



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting Date: January 9, 2023

Ruthanne Fuller
Mayor

Barney Heath,
Director, Planning & Development

Amanda Berman
Director, Housing & Community Development

Nika Sandal
**Planner
Community Development**

Members

- Eileen Sandberg, Co-Chair
- Anne Marie Killilea
- Jane Brown, Treasurer
- Lucie Chansky
- Petr Chovanec
- Ima Jonsdottir
- Lakshmi Kadambi
- Nyree Kibarian
- Nancy Kritzman
- Darby Leigh
- Sandra Lingley
- Barbara Lischinsky
- Matt Volpi

Jason Rosenberg
Chairman Emeritus

Advisor

Sergeant Michael B. Wade
Newton Police Department

Staff

Jini Fairley
ADA/Sec 504 Coordinator
617-796-1253

1000 Commonwealth Ave.
Newton, MA 02459
T 617-796-1240
F 617-796-1254
www.newtonma.gov

MINUTES

Room Zoom

Time: 6:00PM

This meeting was a virtual meeting on Zoom, by phone or by computer/iPad:

Join Zoom Meeting

<https://us02web.zoom.us/j/84610100556?pwd=L2FuS2Rsem1UDlNeGIHOEpdnJ6QT09>

Meeting ID: 846 1010 0556

Passcode: 279296

One tap mobile

+13017158592,,84610100556# US (Washington D.C)

+13126266799,,84610100556# US (Chicago)

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 846 1010 0556

Passcode: 279296

Commission Members Present:

- Eileen Sandberg, Co-Chair, participating remotely
- Jane Brown, Treasurer, participating remotely
- Lucie Chansky, participating remotely
- Petr Chovanec, participating remotely
- Ima Jonsdottir, participating remotely
- Nyree Kibarian, participating remotely
- Nancy Kritzman, participating remotely
- Sandra Lingley, participating remotely
- Matt Volpi, participating remotely

Commission Members Absent:

- Lakshmi Kadambi
- Anne Marie Killilea
- Darby Leigh
- Barbara Lischinsky

City Staff Present:

- Jini Fairley, ADA Coordinator
- Nika Sandal, Planning
- Sgt. Wade, Police
- Isaac Prizant, DPW
- Hattie Kerwin Derrick, Mayor's office

Guests:

- Councilor Bowman
- Councilor Downs
- Rob Caruso

1. Introductions (6:00-6:05)

At the start of the meeting at 6PM, there were 9 members present.

2. Approval of the December 12, 2022 Meeting Minutes (6:05-6:10)

Eileen asked if there were any comments about the draft minutes. Hearing none, Jane made a motion to approve the minutes, and Lucie seconded the motion. The motion passed unanimously by a vote of 9-0.

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

3. Accessible Fines Reports (6:10-6:15)

Sgt. Wade gave the 2 Fines reports, the activity for the month of December and the year-to-date for FY23 (6 months), which can be found on pages 7 & 8.

4. Review of Holiday Operation Access (6:15-6:25)

Sgt. Wade summarized the Holiday ‘Operation Access’ enforcement from Black Friday through the holidays:

- 62 tickets were issued for a total of \$12,400.00 and the overtime for the officers was \$5,688.00. Lucie asked for the net amount, which is not known yet, depends on whether how many of the tickets are paid, appealed, and unpaid. Councilor Downs asked how much of the revenue from these violations go into the COD’s Fines account and/or the General Fund. Jini answered, that as of FY23 revenue, 100% of the collected fines go into the COD Fines account. Sgt. Wade explained that when the officer issues a ticket for the accessible parking violations, a picture is taken of the license plate and the dashboard/front window, where the disability placard should be hanging from the rear-view mirror, with the placard number and expiration date facing outwards, which may minimize the number of successful appeals. Sandra asked if there could be more attention by the Police at the Whole Foods Market on Walnut St. She often sees cars parked in the hatched marked areas adjacent to the signed accessible parking spaces. No one should be parked there, not even someone with a placard, as this is the access aisle for occupants of the vehicles legally parked in the accessible parking space, who may need to deploy a ramp to wheel out of and into their vehicle. Hatch marked areas are restricted areas where no vehicle can park. Jini said that this is becoming more common and perhaps more information needs to be disseminated . Rob went to the MAAB asking them to require the words ‘No Parking Allowed’ in these hatch marked access aisles, but they wouldn’t require that. However the city could look into adding those words to the hatch marked access aisles in their own parking lots.

Taken out of order, after the ADA Coordinator’s Report

5. MAAB Variance-Golda Meir (6:25-6:45)

Zoe from 2Life explained the need for the 2 variances from the MAAB regulations. The members were provided the MAAB application that 2Life submitted and they were also provided the lease addendum which describes how residents can request a more accessible kitchen sink and/or refrigerator. Kevin Nastasia, architect, joined Zoe as she explained that the refrigerators installed during their renovations of existing apartments have the freezer on the bottom, instead of the MAAB regulation for the freezer to be on the top. To be consistent, the new addition structures, with 68 apartments will also have a refrigerator on the bottom in both the Group 1 and Group 2A apartments. Many residents find this placement more convenient, including residents with disabilities. The second variance is to install deeper sinks in the kitchen than is required. Residents with disabilities using a wheelchair or possibly a walker can benefit from a shallow sink, no deeper than 6.5 inches, but the deeper sinks many other residents prefer are 9 inches deep. This variance was also sought by 2Life Golda Meir during their previous renovations. Zoe described these new additional apartments are under construction, 100% affordable, mostly senior housing with 9 of the 68 apartments set aside for

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

chronically homeless individuals with disabilities, and will be ready for occupancy later this year. Zoe also mentioned that she worked with Jini to update their lease addendum to reflect tenant's rights to request the more shallow/compliant kitchen sink or the compliant refrigerator. Since there were no questions from members, Eileen asked for a motion. Lucie made a motion for the COD to support these 2 variances with the stipulation that tenants, at any time, can request the compliant shallower kitchen sink and/or the refrigerator with the freezer compartment on the top. Nancy seconded the motion. The motion was unanimously passed by a vote of 9-0.

6. CDBG Report (6:45-6:50)

Nika gave the CDBG report of Access Projects, which can be viewed on page 9. Isaac reported that the bid for construction of the Langley/Warren/Chase project went out and bids are due on Jan. 19.

7. Final vote on FY24 CDBG Access Projects (6:50-7:20)

Nika presented the 3 final projects the COD members are considering for FY24 CDBG funding. This presentation can be viewed on pages 10 & 11.

Comments before the vote to choose one project for FY24 CDBG funding were mostly about the safety, even with an overhead and standard RRFB, crossing of Washington St. at 1860, Temple Reyim. Also some questioning the pedestrian volume, more at City Hall than at that Washington St. crosswalk? Sandra daily sees people crossing Washington Street there and thought it would be a good project to install an RRFB system, maybe slow down the fast vehicle volume, speed limit is 35 MPH and make that crosswalk safer.

Next was the vote to choose one project (Chapel and Watertown project's current cost estimate is too high to be considered): City Hall Campus= 7 votes (Jane, Nancy, Ima, Petr, Nyree, Lucie, Eileen) and RRFB systems at 1860 Washington St. = 2 votes (Sandra, Matt). Eileen said there was a clear majority for the City Hall project chosen for FY24 CDBG funding.

8. Treasurer's Report (7:20-7:25)

Jane gave the Treasurer's report, which can be viewed on page 12.

9. ADA Coordinator's Report (7:25-7:30)

Jini gave her report of ADA activities for the month of December, which can be found on page 13. She spoke about attending the ground-breaking ceremony out at Levingston Cove on Crystal Lake, which was very well attended. She reported that the accessible parking space for 376 Langley Road passed the Traffic Council. She encouraged members to attend the community meetings for NewCAL/new Senior Center, as the Working Group is looking for input from seniors and all community members, including residents with disabilities, as the plans are moving along and discussion is about interior spaces, furniture, rugs/no rugs, circulation, where to put the 'store'/bull cart, and much, much more. They are usually on the 3rd Thursday of each month unless a holiday changes that schedule.

10. Current COD Member Intros (7:30-8:00)

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

This was an opportunity for the new COD members to get to know the other members. : Eileen—a member for the last 3+ years, she was initially interested in the COD because she has children with disabilities in the school system. She is also very interested in access, where her father was disabled from Polio. Professionally she works for the Federation for Children with Special Needs . She volunteers at a horseback riding program for autistic children.

Jane—has been a member for quite a few years, professionally she is a Speech & Language Pathologist. She would like to see a COD member have a speech and/or language/comprehension disability. She is very interested in children. Jane is also a member of the Human Rights Commission.

Nancy—has been a member for a little over a year. She wanted to join the COD as she has been disabled since she was 23, and, at the time, had a baby. She has seen the progress over the years and wants to be a part of continuing those efforts for access. She is hoping she can help with more education about disability issues and more accessibility through her membership.

Lucie—a member for many years, she has been a disability advocate for a long time as her son was born with profound intellectual and physical disabilities, before the 504 federal regulations and Chapter 766. She helped establish a pre-school for children with disabilities and an early intervention program and classes. She has served on the Board of MassARC, the Governor’s Commission on Disability, the statewide Olmstead Commission, chaired the Newton CDBG Committee until it was disbanded by the current Planning Director, Barney Heath, she has served on several committees of the Massachusetts Department of Developmental Disability Services. Professionally she is an Educational Advocate, mostly retired now. One of her 2 other children is interested and works in the disability field.

Matt—has been on the COD for about 5 years. He is interested in disability and accessibility issues as he is the parent of 2 children with physical, learning, and mental health disabilities. His younger daughter uses a wheelchair for mobility and is most interested in making Newton as accessible as possible in the educational , career, and community life settings. He has been involved as a volunteer in the service dog organization, Canine Companions for Independence. Jini added that he is the author of the Service Dogs pamphlet the COD distributes in hard copy and on the COD webpage. Sandra—started out in Education after college, very interested in young children. She never liked it when some children were treated differently than others. She taught religious education classes for many years. It was at a time when the awareness of children having learning disabilities and the program was able to develop plans for those children as best they could. Later she worked in nursing homes, not in direct care, but in the business office, where she saw first-hand how costly it was for people to live in the community and had to move to a nursing home. She is a strong advocate for people to be able to live in the community and having their needs met, whether it be parking or getting wheelchairs or other mobility devices. Sandra became disabled in 2001 with orthopedic issues, a failed back surgery, and several other surgeries. She lives with daily pain and difficulty getting around the community, using a walker as her mobility aid. She is very frustrated when people park in the access aisle, or they park in an accessible parking space without a disability placard, as she knows that people, like herself, will

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

need to park close in order to barely manage to get in to a store. She wants to advocate for more access for herself, for our children, and the disability community. To her, it is the work of balancing the playing field for all. She is also the Chair of the COD's Newton Wellesley Hospital subcommittee.

11. 2023 COD Leadership Election (8:00-8:30)

Before Matt began the election, Eileen announced that she most likely will not be a resident of Newton after June, thus not be a member of the COD. Ideally she hopes that 2 new Co-Chairs are elected tonight. If that doesn't happen, she is willing to be a Chair or Co-Chair, if elected, where another election may need to happen mid-year. She said she received a lot of help from Jini, with agendas and meeting structure, but she also was involved in crafting some of the letters the COD wanted to send to support some accessibility projects, such as NewCAL, Dunkin Donuts drive through, etc. She encouraged all the members to consider a leadership role, including the newest members, as there are no barriers to being an officer and much is on the job learning. Matt, Chair of the Nominating Committee, explained the process of nominations and the 3 officer positions to be elected. He did not receive very many nominations, however, Jane was nominated to continue to be Treasurer and Eileen was nominated to continue as Co-Chair. At this point, he asked if there were any additional nominations, reminding everyone that they can nominate themselves. Lucie volunteered to nominate herself for Treasurer if Jane was not interested in continuing as Treasurer. Although Jane said she would like to continue as Treasurer, if elected, Lucie did not want to make that position contested, so she withdrew her self-nomination for Treasurer. Matt nominated Ima Jonsdottir. Although she is a new COD member, he has been very impressed in her participation in COD meetings and accessibility issues, she is a strong advocate for accessibility, is involved in other committees/focus groups in the city, she is very engaged in the COD efforts, and would bring a lot of energy and commitment to the position. Ima was pleased with the nomination but hesitated to accept, feeling she should have more time on the COD before being a Co-Chair. Many members offered help and support. Eileen seconded Matt's nomination and Jane third. Jini responded to Ima's concern that she didn't know process and procedures by assuring her that she can help with that, the Clerk's office may also be able to provide more guidance as to Robert's Rules of Order, for example, and Jini said that she takes care of submitting agendas and minutes and ensures the COD and its members and leaders are following the Open Meeting Law, and there are trainings on that, also. Ima asked what will happen if Eileen moves out of Newton. Jini and others said there would be another election to fill her Co-Chair position. Hattie and Eileen also suggested maybe there is another member who would like to be Co-Chair and Eileen would step down but still be able to help out and advise. Ima expressed that it would be very helpful if Eileen could continue for as long as possible in 2023, but the call went out to other members present, as well, to Sandra, Nancy, Nyree, Petr? Ima accepted the nomination as long as everyone understood that she will be learning on the job, and she would like some assurance that, if Eileen must step off the Commission, that there is another member who would either be elected or fill in as Co-Chair for the remainder of the year. She was assured that there could be another election in that case, and Matt offered to fill in as an emergency backup Co-Chair. Hearing no other nominations, Matt made a motion that the slate of COD Officers for 2023 be Ima and Eileen as Co-Chairs and Jane as Treasurer. Jane seconded the motion. Eileen asked for a voice acclamation, all in favor, say Yes/Yay, all responded, and there were no Nays or abstentions.

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Congratulations Ima, Eileen, and Jane! Then Eileen said that she wouldn't be in the country for the February meeting. After some laughs, we all offered to help Ima, and Jini promised to update the COD member contact list and send around. The motto for the COD, 'we will figure it out' going forward.

12. Adjournment (8:30)

The meeting adjourned early at 7:35PM.

These minutes were prepared and respectfully submitted by Jini Fairley, staff to the COD

NEXT MEETING DATE: February 13, 2023

The location of this meeting is wheelchair accessible and reasonable accommodations will be provided to persons with disabilities requiring assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA/Sec.504 Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. For Telecommunications Relay Service, please dial 711 or call City Hall's TTY/TDD line at 617-796-1089.

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

Supplemental Materials & Reports:

NEWTON POLICE DEPARTMENT
NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

DECEMBER 2022

TOTAL NUMBER OF TICKETS ISSUED	17
TOTAL VALUE OF TICKETS ISSUED	\$ 3,400.00
SUCCESSFUL APPEALS	\$ 200.00
TOTAL AMOUNT PAID	\$ 3,000.00
TOTAL OUTSTANDING	\$ 200.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	13
TOTAL VALUE	\$ 2,600.00
SUCCESSFUL APPEALS	\$ 000.00
TOTAL AMOUNT PAID	\$ 2,600.00
TOTAL DUE	\$ 000.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	4
TOTAL VALUE	\$ 800.00
SUCCESSFUL APPEALS	\$ 200.00
TOTAL AMOUNT PAID	\$ 400.00
TOTAL DUE	\$ 200.00

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

NEWTON POLICE DEPARTMENT

NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

FISCAL YEAR 2023

As of December 31st, 2022

FY 2023 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED	249
TOTAL VALUE OF TICKETS ISSUED	\$ 49,800.00
SUCCESSFUL APPEALS	\$ 19,200.00
TOTAL AMOUNT PAID	\$ 18,200.00
TOTAL OUTSTANDING	\$ 12,500.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	218
TOTAL VALUE	\$ 43,600.00
SUCCESSFUL APPEALS	\$ 18,400.00
TOTAL AMOUNT PAID	\$ 14,600.00
TOTAL DUE	\$ 10,700.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	31
TOTAL VALUE	\$ 6,200.00
SUCCESSFUL APPEALS	\$ 800.00
TOTAL AMOUNT PAID	\$ 3,600.00
TOTAL DUE	\$ 1,800.00

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

January 2023 CDBG Report.pdf
Newton Commission on Disability
CDBG Access Projects Report
January 09, 2023

FY22 McGrath Park Perimeter Path Installation – (CD22-03A; Budget: \$91,300.00; Expended: \$0; Balance: \$91,300.00)
Constructing an accessible perimeter path around Richard McGrath Park. Project design was presented to the COD in December. Planning is waiting on next steps from Parks.

FY23 Langley/Warren/Chase Crossing – (CD23-03A; Budget: \$100,000.00; Expended: \$0; Balance: \$100,000.00)
Installation of accessible crossings at Langley Rd. and Warren St. This includes a bump out on the northeast corner of the intersection to create the space needed to install a curb cut to cross Warren St. DPW has updated the scope of work and concept design for this project. Project was presented at the December meeting.

FY24 Potential Projects –

COD is to vote on FY24 project during the January meeting. Each member has one vote for one project. The project with the most votes will be the FY24 project.

1. Chapel St. / Watertown St. (Cost Estimate: \$155,000) Reconstruction of existing curb cuts at three of the four corners of this intersection to give them the correct orientation. The curb cut at the northeast corner (Bridal Alterations) would remain as is due to the presence of an existing utility pole, traffic signal, traffic signal cabinet, and potentially a protruding basement underneath the sidewalk at the back of sidewalk that make it too complex to change the configuration of this corner. Scope of work and concept design has been updated.

2. City Hall Campus (Cost Estimate: \$42,000) Two curb cuts should be added to connect folks to the accessible elevator entrance near the Department Head parking lot. Site visit has been completed.

3. An RRFB system crossing Washington Street at 1860 Washington Street at Temple Reyim. Site visit has been completed. (Cost Estimate: \$100,000)

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

CDBG FY24 Final Project Candidates.pdf
City Hall Drive
Pedestrian Access
Improvements
City Hall Drive Pedestrian Improvements
Diagram

Description automatically generated with low confidence
Marker with solid fill

City Hall Drive Pedestrian Improvements

Scope of work: The project consists of implementing pedestrian access improvements at City Hall Drive near the accessible entrance to City Hall by the department heads parking lot. The work includes milling and overlaying the road within the crosswalk, restriping the existing continental crosswalk, reconstructing two existing curb ramps to bring them into compliance, adding pedestrian crossing signs, and closing one existing curb ramp across City Hall on the east side of the circle.

The construction cost estimate based on the concept plan is \$42K.

4

RRFB ACROSS

WASHINGTON STREET

AT TEMPLE REYIM

RRFB Across Washington Street at Temple Reyim

3

RRFB Across Washington Street at Temple Reyim

3

RRFB Across Washington Street at Temple Reyim

3

4

Scope of work: Overhead Rectangular Rapid Flashing Beacon (RRFB) at existing crosswalk across Washington Street in front of Temple Reyim.

The conceptual level cost estimate for this work is \$100K.

WATERTOWN STREET AT

CHAPEL STREET

PEDESTRIAN ACCESS

IMPROVEMENTS

Watertown Street at Chapel Street Pedestrian Access Improvements

3

Watertown Street at Chapel Street Pedestrian Access Improvements

3

Watertown Street at Chapel Street Pedestrian Access Improvements

3

Scope of work: The project consists of implementing pedestrian access improvements at the intersection of Watertown Street and California Street. The work

includes reconstructing three existing apex curb ramps at three corners of the intersection to split them up into two perpendicular curb ramps per corner,

reconfiguring the existing traffic signals so the pedestrian push buttons are adequately positioned near the level landings, and restriping the existing

crosswalks and stop lines. There is a fourth existing apex curb ramp at the northeast corner of the intersection that will be left as an apex curb ramp

due the presence of existing above ground utilities at this corner that are too complex to move to make room and make splitting this curb ramp into two

perpendicular curb ramps not practical.

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

The construction cost estimate based on the concept plan is \$120K; however, the cost could potentially increase to up to \$150K if the curb ramps cannot be combined as shown on the concept plan and additional traffic signal work is required.

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Treasurer's Report

Given by Jane Brown, Treasurer of the Newton Commission On Disability (COD)

Presented at the January 9, 2023 Newton COD Meeting

As of January 5, 2023, the balances are as follows:

Account # 5500-335518 H-P. Fines-Disability Commission

Type: Receipts Reserved for Appropriation (These funds have to go before the City Council to be appropriated before being used)

Balance: \$38,499.60

Account # 01C40128 Set up to pay for RRFB at Langley/Warren/Chase intersection

Type: Special Appropriations

Balance: \$18,000.00

Account # 01C60211 Set up to purchase accessible equipment for Burr School playground.

Type: Special Appropriations

Balance: \$1,537.00

Account # 01C10802-513010 Operation Access – Disability Commission

Set up to pay for targeted enforcement of accessible HP Fines violations by the Police

Type: Special Appropriations

Balance: \$8,880.89

Account#C401083-586005 Set up to purchase and install Accessible Pedestrian Signals (APS) units at the Waverly/Tremont intersection

Type: Special Appropriations

Balance: **\$50.50** (8 APS units installed in December 2018)

Account # 5064D103 Set up in Fall 2015 to receive Community Access Monitor Program fees and pay expenses)

Type: Revolving Account

Balance: \$29**0.00**

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

ADA COORDINATOR'S REPORT

Given by Jini Fairley, ADA/Section 504 Coordinator

Presented at the January 9, 2023 Newton Commission On Disability meeting for activities during the month of December 2022.

Site Visits:

- 1860 Washington St.- potential RRFB project for FY24 CDBG funding
- City Hall Drive- potential curb cut project for FY24 CDBG funding

Trainings:

- MOD sponsored ADA Coordinator Webinar
- Webinar on Automatic Doors
- Lurie Institute- Webinar on Accessible and Affordable Housing

Meeting/Events/Conference Calls:

- Levingston Cove Ground Breaking- attended by the Mayor, PRC, and many staff and community members!
- Newtonville Zoning Redesign meeting
- Traffic Council- for accessible parking space at 372 Langley Road.- approved
- Parks & Recreation Commission meeting- Gath Pool and McGrath- 3 COD members and made remarks, this P&R Commission is in favor of the perimeter path around McGrath park
- NewCAL community meeting
- NewCAL-Attend bi-weekly Working Group meetings
- Fair Housing Committee (FHC)- attend monthly meetings
- Complete Streets Committee & Road Paving- attend bi-weekly meetings
- Commissions On Disability Alliance Monthly Meetings