

## Suffolk County Disabilities Advisory Board

December 5, 2012 Meeting Minutes

Approved

A meeting of the Suffolk County Disabilities Advisory Board was held on December 5, 2012 in the Conference Room of Building 158, North County Complex, Hauppauge at 2:05 pm, Chairperson, Roy Probeyahn presided.

### **PRESENT:**

#### **GROUP A**

Frank Krotschinsky, Esq.  
Barbara LoMoriello  
Barbara Falkman

Representing County Executive Steven Bellone  
Representing Legislator William Spencer, MD  
S. C. Dept. of Health Services/Div. Services for Children  
with Special Needs  
S. C. Department of Social Services

Linda O' Donohoe

#### **GROUP B**

Mike Stolz

Member, Clubhouse of Suffolk & Suffolk County  
United Veterans

#### **GROUP C**

Teresa Strum  
Carolyn Schick

Member, Western Suffolk BOCES  
Member, William Floyd School District

#### **GROUP D**

Beverly Cody  
Roy Probeyahn  
Garrett Hulett  
Douglas King  
Sandy Silver  
Mitch Shapiro  
Glenn Campbell, Esq.

Member  
Member, Chairperson  
Member  
Member  
Member, ACCES (formerly known as VESID)  
Member  
Member

**GUESTS:** Joseph Delgado-SILO, Patty Furino, Erin King, Sharon Garcia and Judy Wieber

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

**EXCUSED:** Marjorie E. Acevedo, Representing Presiding Officer William Lindsay, Carolyn Bossert, Donna Passin, Valerie Lewis, Michelle Santantonio, Cliff Hymowitz, Teresa Strum, Chris Chatterton, Joani Madarash, Terry Maccarrone, James Kokindo, Stephen Astuto, Kleo King, Esq., Sandy Silver, Albert Rizzi, Diane Gaines

**APPROVAL OF MINUTES OF September 26, 2012:** Roy asked if there were any changes to be made to the minutes as distributed. There were none, Garrett made a motion to accept the minutes as distributed and Douglas seconded the motion. All were in favor and the motion carried.

**CORRESPONDENCE:** None

**CHAIRPERSON'S REPORT:** Roy welcomed Douglas as a new board member. Roy reported that the Office for People with Developmental Disabilities is transitioning into a new waiver posture with CMS and the federal government. They are making significant changes in the way they are doing business with increased reliance on families to help care for a family member with developmental disabilities. The development of group homes is virtually at a standstill for the foreseeable future. Nothing has been implemented yet but they are going to be starting private projects. The plan is to set up a managed care system for these individuals sometime in March 2013 and one of the biggest challenges will be is to integrate the acute care needs with the long term care for these individuals. Roy attended a meeting yesterday where agencies shared their innovative ideas and solutions they have been working on. One idea was called the *Family Find Project*, where they would try and find relatives who would be interested in getting back into the family members life. Unfortunately this grant is only for a year but maybe this could be incorporated into one of the services the waiver might permit.

**COMMITTEE REPORTS:**

**Architectural Barriers** – Lew was absent.

**Community Partnership:** Frank reported that our office received many calls of distress from people with disabilities who were affected and continue to be affected by the aftermath of the storm. Frank mentioned the Suffolk County Legislature's Public Safety and Economic Development and Energy committees will hold a joint public hearing on the "Post Sandy Response Assessment" December 6th at 6:00 p.m. at the Rose Y. Caracappa Auditorium, in the William H. Rogers building located at 725 Veterans Memorial Highway, Smithtown. The purpose of this public hearing is to give the public an opportunity to express their concerns regarding the overall response to the Sandy relief efforts. For more information or to RSVP your participation in this meeting contact the Suffolk County Legislature at (631) 852-1300.

Mike Stolz reported that the Suffolk County Office of Mental Health has designated 6 mental health agencies to be a part of the FEMA post disaster mental health response. It is a FEMA approved model which is activated post disaster and they provide support assistance to the Red Cross. Hands Across Long Island is the designated agency specifically for people with psychiatric disabilities and Suffolk County United Veterans with Clubhouse is for Veterans with disabilities.

Patty Furino helped the American Red Cross as a volunteer at the OEC and she experienced first-hand how instrumental Joel Vetter was during the storm. Because Patty was so involved, she saw how important it is for this Advisory Board to come together and really evaluate how to evacuate the most vulnerable people of Long Island. During the storm the bridges were closed down for 48 hours and this was only a level 1 storm. JFK and LaGuardia airports were both under water so Republic Airport was the central location for all the trucks to come in for all of Long Island.

Mike said the Red Cross did an unbelievable job during and after the storm. Mike said he is the Chair of the Health and Welfare Counsel of Long Island which is working with the United Way on a body called the VOAD, which stands for Voluntary Organizations Assisting in Disaster. Organizations that serve people with disabilities should become part of VOAD. Right now they are putting together a long term recovery response and there is plenty of room at the table for more people to get involved and help out.

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Douglas, who lives in section 8 handicapped housing, said he didn't have electricity for six days during hurricane Sandy. He said he received a call on the 7<sup>th</sup> day from the Medical Marine Corp asking if they needed assistance but they never received a call from the JEEP Program, which is what they usually get 72 hours prior to a hurricane. Doug is also part of the County Emergency Response team, (CERT) and found out that the Medical Marine Corp. didn't get the phone list from JEEP until the seventh day. Doug wants to know why the phone list wasn't given to the CERT team as well. Doug feels the Advisory Board needs to look into this.

Mitch said about a week ago he was at a Long Island Business News breakfast where they were giving out awards for healthcare service. He met someone from LIJ North Shore who was the Director of the L.I. Hospital and he was telling the crowd everything the hospital did to help with disaster relief efforts. The Foundation for Sight and Sound was given permission by their hearing aid manufacturer partner, and they are going to donate hearing aids to help with a hearing aid disaster relief mission for people on the South Shore of Long Island. Mike Stoltz added that one of the other reasons Mitch was at this presentation was because Mitch and his organization were being honored during the ceremony.

**Education** – Teresa said a third safety net which was just approved and is a separate safety net and not to be used in conjunction with RCT's safety net, basically allows students who are weaker in certain areas to still graduate with a local diploma and must score at least 55 in English and Math. However if a student scores 45-54 in one of regent exams and can balance that with another regents exam where they were able to score 65 or more, they would have the ability to apply that 45 or above score as a passing score. That can only be done on two of the six exams.

Special Education was hit hard by hurricane Sandy and several school districts were closed for long periods of time. The State has looked for waivers in order to cover students with special needs. The districts were asked to be cognizant and aware of the things that they could and couldn't provide for the student. If the state sees the school district wasn't able to provide the proper IEP services during the time period of the hurricane, the state won't cite the school district for it. Special Education was hit hard by hurricane Sandy and several school districts were closed for long periods of time. Several school districts impacted by Hurricane Sandy have contacted the New York State Education Department (NYSED) seeking waivers and/or flexibility relating to their responsibilities for providing services to special education students. The State is not authorized to provide waivers to federal law and regulation (Individuals with Disabilities Education Act- IDEA). However, in a memo released by the NYSED school districts were informed that it is expected that they will use flexibility only to the extend and duration absolutely necessary and the State will not issue findings of noncompliance to a school district because of its failure to meet these requirements when it is evident that it is a direct result of the storm.

Students that were displaced during the storm will be treated as homeless and will have all the rights to *Mckinney Vento*. The students would automatically be transitioned into a school district that was open and have their IEPs transferred over.

Roy said the legislature did consider the bill from Senator La Valle and it did pass in the senate to postpone the inevitable date but the bill did not pass in the assembly.

**Housing** – Vacant.

**Legislation** – Vacant. Frank spoke about a letter which was written to the editor of Newsday about a treaty which was being considered by the senate, called the United Nation’s Convention on the Rights of Persons with Disability. Frank explained that a treaty is negotiated by the Executive Branch, the President signs it and then there are discussions and then senate votes on it and if the senate favors the treaty by two thirds majority then the treaty passes and it’s ratified. There were a small minority of people that objected to the United States ratifying this treaty. One group was homeschoolers that were afraid that if it passed, the United Nations would pressure countries not to homeschool their children anymore. Frank said a number of countries that did ratify the treaty have ratified it without the education provisions.

**Transportation** – Vacant. Roy asked for a nomination to Chair this vacancy. Garrett nominated Valerie Lewis and Mitch seconded the motion. All were in favor and the motioned carried.

Garrett announced that SILO will be having a Rider’s Education class tomorrow, Dec. 6<sup>th</sup> from 1:00 - 3:00. There will be other classes held in March, June and September as well.

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

Sandy Silver-Access VR reported that they are in the beginning of a new contract period with their vendors. Instead of paying for services on a limited basis it will pay for services when a person have achieved something and is leading them to employment. They will also be merging their supportive employment contract into this, so it will be one contract. They planning on offering bonuses for success if they achieve a higher level of quality, they think it will generate more jobs quicker and in the long run be less expensive.

#### **COUNTY DEPARTMENTS:**

**Suffolk County Office for People with Disabilities** – Frank reported that vacancies for the board are being filled and we have already welcomed Douglas today but another new board member here today is Carolyn Schick, Principal of William Floyd Middle School. Carolyn comes to us with an extensive special education background and we are happy to have her aboard. Frank said there are also a couple of other new board members but they were not able to make it today.

Frank announced that he was asked to sit on the Transportation Committee at SILO, and he accepted that appointment.

Frank is also pleased to report that his office was approved to hire a temporary part-timer to help replace the 2 positions that were lost.

**Suffolk County Parks** – Terry was absent

**S.C. Department of Social Services** - Linda reported that the students from the James E. Allen Learning Center that were helping DSS finished up for the summer and now they have a new group of kids from the South West Center helping out for the Fall.

**Old Business** - Roy was asked by Al Rizzi if he could please begin forming the committee on Accessible format, since Al was not able to make it to the meeting today. Roy asked if there was a motion for Al to Chair the committee and also asked if anyone would like to serve on it, to please let Heidi know. Glenn made a motion, Mike seconded the motion to appoint Al Rizzi as the Chair of this committee and the motion carried. Glenn and Garrett agreed to serve on the committee as well.

**New Business** - Beverly brought up an article in Newsday today about the new DSM5, it states the diagnosis of Asperger's will be dropped. Beverly is afraid they might stop funding service to people who fall under that category. It was discussed by board members that those individuals might be put under an autism diagnosis instead and hopefully will continue to get services.

Mitch asked if anyone knew anything about car rental laws. Mitch feels that the visually challenged are discriminated against because they don't have a driver's license. Mitch said everyone is technically licensed by their State Dept. of Transportation with a photo id. Mitch was recently in Denver on fundraising business and wanted to rent a car under his foundation's name with his credit card but the car rental place wouldn't let him rent a car because he didn't have a driver's license. Mitch feels he was discriminated against because they wouldn't let him rent a car even though he has a driver identification card and car insurance. The situation was discussed and it was suggested that Mitch make a complaint to the Federal Transit Administration under the ADA.

Judy and her husband are both visually impaired and the parents of school aged children. They can't help their children with their homework because they can't read the school textbooks. Judy wanted to know how they might be able to get their children's text books in accessible format so they can follow along with their homework. Mitch suggested she call, *Recording for the Blind & Dyslexic*, a nonprofit located in Manhattan. Also maybe contact Valerie Lewis, your school district and see what they might be able to offer you. If they aren't able to help, contact the State Board of Education.

Mike handed out information regarding a Facebook contest that Suffolk County United Veterans is participating in to get a \$25,000 gift card to help renovate a home in Middle Island for 4 veterans to make the home more accessible. Mike asked that if you have a Facebook account, please vote. Right now Suffolk County is in second place out of 4 nationwide agencies.

Mike's agency is involved with the County Veteran Service agency and Senator Lee Zeldin's office on a project called the PFC Joseph Dwyer Support Project. This is a pilot program for four counties including Suffolk County, to help returning veterans cope with Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI) by offering a Peer to Peer mentoring program.

Mitch announced that his organization called, Foundation for Sight and Sound is now offering 3 scholarships for high school seniors, one is for a senior who is hard of hearing, one is for a visually challenged/low vision student and also for a blind student. All the information is on Mitch's website.

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

**S.C. Department of Public Works/Transportation Division** – Chris was excused.

**S.C. Human Rights Commission** – James was excused.

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**S.C. Community Development** – Vacant.  
**S.C. Library System** – Valerie was excused.

**ADJOURNMENT:** Mitch made a motion to adjourn the meeting, Douglas seconded the motion. The motion carried and the meeting adjourned at 3:50 p.m. **The next meeting will be held on January 30, 2013 at 2:00 p.m. in the Conference room, Building 158, Veterans Memorial Highway, Hauppauge.**

Respectfully submitted,

Heidi Zeitler