

**Welfare to Work Commission
Of the Suffolk County Legislature**

Minutes of the January 15th, 2010 Meeting

Present: Richard Koubek, Chair; Kathy Liguori, Vice Chair; Legislator Kate Browning; Ellen Krakow; Jack Caffey; Bridget DePasquale; Don Friedman ; Judy Cahn; Linda O'Donohoe for Roland Hampson; Vincent Cassidy for Pam Killoran; Peggy Boyd; Mike Stoltz; Frank Casiglia

Excused: Gwen Branch; Nina Leonhardt; Peter Barnett; Rob Greenberger; Jane Devine; Idania Aponte; Michael Haynes; Eric Lopez; Joan Grant

1. **Minutes:** The minutes of the November 13th meeting were unanimously accepted on a motion by Frank Casiglia, seconded by Jack Caffey. Frank Casiglia announced that he is now the SCAME representative on the Commission, formally replacing Kathy Malloy. Chair Richard Koubek reminded the Commission that there was no meeting in December because of the multiple meetings held that month by the Sober Homes and Employment Assessment Committees.
2. **Commission Officers:** The Chair announced that, as previously noted, the Commission elects its Chair and Vice Chair every two years, corresponding with the election of the new Suffolk County Legislature. He asked if any members were willing to place their names in nomination or to nominate someone else. Richard Koubek and Kathy Liguori indicated their interest in continuing to serve. A motion was made by Frank Casiglia, seconded by Jack Caffey, to elect Richard Koubek as Chair and Kathy Liguori as Vice Chair. The motion passed unanimously. Mr. Koubek and Ms. Liguori thanked the Commission for their support and each commented on the growing cohesion and effectiveness of the Commission thanks to the dedication of its members.
3. **Sober Homes Committee:** Co Chairs Michael Stoltz and Peggy Boyd facilitated this discussion:
 - a. Mr. Stoltz distributed the draft outline of the report that the Committee is using to frame its work. He asked Ellen Krakow if she could provide insights about the Baer decision which seems critical to understanding the powers of local municipalities to regulate group homes. Ms. Krakow said that she needs to research the case more carefully, but that she believes the decision related to the power of a local municipality to limit occupancy based on family or blood ties. She will provide a more detailed analysis to the Sober Homes Committee. Legislator Browning reported that she was visited by a code enforcement officer from the Town of Brookhaven for a discussion of whether these officers are permitted to inspect an entire home or just a room. It was agreed that the code enforcement officers cannot enter a home without the owner's permission.
 - b. Mr. Stoltz and Ms. Boyd announced that there will be several focus groups held in the coming weeks as follow-ups to the formal Commission

hearings. Mr. Stoltz, Ms. Liguori, Mr. Koubek and Legislator Browning spoke with the LI CAN members on January 12th who were very receptive to attending these focus groups. Rich Buckman, LI CAN Sober Homes Committee Chair, will poll their members to confirm attendance for the January 29th and February 10th focus groups.

- c. The Commission engaged in an extensive discussion of the legal complexities involved in local town code-enforcement powers.
 - i. Mr. Koubek said that it was his understanding from the hearing testimony that towns and villages can enforce nuisance abatement laws (noise, visual pollution, etc.) against sober homes, so long as they do not single out sober homes for such enforcement. He further pointed out that from his housing-advocacy experiences in Huntington he believes that there is not sufficient town staff to fully enforce the town codes and that doing so might lead to homelessness.
 - ii. Ms. Krakow confirmed this interpretation and noted that each of the ten Suffolk Towns has its own codes and enforcement procedures. Legislator Browning noted that she thought the Town of Oyster Bay had some of its local ordinances overturned by a State agency, but no one was clear which agency at the State level has the power to overturn local housing ordinances and codes. She further stated that the County office that might get involved with town ordinances would likely be the Health Department.
 - iii. Ms. Krakow stated that it would be helpful for the Commission to see all ten town codes, although this is a major undertaking. Mr. Koubek noted that one recommendation in the Commission's sober homes report might be for the County Executive to convene a half-day or full-day meeting of all ten town supervisors and their housing directors to discuss common issues regarding code enforcement and sober homes.
 - iv. Ms. Krakow stated that Nassau Suffolk Law Services (NSLS) can prepare a summary of what it believes the Americans with Disabilities Act (ADA) allows and does not allow regarding sober homes regulations. She also said that the sober homes expert from her agency is willing to participate in the Sober Homes Committee meetings as a consultant to further discuss this issue.
4. **SCDSS Staffing Committee:** In Roland Hampson's absence, it was agreed to postpone until the February meeting the analysis of SCDSS staffing, 2009 compared with 2008, which will be provided by Mr. Hampson.
5. **Employment Assessment Committee:** In the absence of Chair Rob Greenberger, Don Friedman reported on the Committee's activities.
 - a. **Americans with Disabilities Act (ADA) Compliance:** Mr. Friedman reported that the New York State Office of Temporary and Disability Assistance (OTDA) issued an administrative directive in 2006 requiring all local social services departments to submit a plan for compliance with the federal ADA. Apparently SCDSS had not submitted its plan until the

Commission raised the issue in 2008, whereupon the SCDSS/ADA compliance plan was submitted to OTDA. The SCDSS plan was then reviewed by Cary LaCheen of the National Center for Law and Economic Justice who found the SCDSS plan to be somewhat vague, a problem with many of the local DSS/ADA plans submitted to OTDA. Mr. Friedman then summarized the Employment Assessment Committee's activities:

- i. On December 10th, Ms. LaCheen met with the Employment Assessment Committee, Roland Hampson and Frank Krotschinsky, SC Director of Handicapped Services and Brian Callahan of the County Attorney's Office. The meeting was constructive, with the SC staff listening to a number of critiques and suggestions raised by Ms. LaCheen. Chair Rob Greenberger stated at the December 10th meeting that the information provided by Ms. LaCheen was helpful and that it will be studied and absorbed by the Committee as well as by SCDSS staff. A meeting has been set for the week of January 18th to further discuss Ms. LaCheen's recommendations.
- ii. Ellen Krakow stated that she thought a more concise SCDSS/ADA plan with concrete procedures and recommendations would be useful to staff in complying with the ADA. She noted that such a document, with appropriate training, would likely reduce the number of costly SCDSS sanctions applied against clients who have undiagnosed or unrecognized disabilities.
- iii. Frank Casiglia pointed out that SCDSS staff are under enormous pressure due to the increased request for SCDSS assistance along with the federal participation regulations. Typically, an intake interview lasts only 20 minutes. He believes that the intake interviewers have neither the time nor the training to fully comply with all the ADA regulations. Additional staff would have to be hired for ADA compliance to be effective. Mr. Koubek added that this time/talent problem was a major reason that OTDA has not yet released a more thorough mental-health assessment tool. He noted that a draft mental health assessment tool circulated several years ago might have increased the intake interview from 20 minutes to an hour and a half which would have required many more SCDSS interviewers to be hired. He concluded that the staffing and cost implications are enormous when more detailed and professional screening tools and procedures are utilized.
- iv. Mr. Friedman stated that many clients seem to fall through the cracks, even when their disabilities are identified at intake, because there is a failure to communicate the client's needs as he/she goes through the complex SCDSS/SCDOL system. Mr. Koubek asked for clarification on what was supposed to be a uniform computer tracking system that came into use several years ago which allowed any SCDSS or SCDOL worker to see a client's complete record. Linda O'Donohoe responded that there is yet another computer system being installed, known as My Full View, which

should make it even easier for workers to view a client's complete history.

- b. **TANF Reauthorization:** Mr. Friedman again provided the Commission with a summary of the major changes being proposed by advocates in the TANF regulations that were adopted by the federal Department of Health and Human Services in 2006. TANF is scheduled for reauthorization in 2011 and he noted that the Employment Assessment Committee will be updating its recommended changes that were given to Congressmen Steve Israel and Tim Bishop in 2008. Among the "broad-stroke" changes under discussion are:
 - i. More funding for the TANF block grant to allow states to provide supportive services to clients moving from welfare to work.
 - ii. Changing the goal of TANF from "temporary assistance for poor people until work is found" to "ending poverty."
 - iii. Expanding *vocational* educational opportunities to more than the currently-allowed one year limit.
 - iv. Allowing as "Job Readiness" activities up to one year for mental health and drug counseling rather than the currently permitted, inadequate time period.
 - v. Not counting in the state participation rate those clients who are disabled and/or unable to work.
 - vi. Permitting partial credit for a work assignment. Currently, if a client does not fulfill the complete 30 hour weekly requirement, none of his/her work hours are counted for that week.
 - vii. Providing additional funding for child care.
6. **SCDSS Biennial Temporary Assistance and Food Stamps Plan:** Richard Koubek reported that the Commission received a draft of the SCDSS biennial 2010-2011 plan for comment in December. The biennial is the SCDSS blueprint for welfare to work policies and procedures. He and the Employment Assessment Committee reviewed the plan which was essentially unchanged from the previous biennial. The Committee did request that SCDSS restore the Suffolk Works College Guidelines to the plan, which they agreed to do. These guidelines were not required by OTDA, but SCDSS agreed to include them in the biennial plan at the request of the Commission.
7. **Evening Hours Press Conference:** Mr. Koubek reported that Legislator Browning hosted a press conference on December 15th to call attention to the need to publicize the SCDSS evening hours so that working poor people take advantage of these hours. The press conference was attended by County Executive Steve Levy, SCDSS Commissioner Greg Blass and Legislators Ed Romaine and John Kennedy. He stated that both the County Executive and the legislators complimented each other for helping to initiate evening hours and that the County Executive stated that preliminary utilization data indicated to him that the evening hours were working. Mr. Koubek further stated that as a result of the press conference, LIPA was persuaded to include a reference to evening hours in a *Newsday* advertisement they were placing on January 19th, 2010, which summarizes programs to help working poor people pay their bills. He also noted that LIPA's website has a link to the Commission's flyer announcing evening hours, but he expressed disappointment that

neither LIPA nor National Grid had included the evening hours notice in their bill inserts for November or January. Bridget DePasquale stated that she heard the SCDSS public service announcement for evening hours on radio station WALK. It was suggested that this PSA be sponsored by not-for-profit agencies throughout Suffolk County. There was consensus that many more working poor people would likely take advantage of SCDSS evening hours if they knew about them and knew that SCDSS has services to help them.

8. **Child Care Committee:** Kathy Liguori reported the \$2.5 million of child care federal stimulus money (ARRA) after several months of relentless follow up was finally released to Suffolk County by the New York State Office of Children's and Family Services (OCFS). This will allow working poor parents on the wait list to access subsidized child care and, while Ms. Liguori did not have any updated waitlist numbers to report at this meeting, there has been activity of parents seeking childcare from SCDOL. The Child Protective Services meetings will resume sometime in February or March and there will be more to report at the next Commission meeting.
9. **Affordable Housing:** Kathy Liguori suggested that the Commission revisit its 2007 *Affordable for Whom?* report on affordable housing to assess which of the recommendations have been implemented. Mr. Koubek noted that this could be one of the Commission's 2010 goals, which will be discussed at the February meeting. Legislator Browning stated that there are many foreclosed houses in Suffolk due to the economic collapse which the County could acquire and remarket as affordable homes.
10. **Next Meeting: Friday, February 19 , 9:30 AM** in Conference Room A of the SCDOL One Stop Center.