

CITY OF PITTSBURGH/ALLEGHENY COUNTY
TASK FORCE ON DISABILITIES
MAY 21, 2007
MINUTES

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

Members Present: Jeff Parker, Chairperson, Katherine D. Seelman, Co-chair, Aurelia Carter, Janet Evans, Sarah Goldstein, Liz Healey, Milton Henderson, Paul O'Hanlon, John Tague

Members Absent: Linda Dickerson, Rich McGann

Others Present: Victoria Campbell, Dennis Ceccarelli, Holly Dick, Mary Figlar, Dianne Gallagher, Dolores Hanna, Kathie Hilbeck, Chuck Keenan, Dennis Kissane, Danielle Lengle, Richard Meritzer, Charles Morrison, Teresa Nellans, Paula Lackore Rule, Evelyn Stypula, John Tonti

The meeting was called to order by Mr. Parker at 1:03 PM.

Introductions:

Everyone introduced themselves.

Approval of the April 2007 Minutes:

Ms. Evans moved TO ACCEPT THE MINUTES. Ms. Goldstein seconded the motion. The motion was passed unanimously.

Financial Report:

Jeff Parker passed out copies of the report. We are paying \$1,000 a month. He talked with James Faulks at the County about the Task Force's request for additional funds.

Dr. Seelman said CART was a major discussion with the County. It is an accessibility item that has thrown our budget off kilter as an increased cost. Mr. Tague responded that would free up \$6,000. Mr. Parker added we need an additional \$1,732 to cover CART for next year. Dr. Seelman asked what else we want to do. Mr. Parker said we no longer ask for money for Working Order or Travel. We send in a request every year to the County and this year we only asked for interpreters and our fiscal agent. Mr. Tague added Mark Chernob said they are cutting everyone 20%. We must request funds for whatever makes our meetings accessible and must request funds to reach our constituencies.

Ms. Goldstein asked about the cost of printing the brochures. Ms. Healy said they are designed for people to print themselves. Ms. Carted pointed out that not everyone has a computer. Dr. Seelman listed the expenses as CART, reaching our constituencies, maintaining our data base, printing and travel. There may be additional expenses with the reductions in mass transit. Mr. O'Hanlon said there are no Task Force expenses for accessible voting. He said we should put together a budget of the real cost of operation. We need to ask for what we need. We should have brochures to make available at places like the County Office Building. Ms. Healy said the best way to approach this is to look at our function. We advise City and County Government. To do that we must hold accessible meetings. We can not fill our primary task without interpreters and CART. Without them we are out of compliance. There are other projects, like the video, and we may need to be creative about these projects. Dr. Seelman said the second level of responsibility is communicating to our constituencies. But it is as important. Mr. Parker said he open the conversation with the County. Dr. Seelman moved to accept the Financial Report. It passed unanimously.

Bureau of Building Inspection:

Dolores Hanna and Sergei Matveiev came to the table. Mr. Parker said there are two issues the Task Force is concerned about, sidewalk snow removal and ADA compliance by small businesses. Mr. Matveiev said he was a building plan examiner. He reviews drawings for issues including accessibility. Ms. Hanna said she is a special projects manager. Previously she managed the Mayor's Compliant Center.

Mr. O'Hanlon said lots of people alter their lives in winter. They limit their activity because of snow and ice. People don't shovel their walks. And he doesn't see the City acting aggressively. What is the City policy? Ms. Hanna said this is the responsibility of the Department of Public Works. They cite property owners based on complaints. Mr. O'Hanlon said the people cited should be showcased. Is there any campaign about that? How do we build awareness? It's time to get ready for next winter. Ms. Hanna said they should get the media involved. Snow removal is the Department of Public Works. The Director is Guy Costa. They do sidewalks and curb cuts. They have few inspectors. The owner has a certain amount of time to clean their sidewalk, but it's counted from the last snow fall. Mr. Henderson asked if there was a process to clear the sidewalks of vacant properties and lots. Ms. Hanna said the City needs to cite the owner through Bureau of Building Inspection. Mr. Matveiev added that Bureau of Building Inspection cites owners if they can find them. Ms. Carter responded that this campaign must start with the City doing its part on properties it owns.

Mr. Parker said that we need to get the Department of Public Works to a meeting. Dr. Seelman asked if they were collecting data on violators. We should ask for that. Do Public Service Announcements on violators and if you can't clear your walk, who you should call. Ms. Hanna said Director Costa would do those Public Service Announcements. He would have the statistics of the people who called. Ms. Healy said this would be an opportunity to do a public relations campaign around being a good neighbor. The Task Force might get help with this. This is a chance to build an inclusive community. We need to take the first step.

Mr. O'Hanlon went on to say there is a revolving door of businesses that have barriers. Mr. Matveiev responded when renovations occur during a change in occupancy they are required to provide some accessibility. There are several classifications of businesses. When there is a change in classification they are required to make the business accessible. Otherwise 20% of the cost must go toward accessibility. They are required to provide as much accessibility as possible. Ms. Evans asked about doctor's offices. Mr. Matveiev said they are required to have an accessible route. They are not required to have this retroactively, only when they do renovations. Mr. Tague asked what if the change is readily achievable, why can't we require that. Mr. Matveiev said we can not enforce that.

Mr. Tague said that Bureau of Building Inspection inspects sidewalks. Conditions of some sidewalks are very bad. Owners are responsible for improving sidewalks. Mr. Meritzer pointed out that this is a subject they are discussing in the City Pedestrian Plan. Ms. Stypula said when handicapped parking is in front of a house the snow can't be removed and builds up. Neither Paramedics nor Access can park.

Ms. Lengle asked if they deal with all accessibilities. Mr. Matveiev said they go through the accessible design requirements. Mr. O'Hanlon stated that there is a video store that became a rug store and it still has a step. It has done extensive renovations. Mr. Matveiev said he would check to see if they required a building permit. They only check if a building permit is required. Ms. Hanna added these are both retail sale activities and not a change in use. Chuck Keenan reminded the group that the ADA is a civil rights issue and problems should be taken to the Justice Department or the Commission. Mr. O'Hanlon asked if the triggers for review administrative or legal. Ms. Healy said the issue is that the City Code as currently written and enforced predates the ADA. We should advise the Mayor and City Council to update the Code. Mr. Matveiev responded that they are not using an antiquated Code. They are using the 2006 Internal Building Code. It does not reference ADA but it does reference ANTCI. Mr. Keenan pointed out the Building Code is not a civil rights law. Mr. Matveiev added the Building Codes are often more restrictive than the civil rights law. Dr. Seelman said we don't get it. Is the City Code not broad enough? How does the usage code differ? Mr. Matveiev said the Zoning Code has less categories than the Building Code. Dr. Seelman asked how can this be rectified. Mr. Matveiev said he works with Zoning to catch them. This example is business to business. If the system needs to be tinkered, there needs to be some discussion about that. A change in occupancy does not trigger review, just a change in use.

Mr. Parker pointed out we had allocated half an hour to this topic and that time is up. Do we want to continue? Mr. O'Hanlon said he was still stuck at the heart of the matter. He asked that we spend 10 more minutes on this. We have few opportunities to change our environment. When a business changes there is an opportunity to make these changes. What is not triggering these changes? Mr. Keenan said if they do \$10,000 in renovations and a ramp cost \$3,000, they are exempt from that change. Mr. Matveiev responded no; with each renovation they do it incrementally. Mr. Meritzer asked who decides which accessibility they do. Mr. Matveiev responded there is considerable latitude. Anything in the Code is fair game. Mr. O'Hanlon asked if you can have an accessible rest room at the bottom of a flight of steps. Mr. Matveiev replied they would need to do the steps in the next renovation.

Ms. Goldstein said businesses go on and on without meeting requirements. Do you inspect businesses? Mr. Matveiev responded only for violations. The Building Code is organic. It changes and evolves. We can require buildings to meet new standards. We can only require this during renovations. Dr. Seelman moved (1) WE INVITE A REPRESENTATIVE FROM THE DEPARTMENT OF PUBLIC WORKS; (2) WE INVITE GUESTS TO DISCUSS HARMONIZING THE CITY USAGE TABLE WITH THE BUILDING CODE; (3) MR. O'HANLON WILL SEND THE BUREAU OF BUILDING INSPECTION THE ADDRESS OF PROPERTIES THAT ARE NOT MAKING APPROPRIATE CHANGES. Ms. Evans seconded the first motion and it passed. Ms. Evans seconded the second motion and it passed. Mr. O'Hanlon added a codicil that the disability community should have input into the hierarchy of changes.

Ms. Healy said we don't understand the process. The people who are affected by the policy should have input. We should have a small committee that understands the process. Dr. Seelman suggested we could do this under the motion to harmonize the process. Mr. Matveiev responded it is more complicated than you think. Currently the Pennsylvania Unified Building Code says on accessibility all jurisdictions are controlled by the State. Dr. Seelman asked if the Usage Code can be changed. Ms. Hanna replied that City Council changes the Zoning Code. Dr. Seelman withdrew her motion and deferred to Mr. O'Hanlon. Mr. O'Hanlon said it is a problem if we can't understand the system. We need to make it clearer as to where the triggers occur. Dr. Seelman and Mr. Keenan said they would work on the committee. Mr. Parker charged the committee to look into these issues. He pointed out we have other committees. The Mayor is coming to the June meeting. We should have a nominations report for that. The City wants to know if we are following our guidelines. We have a committee on that. He thanked Ms. Hanna and Mr. Matveiev for coming.

Rehabilitation Advisory Committee:

Dr. Seelman reported there is a perceived problem with the building Office of Vocational Rehabilitation (OVR) and BVR are moving into. Katherine Hilbeck representing PSSU and Dennis ~~Ceccarelli~~ Kissane, Chairperson of the Citizens Advisory Council came to the table.

Ms. Hilbeck reported that the location they are being moved to is 531 Penn Avenue. Two different sites are being moved here. There are safety concerns. The elevator only has a 36" opening. This will lead to discriminatory hiring policies since people using wheel chairs will not be able to use the elevator. Motor Way (AKA Grease Alley) is the emergency access to the Building. It is blocked by dumpsters and cars. The alley is in poor condition. It is a hangout for alcoholics and other questionable elements. In conclusion, the issues are the elevators and the condition of Motor Way.

Mr. ~~Ceccarelli~~ Kissane continued that he works with OVR and has been involved in this issue for about a year. OVR was in the State Office Building. The State took bids. They did not discuss the move with the Consumer Advocacy Committee. They picked 531 Penn Avenue without consideration to accessibility. Many people with disabilities come to this office. They sent a number of letters to Harrisburg, none of which had any effect. The set up of the building does not take into account emergency evacuation. There are no procedures in place. He is enlisting the support of the City / County Task Force to either stop the leasing of this building or ensure adequate evacuation procedures and access.

Ms. Healy said we should block the move or ensure safe passage. Ms. Hilbeck responded first they wanted to stop the lease, but the lease is signed. It is a done deal. The health and safety of the clients and the staff is the issue now. They were told not to discuss the alleyway. The Mr. Tague suggested we take a look at the site. Are we talking about the entrance or the size of the elevator? Ms. Hilbeck reiterated the doors are 36". Dr. Seelman asked if they have all their permits. Ms. Hilbeck says the requirement is 36" but not all wheelchairs will fit that entrance. Mr. Henderson said it's an old elevator and that should be addressed. Mr. ~~Ceccarelli~~ Kissane said they put in a new elevator but it still is not wide enough. Mr. O'Hanlon moved to ADD OUR VOICE TO THE CHORUS OF THOSE CONCERNED. Mr. ~~Ceccarelli~~ Kissane said they are determining who should spearhead this action. Ms. Evans seconded the motion. The motion was passed. Ms. Evans asked if we should visit the site. Mr. ~~Ceccarelli~~ Kissane responded no, renovations have just begun.

Action Items – Task Force Committee Work:

Dr. Seelman reported that there needs to be a meeting of the nominating Committee and guidelines Committee. Ms. Carter said she will chair the committees.

Mr. O'Hanlon said he will chair the County Community Development Block Grant (CDBG) Committee. He handed out the draft of principles. He asked everyone to send him anything input for the guidelines. Ms. Healy said there is no value based criteria in the current CDBG Guidelines. We need to have our guidelines quickly. Mr. O'Hanlon added that the County is soliciting proposals in August. We need to have our draft by the June meeting. Dr. Seelman said it would be on the June agenda.

Mr. Tague moved that the meeting be adjourned. Ms. Evans seconded the Motion. The meeting was adjourned at 2:56 p.m.

THE NEXT TASK FORCE MEETING:

DATE: June 18, 2007
TIME: 1:00 P.M.
LOCATION: Large Conference Room
200 Ross Street
Pittsburgh, PA 15219