

**CITY OF PITTSBURGH/ALLEGHENY COUNTY
TASK FORCE ON DISABILITIES
March 15, 2010
MINUTES**

- Location:** First Floor Conference Room
Civic Building, 200 Ross Street
Pittsburgh, PA
- Members Present:** Paul O’Hanlon, Chairperson, Janet Evans, Milton Henderson, James C. Noschese, John Tague
- Members Absent:** Aurelia Carter, Linda Dickerson, Sarah Goldstein, Liz Healey, Rich McGann, Jeff Parker, Katherine D. Seelman
- Others Present:** Adolphine Birescik, Tina Calabro, Gerhardt Egri, Marion Danuck, Dianne Gallagher, Megan Hammond, Chuck Keenan, James Kindler, Marty Mathews, Richard Meritzer, Charles Morrison, Aaron Steinfeld, Mary Van Shura, Joseph Wassermann

The meeting was called to order by Mr. O’Hanlon at 1:05 PM.

INTRODUCTIONS

ACTION ITEM

Review & approval of February’s minutes

Ms. Evans made a motion to approve February’s minutes.

Mr. Tague seconded.

The motion passed unanimously.

Review & approval of financial report

Mr. Tague reported that a report was not generated. He is not sure where we stand. He asked for a clarification from Mr. O’Hanlon if we were sending Judy a letter.

Mr. O’Hanlon clarified that Mr. Tague was going to get a gap report to him, then they would decide what they would need to fund the remainder, and then Mr. O’Hanlon would ask Judy for funds from her budget.

Mr. Tague: At last meeting, estimated \$1300 to \$1500 more to complete the full year. He could send the email.

Mr. O’Hanlon: What about next year?

Mr. Tague: There is no answer. The funding hasn’t been restored. It would still be reduced by the 28%. We will be starting with the same numbers as last year, but not sure. We haven’t discussed what we are going to next year. We will be in same situation. We should have an executive committee meeting. We have 2843.23 for March and April but that is not enough for May or June.

Mr. O'Hanlon : We will get together on that.
End of Report

PRESENTATION – City Human Relations Commission – Charles Morrison
Charles Morrison joins the table.

Mr. Morrison brought with him some brochures placed on the table in the rear. He encouraged everyone to take one. He described the role of the City Human Relations Commission in terms of work with civil rights. The Pittsburgh Commission has its roots in the late 1940s and early 1950s, after World War II when people returned to the Greater Pittsburgh community and were experiencing discrimination in housing, employment, and public accommodations.

It is an independent agent of city government. When the Home Rule Charter passed in the 1970s, it carved the commission out as part of the city government. The Commission has jurisdiction over the City, its Boards and Authorities. It was thought it could operate best from a stance of independence. Prior to that, it was part of the Mayor's office. It is similar to Pennsylvania's Human Relations Commission, which is a part of the Governor's office. The Commission has contractual relationships with the United States Department of Urban Housing (HUD), US fair employment. The Pittsburgh Commission does not have a formal relationship with the Pennsylvania Human Relations Commission. They work together but there is not anything by contract that does not allow someone to file with both agencies. However, he discourages that because resources are limited and they try to avoid duplication. It is important to understand that individuals can come to file complaints, but also organizations can come. Any organization that has civil rights in its mission can.

The number one reason a complaint is received is employment. The second is in housing. It is interesting to note that the number one basis on which complaints were filed, locally and nationally was disability issues. Persons with disabilities are becoming more vigilant in opposing and challenging these. Nothing will change unless you say stop, no more.

The Commission is made of 15 citizens, appointed by the Mayor. There are some who have not renewed/approved. There are three vacant positions.

The Commission conducts administrative hearings. If an individual files a complaint: there is an investigation, then the Commission hears the facts of the case and determines if probable cause exists. Probable cause means more probable than not. The Commission staff's job is to assist in the collection of facts. If they find probable cause then it enters into a conciliation. Someone is appointed to sit with parties to settle issues. The first priority is to bring the situation into Federal law. The Commission may require training to take place.

At present, cases are pending in fair housing, with people with hearing issues who were denied service by hang-ups, and were denied services. They were met with a statement that said: no pets. Housing providers need to be educated to know that a service animal is not a pet. There are 100 cases at any given time on multiple levels.

There are vacancies on the commission if you know someone who would be a good appointment. Please contact Mr. Morrison with that information as he is readily available. It is a job without pay. The Task Force members can recommend people for vacancies.

It is designed so that you do not need legal council but at certain times you might need council and we would recommend that you do use it. In fair housing, if we find cause where parties do not come to terms, we will provide council to the victim, as in the Federal law, we must maintain a relationship with HUD and we must have a substantially equivalent law. Commissioners will sit on the panel, will decide the outcome, can offer restorations of lost wages, and can order training, to ensure that the practice in question is brought into compliance with the law.

Many Task Force issues overlap with the Human Relations Commission. If the outcome does not happen like you like it, you should seek its council, like with one-step barriers. We hope to work closer with the Bureau of Building Inspection (BBI) because there needs to be a comprehensive approach to this problem. It cannot be that in one part of the City it will pass and in another it will not. We offered training to the BBI. HUD had a good program in terms of accessibility. Not one inspector showed up for training. There are problems we face at the Commission both externally and internally. Mr. Morrison is grateful for its independence. The Commissioners are vigilant in pursuit of laws.

The floor is open for questions.

Mr. Nochese: Maybe you are aware that we are involved with the airport on some accessibility issues, specifically telephones. It is moving quite slowly. Can your office help with that?

Mr. Morrison: My power ends at the City line. Our jurisdiction is limited to the City of Pittsburgh. There is a new County Human Relations commission. I do not know if they are up and running. It all happened in the past year. The U.S. Department of Justice would have jurisdiction and the Pennsylvania Human Relations Commission.

Mr. Tague: Are there folks with disabilities on the Commission?

Mr. Morrison: Chaz Kellum just resigned about a month ago because he moved outside Pittsburgh's city limits and had to resign. He wrote a letter about the lack of accessible housing to the Mayor. He did not want to move but there was not any housing.

Mr. O'Hanlon: These are pervasive problems. It is hard for the universities to get graduate students with disabilities due to a lack of accessible housing.

Mr. Tague: correction: off-campus housing.

Ms. Evans: They are making accessible options.

Mr. Morrison: It is unfortunate. The Task Force examines issues in multiple forms in multiple ways. Progress has been slow.

Mr. Wasserman: How many are on the staff?

Mr. Morrison: There can be as many as 15 on the Commission. There are 8 staff members. Three are part-time and five are full-time. They used to have a staff almost

three times as large. Everything has been cut but they try to make the best of it. They give you a computer and they think you can do the work of four people.

Mr. O'Hanlon: I appreciate that you are a regular attendee of our meetings. What that gives us is an opportunity to discuss on-the-fly, and it is a demonstration of the ongoing commitment of the commission that is not going unnoticed. You are a great resource. We appreciate that we can bounce ideas off of you. I am trying to figure out what the universe of possibilities that the Commission could serve. A few meetings ago, we talked about snow removal and Ben Carlise had affirmed that the City did not cite residents, only businesses. Since that meeting, the Mayor, feeling vulnerable, I surmise, said they were not going to enforce it. The Council said that they made the law, but if the Mayor does not enforce it, that is not their job. Would the Commission enforce this law?

Mr. Morrison: Our jurisdiction does cover the City, its boards and authorities. It would come under public accommodation. The definition of what a place of public accommodation is and looking at that, it talks about places of amusement, recreation, etc. We always interpreted the law to refer to the City of Pittsburgh. Would a city facility like Highland Park swimming pool, who limited accessibility based on race, be public accommodation? Yes. It has been a problem but has been remedied. They did make an announcement that they would be enforcing the snow removal law after last meeting.

Mr. O'Hanlon: After that, the Mayor said in a television interview not to worry, that they would not be citing.

Mr. Morrison: That sends mixed messages. I hope that storm is only a 15 year event. I assume the City has hesitation in terms of dealing with private property when its own affairs are not in order.

Mr. O'Hanlon: I understand that awkwardness but they need to be consistent. This is a perennial problem. For months, I cannot get to the bus. It is usually multifamily units who do not shovel.

Mr. Morrison: It is not often they come out and say that they will not enforce a law. You could talk about a preparedness plan and priorities in terms of clearing sidewalks. I have seen people in wheelchairs use the street instead of sidewalks. It is difficult if you need to get out to work, buy food, go to a doctor's appointment. I do not know to what extent the Task Force can look at an emergency preparedness plan, and address issues in a proactive way.

Mr. O'Hanlon: When we had the first discussion, it was before "Snowmeggeden" and we had no way of knowing that it was the storm of the decade. It is a perennial problem where I cannot use my bus pass but have to pay to use ACCESS. There are a variety of situations that are not the appealing case like the elderly homeowner or a person with a disability.

Mr. Henderson: When the Mayor makes a statement like that, it is an injustice. He opens himself up for civil suits. I feel like I could pursue that in some way.

Mr. Morrison: No doubt that you could not pursue it. Where it could get you is that the City has a Law Department who will fight even when it appears to be something that can be resolved. It is their right. Not just the City, but a lot of times in government, they perceive themselves as the guardians of taxpayer's money and will spend large amounts using it defend themselves. People will re-elect people based on policies. They need to be aware that there are laws, and laws need to be enforced. There are mitigating circumstances. There are ways to deal with it. It is not that cut and dry. There is some wiggle room.

Mr. Henderson: How can he tell someone to break the law?

Mr. Morrison: Sometimes the laws aren't all connected.

Mr. Tague: I am confused because there was a "state-of-emergency" and when it ended. The Mayor made his statement after it ended? I am curious how that works. We are looking at a proactive way of resolving this issue but Mr. O'Hanlon is right, it is a perennial problem.

Mr. Morrison: There needs to be some education. People do not think or understand. If they spent one hour in a chair, they would be understand. They need to be enlightened about the realities in our community. They need to move the snow from the sidewalk ramps to make way for chairs to get through. We need to do something to somehow remind people at that time of year, if you are clearing snow, clean the ramp and not to be afraid to step into the street and open up the pathway.

Mr. O'Hanlon asks for questions from the audience.

Ms. Danuck: frustrated that you can't fight city hall, tired of hearing it. You wouldn't have any disability, race laws. Everyone will be becoming disabled as they get older. You can't just say that's the way. Fight City Council, it will make publicity whether they fight everything.

Mr. Morrison: clarifies: City Council will fight back.

Ms. Calabro: Are Pittsburgh public schools an ally? Parents were concerned that children could not stand on sidewalk and it was unsafe. It was unsafe for all students, not just ones with disabilities. School was cancelled. When school resumed, we walked around our neighborhood trying to find a space for our fourteen year old son to be picked up. We had to drive him to Home depot where he could be picked up. There were other buses picking up students at Home Depot.

Mr. Steinfield: Universities like Carnegie Mellon were ready to go back to school on that Monday but were asked to shut down because the sidewalks weren't clear and safety was questioned for students.

Mr. O'Hanlon: Are there any other questions for Mr. Morrison? Thank you we appreciate the information and dialogue. We look forward to working with you. We look to the Commission as a venue for mediation.

Mr. Morrison: The Commission does have mediation services. We are available 24/7.

DISCUSSION – Annual Meeting

Mr. Meritzer: Under the bylaws, the Task Force is supposed to hold an annual meeting every year. Every other year, they elect new officers. Last year there was no meeting, because it was too late to get it together. I wanted to bring it up for discussion so we could get it on the table to have Task Force members think about how to handle it.

Mr. Wasserman: Since we do not know if we are going to have a May or June meeting, maybe the executive committee should decide. It's hard to speculate.

Mr. O'Hanlon: We are presuming to have the May or June meeting. We could have one of those be our annual meeting. We should set up a committee to set up meeting, and plan it. We need to decide what we want the focus to be on. There are a range of possibilities, one of which we have in the process with the Convention Center and Airport, the issues around snow removal, issues around City policy for barrier removal and economic development like the URA (Urban Redevelopment Authority) giving out money for façade renovations. Do we want to try to focus on an issue?

Mr. Tague: There are so many.

Mr. O'Hanlon: I have a personal vendetta concerning voter registration. Only seven students registered in the 2008 election in the County's school districts. That is a small turnout. We can brainstorm.

Mr. Henderson: A committee sounds like a good idea. Find out which ones we want to tackle without letting any go.

Mr. O'Hanlon: Many could not make today's meeting. We should set up a committee via email for a subject. Who here now wants to be on the committee?

Mr. Henderson and Mr. Wasserman volunteer.

There was a proposal to nominate Dr. Seelman as head of the annual meeting committee and then ask for a report at the next meeting.

Mr. Tague: Basing that on the budget we have now.

Mr. Henderson suggests Janet Evans for the committee.

Mr. O'Hanlon: Are there suggestions from the audience? Typically with the annual meeting, we strive to have a larger role for the public on an issue that the community is interested in and sees some need to move the ball on. Is there anything anyone wants to suggest as a good subject, now would not be a bad time, or get to one of us later.

STAFF REPORTS

Update from Interns

Christina reports she is working on the One-step packet and is in correspondence with architects who will do the work for free or for a reduced rate.

Mr. Henderson: How far away is the one-step packet from being done?

Christina: We are waiting on the architects.

Mr. Henderson: Who is looking at compliance component? The BBI (Bureau of Building Inspection)?

Mr. Meritzer: Like visitability, it is not compliance. It is being sent to businesses encouraging them to be compliant, saying this is the law, you are not compliant, this is how to become compliant. You run the risk of being sued and this is how you become compliant. All of the funding sources, the process to get permits, a list of architects, resource information will be included. Joan Stein has said the City's hands are tied unless they come in for a permit. We are trying to get them to come into compliance earlier than later when they could be taken to federal court.

Justin reports that he is in the process of finding how many Audible Pedestrian Signals are being installed currently so that a ten-year plan for installation can be decided.

Romeo, the grants intern, was unable to make it.

Hospital Compliance Project

Mr. Meritzer stated that they will discuss with the Director how to roll this out. It is imminent. After three years, it is finally on its way. They found a sponsor to fund the webpage. Romeo is drafting a proposal. Hopefully, both the webpage and printing will be funded.

Mr. O'Hanlon: What will the webpage entail?

Mr. Meritzer: The vision is that there will be a webpage with an interpreted survey. One of things found in the initial surveys is that the hospitals thought they were doing all the right things, and the community thought they weren't. There was an information disconnect. Once the webpage is up, we can feedback on a regular basis how they are doing. When we started the project, there were seven hospitals and now there are three that are monstrosities. It is hard to monitor what is going on at each of their facilities.

Mr. O'Hanlon: There's an interpreted survey?

Mr. Meritzer: It will be both interpreted and not. A lot of people said they couldn't understand English, but American Sign Language. There will be interpreting along with written questionnaire. HDS (Hearing and Deaf Services) can help with this.

Mr. O'Hanlon: If I communicated with ASL, and I see a question in ASL, will I respond in ASL?

Mr. Meritzer: It will be like a telephone, press 1 now. Choose yes, no.

Mr. O'Hanlon: Can they call with videophones?

Mr. Meritzer: The survey will be set up like that. Other parts of the website will have information. We want to quantify the surveys and be able to say that over the past two months, you did well in this and poor in this.

Ms. Gallagher: They could call with a videophone to Richard and he could fill it out, or someone could.

Mr. O'Hanlon: Who would staff the webpage? You and your interns?

Mr. Meritzer: Yes. We are all excited about this in the department.

Mr. O'Hanlon: Part of the reason Richard is giddy with enthusiasm is because it started years ago as a series of complaints about situations in hospital that were horrible and awkward with people with disabilities. When solutions come, it can take years of work to get that, but you have to keep at it. At the end, you see results.

Meetings Scheduled

Mr. Meritzer: The ADA Strategic Planning Team will meet two Mondays from now. We are doing an evaluation of all City facilities that are City-run to see what needs need to be made and budget for them. It runs the gamut from Homewood needing to move a cart to be compliant to Beechview whose director said please get us a new facility!

Mr. Henderson: Is that meeting open to the public?

Mr. Meritzer: No, it is set up to deal with issues internally.

Mr. Tague: Is it well attended?

Mr. Meritzer: For the most part, the City does take disability issues seriously. There is a sense that they want the right thing to happen. The reason we are doing the survey now is because they asked me to do a survey with me as a professional knowing the laws. The Visitability marketing committee is being set up currently and will be happening shortly. It will be open to public. We are in the process of ironing out the bugs. The City is doing a comprehensive plan. It will be coming to you shortly. I am on every committee and have been to many meetings. I have submitted recommendations for the committee members from the disability community except for Energy and Historic Perseveration.

Mr. O'Hanlon: I think your activity level is to be commended. You have done an outstanding job. If you can't get to the table, you will elbow your way there. There is a growing issue with hedges on sidewalks where you cannot get through.

Mr. Meritzer: Call the Mayor's 311 line. The City is strict on enforcing hedge cutting.

Mr. Tague: There are hedges on Halket St. that make it impossible to pass all year.

Mr. Meritzer: Any issue and no issue is too small to make a call into Mayor's 311 line.

VOX POP

Mr. Egri: ACCESS is placing barriers to people with disabilities like myself. They are dividing Allegheny County into sections, and you have to take a transfer, charging you twice. They are forcing you to go downtown to get a transfer. I had to go out of my way. That is placing a barrier on those who cannot drive to the doctor. It is costing me more time and money.

Mr. O'Hanlon: We can talk about this after. There is the CAT (Committee for Accessible Transportation). Part of the concern I have is they are a long-standing group that deals with transportation issues. Be careful with going into other jurisdictions.

Mr. Egri: I am on the Task Force for the County for aging. (The AAA, Area Agency for Aging).

Mr. Henderson: The OVR (Office of Vocational Rehabilitation) board meeting will be held at 9:00 AM on March 17, 2010
The OVR Strategic Planning Meeting will be held from 5:30-7:30 on March 24, 2010.

Mr. Tague: It will be a good opportunity for folks to get a better understanding of what is going on at the state OVR.

Mr. Henderson made a motion to adjoin.
Mr. Tague seconded.

All in favor.

The meeting adjourned at 2:49 PM.

THE NEXT TASK FORCE MEETING:

DATE: April 19, 2010
TIME: 1:00 P.M.
LOCATION: Large Conference Room
200 Ross Street
Pittsburgh, PA 15219