to get out of the way when this  
10 happens. Think about the passengers in the cab,  
11 think about the passengers inside the horse  
12 carriage. Children are in jeopardy and it is a  
13 major liability.

14 Incidents will only increase as the  
15 congestion increases. Therefore, I urge you to  
16 really consider this and I am fully in support to  
17 have the ban on the horse carriages in the city.  
18 Thank you.

19 [Pause]

20 MS. JILL HARRINGTON: Good  
21 afternoon, my name is Jill Harrington, I live in  
22 Brooklyn and I'm with Friends of Animals.

23 I support Intro 658-A, the bill  
24 that would ban the industry.

25 The dangers of putting horse-drawn

1  
2 carriages into urban environments and city traffic  
3 are well-documented and are being discussed here  
4 today. Risks posed by heavy traffic make the  
5 industry inhumane for the horses and dangerous for  
6 humans as well. In 70% of spooking accidents,  
7 people are injured, but traffic risks aren't the  
8 only problem that makes the city's carriage  
9 industry inhumane and potentially deadly for  
10 horses and as well as people.

11 New York City carriage horses do  
12 not get daily turnout--this is very unnatural for  
13 a horse, it's also unhealthy. There is a strong  
14 and direct connection between lack of daily  
15 turnout and colic, which is the leading cause of  
16 death in all horses.

17 Dr. Anthony Blikslager is a  
18 veterinary gastroenterologist--pardon me--and one  
19 of the nation's leading expert on equine colic.  
20 He says one of the best ways to prevent colic is  
21 by giving horses a lifestyle that mimics as  
22 closely as possible the way wild horses live--that  
23 means giving them as much turnout as possible.  
24 There is no substitute for turnout this vet says.

25 Not only do carriage horses in New

1  
2 York City run the risk of spooking and injuring  
3 themselves, as well as pedestrians, bicyclists,  
4 and drivers, but their lack of daily turnout is  
5 harmful to their health.

6 I am one of the tens of thousands  
7 who support a full ban on horse-drawn carriages in  
8 this city. Thank you.

9 CHAIRPERSON COMRIE: Thank you.

10 Next person.

11 MS. SOLVEJG ZAFERES: My name is  
12 Solvejg Zaferes, to begin as we all know, the  
13 theater district, the taxi industry, the fire  
14 department, the EMS drivers, the bus drivers, the  
15 rush-hour drivers, and, above all, the general  
16 public do not want horse-drawn carriages in the  
17 streets of New York City.

18 Do we want more traffic congestion,  
19 more accidents, more lawsuits for the city, more  
20 pollution due to slowing traffic, more noise  
21 honking, more stress, and frustration? No we  
22 don't, not you, not I. That's why there is the  
23 bill Intro 65-A to ban the carriage horses in New  
24 York City.

25 My personal observation, I have

1  
2 seen carriage horses going through red lights or  
3 being stopped abruptly, resulting in the horse  
4 being pushed by his own carriage into the oncoming  
5 traffic--extremely dangerous as well for the  
6 passengers as the horses and the horses and the  
7 public. Too many times I have seen carriage  
8 horses being yanked in every direction without any  
9 regards for the well-being or the traffic--again  
10 dangerous. I have seen carriage horses foaming at  
11 the mouth from exhaustion and or thirst. Late at  
12 night, I have seen old horses limping, their heads  
13 hanging down as they pull their loads--they look  
14 so tired. Do we want this? No. How can we in  
15 the 20th century, in the supposedly civilized city  
16 like New York, which has so much to offer to the  
17 public and the tourist allow the senseless and  
18 unnecessary exploitation of living beings going  
19 on?

20 Do we want this? No. Besides, it  
21 puts a black mark on this beautiful city. Thank  
22 you very much.

23 CHAIRPERSON COMRIE: Ma'am, we  
24 didn't catch your name, and--so we're looking for  
25 Tracy Everitt still, you're not Tracy Everitt?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FEMALE VOICE: Excuse me

[crosstalk]--

MS. ZAFERES: I'm sorry?

[Off mic]

CHAIRPERSON COMRIE: Okay. Thank you. What's your name?

MS. ZAFERES: Solvejg Zaferes.

CHAIRPERSON COMRIE: Say that into the mic, please.

MS. ZAFERES: Solvejg Zaferes.

FEMALE VOICE: [Crosstalk] fill out a card.

CHAIRPERSON COMRIE: Did you fill out a card?

MS. ZAFERES: Yes, I thought you said my name, that's why I was confused.

CHAIRPERSON COMRIE: Okay. All right. Thank you. Thank you panel.

MS. ZAFERES: You think? Okay.

CHAIRPERSON COMRIE: Oh, I'm sorry, Councilman Gennaro had a question.

COUNCIL MEMBER GENNARO: Thank you, Mr. Chairman. I have a question for Ms. Barrett, your testimony indicates that this is the position

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

of the New York City Bar Association.

[Pause]

MS. BARRETT: That's correct, this is the position of the Bar Association.

COUNCIL MEMBER GENNARO: Okay. How many members are in the New York City bar, like how many members--how many lawyers are a member of the Bar Association?

MS. BARRETT: I'm sorry, I don't know the number of members that are in the Bar Association, but I can find out and let you know.

COUNCIL MEMBER GENNARO: Estimated, is it 1,000, is it 10, 000, it's 50,000? Closest guess, we're not going to hold you to it.

MS. BARRETT: My guess is it could be about 10,000, but I don't know the number.

COUNCIL MEMBER GENNARO: Okay. All right, so let's just say--but it's certainly in the thousands. Okay now, what is the process by which the Bar Association came to this finding and how many members--how many people who are a member of the New York City Bar Association actually know of this policy position on behalf of the Bar Association?

1  
2 MS. BARRETT: I can't answer how  
3 many individual member lawyers know because I  
4 don't know how many members have read the comment.  
5 All of our comments are approved first by  
6 committee and then they're forwarded to the Bar  
7 Association's General Counsel and then they're  
8 approved by the president of the Association.

9 COUNCIL MEMBER GENNARO: Okay. In  
10 terms of the Bar's probing of this matter, did it  
11 send medical professionals to make some kind of  
12 assessment? You know, pretty prestigious outfit,  
13 but what kind of analysis--what did the Bar  
14 Association do to come up with this finding? What  
15 was the process?

16 MS. BARRETT: Well I'll explain the  
17 process on our comment on 653-A because I drafted  
18 that comment. In that comment, I analyzed  
19 proposed legislation in my day job, I--

20 COUNCIL MEMBER GENNARO:  
21 [Interposing] I'm interested in--

22 MS. BARRETT: Okay.

23 COUNCIL MEMBER GENNARO: --more in  
24 658. Did you have anything to do with 658?

25 MS. BARRETT: I prepared the written

1  
2 testimony that I provided today for 658-A. One of  
3 the things that I did was reviewed all of the  
4 newspaper reports of accidents of carriage horses  
5 in the past several years.

6 The Bar Association, as we say in  
7 our testimony, is very concerned about the number  
8 of accidents and the potential threat to the  
9 public.

10 COUNCIL MEMBER GENNARO: How many  
11 members of the Bar Association actually prepared  
12 these materials? How many people actually got  
13 involved and did work and did research? How many  
14 people would that be?

15 MS. BARRETT: I'm not sure how many  
16 people did the research on the comment on 653-A,  
17 however, it is posted on the Bar Association's  
18 website, it has been approved by the Council and  
19 it's been approved by the president, as do all of  
20 our comments.

21 COUNCIL MEMBER GENNARO: I didn't  
22 ask, what I'm asking is how many people that have  
23 an association with the Bar Association, member of  
24 this committee, whatever, is it that you've got  
25 this committee that deals with legal issues



1  
2 relating to animals and how many members are on  
3 that committee?

4 MS. BARRETT: I don't know how many  
5 members are on the committee, it's probably  
6 between 25 and 50.

7 COUNCIL MEMBER GENNARO: Okay. Now  
8 of those 20 to 50 members of that committee, how  
9 many members of that committee actually got  
10 involved in the issue? Got involved in that they  
11 really participated in this finding or did they  
12 just see someone else's work? How many people did  
13 the work on this?

14 MS. BARRETT: I didn't write the  
15 comment on 653-A, it was written before I was a  
16 member, however, I can tell you that when I'd  
17 written the written testimony, it was circulated  
18 to the entire committee.

19 COUNCIL MEMBER GENNARO: Circulated  
20 to the committee. Now would the individual  
21 committee members do work or it would be someone  
22 who's on the committee who would look into this  
23 matter, right? It wouldn't be delegated to  
24 someone else, it would be a member of the  
25 committee who wants to serve on the committee that

1

2 wants to probe this matter, right?

3 MS. BARRETT: I'm not sure if I  
4 understand your question.

5 COUNCIL MEMBER GENNARO: I'm saying  
6 that you've got 20 to 50 members of the committee,  
7 so it would be a member of that actual committee  
8 that actually did this work and put this together.  
9 It wouldn't be delegated to like staff or  
10 something.

11 MS. BARRETT: No, that's correct,  
12 it's written by a member of the committee.

13 COUNCIL MEMBER GENNARO: Written by  
14 a member of the committee.

15 MS. BARRETT: And then it's reviewed  
16 by our General Counsel.

17 COUNCIL MEMBER GENNARO: Right, now  
18 would it be fair to say that it would be possible  
19 that it was one member of this committee that had  
20 a real interest in this matter that put together a  
21 lot of work and then that member's work was  
22 ratified by the whole committee, would that be an  
23 unlikely scenario or would that be more like how  
24 it would work?

25 MS. BARRETT: I think that you're

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

probably right, but I--

COUNCIL MEMBER GENNARO: Thank you,  
thank you. And so--

MS. BARRETT: No, excuse me, I  
haven't been able to answer my--

COUNCIL MEMBER GENNARO: Sure.

MS. BARRETT: --the question fully.  
I'm not exactly sure how 653 was routed because it  
was routed before I became a member of the  
committee.

COUNCIL MEMBER GENNARO: Right.

MS. BARRETT: I can testify though  
to what our normal procedure is and the normal  
procedure is that one or two members of the  
committee prepare a comment on a piece of animal  
related legislation, it's then circulated to all  
of the members of the committee and all of the  
committee members have an opportunity to  
contribute their comments to our official  
statement. At that time--and that includes the  
president of the Association, also has an  
opportunity after it's been looked at by the  
General Counsel to weigh in on the comment.

COUNCIL MEMBER GENNARO: Thank you.

1  
2 So what we're really looking at is possibly the  
3 work of one or two people of this several thousand  
4 member organization and I appreciate your coming  
5 here today to give us the opinion of these one or  
6 two people. Thank you.

7 MS. BARRETT: I don't think that's a  
8 fair way to characterize the Bar Association.

9 SERGEANT-AT-ARMS: Keep it down,  
10 please.

11 CHAIRPERSON COMRIE: Quiet, please.  
12 Quiet, please. Jim, quiet--we're going to move on  
13 the line of questioning. Thank you.

14 COUNCIL MEMBER AVELLA: Mr.  
15 Chairman?

16 CHAIRPERSON COMRIE: We're going to  
17 move on. Yes.

18 COUNCIL MEMBER AVELLA: Is he done,  
19 Mr. Chairman? Can I have the floor?

20 CHAIRPERSON COMRIE: To one  
21 question, please, we've got a lot of people still  
22 to--

23 COUNCIL MEMBER AVELLA:  
24 [Interposing] No, no, no, he just went on for 10--

25 CHAIRPERSON COMRIE: I was trying to

1  
2 cut him off.

3 COUNCIL MEMBER AVELLA: --ridiculous  
4 questions. You know, listen, Council Members can  
5 have various positions and I know Councilman  
6 Gennaro authored 653-A and took his name off for  
7 whatever reason, I don't know, but the fact is the  
8 New York City Bar Association is one of the most  
9 reputable attorney organizations in this city and  
10 if you want to question the process, that's fine,  
11 but what Councilman Gennaro did just went  
12 overboard.

13 Let me tell you something, the  
14 position of this organization has been well known  
15 for over a year. I would think that if something  
16 came out from this organization, the 10,000  
17 attorneys, one of them would've said hey, this  
18 isn't right, we didn't approve this. I think the  
19 questioning of this witness was an absolute  
20 disgrace and an embarrassment to the New York City  
21 Bar Association.

22 [Applause]

23 CHAIRPERSON COMRIE: Quiet, please.  
24 Quiet, please. We're going to move on. We're not  
25 going to get--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL MEMBER AVELLA: Oh, Mr.  
Chairman--

CHAIRPERSON COMRIE: --we're not  
going to entertain back and forth on this, we're  
not, we're not going to entertain back and forth  
on this, so I'm just going to move forward.

Thank the panel for coming.

We have a lot of other people that  
want to speak and I'm not going to entertain back  
and forth on this. Both of your points have been  
well established.

Conor McHugh, Abigail Rodden, ,  
Jesus Rojas, and Pat--you know, who you [off mic]

[Pause]

Next panel is Richard Feldman, Max  
Weintraub, Jeffrey Herrera, and Thomas Fair.

Whoever's ready.

MR. CONOR MCHUGH: Good afternoon,  
Chairman Comrie and members of the Committee on  
Consumer Affairs, my name is Conor McHugh, and I'm  
the General Manager of Clinton Park Stable, which  
was opened in 2003 by 15 carriage owners. I've  
been a carriage driver for 22 years, I'm a member  
of Teamsters Local 553--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON COMRIE: Quiet, please.  
I know people are walking out, please be quiet.

MR. MCHUGH: --I'm also the father  
of three young children.

Some of the features in our stable  
include, but are not limited to, large box stalls,  
automatic water bowls, high-quality diet of  
Timothy hay and grains, misting fans for summer,  
heating for winter, cleaning and showering  
facilities for the horses, 24/7 stable  
supervision, ferrier care on a six-week rotation,  
a facility-wide dry sprinkler system, and bedding  
placed on top of soft rubber mats for comfort.

Our oversized box stalls allow the  
horses to turn around, roll, and lie down  
comfortably to sleep. Horses also have access to  
fresh, clean water at all times in our stable.

Clinton Park Stable has been  
inspected numerous times by the ASPCA, New York  
City Department of Health, and New York City  
Department of Consumer Affairs, yet we have never  
received a single violation from any of these  
agencies. The majority of our stable owners and  
renters turn out their horses for farm vacations

1  
2 in Pennsylvania and retire them to either New  
3 York, New Jersey, or Pennsylvania farms. Nothing  
4 you have heard to the contrary is true.

5 In light of escalating costs over  
6 the past 20 years, we urge you to approve 653-A  
7 which proposes long overdue rate increases, along  
8 with incorporating additional safeguards to  
9 further protect and provide for the horses. These  
10 safeguards include increasing veterinarian  
11 examinations of the horses from once per year to  
12 twice per year, provide each horse a minimum of 52  
13 days off per year, require predetermined standard  
14 blankets be worn in winter, require reflective  
15 material and hydraulic brakes on all carriages,  
16 and increase the fines for drivers in violation of  
17 safety [off mic] regulations.

18 In closing, I want each of you to  
19 know that I fully enjoy working with my horses and  
20 caring for such beautiful animals and that the  
21 greatest thing about my job is that I get to make  
22 people happy every day.

23 CHAIRPERSON COMRIE: Thank you.

24 MR. MCHUGH: I would welcome the  
25 Committee to visit our stable at any time.



CHAIRPERSON COMRIE: Thank you.

Next person, please.

[Off mic]

MR. PATRICK BYRNE: Hello, my name is Patrick Byrne. I think that I probably have the oldest carriage driver's license in the business--I've been at it for 44 years. Before I worked at the business, my father was one of those guys that would talk about run around in the 40s. With a horse drawn carriage business. It's a matter of pride with me, it's a matter pride with my family, my brother, and in those years I can truthfully say that neither I nor my brother had any instance where we were cruel to an animal, okay?

It's been mentioned--I'm in favor of 653-A, I could go on, we deal in facts, we bring you before veterinarians who are saying these animals are treated well, we can give facts that back them up. I can get the facts that say that we need a rate increase, I can bring them to you.

A blind man could see it that we need a rate increase. Since 1989, I don't have to

1  
2 explain to you, how costs have gone up--look at  
3 the price of gas, look at the price that a  
4 policeman makes, look at the price that a bus  
5 driver makes, and look at the price of anybody,  
6 look at the price of City Council members have  
7 gone up your salaries, your stipends, and  
8 everything else that goes with it.

9 Compare us to a policeman, we're a  
10 hard-working people, we need this increase to go  
11 on. In fact, if we don't get this increase, our  
12 adversaries will be as by attrition, because we  
13 can't keep going on at the rate that we're working  
14 at.

15 I urge you to pass 653-A, we need  
16 it, we deserve it, we're hard-working people I can  
17 say out here that I've actually, with some of  
18 these people, I've worked with their fathers, all  
19 right? Every one of them is good people. Mr.  
20 Roddem said he's a good horseman, he's a wonderful  
21 horseman. And so is a lot of--all these fellows,  
22 they're horseman, we're not carriage drivers.  
23 Okay? Our horses are well taken care of and get  
24 plenty of turnout when they need it. Okay. Thank  
25 you very much.

CHAIRPERSON COMRIE: Thank you.

Next person.

[Off mic]

MS. ABIGAIL RODDEN: My name is Abigail Rodden, I've been in the business for 11 years and I grew up on a horse farm in Ohio. My family has a long history with horses, my great-grandfather was a cowboy in Texas at the turn of the century, he later became a Teamster in the last horse drawn milk leg and delivery to man in Toledo, Ohio. My father trains horses, I grew up riding and showing, working one on farms eventually deciding to move to New York and become a carriage driver. I did, I married one too and this job and our horses are our entire lives. Having been around horses for over 30 years, I can honestly say the carriage horses of New York City are very well cared for and I'd like to add that if the ASPCA and other radical organizations want to ban on our horses because they think New York is an unsuitable place, then I'd like to ask about the police mounted horses because they work in the exact same environment. We have no record of cruelty and our industry. Every single horse in

1  
2 our industry has a box stall, some of the mounted  
3 police horses on Barrack Street have standing  
4 stalls.

5 All of our horses spend time on  
6 farms, otherwise, how could you account for 252  
7 registered horses and only 68 carriages? That's  
8 four horses per carriage. Our horses are visited  
9 by millions every year and we are an iconic part  
10 of this city, Central Park was built for carriages  
11 and New York City was built by horses. My husband  
12 and I bought our horses their own farm in upstate  
13 New York where we vacation and retire them and  
14 board other city carriage horses.

15 In order for us to keep providing  
16 the best care for our horses, we need a rate  
17 increase. In the 20 years since our last  
18 increase, our costs have quadrupled. We need an  
19 increase, not only for our horses, but also for  
20 our families. I'm pregnant, many of us are  
21 currently asking our families to sacrifice for the  
22 care of our horses. Please don't continue to make  
23 us choose between our children and our horses. We  
24 should have the right to make a living that  
25 provides for us all.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[Applause]

[Off mic]

CHAIRPERSON COMRIE: Quiet, please.

Next person.

MR. JESUS ROJAS: Okay. Good afternoon, Chair Comrie and members of the Consumer Affairs Committee. My name is Jesus Rojas, and I have been part of the horse and carriage family for the past five years. I started as a member of horse and carriage cleanup crew, my job entailed sweeping the hack lines where horses wait for fares, as well as the loop in Central Park where they operate.

I come from Mexico where I was raised with horses. My passion as a young boy was to work with horses. As a young teen boy, my dream was to come to America. [Off mic] I am living my dream by operating a horse and carriage in New York. I take great pride in my job and I do and--the job that I do and the service that I provide each day. I respectfully and graciously ask for support of Intro 653-A, this part of the bill will enable me to continue to live in this city to keep my dreams and hopes alive. And it is

1  
2 necessary for the committee to understand the  
3 rising cost of the rents and everyday living  
4 expenses. They are making it nearly impossible to  
5 survive in this current rates, and rates that have  
6 been in place since 1989. I will like to take  
7 time to thank you all for allowing me to testify  
8 before you today. Thank you.

9 CHAIRPERSON COMRIE: Thank you.

10 Councilman Gennaro has a question.

11 COUNCIL MEMBER GENNARO: Thank you.

12 Mr. McHugh, you were here when Mr.  
13 McCaffrey put forward a slate of reforms that go  
14 well beyond those that are listed in Intro 653,  
15 and he was speaking as a representative for the  
16 industry. You, as a member of the industry, are  
17 you supportive of those reforms and what is your  
18 understanding of other members of your industry  
19 how they would support those reforms?

20 MR. MCHUGH: I certainly am in favor  
21 of all of those reforms and we have come to those  
22 reforms after discussion within our business as to  
23 what is the best course of action for moving  
24 forward with our industry. So, yes, I am.

25 COUNCIL MEMBER GENNARO: Thank you.

1  
2 Would it be fair to say that the reality that you  
3 perceive in your day-to-day business of what's  
4 actually going on, on the streets and in the  
5 stables, would it be fair to say that there is  
6 some difference between that reality and the  
7 reality that is put forward in the newspapers and  
8 in press reports? Is there a difference between  
9 those two realities?

10 MR. MCHUGH: One of the things that  
11 is commonly said here by other city councilman, by  
12 PETA, and in some of the newspaper articles is  
13 that, for example, the horses in our stables  
14 cannot turn around, that they're put in cages, the  
15 impression being that they're just pushed into a  
16 cage and they cannot turn around or lie down, that  
17 for some reason people have decided to push  
18 forward the idea that we don't give our horses  
19 water. I mean, first of all, if you didn't give  
20 the horse water, he would die. Second of all, all  
21 our horses are on the street practically every  
22 day, so anybody who's walking by 59th Street can  
23 see that the--

24 COUNCIL MEMBER GENNARO: Right.

25 MR. MCHUGH: --horses are healthy,

1  
2 so, again, if you didn't give them water, that  
3 would be--

4 COUNCIL MEMBER GENNARO:

5 [Interposing] So just what you said that there is  
6 a difference between what is often reported in the  
7 newspapers and the reality that you see.

8 MR. MCHUGH: Certainly, yes.

9 COUNCIL MEMBER GENNARO: Okay. And  
10 so, where I'm going with this and where I just had  
11 a problem a few moments ago, is that do you think  
12 it's fair for any organization to judge your  
13 industry based on what is reported in the paper,  
14 is that fair? Do you think that's fair?

15 MR. MCHUGH: Certainly not fair.

16 COUNCIL MEMBER GENNARO: That was  
17 the point that I was trying to make that I think  
18 it's unfair for any organization to base their  
19 analysis strictly on what is in the papers, that  
20 would not be a fair statement for your industry,  
21 it's not fair for elected officials for us to be  
22 judged only by what's in the papers. There is a  
23 reality and there is what is put in the papers,  
24 those are often different things and I thank you  
25 for your testimony today and I thank you, Mr.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Chairman.

CHAIRPERSON COMRIE: Thank the panel. Congratulations on the baby upcoming.

MS. RODDEN: Thank you.

CHAIRPERSON COMRIE: Next panel, please be quiet, we're not--Richard Feldman, Max Weintraub, Jeffrey Herrera, Thomas Fair.

We've been joined by Council Member Kendall Stewart.

And we are not taking any other persons that are signing in, we have all of the sign-ins that we're going to have for today. Because we're going to be here a while.

Okay. Who's missing? I called Thomas Fair?

MR. THOMAS FAIR: Here.

CHAIRPERSON COMRIE: Jeffrey Herrera, are you here? Max Weintraub, no? Richard Feldman?

MR. RICHARD FELDMAN: Here.

[Pause]

CHAIRPERSON COMRIE: And you're in opposition to 658, 653?

[Pause]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FEMALE VOICE: Hold on 1--

CHAIRPERSON COMRIE: Hold on one second.

MALE VOICE: I'm not.

FEMALE VOICE: Ask them who they are--

[Pause]

CHAIRPERSON COMRIE: You're for the ban or against the ban?

MALE VOICE: For the ban.

CHAIRPERSON COMRIE: For the ban?

MALE VOICE: Against.

CHAIRPERSON COMRIE: Against the ban.

FEMALE VOICE: One's against and one's for.

CHAIRPERSON COMRIE: One's against and one's for, all right.

FEMALE VOICE: [off mic] just get these two people--

[Pause]

CHAIRPERSON COMRIE: Okay. Elaine Sloan. Is Elaine Sloan here? Coming. I heard uh-huh.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FEMALE VOICE: Yes.

CHAIRPERSON COMRIE: and Dina Allen?

MS. DINA ALLEN: Yes, I'm here.

CHAIRPERSON COMRIE: Come down.

Sir, what's your name? You didn't say what your name one is, so--come, come.

FEMALE VOICE: What's your name?

[Off mic]

CHAIRPERSON COMRIE: No, no, I called them up.

[Pause]

CHAIRPERSON COMRIE: And we'll have a fifth person, Nick--Dr. Johnson.

[Pause]

Yeah, just this one time.

MALE VOICE: Sorry, hi, Wayne Johnson.

[Off mic]

CHAIRPERSON COMRIE: Yeah, she's coming, so why don't you start? She's upstairs. The fifth person's coming now from upstairs. So whoever would like to start on the panel.

[Pause]

Got to speak into the mic, some

1  
2 move the mic to you.

3 MS. ELAINE SLOAN: Hello, I'm Elaine  
4 Sloan. [Pause]

5 MALE VOICE: Press the button.

6 MS. SLOAN: Okay. I'm Elaine Sloan  
7 a first generation New Yorker. I'm here to  
8 support Intro 658-A--I'm sorry, someone's--

9 CHAIRPERSON COMRIE: They're asking  
10 people outside to be quiet, so--

11 MS. SLOAN: --I'm here to support  
12 Intro 658-A, the bill to ban horse-drawn carriages  
13 and to testify against Intro 653-A because it's a  
14 sham.

15 The industry says it deserves a  
16 raise. I'll show you that they've already been  
17 giving themselves very hefty raises. The horse  
18 and carriage trade's crying poverty, lamenting  
19 that they've not had a raise in 20 years.  
20 Officially, yes, but as with everything else  
21 concerning this business, laws about rates are not  
22 enforced and the industry is charging what they  
23 want. According to the law, Section 20-380 of the  
24 New York City Administrative Code, the rate is \$54  
25 an hour. That's \$54 an hour. Thirty-four dollars

1  
2 for the first half-hour and \$10 for each  
3 additional 15 minutes. This is blatantly ignored  
4 by the drivers and the Department of Consumer  
5 Affairs, which looks the other way and has ignored  
6 complaints. There is not only a proof on video  
7 that the drivers consistently overcharge, but they  
8 also charge unsuspecting tourists sales taxes,  
9 which is not required. And to make it worse, it's  
10 a cash-only business, so there are no exact  
11 records which can be audited.

12 Many of the companies advertising  
13 carriage rides online and most charge beyond what  
14 is legally allowed. Links are provided for your  
15 confirmation. One called New York Tours  
16 advertises a 40 minute ride beginning at \$104.95.  
17 According to law, 40 minutes should be \$44. On  
18 Valentine's Day weekend, they up their price to  
19 178.95--a whooping 400% increase over the legally  
20 allowed fee. I called the Gotham Carriage Company  
21 and they said that it was going to be \$98 for 40  
22 minutes. I said well, the law is \$54 for an hour,  
23 what's that other \$44 for, she said a reservation.  
24 So if you get a reservation, you pay an additional  
25 \$44.

[Tone]

Oh, whoops, well, there are other-- you'll see on this sheet that I got off the net, there are many other infractions of this. They even offer--one place offers on Valentine's Day, I believe it is, roses and champagne for their ride and charges \$40 for 17 minutes--I wonder if they have a liquor license.

CHAIRPERSON COMRIE: Thank you.

Next person.

MR. THOMAS FAIR: My name is Thomas Fair. I'm an attorney and I'm just here speaking on my own behalf.

I just finished reading a book on the end of slavery, reconstruction, Jim Crow laws, and finally the civil rights laws of the 1960s ushered in by Martin Luther King. It occurred to me that since the advent of fast, blaring, honking, hectic city car traffic, horse-drawn carriages are as out of place as Jim Crow laws are in 2009. With regard to the nostalgia attraction of horse-drawn carriages, what if Mississippi were to license a Jim Crow theme park? I believe that both the horse-drawn carriage traffic in today's

1 world, as well as Jim Crow laws, are out of step  
2 with the times and both should be abolished.

3 Thank you.

4 CHAIRPERSON COMRIE: Next person.

5 DR. WAYNE JOHNSON: I'm Dr. Wayne  
6 Johnson, I'm a clinical psychologist practicing in  
7 Brooklyn, New York.

8 This hearing is certainly not us  
9 versus the carriage drivers. The carriage drivers  
10 work hard, they are nice people, and they always  
11 talk to me when I'm protesting their business. It  
12 is certainly not us versus organized labor. I  
13 grew up in a household that revered organized  
14 labor, so it's not us versus the Teamsters or us  
15 versus working men and women in this crisis ridden  
16 economy. We all agree in here that we like  
17 horses, don't we? Anybody doesn't like horses?  
18 We all agree in here don't we that most of us,  
19 after this hearing, would like to have a smoothie.  
20 But this is Smoothie, this is a horse that died on  
21 September 14th, 2007, a carriage horse. Now when  
22 I speak with the drivers, as I do frequently about  
23 this, they basically say it's regrettable, but it  
24 happens, people die. But this is not like boxing,  
25

1  
2 an analogy made earlier or cab drivers or  
3 pedicabs, these horses don't choose to be out on  
4 the streets. Elizabeth Ludwig of Brooklyn had a  
5 different opinion of Smoothie, she said Smoothie  
6 was a nice gentle horse, she would nuzzle, she was  
7 playful, she was special, and she certainly didn't  
8 deserve to die on the streets of New York, God  
9 bless precious Smoothie, says Ms. Ludwig in an  
10 article in the New York Daily News.

11 Juliet died, Spotty died--these  
12 aren't incidents, distortions, or lies, this was a  
13 horse that wanted to live as much as all of us  
14 want to live and in considering what to do about  
15 this industry, this breaks my heart. And I know  
16 it breaks all of your heart too. Thank you.

17 CHAIRPERSON COMRIE: Thank you.

18 Next person.

19 MR. RICHARD FELDMAN: Mr. Chairman,  
20 my name is Richard Feldman, I come here in support  
21 of the horses and in support of the drivers. I  
22 think I'm the oldest man in the room, if I'm not I  
23 sure look it. And I'd like to correct a couple of  
24 things that were said by Councilman Barron before  
25 he left.



1  
2 First of all, jockeys don't wear  
3 spurs in any track in the United States. Now let  
4 me tell you who I am, I'm member of the United  
5 States Equestrian Foundation, a trustee, a trustee  
6 in the United States Equestrian Federation. We  
7 are the guys that send the horses to the Olympics;  
8 we are the guys that watch all of this stuff that  
9 goes on all over the country. I'm the Chairman of  
10 the Board of the Lake Placid Horse Show and I  
11 don't know anybody in this room, any driver or  
12 anybody else. I did know Dr. Lowe because he  
13 comes to our show and acts as veterinarian and he  
14 is tops.

15 Now the thing that they put in the  
16 mouths of horses, let me tell you who else used  
17 one--Jesus Christ, Mohammed, and Moses. It's the  
18 only way to stop them. Now that's how long they  
19 figured that out. If you can stop a horse without  
20 putting something in his mouth, you'd better tell  
21 me.

22 These are men who work with their  
23 hands and their hearts. First of all, I don't  
24 think I'd be here without the carriages. There are  
25 six men in my family, I have five children, all

1  
2 who are married in a carriage in Central Park. My  
3 mother was proposed to in a carriage in Central  
4 Park, I don't think I'd be here or near one  
5 anyway.

6                   These are guys that I have found on  
7 the street, only on the street and in visiting  
8 their stables. These horses live. Now let me  
9 tell you I have a farm of my own. I take horses  
10 like these and Harold, who is the Budweiser  
11 Clydesdale of last year, who gave the high five to  
12 the dog, he's one of my pals. These men should be  
13 applauded--they shouldn't be beaten. Thank you.

14                   [Applause]

15                   CHAIRPERSON COMRIE: Quiet, please.  
16 Quiet, please.

17                   Next person.

18                   [Off mic]

19                   CHAIRPERSON COMRIE: They marked it  
20 wrong. Well we're all getting along here, we're  
21 all getting along.

22                   [Pause]

23                   MS. DINA ALLEN: Hi, my name is Dina  
24 Allen, and I live in Brooklyn, I'm a private  
25 investor. I am with the Coalition to Ban Horse-

1  
2 Drawn Carriages and I'm here to speak in support  
3 of Intro 658, the bill that will ban horse-drawn  
4 carriages.

5 We've all heard the industry  
6 assertion that theirs is among the most heavily  
7 regulated in the industry. I do not agree. All  
8 the rules in the world, however, are absolutely  
9 meaningless without enforcement and there is not a  
10 force strong enough. not to mention public funds,  
11 to impose order on this industry. As the ASPCA  
12 said in a recent news release, the truth is that  
13 many horses are subject to working in poor  
14 conditions and the laws that are supposed to be  
15 protecting these animals are seldom enforced--and  
16 this is an understatement.

17 The 2007 a lot of the industry made  
18 clear that the city agencies have dropped the ball  
19 with respect to the horses' care. The departments  
20 of Health and Consumer Affairs share primary  
21 responsibility of licensing and oversight of the  
22 horses, drivers, carriages, and stables, but it's  
23 [off mic] was critical of both departments efforts  
24 in these areas.

25 The Parks Department and NYPD have

1 enforcement authority, but don't often exercise  
2 such authority with the drivers, including traffic  
3 violations. This Wild West mentality has got to  
4 stop. Every citizen has the right to earn a  
5 living, but to earn that living by cruel means is  
6 shameful. Someone said earlier that this is an  
7 honest and fair living. The horses are forced to  
8 give their blood, their sweat, yet the person at  
9 the other end of the whip gets the money and keeps  
10 the taxes. This is not honest or fair, this is an  
11 absolute disgrace.  
12

13 I support a full ban on horse-drawn  
14 carriages in New York City. Thank you Council.

15 CHAIRPERSON COMRIE: Thank you. I  
16 want to thank the panel for coming down.

17 Our next panel will be Mr. V. Grasi  
18 from the 331 West 51st Street, Christopher  
19 Gruning, Paulo Kemminger, Kremminger from Newton  
20 Road, and Victoria Gaynor.

21 The next panel after that will be  
22 Susan Wagner, Rina Deychs, Lisa Field, and Zelda  
23 Penzel.

24 [Pause]

25 MALE VOICE: Give me one of those,

1  
2 will you?

3 [Pause]

4 CHAIRPERSON COMRIE: Yeah, is  
5 Victoria here?

6 SERGEANT-AT-ARMS: Quiet, please.

7 CHAIRPERSON COMRIE: Victoria Gaynor  
8 here? Yes, no? Is that your name [off mic]? Is  
9 V. Grasi? No? Paulo? You're Ms. Grass?

10 MALE VOICE: What's your name?

11 MS. VIRGINIA GRASI: Grasi.

12 [Off mic]

13 CHAIRPERSON COMRIE: Grasi, Paulo,  
14 Christopher, and Grasi? Victoria Gaynor is not  
15 here?

16 MALE VOICE: Paulo Krummenauer.

17 CHAIRPERSON COMRIE: Going once,  
18 going twice.

19 MALE VOICE: Paulo Krummenauer, is  
20 that correct?

21 MALE VOICE: Yes.

22 CHAIRPERSON COMRIE: Is Giuseppe  
23 Donofrio? Giuseppe Donofrio can come. Can start.  
24 Paulo.

25 MR. CHRISTOPHER GRUNING: My name is

1  
2 Christopher Gruning, I'm a horse-drawn carriage  
3 driver.

4 To use Councilman Avella's own  
5 words, it's pathetic and sad and outright  
6 absolutely disgrace for him to sit up there with a  
7 cynical, sarcastic smirk on his face as he  
8 listened to our horse-drawn carriage lobbyist, Mr.  
9 McHugh, testify before this lobby.

10 Councilman Tony Avella cites two  
11 main reasons for abolishing the horse-drawn  
12 carriage trade business. First, it's archaic,  
13 past its time. It's this thinking that approved  
14 the destruction of New York City's magnificently  
15 grand Pennsylvania Station to the wrecking ball  
16 some years back, the demolition of one of this  
17 country's greatest architectural creations.

18 Second reason, it's inhumane. It's  
19 critically important for the body and all in this  
20 room to realize the extreme thought process that  
21 drives the movement seeking to ban our industry.  
22 A few years back, the head of PETA, People for the  
23 Ethical Treatment of Animals, told Truan Hannity  
24 [phonetic] on his radio talk show that human  
25 beings have no greater value than the animals that

1  
2 populate this earth. When Hannity asked PETA  
3 person, would she and her organization favor  
4 people facing the death penalty and a murder  
5 charge if they killed a mouse in their own home,  
6 she adamantly replied yes. She and her ilk are  
7 nothing more than nattering nabobs of nonsense and  
8 negativism, to paraphrase William Safire.

9           These activists cite the death of  
10 three horses as a reason for calling for an end to  
11 our noble profession. In 1999 alone, 35  
12 bicyclists were killed in New York City; 13 in  
13 203; 15 in 204; and 21 in 205, yet I hear no  
14 clamor for these people opposing the cyclists  
15 biking our lobby. Where are they putting their  
16 priorities? That's what has to be here.

17           So in summary, we backs of the  
18 animals, I think we know where he stands.

19           CHAIRPERSON COMRIE: Thank you.  
20 Next person.

21           MR. PAULO KRUMMENAUER: My name is  
22 Paulo Krumpfenauer and I'm proud to say I'm a horse  
23 carriage driver and I've been doing this for 17  
24 years. In all of these years I've been doing  
25 this, honestly, I haven't get any incident of

1  
2 accidents or any kind of it. I'd like to say I've  
3 been driving for five days a week over the last 17  
4 years and I've been driving more than driving my  
5 own car. In my car I've been driving--I have at  
6 least 10 incidents of traffic getting here or so  
7 any other circumstances.

8 In an issue of horses being there  
9 or being mistreat, I never seen better care than  
10 they do today and horses are--people saying horses  
11 are not allowed in the city or the right place  
12 environment, so they are coming to mostly to harm  
13 farmers butt they are not good for the job they  
14 are mostly cases, why, because they are not fresh,  
15 they are not too concerned for them strong enough.  
16 Doing the job in the city, they are capable to do  
17 it and they get extended life in most cases.  
18 That's what it is. Thank you.

19 CHAIRPERSON COMRIE: Thank you.

20 Next person.

21 MS. VIRGINIA GRASI: My name is  
22 Virginia Grasi, and I've been with horses my whole  
23 life since New England. I am a member of the  
24 Hancock family from Boston area and their horse  
25 people stretch all the way to Kentucky.



1  
2 I recently trained a Clydesdale for  
3 downtown, I'm very proud of him. We did two  
4 engagement rides in the last week--one was in the  
5 snow and they loved it, even though it was  
6 interrupted by SPCA. Finally love prevailed and  
7 we finished the ride.

8 I was born in New Hampshire, we use  
9 horses in the snow there all the time. They use  
10 them for the maple syrup and they use them in many  
11 towns in the ski areas. Horses are not adverse to  
12 snow. Horses were born before electricity was, we  
13 use Alpine drafts primarily and some retired race  
14 horses. These horses were weathering outdoors for  
15 centuries. We specifically selected these breeds,  
16 the Percheron primarily, which built America  
17 almost virtually, and the Belgians, the  
18 Clydesdales--all these crosses are specifically  
19 suited to northeast weather. And they're not  
20 obsolete. Excuse me, I'm not a public speaker,  
21 I'm a horse person.

22 I want to make a point about my  
23 family. They got PETA literature 20 years ago,  
24 I've been down to City Hall maybe seven times by  
25 now. This literature said that you could send

1  
2 away for a kit on how to ban horse drawn carriages  
3 in your hometown. They showed me this, I was  
4 appalled, it had nothing to do with the conditions  
5 in the town or the horses or any of the people  
6 involved. It was a priori to ban horse carriages.

7 It had a flowchart how you do that-  
8 -you collect newspaper articles, then you begin to  
9 create a furor about it and you just march through  
10 the various legal political media channels until  
11 you finally do it. This is the culmination today  
12 of that.

13 [Tone]

14 CHAIRPERSON COMRIE: Thank you.

15 MS. GRASI: Am I through?

16 CHAIRPERSON COMRIE: Yes, ma'am.

17 MS. GRASI: One thing I would like  
18 to say is that some of these agencies for the care  
19 of horses fly a false flag and the proof of that  
20 is right here in these pictures, they were taken  
21 four years ago of the zoo hill in the park, look  
22 at it today--potholes.

23 CHAIRPERSON COMRIE: Okay. You can  
24 pass them on, we'll take a look at them. Thank  
25 you.

1  
2 MS. GRASI: These potholes are back  
3 and the ASPCA looks the other way.

4 CHAIRPERSON COMRIE: Thank you.  
5 Next person.

6 MR. GIUSEPPE DONOFRIO: Hi, my name  
7 is Giuseppe Donofrio, I live in Brooklyn for the  
8 past 23 years. I've been driving a horse and  
9 carriage since then and my father still has horses  
10 back in Italy--that's where I come from. Mr. Tony  
11 Avella, I believe he's Italian and I'm sure your  
12 grandpa is also a driver. So we all come from  
13 that background.

14 And my wife cooked spaghetti and  
15 meatballs today, so I'm going to go home and have  
16 a nice day with my wife and three kids and enjoy  
17 the day. You probably go to a fancy restaurant,  
18 enjoy, God bless, God bless America.

19 CHAIRPERSON COMRIE: Okay. I want  
20 to thank the panel for coming and--

21 COUNCIL MEMBER AVELLA: Mr. Chair,  
22 can I just point of order--

23 CHAIRPERSON COMRIE: I haven't had  
24 lunch or I'm not having dinner, so the spaghetti  
25 and meatballs is making me hungry.

1  
2 COUNCIL MEMBER AVELLA: Yeah, just,  
3 I mean, not of the committee, but I wish I could  
4 afford a fancy restaurant, I can't. I'm one of  
5 those Council Members who refused the pay raise.

6 CHAIRPERSON COMRIE: All right.  
7 Next panel.

8 [Cheers]

9 CHAIRPERSON COMRIE: Quiet, please.  
10 Susan Wagner, Rina Deych, Lisa Field, Zelda  
11 Penzel.

12 And as one of the Council Members  
13 with two kids and cars and... You want [off mic]

14 Next panel is Walter Blankship,  
15 Cornelius Byrne, Eva Hughes, Melissa Cowper-Smith.

16 [Pause]

17 CHAIRPERSON COMRIE: Okay. Zelda?

18 FEMALE VOICE: Susan's going to  
19 start.

20 MS. SUSAN WAGNER: I'm Susan Wagner.

21 CHAIRPERSON COMRIE: Is Zelda here?

22 FEMALE VOICE: Yeah.

23 CHAIRPERSON COMRIE: Lisa? No Lisa?  
24 So Lisa Field? Lisa Field? All right, Karen  
25 Lane, if you want to come down, please. Come on,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

and, ladies, you can start while Karen is coming.

MS. WAGNER: My name is Susan Wagner and I am the founder and President of Equine Advocates, a national equine protection organization based in New York. It was found in 1996 and I personally have been involved with horses since 1973.

New York City carriage horses have no quality of life. On our sanctuary, we have 68 horses, one of whom was a former carriage horse. He possesses certain injuries that many horses that are forced to pull sustain. Our regular vet, Dr. Nina Deibel of Rhinebeck Equine, had this to say recently about carriage horses in New York City: The pavement on which these horses stand all day harnessed to their carriages does not absorb the impact of their footfalls, thereby sending damaging concussive forces up their legs. This can result in musculoskeletal injuries throughout the horses bodies, but particularly in their legs and feet. Also, these horses are at risk of damaging their gastrointestinal tracts since they cannot take in normal amounts of roughage and feed. This lifestyle puts them at a high risk to

1  
2 develop gastric ulcers and other stress related  
3 health problems, unquote.

4           The idea that this is still going  
5 on here in New York City when so many other great  
6 urban centers of the world have banned this  
7 practice is disgraceful. Why should New York City  
8 continue to be responsible for the miserable  
9 existence of these horses? The accumulative  
10 effects of physical injuries and other problems  
11 often found in urban carriage horses makes them  
12 candidates for the slaughterhouse, which is where  
13 many of them end up. I don't think that dangerous  
14 accidents and equine abuse caused as a direct  
15 result of the carriage horse trade are what the  
16 citizens of this city want.

17           I feel strongly that New York  
18 should no longer be a part to what I believe is  
19 the cruel and inhumane treatment of horses and  
20 urge the City Council to swiftly pass 658-A.

21           Thank you so much.

22           CHAIRPERSON COMRIE: Next person.  
23 No clapping please.

24           MS. RINA DEYCH: My name is Rina  
25 Deych, and I am here to support Tony Avella's

1  
2 Bill, 658-A.

3 Most of what I wanted to say has  
4 already been said, so I'll be just very brief.

5 I became a registered nurse 30  
6 years ago because I couldn't stand to watch anyone  
7 suffer and not do something to try to help  
8 alleviate that suffering. When I walk through the  
9 streets of Manhattan, I see carriage horses  
10 suffering. We have to alleviate that suffering,  
11 we have to ban the carriage horse industry.

12 CHAIRPERSON COMRIE: Is Karen Lane  
13 here? Okay. Next person.

14 MS. ZELDA PENZEL: My name is Zelda  
15 Penzel, I live in New York.

16 The issue of horse-drawn carriages  
17 in New York will not go away, regardless of what  
18 happens here today. Over 35,000 New Yorkers and  
19 visitors to our city have signed petitions  
20 demanding that this 19th century anachronism and  
21 miserable excuse for tourist entertainment be  
22 banned and removed from our overcrowded, noisy  
23 streets. And regardless of what the industry  
24 tells us, we all know that the miserable,  
25 insignificant, and expendable lives of these

1  
2 horses are spent nose-to-tailpipe, inhaling  
3 exhaust, overworked, under-watered, stressed and  
4 spooked out and we're not forced to drag around  
5 the loads of naïve and unaware tourists on the  
6 mean streets of New York. They are confined to  
7 dreary city stables and ultimately doomed to end  
8 their miserable lives in brutal slaughter houses  
9 in Mexico. And this is the self-serving industry  
10 that wants to police itself.

11           The industry will throw every red  
12 herring and fanciful tale your way, and these days  
13 it's about the loss of jobs and the unemployment  
14 of these fine gentlemen who just love their  
15 dispirited and pitiful horses.

16           I'd like to suggest that if they  
17 have a driver's license, they can put it to good  
18 use. Just take all those big bucks that they get  
19 from squaring around dumb tourists and get a fleet  
20 of colorful, convertible, open top, antique-style  
21 cars that have been mechanically updated and made  
22 to run like other fleets of buses and official  
23 cars on electric power. It would really liven up  
24 the city, give work to the auto industry, and keep  
25 the air free of pollution, while benefiting the



1  
2 poor animals who suffer on the hard pavements of  
3 New York.

4 Most New Yorkers are sickened by  
5 the sight of these poor animals and think it's  
6 time to move on, but these guys, like the slave  
7 owners of days gone by--I'm almost done--on the  
8 old plantations of the south, are reluctant to  
9 relinquish their hold on their indentured slaves  
10 whose only reward is the glue factory when it  
11 comes time for retirement.

12 Ladies and gentlemen, this is one  
13 tradition, which, just like slavery--

14 CHAIRPERSON COMRIE: [Interposing]  
15 Time, time.

16 MS. PENZEL: --belongs in the  
17 dustbin of history.

18 CHAIRPERSON COMRIE: Time.

19 MS. PENZEL: Thank you very much.

20 CHAIRPERSON COMRIE: Next person.

21 Next person.

22 MS. KAREN LANE: Good afternoon, my  
23 name is Karen Lane, and I live in Manhattan.

24 Quakers organized protests against  
25 slavery beginning in 1688, but it wasn't until

1  
2 1865, nearly 200 years later, that slavery was  
3 finally abolished. Why did it take so long?

4 Well, many people insisted that slaves had a  
5 pretty good life, after all, slaves were given  
6 food, their own living quarters, work to--

7 [End tape four, begin tape five]

8 MS. LANE: ... hours a day and had  
9 Sundays off. There was a time when children as  
10 young as five worked in mines, factories, and  
11 fields. Unions began protests in 1832, but it  
12 wasn't until 1938, more than a hundred years  
13 later, that child labor was ended. Why did it  
14 take so long? Well there was a widespread belief  
15 that children were better off because they learned  
16 the value of a work ethic and that too much  
17 schooling would prevent them from becoming good  
18 workers.

19 Abraham Lincoln once said, I am in  
20 favor of animal rights, as well as human rights,  
21 because that is the way of a complete human being.

22 Carriage horses do not belong in  
23 New York City, unless we ban all vehicles, replace  
24 the pavement with a soft surface, and eliminate  
25 loud noises. The city simply is not safe and not

1 humane for horses.

2  
3 You will hear that horses are given  
4 water regularly, are checked by veterinarians, and  
5 live in cozy stables, but have any of you actually  
6 stood outside Central Park and spent time around  
7 the horses? They are locked to carriages,  
8 standing in waste on asphalt that can reach 200  
9 degrees in the summer, buffeted by sleet, snow,  
10 and bitter winds, assaulted by sirens, drums,  
11 honking horns, having to compete with taxis,  
12 speeding ambulances, cars, and trucks, they  
13 breathe in exhaust fumes that sicken them.

14 Today, you have an opportunity to  
15 do the right thing. Let New York City join  
16 London, Paris, Toronto, and Beijing in banning  
17 horse-drawn carriages. If we really want tourists  
18 to ride through Central Park, the solution is  
19 simple--electric powered carriages and the  
20 Teamsters would be good with them.

21 [Pause]

22 COUNCIL MEMBER GENNARO: Mr.  
23 Chairman?

24 CHAIRPERSON COMRIE: Yes? Council  
25 member Gennaro has one question.

1  
2 COUNCIL MEMBER GENNARO: Thank you,  
3 Mr. Chairman.

4 Back when I started work with the  
5 Council in 1990, I was the transportation policy  
6 analyst, the horse carriages used were heard in  
7 that committee at that time. So I have an 18-year  
8 record of making observations of this industry and  
9 to hear witnesses come forward and to equate  
10 what's going on with slavery, it's very  
11 unfortunate that people would come and say that  
12 and I just could not let that comment go without  
13 some rebuttal. And I think it's also--

14 CHAIRPERSON COMRIE: [Interposing]  
15 Councilman [crosstalk] comment go, can we just  
16 make the point?

17 COUNCIL MEMBER GENNARO: --an insult  
18 to people who actually suffered through--

19 CHAIRPERSON COMRIE: I'm letting  
20 every comment go, let's just--

21 COUNCIL MEMBER GENNARO: --slavery.

22 CHAIRPERSON COMRIE: --move forward.

23 COUNCIL MEMBER GENNARO: Thank you,  
24 Mr. Chairman.

25 CHAIRPERSON COMRIE: All right.

1  
2 We're trying not to get into a tit-for-tat here,  
3 we're letting everybody express their democratic  
4 right to say whatever it is they want to say.

5 COUNCIL MEMBER GENNARO:

6 [Interposing] God bless them, but I have my right  
7 to just put my comments on the record when they  
8 bring up things like slavery and make that  
9 equation--

10 CHAIRPERSON COMRIE: [Interposing]

11 Next panel is Walter Blankenship, Cornelius Byrne,  
12 Eva Hughes, Melissa Cowper-Smith. Are they all  
13 here? Walter? [Pause] Eva?

14 FEMALE VOICE: Yes [crosstalk]--

15 CHAIRPERSON COMRIE: All four are  
16 here, okay.

17 Next panel is after that Jason  
18 Trachtenburg, Rachel Trachtenburg--oh, the famous  
19 Rachel Trachtenberg, Justin Monroe Vernon, and  
20 Gary Timms.

21 FEMALE VOICE: [Crosstalk] go first.

22 [Off mic] go first.

23 [Off mic]

24 CHAIRPERSON COMRIE: Whoever would  
25 like to go first.

1  
2 MR. CORNELIUS BYRNE: Okay. My name  
3 is Cornelius Byrne and I have been in the carriage  
4 business for 42 years.

5 About a year ago, I made a spur of  
6 the moment mistake, which I paid for dearly, but  
7 that mistake does not compare to the severe and  
8 malicious premeditated attempt to create a  
9 catastrophe on the carriage business on December  
10 the 6th by the demonstrators and the leaders of  
11 that demonstration. This was right during our  
12 Christmas rush and I have to say, here was the  
13 quote what we heard, what we need is another  
14 accident. Now that's just a terrible thing to  
15 have to deal with. These are not all innocent  
16 people that we deal with here, they have some  
17 strange feelings about how they're going to  
18 achieve their goal, and no matter what they do  
19 wrong, they're going to be happy if they achieve  
20 that goal.

21 Now, there was a Controller's audit  
22 that was done over a period of 19 months, that's  
23 an exclusive long time to do an audit that takes  
24 in a lot. And the finding one key word here,  
25 statement that I read is neither the ASPCA

1  
2 inspector nor the health department veterinarian  
3 consultant found any serious violation regarding  
4 the health and safety of the horses when we  
5 accompanied them to the stables. Now after  
6 reading that, you would have a hard time to  
7 believe that this New York Times story that came  
8 out about this could be read. It criticized our  
9 business so severely that you would lose  
10 confidence in the great lady, the Gray Lady is  
11 that what you call her--

12 Female Voice: The Gray Lady.

13 MR. BYRNE: The Gray Lady who speaks  
14 the truth? What a terrible thing that we have to  
15 suffer this type of criticism from that newspaper  
16 report so widely read. Terrible.

17 Now these carriage drivers, they're  
18 a good bunch of guys, they're out in all weather,  
19 they're working hard, they need to be admired and  
20 really looked at and appreciated and admired and  
21 you got to take this that's part of their now they  
22 experience despair and--

23 CHAIRPERSON COMRIE: Thank you.

24 MR. BYRNE: --they experience  
25 frustration and we've got--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON COMRIE: Thank you.

MR. BYRNE: --you've got to set it up here so that these guys have hope--

CHAIRPERSON COMRIE: Thank you.

MR. BYRNE: --respect and dignity.

CHAIRPERSON COMRIE: Next person.

MR. WALKER BLANKINSHIP: Yes, my name is Walker Blankinship. I'm in a unique position to comment on the issue. When I was college-aged, we went for a carriage ride and I'd just like to say it'll be one of the most memorable moments of our lives. We were very well treated and it was a very fair price and we didn't have any difficulties.

Now at that time, I had no idea that I would go on to protect the horse industry in Prospect Park and end up running that stable for the past 16 years. During those 16 years I've had the opportunity to be able to meet many carriage drivers, many carriage horses, and I can assure you that there's no inhumane treatment in this industry.

Now I just want to say that people are seeing horses as looking forlorn and



1  
2 depressed, okay. I want to re-emphasize Dr.  
3 Farrell's statement, horses have been bred in  
4 order to be able to perform these functions. The  
5 look of a calm and safe horse is what they  
6 interpret as sad and forlorn. If I was walking  
7 down the carriage line today, I don't want to see  
8 horses as if they're about to spring into their  
9 pastoral visions of beauty that they try to  
10 project as being the only way a horse can possibly  
11 live. I expect to see the horse calm, head down--  
12 that's a horse it's safe, that's a horse that I  
13 want to put my family in that carriage.

14 Now to move on, the concept that  
15 horses cannot have a high quality of life in New  
16 York City is completely incorrect. I'd like to  
17 point out to the research of Dr. Susan McDonnell  
18 at the University of Pennsylvania New Bolton  
19 Center. She is the founder and head of the Equine  
20 Behavioral Clinic there and she will tell you that  
21 she has observed horses in all circumstances  
22 living all over the world and that one of the best  
23 ways that horses can be housed are in straight or  
24 tie stalls and one of the reasons for this is  
25 their ability to be able to see one another and

1  
2 socialize and that their behavior kept in this  
3 manner is same behavior that she observes with  
4 horses that are on turnout. Thank you.

5 MS. MELISSA COWPER-SMITH: My name  
6 is Melissa Cowper-Smith, and I'm a member of the  
7 New York City Horse Council and also ride and care  
8 for horses at Kensington Stables. I have been  
9 working with horses all of my life and have seen  
10 them in different environments, including ranches  
11 in Alberta Canada where I'm from and in the city  
12 streets of New York.

13 Horses can thrive in many  
14 situations as long as their needs are met. Horses  
15 need food, water, shelter, socialization, mental,  
16 physical activity. Horses can thrive in the urban  
17 environment just as humans can. Horses adapt to  
18 their lifestyle, maybe not all humans--sorry--  
19 maybe not all humans can flourish in the city and  
20 not all horses can either but many humans do  
21 thrive here and so do our horses. Those of us who  
22 work with urban horses understand their needs and  
23 we work very hard to satisfy them. My experience  
24 many urban horses have a greater quality of life  
25 than many rural horses.

1  
2 And I'd just like to add in my  
3 experience of riding in Prospect Park, I'm often  
4 approached by kids, public school kids who are  
5 doing activities in the park and when they want to  
6 come up and touch my horse, I stop and they touch  
7 the horse and I think it's a very meaningful  
8 experience for them to have in their life, very  
9 much unlike the cold, metal, and cement of the  
10 rest of the city, it's a big, warm, breathing  
11 animal and having [off mic] for an animal like  
12 that is something that I think is very available  
13 for many people in the city.

14 MS. EVA HUGHES: Hi, my name is Eva  
15 Hughes and I'd like to thank you for this  
16 opportunity to speak on behalf of myself, my  
17 family, and my industry.

18 Myself and my husband have been in  
19 the horse-drawn carriage industry for almost 30  
20 years. I am the sole author of the proposal that  
21 I think you all received, the retirement proposal  
22 for New York City carriage horses. You did all  
23 receive this, right? This proposal--it's placing  
24 a horse is very difficult when the time comes for  
25 an owner. There are few among us who have the

1  
2 capability of doing it for themselves, the lions  
3 share of the owners need to find a retirement  
4 home. This particular proposal seeks to  
5 streamline, facilitate, and standardize that  
6 process. Now this was put out there in the  
7 industry just before 9/11, and after 9/11, the  
8 business dropped and there were other things to  
9 think about and I resurrected this idea last year  
10 and I've worked very hard on it. It would have  
11 enormous benefits for both the owner and the  
12 horse. We look forward to continuing our  
13 commitment to making its implementation a reality.

14 That being said, the time is so  
15 short, but out of all the things I'd like to  
16 address, I really want to go back to safety. I'm  
17 kind of throwing my notes out here. I'm not going  
18 to reiterate what other people said, but it is  
19 nothing short of surreal to me to listen to people  
20 try and spin our safety record as anything but  
21 stellar--and I mean, stellar. There is no equine  
22 pursuit in the country, not eventing, not polo,  
23 not racing, nothing can touch our safety record.  
24 You've got 68 carriages going out through a  
25 approximately 300 days a year for 25 years, that

1  
2 is over 2 million trips in traffic--three equine  
3 fatalities, three dead horses. In 2 million  
4 trips. There is no, you would have to eradicate  
5 all risk--

6 CHAIRPERSON COMRIE: Time.

7 MS. HUGHES: --may I make a closing  
8 statement? In order to a eradicate all risk, you  
9 need to eradicate all of human interaction with  
10 horses and that is something our opponents can  
11 live with, it's something that we will not live  
12 with. A well-loved--

13 CHAIRPERSON COMRIE: Thank you.

14 MS. HUGHES: --horse is a lucky--oh,  
15 well-loved horse with a job is a lucky horse. In  
16 order to care for them, we need--

17 CHAIRPERSON COMRIE: Okay.

18 MS. HUGHES: --to be allowed to--

19 CHAIRPERSON COMRIE: Time.

20 MS. HUGHES: --earn a living wage.

21 CHAIRPERSON COMRIE: Thank you.

22 [Applause]

23 CHAIRPERSON COMRIE: Quiet, please.

24 Quiet, please.

25 Next panel, Jason Trachtenburg,

1  
2 Rachel Trachtenburg, Justin Monroe Vernon, Gary  
3 Timms.

4 [Pause]

5 CHAIRPERSON COMRIE: Justin?

6 MR. JUSTIN MONROE VERNON: Yes.

7 CHAIRPERSON COMRIE: Gary, no Gary?

8 Gary Timms. No Gary? Okay. Is Livi French?  
9 Come forward, please.

10 You can start.

11 MR. TRACHTENBURG: [Off mic] for a  
12 second.

13 [Off mic]

14 [Pause]

15 CHAIRPERSON COMRIE: You can start.

16 MR. TRACHTENBURG: Good afternoon.

17 CHAIRPERSON COMRIE: Good evening.

18 MR. TRACHTENBURG: Good one.

19 Actually, while I have your attention, Mr. Comrie,  
20 I'd like to thank you for your fair and balanced  
21 presentation and execution tonight.

22 CHAIRPERSON COMRIE: Thank you.

23 MR. TRACHTENBURG: Of this debated  
24 issue.

25 CHAIRPERSON COMRIE: Thank you.

1  
2 MR. TRACHTENBURG: And you're doing  
3 a very open-minded situation up there and I'd also  
4 like to thank Tony Avella, I'd like to thank Tony  
5 Avella for his passion and his bravery for those  
6 who can't even vote today and of course that's who  
7 we're all here to talk about, which is, of course,  
8 the horses.

9 All right. Let's see here. If  
10 there is one thing that I've gotten through at  
11 this point, it's that I take real pride in making  
12 a living or attempting to make in a living off of  
13 my own recognizance, off of my own intelligence,  
14 off of my own hard work, and I think that's  
15 something that we all have in common and so if  
16 that being the case--and it's been really  
17 interesting to hear the side of the horsemen and  
18 the horsewomen as well too and I think that they  
19 make a good statement, that they're passionate  
20 about the horses and about their living as well  
21 too and I can appreciate that. But the one  
22 difference though is that if they were to take  
23 their level of workmanship to my level, I would  
24 challenge them to pull the carriages themselves,  
25 instead of relying on a beast of burden to do it.

1  
2 I don't ask anyone else to work write my work for  
3 me--

4 CHAIRPERSON COMRIE: Quiet, please.

5 MR. TRACHTENBURG: --that's very  
6 I've got 35 seconds, 10 seconds of clapping would  
7 be fine, that's fine, that's fine, I got 31  
8 seconds left here. To finalize my statement, I'd  
9 also like to consider the plight of the EMS  
10 workers whose workload will lessen and possibly  
11 lead to job losses when there are less accidents  
12 to clean up from horse accidents as well too, so  
13 thank you. And good afternoon.

14 CHAIRPERSON COMRIE: Thank you.

15 Next person.

16 MR. VERNON: Thank you, Council  
17 Member Avella. I'm in total support of your bill.  
18 I would like to ask directly to each member on the  
19 Council, if you could answer this question, if you  
20 came into contact with a group of beings with  
21 higher technology than you--

22 CHAIRPERSON COMRIE: [Interposing]  
23 can you say your name for the record, please?

24 MR. VERNON: My name is Justin  
25 Vernon. And these beings who had advanced



1  
2 technology and were more technologically advanced  
3 than you wanted to take you out of your natural  
4 surrounding. Number two, they wanted to shackle  
5 you with a strap and connect you to a  
6 transportation system. Number three, they then  
7 put blinders on you which reduced your regularly  
8 vast vision and reduced it by about 75%, resulting  
9 in a claustrophobic feeling and then put you into  
10 a foreign environment where you were forced to  
11 breathe in toxic fumes from machines that you  
12 didn't understand. I'd like to ask everyone on  
13 the Council by a show of hands, how many people on  
14 the Council would like to go with those beings and  
15 do that.

16 CHAIRPERSON COMRIE: Keep going,  
17 sir.

18 [Laughter]

19 SERGEANT-AT-ARMS: Keep it down--

20 CHAIRPERSON COMRIE: Keep going,  
21 you're on a wonderful trip, keep going.

22 [Applause]

23 SERGEANT-AT-ARMS: [Background  
24 noise] Keep it down, please. Keep it down. Keep  
25 it down.

1  
2 MR. VERNON: I get an extra 10  
3 seconds there.

4 MR. TRACHTENBURG: You can have  
5 mine.

6 MR. VERNON: Proof of how un-  
7 soothing this is, is to look at the body language  
8 of the beings that are strapped to those carriages  
9 on Central Park. Each one of us in this room  
10 knows when we see an animal who is happy and those  
11 beings attached to those carriages are far from  
12 happy as they urinate a tsunami's worth of liquid  
13 onto themselves and if you don't hop out of the  
14 way, you will get coated.

15 Perhaps most important is that have  
16 we not realize by now that when we consciously  
17 create a chaotic, stressful experience for another  
18 being that we actually are creating a stressful  
19 experience for our own being. This is 2009  
20 everyone, not 1689. Dr. C. Edgar Mitchell, Ph.D.  
21 from MIT and sixth Apollo astronaut to walk the  
22 moon just came on the Larry King show and said to  
23 the camera, yes, it's true, our planet has already  
24 been visited. In a time such as this--

25 CHAIRPERSON COMRIE: Time.

1  
2 MR. VERNON: I get 10 seconds  
3 because of the clapping. These carriages are  
4 technologically embarrassing and they're  
5 spiritually embarrassing. Thank you very much.

6 CHAIRPERSON COMRIE: Next person.

7 SERGEANT-AT-ARMS: Keep it down,  
8 please.

9 MS. LIVI FRENCH: Livi French,  
10 Director of the Caring Corps.

11 I'm testifying in support of Intro  
12 658-A banning horse-drawn carriages.

13 First off, let's be clear, this is  
14 not about preserving some grand old tradition.  
15 New York City's horse-drawn carriage business is a  
16 young mid-20th-century contrivance born of  
17 politics. In 1935, only 15 horse-drawn carriages  
18 operated in the city. Today's problem took root  
19 in the late 1940s. Curiously, official city  
20 records from that time period are quote unquote  
21 lost. It was during that time period that the  
22 city sold 68 carriage medallions--the same 68  
23 licenses that are operating today. Now for a  
24 moment consider the geopolitics of that era, the  
25 late 1940s. Look across the pond to the postwar

1  
2 British Isles and the troubles that were brewing  
3 over there, that would be the troubles with a  
4 capital T. Because of those lost city records, we  
5 cannot know exactly when New York City's new  
6 horse-drawn carriage business became a  
7 transatlantic pipeline. However, we do know that  
8 in 1992, not until 1992, at a May 29th City  
9 Council hearing, the Emerald Isle Immigration  
10 Center of Woodside Queens revealed its interest in  
11 the horse-drawn carriage business for the very  
12 first time.

13 The carriage industry's lobbyists  
14 have been an unbroken succession of extremely  
15 well-connected political operatives. For example,  
16 in the 1980s there was a county boss slash City  
17 Councilman slash future congressman who served the  
18 Mayor and the industry simultaneously--

19 CHAIRPERSON COMRIE: Time.

20 MS. FRENCH: --and--may I continue--

21 CHAIRPERSON COMRIE: No.

22 MS. FRENCH: --I'll be brief.

23 Today, even in death--

24 CHAIRPERSON COMRIE: Time.

25 MS. FRENCH: --still holds sway in

1

2 the City Council--

3

CHAIRPERSON COMRIE: [Interposing]

4

Your testimony is another two minutes long. Time.

5

Thank you. Rachel? Uh-oh. Where do you go to

6

school, Rachel?

7

MS. RACHEL TRACHTENBURG: I'm home-

8

schooled.

9

CHAIRPERSON COMRIE: Huh?

10

MS. TRACHTENBURG: Home-schooled.

11

CHAIRPERSON COMRIE: Home, that

12

figures, okay. All right.

13

MS. TRACHTENBURG: Ready?

14

CHAIRPERSON COMRIE: Whenever you're

15

ready.

16

MS. TRACHTENBURG: Okay. I'm ready.

17

CHAIRPERSON COMRIE: I like Rachel.

18

I got a have a little fun, it's been a long day,

19

gee whiz.

20

MS. TRACHTENBURG: Hi, my name is

21

Rachel Trachtenburg, I'm 15 years old and I'm here

22

because I love animals and people--not as much as

23

animals, but I'm here because the horses don't

24

have voices and this is a song that I wrote and

25

here we go.

1  
2 One, 2, 3, 4, riding through the  
3 park at night underneath the stars, a princess in  
4 a horse-drawn carriage between the cars, you're  
5 riding a horse on wheels, this isn't real. Riding  
6 in a horse-drawn carriage, wealth in excess in  
7 disparage, everyone here needs to live but beast  
8 of burden needn't give. Of all of the things you  
9 could possibly do in this New York town, abuse of  
10 a horse without any remorse doesn't make a sound  
11 because when the traffic flies, the horses die.

12 Thank you.

13 [Applause]

14 CHAIRPERSON COMRIE: How old are you  
15 now Rachel?

16 MS. TRACHTENBURG: Fifteen.

17 CHAIRPERSON COMRIE: Fifteen. Okay.  
18 And what do you want to do when you finally get to  
19 adulthood?

20 MS. TRACHTENBURG: I want to be an  
21 animal activist and help people and have a band.

22 CHAIRPERSON COMRIE: Okay.

23 MS. TRACHTENBURG: Yeah.

24 CHAIRPERSON COMRIE: Well good luck  
25 to you.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MS. TRACHTENBURG: Thank you.

CHAIRPERSON COMRIE: We'll see you soon no doubt. All right. American Idol, meh. Is Joseph Cirnigliaro here? Okay. Come forward. Jeffrey Herrera here? Jeffrey left? Barbara Stork? Are you Barbara Stork?

[Off mic]

CHAIRPERSON COMRIE: You're here for Jeffrey? You're trying to--she's trying to roll into the meeting here. I'm not going to argue with the lady.

FEMALE VOICE: What's her name?

CHAIRPERSON COMRIE: We'll find out in a minute. Joseph Taverni [phonetic] here?

CHAIRPERSON COMRIE: Okay. Jeffrey Herrera? Barbara Stork?

MS. BARBARA STORK: I'm Barbara Stork.

CHAIRPERSON COMRIE: And Joseph is not here?

FEMALE VOICE: No, he's there.

CHAIRPERSON COMRIE: Joseph is?

MALE VOICE: Joseph [crosstalk]--

CHAIRPERSON COMRIE: Okay. All

1  
2 right. Then who are we missing? Joseph Terrera,  
3 Joseph Taverni? Joseph Taverni here? No okay.

4 [Off mic]

5 MALE VOICE: We'll take care of  
6 that.

7 FEMALE VOICE: Okay.

8 CHAIRPERSON COMRIE: Let's start  
9 with the unknown person.

10 [Pause]

11 And say your name for the record.

12 ANNE: Hi, my name is Anne, I go  
13 almost every day on 59th Street to look at the  
14 horses, the drivers treat them good. The horses  
15 were here for the last hundreds of years, they  
16 should be here for the next 200 to 300 years.  
17 They're being well fed, they're being nicely  
18 treated, the drivers are nice to them.

19 I never see no abuse, and the  
20 horses are well fed and the parks have a lot of  
21 drinking and they feed them all day long and  
22 they're kind to the horses, they shouldn't stop  
23 the horses. They should be for the next 300 years  
24 and there's no abuse.

25 And it's good for this city and



1  
2 they should tie down the horses while they're  
3 being [off mic] They should build more poles and  
4 they should get rid of the boomboxes, the  
5 boomboxes could spook them.

6 And they should build the poles to  
7 tie the horses so they shouldn't run away. And  
8 the drivers treat them good and I went to the  
9 stables and they treat them good.

10 There's no abuse, I've never seen  
11 no of abuse.

12 So don't stop the horses, don't ban  
13 them. Keep them there. And it's good for the  
14 city, it makes money for the city. It's an  
15 activity and it's good for everybody. And there's  
16 no abuse and I go there every day. The drivers  
17 are very kind and nice and to the horses too.  
18 There's no abuse, they feed them, they don't  
19 mistreat them, they don't whip them, they're very  
20 kind to them. And--

21 CHAIRPERSON COMRIE: Thank you.

22 ANNE: And it's very nice. The  
23 horses.

24 CHAIRPERSON COMRIE: Thank you,  
25 Anne.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ANNE: And the drivers too are--

CHAIRPERSON COMRIE: Okay, okay.

ANNE: --very nice to the horses.

CHAIRPERSON COMRIE: Thank you, and.

Thank you. Next person.

[Off mic]

MS. BARBARA STORK: Hi, I'm Barbara Stork, I am a horseman, I'm a saddle maker. I came here to speak against the initiative to ban.

And what I'm shocked to find out is that the other bill is about the money that they need and I'm a sculptor--I can't imagine that these drivers and these cabs can maintain their horses as well as you would like to expect them to and I'm just so impressed with the testimony that I hear from them of the care and the effort that they go through to make sure that these horses have a good life.

What I hear here with the guffaws in the background behind me when the drivers say it's about my livelihood and there's a snort of contempt for that. What I find out from my neighbors who I'm sitting in the seat is that it really comes down to whether or not it's ethical

1  
2 to have a horse in a harness and under saddle or  
3 with a bit in its mouth, and I just think that  
4 they don't understand that it's not really as  
5 cruel as it seems. I would invite anyone to speak  
6 with me if I can at all attempt to have you  
7 understand how it's really not as brutal as you  
8 might think.

9           The temperature issue also. Horses  
10 can stay out there in such temperatures--so I  
11 don't really want to go on about all the claims of  
12 the abuse because I think most of them are made by  
13 people that just don't understand horses at all  
14 and their capabilities.

15           I have seen the horses here in the  
16 city and they don't display.

17           CHAIRPERSON COMRIE: Thank you.

18           MS. STORK: --behavior that speaks  
19 of abuse.

20           CHAIRPERSON COMRIE: Thank you.

21           MS. STORK: Thank you very much.

22           CHAIRPERSON COMRIE: Next person.

23           MR. JOSEPH CIRNIGLIARO: My name is  
24 Joseph Cirnigliaro, I'm a graduate of Columbia  
25 University and Hofstra law. I graduated with the

1  
2 governor of the state of New York, Patterson, and  
3 just before Obama, President Obama.

4 I hear both issues of the side here  
5 and I'm in opposition to the bill of 658 and I  
6 tell you why, I wish Councilman Avella would be  
7 here so I could expose the conspiracy that these  
8 people are trying to create. And it's funny in a  
9 day where are losing their jobs, these people were  
10 conspiring how to get rid of these people when I  
11 went to see sneakily to see this movie. I paid  
12 \$10, I saw them that day--there is no democracy by  
13 the way, I'm a member of the media they did not  
14 make me speak once, they knew that there was  
15 somebody in the room, 250 people conspiring the  
16 industry. They worry about the real estate  
17 property that they're sitting on, they worry about  
18 how do we get them out, and this is the quote from  
19 Mr. Avella, you know, I'm embarrassed for this guy  
20 to represent the Italian-American caucus when I'm  
21 a leader of the Italian-American community. He  
22 should resign immediately.

23 This is the quote of Mr. Avella, we  
24 will get rid of them one way or another. Now  
25 don't tell me that doesn't come to any

1  
2 criminality, that conspiracy with these people  
3 here in that same room and they also deny the  
4 First Amendment right, they don't believe in  
5 people speaking in any other way. They were  
6 talking about the animal, but meanwhile in the  
7 back of the room, they were selling popcorn and  
8 they were collecting money for cancer, they refuse  
9 to put a dollar for human beings. They worry  
10 about the animal--if you don't care about the  
11 human beings, you're never going to worry about  
12 the animals.

13           These are the types of people that  
14 we're dealing with today--they are dangerous,  
15 they're irrational, they are people that have  
16 nothing to do, they conspire together. They sit  
17 there and this man, together with Avella, they saw  
18 me the second time and they almost got me arrested  
19 outside conspiring that I threatened this guy when  
20 they threatened me and they prevent my First  
21 Amendment right--this is Mr. Avella.

22           And I will tell you one thing you  
23 do not represent Italians, Italian-Americans. You  
24 should resign because I put a lot of people in  
25 business--

2 CHAIRPERSON COMRIE: Time.

3 MR. CIRNIGLIARO: --in 1974--

4 CHAIRPERSON COMRIE: Time.

5 MR. CIRNIGLIARO: --and they're  
6 still here and I'm proud.

7 CHAIRPERSON COMRIE: Time, Mr.  
8 Cirnigliaro, you've gone deep enough.

9 MR. CIRNIGLIARO: And if you want to  
10 ask me any question, I'll be right [crosstalk]--

11 [Applause]

12 CHAIRPERSON COMRIE: Next person.

13 Quiet, please.

14 COUNCIL MEMBER AVELLA: Leroy.

15 CHAIRPERSON COMRIE: Quiet, please.  
16 Well after the last panelists?

17 [Off mic]

18 CHAIRPERSON COMRIE: Okay, but let's  
19 have the last person speak.

20 COUNCIL MEMBER AVELLA: Okay.

21 CHAIRPERSON COMRIE: All right.

22 MR. JEFFREY HERRERA: Good  
23 afternoon, my--

24 CHAIRPERSON COMRIE: [Interposing]  
25 Maybe you might calm down in the interim.

1  
2 MR. HERRERA: Good afternoon, my  
3 name is Jeffrey Herrera and I'm here today to  
4 leave the horses in Central Park because many  
5 people work there and I don't want them to lose  
6 their job.

7 Also, if you banned the horse-drawn  
8 carriages, what is going to be the attraction of  
9 Central Park?

10 Another thing that I want to say is  
11 that if they ban the horse-drawn carriages, many  
12 people will lose their jobs and if that happens,  
13 their family will have nothing to eat and how will  
14 they pay the rent? What are they going to live  
15 on?

16 Also what I want to say is that the  
17 drivers--what they say is that the drivers don't  
18 feed their horses and don't give them water--  
19 that's not true. Because I have been to work with  
20 my dad and I have seen that they don't treat the  
21 horses or they don't harm them. Thank you.

22 CHAIRPERSON COMRIE: Thank you.  
23 Thank you, panel.

24 Council member?

25 MALE VOICE: Is there any question

1  
2 you want?

3 CHAIRPERSON COMRIE: No, there's no  
4 question.

5 MALE VOICE: If he wants to ask me  
6 any question, I'll answer--

7 CHAIRPERSON COMRIE: [Interposing]  
8 No, I'm not going to get into any ad hominem back  
9 and forth here. I'm sure Council Member is  
10 disgusted, I'm a little disgusted myself, but I'm  
11 a Leo, I'm trying to hold in my comments, it's  
12 hard for a Leo to hold in his comments all day,  
13 but I'm going to take it out on somebody tonight,  
14 I'm going to let you know that.

15 Next panel is--

16 COUNCIL MEMBER AVELLA: No, wait,  
17 Leroy [crosstalk]--

18 CHAIRPERSON COMRIE: Oh, sorry, go  
19 ahead, go ahead.

20 COUNCIL MEMBER AVELLA: Just a point  
21 of personal privilege. The last speaker made a  
22 number of allegations and I find it funny because  
23 it's completely the opposite of what actually  
24 transpired.

25 The individual attempted to disrupt



1  
2 a private meeting, it wasn't a public meeting, it  
3 was a private meeting, and I find it fascinating  
4 he came over to me at the meeting and I said,  
5 listen, it's a private meeting, if I was running  
6 the meeting, I probably would've let you speak.  
7 He then tried to persuade me to help him and just  
8 involve me in the process, and I was very kind to  
9 him and I find it funny that he has the totally  
10 opposite position now that he's testifying.

11 It is unfortunate that some people  
12 obviously have trouble telling the truth. I got  
13 to tell you, you know, if the industry wants to  
14 make me the personal target in this, so be it. So  
15 be it. Because if you think by attacking me,  
16 you're going to stop the movement, you are  
17 completely wrong, because there's a lot of people  
18 involved in this movement. And I got to tell you  
19 it reflects on you when you attack somebody  
20 personally, because I've always said the industry,  
21 I have never attacked somebody personally, I  
22 expect the same consideration.

23 CHAIRPERSON COMRIE: Okay. Quiet,  
24 please. Thank you. I think points been made, I  
25 tried to make it with humor, but Tony wanted to

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

beat it into the ground.

Naomi Semeniuk, are you here?

MS. NAOMI SEMENIUK: Here.

CHAIRPERSON COMRIE: New York Bird  
Club. Marino--

Female Voice: Marijo.

CHAIRPERSON COMRIE: Marijo Gillis,  
are you here? Come forward. Michael Barnes.  
Michael Barnes, are you here? Susan Blankman, you  
here?

MS. SUSAN BLANKMAN: Yes.

CHAIRPERSON COMRIE: Yes? Is  
Michael here? Okay. Going once, twice. Michael  
Banes?

FEMALE VOICE: Barnes.

CHAIRPERSON COMRIE: Barnes. Okay.  
Is Bob Hunick from Rye, New York? Bob? [Pause]  
No Bob?

No, no, you had your shot, hon.

No, no, you can't come back.

Michael Croland from Astoria?

Michael Croland? Come on down, Mike. We only  
have two so far?

MALE VOICE: Yes.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON COMRIE: Keep going.

FEMALE VOICE: Oh, wait, here comes-

-

CHAIRPERSON COMRIE: Oh, okay, here we go, four. All right, who--you could start ma'am.

MS. SEMENIUK: Hello, I'm Naomi Semeniuk. I support Intro 658 and I also support Council Member Tony Avella for Mayor.

I'm a member of the Coalition and I'm also Manhattan cable co-producer.

The 11th hour has arrived for the carriage horse business and Intro 658 is the noble and ethical paradigm shift that's needed to free the suffering enslaved majestic horses from the deplorable abuse, pain, enslavement, and the threat of potential death they're subjected to every day. Anyway you look at it, the carriage horse industry is a ticking bomb waiting to happen and waiting to harm, maim, or kill pedestrians, motorists, children, pets, and horses. Everyone is in harm's way.

Intro 658 will reinforce respect and liberation for the horses and restore safety

1  
2 to tourists, pedestrians, and everyone. This bill  
3 will indeed prevent future catastrophes and tragic  
4 death. It's a catalyst for progress and the right  
5 and humane change for the city and tourism. Intro  
6 658 will save lives, not jeopardize them the way  
7 they're being jeopardized now every second of the  
8 day.

9 Let's not forget the terrible death  
10 of Spotty, Juliet, and Smoothie. The carriage  
11 owners and drivers claim that they love their  
12 horses and that they're being cared for. Case in  
13 point, the shocking death Juliet. Who is Juliet's  
14 defender, caregiver, and loving protector when  
15 Juliet was being beaten to death by her own owner  
16 while stunned jeering passerby's, protesters  
17 yelled their hearts out at the horse killer trying  
18 to stop the sadistic beating--

19 CHAIRPERSON COMRIE: Time, time.

20 MS. SEMENIUK: --of Juliet.

21 CHAIRPERSON COMRIE: Time. Next  
22 person. Thank you.

23 As we're moving into the 6 o'clock  
24 hour and if--you don't have to use up your whole  
25 two minutes, you can say if you're in favor of it

1  
2 or against it. If you're not bringing any new  
3 information, it would be easier, we still have  
4 about 50 people that are--50 people that have  
5 requested speaking time. You do not have to use  
6 your two minutes, you can just say your name,  
7 whether you're in favor or against either bill.

8 MS. MARIJO ANNE GILLIS: I'm Marijo  
9 Anne Gillis, a trustee of my family's charitable  
10 trust and I want to thank everyone here for the  
11 opportunity to speak.

12 I staunchly support Council Member  
13 Avella in all of his political endeavors.  
14 Somewhere in between cataclysmic events in  
15 history, the 21st century and evolving  
16 civilization has left New York City in the dust.  
17 It appears that some city officials are hell-bent  
18 on thwarting the implementation of humane animal  
19 welfare initiatives and I anticipated intelligence  
20 and compassion from those who guide our city  
21 towards restoration and justice.

22 The carriage horse trade is  
23 farcical and those who consider this exploitative  
24 and merciless commerce, charming, romantic and a  
25 bastion of tourist revenue, are allegedly smoking

1 something pungent.

2  
3 We've all heard it, property  
4 damage, public health concerns, physical danger to  
5 man and animal and it has been and is still  
6 grossly evident. Yet, Speaker Quinn, her mentors  
7 and her cronies and those benefiting from this  
8 antique atrocity turned a blind eye and take a  
9 decidedly dumb stance.

10 The proposed use of electric anteen  
11 [phonetic] cars, which is being bandied about  
12 within the City Council, such as those used in San  
13 Francisco, would spare the city further pollution,  
14 eliminate equine excrement on the streets, harm to  
15 life and limb, both human and animal, and ignite  
16 tourism.

17 Owners and drivers and their  
18 spokespeople lament that they would be out of  
19 business and that they love their horses. Love  
20 does not cultivate exploitation and neglect and  
21 from a business standpoint, they can transition to  
22 a contemporary, clean, green mode of  
23 transportation via the use of these electric cars.

24 The Mayor once said to me when I  
25 questioned when we were going to get the beasts of

1  
2 burden off the street, he said, oh, come on, what  
3 misery? Anyway, the issue is complex. Complex?  
4 It is decidedly more perplexing and pieces of this  
5 industry protection puzzle seem to be missing or  
6 perhaps even cleverly hidden.

7 Suffering and death by unappeasable  
8 greed, unadulterated ignorance and inhumanity is  
9 not acceptable--not now, not anywhere, and  
10 certainly not in our city.

11 CHAIRPERSON COMRIE: Next person.

12 MS. SUSAN BLANKMAN: My name is  
13 Susan Blankman and I'm a member of the Coalition  
14 to Ban Horse-Drawn Carriages. I'm testifying  
15 today in support of Intro 658-A, the bill to end  
16 the horse carriage trade in New York City, which  
17 has no place in 21st century New York City.

18 I am also opposed to 653-A. There  
19 are over 200 carriage horses in this city.  
20 According to information we received from the  
21 Department of Health, 34.8% or 69 horses of the  
22 horses registered in August 2007 were not on the  
23 rolls one year later. This is typical. In  
24 addition, only 70 horses in the registry in  
25 October 2005 were still listed two years later.

1

2 Where did they go?

3

4 The existing law is written in such  
5 a way to favor the industry and to shroud the  
6 disposition of the horses in mystery. There is no  
7 transparency. The law reads a horse shall not be  
8 sold or disposed of except in a humane manner, but  
9 it does not provide a definition. The law  
10 requires that sale records be submitted to the  
11 Department of Health only if the horse is sold in  
12 New York City. If the horses sold at auction in  
13 Pennsylvania, which is likely, records are not  
14 required to be submitted. Why is this?

14

15 The industry would like us to  
16 believe that they keep all the horses that no  
17 longer work, but it's simply not economically  
18 feasible for this industry to absorb every horse  
19 they ever had. Some of the horses are undoubtedly  
20 retired to a nice life, but it's also probable  
21 that many horses are sold at auction or to a  
22 broker for a quick buck so that a new one can be  
23 purchased. Killer buyers who buy for slaughter  
24 houses are a staple of the auctions--Unadilla or  
25 New Holland--and are ready to buy the used up the  
horses. The industry can say what they want about



1  
2 where these horses go, but there must be proof and  
3 accountability.

4 CHAIRPERSON COMRIE: Thank you.

5 Thank you. Next person.

6 MR. MICHAEL CROLAND: Hello, my name  
7 is Michael Croland and I live in Astoria Queens  
8 and I'm a graduate student at New York University.

9 I'm urging you to support Intro 658  
10 and oppose Intro 653.

11 Let me start off by saying that  
12 I've known horses my entire life. My mom rode  
13 horses and my father has been heavily involved in  
14 the horse racing industry. Horses aren't cut out  
15 for the rigors of pulling carriages in New York  
16 City. For example, horses pulling carriages  
17 inhale a lot of smoke and exhaust fumes from  
18 trekking through city traffic with their heads  
19 lowered and near cars' exhaust pipes. In  
20 addition, horses are outside in the extreme cold  
21 and heat, which can lead to heat stroke and  
22 dehydration in the summer months.

23 I've lived in New York most of my  
24 life and I've long been dismayed at the sight of  
25 horse-drawn carriages. All afternoon and evening

1  
2 now we've thrown around some heavy jargon like  
3 cruel and abusive and I don't think that really  
4 cuts to the point. I don't think that, except for  
5 a few bad apples, that any of these hard-working  
6 men and women are cruel or abusive to their  
7 horses, but Intro 658 attacks the problem at its  
8 roots and will do away with a system that is  
9 inherently causes horses health problems and  
10 suffering and I think that, for me at least, is  
11 the issue.

12 So many cities around the world and  
13 in the U.S. have already banned horse-drawn  
14 carriages, now the time has come for New York City  
15 to follow their honorable lead. Thank you.

16 CHAIRPERSON COMRIE: Thank you.

17 Thank you panel.

18 Next group Barbara Dasch. Barbara  
19 Dasch? Barbara Dasch is not here? Here? Okay.  
20 Can you please say here if you're here, please.  
21 Or are you coming to speak?

22 [Off mic]

23 Michael Birotco? B-I-R-O-T-C-O?

24 Michael from Polk Avenue? No? Anna Risieka?

25 MS. ANNA RISIEKA: Here.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON COMRIE: Thank you.

Chantel Semanchik, here. Jessica Dasch

MS. JESSICA DASH: Here.

CHAIRPERSON COMRIE: Next panel will be Amanda Shank, Amy Steinberg, and Feliza Lopez, Marco Murray.

[Pause]

I think you're right. Whoever would like to go first, when it...

MS. BARBARA DASCH: Hello. Okay.

Hi, my name is Barbara Dasch, and I do not support the ban of carriage horses in New York City for the following reason. I have worked in an urban barn for 16 years and I'm part of the New York State Horse Council Brooklyn Chapter. The horses I have worked around lived in minimal conditions set forth by the agricultural and market laws and are content with that.

I took care of a 20-year-old retired from the track thoroughbred named Diga. He had turnout for a large part of his life but failed to thrive, he had expensive intestinal surgery as a result of this. When he came to Kensington, which is the barn I work at, his ribs

1  
2 were showing because of his lack of nutrition he  
3 received during turnout. As a result of my care,  
4 his thrush improved, he gained weight, and I was  
5 able to put him on a proper diet and medicine to  
6 prevent colicing. As you can see, this horse  
7 needed constant care and attention. If he was  
8 turned out again, he would not be able to survive.  
9 Despite the naïve thought that horses running free  
10 are the happiest and most healthy, turnout is not  
11 is not the best thing for every horse.

12 I'm working on attending veterinary  
13 school. My choice of career is inspired by my  
14 experience caring for horses at Kensington. I  
15 want to make sure that horses receive proper care,  
16 not just left to fend for themselves in a pasture  
17 somewhere. Sure they're free, but are they  
18 healthy.

19 In conclusion, I'm against the ban  
20 of carriage horses in New York City. If we ban  
21 the carriage industry, what is going to happen to  
22 the hundreds of suddenly unemployed horses? Where  
23 will they go? To a pasture somewhere and  
24 forgotten with no money and people to take care of  
25 them. Thank you.

1

CHAIRPERSON COMRIE: Next person.

2

3

MS. ANNA RISIEKA: Hi, my name is  
Anna Risieka, and I work--

4

5

SERGEANT-AT-ARMS: Quiet, please.

6

MS. RISIEKA: --and I work at  
Kensington Stables. I'm here to talk about a  
horse named Invisible. He used he was sold into  
Manhattan to be a carriage horse, but it turned  
out that he was not fit for the job. He was put  
on turnout, while his owner at the time searched  
for his new home. His owner obviously cared for  
them since he paid for Invisible's turnout and  
searched for a good home instead of just  
abandoning him. During his time in turnout,  
Invisible failed to thrive. He is a fine breed  
and needs constant care and attention. He was not  
fit for fending for himself.

19

20

21

22

23

24

25

This is the point on which we found  
him and brought him over to Kensington Stables,  
where he lives under the agriculture and market  
laws. He is very happy now and loves the constant  
attention. He is always greeting customers and  
loves to be petted. He gets everything he needs,  
the only thing that he ever wants is more

1  
2 attention and more treats. He gets very excited  
3 when he sees me because he knows he's about to get  
4 some more treats and a chance to roll and frolic  
5 in the back ring. Afterwards, of course, he gets  
6 a nice grooming and a bath if it's warm out. He  
7 absolutely loves attention and the best way to  
8 make him happy is to give him something to chew  
9 on, whether that be a brush, a tree, or the zipper  
10 on my jacket. He especially loves playing tug-of-  
11 war with his brushes, the only thing he loves more  
12 than that is to go out into the park and hit the  
13 trails. Anytime he is in the park, his ears are  
14 up, he has the most enthusiastic walk, and begins  
15 foaming as a sign of his excitement, not  
16 exhaustion.

17 Even though he loves his occasional  
18 run like all horses, when Invisible loves best is  
19 all his attention. In the park, he loves to stop  
20 and stand absolutely still while kids come up to  
21 him and pet him and in his stall he's sure to  
22 stick his head out whenever anyone is passing by.  
23 So Invisible found his perfect home. If he had  
24 not been a carriage horse for that short period of  
25 his time, he would never have ended up at

1  
2 Kensington Stables and we would never have met.  
3 He's found his own perfect home where he is loved  
4 and cared for and as happy as a horse could  
5 possibly be.

6 CHAIRPERSON COMRIE: Next person.

7 MS. CHANTEL SEMANCHIK: Hi, my name  
8 is--

9 CHAIRPERSON COMRIE: You've got to  
10 turn up.

11 MS. SEMANCHIK: Hi, my name is  
12 Chantel Semanchik, I am a horse-drawn carriage  
13 driver in New York City. I work for Château  
14 Stables who I might mention that they also one to  
15 two days a week open up their stable and their  
16 horses, they donate their time to the New York  
17 Therapeutic Riding for the Disabled Children. On  
18 top of that, my family--I've grown up on a dairy  
19 farm where I raise dairy cattle. Most of you in  
20 this room have probably drank a glass of milk that  
21 came off of my family's farm.

22 I currently have seven horses that  
23 were retired carriage horses, as well as placed  
24 more horses than I can count on my fingers and  
25 toes.

1  
2           And I watched Tony Avella this  
3 morning and Channel 5 blatantly admit that he  
4 knows nothing about horses and he depends on the  
5 expert witnesses and the people that support him  
6 to give him his information. And, unfortunately,  
7 the people who support him have probably never  
8 cared for or owned a horse in their life. They're  
9 a bunch of uneducated people who know nothing  
10 about what they're talking about.

11           On top of that, as far as the  
12 weather conditions the day of December 14th, I  
13 personally was out that day, when I left the  
14 stable, there was no snow. The snow came during  
15 the day, which I took my horse and carriage back  
16 to the stable. Not to mention the simple fact  
17 that the people in this industry--also Tony Avella  
18 had mentioned that he amended his bill to state  
19 that none of the carriage horses would go for  
20 slaughter that they were going to place them in  
21 homes. What makes him or any of these uneducated  
22 people feel that we as an industry--and I believe  
23 I can pretty much speak for anybody who owns a  
24 horse-drawn carriage in this industry or a horse--  
25 that I'll be damned over our dead bodies will any



1  
2 of these people ever get a hand on our horses and  
3 I can say that over anything in this--nobody loves  
4 our horses more than we do and these people have  
5 no business talking about something that they have  
6 no idea and do not understand.

7 CHAIRPERSON COMRIE: Next person.

8 [Applause]

9 CHAIRPERSON COMRIE: Quiet, please.

10 Quiet, please. Next person.

11 MS. JESSICA DASCH: Hi, my name is

12 Jessica Dasch.

13 I do not support the ban of the  
14 operation of the horse-drawn carriages in New York  
15 City for the following reasons. The argument  
16 against the carriage industry is based on  
17 perception of abuse and neglect by misinformed  
18 people. People who work with horses and own  
19 horses do not share this belief. I keep my horse  
20 Harley in an urban barn, I believe that she is  
21 perfectly healthy and she's not in danger  
22 for what these people speak of.

23 The horses that we work with are  
24 healthy, living on minimal living conditions set  
25 by the agricultural market laws. We travel

1  
2 through traffic every day. During my 17 years of  
3 riding and working at the stable, I have seen a  
4 lot of car accidents, but I've not seen any  
5 accidents involving moving cars and horses. A  
6 lack of pasture is unfortunate, but it does not  
7 keep a horse from socializing. Close quarters  
8 with other horses known as straight stalls, the  
9 horse views these as safe. As for poor living  
10 conditions, being fed on a regular basis, having  
11 fresh and clean water on a regular basis, having  
12 their stalls cleaned on a regular basis, and  
13 checked on by a vet on a regular basis doesn't  
14 sound very poor at all.

15 What you do not find are  
16 experienced horse people to say that these  
17 carriage horses are worked too hard. These  
18 overwork and physical stress arguments are based  
19 on what could happen to other horses in extreme  
20 conditions, not what happens to carriage horses in  
21 New York City.

22 You can tell that these animals are  
23 taken care of because they have good muscle tone  
24 and healthy shiny coats. A healthy shiny coat is  
25 evidence that a horse is eating well and is

1  
2 healthy. Every time I would go to Central Park, I  
3 would always wander over to where they line up and  
4 I would talk to the drivers and you could tell  
5 that they really love their animals. Anyone  
6 working with animals has to treat them well. It  
7 is in their own best interests to keep their  
8 horses healthy. You can't work a horse, if it's  
9 lame or sick.

10 I retired my pony Geronimo--

11 [Tone]

12 CHAIRPERSON COMRIE: Thank you.

13 MS. DASCH: Okay. I'm going to  
14 finish up. I retired my pony and he lives in one  
15 of the pastures by one of the farms that the  
16 carriage horses--

17 CHAIRPERSON COMRIE: Thank you,  
18 Jesse.

19 MS. Dasch: --retire their horses  
20 at.

21 CHAIRPERSON COMRIE: Thank you,  
22 Jesse.

23 MS. DASCH: Please, I just have one  
24 more thing to say.

25 CHAIRPERSON COMRIE: Go ahead.

1  
2 MS. DASCH: Okay. A lot of the  
3 people that came up here to oppose this don't have  
4 any understanding of what horses actually need.  
5 They preached that they knew best, but they have  
6 no idea what a horse needs and a lot of this is  
7 going to result in the improper care of horses if  
8 this ban happens.

9 CHAIRPERSON COMRIE: [Interposing]  
10 Thank you, Jesse. Thank you, Rachel. Thank you  
11 panel.

12 Is Jarod Goodman here? Jarod  
13 Goodman. Is Amy Steinberg still here? Amy  
14 Steinberg, are you still here? Feliza Lopez, are  
15 you still here? Was that a yes? Thank you.  
16 Margo Murray, are you still here? Margo? Margo  
17 Murray? Okay. Is Robyn Lazara?

18 MS. ROBYN LAZARA: Here.

19 CHAIRPERSON COMRIE: Thank you, come  
20 down, please. Lynne Kaufman. Lynne Kaufman?  
21 Lynne Kaufman from John Street? Ruth Santana?

22 MS. RUTH SANTANA: Here.

23 CHAIRPERSON COMRIE: Come down,  
24 please. Kimberly Smith? Kimberly Smith, 75th  
25 Street?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MS. KIMBERLY SMITH: Right here.

CHAIRPERSON COMRIE: Right here,  
come on down.

FEMALE VOICE: That's four.

CHAIRPERSON COMRIE: Okay.

[Pause]

Okay. Everyone from the balcony  
can come down now. Plenty of seats right up  
front.

[Off mic]

CHAIRPERSON COMRIE: Especially if  
you signed up to speak, I want to remind people  
you don't have to use your two minutes, you can  
just say you're in favor or opposed to either  
bill, you do not have to use your entire time. If  
anyone doesn't use their entire time, I have  
tickets to the Colgate women's game so I'll give--  
it's all I got.

Yes, you can go right ahead. Say  
your name for the record, please?

MS. FELIZA LOPEZ: My name is Feliza  
Lopez.

CHAIRPERSON COMRIE: Quiet, please.

SERGEANT-AT-ARMS: Quiet, please.

1

2 Keep it down.

3

4

5

6

7

8

MS. LOPEZ: My name is Feliza Lopez and I'm a veterinary technician living in Brooklyn and I work in the city. Definitely going to take you up on that offer, I'm not going to take up all of my two minutes because pretty much my whole testimony has been said.

9

10

11

12

13

14

15

16

17

18

19

20

I'm here to support Intro 658 to ban the carriage horse industry. I visit Central Park numerous times a year and I must say my whole concern is that these horses don't have a choice. I understand that we've had job--we have the crisis on hand right now and I understand that everybody has their different views on this whole issue, I just feel that the carriage horses have to travel from the far West side of midtown to Central Park twice daily via 9th and 10th Avenues, which are heavily congested with dangerous vehicles.

21

22

23

24

25

I went to my first protest last year at the end of the year and that same day, there was a marathon that was initiated by fireworks and, as soon as the fireworks went off, all the horses started to get extremely scared and

1  
2 I can tell because they all started shaking and I  
3 mean, if the streets were congested with vehicles  
4 racing down, who knows what could have happened.  
5 I mean, this is just one example of things that  
6 happen on an everyday basis.

7           The horses must constantly inhale  
8 noxious gases from the tailpipes and this is been  
9 shown to cause respiratory damage over time. And  
10 they also have to walk all day on concussive  
11 services surfaces, while pulling heavy loads,  
12 which leads to early arthritis.

13           If this wasn't bad enough, the  
14 stables are multi-storied fire traps and there's  
15 an opportunity for turnout for these sentient  
16 creatures.

17           Just want to say this industry is  
18 ashamed of New York City where we offer our  
19 tourists a cash ride on the back of a smelly  
20 abused animal. Is that the way we want the world  
21 to view our city? That's all.

22           CHAIRPERSON COMRIE: Well, thank  
23 you. Next person.

24           MS. KIMBERLY SMITH: I'm Kimberly  
25 Smith, I live near Central Park on 75th Street.

1  
2 First of all, I'd like to say that  
3 I love being a part of this community of New York  
4 City. Though at the top of the list of reasons  
5 not to live in New York City are horse-drawn  
6 carriages. Horse-drawn carriages do not belong in  
7 New York City. They're cruel, they stink, they're  
8 dirty, and they're a dangerous threat to the  
9 safety of the citizens of New York City.

10 As an artist and a full-time  
11 resident of New York City, Central Park is an  
12 important part of the landscape. It is my weekend  
13 getaway, my summer vacation, my escape from the  
14 asphalt jungle. However, I can tell you that it  
15 is anything but tranquil seeing these horses out  
16 there in all sorts of weather extremes struggling  
17 with heavy gear, pounding the pavement day in and  
18 day out in noisy traffic on congested city streets  
19 with no escape, no reward, no turnout, not even a  
20 place to lie down at the end of a long hard day.  
21 Shame on you New York and shame on the men and the  
22 women who enslave these horses to a treacherous  
23 existence.

24 As a compassionate citizen who  
25 respects these majestic creatures crafted by the



1  
2 hand of God, it is profoundly disturbing and  
3 saddening to witness their misery every day. It  
4 makes me angry and prevents me from enjoying the  
5 park fully. In the summertime, the stench of  
6 horse dung is inescapable; a carefree walk in the  
7 park can turn into a hasty exit just to get away  
8 from the smell. Just last week, I came across a  
9 homeless man who had taken a horse dung and  
10 smeared it all over his trousers. It was a sad  
11 sight indeed. Not only that, he had smeared the  
12 horse dung from one end of the entrance to the  
13 other on 69th Street so that anyone entering the  
14 park would have to step over this large smear of  
15 horse dung.

16 So come on New York, jump on the  
17 bandwagon of compassion toward animals. Consider  
18 the safety of your citizens and reject the lame  
19 arguments of a filthy and cruel industry.

20 CHAIRPERSON COMRIE: Thank you.

21 Next person.

22 MS. ROBYN LAZARA: Hi, my name is  
23 Robyn Lazara, and I live in Boromhill [phonetic]  
24 Brooklyn and I'm proud to be an animal rights  
25 activists. I've done my due diligence on this

1  
2 issue and I am here to speak to you in support of  
3 a full ban on the carriage horse industry Intro  
4 658 and I oppose Intro 653-A.

5 I can see the carriage horses from  
6 my office window and I pass them to and from the  
7 subway. So I have a daily reminder of not only  
8 how the carriages are unsightly and foul-smelling,  
9 but of how our city streets are a dangerous mix  
10 for both people and the horses. Horses are prey  
11 animals that are easily spooked and possess  
12 extreme strength. As we've said today, they do  
13 not belong in traffic or near pedestrians and how  
14 many more horrifying accidents will it take before  
15 the city Council is convinced of this?

16 I also want to stress that the  
17 carriage horse industry is inherently inhumane and  
18 thus incapable of reform. I'd like to reiterate  
19 the Gandhi quote that Edita said earlier, the  
20 greatness of a nation and its moral progress can  
21 be judged by the way its animals are treated. Our  
22 carriage horses are forced to endure throngs of  
23 people, loud moving traffic, exhaust fumes, they  
24 stand in their own waste, they ignore extreme  
25 weather conditions for hours on--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[End tape 5, Begin tape 6]

MS. LAZARA: ..and every day only to retire at night to cramped stables. Stables where they cannot lay down and are torturously deprived of their REM sleep.

Supporters of the industry speak of tradition and sentimentality, but this is clearly a one-sided exploitive relationship between us and the poor horses. And for what? Tourists will surely continue to flock to New York if the industry is banned and meanwhile we can stand with London, Oxford, Las Vegas, Paris, Toronto, and Beijing in banning this cruel and inhumane tradition. Thank you.

MS. RUTH SANTANA: My name is Ruth Santana and I'm here to support Intro 658--

CHAIRPERSON COMRIE: Thank you.

MS. SANTANA: --the bill to ban horse-drawn carriages. I reside in Queens now, but I used to live in the upper West side for approximately 12 years and right across the side of the horses and I always experience this deep sensation about even before I was aware of animal rights issues or animal cruelty, but there was

1  
2 this deep sensation, this deep feeling that there  
3 was something very, very wrong about seeing these  
4 animals pulling this heavy carriages moving along  
5 with heavy traffic.

6 As an urban dweller, I learned to  
7 maneuver my way through traffic and the horses,  
8 but I was always aware of how unsafe it was. No  
9 one can deny that the horses impede the flow of  
10 traffic and people and present a real danger. You  
11 don't have to be an animal activist to realize  
12 that this is the true.

13 I also noticed the horses inside,  
14 some of them with difficulties breathing, foaming  
15 in their mouths and very uneasy attempting to move  
16 through this heavily congested streets. I have  
17 been avoiding this area as much as I can ever  
18 since, but it was in 1990 when the horse named  
19 Tony was trapped, hit by a bus, and killed when I  
20 began to learn about the real plight.

21 The image of a sentient animal  
22 lying on the ground helpless, whose life was  
23 sacrificed in such cruel and tragic manner to  
24 satisfy a tradition and a business is one that  
25 stays with you forever. Now how do you explain

1  
2 this to your children? And what do you teach them  
3 when you see this? It's very difficult. And it  
4 is really--

5 [tone]

6 MS. SANTANA: My time is up? And  
7 it's something that we all need to consider it's  
8 not just about non-humans. It's also about--it's  
9 not only about us--

10 CHAIRPERSON COMRIE: Time's up  
11 ma'am.

12 MS. SANTANA: --but it's also about-

13 -

14 CHAIRPERSON COMRIE: Time's up.

15 MS. SANTANA: --non-human.

16 CHAIRPERSON COMRIE: Thank you.  
17 Thank you panel.

18 Is Yelena Ouchakova--

19 MS. YELENA OUCHAKOVA: Here.

20 CHAIRPERSON COMRIE: [Off mic] Thank  
21 you. Is Darya--

22 FEMALE VOICE: Darya.

23 CHAIRPERSON COMRIE: Darya? Thank  
24 you. Alberto Breezy? Alberto Barizzi? Alberto  
25 Barizzi? Brooklyn. Ahmed Bilici from Brooklyn?

1

2 Ahmed, Ahmed, Bilici, B-I-L-I-C-I?

3 FEMALE VOICE: You go first.

4 CHAIRPERSON COMRIE: Alberto and  
5 Ahmed? Went back to Brooklyn. Is Bob, Bob Beeden  
6 from 6148 something Street? Got to get people to  
7 print these things. Alison Sterling, New  
8 Rochelle? Come down, please. Okay. Oh, all  
9 right, whoever would like to go first can go right  
10 ahead. [Pause]

11 Yep, hit the button.

12 MS. YELENA OUCHAKOVA: Okay. Hi, my  
13 name is Yelena Ouchakova. For the past six years,  
14 I have considered Kensington Stables and all of  
15 its equine residents as family. I've been in  
16 Brooklyn all my life and have always been an  
17 animal lover, especially when it came to horses.  
18 And up until recently, I believed that the only  
19 way to work with these majestic creatures was to  
20 move into the country.

21 Kensington Stables, a 100-year-old  
22 urban barn and one of the remaining few works  
23 around minimal conditions set forth by agriculture  
24 and market laws. Our animals and the ones I have  
25 met from the New York City carriage industry are

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

not being mistreated or abused.

Our horses are healthy and happy. They start their day with fresh hay, fresh water, and morning grain. They are then groomed off and taken to the back arena to roll, play, and interact with their neighbors. Then it's back to grooming. Already in the first three hours, they've received more attention than a lot of people, never mind domestic pets.

The hay keeps on coming through the day, as well as the water. Those who need extra supplements and vitamins get them as well. After a ride, they are taken home, given a break, untacked, re-groomed or bathed and given treats by both customers and caregivers. How is that neglect? The bellies and perky ears say otherwise.

A few of our veteran and retired horses also require special care that pastures wouldn't provide. Rocky, a 30-year-old blind Appaloosa, gets around-the-clock care to keep him happy--I'm talking hand walks, grooming, getting his feet checked, medication, TLC, and regular vet checks. Pasturing him would be like taking a

1  
2 blind man into the country without a seeing eye  
3 dog. Can it be done? Yeah. Should it? No.  
4 Here he is safe and used to the same exact noises  
5 that we go through on a daily basis. The vet is  
6 only a phone call away and everything they need is  
7 here, including us.

8 The arguments saying that carriage  
9 horses are being abused and neglected is a  
10 misconception. People who work with and around  
11 horses disagree. We love our animals and we have  
12 dedicated our lives to live alongside them,  
13 whether it's in the most rural of countries or in  
14 the busiest of cities.

15 As a volunteer and worker of the  
16 urban horse industry, and a dedicated animal  
17 lover, I favor our city horses and not their  
18 banishments.

19 CHAIRPERSON COMRIE: Next person.

20 MS. DARYA KRAVTSOVA: Hi, my name is  
21 Darya, and as an animal lover and a horse person  
22 who has worked with horses, I don't see that there  
23 is a plausible reason for banning horse-drawn  
24 carriages. This is something that makes the city  
25 unique and special and it should be part of the



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

New York City's history.

I have seen the carriage horses and speaking from my experience with horses, they don't look unhappy or mistreated.

I volunteer at Kensington Stables that is located outside of Prospect Park and one of my favorite horses is Tonka. He lives under minimum standards of agricultural laws. If you were to look at him, you would find he is extremely content. He lies down, sleeps, eats, moves around, and gets exercise and is spoiled left and right by everyone. Tonka is also one of our special events horses, he has done photo shoots, movie shoots and has no problem with traffic.

So I believe the carriage horses should not be banned only because they are part of a tradition that has lasted for many generations and should continue for many more to come in the future.

The economic rates that we have now, employments are down and low at the moment, I suppose we cannot afford to let off the caretakers. Think about this, whom are you really

1  
2 hurting the most? Horses or horses that are being  
3 sent off to an unknown future, or the people who  
4 have loved them and taken care of them for so many  
5 years?

6 MR. ALBERTO VIRZI: Hi, how are you  
7 doing? My name is Alberto Virzi, I grew up in  
8 Italy, and I have horses all my life growing up  
9 around my family. My uncle, my grandfather,  
10 everybody had horses and we do well and treat the  
11 horses very well.

12 What it is, is that just people  
13 coming up to us all the time bothering us about  
14 our horses and I get a lot of people coming up to  
15 us and saying wow, your horse looks so great, so  
16 good, what do you do to maintain him and keep him  
17 so good looking. And it's all about taking care  
18 of the horse and maintaining him and the animals  
19 are being well treated. At the end of the day,  
20 just a lot of people just saying a lot of bad  
21 things about us, but at the end of the day it's  
22 not true. The horses are well treated, and there  
23 are a lot of people that come up to us, especially  
24 with the kids and they love to see the horses and  
25 they're all happy about to see the horses around.

1  
2 And even my own kids, I have two boys, they come  
3 by the horse and they say daddy, the horse look so  
4 good, can we go for a ride. I take them for a  
5 ride and they're so happy to see that, it just  
6 brings a big smile to their face and just makes  
7 them so happy.

8 We are all licensed by the city so  
9 if there was a problem, the city should see about  
10 it, but there's no problem, we never get really  
11 summonses from the ASPCA or Consumer Affairs  
12 saying that the horses are abused, they come by  
13 giving us a ticket maybe about a light or maybe  
14 about a reflector, but other than that, it was  
15 never about a horse.

16 So, I believe they should just  
17 leave the horses alone, let the people who do  
18 their jobs and keep their jobs going and that's  
19 all we need to do, is make life easy and peaceful  
20 for everybody instead of making people aggravated  
21 and bothering people that are doing their job.

22 As Tony Avella is an Italian guy  
23 and a lot of people tell me, oh isn't that an  
24 Italian guy that's going that's against you guys,  
25 but we have no comment about that because he's not

1  
2 like not Italian. They say his name is Italian,  
3 but he's not Italian, so...

4 SERGEANT-AT-ARMS: Keep it down,  
5 please.

6 MR. VIRZI: The only thing we wanted  
7 to do was keep our jobs and keep everybody working  
8 and make the kids happy and that's all we're  
9 looking for. We really don't want much in life,  
10 we don't ask for the handouts, we just want our  
11 raise, we haven't gotten a raise in 20 years and  
12 it's only fair with the economy and everything  
13 going up in life that we should have a raise and  
14 keep the horses happy and healthy as they are. No  
15 other questions, thank you.

16 [Pause]

17 SERGEANT-AT-ARMS: ... down.

18 MS. ALISON STERLING: I have to push  
19 the button.

20 MALE VOICE: That's right.

21 MS. STERLING: Hello? Hi, my name  
22 is Alison Sterling, I'm an animal activist, I'm a  
23 member of PETA, Humane Society and a lot of other  
24 animal groups.

25 I'm here in behalf to ban the horse

1  
2 carriages and it has nothing to do with the people  
3 and their jobs. I feel it's very inhumane and  
4 I've seen the horses, I've almost seen quite a few  
5 accidents.

6                   Where I used to work here in  
7 Manhattan, three blocks was a stable and I saw how  
8 the horses were kept and not that the men were  
9 actually physically abusing the horses, but it was  
10 just the condition that the stable was in, it was  
11 very poor condition, the poor horses were always  
12 outside every day I went home from work, I came on  
13 my lunch break, sometime they would be in the same  
14 spot and it was just horrible.

15                   I know everyone has said a lot of  
16 things, so I'm not going to be repetitive, but I  
17 just wish the other side of the people would  
18 understand how humane it is the way these horses  
19 have to breathe in the fumes and I have personally  
20 witnessed almost quite a few accidents and it's  
21 not that anyone is trying to get rid of your jobs  
22 or anything but it's just to protect the horses.  
23 It's just not fair that they have to live in these  
24 conditions.

25                   Animals are not meant to be in the

1  
2 city they are meant--especially horses they should  
3 be out and able to be free and be in the pasture.  
4 So I don't--you know when people are back-and-  
5 forth about we're trying to get rid of jobs,  
6 that's not the point, we're just trying to be  
7 humane and take care of the horses and the  
8 animals. Thank you.

9 CHAIRPERSON COMRIE: Thank you. I  
10 want to thank the panel for coming.

11 Is Ahmed Bilici from Brooklyn here?  
12 Carriage driver? Ahmed, is that you? You can  
13 come forward. [Pause] It is the last person that  
14 will be speaking in favor of 653, everyone else  
15 will be in opposition or in favor of 658, rather.  
16 So Mr. Bilici?

17 FEMALE VOICE: [Crosstalk] Make  
18 sure, ask if there's--

19 [Pause]

20 MR. AHMED BILICI: Hi, my name is  
21 Ahmed Bilici, I'm a horse and carriage driver I  
22 working like five years in south Central Park.

23 When I was born--I'm from Turkey,  
24 when I was born my family has a farm, we have the  
25 horse, we have a cow, we have sheep, all animals,

1  
2 farmer guys. I was driving the horse and carriage  
3 in Turkey, I was using the farm and then I finish  
4 the college in Turkey with veterinary--, I'm a  
5 veterinarian, I'm doctor.

6 I come to United States a not easy  
7 to make same [off mic] I need to go to school  
8 again over here anyway I'm working with the horse.  
9 I'd be happy to work with the horse. I know the  
10 animals, I know the horse, some people complain  
11 about us, they say you're abusing horse, you don't  
12 feed the horse, you don't give him water. It's  
13 too cold. We have everything, we have the food  
14 for horse, all whole horse carriage under the  
15 carriage, we have the bucket with the horse, we  
16 have the water. Also we have the water font in  
17 the Central Park went it goes in, one it goes out,  
18 we have water. In winter time, they shut down the  
19 water because freezing but we have the water on  
20 the buckets we give them forth. And then if we  
21 take care of the horse, if it's cold, we put the  
22 blanket on the horse.

23 If some people say it's too  
24 dangerous for a horse in traffic. Okay, yes,  
25 danger, Given the cars if he doesn't know to

1  
2 drive the car if he doesn't have license, is  
3 danger for you, same thing horse too. If he knows  
4 about the horse, if he knows the driver how drives  
5 horse, it's okay because we are friends with the  
6 horse, we are [off mic] because horse trusts us,  
7 horse knows the people, driver, we know the horse,  
8 we know how to feel a horse.

9 We like the animals, we want to  
10 protect the animals.

11 CHAIRPERSON COMRIE: Time. Time.  
12 Thank you. Thank you very much.

13 We have 62 people that are all in  
14 favor of Intro 65-A. So when I call your name,  
15 I'm going to ask you to just either affirm that  
16 you're in favor. If you need to stand up and  
17 affirm--I'm not finished--so if you really need to  
18 take the two minutes to be repetitive, you can  
19 come forward, but we have another 62 people that  
20 have signed up. I'm going to start running  
21 through the names.

22 Edda Ness, [off mic] [pause] she  
23 wants to speak. Jamie Nielsen? Jamie Nielsen  
24 from 328 West 19th Street? Is that you, sir? No?  
25 No. Jamie Nielsen? Jacquelyn Hoffner.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Jacquelyn, come--do you want to speak?

It's not working, it's not working,  
Tony. And this was your idea, Tony. I want to  
just say this was a joint idea.

John Bhutto from Kermit Place?

FEMALE VOICE: Yeah.

[Off mic]

John, John Bhutto from 59 Kermit  
Place, Brooklyn? No? H. Ruth Carps from 81st  
Street, are you here? Ruth Carps? Joe DeGeorge,  
Joe DeGeorge, are you here? Joe DeGeorge, 350  
CPW, New York, New York? Mary Zantos? Is Mary  
Zantos, 27 West 72nd?

FEMALE VOICE: She left.

CHAIRPERSON COMRIE: She left?

Thank you.

FEMALE VOICE: Thanks.

CHAIRPERSON COMRIE: Marie Gaulson?

Is Marie Gaulson here? 33 East 10th? Okay.  
Maybe this is going--Thomas Deans from Northfield,  
Virginia? I'm sure he left [off mic] got to get  
back, right? Took the horse back to Virginia.

Vivian Barner? Is Vivian Barner  
here? Okay. Anita L. Mackey? Come forward, do

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

you want to speak? Would you like to speak?

MS. ANITA L. MACKEY: Yes.

CHAIRPERSON COMRIE: Come forward.

That's three? Is Mirenza Galdner here from 123 Garu Street? Is that you?

[Off mic]

CHAIRPERSON COMRIE: I'm sorry.

FEMALE VOICE: It's okay.

CHAIRPERSON COMRIE: I think I apologized earlier for any names I might of mangled and any names that I'll mangle in the future. Whoever...

MS. EDDA NESS: My name is Edda Ness. And, Councilman Comrie, I know it's been a long day, but I've been here since 12:30 and I think people should be afforded the opportunity--

CHAIRPERSON COMRIE: I just wanted to offer the option, I [crosstalk]--

Ms. Ness: --to speak. No, I understand that, but I think what's most disappointing here today is that you kept on saying what a Democratic process it was and, you know, Council Member Gennaro and Koppell, I've never met them before, but I've found them really

1  
2 disturbing in terms of their hostility that they  
3 projected and in terms of their rigid viewpoints,  
4 because obviously they're not open to democracy, I  
5 mean they're supposed to represent the people.

6 It's so ironic, I've never been in the chambers  
7 before, but the quote from Lincoln that's on top  
8 of the ceiling right above your head that says the  
9 government for the people, of the people, by the  
10 people, for the people. The irony of that and to  
11 hear Council Member Gennaro and Koppell, the way  
12 they spoke was so disturbing to me.

13 I'm totally against the horse  
14 carriage industry. I mean, the fact is I'm a  
15 lawyer, I work for poor people, people are very  
16 important. Koppell tried to insinuate that why  
17 don't we show more for people. One thing doesn't  
18 negate the other. Animal-rights, standing up and  
19 having empathy for animals doesn't negate caring  
20 for people--that's my whole life's work that I've  
21 done. I also have a degree in social work, so  
22 it's ludicrous for him to suggest that it's an old  
23 tired argument.

24 What's disturbing to me here is  
25 that it seems like the Council Members, the

1  
2 majority of them don't care about animal rights at  
3 all and the issue has become for the Council  
4 people just a commerce issue and it's even you,  
5 Council Member Comrie, you seem to--you lit up at  
6 someone who said something about the sales tax or  
7 that was an issue you took note on. I'm not  
8 attacking you personally or maybe--

9 CHAIRPERSON COMRIE: I take note  
10 about [crosstalk]--

11 MS. NESS: --ever I see you're  
12 making a face, so if I mischaracterized something,  
13 I apologize.

14 CHAIRPERSON COMRIE: No, I don't  
15 think that's [crosstalk]--

16 MS. NESS: But what's disturbing to  
17 me is that it seems like it's just come down to a  
18 commerce issue and it's not about taking away  
19 people's jobs. I mean, the fact is, there are a  
20 lot of people who lose their jobs. Circuit City  
21 is going out of business, there over 200 people  
22 losing their jobs there. It's not a nothing  
23 issue, but that doesn't preclude us having to  
24 stand up for animals. If animal people didn't  
25 speak up over the years, there would be no laws

1  
2 against animal cruelty. I mean that's a fact,  
3 people need to speak up, that's life. You know,  
4 the sad things happen that people may lose their  
5 jobs, but that doesn't preclude us having laws  
6 against cruelty to animals.

7 [Applause]

8 CHAIRPERSON COMRIE: Thank you.

9 Next person.

10 Quiet, please. Thank you.

11 Yeah, but it still would take more  
12 time if we let clapping for each one. Next  
13 person.

14 MS. JACQUELINE HOFFNER: Good  
15 evening, my name is Jacqueline Hoffner.

16 Chairperson Leroy Comrie, Jr.,  
17 thank you very much for this opportunity.

18 I wish to testify in favor of Tony  
19 Avella's Intro 658, and oppose James Gennaro's  
20 Intro 653-A.

21 Tourists come and go and there's no  
22 evidence that horse-drawn carriage rides are the  
23 reason they visit our city. But New Yorkers know  
24 that horses and traffic are a dangerous and deadly  
25 combination and that horses do not belong on the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

streets of their town.

In the oppressive humid heat of summer, we have seen a horse named Misty collapse from heat prostration. She died shortly afterwards.

On a rainy winter night, New Yorkers helplessly watched in horror as a horse named Jackie was fatally electrocuted when her metal shoes touched a wet manhole cover.

New Yorkers saw a young horse run amok down 9th Avenue and crash into a car. It took 30 minutes to extricate Spotty from the wreckage. His injuries were so severe he was put down.

We've seen a sick horse named Juliet, lying on the ground in agony, being whipped by her owner to try to make her stand. She died later that night.

And New Yorkers watched a horse named Smoothie, startled by a musician, run head-on into a tree and die before us of a heart attack.

In the last decade, there were at least 22 serious horse-drawn carriage incidents in

1  
2 New York City, including five horse deaths and 19  
3 injuries to people. How many are required to  
4 count as enough?

5 The horse-drawn carriage business  
6 should be banned because it is a danger to the  
7 horses and to us.

8 Thank you.

9 CHAIRPERSON COMRIE: Next person.

10 MS. ANITA MACKEY: Thanks. Good  
11 evening, my name is Anita Mackey and, of course, I  
12 do support a ban to the carriage horse industry.

13 CHAIRPERSON COMRIE: What is that?

14 MS. MACKEY: Much of what I'm going  
15 to read is a statement on behalf of Holly Cheever,  
16 who is a world-renowned equine veterinarian and  
17 really this testimony should have been given very  
18 early on, however, much has been said, but I'm  
19 going to do my best to bring out her most salient  
20 points.

21 I am writing to request your  
22 support for Council Member Tony Avella's bill  
23 number 658-A, which would ban carriage horse  
24 operations in New York City.

25 My nationwide expertise in the area

1  
2 of carriage horse use has shown that New York's  
3 carriage horse trade provides the most dangerous  
4 environment with myriad inherent factors that make  
5 this tourist attraction in the 21st century  
6 Manhattan an inappropriate anachronism. There are  
7 inherent dangers for horse-drawn carriages in this  
8 city with its high population density and  
9 overwhelming traffic volume, contained within  
10 airless canyons of tall buildings that make the  
11 horses' lives inhumane.

12 Constant pounding on the hard  
13 pavement of the streets exacerbates lameness--and  
14 the important point here is that these horses  
15 come, for the most part, from previous work  
16 settings on Amish farms and standard bred racing  
17 tracks, which, of course, causes pre-existing  
18 lameness. The street surfaces can reach 200  
19 degrees Fahrenheit in the summer and the ground  
20 level ambient air can be 41 degrees higher than  
21 the temperature cited by the U.S. Weather Bureau,  
22 according to a Cornell University study. No  
23 wonder New York has lost horses to heat  
24 prostration deaths, especially since clean water  
25 sources for drinking during their work shifts are



1  
2 inadequate and not maintained.

3 CHAIRPERSON COMRIE: Thank you.

4 Next person.

5 MS. MARZENA GOLONKA: Thank you for  
6 holding this hearing.

7 My Name is Marzena Golonka. I'm a  
8 resident of Williamsburg Brooklyn, a business  
9 owner, and a registered voter. I am here in  
10 support of Intro 658, the bill to ban horse-drawn  
11 carriages. This is a key issue for me when I  
12 decide for whom to vote in the next election.

13 I have looked at this issue from  
14 different angles and I fail to see why, in the  
15 21st century, the city allows horses to stand  
16 alongside cars, which from the horses'  
17 perspective, can only be characterized as heavy  
18 metal firecrackers.

19 Several people have been injured,  
20 but it appears that public safety is not a  
21 priority. Does it take a human death for you to  
22 listen? My understanding is this is a cash-based  
23 business. We have solid evidence that the  
24 carriage drivers charge more than the posted  
25 prices, and so much of the income goes unreported.

1  
2 This means that the recordkeeping is inaccurate as  
3 well.

4 I do not understand the opposition  
5 to banning this industry when other great cities  
6 like Paris, London, Toronto, and Beijing have  
7 recognized that the horse-drawn carriage is  
8 antiquated and has no place in today's society.

9 In addition, this industry is  
10 inhumane. The mistreatment of horses' ranges from  
11 empty water troughs in the winter to the horses  
12 being forced to work in the most brutal weather  
13 conditions. Whether this is due to lack of law  
14 enforcement or lack of common decency, I do not  
15 know, but I do know that the horses are forced to  
16 stand for many hours every day on pavement, which  
17 is unnatural for them and leads eventually to  
18 lameness.

19 In a city of people who cherish  
20 their pets, I believe that any New Yorker who  
21 becomes aware of the reality of these horses'  
22 lives would support a ban.

23 And, finally, for those who worry  
24 that these horses would go to slaughter, this is  
25 not the case. There are many organizations--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[Tone]

--just quick--and private individuals who would gladly take these animals in, so they would all go to good homes to live the rest of their lives in a setting appropriate for horses.

CHAIRPERSON COMRIE: Thank you panel.

And I think I've been trying to be fair all day, so I've been working hard at being fair and balanced.

Linda Ann Gray, are you here? Come forward please, if you want to speak. Barbara Stagno, are you here? Dobbs ferry, Barbara Stagno? Not here? Louis Gedo, Utopia Parkway, come forward please, if you want to speak.

[Off mic]

FEMALE VOICE: Pakara?

CHAIRPERSON COMRIE: Pakara Legendara? Might want to read this. Santos Lopez? Is Santos Lopez here? Seven Bryant trail? No? Natasha Brenna. Natasha Brenna, here? From Christie Street. Daryl Weiss? Derek Weiss? No Derek Weiss, Dara Weiss? Tasninia Dasgupta? From

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Scarsdale? She had to leave?

[Off mic]

CHAIRPERSON COMRIE: They should've told us there was a wheelchairperson here, I would have made accommodations, I'm sorry. You'll apologize to her for me., I did not know.

Jennifer Abrams?

MS. JENNIFER ABRAMS: Yes.

CHAIRPERSON COMRIE: Come forward, please. Did you know, did you--oh we didn't know. Okay. Jeannie Reed, Park Avenue? Okay. You can go first, ma'am.

MS. LINDA ANN GRAY: Hello, my name is Linda Ann Gray, I'm a little nervous, so please excuse me. I'm a nursing technician, I volunteer with the Coalition to Ban Horse-Drawn Carriages.

[Off mic]

MS. GRAY: Yes, I'm sorry. I'm in support of Intro 658, the bill to ban horse-drawn carriages.

Twice last summer, I telephoned the ASPCA's animal cruelty hotline. I was compelled to do this to report the condition of two horses drawing carriages in the streets--not in the park,

1  
2 in the streets of Manhattan, Central Park South  
3 and Broadway. The first horse was clearly in  
4 distress, his head tossing wildly and his lips  
5 frantically moving. The second horse was limping  
6 very badly, his back left leg. The inspector was  
7 sent to the stable, I followed up, the inspector  
8 told me the horse had to be put on stable rest for  
9 several days.

10 Now this all aside, and I think  
11 this is neglect, it may not be abuse, but it's  
12 definitely neglect. The bottom line here is quite  
13 simple, in 2009, heavy traffic, fast-moving  
14 rubber, metal, and steel should not be the  
15 environment for these animals. Let us not lose  
16 sight of the fact that horses are sentient beings  
17 made of bone and muscle, flesh and blood. For the  
18 sake of the horses, please, please, please support  
19 Intro 658. Thank you.

20 CHAIRPERSON COMRIE: Say your name  
21 again for the record, please.

22 MS. GRAY: Linda Ann Gray.

23 CHAIRPERSON COMRIE: Thank you.

24 Next person.

25 MR. LOUIS GEDO: I want to thank the

1  
2 committee for allowing me to speak. My name is  
3 Louis Gedo, I'm a resident of Queens, I've lived  
4 in New York City for almost 43 years. I work in  
5 the building services industry, SCIU Local 32 BJ.

6 I'm here on behalf of the Coalition  
7 to Ban Horse-Drawn Carriages and I support Intro  
8 658, the bill that would ban horse-drawn carriages  
9 in New York City.

10 Spend an hour around Central Park  
11 South on any given day and you'll see trusting  
12 tourists saying how much is a carriage ride. It  
13 seems a simple question, but apparently it is far  
14 from simple. Tourists are baffled and in reality  
15 are left to sort it out on their own. It appears  
16 that the drivers size up the tourist and then  
17 suggest a fare they think they can get--they  
18 usually get away with it. Meaningful regulation  
19 hasn't and doesn't exist for this. If the  
20 consumer balks, the driver may explain that the  
21 quoted fare includes a sales tax--another  
22 deception. Fifty dollars is an often heard  
23 response to the fare question as videos have well  
24 documented. Many tourists are charged even more  
25 than this. Anyone who has seen the recent video

1  
2 of tourists being overcharged outside of Central  
3 Park would surely be as confused as the tourists  
4 are.

5 It brings to mind those  
6 unscrupulous contractors exposed for seriously  
7 overcharging unwary customers--not exactly the  
8 image that New York City should be cultivating.

9 Decades-long attempt at industry  
10 oversight by city agencies including enforcement  
11 of a simple and methodical fare structure have  
12 failed outright. If tour operators quoted such  
13 variable rates, they would likely face severe  
14 consequences. Why, on the other hand, is it okay  
15 that the carriage industry gets away with this?  
16 Regulation hasn't worked, it cannot work,  
17 regulation is not the answer.

18 Abusing an animal or a person  
19 doesn't necessarily equate to an unhealthy  
20 individual, contrary to what the industry would  
21 like us to believe.

22 CHAIRPERSON COMRIE: Thank you.

23 Next person.

24 MS. JENNIFER ABRAMS: Hi, my name is  
25 Jennifer Abrams, I am here in support of Intro 658

1  
2 and I want to thank you for letting us speak. We  
3 all feel very, very passionately about this.

4 A lot of what I have written has  
5 been said, but I'll pick up I guess following on  
6 what Susan said earlier about sending horses to  
7 slaughter and just buying a new one when they get  
8 beyond their usefulness.

9 There is a startlingly high turnover  
10 in carriage horses and, try as they might, by  
11 their own admission, it's impossible for the  
12 carriage horse drivers to place all of their  
13 retired horses somewhere nice to live out the rest  
14 of the life.

15 I volunteer at the city animal  
16 shelter, and I see on a daily basis how disposable  
17 some people consider animals to be. This does not  
18 bode well for the future of humanity, it's a short  
19 step from here to considering old, infirm,  
20 inconvenient, or badly behaved people to be  
21 disposable. And in the short-term, this idea that  
22 people can throw their animals away is a burden on  
23 the city's resources and its budget.

24 We will never have the capacity to  
25 respect our human brothers and sisters until we



1  
2 learn to respect all life in its myriad forms.  
3 Horse-drawn carriages are entertainment, a  
4 frivolity, and they're no longer necessary for  
5 transportation. Anyone with respect for these  
6 majestic animals understands that this is no life  
7 for them, and their empty, dead eyes, their  
8 bruised and chaffed skin, and their broken  
9 disposition brings nothing but sadness and  
10 heartbreak to our otherwise beautiful city.

11 Thank you.

12 MS. JEANNIE REED: Hi, sorry. My  
13 name is Jeannie Reed, I don't have an affiliation  
14 here, that makes me the 32nd person to speak here  
15 on behalf of Tony Avella's bill that did not have  
16 an affiliation as opposed to three people without  
17 an affiliation who are going against this bill.  
18 So I guess that's why there's no referendum,  
19 because these guys would lose.

20 I am unemployed, so I'm here. I  
21 speak for 39 other registered voters I contacted  
22 who asked me, yes, whatever you have to say, you  
23 can say it for me.

24 I started caring about the carriage  
25 horse industry as an activist 22 years ago when

1  
2 Whitey collapsed on the street and three days  
3 later Misty collapsed on the street and died. If  
4 it hadn't been a really celebrity reporter named  
5 Cleveland Amory, who made so much noise over these  
6 two incidents, the '89 laws wouldn't even exist.  
7 I would like to point out to these absent  
8 gentleman that the bill they have written proves  
9 our point, because if the carriage horse owners  
10 could be counted on to care about the well-being  
11 of their horses, these guys wouldn't have had to  
12 write a bill. So basically--it's too bad they're  
13 not here.

14 Now this is what happens when you  
15 call 3-1-1, if you call 3-1-1, you are told it's a  
16 carriage horse issue, call the ASPCA and you're  
17 given the number. You call the ASPCA, over 200  
18 carriage horses working nine hours a day, six days  
19 a week and one ASPCA enforcement guy with a 40  
20 hour week. If you get an answering machine at the  
21 ASPCA, you are instructed to call the police. The  
22 police operator at 9-1-1, 9 times out of 10  
23 because I have been doing this, argues with you  
24 that it's not a police function to enforce the  
25 law, it's an ASPCA function, but if you ask the

1 enforcement guy at the ASPCA, he'll tell you it's  
2 police function.  
3

4 [Tone]

5 This is really important, do you  
6 mind if I just take a second because it's--you  
7 don't mind?

8 [Off mic]

9 Okay. I have one more thing to  
10 say, I guess being a politician from Brooklyn with  
11 a major Irish constituency apparently--

12 CHAIRPERSON COMRIE: Time's up,  
13 ma'am.

14 MS. REED: --is a hell of a lot more  
15 important than this issue.

16 I'm done.

17 CHAIRPERSON COMRIE: Thank you.  
18 Thank you panel.

19 Is--

20 FEMALE VOICE: Stella.

21 CHAIRPERSON COMRIE: --Stella Mahon-  
22 -

23 FEMALE VOICE: Sheila?

24 CHAIRPERSON COMRIE: Sheila?  
25 Sheila? Come forward please.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Teresa Russo, are you here?

MS. TERESA RUSSO: Yes.

CHAIRPERSON COMRIE: Come forward,  
please. Maria Meringolo?

MS. MARIA MERINGOLO: Yes.

CHAIRPERSON COMRIE: Come forward,  
please. Dina Kalra? Dina Kalra?

MS. DINA KALRA: Coming.

CHAIRPERSON COMRIE: Thank you.

[Pause]

MS. MERINGOLO: Hello, my name is  
Maria Meringolo and I'm here today to support  
Councilman Tony Avella's bill, Intro 658, to ban  
the horse-drawn carriages from our New York City  
streets.

I believe the horse-drawn carriage  
industry to be an exploitative industry in which  
horses are forced to work in conditions tantamount  
to slavery. The carriage industry endangers the  
lives of their own horses and profits from their  
suffering.

These animals scare and spook  
easily and yet are pulling heavy carriages through  
the noisy and congested city streets. They are

1  
2 forced to work in extreme weather conditions; they  
3 are forced to inhale exhaust fumes; and then after  
4 working up to nine hours a day, six days a week,  
5 they are stalled and confined in small, dark, and  
6 damp spaces in multi-storied warehouses. Again,  
7 this is inhumane treatment and as such is immoral.

8 Even though their lives are in  
9 danger and the lives of pedestrians are in danger,  
10 even though there have been 21 serious horse-drawn  
11 carriage incidents in New York City between the  
12 years 1998 and 2007, even though there have been  
13 five horse deaths, even though there have been at  
14 least 18 human injuries, and even though the ASPCA  
15 agrees that it's time to get these animals off of  
16 our streets, this cruel operation of horse-drawn  
17 carriages in New York city continues to operate.

18 There could be no justification or  
19 sensible reason why this industry should be  
20 allowed to continue to mistreat these sentient  
21 beings as they do any longer.

22 It is animal abuse and it must be  
23 stopped for the sake of these horses who do not  
24 have a choice.

25 Thank you.

1  
2 MS. TERESA RUSSO: My name is Teresa  
3 Russo and I live in Staten Island. I'm supporting  
4 Intro 658, the bill to ban horse-drawn carriages.

5 I believe that there is serious  
6 doubt that the carriage horses can be provided  
7 with sufficient water to keep them healthy.

8 According to websites of veterinary  
9 colleges and others devoted to the care and  
10 maintenance of horses, the average non-working  
11 horse will drink 10 to 12 gallons of water a day.  
12 A working horse can need two to three times that  
13 much--the need goes up with hot and cold weather,  
14 and the amount of exertion of the horse.

15 Insufficient water intake can lead  
16 to serious health problems, including dehydration  
17 and impaction colic, which is very painful for the  
18 horse.

19 Dirty water can carry bacteria and  
20 viruses that make the horse sick.

21 There are two water troughs in  
22 Central Park. From November to March, they're  
23 turned off. Last Friday, the trough on 6th Avenue  
24 was empty, except for some dirty snow on the  
25 bottom. The one on 5th Avenue had been manually

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

filled and the water looked very dirty.

There are approximately 200 carriage horses in New York City. With 68 carriages in the park at a time and only one trough being hand-filled, how could it hold enough water for all the horses and how could it be kept clean with so many horses drinking from it?

The drivers carry buckets, but how much water can a bucket hold, and how often would the driver be able to fill it during the nine hours that the horse is working? Where would he be able to fill it?

An audit conducted by City Controller Thompson in 2007 mentioned that there are no water spigots in the areas that the carriages wait to pick up passengers, which makes it difficult to obtain drinking water for the horses. Not providing sufficient drinking water to any animal, but especially to a working animal, is inhumane.

Horses, like people, suffer when they're dehydrated, but unlike people, they can't refuse to work, they have to continue hauling carriages around the park.

1  
2 MS. SHEILA MAHON: Okay. My name is  
3 Sheila Mahon and I support Tony Avella and Intro  
4 58.

5 Only in telling the truth can the  
6 truth be changed. Truth number one is that these  
7 animals live in inhumane conditions already  
8 attested to by the ASPCA and the Humane Society so  
9 I won't go on. The industry tries to rationalize  
10 that they are used to it and that they are bred  
11 for it. No feeling creature gets used to abuse,  
12 no animal, domestic or wild, can have its natural  
13 instincts and genetics wiped out no matter how  
14 hard you must try to do so for their own greed.  
15 Animals do not thrive when their basic needs and  
16 instincts are denied and when they have no more  
17 monetary value to the people who claim to love  
18 them, where do they go? The slaughterhouse, that  
19 is their final reward.

20 Truth number two is that the  
21 industry has political ties. One big political  
22 tie is Christine Quinn. Speaker Quinn has been  
23 against each and every bit of proposed humane  
24 legislation for the animals of New York.

25 I say don't sacrifice your morals,



1  
2 your ethics, your humanity to greed and abuse of  
3 power. Let us use our conscious to form a moral  
4 decisions in favor of un-chaining animals by  
5 having the strength in our conviction that as a  
6 society we cannot in good faith consent to this  
7 form of callousness. Humanity advances only as it  
8 becomes more humane. As Dr. King says, he who  
9 passively accepts evil is as much involved in it  
10 as he who helps to perpetrate it.

11 On two occasions I was threatened  
12 by physical abuse by the drivers, I don't want to  
13 use up my limited time, you can question me if you  
14 want to hear about that.

15 Animals are every day perishing  
16 under the hands of barbarity without notice,  
17 without mercy. Famished as if hunger was no evil,  
18 mauled as if they had no sense of pain, and herd  
19 about incessantly from day to day as if excessive  
20 toil was no plague or extreme wariness was no  
21 degree of suffering. The obligation to be kind  
22 and merciful to animals remains the same whether  
23 they have souls or not. Their status as respects  
24 a future life does not annihilate suffering and  
25 pain. Pain is pain, and it makes no difference

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

whether to an animal or a man.

And that was said by Edie Bruckner,  
M.D.

COUNCIL MEMBER AVELLA: I have to be  
fair, time is up, I'm sorry.

MS. MAHON: I know, but can I just  
say something--

COUNCIL MEMBER AVELLA: No, no. I--

MS. MAHON: --other people were  
given a few extra seconds, I have just one more  
sentence.

COUNCIL MEMBER AVELLA: You've  
already gone over a few seconds. I have to be  
fair, just like we cut off people on the other  
side, I had to be fair, especially since now I'm  
chairing the meeting.

[Off mic]

MS. DINA KALRA: My name is Dina  
Kalra, I'm here with the Coalition to Ban Horse-  
Drawn Carriages.

I'm a retired New York City police  
officer, I have primarily worked in Manhattan and  
more specifically in the area around Central Park  
on occasion. I'm not going to continue on with

1  
2 what I was going to say because it's already been  
3 said.

4           The names of the horses that met  
5 with horrific accidents, in some cases subsequent  
6 death have been mentioned in previous testimony  
7 here today.

8           Those of us for 658 have been  
9 called uneducated. We are, in fact, lawyers,  
10 teachers, Ph.D.'s, and I myself have a Masters  
11 degree. Council member Avella has been insulted  
12 as an Italian-American here today; I am an  
13 Italian-American, and I applaud you and say bravo  
14 *bonna fortuna* [phonetic].

15           Police horses do not pull people or  
16 carriages, nor do they work for cash, although I'm  
17 sure some of them wish they could. We all wish we  
18 could. Not even St. Francis escaped today, I do  
19 not believe that when he called the animals his  
20 brothers and sisters that he envisioned them being  
21 pulled or pulling carriages on asphalt in severe  
22 temperatures and inhaling fumes from cars. And I  
23 also ask you how bad can we all be as a group if  
24 we're here for helpless animals and not for our  
25 own benefit? Thank you.

2 And why is it a cash business?

3 CHAIRPERSON COMRIE: Is that  
4 everybody? Thank you panel. Dr. Deborah Tanzer,  
5 are you here?

6 [Off mic]

7 CHAIRPERSON COMRIE: Come forward,  
8 please. Diane Carr, are you here? Come forward,  
9 please. Sergeant Reynolds are you here? Sandra  
10 Reynolds, Southside Avenue? No? Kim Mancuso?  
11 Kim Mancuso, are you here? Christine Jordan? Are  
12 you here? Bloomfield New Jersey? Mary Culpepper  
13 come forward, please. And Mickey Kramer, come--  
14 thank you. Got four.

15 MR. MICKEY KRAMER: No, no, I'll go  
16 last.

17 [Pause]

18 CHAIRPERSON COMRIE: Dr. Turner?

19 [Pause]

20 DR. DEBORAH TANZER: You go.

21 MS. MARY CULPEPPER: My name is Mary  
22 Culpepper and I live in Manhattan. I work--

23 MALE VOICE: Speak into the  
24 microphone please.

25 CHAIRPERSON COMRIE: Got to talk

1  
2 into the mic, speak up, Mary, nobody's going to  
3 buy to.

4 MS. CULPEPPER: I work in the  
5 medical education industry. I'm here on behalf of  
6 the Coalition to Ban Horse-Drawn Carriages and I  
7 support Intro 658, the bill that would ban them.

8 New York City's poorly regulated,  
9 horse-drawn carriage industry has been deemed  
10 inhumane by both the ASPCA and the Humane Society  
11 of the United States. These, and other leading  
12 animal advocacy organizations, have stated that  
13 working conditions in New York City's horse-drawn  
14 carriage industry cannot be made safe for the  
15 horses. This is primarily a consequence of the  
16 risk posed by heavy traffic in which the horses  
17 must travel daily.

18 Three of the stables are located in  
19 the West 30s and 40s. The southernmost stable is  
20 on West 37th Street. Equine veterinary experts  
21 and techs are in agreement that no horse is  
22 unspookable. Most recently, spooking accidents  
23 have claimed the lives of Smoothie in 2007 and  
24 Spotty in 2006.

25 The 2006 accident also critically

1  
2 injured the carriage driver and injured two people  
3 in the vehicle. This is consistent with the  
4 national carriage horse accident survey which  
5 found 85% of all accidents were the result of the  
6 horse spooking; 70% of the time there was a human  
7 injury; and 22% of the time, a human death. The  
8 survey also found that in New York City, which has  
9 the highest carriage horse accident rate in the  
10 country, 98% of the horses who spooked became  
11 injured; horse-drawn carriages in 21st century New  
12 York are inhumane and, importantly, they pose  
13 unacceptable risks to the animals as well to the  
14 public safety. This is a huge liability issue.

15 Furthermore, the carriage driver  
16 who was critically injured in the Spotty accident  
17 was described by family members as a complete  
18 novice around horses. This does not support  
19 industry assertions of expertise, it does,  
20 however, support what is known about the ease of  
21 obtaining a license. I support nothing less than  
22 a full ban on horse-drawn carriages.

23 DR. DEBORAH TANZER: My name is Dr.  
24 Deborah Tanzer. I am a licensed psychologist in  
25 New York state. I have a clinical practice in

1  
2 psychotherapy and psychoanalysis and I do research  
3 and writing about the links between human violence  
4 and cruelty to animals. I want to speak to you  
5 today about what we are teaching our children  
6 about horses.

7 In nature, horses are magnificent  
8 animals--strong, proud, beautiful. They run in  
9 the wind, manes flying, legs galloping over the  
10 earth beneath their feet. This is the horse our  
11 stories and lessons teach our children about, but  
12 we teach a different lesson, an ugly one, when we  
13 allow horse-drawn carriages.

14 Carriage horses have been cruelly  
15 deprived of their birthright to run free, to fly  
16 with the wind, to feel the earth. Even to see  
17 fully with the eyes that nature has given them,  
18 which we have cruelly blindered. Instead, they  
19 are exploited for human amusement, and forced to  
20 carry heavy loads. They stand imprisoned, their  
21 vision marred. Traffic noise, toxic fumes, blazing  
22 heat, freezing cold, rain and snow--this is what  
23 we have mandated for them.

24 The lesson to our children is an  
25 immoral one. We are saying it is all right to

1  
2 treat horses this way, that it is all right they  
3 are imprisoned, exploited, and sad. Far from  
4 teaching compassion and empathy, this message  
5 desensitizes us, with harmful consequences for us  
6 all.

7           The link between abuse of animals  
8 and violence against humans is well documented,  
9 including by the FBI. In this case, witnessing  
10 the situation of the carriage horses inevitably  
11 desensitizes adults and children alike, planting  
12 dangerous seeds for the future.

13           For the sake of the horses, our  
14 children, and ourselves, it is time to ban horse-  
15 drawn carriages forever.

16           MS. DIANNE CARR: Thank you. My  
17 name is Dianne Carr, I live on the upper West  
18 side, I'm a native New Yorker--

19           [Off mic]

20           MS. CARR: Pardon me?

21           [Pause]

22           MS. CARR: I'm Dianne Carr, I live  
23 on the upper West side, I'm native New Yorker, I  
24 grew up on the East side, I am in support of 658-  
25 A.



1  
2 I brought something to share that I  
3 think is somewhat unique, and it follows on the  
4 testimony of the person who spoke before me about  
5 the legacy that we will leave people behind us and  
6 our children and how this Council, Mayor, and  
7 Christine Quinn, we will all be challenged to  
8 really rise to the occasion of a difficult economy  
9 in doing the right thing.

10 My cousins, Richard P. Pasquel  
11 [phonetic], from Moorestown, New Jersey, do visit  
12 New York from time to time and wanted to take a  
13 carriage ride and I persuaded them from not doing  
14 it and they told me later they were kind of glad  
15 they didn't they saw a carriage was dropped dead  
16 in the Lincoln Tunnel.

17 I have never, never seen a happy  
18 horse drawing a carriage in my life in New York, I  
19 don't think once. They're putting feathers and  
20 bells and whistles on them, but it doesn't hide  
21 what's there.

22 The poem I'd like to share is by a  
23 nine-year-old, it's from a book called Miracles  
24 Poems by Children of the English-Speaking World,  
25 Hillary Allen, age 9 in Canada.

1  
2 With shiny skin and fiercest eye,  
3 clattering hoof will never die. From memory of  
4 mine the horse if wild, a creature fine who's  
5 always bright. Yet man took horse to call his own  
6 and broke him in with reins and such. Man used a  
7 whip, twas very coarse and took the life from wild  
8 horse. That proud creature jumping free is now a  
9 sad and gloomy one. Oh, think of what the man has  
10 done. Wild, free, full of glee, that was the wild  
11 one. Shame on man to do what's done, took spirit,  
12 soul, all joy as well--

13 CHAIRPERSON COMRIE: Time.

14 MS. CARR: - oh wild horse.

15 MR. MICKEY KRAMER: Hi, my name is  
16 Mickey Kramer, I'm a native New Yorker and  
17 strongly support Intro 658.

18 The Horse Carriage Association,  
19 although I think they're all gone now, is known to  
20 call anyone who opposes them animal extremists. I  
21 have two opposing words for them: common sense. A  
22 couple of weeks ago, the Daily News published  
23 about 20 letters about this issue and the only two  
24 in support of the industry was a carriage driver  
25 and a woman from the Carriage Association. It's

1  
2 common sense to see that only someone with a  
3 financial stake supports this industry. I haven't  
4 heard anyone here today on the contrary.

5 In the past few years we've gone  
6 over the tragedies and I'm just wondering and  
7 wondering if it will take a human fatality to turn  
8 some people around.

9 As someone who has recently been  
10 given termination date at my current job, I am  
11 sympathetic to the small group of people who would  
12 need to find other jobs, but that we do not need  
13 those jobs. I strongly encourage the city to  
14 offer job training and if riding tourists around  
15 Central Park, there are those electric cars, which  
16 I hadn't heard about, and there's also Pedicabs.  
17 Again, if that's their great love riding tourists  
18 around.

19 There is nothing extreme about  
20 common sense, nothing extreme about compassion and  
21 empathy.

22 In this exciting year of change--  
23 Council, I wish there are more of you here--it's  
24 time to end this ugly blight on this wonderful  
25 city. Show some common sense, let's help the

1  
2 drivers find more fulfilling careers, join the  
3 great majority as we're all here and support and  
4 pass Intro 658.

5 CHAIRPERSON COMRIE: Thank you.  
6 Thank you panel. Wayne Drach, are you here,  
7 Wayne? Come forward, please. Rita Garcia. Come  
8 forward, please. Erin Edwards. Erin Edwards.  
9 Erin Edwards, Gates Avenue? No? Paul Saconey?  
10 Paul, are you here? Sarah Hugo? Come forward,  
11 please. Arlene Siegel. Arlene Siegel, York  
12 Avenue? Maureen Kelly. Was that a yes? Maureen  
13 Kelly here? Claudia Emerson? Claudia Emerson?  
14 Okay, great. That's four.

15 [Pause]

16 Okay. Whoever would like to go  
17 first. Yeah, Wayne.

18 Just hit the button.

19 [Off mic]

20 MR. WAYNE DRACH: Are we on? Okay.

21 MALE VOICE: Yes.

22 MR. DRACH: My name is Wayne Drach,  
23 I am in favor of Intro 658-A.

24 I want to make this short, a lot of  
25 what I intended to say has already been said. I'm

1  
2 a retired police officer as of one year. I had 22  
3 years of service credit when I retired and from  
4 what I've seen, I can never fully understand how  
5 and why the carriage horses are still operating.  
6 They do not have a place in modern society  
7 competing with vehicular traffic. It is obviously  
8 a dangerous combination.

9 Let's keep in mind that  
10 unfortunately for every reported crime or  
11 incident, there's a large percentage of cases that  
12 go unreported. And I wouldn't be surprised if  
13 this holds true for the carriage industry as well.  
14 It is my hope that the City Council does the right  
15 thing for its citizens. Thank you.

16 CHAIRPERSON COMRIE: Thank you.

17 Next.

18 Congratulations on your retirement,  
19 by the way.

20 MR. DRACH: Thank you.

21 MS. RITA GARCIA: My name is Rita  
22 Garcia, I am from Astoria Queens and I am here to  
23 voice my support for Intro 658, the bill to ban  
24 horse-drawn carriages. I'm opposed to intro 653-  
25 A.

1  
2 In 1982, there were 141 registered  
3 carriage drivers; in 1993, there were 296; now, in  
4 2009, there are 324 drivers. That is an increase  
5 of more than 100% since 1982, yet the number of  
6 medallions, 68, has stayed exactly the same.

7 The industry claims that they have  
8 not had a raise for a long time and that costs  
9 have gone up. So why is it then that they have  
10 also increased the number of drivers who compete  
11 with each other for business? If there is no  
12 money to be made in the industry, it's doubtful  
13 that so many would want to do it.

14 I understand that no one wants to  
15 lose their job, but it is a mystery why this tiny  
16 industry, which for years has resisted any  
17 improvements has held New York City politicians in  
18 their sway for so long.

19 Many New Yorkers want to see this  
20 industry go away. The results of a November 2007  
21 WCBS-TV poll indicated that 73%--that's 73%--of  
22 respondents wanted to ban the industry.

23 Additionally, New York City Council Member Dan  
24 Garodnick is proposing a bill that will phase out  
25 horse-drawn carriages and replace them with

1  
2 electric cars or eco-friendly horseless carriages,  
3 yet we hear that the industry is opposed to it.  
4 The carriage industry in New York City has had a  
5 good run, but their time has run out and it is  
6 time to shut it down. Thank you.

7 MS. SARAH HUGO: Hello, is it on?

8 [Off mic]

9 MS. HUGO: Hello, okay. My name is  
10 Sarah Hugo and I am a mother, a foster mother, and  
11 I make my living trying to improve the lives of  
12 New York City's children.

13 It is insulting to me that Council  
14 Member Koppell would think that because there is a  
15 large crowd here, or there was a large crowd here  
16 in support of Intro 658 that any of us care any  
17 less about the human condition.

18 At the end of the day it is not the  
19 driver that is driving the carriage, it is the  
20 horse. And anybody who has ever ridden a horse  
21 knows that a horse has a mind of its own. If a  
22 horse is spooked and decides to run left into  
23 oncoming traffic, there is nothing--

24 [End tape 6, Begin tape 7]

25 MS. HUGO: ...the most skillful

1  
2 driver can do. Carriage horses have been killed  
3 on the streets of New York City and it is only a  
4 matter of time before a human being riding in the  
5 carriage meets a similar fate. The woman who  
6 mentioned earlier that only three horses were  
7 killed--there are three horses too many and I  
8 daresay if three humans had been killed, we  
9 probably wouldn't be here today. Thank you.

10 CHAIRPERSON COMRIE: Thank you.

11 Next person.

12 MS. CLAUDIA EMERSON: Thank you.

13 City Council for democracy truly at work, thank  
14 you very much. Claudia Emerson, I worked here for  
15 21 years in New York City. Thank you, Avella, a  
16 true of honor and heart for the people and has a  
17 heart for the animals.

18 Many speakers here on both sides,  
19 but the loudest voices are the horses. The last  
20 few years, the loudest voices was Juliet, a horse,  
21 dead, collapsed to death. Spotty and Smoothie,  
22 frightened to death, Smoothie ran into a tree.  
23 Another loud voice is the city itself. An audit  
24 performed on the carriage industry faults the city  
25 on the care of the carriage horses, that the city



1  
2 of abandoned many of its responsibilities and  
3 permitted some carriage owners to maintain their  
4 horses in substandard conditions.

5 Over and over the carriage industry  
6 claims to love their horses--dead horses,  
7 overworked horses, nine plus hours is not love.  
8 True love is setting them free, let them live out  
9 their natural lives they were born into, to run  
10 and be free, and not exploiting them for  
11 entertainment purposes and profit.

12 For 18 years I've been going to  
13 work up 8th Avenue. From head to toe I witness  
14 these horses wearing a guard that is not natural  
15 to them and they cannot take that away themselves:  
16 blinders, bridles, large carriages they're forced  
17 to run, being whipped to make the green lights,  
18 dodging traffic, drivers on phones. Recently a  
19 driver ran into a flatbed truck. The horse had  
20 the sense to stop and kept both from injury. Last  
21 November during the marathon, fireworks in Central  
22 Park, horses spooked. One horse ran onto 59th  
23 Street as the driver stood in front of the horse  
24 and for blocks could not stop the horse, the  
25 police were called.

1  
2           You don't need to be a vet, the  
3 carriage driver, own a horse, have a horse farm,  
4 to know that the horse-drawn carriage industry  
5 makes the animals suffer and die--yes, die. Isn't  
6 that enough for a ban? Carriage industry needs to  
7 see the horses as living, breathing beings, not  
8 just robots forced to work nine hours plus, all  
9 hours of the day. If they truly love them, they  
10 would stop using them and find work.

11           My Irish mother puts her two cents  
12 worth: have a heart City Council, open your  
13 hearts--

14           CHAIRPERSON COMRIE: Time.

15           MS. EMERSON: --see the suffering  
16 horses, ban the horse-drawn carriages.

17           CHAIRPERSON COMRIE: Thank you  
18 panel.

19           Is Linda Marcus here?

20           [Off mic]

21           CHAIRPERSON COMRIE: Come forward,  
22 please.

23           Cassandra Callaghan? Cassandra  
24 Callaghan here? Fort Lauderdale? Wow. David  
25 Salisbury? Is David Salisbury still here? Laura

1  
2 Fleischer? Laura Fleischer here? Is Zoe  
3 Stolburn? Zoe Stolburn?

4 MS. ZOE STOLBURN: Here.

5 CHAIRPERSON COMRIE: Thank you, come  
6 forward please. Sharon Fleischer? Sharon  
7 Fleischer, Aguilar Avenue? No? Anna Dove? Anna  
8 Dove?

9 FEMALE VOICE: She had to leave.

10 CHAIRPERSON COMRIE: Thank you.  
11 Paul Stephen Heim? How many we got, Nick? Three?

12 [Off mic]

13 CHAIRPERSON COMRIE: Helen Hugh,  
14 come forward please.

15 [Pause]

16 CHAIRPERSON COMRIE: He spoke.

17 FEMALE VOICE: Yeah, he spoke.

18 CHAIRPERSON COMRIE: Okay. Whoever  
19 would like go--

20 MS. LINDA MARCUS: I'll go first.

21 CHAIRPERSON COMRIE: Thank you.

22 MS. MARCUS: My name is Linda  
23 Marcus.

24 Last summer I rescued a seven-year-  
25 old New York City carriage horse, I named her

1  
2 Chance, she was one day away from being sent to  
3 slaughter. Here's a picture of her. Her hoof ID  
4 number is clearly visible, she had been working on  
5 the streets for two years. When I had Chance  
6 vetted, she was found to be healthy except that  
7 her hoofs were crumbling. She was painfully  
8 walking on the heels of her feet. The vet said  
9 that improper diet, pounding the pavement, and  
10 poor horseshoeing was the problem. The former  
11 owner did not give her even a few months to see if  
12 she might regrow her hoof. Instead, she was sent  
13 to a sanctuary in Pennsylvania, which is really  
14 just a muddy holding pen. The arrangement is that  
15 if a horse isn't sold within a week, it goes to  
16 slaughter. By sending horses to these so-called  
17 sanctuaries, owners can claim that they don't  
18 directly sell their horses for slaughter. That's  
19 how it works.

20                   Knowing this, how can one believe  
21 that the carriage horse owners really retire or  
22 vacation their horses on farms? Let them, every  
23 one of them prove it. The industry seems to think  
24 that we, all of us here, are either naïve or  
25 stupid and they are the only ones who have

1  
2 knowledge of horses. I've owned horses for 25  
3 years, I ask you, what do you really think happens  
4 to the ones that become lame and cannot work  
5 regardless of how many painkillers they are given?

6 Chance is recovering nicely living  
7 in a field, socializing with others, and even  
8 though I have three other horses, I will probably  
9 keep her.

10 One more thing, every generation of  
11 children becomes more and more aware of how we  
12 treat animals. There are millions of voting  
13 Americans who care deeply about animals, they  
14 dwarf the number of people taking carriage rides.  
15 Banning this despicable tourist trap of an  
16 industry will make millions sit up and take  
17 notice. Will our Council Members vote their  
18 conscience or will it be politics as usual? When  
19 the dirty laundry of this shameful industry is  
20 finally hung out for all to see, will you be proud  
21 to tell your children and your grandchildren the  
22 way you voted?

23 CHAIRPERSON COMRIE: [Off mic]

24 [Pause]

25 MR. PAUL STEPHEN HEIM: My name is

1 Paul Stephen Heim, and I've lived in New York City  
2 for about 20 years, I currently actually go to  
3 college and I've worked there. I've also been  
4 laid off because of the economic downturn, and  
5 yeah, that's tough times. I'm still looking for a  
6 job and these horsemen and horsewomen that say  
7 they're so loving and caring, I don't think it  
8 should be too hard for them to find a job because  
9 where there's a will, there's a way.

11 I also believe a life is a life, no  
12 matter what you call it or whatever shape, size it  
13 is. If you lock it up and chain it down and force  
14 it to do work, especially when it can't respond  
15 and tell you how it feels, it's just so cruel what  
16 you could possibly do to these animals. I mean,  
17 it almost leaves me speechless sometimes.

18 I would also like to say that I  
19 wouldn't endorse or support any organization that  
20 is willing to hide money and take money from  
21 people, steal from them, as well as to steal from  
22 the government, which is currently what they're  
23 doing since it's an all cash business. It's very  
24 hard to audit because there's no or very little  
25 paperwork given and it's very hard to control.

1

[Pause]

2

MS. ZOE STOLBUN: My name is Zoe

3

Stolbun--

4

CHAIRPERSON COMRIE: [Interposing]

5

Speak into the mic for the record, please.

6

MS. STOLBUN: Thank you. My name is

7

Zoe Stolbun, I support Intro 658-A and I'm against

8

653.

9

All my life I've lived in Manhattan

10

in District 4 where the horses work. I've seen

11

many instances over the years of carriage horses

12

being abused, even beaten. Most recently I saw a

13

horse tied up so tight it could hardly move its

14

head. The driver told me that John Wayne said to

15

tie them tight. I called the ASPCA, but they said

16

they get these complaints all the time and there's

17

nothing they can do.

18

This isn't to say that all carriage

19

industry workers intentionally abuse the horses,

20

but it's impossible to protect the animals from

21

those who do since the horses live mostly outside

22

of objective scrutiny.

23

With more than one person handling

24

the horses, no one can assure you that the horses

25

1  
2 are properly treated. And how could it be  
3 otherwise? Horse-drawn carriages are a business--  
4 that means the horse's care will always be  
5 secondary to financial gain.

6 So why is this practice valued?

7 The one thought that continually resonates is that  
8 the carriage horses are a tradition in New York  
9 City. There is a long and shameful list of  
10 traditions that have provided incomes for people  
11 at the expense of those who are vulnerable. The  
12 original Central Park carousel was powered for  
13 decades by a blind mule and a horse that walked a  
14 treadmill in an underground pit. The carousel  
15 made children happy, so the practice persisted.  
16 Horses used to be dwarfed to only a few feet high  
17 for working coal mines, never to see the light of  
18 day. And don't forget slave and child labor,  
19 those were traditions thought to be important to  
20 local economies.

21 If you don't think that horse-drawn  
22 carriages belong on the list of shameful  
23 traditions, talk to equine veterinarian Holly  
24 Cheever, reread the December 8th, '07 press  
25 release from the ASPCA or watch Blinders, the



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

documentary film.

Don't let tradition be an excuse for allowing abuse, not in this city where we take pride in finding new and better solutions. There are always ways to enjoy tradition in our livelihoods without using whips and straps on vulnerable animals restrained between carriage shafts and in tiny stalls. Thank you.

CHAIRPERSON COMRIE: Next person.

MS. HELEN HUGH: Hi, my name is Helen and I am for the Intro 658-A and most of my points were already made by other supporter of this Intro and I just want to add that even if horses are bred to do this laborious job, it doesn't mean that they are not suffering.

People can scrub floors every day for like nine hours, but do they want to scrub the floors all day? Are they not tired? Are they not in pain? I'm pretty sure they are.

The horse-drawn industry is thriving at the expenses of the horses. Thank you.

CHAIRPERSON COMRIE: Thank you.

Thank you panel.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Is Vincent Laporter are here?  
Vincent Laporter? Judith Cardassias? Judith  
Cardassias? East 87th, no? Carolyn Spigel? Come  
forward, please. Barbara Ross?. Barbara Ross,  
Ridge street? Debra Reilly. Thank you. April  
Lange? Is there a April Lange here? Jaclyn  
Barnett? Jaclyn Barnett, 27th Street, no? A.  
Demirs, West 45th?

A. Denis? Okay. Andrea--

FEMALE VOICE: Andrew.

CHAIRPERSON COMRIE: No, Andrea.

Andrea Serota? Andrea Serota, 55th Street, no?  
Dana? Come forward.

FEMALE VOICE: He's here.

CHAIRPERSON COMRIE: I got her.

That's four. Is Roxanne Delgado here? Come  
forward. [Off mic] Is Sandra Cummings here?  
Okay. And is Sherry Rosh here? Okay, you'll be  
the last two.

[Pause]

Okay, whoever would like to go  
first.

MS. DANA DELAVETTA: Is it on? Hi,  
my name is Dana Delavetta, I live on the upper

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

West Side of Manhattan.

I am not a horse expert, but I am frequently in the park with my dogs and I see the horses, and it just breaks my heart, I don't think you have to be a horse expert to see that they are not happy, they look very tired. And when I found out that they went back to the stables and only had room enough to stand, I went to Barnes & Noble and I read about how a horse sleeps and it turns out that they actually don't really sleep that way, they can take like a little cat nap, but they have to actually lay down and get their head on the ground to have real REM sleep, and I just can't imagine personally being that sleep deprived and working that hard.

Thank you.

CHAIRPERSON COMRIE: What does your shirt say? Oh, in Defense of animals.

MS. DELAVETTA: How they sleep, they have to lie down to get the [crosstalk]--

CHAIRPERSON COMRIE: [Interposing]  
No, no, I was looking at your sweatshirt, it says--  
-

MS. DELAVETTA: Oh, In Defense of

1  
2 Animals.

3 CHAIRPERSON COMRIE: Thank you. All  
4 right. Next person.

5 MS. ANITA DEMIRS: My name is Anita  
6 Demirs, I'm here to support the ban on horse-drawn  
7 carriages. I'm from Texas, originally, grew up  
8 with horses and so the earlier issues by the  
9 opposition to the ban were quite wrong in that we  
10 know nothing about horses.

11 I also live in Hell's Kitchen and  
12 am able to see the horses go home every night.  
13 The other day I looked at the temperature, it was  
14 12 degrees at 2 a.m. when the carriages were on  
15 their way home. I don't know what the rules are  
16 I'm learning a lot here--

17 FEMALE VOICE: 18 degrees

18 MS. DEMIRS: Eighteen?

19 FEMALE VOICE: [Crosstalk]

20 MS. DEMIRS: The rules are regularly  
21 ignored, so I'm here to support the ban. Thank  
22 you.

23 [Pause]

24 MS. DEBRA REILLY: Okay. Hi, I'm  
25 Debra Reilly, I'm a legal assistant, I'm not a

1  
2 lawyer, but I do have experience with horses, I  
3 belonged on an equestrian team in high school and  
4 at the local stables as well, I could ride any  
5 horse that they had.

6 I'm in support of Intro number 658  
7 to ban the horse-drawn carriages. The  
8 misconception that horses, because of their  
9 awesome size and beauty belong in Central Park  
10 because they've always been there is sad.  
11 Undeniably, the horse, like a poodle, elephant,  
12 adult or child on foot is incompatible in major  
13 city traffic. There have been enough carriage  
14 horse accidents. To a horse with eyes covered,  
15 crazy traffic, loud blaring music, trucks, horns,  
16 etc. are all terrifying. A harnessed horse can't  
17 fly away or a climb a tree, but instinctively, as  
18 one heartbreaking traffic-caused tragedy after  
19 another proves, crazy New York City traffic will  
20 cause them to run terrified right smack into it.

21 Days of pleasant dirt roads and  
22 green pastures in Manhattan are gone, yet the  
23 carriage horse remains a century later,  
24 historically now a victim of major city traffic  
25 while kinder cities, including London, cease the

1  
2 cruel abuse. Unfortunately, they're still  
3 laboring through even crazier traffic in contrast  
4 to the green earth background of Central Park,  
5 which always will be a horse's rightful necessity,  
6 and that of which they're sadly deprived of for  
7 their whole life. Horses should not work on hard  
8 pavement or in alongside major vehicular traffic.

9           It is unethical to exploit a horse  
10 to foot 1,000 pounds of carriage and tourists all  
11 day long and all night. However, we have many on  
12 a major road with city traffic at Central Park.  
13 One blazing hot July afternoon, my son and I saw  
14 passengers get in a carriage and the horse doesn't  
15 obey, he doesn't go. With his body language, his  
16 facial expression and sounds, he clearly  
17 communicates he is exhausted or sick. He needs  
18 rest. The driver blatantly ignores this and  
19 starts whipping him--

20           [Tone]

21           MS. REILLY: Just had a little more.  
22 Should I finish? [Pause] Oh, and he started  
23 whipping him and the horse still refused and  
24 eventually he forced the horse with many violent  
25 whippings to pull a ton of weight in the burning

1  
2 heat. I had to explain the violence to my child--  
3 and the rest is like what other people said, like  
4 you don't want to explain this to a kid--

5 CHAIRPERSON COMRIE: [Interposing]  
6 Do you have that written and you can give us a  
7 copy?

8 MS. REILLY: I do.

9 CHAIRPERSON COMRIE: Okay. Thank  
10 you.

11 Ma'am?

12 MS. CAROLYN SPIGEL: I hope I can be  
13 sequential because I'm trying to skip some of the  
14 pieces that have already started. My name is  
15 Carolyn Spigel and I'm here to support Tony  
16 Avella's proposed ban and support him for Mayor.

17 Here's my concern, there's been no  
18 lack of information provided to you at the  
19 council. You're well aware of the issues, you've  
20 had ample time. My concern is that statements  
21 that were made earlier that there's been just a  
22 few accidents and relative to other traffic  
23 accidents, it's not much, we're doing well and one  
24 stable might look better than the other, quote  
25 unquote, stable, that the response by the Council

1  
2 will be, let's just have a few improvements, we  
3 can say we've done a good job, we can pat  
4 ourselves on the back, and let's be done with this  
5 aggravating issue.

6 Note to the side, Gennaro's  
7 treatment of us today--horrificing.

8 Okay. So you get him to agree to  
9 make a few improvements, how can a few  
10 improvements actually help the situation? If  
11 these people on the industry side thought that  
12 there were issues, in their bill, they would have  
13 outlined remedies to get rid of us. They would  
14 have said let's just resolve some of the things  
15 that concern these humane acts, these crazy people  
16 despite the fact that we're business owners and  
17 well-educated and they would have addressed that.  
18 Instead, what do they address? They address with  
19 victimized pleas, bringing their children, save  
20 us, we need to have one full job for the rest of  
21 our lives, instead of taking control, retooling  
22 like the rest of us and taking accountability.

23 What does their bill talk about?  
24 Less important than what it doesn't talk about; it  
25 doesn't talk about adding humidity factor; it



1  
2 doesn't talk about wind chill; it doesn't talk  
3 about providing turnout like the police station;  
4 it doesn't talk about insuring 12 by 12 stalls;  
5 doesn't talk about field inspections by a third  
6 party, not by their own people in the stable, but,  
7 according to the Comptroller and according to the  
8 ASPCA, in the field. Furthermore, there is an  
9 arbitrary limit on not more than one vet visit a  
10 year? How does that promote health and safety?

11 It's arbitrary and promoting  
12 secrecy and the lack of transparency. I hope  
13 you'll have the leadership courage to do the right  
14 thing.

15 CHAIRPERSON COMRIE: Thank you  
16 panel.

17 MS. SPIGEL: We can build more jobs  
18 or something new and exciting.

19 CHAIRPERSON COMRIE: The last panel-  
20 -

21 [Off mic]

22 CHAIRPERSON COMRIE: Pardon me?

23 FEMALE VOICE: Roxanne [off mic]

24 FEMALE VOICE: Yep.

25 CHAIRPERSON COMRIE: Yeah, Roxanne

1

2 Delgado, Cheryl--

3 [off mic]

4 CHAIRPERSON COMRIE: --Cheryl

5 Roysch?

6 MS. ROXANNE DELGADO: ...watch it?

7 It's a DVD, it's [pause] my testimony.

8 CHAIRPERSON COMRIE: Okay.

9 MS. DELGADO: And I'll [off mic]

10 [Pause]

11 [Off mic]

12 CHAIRPERSON COMRIE: You made it  
13 yourself?14 MS. DELGADO: Yes, I did. I made a  
15 copy and [pause]--16 CHAIRPERSON COMRIE: Oh, you got  
17 copies to give us.

18 MS. DELGADO: Yeah.

19 CHAIRPERSON COMRIE: Okay.

20 [Pause]

21 CHAIRPERSON COMRIE: That's the one  
22 they were going to play earlier? It died up  
23 there?

24 MS. DELGADO: [off mic] video.

25 [Pause]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[Off mic]

MS. DELGADO: We're watching this.

CHAIRPERSON COMRIE: Can you see it?

FEMALE VOICE: This is Roxanne [off mic]--

CHAIRPERSON COMRIE: This is Roxanne Delgado's testimony, it's a video presentation on her laptop so everyone is not going to be able to see it. [Pause] She has copy that she gave to me, I think she has a couple of other copies.

[Off mic]

[Pause]

CHAIRPERSON COMRIE: Yeah, this is [off mic]

[Pause]

CHAIRPERSON COMRIE: [Off mic]

MALE VOICE: Driving with no--

[Pause]

[Off mic]

CHAIRPERSON COMRIE: Oh, I got it, okay. All right. Well we have the copies for those two minutes and I'm already miss--no, I don't want the Mac, I'm a dumb PC person.

MS. DELGADO: But [crosstalk] the

1

2 last few seconds?

3

CHAIRPERSON COMRIE: I'll--

4

MS. DELGADO: [Off mic]

5

CHAIRPERSON COMRIE: Okay.

6

7

MS. DELGADO: --making very nasty  
remarks.

8

9

CHAIRPERSON COMRIE: Thank you,  
thank you, thank you.

10

COUNCIL MEMBER AVELLA: Leroy?

11

CHAIRPERSON COMRIE: Uh-huh?

12

13

14

15

16

COUNCIL MEMBER AVELLA: I just want  
to compliment Roxanne for going out there and  
doing these videos, because I've seen a couple of  
them on YouTube, I sort of recognized your voice,  
so I--

17

MS. DELGADO: Yeah, it's

18

[crosstalk]--

19

20

21

COUNCIL MEMBER AVELLA: But it took  
a lot of guts to do that because I'm sure they  
have threatened you--

22

23

24

MS. DELGADO: [Interposing] They  
have assaulted me and post my name and my work  
place on the Internet.

25

COUNCIL MEMBER AVELLA: Speak into

1

2

the microphone.

3

MS. DELGADO: They have [off mic]

4

COUNCIL MEMBER AVELLA: Push the

5

button.

6

MS. DELGADO: They have posted my

7

name and my workplace on the Internet and have

8

made very racist remarks and made threats against

9

me constantly on YouTube, you see my name Roxanne

10

Delgado, my workplace, call me a wetback, told me

11

they're going to get me when I'm nearby the hack

12

line, they throw things at me and they even throw

13

a pigeon at me.

14

COUNCIL MEMBER AVELLA: And your

15

story is becoming all too frequent because I got

16

an e-mail before I came to the hearing today from

17

somebody who was taking some pictures of them and

18

they're doing exactly the same thing to this

19

individual--it's harassment and it actually is

20

probably illegal and we should talk after this

21

because we should definitely follow this up. They

22

can't be allowed to do this.

23

CHAIRPERSON COMRIE: Yeah, no one

24

should be attacking anybody.

25

MS. DELGADO: Very racist remarks

1

2 also.

3

CHAIRPERSON COMRIE: That's

4

[crosstalk] anything, so--

5

MS. DELGADO: Very racist remarks,

6

very hateful, racist--

7

CHAIRPERSON COMRIE: Well I would

8

hope you're documenting those as well so that

9

those--

10

MS. DELGADO: [Interposing] It's on

11

YouTube, everyone can see it.

12

CHAIRPERSON COMRIE: --people can be

13

arrested, no one should be doing that type of

14

activity.

15

MS. DELGADO: [Interposing] The

16

person who does it, the person who does it is

17

Abigail, who is the--

18

[Off mic]

19

MS. DELGADO: The person [pause]--

20

CHAIRPERSON COMRIE: We're not going

21

to--you got to--

22

MS. DELGADO: It's Abigail.

23

CHAIRPERSON COMRIE: --you got to

24

have proof--

25

MS. DELGADO: Okay. It's on the--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON COMRIE: --I'm not going to get into--

MS. DELGADO: --Internet. All right.

CHAIRPERSON COMRIE: --so [off mic]-  
-

MS. DELGADO: Thank you.

CHAIRPERSON COMRIE: Thank you.  
Next person.

MS. SANDRA CUMMINGS: My name is Sandra Cummings and I've lived in New York City my whole life and I will keep this short and simple.

I am in full support of Intro 658, horses do not belong in city traffic.

CHAIRPERSON COMRIE: Well you get Colgate tickets if you want, you're the only one that qualified. You know anybody that wants to go to the Colgate games. All right. Next person?

MS. SHERRY REISCH: I'm Sherry Reisch, I support Intro 658 to ban horse-drawn carriages and oppose 653-A. And so many have spoke so wonderfully, I am going to do something very different and read from the audit report that was written by the Office of the Comptroller and

1  
2 I've provided each of you with a copy. I just  
3 thought I would read two paragraphs.

4           During the Comptroller's audit,  
5 certain issues were brought to their attention by  
6 the carriage horse owners' drivers and ASPCA  
7 officials that affect the well-being of the horses  
8 and could well be addressed by an advisory board.

9 Among them are the following: There are no  
10 established hack stands or areas clearly  
11 identifying where carriages may pick up  
12 passengers, nor are there hitching posts where  
13 horses can be tethered while they are waiting.  
14 There are no water spigots in the area carriages  
15 wait to pick up passengers, which makes it  
16 difficult to obtain drinking water for the horses  
17 and to clean up the dust that accumulates. There  
18 is inadequate drainage where the horses line up;  
19 thus, the horses are left to stand in pools of  
20 dirty water. During the summer months, the  
21 asphalt where the horses line up becomes very hot.  
22 Other materials, such as concrete, would be easier  
23 on the horses' hooves. In addition, on hot days,  
24 there is little shade for the horses, which could  
25 cause them to overheat.



1  
2 By not establishing the advisory  
3 board, the Department of Health and Mental  
4 Hygiene's role in the carriage horse industry  
5 remains broad and general in scope. The process  
6 envisioned by the writers of the Administrative  
7 Code statute creating an advisory board appears to  
8 acknowledge that the few requirements contained in  
9 the statute were inadequate to care for the  
10 horses. It should be noted that the existing City  
11 regulations over this industry were established  
12 more than 25 years ago. Information that is now  
13 available may not have been available when these  
14 rules were promulgated--

15 [Tone]

16 And it's all in this audit report  
17 for you to read.

18 CHAIRPERSON COMRIE: Which report  
19 was that? The Bill Thompson's report? Oh, right,  
20 right, we have that. Okay. All right, thank you.

21 This is the last person that we  
22 have listed. I see you three ladies have been  
23 here all day, you didn't want to speak? One, two,  
24 three. No? Okay. I'm not forcing you, I'm just  
25 asking 'cause you've been here all day, I just

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

want to acknowledge that you have spent the entire day with us and--

[Off mic]

CHAIRPERSON COMRIE: Pardon me?

[Off mic]

CHAIRPERSON COMRIE: You spoke.

Yeah, yeah, no, I say, one, two, three, you're right then.

FEMALE VOICE: Okay.

CHAIRPERSON COMRIE: You three spoke. You three ladies spoke, I remember good looking faces, don't even try it.

Yes, Council Member Avella would like to make a--this young lady wanted to speak.

I just noticed they were here all day, so giving them an...

She can write it out afterwards. Your name is?

MS. EMILY SHEN MILLER: Emily Shen Miller.

CHAIRPERSON COMRIE: Hit the button, please. Say your name again.

MS. SHEN MILLER: My name is Emily Shen Miller. I am for 658, banning horse carriage

1 industry in New York City because I think it is  
2 not--horse does not fit for cosmopolitan  
3 environment. Although, I do care for those people  
4 who are busy struggling for job opportunities, so  
5 I think from all afternoon's hearing, I actually  
6 think there are six issues that we could further  
7 think about.  
8

9 Is how to improve conditions of the  
10 horse, that's including better horse care. And  
11 issue number two would be more related to  
12 prevention of the horse abuses, that is the human  
13 treatment of the horses. And issue number three,  
14 the horse industry people should work more closely  
15 and better coordinated with all other traffic  
16 department of--with all New York City traffic  
17 conditions. And issue number four, I think it's  
18 we need to better regulate an arrangement of the  
19 aged horses, like retirement issue that several of  
20 us had mentioned. And issue number five, I think  
21 how we should, people in this industry should  
22 focus on how to work on accident reduction to  
23 accident avoidances. And issue number six would  
24 be more of that how--if it is possible, Council  
25 Member, how we can keep the horses within the park

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

zone if we have to keep it in a cosmopolitan area.

That's what I think.

CHAIRPERSON COMRIE: What's your name for the record, please?

MS. SHEN MILLER: Emily Shen Miller.

CHAIRPERSON COMRIE: Oh, we did call you. Okay. All right, if you can fill out a card, I thought we did call you.

MS. SHEN MILLER: Oh, okay, thank you.

CHAIRPERSON COMRIE: Ma'am? You can go right ahead.

[Off mic]

MS. LADE ABALUCCI: Hi, name is Lade Abalucci [phonetic] and I just want to say that I think everything and so, you know, with the horses so inhumane, so I'm here to support and I was willing to sit here all day just to show my support. Thanks.

CHAIRPERSON COMRIE: Thank you. You qualify for the tickets, too.

All right, with that, I want to thank everyone for coming, for all of you who

1  
2 stayed.

3 Council Member Avella is going to  
4 say a few words in closing. And I want to thank  
5 him for being here all day and not sneaking out,  
6 'cause sometimes people that chair bills leave  
7 before the hearing is over.

8 COUNCIL MEMBER AVELLA: Well  
9 actually, I do want to compliment, Mr. Chair,  
10 because you only got up once during the whole  
11 hearing and that's quite an accomplishment.

12 I also want to thank the committee  
13 staff because they've been here just as long, and  
14 also my personal staff that's been here.

15 And I just want to take just two  
16 quick comments, one, I am really disturbed that  
17 the media, some of the media, and certainly the  
18 industry calls anybody who believes in animal  
19 welfare some sort of a crazy and that has come out  
20 and time and time again and I think it's  
21 disgraceful and I'm happy to see that so many  
22 professionals actually gave their titles when they  
23 spoke here today.

24 The other thing is--and, Mr. Chair,  
25 you probably don't know this--but because a lot of

1  
2 the activists could not bring in their signs, they  
3 left their signs downstairs and all of those signs  
4 mysteriously disappeared, so all the signs with  
5 the pictures of the accidents and the horses  
6 mysteriously disappeared. And I think I know  
7 which side we can blame for that.

8 I do have to make one comment about  
9 some of the personal attacks that were made  
10 against me and especially my Italian-American  
11 heritage. I go by an axiom that somebody once  
12 said, you can judge my character by the character  
13 of my enemies, I stand on that.

14 CHAIRPERSON COMRIE: Thank you. I  
15 want to thank Councilman Avella, clearly I did not  
16 support any personal attacks, I did not support  
17 any personal attacks that were made by either side  
18 today. I just think that, as he said, it does  
19 speak to a person's character that they cannot  
20 stay on the facts and on the points and on the  
21 issue and have to run to ad hominem personal  
22 attacks is just ridiculous. In this city, if we  
23 can't argue--we're all New Yorkers, we all like to  
24 argue, I was raised here, I love this city, I love  
25 to argue with everybody. It only makes me

1  
2 stronger, it increases my knowledge base, it  
3 allows me to have fun, it allows me to get in  
4 trouble. If we don't sit and discuss things and  
5 try to work out a way to deal with things in an  
6 amenable way, we can't grow as a person or as a  
7 city.

8                   So I want to thank all of you for  
9 being here.

10                   I want to say that I missed my Open  
11 House that my district offers, but I understand I  
12 had 200 people roll through that are going to be  
13 mad at me because I wasn't there, so I have to do  
14 another day for that, Council Member Avella,  
15 'cause this hearing was originally scheduled for  
16 10 o'clock, well hopefully I'd have gotten there  
17 on time, but actually probably not the way we're  
18 going.

19                   But clearly I want to thank my  
20 staff here, Damien, Lacey, Alex. I want to thank  
21 all of Council Member Avella's staff for making  
22 sure that everyone that came today understood what  
23 the rules and regulations were. I want to thank  
24 Councilman Avella as well for putting everything  
25 together in a positive manner.

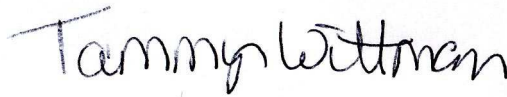
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

And, with that, I would declare  
this hearing closed. Thank you. Have a good  
night.



C E R T I F I C A T E

I, Tammy Wittman, 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 February 16, 2009