

NEW YORK CITY
DEPARTMENT OF CONSUMER AND WORKER PROTECTION

DCWP RULES HEARING
SPECIALIZED VENDING LICENSES

VIRTUAL PUBLIC HEARING

REMOTE - VIA TELECONFERENCE

November 21, 2024

INDEX

<u>Name/Title</u>	<u>Page</u>
Reina Revina, DCWP, Hearing Officer	3
Zehong Chen	3
Ferah Gomez, OBA Grill	5
Armando Crescenzi, Vendor Licensee	7
Jinkyu Han, Vendor Licensee	10
Alvin Wright, Vendor Licensee	12
Mamadou Sau, Vendor	16
UNIDENTIFIED MALE 1	17

1 MR. ZEHONG CHEN: Hello.

2 MS. REINA REVINA: Good morning.

3 MR. CHEN: Good morning.

4 MS. REVINA: So, if you could all mute your
5 mic if you are not speaking, please. Alright. Thank
6 you so much. So, I'm still hearing a mic. Again, if
7 you could mute it, that would be great. Thank you.

8 Good morning. My name is Reina Revina. I
9 have been designated as the Hearing Officer for a
10 public hearing of the Department of Consumer and
11 Worker Protection on the proposed rules to amend rules
12 governing general vendors to clarify that qualifying
13 Department of Health and Mental Hygiene
14 [unintelligible] [00:01:03] vending licensees may
15 apply for a DCWP specialized vending license. Please
16 mute your mic, please. Thank you.

17 This hearing is being held by teleconference
18 call. It is now 11:00 a.m. on Thursday, November 21,
19 2024, and I am hereby convening the public hearing on
20 this proposed rule. The proposed rule was published
21 in the City Record on October 22, 2024. The published
22 notice and rules are available online, on NYC Rules
23 website and Depart-, and the Department's website.

24 The Department has proposed these rules
25 pursuant to the authority vested in Commissioner of

1 the Department of Consumer and Worker Protection by
2 sections 1043 and 2303(f) of the New York City
3 Charter, and section 20-104(e) and 20-417 of the New
4 York City Administrative Code.

5 This hearing affords the public the
6 opportunity to comment on all aspects of the rule the
7 Department has proposed. The Department will
8 carefully review all testimony and written comments
9 received at this hearing and will give due weight and
10 consideration to proposals and recommendations that
11 are submitted for the record at this hearing.

12 To ensure that everyone seeking to testify
13 will have an opportunity to do so, I ask that we all
14 follow these ground rules. During the hearing, all
15 participants should give due respect and consideration
16 to the folks offering their testimony and to please
17 mute their lines if they are not speaking.

18 Each witness will have a maximum of three
19 minutes to provide oral testimony. If your comments
20 takes longer than three minutes, please synthesize
21 your oral testimony and leave a written copy for the
22 record. Unlike the limit on the time for oral
23 testimony, there is no limit on the number of pages
24 you could submit as written testimony or as documents
25 for the record. The written submission will be made

1 part of the public record. If you are looking to
2 testify today and you have not yet, please let us
3 know. Do so in the chat.

4 Now, before we begin, I'll remind folks to
5 mute their lines until called to provide testimony.
6 Thank you. I will now call the first witness and you
7 will have three minutes for testimony. And you may
8 begin whenever you're ready. And I received in the
9 Rules comments at DCWP.nyc.gov a testimony from a
10 Ferah Gomez. If you would like to begin your
11 testimony at any time. Thank you.

12 MS. FERAH GOMEZ: Hi. Good morning. My
13 name is Ferah Gomez. And, first of all, I would like
14 to thank everyone who helped prepare this meeting.
15 Since we have only three minutes to talk, I just want
16 to get straight to the point.

17 Again, my name is Ms. Ferah and I'm one of
18 the business owners representing my partners for the
19 restaurant named OBA Grill, OBA Meditarraian Grill,
20 located at 70-35 Austin Street, Forest Hills, New
21 York. We are located half a block away from a food
22 truck that nested and sells the same food as our
23 restaurant. This food truck operates without paying
24 any expenses, such as rent, taxes, insurance, employee
25 salaries, employee taxes, any -- all other expenses

1 that we pay. On the other hand, we are trying to make
2 the ends meet, paying \$25,000.00 rent per month with
3 all other expenses.

4 As you know, we suffered signi- significant
5 loss during the pandemic, and we survived. Now, we
6 have been further impacted by unfair competition from
7 the food truck over the past year and the o-, end of
8 last year. And just in the last six months alone, we
9 have lost five of our employees due to loss of
10 customers and business caused by the food truck.

11 We have applied for help from all city
12 organizations, such as Health Department, Sanitation
13 Department, Consumer Affairs Department, Department of
14 Transprotation, and to the Forst Hills Chambers of
15 Commerce. But, unfortunately, each time we received
16 only a case number and were told that help will be
17 provided. But, the result, it was disappointment and
18 sadness. The food truck is still operating as of
19 today, and daily loss of our bus- business continues.

20 I apologize saying that, but I am very
21 hopeful about this meeting. I am not very hopeful
22 about this meeting, either, but I will love to surpri-
23 , to be surprised, and hopefully, this time, we'll
24 receive support and help from all, all of you to solve
25 this painful situation.

1 Thank you very much. Again, the truck is
2 nested on Austin Street between 70th Road and
3 Continental Avenue, only a half a block from our
4 business. Hopefully, today, some rules will be
5 applied and the truck will be removed and we'll
6 continue our business as usual. Thank you so much.
7 Thank you.

8 MS. REVINA: Okay, thank you so much. I did
9 not receive any more advanced notice to testify. So,
10 right now, if you would like to testify, please raise
11 your hand and you may begin to testify within, in
12 three minutes. Alright. Seeing that no one is
13 present to offer testimony, I will -- oh, is, is there
14 somebody --

15 MR. ARMANDO CRESCENZI: Wait, can you hear
16 me?

17 MS. REVINA: Yes. Are you --

18 MR. CRESCENZI: Yeah, hi.

19 MS. REVINA: -- would you like to testify?

20 MR. CRESCENZI: Yeah, I, I, I was muted. I
21 didn't know it. Yes, I would.

22 MS. REVINA: Okay. So you will have three
23 minutes. Please begin whenever you --

24 MR. CRESCENZI: Alright, I want to make
25 sure. This is about the specialized vending license?

1 MS. REVINA: Yes, this is about the
2 specialized vending license.

3 MR. CRESCENZI: Okay, okay. So, alright.
4 My name is Armando Crescenzi. I am a specialized
5 vending licensee, and I'm also a food cart owner.
6 Alright. And I use, I can use my, of course, as a
7 disabled vet, I'm supposed to have certain privileges.
8 Alright. And I thought that's what the, I thought
9 that was the basis of this, of this hearing.

10 So, I was looking at the purpose of the
11 recommended rule changes, and there's no real purpose.
12 Is there -- I mean, can anybody explain, really, what
13 the purpose is? Because any service disabled veteran
14 who was vending food already has his status, has a,
15 has a special status from New York State or he has a
16 special status from New York City. So, any, if this
17 is only meant -- alright, I don't, I don't know the
18 point here, because there's a risk. Once you start
19 allowing, once you -- there, you know, there are 3,100
20 food vendors who have full-term citywide permits.
21 Now, if they start, if this, if this becomes one step
22 closer to allowing those 3,000 food permittees who are
23 not veterans, right, to get a specialized license,
24 then you're, you're stealing their valor. Right. All
25 these veterans have served in combat. We, we've come

1 back with a service related injur- injury. So, if
2 you're just going to go ahead, you can't really do
3 this. Alright? But it looks like you, it looks like
4 this is starting to se- seem suspicious, like that
5 might be the next step. Alright?

6 So, given our grading, another class of
7 specialized vending licensee, there is no added value
8 to do it. And it is going to create an opportunity
9 for other people to start working their way in.

10 A matter of fact, there's a fellow who works
11 at the, the Street Vendor Project. He's, he's the
12 director or, or their attorney. He's not a veteran
13 and he's managed to get himself a specialized vending
14 license. So the, the system is broken, and other
15 people are trying to capitalize on it. And it's going
16 to hurt veterans.

17 That, that section that's being modified, 24
18 R.C.N.Y. 2315, why would they do that? Why would they
19 try to force those rules on any other veteran? It
20 doesn't make sense. So, the whole, the whole basis
21 and purpose of --

22 MS. REVINA: Please wrap up, sir. You have
23 15 seconds.

24 MR. CRESCENZI: Okay. So, that's it.
25 You're not doing it. If you really wanted to make

1 things better, you would repeal 35-A, alright, and let
2 vets get to work. Thank you.

3 MS. REVINA: Okay, thank you so much. And
4 just as a reminder, if you would like to provide any
5 written testimony, there is no limit in how much you
6 can write out. So, please do so if you would like to.
7 You can send it over to our RuleComments@DCWP.nyc.gov.
8 Thank you. And I do see a, a Jinkyu Han. I apologize
9 if I mispronounced that. You have three minutes.
10 Please begin whenever you're able.

11 MR. JINKYU HAN: Hi. Good afternoon.
12 Thanks for inviting me to this hearing. My name is
13 Jinkyu Han. I'm a retired, about to be retired Army.
14 I'm also a disabled veteran. I have a question about
15 the specialized process.

16 I'm trying to get into this, still. So, I
17 just got my license, I got the vendor license,
18 specialized license. I'm just waiting for the lottery
19 ticket, the, the location for, to give them to me.
20 The thing is, yeah, I just found out that, like, New
21 York City is a very expensive location. Then, I'm, I
22 was looking for getting another job and, at the same
23 time, trying to operate the, the food vending business
24 at the same time. But, like, I just found out that
25 I'm not able to, I have to be, every day I have to be

1 at the location, at the vending site.

2 Is there, is there something that we can do
3 so I can avoid it? Because I can hire, I'd like to
4 hire -- I'm trying to work with my partner. Because
5 he's another veteran, combat veteran, and then we're
6 trying, I'm trying to see if I can work at another day
7 job. Maybe I can continue to keep the, the food truck
8 vending license. I'm just trying to get the, if we
9 can, during the hearing, maybe we can get the
10 specialized different allowance to do it. So I'm
11 hoping today, if you guys allow that to happen, it
12 will be helpful because, you know, New York City is
13 very expensive. And I still got to pay a lot of
14 mortgage and all this stuff.

15 Alright, that was it.

16 MS. REVINA: Okay, thank you. I would just
17 like to remind everyone that this hearing is only to
18 provide oral testimony for the proposed rules. And if
19 you have any questions regarding our Licensing
20 Department or any other DCWP matter, you can certainly
21 go to our website at NYC.gov/DCWP. I can provide that
22 in the chat. And that has all the resources that you
23 need.

24 So, again, if you, anyone would like to
25 testify, please do raise your hand and you will be

1 given three minutes. Yes, Alvin, you would like to
2 testify?

3 MR. ALVIN WRIGHT: Yes. Can you hear me?

4 MS. REVINA: Yes. So, you will have three
5 minutes from --

6 MR. WRIGHT: I, I just --

7 MS. REVINA: -- whenever you begin.

8 MR. WRIGHT: Yeah. I, I, I got requested to
9 come to this hearing. I thought I was here for a
10 summons that I received. Is this, is this hearing for
11 food vendors or street vendors? What is this hearing
12 specifically for? Because I also have questions as of
13 what Armando was speaking on, as far as disabled
14 veterans, and Jinkyu. Because I'm disabled combat
15 veteran myself. And if it's for street vendors, as
16 well, I have issues with what's going on with these
17 new rulings. They're, they're, they're not organized
18 with the ruling, they're not organized with the
19 departments that run these rulings for street vendors,
20 let alone the disabled veterans.

21 I'm a combat veteran who suffers from PTSD.
22 As a street vendor, when I go on the street to vend, I
23 am there to provide for my family. I am not out there
24 to be harassed by NYPD, the City police officers, to
25 spark my PTSD because they want to harass me, who is a

1 licensed veteran. But then, the people who don't have
2 license, like the people who selling illegal fruits,
3 they look at them, go around the corner, and they come
4 straight to my table, which is legal, and harass me.
5 That sparks my PTSD. It's not fair to me when I'm out
6 there to provide for my family.

7 Also, coming from NYPD City police, they
8 don't know the rules. They want to make up their
9 rules. Sanitation comes in certain areas. They have
10 different sets of rules. And then you have the
11 federals that come and look for the knock-off. They
12 have a different set of rules. How do we go about
13 something that is organized, as disabled veterans,
14 without being harassed from different groups of
15 individuals who don't know the proper rules, street
16 vending?

17 MS. REVINA: Are you finished with your
18 testimony?

19 MR. WRIGHT: And that's all I have.

20 MS. REVINA: Okay.

21 MR. WRIGHT: Yes.

22 MS. REVINA: Alright, thank you. Again, I'd
23 like to reiterate that if you do have any questions
24 regarding your license or any kind of requirements or
25 regulation, you can certainly check out our website.

1 And there is a phone number and also the e-mail
2 address for you to direct your questions to. Thank
3 you.

4 And I do see Armando's hands are up. So,
5 you've already testified. And if you would like to --

6 MR. CRESCENZI: Can I still speak?

7 MS. REVINA: No, because you've already
8 testified. You can certainly provide a written one
9 over to this e-mail that I --

10 MR. CRESCENZI: Oh, wait. I think it's
11 important that I help my fellow veterans, because
12 they're in this room, they're trying to get things
13 done. They came to this meeting. You don't have the
14 right answer for them right now. But I would like to
15 address both of --

16 MS. REVINA: This is not --

17 MR. CRESCENZI: -- the gentlemen's concerns.

18 MS. REVINA: This is not a question and
19 answer. This is just a public hearing to provide oral
20 testimony. Therefore, if you would like to connect in
21 other ways, we, that is up to you. However, in terms
22 of, this is not a question and answer.

23 MR. CRESCENZI: Okay, fine. You're not a
24 veteran, are you?

25 MS. REVINA: No, I am not.

1 MR. CRESCENZI: Alright, thank you for your
2 help.

3 MS. REVINA: Yes, Mr. Wright?

4 MR. WRIGHT: Yes, just real quick. What's
5 the purpose of this hearing and, and giving test-
6 testimony if we can't get any feedback or, or any
7 answers to what we're testifying to? What's the
8 purpose of the hearing? 'Cuz, I don't, I don't get
9 it. This is another reason and another point that
10 I've just made about being unorganized.

11 MS. REVINA: So, anytime there is a proposed
12 rules that are being amended in the City, in the
13 Department, we have to let the general public provide
14 any kind of testimony, whether that's oral or written.
15 And this public hearing is the oral portion. And any
16 comments that you make, we will look through it, and
17 then provide either amending the rules or go forward
18 with the proposed rules, depending on the feedback.

19 MR. WRIGHT: Okay. So, so basically, we
20 won't hear anything and this is a waste of time?

21 MS. REVINA: And that's the process,
22 essentially.

23 MR. WRIGHT: The process. Thank you.

24 MS. REVINA: If there is anyone else who
25 would like to testify, please raise your hand.

1 Alright. Seeing that no one is present to offer
2 testimony, I shall adjourn this hearing until an
3 individual appears to offer testimony or until 12:00
4 p.m., whichever comes first. Thank you.

5 [OFF THE RECORD] [00:19:05]

6 [ON THE RECORD] [00:24:40]

7 MS. REVINA: Good morning. If you have
8 recently joined, like I had mentioned earlier, this is
9 a, a Public Rules hearing regarding the specialized
10 vending license. If you would like to testify, please
11 let me know. And you will have three minutes to
12 testify. Thank you.

13 MR. MAMADOU SAU: Good morning.

14 MS. REVINA: Good morning. Would you like
15 to testify, sir?

16 MR. SAU: Hello? Hello?

17 MS. REVINA: Yes? Good morning. Yes?

18 MR. SAU: This is, my name is Mamadou, first
19 name. Last name is Sau [phonetic].

20 MS. REVINA: And would, would you like to
21 testify for today's rules hearing?

22 MR. SAU: When -- testify?

23 MS. REVINA: Yes. This is a public rules
24 hearing regarding the specialized vending license, and
25 we are giving the public to provide comments about the

1 proposed rules.

2 MR. SAU: Yes, I'm okay, please.

3 MS. REVINA: So, you would not like to
4 testify?

5 MR. SAU: No.

6 MS. REVINA: Okay. Then, please mute your
7 audio until somebody else would like to testify.

8 MR. SAU: Thank you.

9 MS. REVINA: Thank you.

10 MR. SAU: Thank you.

11 MS. REVINA: Alright. Since I have not seen
12 anyone else that would like to provide testimony, I
13 will go off camera and adjourn the hearing until an
14 individual appears to offer testimony or until 12:00
15 p.m., whichever comes first. Thank you.

16 MR. SAU: Oh, okay, thank you.

17 [OFF THE RECORD] [00:27:33]

18 [ON THE RECORD] [00:39:46]

19 MS. REVINA: Hi. Good morning. If you
20 would like to provide testimony regarding the
21 specialized vending license rules hearing, please let
22 me know.

23 UNIDENTIFIED MALE 1: Hello.

24 MS. REVINA: Hi. Good morning.

25 UNIDENTIFIED MALE 1: Good morning. How you

1 doing?

2 MS. REVINA: Would you like to provide
3 testimony for today's rules hearing?

4 UNIDENTIFIED MALE 1: Well, I received a e-
5 mail. I have a, a general vendor's license.

6 MS. REVINA: Yes. So, this rules hearing is
7 about the proposed rules. And if, as a licensee or to
8 the pub-, and the general public, also, you can
9 provide comments regarding the rules, if you would
10 like to, in this oral testimony or also in a written
11 portion.

12 UNIDENTIFIED MALE 1: Got you. I
13 understand. I was, I was interested in -- I don't
14 have testimony. I was interested in getting a mobile
15 food vending license.

16 MS. REVINA: So, that would be with our,
17 with the Licensing Division, Department of Health.

18 UNIDENTIFIED MALE 1: Okay. Okay. So,
19 also, because I have a general vendor's license. I
20 can use that for the mobile vending? That was my only
21 question, really.

22 MS. REVINA: Again, I would like to
23 encourage you to reach out to our Licensing
24 Department, because --

25 UNIDENTIFIED MALE 1: Okay.

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. REVINA: -- I want to make sure that you
pro-, are provided the correct information.

UNIDENTIFIED MALE 1: Okay, great. Thank
you very much.

MS. REVINA: Thank you.

UNIDENTIFIED MALE 1: You have a good day.

[OFF THE RECORD] [00:43:16]

[ON THE RECORD] [00:59:57]

MS. REVINA: Seeing that it is now 12:00
p.m., I will adjourn the hearing. Thank you,
everyone, for participating.

[END OF PUBLIC HEARING]

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of DCWP Rules Hearing: Specialized Vending Licenses on November 21, 2024, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: February 7, 2025

GENEVAWORLDWIDE, INC
228 Park Ave S - PMB 27669
New York, NY 10003