

**CITY OF PITTSBURGH/ALLEGHENY COUNTY  
TASK FORCE ON DISABILITIES  
January 25, 2010  
MINUTES (Final – Approved February 22, 2010)**

**Location:** First Floor Conference Room  
Civic Building, 200 Ross Street  
Pittsburgh, PA

**Members Present:** Paul O’Hanlon, Chairperson, Co-chair, Milton Henderson, Sarah Goldstein, Rich McGann, James C. Noschese, Katherine D. Seelman, John Tague

**Members Absent:** Aurelia Carter, Linda Dickerson, Janet Evans, Liz Healey, Jeff Parker

**Others Present:** Stephanie Boczar, Ben Carlise, Marim Danick, Dianne Gallagher, Charity Grimm, Megan Hammond, Maribeth Hook, James Kindler, Richard Meritzer, Charles Morrison, Teresa Nellans, Gerald Penna, Tamara Siegert, Lucy Spruill, Joseph Wassermann, Quianna Wasler

The meeting was called to order by Mr. O’Hanlon at 1:10 PM.

**INTRODUCTIONS:**

Everyone introduced themselves. Mr. O’Hanlon read the agenda.

**FINANCIAL REPORT:**

Mr. Tague: First item: review and approval of Finance. There is no change other than the usual funding from the state. The 13% budget cut does not affect the Task Force. However, there is another proposed 13% cut which could affect the Task Force but I’ll stay connected to find out more.

Mr. Henderson: Do we see a need for increasing funding?

Mr. Tague: We really can’t do anything else without additional funds. \$10,000 goes to disability connections.

Mr. Henderson: HHS (Heath and Human Services) dollars are not being used. We could look into that.

Mr. Tague: If there’s a funding source, let us know the details.

Mr. Noschese: Do we have funding for meetings for the David Lawrence Convention Center and the airport issues? Is it covered?

Mr. Meritzer: In the last budget, we asked for money for interpreters. It could be covered. We did not get funding specifically, but a lump sum. It would have to be requested from that lump sum. It is more likely to receive money for captioning and interpreters in February than November.

Mr. Tague: We haven't had the money to do any work on committees. Would that need to be requested through Richard or Paul?

Mr. O'Hanlon: There is no real policy. But go through (Mr. O'Hanlon).

Mr. McGann: It is important to allow the city to sit with us and pay attention to us. Sometimes we get off track but it's important that they won't get off track.

Dr. Seelman: We need a process. Part of that process is how much time Mr. Meritzer needs to request money for Mr. O'Hanlon.

Mr. Meritzer: I will get back with an answer.

Dr. Seelman: Did we have dedicated funds for disabilities funds?

Mr. Meritzer: No

Mr. O'Hanlon: According to the agreement, the City would provide staff and the County would fund the Task Force.

Mr. Tague: Mr. Meritzer will get the process.

**2010 CENSUS – LUCY SPRUILL** spoke about the importance of Allegheny County turning in as complete a count as possible for the 2010 census, including loss of Federal funds and Congressional districts if we lose enough population. She also distributed three handouts which she will also send to everyone electronically.

Lucy Spruill distributes 3 handouts.

Ms. Spruill is a Co-chair of the Allegheny County Complete Count Diversity Subcommittee along with Esther Bush, President and CEO of the Urban League; Andy Pugh, Director of the Welcome Center for Immigrants and Internationals, and Pedro Bretz, the Director of the former Hispanic Center .

Ms. Spruill: Will make handouts available – a one page explanation of why the Census is important to funding ramifications.

Reasons to want an accurate Census:

1. Nationwide there are \$400 billion of federal money distributed by a formula that depends on the Census. It's based on the population or subpopulation (school children, etc), half of which is for medical assistance. This money funds all waivers programs.
2. The number of and the configuration of a representative district. In the 2000 Census, we lost an important congressional district. We know the population is shifting. We are at some considerable risk of losing another district. We need congressional districts for representation. The closer we come to an accurate and complete count, the more likely we are to keep funding and Census districts.
3. The public and private industries need Census data to decide where to locate services and new businesses.

Why to complete the 2010 Census.

1. It is important.
2. It's easy. There are only 10 questions and will take about 10 minutes although it may take longer if you have a disability.

3. It's safe. There are concerns on blogs and social networks about the privacy of Census data. All Census workers take an oath to never disclose data. There are also technological safeguards. It is a violation of the Federal law to violate privacy and to release any individual data. Warnings are being distributed about scam artists, which ask you to make sure the person at the door is part of the Census.

Every household will receive a form around March 15. If there is no response, another one will be sent around April 15. If there is no response again, someone will come to your door. The Census person will have an ID. Ask for it. If you already sent your form in, tell them that. It is only demographic information. There are no personal questions. There will be well publicized questions around Census time.

Mr. Tague: Will there be questions about disabilities?

Ms. Spruill: No. There used to be a long and short form. It is done separately now. The long form questions are now being covered by the American Community survey.

People with disabilities usually are undercounted. Many live in group facilities. The facility operator has the responsibility to respond and they usually do not do a good job. Those with visual impairments receive Census forms in print but all services are available if requested. There will probably be an assistance center at United Cerebral Palsy (UCP). There are 25 or so centers with Census staff that will come and help. The UCP is available to help and wants advice on how to reach the deaf and hearing impaired. Perhaps give short talks at Saint Justin's or the deaf social club. Also the UCP information is on the handout along with Ms. Spruill's phone number, if you have any questions or advice.

Mr. McGann: Thanks very much for the concern. Very often, we don't know the importance. Many deaf and hard of hearing don't understand which box to check if you have more than one disability.

Ms. Spruill: There shouldn't be a question on this Census about that but will find out and reply in an email.

Mr. McGann: I need an interpreter.

Ms. Spruill: The Census will send an interpreter.

Dr. Seelman: Will you be sending an email to the deaf and hard of hearing before they go out? Like for Theresa and Chris? Should it be sent out digitally?

Ms. Spruill: I am going to send it to Mr. Meritzer's mailing list.

Ms. Gallagher from HDS: I was approached by the Census Bureau. We will have a Census person at Hearing and Deaf Services. There will be an interpreter.

Ms. Goldstein: I was in county housing for five years and do not know if any information was filled out for me. You could tell mental house providers to tell people that their Census information was filled out.

Ms. Spruill: There is a separate committee working on this.

Mr. Noschese: When do the longer community forms come out?

Ms. Spruill: Several million will be mailed out every quarter. It will provide specific information.

Mr. Penna. On TV, will there be public service announcements? In closed captioning?

Ms. Spruill: It just started this week on radio and television.

Mr. Penna: It is necessary to do closed captioning and have interpreters in the corner.

Ms. Spruill: I will find out about this.

Mr. Penna: Contact HDS for more information.

Ms. Siegert: The deadline for the Hearing Loss Association is this weekend. Needs info. If someone is in the hospital and someone else is taking care of their mail, who fills out their Census form?

Ms. Spruill: There are two mailings and then a visit. If they were in a nursing home or extended-stay, it is long-term operator's responsibility. The personal visits will not happen until June. If temporarily hospitalized, it shouldn't be a problem.

Who should respond? Everyone who is residing in the US whether temporarily or permanently on April 1, 2010 including every member of the household, not family. The Census is done every 10 years.

Mr. Noschese: What about homeless people?

Ms. Spruill: We are working with outreach and homeless shelters and the Homeless Task Force.

Mr. McGann: What about people who have two residences?

Ms. Spruill: Where they spend the majority of the year.

Mr. O'Hanlon: I've seen non-institutionalized in the Census. What is an institution and what is the status?

Ms. Spruill: Nursing homes, group homes, prisons all have a director who is responsible. They (inside the facilities) are counted separately.

Mr. O'Hanlon: Is the federal definition of institution up to date?

Ms. Spruill: In Allegheny County, we have a subcommittee working on this. One of the three handouts – "Easy Steps and Implications" I'm going to send it to Mr. Meritzer tomorrow morning imploring everyone to have it printed in any bulletin, newsletter, etc. It will be in word format, pre-07, and can be edited.

Mr. O'Hanlon. Thank you.

## **URA STREET FACE PROGRAM – QUIANNA WASLAR**

Quianna Waslar joins the table.

Mr. O'Hanlon: One of the things that has come up is that 20 years ago, the ADA mandated businesses to eliminate readily achievable barriers immediately. Now twenty years later, there are still one-step barriers. Why are they still in place? There needs to be a triggering event, like work on a façade. The URA funds the Street Face program. Businesses that get funding appear to still have steps. I looked on Google maps and they are still there. I want to talk about the program. Could we look at the issue when the URA funds facades? When the URA funds the Street Face program, how to eliminate the one-step barriers?

Maribeth Hook, architect with the URA joins the table.

Ms. Waslar: There are four façade programs. When applicants are approved by the process, the Bureau of Building Inspection is now telling them to make it accessible. It may need to follow Historic guidelines. The URA does not require ADA compliancy.

Ms. Hook: It asks that they make the building usable for everybody. The purpose of the program is to make the building more relatable to the neighborhood, to reopen storefronts, to invite people in. We cannot force them to comply but we try to get them to be accessible.

Dr. Seelman: The World Health Organization advocates for a culture of accessibility.

Ms. Hook: The program is designed to deal with the character of the neighborhood. There is historic character – proportions that they try to make the building fit in. We cannot make changes to the program because it has to be voted on by the board.

Mr. Henderson: This uses federal funding. Doesn't that require it to be accessible?

Ms. Waslar: Not all the funds are federal. If any changes came down that require accessibility, the Board will need to approve it and the guidelines to be changed.

Mr. McGann: Doesn't the URA have to follow zoning codes? And which buildings are you talking about? Can you give an example?

Ms. Waslar: Mitchell's next door. There is an accessible entrance in the 2<sup>nd</sup> doorway. There's a building on East Carson Street with the one-step issue. The permit told them to put in a ramp.

Ms. Hook: They need a building permit and an occupancy permit.

Mr. Noschese: Rental properties are not eligible if there is a business on the 1<sup>st</sup> floor and an apartment upstairs and the renter would like wheel chair accessibility.

Ms. Waslar: If there is a business on the 1<sup>st</sup> floor and an apartment upstairs, the resident can ask for compliance but it is the option of the property owner.

Dr. Seelman: How can we help you?

Ms. Hook: There's a catch safe. We are working with the city and the BBI (Bureau of Building Inspection). The BBI was getting different drawings. They are now telling us that the buildings (of the Streetface program) must be accessible. We are trying to coordinate different departments.

Ms. Spruill: There are a couple of incentives that might help. On the IRS website, there are tax credits available to small businesses. There is a city-specific procedure about ramp installation about encroachment with a fee. The task force could ask City Council for a one-year period to

remove the fee. Also, put the IRS page in pamphlets. If the building had a use that predated 1992, it would not be required to adapt. If the use changes, it needs to eliminate the one-step.

Mr. O'Hanlon: There must be a triggering event – but so is new street facing. People from BBI have been here. We keep hearing they can't do it as if the law does not exist.

Mr. Meritzer: 1) Thanks to Ms. Spruill, we are working on a packet of information called the One-step program which includes information on tax credits, loans, the process, lists of architects to do work for little or no cost. The biggest expense is the architectural design. There are ways of waving fees that we are looking at.

2) There is some disagreement about what power the city has when a building changes use. The agency limits what we can do.

Mr. O'Hanlon: To clarify: when public funds are expended by a public entity: section 504 states that it must be accessible.

Dr. Seelman: What is breaking down in the process?

Mr. Penna: In the IRS form 80-26, there is a tax credit for the property owner from \$251 – \$10,000 to make a building accessible.

Ms. Goldstein: I have friends who use wheelchairs. It's not right to hold a whole population back. It's really discriminatory to not let people into a store.

Mr. McGann: Don't forget that a lot of office buildings that lawyers, doctors, important people who are disabled can't get into. Ramps, staircases should have Braille.

Mr. Penna leaves.

Ms. Siegert: Point of information: who is Gerald?

Mr. Meritzer: Gerald (Penna) is the Head of the Department of Deaf and Hard of Hearing in Erie, PA.

Ms. Spruill: We could go on and on. We should not be focusing on narrow legal advantages. We need to get City Council, the Mayor's Office, and City Planning behind this because it's the right thing to do. There are millions of dollars in public money. People don't know about incentives. People with disabilities spend lots of money and it is stupid to turn away business.

Mr. O'Hanlon: Why do we still have all these businesses with one step when they are changing usage? It seems consistent throughout city government that despite the law, it is not enforced. What should we do to change the program requirements and bring this issue to the URA?

Ms. Waslar: I agree with Ms. Spruill. City Council and the Mayor should make it a law. For the URA to be on board, the director, Rob Stephanie and the board would have to have final say. We can set up a meeting with Richard (Meritzer) and the BBI to find the gaps. Mr. Meritzer came out to one of the applicant meetings. The legal department would need to be involved. We're making an effort to include accessibility in the program.

Mr. O'Hanlon: I will welcome your help in setting up a meeting.

Mr. McGann: Motions to set up a subcommittee to go out with the URA.

Dr. Seelman: I suggest going that route. Make sure to recommend getting Mr. Meritzer and Mr. O'Hanlon to meet with the Executive Director and Board.

Ms. Waslar: It would be great to have the one step program packet to distribute.

Mr. Meritzer: It is in draft form and I can get it to you.

Mr. Henderson: We are not asking to change things, but are asking to interpret the law. Right?

Ms. Waslar: Right.

Mr. O'Hanlon: I would love to set up a meeting. I love the program in that it improves the neighborhood. It should be a support program that includes everyone.

Ms. Waslar: Thank you. My contact information is on the bottom of the sheet.

### **SNOW REMOVAL – BEN CARLISE**

Mr. O'Hanlon: Next is Snow removal by Ben

Ben Carlise Department of Public Works, Operations manager joins the table and introduces himself.

Mr. O'Hanlon: Every winter it's an issue. Snow removal is hit or miss. Some houses are clear and others on the same block aren't. The inconsistency of snow removal is dangerous. People stop going out. This is an impediment to people with disabilities and seniors. I've never seen a consistent city public policy on snow removal. In the past, we talked about a public statement as the target enforcement. Do we need the mayor to do a Public Service Announcement? This is a brainstorming session.

Mr. Carlise: There is a policy in place. There are only six inspectors for the city. It is complaint-oriented. The 311 center is the best thing. Residential properties are treated differently. Businesses are enforced more. An owner has 48 hours after the event ends to remove the snow. We send citations to all businesses who do not comply. We issued 20 citations last year and already 6 this year. In residential areas, seniors and others are unable to hire or shovel their walks. We have issued 1500 door stuffers. When we receive a complaint, we send a warning letter to everyone on that block. We are apt not to issue citations in residential areas. If someone falls, they could sue the homeowner. Homeowner's insurance is liable. We try to educate, warn, and then cite.

Ms. Spruill: I am a disabled resident who lives alone and I have trouble finding anyone to shovel my walk. We need community leaders to encourage people to shovel for neighbors. Get Sidney Crosby on TV to ask for everyone to help their neighbors.

Mr. Noschese: High school kids are supposed to do community service. Get in touch with schools to see where kids can help out. Take advantage of that.

Mr. McGann: There is a deaf-blind man in Kansas who uses a snow blower who removes snow for two blocks for his neighbors.

Mr. O'Hanlon: My mother cut out a clipping about a senior who pays someone to shovel their walk. I would rather have an aggressive policy that makes allowances than a laissez faire attitude that leaves it up to the city owner. You would see more shovelers – there's no reason to say yes

now. I would be happy to be the bad guy. We need to get publicity out there. What do we need to do to get the city to be more aggressive if after 48 hours the sidewalks still aren't clear?

Mr. Carlise: Six inspectors are not enough. They aren't lazy. If someone is issued a citation, they must go to court. It's not a good policy.

Mr. O'Hanlon: It will be a great policy. If one less senior breaks their hip, is that not worth it? The city is not cognizant of the city's needs.

Mr. Carlise: We are very aggressive in business districts.

Mr. O'Hanlon: But if we can't get to the business districts, it does not help. It's the law.

Ms. Marim Danick: You have to enforce the law. If I forget my handicap sign for my car and park in a handicap spot and get a ticket, I can go to the magistrate and they will wave it when I present my sign. What are you afraid of?

Mr. O'Hanlon: You put a notice in and it stops. I have an issue with the policy. What do we do? It is unacceptable. We will only get protection if you enforce it.

Mr. Carlise: We hear you. Beginning with the next snowfall, we will change our policy.

Mr. O'Hanlon: Would the city be willing to do this in a way that it gets in the press?

Mr. Carlise: There's a lot of press about this. I've been interviewed. Mt. Lebanon's police department is issuing citations.

Mr. Noschese: What is the process? Warning, then citation?

Mr. Carlise: Educate then warn then cite. We will cite residents when appropriate. Thank you for having me.

Mr. O'Hanlon: Thank you everybody.

The meeting was adjourned at 3:00 PM.

**THE NEXT TASK FORCE MEETING:**

DATE: February 22, 2010  
TIME: 1:00 P.M.  
LOCATION: Large Conference Room  
200 Ross Street  
Pittsburgh, PA 15219