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**The City of New York
Community Board 8 Manhattan
Vendors Committee
Tuesday, May 14, 2024 – 6:30pm
This meeting was conducted via Zoom**

MINUTES

Board Members Present: Michele Birnbaum and Marco Tamayo.

Approximate Number of Public Attendees: 12

Item 1: Mr. Okotieuro (DSNY) will speak on pending Vendor legislation and the current circumstances of street vending in NYC.

Mr. Okotieuro of the NYC Department of Sanitation (DSNY) spoke on pending Vendor legislation and the current circumstances of street vending in NYC.

The DSNY has been in charge of street vendor enforcement for a year, as of April 2024. He reported that while focused on enforcement, they have limited manpower. When they come upon non-compliance for the first time, they issue a warning. If non-compliance continues for a second or third time, they issue a summons. He reported that they are more vigilant with food vendors, and if they take food from a non-compliant vendor, they deliver the food to others in need. Seized cooked food gets composted.

The DSNY and the Department of Health and Mental Hygiene (DOH), together, had a vendor removed because his license had expired. In Manhattan, however, they look at sites only if they've have received complaints. They do not search for non-compliant vendors but wait for reports. First Avenue under the Queensboro Bridge was reported and visited by DSNY, but the vendor is still there, even though he is smaller now, but still non-compliant.

Committee Co-Chair Michele Birnbaum (MB) asked about Intro 0024 which is a new proposal that says vendors can be 2 feet onto the sidewalk from the curb or close to any obstruction in the street. She wondered about the wisdom and the prompt of such a saw. Mr. Okotieuro will check into that. MB speculated that if it's to afford protection from cars, it doesn't make sense since the city is permitting dining in the roadbed which puts diners and wait staff in jeopardy. Other pending legislation being pushed is to add 400 + new licenses each year for 5 or 10 years. The last law required Supervisory licenses for cooking carts and trucks, but there are not enough applicants for these positions.

In 2023, 14,000 tickets were issued for lack of a license. The Precinct claims they're not involved in enforcement, but reports show that they are. Mr. Okotieuro says that NYPD is involved with enforcement, but the DSNY is the lead agency. The DOH will enforce food violations. They took fruits and vegetables from the bridge vendor and donated them. Mr. Okotieuro will personally visit him on May 15th.

Vending in Central Park is illegal by anyone who does not have a contract with the Parks Department, yet there has been a proliferation of vending in the parks, most notably, cut fruit vendors. Selling cut fruit anywhere is illegal, so vending cut fruit in the park without a contract is doubly concerning. MB notified the Parks Manhattan Borough Commissioner, Tricia Shimamura, but got no response. There are also General

merchandise vendors in the Park, equally non-compliant. Mr. Okotieuro hadn't seen this but says that it's the Park's Police that would do this enforcement. The DSNY could help, but it's the Park's police who has to do it. It's concerning that the Parks Police, who must have seen these vendors, as they are in great numbers, have not been enforcing. Mr. Okotieuro will reach out to Tricia Shimamura, the Manhattan Commissioner of Parks.

Susan Gottridge reported on a vendor with a cut mango cart that is regularly in front of Target on 86th Street and about food vendors selling out of a cooler on 86th in front of Best Buy from 7:30 am to 9:30 am each morning and that flower vendors are on 86th and Lex every holiday.

Mr. Okotieuro says to call 311 so that all agencies have a tracking number, and to forward the tracking # to Michele, as she follows up with him.

Robin verifies the vendors using coolers. The taco vendor (near Pottery Barn Kids) never leaves the corner of 69th and Second Avenue. MB says food vendors don't go to commissaries, which they are required to do by law. She requests tracking for this. You have chips put on carts and issued with each renewal. MB asked Mr. Okotieuro to advocate for the tracking system to be activated. Will get push-back from the vendor community, but they shouldn't object, because you're only enforcing the law.

Mr. Okotieuro says that trucks could be misidentified, because many vending trucks look the same. Michele suggested that Robin take a picture of the license plate. There is a diesel stain under this truck, because it has been in the same place for years. Robin reported they unload food from the back of cars and sometimes they have the food in garbage pails.

MB suggests that Mr. Okotieuro do spot-checks on that spot using someone in the office, using Google earth or something comparable, to follow those that stay long hours and do not leave for a commissary visit. Mr. Okotieuro will check and see if this is possible. He believes, but needs to check, that this might be a job for the DOH. MB mentioned Mr. Middleton of the DOH to see if they can work together. Robin asked about cameras. The DSNY can't use public cameras.

Andrew Fine asked about the large box fruit inventory trucks in front of P.C. Richards, which have been there for 10 years, pay about \$1000 per year in parking tickets, and never leave. He showed date-stamped pictures of these trucks over the years. They tether their tarps to PC Richards poles.

Andrew elaborated about the fruit vendors in the park explaining that there are vendors who pay over \$260,000 per year to vend in the park, and the park raises over 5 million dollars a year for permits to vend in the park. To allow unlicensed vendors undermines the legal vendors and jeopardizes Park income. He says approving more licenses is ludicrous because the agencies can't enforce the amount that currently exists.

Elaine Walsh asked what Sanitation can do on enforcement. Lexington has food trucks which are vending from a meter. The law prohibits vending from a meter. She suggests that the area needs a sweep. Go to each truck vendor and ticket and tow. They throw their garbage in the tree beds which the East 86th Street Association plants and services. She believes that some work for cartels that hold many licenses. There is a fruit vendor on the NW corner of Lexington and 87th Street who is there all day every day.

MB says that we gave Mr. Okotieuro many sites to visit and look forward to feedback on how these violations have been mitigated.

Marco Tamayo reported on seeing marijuana tables in the Bronx on the corner of Burnside Avenue at 183rd near stairs to the subway. The vendor had many different products to sell. The NYPD should enforce that, as they do when counterfeit goods are sold. Mr. Okotieuro says he talks to the police every day and will discuss this.

Robin says she has seen a man set up a bar with alcohol choices every day in the Central Park. If Parks Police don't enforce who will?

MB noted that the proliferation of illegal vendors is now the norm. With Outdoor Dining and street closings for entertainment, we now have more street opportunities for vendor set up. We know the problem, we have solutions, but we need enforcement. The Mayor needs to be involved. The Street Vendor Project is a great advocate for their vendors, but not for the quality of life of others. Unfortunate personal stories, while garnering sympathy, shouldn't undermine the need to follow the law.

Kelsey is a new resident in the neighborhood and reported about the food vendors at the Met. He noted the loud motors, the space, food smells, and unsightly signage. MB explained that those sidewalks are considered Parkland and are under the jurisdiction of the Parks Dept. MB explains that those are mostly veteran vendors. When he was our Council Member, Dan Garodnick worked with the Met, The Park and the Veteran Vendors to make sure that illegal or non-Veteran vendors were removed and that all others were compliant. There is an anti-idling law being proposed; Kelsey suggests that vendor food carts and trucks be added to that law.

In agreement with Elaine Walsh, MB suggested monthly rounds with DOH, NYPD, DSNY, etc.

The meeting was adjourned at approximately 8:30 PM.

Respectfully submitted,

Co-Chairs Michele Birnbaum and Marco Tamayo