



JOHN DeSTEFANO, JR.
Mayor

COMMISSION ON DISABILITIES
CITY OF NEW HAVEN
165 CHURCH STREET
NEW HAVEN, CONNECTICUT 06510
(203) 946-7833 - VOICE (203) 946-8582 - TTY/TDD
(203) 946-8587 - FAX



MARIA ELENA ALVAREZ
Chairperson

Commission on Disabilities Minutes
February 12, 2007

Present: Dana Canevari, Chris Getlein, David Hicks, Stan Kontogiannis, Matthew Ranelli, Elaine Quinn, Robin Tousey-Ayers, Heiwa Salovitz

Absent: Marjorie Eichler, Linda Reeder

Staff: Michelle Duprey

David Hicks opened the meeting and a quorum was established. The minutes for January were reviewed. Chris Getlein needed to be added to the present list. Stan moved to accept the minutes as corrected, Chris Getlein seconded. The minutes as amended were approved, with Elaine Quinn abstaining.

Chairman's Report

David Hicks wanted to defer the Chairman's report and report on Disability Parking under Old Business.

Department Report

Michelle Duprey reported that she has been processing zoning accommodation requests for Recovery Houses. David Hicks inquired into the process and Michelle briefly explained. Michelle Duprey offered to prepare a presentation for the Commission if they were interested.

Old Business

Disability Parking

David Hicks reported on the developments since the previous meeting regarding the Commission's efforts to have the legislature change the laws governing Disability Parking. The culmination of these developments was a public hearing of the Transportation Committee that he and Stan Kontogiannis attended, see below.

David Hicks noted that the bill (SB 143) proposed by Senator Toni Harp (D 10th Senate District), in response to the letter by the Commission to the New Haven delegation, was not part of the hearing. Nonetheless the content of this bill, which included language specifying that only physicians should have the power to certify persons as disabled, did become the subject of some debate at the hearing.

On January 19, David Hicks had received an updated and much-improved version of the Office of Legislative Research report (2006-R-0804) regarding Disability placards. The report found that only three states other than CT have non-expiring placards. The other states are Kansas, Iowa and Idaho. The report further stated that since 2000 the Department of Motor Vehicles has issued more than 342,000 placards. David Hicks suggested that it was safe to say that Connecticut has reached the point of oversupply. Given Connecticut's population of 3.4 million people, 1 in 10 people in Connecticut already have a disability parking placard.

David Hicks reported that he had read all the proposed legislation concerning Disability Parking, in an effort to decide which bills to support. In the end, since the proposed bill of Representative Robert Megna (D-97) and co-sponsor Representative Juan Candelaria (D-95) encompassed all of the suggestions from the amended letter David Hicks had sent them via email, he decided to support that bill alone.

Michelle Duprey reported that she had forwarded written testimony with the City's lobbyist, and e-mailed a copy to the Commissioners for the hearing.

David Hicks then reviewed some of the aspects of the other proposed bills which were included in the hearing. Senator Thomas Gaffey (D-13) and Representative Mary Mushinsky (D-85) had written bills requiring photo identification on the placards. Representative Peter Panaroni (D-105) introduced House Bill 6451, which required that all collected fines related to Disability Parking violations would go to municipalities, as an incentive to enforcement.

David Hicks mentioned another bill (HB 5330) introduced by Representative Kevin Ryan (D-139) and Senator Edith Prague (D-19) entitled AN ACT CONCERNING HANDICAPPED FACILITIES AT SERVICE STATIONS. Michelle Duprey pointed out that under the ADA, self service gas stations with more than one staff person are required to assist customers with disabilities. Unfortunately, the requirements are not generally known or followed, which is only made worse by rapid turnover in staff. Many of the Commissioners were also not aware of the law's requirements. There was more discussion on this issue. Michelle Duprey stated that when the Department had an intern they began to develop a list of gas stations but the project was not completed. The Commission decided they may revisit this issue at some future point.

David Hicks then discussed the hearing mentioned above. On February 2, 2007, Stan Kontogiannis and David Hicks attended the public hearing of the Transportation Committee, at the Legislative Office Building in Hartford. They were there to testify regarding the need for revising the Disability Parking laws. Approximately twenty bills had been introduced regarding this issue, and 9 or 10 of these were being discussed at this hearing.

David Hicks went on to explain more about the events and discussion during the proceedings and shared his written testimony with the Commission (see attached on file). He mentioned the testimony given by Representative Leonard Greene (R-105), in support of changes to the Disability Parking laws. This testimony gave rise to considerable discussion at the hearing, including the suggestion by Representative Panaroni that the situation is critical and could best be solved by recalling all current permits, and starting afresh. David Hicks then talked about some of the questions that were asked of him, especially one from Senator Andrew McDonald (D-27) who enquired whether Mr. Hicks thought that part of the problem was physicians' easy attitude toward certification of permanent disability. (See mention of Senator Harp's bill, above.)

Stan Kontogiannis then described his experience at the hearing, saying that he had been able to follow up on the questions posed to David Hicks, based on the previous research he had done on this issue.

There were some questions from Commission members such as did DMV testify, to which the answer was yes. Their response was described by Stan Kontogiannis as "there's nothing we can do".

David Hicks then asked Matt Ranelli what he thought the next steps in the process would be and whom he might follow up with in order to encourage support. Matt Ranelli suggested following up with the Chairs of the Committee by e-mail. He said the proposed bill will next go to the Office of Fiscal Analysis. The Commission members then had further discussion about the fines and the problem with private property signs, for which police say they have no jurisdiction.

Board of Education

David Hicks intervened in this discussion because Robyn Tousey-Ayers needed to leave in order to attend the Board of Education (BOE) meeting that evening.

Robin Tousey-Ayers first noted that in the Minutes for January 07 that Marge Eichler had volunteered to be on the subcommittee covering the BOE issue, and that this had been omitted from the Minutes and needed to be added. Robin Tousey-Ayers made a motion to retract the approval of the minutes, and then to vote on amending them to reflect the omission and to approve the minutes as amended. The motion was seconded and unanimously approved.

Robin Tousey-Ayers said that at the last meeting Michelle Duprey had suggested that she attend the next Mayor's Night In. She did attend but because Mayor DeStefano was not available, she had left the Mayor's staff with a written description of her concerns, including the response that had been received from Dr. Mayo. She is now planning on attending the next Mayor's Night Out which may be cancelled due to inclement weather.

Robin Tousey-Ayers stated she had not done anything more with regard to scheduling a meeting with Robin Golden and the Commission. David Hicks made a suggestion as to a meeting regarding the paraprofessional layoff issue in an attempt to bring all the relevant parties together. Robin Tousey-Ayers then departed in order to attend the BOE meeting, which has an open microphone forum. She also stated that the group may want to write a position paper on this matter and present it to the BOE during their next meeting.

Disability Parking, continued

Michelle Duprey asked Matt Ranelli if, in his experience, the fiscal analysis of proposed bills is ever overstated, as a means to defeat a bill. Matt Ranelli said he didn't know of any such occasions, and that in general the analysis produces a legitimate number. He went on to state that Senator Toni Harp is on the Chair of the Appropriations Committee and that could be favorable for a Disability Parking bill, if the Transportation Committee moves the legislation forward. He stated that it was possible, with so many bills, that the Committee might rewrite the legislation, combining them. He stated that in the event that Transportation moved the legislation out of committee, there would not be another public hearing, but that it would go to the Appropriations Committee, and then to the floor for a vote. When asked how proposed bills die, he said that Committees can just take no action.

There was further discussion among the group about the abuse of Disability Parking placards. There was a suggestion to David Hicks to contact Senator Toni Harp for follow up.

Accessible Taxi Cabs.

At the last meeting, Accessible Taxi Cabs and para-transportation ("My Ride") were discussed. David Hicks moved to form a transportation subcommittee, which was seconded by Dana Canevari, and unanimously approved. Members who volunteered to serve on this subcommittee were Heiwa Salovitz, Stan Kontogiannis, Dana Canevari, and David Hicks.

Michelle Duprey stated that since she is on the Board of Directors of "My Ride" she would serve ex-officio. When asked about meetings of the Board and agendas, she said the next open agenda the public could attend would be on May 18, 2007, which would be held at New Haven City Hall. (She will forward a copy of the schedule to the Transportation subcommittee).

New Business

In response to David Hicks asking Commissioners to write down what issues are important to them, Elaine Quinn said that housing issues were important to her. She furthered the discussion by summarizing a recent newspaper article about housing development in the area regarding 120 units of housing to be built in New Haven. Elaine Quinn suggested that the Commission should get involved early on, if possible, in this project to ensure that accessibility issues are properly addressed.

David Hicks recommended that Elaine Quinn follow up on this by contacting Linda Reeder, who has been leading the Housing Subcommittee on the issues pertaining to compliance with the state's requirement that 10 per cent of multi-family units be accessible. There was further discussion on housing design and there was some discussion about new units on Whalley Avenue.

David Hicks also brought up the issue of employment for people with disabilities. Dana Canevari brought up the issue of employers requiring a valid driver's license, and asked if that is legal. Michelle Duprey stated that under the ADA it is tied to the essential function of the job. She also encouraged Dana Canevari to file a complaint with the Equal Employment Opportunity Commission (EEOC) if she felt she was being discriminated against in her personal job search.

David Hicks mentioned that the Bureau of Rehabilitation Services just received a multi-million dollar grant. Michelle referred David Hicks to speak with John Lambert on implementation, but she did not think the award money had been distributed.

The conversation drifted back to Housing design and Heiwa Salovitz talked about some of the features at Ninth Square where he lives as being wheelchair inaccessible. In particular he mentioned the kitchen area. These units were built in 1993, prior to the Fair Housing Act Amendment (1998) design requirements. There was some further discussion about housing development in the area.

There was a motion to adjourn by Heiwa Salovitz, seconded by Dana Canevari, which was unanimously approved. The meeting adjourned.