

Group homes measure introduced in Assembly

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ALBANY — Assemblyman Guy V. Molinari yesterday proposed legislation that would allow residents to close a nearby group home if after one year of operation they find the facility is having a detrimental effect on their communities.

Molinari, a Republican-Conservative lawmaker representing Staten Island's South Shore, said his proposal is not designed to block the opening of group homes for the retarded, but rather to make it easier for operators of such facilities to win acceptance.

State Mental Retardation Commissioner James E. Introne said, however, that the proposal might not survive a court challenge.

"Allowing a community after a year to remove residents of a group home, might violate the legal and constitutional rights of the retarded," Introne said.

But Molinari said he saw his proposal, which is being co-sponsored by Assemblyman Paul Viggiano and Assemblywoman Elizabeth Connelly, as the only way to end the vocal opposition that is generated whenever a group home is proposed.

"A lot of times group homes are rejected because communities have a fear of the unknown," Molinari said. "Operators say once group homes for the retarded are operating in a community they are generally accepted. This legislation would allow them to win acceptance because people would know that after one year, if there are problems, they could move to shut them down."

Under the Molinari bill, people living

within 1,000 feet of a group home would be able to sign petitions requesting the closing of the facility if after a year they are dissatisfied with its operation. If the petition contained signatures from more than 50 percent of the people living within 1,000 feet of the home, the facility would have to shut down.

Molinari said he is convinced that most Islanders have no objections to a properly run facility for the retarded being located in their community and will judge any group home fairly.

"I believe Staten Islanders have a history of responding to the needs of the less fortunates in our society," said Molinari, noting the large number of volunteers who responded to calls for help at the Staten Island Developmental Center, Willowbrook, during a strike five years ago.

Some state officials doubt if voluntary agencies would invest in a group home if they were faced with losing the facility after a year because of community opposition. But Molinari said he does not see that as a problem.

"They can lease the homes with an option to buy," Molinari said. "Besides, they (group home operators) are always saying that group homes for the retarded are well received once they are in place. This will give them a chance to prove it."

State officials recently announced a controversial plan to speed the placement of Staten Island Developmental Center residents into the community. Under the plan, the center's population, now about 1,700, would be reduced to 250 in 1981.

The plan calls for about 100 residents to be placed in community facilities to be set up on the Island.