

# New Horizons

Housing That Supports Independence

## Judge Finds 'No Basis' For ADA Claims Against Disney

by Michelle Diamant | April 18, 2017 Disability Scoop



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A second federal judge has rejected claims from families who sued Disney over changes to disability access at its theme parks, but a lawyer representing the kids and their parents isn't backing down.

In a ruling this month, U.S. District Judge Manuel Real in California tossed out claims brought by families of children with disabilities who alleged that Disney's 2013 policy changes violated the Americans with Disabilities Act. The families are among dozens who have sued Disney in recent years after the company altered its approach to disability accommodations.

Previously, individuals with disabilities could obtain a Guest Assistance Card at Disney parks in Florida and California, which often allowed them to jump to the front of long lines for rides and other attractions. But Disney overhauled the program four years ago amid concerns about abuse and now offers those with special needs a Disability Access Service Card that allows visitors to schedule a return time for one park attraction at a time based on current wait times.

The families who sued alleged that the current approach violates the ADA and does not adequately address the needs of children with autism or other conditions, leading to meltdowns, among other issues. Last year, U.S. District Judge Anne Conway in Florida found that Disney's accommodations were in line with the ADA and allowed people with disabilities the same opportunity to experience the theme parks as other guests.

In the latest ruling, Real said that suits brought in California could not proceed because they hinge on the same issue already addressed in Conway's ruling. "Because plaintiffs' common-law claims are predicated on their contention that defendant violated the ADA and (California's Unruh Civil Rights Act) — an issue already decided against them — there is no basis for plaintiffs to succeed on those claims," wrote Real in his order.

Despite the judge's decision, however, the families' attorney Andy Dogali said his clients are pressing forward. Thirty families are appealing Conway's ruling while 14 have brought claims under California's Unruh Civil Rights Act. Those affected by the decision this month may also choose to appeal, he said.

Representatives for Disney did not respond to a request for comment about the litigation.

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# “My Two Cents”

By *Tim Doherty, Executive Director*



Currently, most towns in New Jersey have been working in court to reduce their affordable housing numbers for the coming round. This third Round as it will be known, is for a period of ten years, supposedly going from 2015 to 2025. The former earlier rounds were for only a six year period of time, however because the third round dragged on so long, and was fraught with objections and lawsuits, the time has passed so much so that now the State of New Jersey needs to catch up.

And so, many towns have settled and are settling, with the court as to what their new fair share housing program should be, really prior to the establishing of an official third round methodology. This could be because the towns lost on their argument that they should not be responsible for the so called “gap” period, from 2000 to 2015. This was not hard to predict, since, how could an argument be made that the population stopped changing in those years, Just because COAH was not effective. As a result, the real housing need for New Jersey could be over 200,000 units for the next ten years, rather than some 60,000 promoted by the League of Municipalities. However the argument is still going on within Mercer County with five towns who continue to argue that point. Judge Mary Jacobson has been considering these issues, however as other judges make rulings, it will be hard for her to ignore their settlements and conclusions. The rulings by other judges establishes what is known as “Case Law” from which other judges review the case conclusions and whether any of those arguments pertain to the cases which they are currently hearing. This is pretty powerful stuff and usually provides good arguments for or against these issues.

One thing that towns do not like is the cost of this litigation, which can drag on for months, until it is settled. That is probably the main reason that so many have settled to date. For other towns, knowing the sentiment of their fellow voters in their town, is often more frightful than building their fair share of affordable housing. This kind of Court process was what COAH was set up to avoid. By working through COAH, the towns could negotiate their obligation over time, without the cost of attorney's, using only their own town administrators. Much more cost effective.

So, since this present Governor is not likely to re-establish the authority of COAH this housing process will continue to play out in the courts, which is where the rubber meets the road. No longer can they delay or postpone, their obligations, as they could do with the COAH board. It is likely that by this time next year, all New Jersey towns will have certified their housing plans, and will have gotten court approval. Those that have not, will be left open to “builders remedy” which allows builders to propose a plan in lieu of the town providing a plan, which will automatically be approved by the courts. Although this is a costly process, it is a final process which will ultimately force a town to make their settlements.

Stay tuned for more this year on affordable housing.

# From Norman's Desk



For the past decade I have been using the following quote in my May or June columns from Dr. William Gray, Emeritus Professor, Department of Atmospheric Science, Colorado State University :

"In the next decade, the probability of a major hurricane hitting the Northeast is one and a half to two times greater than in recent years. We are returning to the earlier decades where landfalls were more common."

That prediction came true four years ago with Hurricane/Super-Storm Sandy slamming into New Jersey. This year's predictions by Colorado State University's team, now headed by Dr. Philip J. Klotzbach, is for an average season.

Dr. Klotzbach's team's initial prediction is: A total of 12 named storms, six hurricanes and two major hurricanes.

The prediction also estimates the probabilities of at least one major hurricane making landfall:

For the Entire U.S. coastline – 42% (Last year it was 52%)  
For the U.S. East Coast including Peninsula Florida – 24% (31%)

Last year we had five landfalls. Three were Tropical Storms, one hurricane, and one major hurricane.

With this year's prediction in mind, it is not too early to start thinking about severe weather and being prepared for it. The first step is being more aware of both the potential threat and the "emergent" or imminent threat. Here is what FEMA recommends that people with disabilities do to address that need.

## ***Severe Weather Preparedness for People with Disabilities***

It is important to know in advance what steps you need to take to keep yourself and your family safe.

Do you know the best way to get emergency alerts and warnings? If you have a disability that affects your communication, identify the best ways for you to access emergency information in advance. What television stations in your area offer live captioning? Can you sign up for text, email, or telephone alerts through your municipality? Keep phones and communication devices charged, and always have a backup way of learning about emergencies. Some options for alerts and warnings are listed below.

- Television stations with live captioning
- Emergency Weather Radio (some can support strobe lights, bed shakers and text readouts)
- Wireless Emergency Alerts – If you are in an area where the alerts are available and have a cell phone that is equipped to receive them, you may automatically receive a text message when an emergency alert is issued.
- Smartphone applications – Many smartphone apps will provide text and audio weather alerts. You can set the locations and types of alerts you would like to receive.
- Social Media – If social media is accessible for you, look for local emergency management agencies and news stations that also use social media to broadcast alerts and warnings. Save these organizations to your 'favorites' or begin 'following' them in advance.

- Local warning systems – Many localities have emergency alert services that will provide alert information to you in a format of your choice. Most locations can send messages to email addresses, mobile phones (text or voice), landline phones, TTYs and Braille readers. Contact your local emergency management agency to learn what options may be available in your community.
- Support network- Talk to trusted friends, family and neighbors and create a plan to notify each other of emergency information.

After determining how you will be notified of an emergency, put together an emergency plan and kit. Involve your friends, family, neighbors, support staff and anyone else that you trust to assist you. Determine how you will contact them in an emergency and what they can do to assist you. Think about where you will take shelter in your home if you need to. Also consider any services you need (personal care assistance services, dialysis services, etc.) and how you will access those services in an emergency. Talk to provider agencies about their emergency plans. Learn more about preparing for severe weather at [www.ready.gov/severe-weather](http://www.ready.gov/severe-weather).



**For Club Freedom Members Only**

**Home Games Schedule**

April 15 - 1:00 pm game— Bus leaves 11:30 am

May 13 - 7 pm game—Bus leaves 5:00 pm

July 8 - 7 pm game—Bus leaves 5:00 pm

July 22 - 7 pm game—Bus leaves 5:00 pm

August 5 - 7 pm game—Bus leaves 5:00 pm

August 26 - 7 pm game—Bus leaves 5:00 pm

\$8.00 per game— call Mary or Esther

609-448-2998

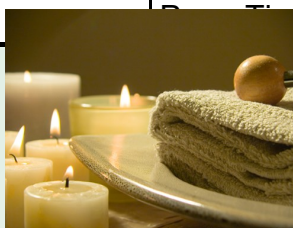








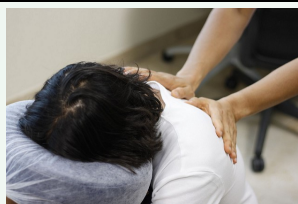
## Hamilton Happenings

DATE	DAY	PROGRAM (in Community Room)	TIME
2-May	Tue	Hamilton Cinco de Mayo Celebration	Prog. Time 4:00 -7:00 PM
9-May	Tue	Hamilton Spa Evening	Prog. Time 5:00 -7:30 PM
4-May	Thu	Hamilton/Lawrence Shopping	Bus Leaves PFR 9:30 AM
16-May	Tue	Hamilton Smoothies Making/Drinking	Prog. Time 5:00 -7:30 PM
23-May	Tue	Hamilton Birdhouse Craft	Prog. Time 5:00 -8:30 PM



## Lawrence Goings On

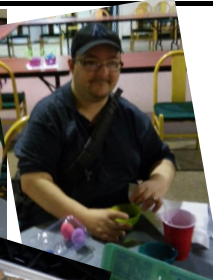
DATE	DAY	PROGRAM (in Community Room)	TIME
2-May	Tues	Heart to Hearts Chair Massage 	Program Time 9:30-12:30 PM
3-May	Wed	Lawrence Games	Prog. Time 3:00 -5:00 PM
4-May	Thu	Hamilton/Lawrence Shopping	Bus Leaves PFR 9:30 AM
17-May	Wed	Lawrence Games	Prog. Time 3:00 -5:00 PM
17-May	Wed	Nutrition Program– Heart to Hearts 	Program Time 7:00-9:30 PM
31-May	Wed	Lawrence Games	Prog. Time 3:00 -5:00 PM





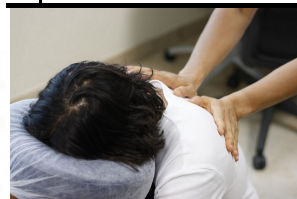
## Robbinsville Events

DATE	DAY	PROGRAM (in Community Room)	TIME
8-May	Mon	Robbinsville Games & Smoothies	Prog. Time 6:30 -9:00 PM
10-May	Wed	Robbinsville Cinco de Mayo Celebration	Prog. Time 5:00 -8:00 PM
11-May	Thu	Robbinsville Spa Evening	Prog. Time 6:30 -9:00 PM
15-May	Mon	Robbinsville Movies & Hotdog Supper	Prog. Time 6:00 -8:30 PM
18-May	Thu	Robbinsville Meditation Class	Prog. Time 6:00 -7:00 PM
22-May	Mon	Robbinsville Gardening/Planting Seeds	Prog. Time 6:30 -8:00 PM
24-May	Wed	Robbinsville Memorial Day Craft	Prog. Time 6:30 -9:00 PM
30-May	Tue	Robbinsville Gardening & Roll/Walk to Lake	Prog. Time 6:30 -Dusk



## Hopewell Events

DATE	DAY	PROGRAM (in Community Room)	TIME
5/2/17	Tues	Heart to Hearts Chair Massage	1:15 PM to 3:30 PM
5/5/17	Fri	Mercer Home Health Hosting Pokeno	3:00 PM to 4:00 PM
5/16/17	Tues	Heart to Hearts Chair Massage	9:30 AM to 11:30 AM





## ***Spring News at Honey Brook Organic Farm***

March was another month of farming challenges at Honey Brook Farm due to the wacky weather. We went from a high of 73 degrees on March 1st to a low of 13 degrees on the 5th! With respect to the early warmth, when it happens that early in our planting season it is not very helpful for plant health: it encourages early blooming of perennials such as strawberries, leaving them vulnerable to frost damage, and premature sprouting of garlic bulbs and herbs, leaving their early leaves also exposed to killing frosts and freezes. Overall, March was cooler and slightly wetter than normal, but the late, heavy snowstorm set us back with spring tillage and planting. The severe freezing temperatures appear to be behind us, so we were comfortable hand-planting our PYO snap and snow peas at both the Pennington and Chesterfield farms and our early spring broccoli in early April. Garlic, which was planted last fall, looks very healthy and is on track to be available in early summer.



Our spring transplants, grown in our Pennington greenhouses, look very good, we are just waiting for some dry weather in order to transplant the spring lettuce, cabbage, collards, kale and other early season favorites. Farmer Jim also is planning to direct seed arugula, lettuce mix, radishes and hakurei turnips just as soon as he can get the tractor on the currently saturated soils. While our strawberries, which look to be a better crop this year than last, will be roughly on schedule (being ready to harvest sometime in mid-May), other crops are going to get a late start due to the heavy rains of late March/early April.

Farmer Jim, always looking for a new crop challenge, is planting popcorn this year, and our first crop of turmeric (we've planted three different varieties), planted at the same time as our very popular ginger, is looking quite nice, as is the ginger. He also is growing personal-sized watermelon and cantaloupe, which should be popular with members purchasing our Personal-sized shares.

The tomato plants destined for our Chesterfield high tunnels are looking fabulously healthy! Farm staff successfully grafted the plants by fusing the rootstock of tomato varieties known for resiliency against soil borne diseases to the top (scion) of varieties known for the superior flavor of their fruits. In this manner, we have created plants with increased vigor as well as delicious fruit, getting the best of both worlds! We will get disease resistance, as an organic farmer's challenge is always managing diseases, especially fungal, in a high tunnel environment. The beauty of grafting is that it is a natural process, in that you are achieving disease resistance without the use of chemicals or GMOs, you just need time and patience, and sharp scissors and some grafting clips. This spring, we will be planting one acre of grafted tomatoes in our high tunnels in order to get the earliest, tastiest tomatoes to our members, hopefully by early July! R Dan Surtz





# THANKS, FUSION!



Thanks to Board Member Dan Surtz, the staff of Fusion Employee Services have adopted Project Freedom at Lawrence for donation of household goods. Another batch of gifts came rolling in on April 21. Fusion puts donation boxes in their office so that their employees can fill them with useful items for our tenants. **THANK YOU FUSION EMPLOYEES!**

*Happy*  
BIRTHDAY!  
*to you.*

May 3  
**Tim Doherty**

May 4  
**Ja'Kai Irving-Johnson**

May 6  
**Esther Hohmann**

May 7  
**Bob Riskamm**

May 15  
**Shanecqua Whitaker**

May 20  
**Dorothy Palmer**



May 13  
**Carol & Pete McKelvey**

# ABILITIES EXPO: INSPIRATIONAL, UNFORGETTABLE AND COMING YOUR WAY...

Abilities Expo is about bringing necessary products and services together under one roof for the community of people with disabilities, their families, caregivers, seniors, and healthcare professionals. It's about introducing opportunities that can enrich your life ...especially ones that you never knew were out there.

## WHAT'S IN STORE FOR YOU AT ABILITIES EXPO BUS TRIP MAY 5<sup>TH</sup>



### GAME-CHANGING TECH WILL HELP YOU REDEFINE POSSIBLE

It wasn't all that long ago that bionic exoskeletons and eye-gaze technologies were the stuff of science fiction. Now it's reality and just some of the leading-edge products at Abilities Expo



### DANCE LIKE NOBODY'S WATCHING

Every Abilities Expo is your chance to learn hot new dance moves that promote fitness. It could be hip hop, ballroom, Latin, Zumba, ballet or line dancing, but it's always inclusive and it's always fun!



### ANIMALS HAVE A WAY OF FINDING THE PEOPLE THAT NEED THEM

Greater independence and wellness is just a friendly wet nose away for many people with disabilities. Find out how assistance animals support their human partners.

## May General Recreation

### Club Freedom Events Highlighted

1-May	Mon	Day Program	Prog. Time 10 AM-3 PM
3-May	Wed	Equestrian Riding at Hopewell	Prog. Time Varies
4-May	Thu	Hamilton/Lawrence Shopping	Bus Leaves PFR 9:30 AM
<b>5-May</b>	<b>Fri</b>	<b>Abilities Expo</b>	<b>Bus Leaves PFR 9:00 AM</b>
8-May	Mon	Day Program	Prog. Time 10 AM-3 PM
10-May	Wed	Equestrian Riding at Hopewell	Prog. Time Varies
11-May	Thu	Grocery Shopping - Shop Rite	Bus Leaves PFR 9:30 AM
12-May	Fri	Trenton Farmers' Market	Bus Leaves PFR 10:00 AM
<b>13-May</b>	<b>Sat</b>	<b>Trenton Thunder Baseball Game</b>	<b>Bus Leaves PFR 5:00 PM</b>
15-May	Mon	Day Program	Prog. Time 10 AM-3 PM
<b>16-May</b>	<b>Tue</b>	<b>Mall Trip Jackson - 5 People Needed</b>	<b>Bus Leaves PFR 9:30 AM</b>
17-May	Wed	Equestrian Riding at Hopewell	Prog. Time Varies
<b>19-May</b>	<b>Fri</b>	<b>Shore Trip - Seaside 5 People Needed</b>	<b>Bus Leaves PFI 9:30 AM</b>
22-May	Mon	Day Program	Prog. Time 10 AM-3 PM
22-May	Mon	PF Golf Outing Fundraiser	All Day at Burlington CCC
23-May	Tue	Grocery Shopping - Shop Rite	Bus Leaves PFR 9:30 AM
24-May	Wed	Equestrian Riding at Hopewell	Prog. Time Varies
<b>25-May</b>	<b>Thu</b>	<b>Columbus Farmers &amp; Flea Market</b>	<b>Bus Leaves PFR 9:30 AM</b>
27-May	Sat	Ac 	Bus Leaves PFR 11:30 AM
<b>29-May</b>	<b>Mon</b>	<b>PF Offices Closed</b>	
31-May	Wed	Equestrian Riding at Hopewell	Prog. Time Varies

*Memorial Day, originally called Decoration Day, is a day of remembrance for those who have died in service of the United States of America. Over two dozen cities and towns claim to be the birthplace of Memorial Day. While Waterloo N.Y. was officially declared the birthplace of Memorial Day by President Lyndon Johnson in May 1966, it's difficult to prove conclusively the origins of the day.*

*Regardless of the exact date or location of its origins, one thing is clear – Memorial Day was borne out of the Civil War and a desire to honor our dead. It was officially proclaimed on 5 May 1868 by General John Logan, national commander of the Grand Army of the Republic, in his General Order No. 11. "The 30th of May, 1868, is designated for the purpose of strewing with flowers, or otherwise decorating the graves of comrades who died in defense of their country during the late rebellion, and whose bodies now lie in almost every city, village and hamlet churchyard in the land," he proclaimed. The date of Decoration Day, as he called it, was chosen because it wasn't the anniversary of any particular battle.*



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**GAMES**  
**MOVIES**  
**BIRTHDAY PARTIES**

Join the PF Day Program  
Mondays from 10:30–2:30 pm  
Call 977-1234 if interested