

## Suffolk County Disabilities Advisory Board

June 27, 2012 Meeting Minutes

Approved

A meeting of the Suffolk County Disabilities Advisory Board was held on June 27, 2012 in the Conference Room of Building 158, North County Complex, Hauppauge at 2:00 pm, interim Chairperson, Frank Krotzschinsky presided.

### **PRESENT:**

#### **GROUP A**

Frank Krotzschinsky, Esq.	Representing County Executive Steven Bellone
Marjorie E. Acevedo	Representing Presiding Officer William Lindsay
Barbara LoMoriello	Representing Legislator William Spencer, MD
Barbara Falkman	S. C. Dept. of Health Services/Div. Services for Children with Special Needs
Chris Chatterton	Representing SCDPW Transportation Division
James Kokindo	Representing SC Human Rights Commission
Linda O' Donohoe	S. C. Department of Social Services

#### **GROUP B**

Kleo King, Esq.	Member, United Spinal Association
-----------------	-----------------------------------

#### **GROUP C**

Teresa Strum	Member, Western Suffolk BOCES
--------------	-------------------------------

#### **GROUP D**

Roy Probeyahn	Member
Mitch Shapiro	Member
Glenn Campbell, Esq.	Member
Clifford Hymowitz	Member

**GUESTS:** Paul Lipsky-Intern(Human Rights Division), Doug & Erin King, Sharon Garcia, Robyn Mayr

**STAFF:** Heidi Zeitler-Senior Clerk Typist, Suffolk County Office for People with Disabilities

**EXCUSED:** Beverly Cody, Lew Johnson, Jodi Nicastro, Carolyn Bossert/Donna Passin., Valerie Lewis, Terry Maccarrone

**APPROVAL OF MINUTES OF May 30, 2012:** Frank asked if there were any changes to be made to the minutes as distributed. There were none. Cliff made a motion to accept the minutes as distributed and Roy seconded the motion. All were in favor and the motion carried.

**CORRESPONDENCE:** Frank read correspondence we received back from Assemblyman Michael Montesano and Assemblyman Daniel P. Losquadro regarding Assembly Bill A.4298, as it relates to the definition and registration of mobility dealers.

**CHAIRPERSON'S REPORT:** Frank announced that Debbie Epple has resigned from the board because she is retiring. Debbie came into the meeting one last time to say goodbye and wanted to let us know how much she has enjoyed working with everyone. On behalf of everyone on the board and O.P.WD. Frank wished Debbie continued health in her retirement.

**COMMITTEE REPORTS:**

**Architectural Barriers** - Lew was absent. Cliff said he has been in touch with SCDPW/Commissioner's office regarding his suggestion of putting up navigation signs in the North County Complex and identifying the parking lots here. They are very receptive to the idea and will be taking a closer look at it.

**Community Partnership** - Frank had nothing new to report.

**Education** - Teresa said that one of the issues that was still up for discussion regarding the IEP diploma is students that are under the safety net. These are students which aren't as severely impaired cognitively, as some of the students who might receive an IEP diploma. They do not have the ability to pass all five regents exams in order to get a regents diploma. One of the safety net provisions has been the Regents Competency test (RCT), as well as a regulation that says that a student with disabilities who takes a regents exam and scores 55-64 can get credit for a local diploma even though they didn't reach the score of 65. The provision of the RCT exam was under the sunset clause, was in effect for all students entering the ninth grade in 2011. They are phasing out the students with disabilities that normally would have been able to take an RCT, and if able to succeed would have received a local diploma. Teresa downloaded some information from the web regarding a Safety net proposal. The State Education Department has proposed to amend section 100.5 of the Regulations of the Commissioner of Education relating to the requirements for students with disabilities to graduate with a local high school diploma. All comments must be received by August 17, 2012.

The new proposal is that students that entered the ninth grade in 2005 can receive a local diploma with all the provisions or they can get a grade of 45-54 on one or more of the regents exams, not exceeding three. However, if you are using the 45-54 option you have to balance that by getting at least 65 on one of the other regents exams. The student also has to show that they passed the course and also maintained 95% attendance in that same course. You cannot combine some RTC and regents with the grade of 45. Teresa gave Heidi all the documentation regarding it.

Roy said a large contingent of the senate sent a letter to the State Education Department asking them to reconsider and reverse their decision regarding the IEP diploma, but they have received no response. Roy has been in touch with Sen. LaValle and Sen. John Flanagan/Chair of Education Committee and Sen. LaValle is going to work with Roy to draft new legislation and direct the State Education Dept. to grant diplomas in the IEP track.

Teresa reported that Linda, SCDSS reached out to partnership with Western Suffolk BOCES to participate in their Work Study Program. High School students with developmental disabilities will take part in work-study activities at the Dept. of Social Services office's starting this summer and

continuing into next year. These students will learn valuable office skills which will enhance their future opportunities in the work force after graduation.

**Housing** – Vacant.

Roy reported that the takeover of two homes in Suffolk County by not for profit agencies IGHL and East End Disabilities Associates, from the State, has been completed.

Cliff reported that the governor has recommended the elimination of the Commission on Quality of Care and contract it out. Cliff has some real concerns about the new Center for Justice they want to create. Cliff said he understands that there is a need to address the heinous housing issues of deaths that have occurred in state homes however, Cliff expressed his concerns that people that seek state services from the new Center for Justice will not be putting to task the Dept. of Health.

The governor responded, saying they have similar concerns and they recognize that. The governor told Cliff to have people contact OPWDD, but Cliff feels that people don't recognize that the Department of Health which covers people with mental health and is also in control of the TBI Waiver. Cliff has real concerns about it and will keep on top of it.

Cliff also reported that he has been receiving many access complaints about Fairfield Properties. Cliff contacted them and asked them to send him how many accessible units they have. Cliff feels pressure has to be put on the developers to be held more accountable. Kleo said Fairfield Properties has been investigated by the State Attorney General's office and several of their developments are under Attorney General Order to remove barriers, which they have been doing for the past two years. Cliff said he has still been getting complaints about it.

**Legislation** – Vacant.

Roy said as far as the Center for Justice is concerned, Roy attended a presentation by Commissioner Hogan here at DDI in Suffolk County. Commissioner Hogan is the Commissioner of the Office Mental Health. The Commissioner of OPWDD gave a similar presentation as Nassau Community College. The Justice Center will involve about 400 people, Council of Children & Families, however it's going to have investigators with enforcement authority. Roy feels the biggest deficit will be that the state will be overseeing themselves.

**Transportation** –

**Employment** – Carolyn & Donna were excused.

**COUNTY DEPARTMENTS:**

**Suffolk County Office for People with Disabilities** – Frank just came back from the department's budget hearing. The department has a 5% cut for non-mandated expenses and 95% of our budget goes toward salaries. Frank reported that our office took a hit with two earlier layoffs in the first 6 month budget. Barbara asked how the layoffs in January, of 2 staff members affected our department. Frank said it has been difficult especially with the phone volume and the extra work demand on other staff members but the greatest difficulty comes when staff call in sick, want to take vacation time/or personal time.

Barbara LoMoriello reminded Frank of how important it is to come before the Legislature to let them know exactly what our department does and how difficult the workload has become since those 2 staff members were let go. Barbara feels that the legislature doesn't even know that our department exists.

Frank believes they know that we exist since we do receive calls for assistance from the legislators, but they might not understand what we do.

Cliff made a motion to have the board send a letter in support of our department. Frank asked that we table the discussion until a new Chair is selected, Roy seconded the motion to table the discussion.

**Suffolk County Parks** – Terry was excused.

**S.C. Department of Social Services** - Linda had nothing new to report.

**Old Business** – None

**New Business** – Frank received an email from Mike Stolz, Clubhouse regarding the Welfare to Work hearings and asked for it to be put on today's agenda. They want input from people with disabilities who live in the suburbs, so they can formulate this information into their report.

Frank said he has had two meetings with the present administration in regards to filling vacancies to the board. All of the appointments are going to be considered as new appointments, except Group A. Groups B, C & D need action by the legislature, County Executive, or both. In regards to Group D, a local law was passed by the legislature that split that responsibility. Appointees in Group D will be made by the County Executive with the approval of the legislature and the other six will be done by the legislature. The legislature has already enacted to add two people onto the Advisory board, Cliff Hymowitz and Albert Rizzi, so two of the six have already been filled. The County Executive has decided to view Groups B, C and half of D as new appointments. Frank said he is going to ask some of the board members to fill out waivers today so that the police department can do background checks. Background checks don't apply to group A members. Because they're being considered as new appointments it may be necessary for you to appear before the committee or the legislature, we will let you know. If you foresee having a problem with appearing please let Frank know, the dates are August 13<sup>th</sup> or August 21<sup>st</sup>. Marjorie said she could speak to Terry to see if those members that have been coming to meetings faithfully, that they might not have to come before the committee again. She asked Frank to compile a list of names of those members.

Frank said there is another local law, of which a copy is in the hand-outs, section #2 which discusses attendance to board meetings. If members miss more than 4 consecutive meetings they are considered to be off the board. Please in the future if you cannot make a meeting, please let Heidi know and we can possibly work out an excused absence for you. If Heidi doesn't hear from you the next Chairperson will have to decide what steps to take.

Cliff wanted to let us know that he also sits on the board of the Brookhaven Anti Biased Task Force and they meet on the same days as the Advisory Board, so he intends on rotating these meetings.

Frank said we have enough people here today to take a vote on a new Chairperson and we have three members who are interested in serving, Roy Probeyahn, Valerie Lewis and Cliff Hymowitz. Cliff raised his hand to announce at this time he would like to withdraw his request to serve as Chairperson and instead nominate and support Valerie Lewis because she has done so much for this County and Mitch seconded the nomination. Marjorie nominated Roy for Chairperson and Glenn seconded the nomination.

Heidi handed out the ballots and then collected them to tally who the new Chairperson shall be.

The question of Secretary came up. Frank said the law that created this board says that we shall elect a Chairperson and Secretary every year but it doesn't say what the secretary does. Kleo said she believes the secretary's responsibility is to fill in for the Chairperson when they cannot attend.

Cliff then made a motion to nominate himself as Secretary.

Roy made a motion to table the secretary position until a new Chairperson is elected and Kleo seconded the motion. All were in favor except Cliff, who was opposed.

Frank asked if all were in favor of allowing the visually impaired members to vote online before all votes are tallied. All were in favor and the motion carried.

Frank said as a reasonable accommodation we will email ballots to those board members that are visually impaired.

**S.C. Dept. of Health/Division of Children with Special Health Care Needs** – Barbara had nothing new to report.

**S.C. Department of Public Works/Transportation Division** - Chris reported that the Suffolk County Legislature voted against the fare increase for SCAT. Transportation is also going ahead and ordering special scat tickets and will they be available at the Yaphank office in about a month or so. The new policies regarding the change in reservation as well as the no-show are going into effect on July 16, 2012.

Roy said the Suffolk County Community Board which he serves on is putting together an updated 5 year plan and Suffolk County transit will be one of problems areas they will be looking at.

Cliff supports transportations new policy changes but feels SCAT riders should sit on the review board. Cliff mentioned all the emails regarding the Ronkonkoma Hub and said that the project is not even close to being conceptualized. Marjorie said that any project that Suffolk County is involved in will be sure to meet ADA standards.

SCDAB  
June 27, 2012  
Page 6

**S.C. Human Rights Commission** – James announced they will be holding a public forum on healthcare in September 14th, they are finishing up the flyer and it will be held at the H. Lee Dennison Building from 1:00-5:00. It will include a panel to discuss healthcare access and delivery issues. It will be open to the public, advocates, agencies and community leaders.

**S.C. Community Development** – Vacant.

**S.C. Library System** – Valerie was excused.

**ADJOURNMENT:** Roy made a motion to adjourn the meeting, Barbara L. seconded the motion. The motion carried and the meeting adjourned at 3:40 p.m. **The next meeting will be held on August 8, 2012 at 2:00 p.m. in the Conference room, Building 158, Veterans Memorial Highway, Hauppauge.**

Respectfully submitted,

Heidi Zeitler