

## Adult home residents sue over scarcity of phones

Lakeside Manor fails to meet requirement of 5, plaintiffs claim

By FRANK DONNELLY  
STATEN ISLAND ADVANCE

The telephone is their lifeline to the outside world, contend four disabled residents of the Lakeside Manor Home for Adults in Brighton Heights.

But until two months ago, the facility, which serves about 200 residents, had only one pay phone — there now are two — despite a law requiring at least five phones; the plaintiffs charge in a lawsuit recently filed in state Supreme Court, St. George.

The phone keeps them in touch with their doctors, family, service providers, advocates and even police and the Fire Department, the residents of the assisted-living facility maintain.

Yet on occasion, the lone phone was out of service, requiring residents to walk about a quarter of a mile to

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## Adult home residents are suing for more phones

the nearest outdoor pay phone.

Just as bad, they claim the home makes them shell out 50 cents for each toll-free number dialed and sometimes blocks access to them.

The four residents — Barry Green, Philip Noonan, Kenneth Paltzik and Lisa Soto — allege that Lakeside Manor's actions have isolated them from the community and violated their rights to communicate with others. They want the home to provide five phones and also seek unspecified monetary damages.

In the meantime, Justice Philip G. Minardo has issued a restraining order forbidding the home from retaliating against the plaintiffs in any way, including threatening eviction or withholding services from them.

"Residents can't make outgoing calls from their rooms and can't afford cell phones," said Kevin Cremin, a lawyer for the Manhattan-based MFY Legal Services Inc., which represents the plaintiffs. "Without access to a telephone, they have no way of contacting anyone in an

emergency situation, and they cannot keep in contact with family and friends. Can you imagine what it's like to share a phone with 100 other people?"

Cremin said MFY and the residents have asked the home "repeatedly" to fix the problem but the response has been "completely inadequate." He said last week the plaintiffs were unavailable for immediate comment.

To call outside, residents must use a pay phone, situated in a common area of the home.

**PLAINTIFFS' CLAIM**

The plaintiffs contend that the Social Services Law requires the home to have, "with the cooperation of the telephone company," at least one telephone available for outside calls for every 40 residents. That would mean five pay phones in Lakeside Manor's case.

However, for about 10 years prior to this past October, there was only one pay phone in the home, they claim. And that phone was out of order for two weeks in September. As a result, resi-

dents had to search for a pay phone on the street. The nearest one, they said, was on Castleton Avenue, about a quarter of a mile away.

Green, 55, who has trouble walking, contends that such a trek is "impracticable," court papers said.

The four plaintiffs range in age from 47 to 58 and have resided at the home from two to 10 years. Each has been determined by the Social Security Administration to have a disability, although the specific nature is not identified in court papers.

Cremin declined to comment on the plaintiffs' disabilities, citing confidentiality issues.

The plaintiffs each receive an undisclosed amount of Social Security benefits. From it, they get a monthly allowance of \$164 or \$184. The remainder goes to the home to pay for their rooms and services.

As a result, the residents "cannot afford regular telephone service in their rooms and must rely upon the public telephones provided by Lakeside Manor," the plaintiffs contend.



STATEN ISLAND ADVANCE FILE PHOTO

The lawsuit against Lakeside Manor in Brighton Heights is being brought by four residents — Barry Green, Philip Noonan, Kenneth Paltzik and Lisa Soto.

Jane Harris, public relations director at the Cloves Lakes Health Care and Rehabilitation Center in Castleton Corners, said residents there can make outgoing calls from their rooms provided they pay the telephone company for the service.

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