



# Governor's Commission on Disabilities Hearing Board Meeting Minutes Thursday, May 15<sup>th</sup>, 2014 4:00 - 4:30 PM

John O. Pastore Center, 41 Cherry Dale Court,  
Cranston, RI 02920-3049  
(voice) 401-462-0100 (fax) 462-0106 (tty) via RI Relay 711  
(e-mail) Christopher.DeGrave@gcd.ri.gov  
(website) [www.disabilities.ri.gov](http://www.disabilities.ri.gov)



**Attendees:** Tim Flynn; Ronald McMinn; James Pitassi; Arthur Plitt  
**Absent:** Judith Drew (Chair.)  
**Staff:** Christopher DeGrave & Bob Cooper



Clock graphic

## 4:00 Call to Order and Acceptance of the Minutes

- Mr. David Moran contacted via telephone for meeting participation
- Commission Chair Tim Flynn calls the meeting to order at 4:05pm.
- Introduction of Board Members and attendees

## Action Items:

### 4:10 Election of Vice Chair

**Purpose/Goal:** To decide the nomination & election of a Vice-Committee Chair

**Discussion:** *No action taken on electing a vice-chair due to lack of full membership attendance. Postponed until next hearing board meeting.*

### 4:20 Request for Open Meeting Telecommunication Accommodation Waiver - David Moran- Pawtucket City Council Member, C. DeGrave, Asst. ADA Coordinator

**Purpose/Goal:** To decide determine if Mr. David Moran meets the criteria for an Open Meeting Telecommunication Accommodation Waiver.

**Discussion:** See attached request form

- Waiver requested for the next several meetings while Mr. Moran is recovering from a medical procedure and cannot attend in-person until the end of June.
- Members discussed the requirements of:  
**§ 42-46-5 Purposes for which meeting may be closed – Use of electronic communications – Judicial proceedings – Disruptive conduct.**

(b) No meeting of members of a public body or use of electronic communication, including telephonic communication and telephone conferencing, shall be used to circumvent the spirit or requirements of this chapter; provided, however, these meetings and discussions are not prohibited.

(3) Provided, further however, that a member of that public body, who has a disability as defined in chapter 87 of title 42<sup>1</sup> and:

- (i) Cannot attend meetings of that public body solely by reason of his or her disability; and
- (ii) Cannot otherwise participate in the meeting without the use of electronic communication or telephone communication as reasonable accommodation, may participate by use of electronic communication or telephone communication in accordance with the process below.



voting check off graphic

**MOTION:** To reject David Moran's, a member of the Pawtucket City Council, Open Meeting Telecommunications Waiver; he has a transitory impairment and could leave his home to attend meetings.

**Motion by:** Ron McMinn, **Seconded by:** Arthur Plitt, passed unanimously



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## 4:40 Meeting Adjournment

MOTION: Adjourn the Meeting @ 4: 40 PM.

Motion by: James Pitassi, Seconded by: Tim Flynn, passed unanimously

<sup>i</sup> § 42-87-1 **Definitions of disability.** – As used in this chapter:

(1) "Disability" means, with respect to an individual:

(i) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;

(5) "Major life activities" include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

(7) "Substantially limits" includes:

(i) An impairment that substantially limits one major life activity but need not limit other major life activities in order to be considered a disability.

(ii) An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

(iii) The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as:

(I) Medication, medical supplies, equipment, or appliance, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;

(II) Use of assistive technology;

(III) Reasonable accommodations or auxiliary aids or services; or

(IV) Learned behavioral or adaptive neurological modifications.

(B) The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.