



CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

MINUTES

Meeting Date: February 12, 2024

Room: Zoom

Time: 6:00PM

Ruthanne Fuller
Mayor

Barney Heath,
**Director, Planning &
Development**

Lara Kritzer
**Director, Housing &
Community Development**

Sharon Cullins
**Planner
Community Development**

Members

Ima Jonsdottir, Co-Chair
Jack Lovett, Co-Chair
Nyree Kibarian, Treasurer
Jane Brown
Lucie Chansky
Petr Chovanec
Nancy Kritzman
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

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Commission Members Present:

Jack Lovett, Co-Chair, participating remotely
Nyree Kibarian, Treasurer, participating remotely
Jane Brown, participating remotely
Lucie Chansky, participating remotely
Petr Chovanec, participating remotely
Nancy Kritzman, participating remotely
Sandra Lingley, participating remotely
Barbara Lischinsky, participating remotely
Matt Volpi, participating remotely

Commission Members Absent:

Ima Jonsdottir, Co-Chair

Staff:

Jini Fairley, ADA Coordinator
Sgt. Mike Wade, Police
Hattie Kerwin Derrick, Mayor's Office

Guests:

Lucia Dolan
Councilor Downs
Heather Wood
Jo-Louise Allan
Rob Caruso

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

Ima's attending the funeral of her mother in Iceland, and Jack is chairing the meeting, his first time as Co-Chair. At the start of the meeting there were 7 COD members.

2. Approval of the January 8, 2024 Meeting Minutes (6:05-6:10)

Jack asked if there were any objections to the minutes of the January meeting. Hearing none, Jane made a motion to accept the minutes as distributed and Matt seconded the motion. The motion passed by a vote of 5-0-2 (Nancy and Nyree

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

abstained as they were absent last month). Sandra arrived after this vote and Barbara arrived during the Goals discussion..

3. CDBG Report (6:10-6:15)

No one from Planning were expected at this meeting so Jack read that report of the 3 CDBG-funded Access Projects. There were no new updates since last month's report. This report can be viewed on pages 7 & 8.

4. Accessible Fines Reports (6:15-6:20)

Sgt. Wade first started with an update of the 88 tickets issued during Operation Access. Of those tickets, 35 were paid so far (as of February 8), 37 remain unpaid and 16 were dismissed or successfully appealed (first time offenders). Sgt. Wade also gave the reports for tickets issued for the month of January 2024 and the fiscal year-to-date for FY24 (7 months). These reports can be found on pages 9 & 10.

Petr asked who makes the policies for appeals. Sgt. Wade said that the city follows the state guidelines for appeals.

There is now tracking, by placard number, of the successful appeals. Basically if someone shows a valid placard, but the officer didn't see one (placards fall down, face the wrong way, or placard owner forgets to display), those violations are dismissed or successfully appealed. Hattie asked if Sgt. Wade was able to follow up with the business where many tickets were issued during Operation Access, to vehicles picking up take-out orders. Sgt. Wade said it is in the works but no resolution as of yet.

5. Treasurer's Report (6:20-6:25)

Jack thanked Jane for her 15 years of service as the COD treasurer and welcomed Nyree as the new COD Treasurer. Nyree gave the Treasurer's Report for the month of January, which can be viewed on page 11.

6. ADA Coordinator's Report (6:25-6:35)

Jini gave her report of her activities during the month of January. This report can be found on page 12. No site visits this past month, winter weather can make it difficult. She mentioned that Mass Office on Disability (MOD) began an ADA Coordinator peer support group, with a quarterly training and a quarterly meeting for ADA Coordinators to discuss ADA Coordinator issues. Speaking of MOD, the city was awarded the second grant for ADA Improvements in the 7 years I have applied. The project, for which we were awarded \$30,785, is to purchase and install a swing structure with several typical and accessible swings, including the surface on which to install, at Williams School Playground. This project will be completed this spring by PRC.

7. 2024 Commission Goals (6:35-7:00)

Jack shared the 2023 goals to kick off the discussion for new or continued goals for the COD in 2024. These goals can be viewed on pages 13-16. Jack went in order, and Jini updated as well. Under affordable housing, the lottery already happened for Haywood House, Nancy is working on applying for the Fair Housing Committee. Under School buildings and parks projects underway, Jini explained that Eileen & Ima were hoping

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

specific COD members would choose a project and follow the public meetings. Ima is following most of the school projects and some of the PRC projects. Petr said he attends the public meetings for Countryside and Franklin schools. On the topic of other Parks projects, Barbara hopes that the perimeter path at McGrath park makes more progress this year. She asked if the paths that are planned will be near public transportation. Jini said it would be helpful if someone would map out which busses/MBTA stops are in walking distance. Jini also mentioned that NewMo is a possible option for residents with disabilities. Barbara suggested that future parks projects could be located close to public transportation. Next item needs updating, that Nyree and Petr are members of the Bike/Ped Network Plan Advisory Committee. Petr added that the plan is Bike first then pedestrians, and that there were a couple of public meetings so far and several committee meetings. He will send the link to the most current maps developed and Jini added that a public meeting should be coming up in the spring. Jini also announced that Josh Ostroff, Director of Transportation Planning has taken a position with MBTA and this particular Plan is in the hands of the consultants and other planning staff. As far as snow removal, in 2023 the COD had Bernie McDonald, director of Streets, speak at the COD meeting which was very beneficial and Jack said that would be a good idea for him to attend in the fall of 2024. Barbara brought up that an RRFB is necessary crossing Lincoln St. in the heart of the Newton Highlands village, mid-block, as it is a very difficult crossing without a signal or warning that pedestrians are in the crosswalk. Jini said that he has been brought up during the public meetings for the improvement project, in design, and she will bring it up again with DPW. Although that crosswalk had removed legal parking spaces on either side, people still park in the space, and often pedestrians beginning the crossing are not seen. Petr brought up the delay in making the 3 Newton commuter rails stations accessible. Jack mentioned that there was an update in the Mayor's newsletter. Petr saw that and sounded like they are now going to finish the design of just Newtonville and construct, instead of all 3. Jini commented that the push for making these stations accessible, by disability advocates included the COD, Rep. Kay Khan, and many Mayors over the past 20 years or so. It is very frustrating and Jack said that it could be a priority of the COD this year. Jini suggested one way to be a watch dog for this is to attend the MBTA Capital Investment/Improvement Projects/Plan, happens every spring and speak up for Newton and those stations. Barbara brought up the MBTA stations, how many are not accessible, still need to step up into the train, and even when they are improved in the next few years, there will still be a gap until the newest trains are on the T system, thus a small ramp will still be necessary, if you are using a wheelchair/walker or cannot step up the height of the gap. She asked if the T could install a bench at one of the T stations and they said they will not until all the accessible improvements are completed to the 4 of the Newton T stations. Jini and Barbara reminded those who use the T's fixed route system and The Ride should attend the monthly RTAG meetings, which Jini sends out the meeting notices. Rob Caruso, former COD Co-Chair, commented that there seems to be a huge disconnect between the Federal government allocating funds and the MBTA timely applying for/receiving these funds and it is so frustrating. He says it seems to be in MBTA's court and maybe the COD can write a letter or have someone come and explain what is going on. Jack says this sounds like a 2024 goal, the MBTA, for both the

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

commuter rail stations and the 4 T stations. Nancy recommended that our Newton state representatives and senator should attend such a meeting with the MBTA. Lucia Dolan added that there will be a public meeting on March 28 by the MBTA about going forward with just the Newtonville commuter rail station. This sounds like a very important meeting that COD members and disability advocates need to attend. Topic 7 regarding evacuation/emergency plans for students and others with disabilities. Jini commented that Ima added this to keep an eye, for the new school buildings and for existing ones, that there is always equipment available and trained staff and that especially students with disabilities are not exempted from the drills that schools have, which has been experienced. Barbara asked about the MOD workshop about emergencies preparedness. Jini replied that was for individuals to be prepared and steps to take. Barbara also mentioned the E-911 (911 Disability Indicator) form that residents with disabilities can voluntarily fill out and send/drop off at the Police station. This information gets entered into the communication database and when someone calls from the number on the form, Police/Fire dispatch know that a person with a disability lives there and what the disability is. Barbara said that this info was on the census once and once sent in the Water bill a long time ago and that maybe the COD could promote this program, advertise, etc. as a 2024 goal.

Due to the time, Jack proposed to move onto the next agenda item and continue to discuss goals, starting with number 8, at the March meeting. No one objected.

8. 2024 COD Awareness Event (7:00-7:20)

Jack reported that there didn't seem to be a good date for the Me2/ Choir to perform in May and thought October would be a better month. This choir is available at the end of October or the beginning of November. Jane mentioned that the COD was considering having disabled artists display their artwork in the lobby, possibly even for sale, maybe contact the New Art Center. Jo-Louise asked if an ASL Interpreter will be interpreting at this event. Jini replied yes, and we did have one last May. Jo-Louise mentioned that there wasn't an ASL Interpreter at the Harvest Fair. Jini explained that she had put in a request to an agency but they couldn't find two Interpreters who wanted such a long engagement of 4-5 hours, outside.

Jini suggested if any members have connections with other musical or theatrical performers to have altogether an hour event, to contact Jack and Ima.

9. Housing to Benefit People with Disabilities Discussion (7:20-7:50)

As one of the goals from 2023, Jack wanted to hear from members to see if there is interest in getting more informed on the topic of housing for people with disabilities, and how to go about it. Jini mentioned that it might be helpful to have the Housing division of the Planning & Development Department come and present all the ways that the city offers assistance and funds housing affordable and accessible for people with disabilities, including programs that help individual homeowners to make their homes more accessible, to funding an agency to provide assistance to Newton residents who are homeless or at risk of homelessness, and much more. Lucie offered that there are very good workshops by Kathy Boyle and Michael Weiner which cover how to search for

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

housing, applying for vouchers or Housing Authorities to help defray the cost of housing, how to find funding, either through state agencies who assist people with disabilities, or arrange a public/private housing,, etc. Jini will forward the links to excellent trainings/workshops that Lucie is providing after the meeting. Jack mentioned that he spoke with Janice Bourque who set up a small group home for her daughter without agency or public funding. She offered to share her experience with the COD at a meeting. Barbara would like to also hear from the Fair Housing Committee about disability discrimination in housing and to find out more about their activities and ask questions. There are so many ways to approach this topic to be better informed about the opportunities and possibilities. Jack recommended starting a series of speakers/presentations during upcoming COD meetings, starting with city's Housing division, if available, for the March meeting. Jack also mentioned that Councilor Albright is very interested in this topic and hopefully she would be able to join us at an upcoming meeting. Jini included her in the email distribution of tonight's meeting materials and will continue to so that.

10. Co-Chairs Corner(7:50-8:00)

Jack started off with his update that the COD has 3 vacancies, to be filled with Newton residents with disabilities (2) and with a Newton resident who has an immediate family member with a disability (1).

Jack has attended his first NPS Disability Advisory Group (DAG), which will advise Asst. Supt. Casey Ngo Miller on matters concerning students with all different disabilities. Their first task will be to review the anti-ableist curriculum being drafted, of which Ima is a member of that group. The DAG will be meeting in March, April, and May. Lucie commented that, although it may have changed in the past 25 years, her son with profound intellectual disabilities attended NPS through turning age 22 and he never received anything from NPS, not even a Certificate of Attendance. Jack said he will bring this up in his group.

Jack mentioned that he will be attending the upcoming MOD quarterly Tea all about the Massachusetts Architectural Access Board, which Jini also encouraged other members to attend.

Jack will also be attending tomorrow evening's workshop/training by Kathy Boyle on Housing for people with disabilities, on Zoom, and Jini sent out that information as well.

11. Adjournment (8:00)

The meeting adjourned a little after 8PM. Jini and others congratulated Jack on a great meeting, not only as a new COD member, but a new COD Co-Chair, leading on his own!

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

NEXT MEETING DATE: March11, 2024

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

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

Reports and Supplemental Materials:

Newton Commission on Disability

CDBG Access Projects Report

February 12, 2024

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.

The LAX practice wall was impacting the perimeter pathway construction. The League was given a deadline for the 3rd of April to fundraise for said wall and has not responded in time. In lieu of the wall, the pathway will be able to run around the entire perimeter of the park with entry/exits on Washington St and Myrtle St. Designer is re-assessing the parking lot side of the park as well as reconfiguring the irrigation system and redoing the fence around the tennis courts to provide an accessible entry. Due to the rise in costs, the pathway cost is higher than expected, and Parks has requested the Community Preservation Committee to cover the gap of \$48,000, which they agreed to. With the addition of playable fields, McGrath has become close to a million-dollar project. The most up to date design of the park and perimeter was presented during the May meeting. DPW is moving forward with arranging all necessary documentation for the Conservation Commission permit. As they were preparing the Notice of Intent for the Conservation Commission, it came to light that the pathway exceeds the amount of impervious area allotted, which in turn triggers a necessary stormwater permit that must be completed by DPW. DPW is now working to identify a funding source for the required drainage systems.

DPW is moving toward final design construction documents and expects to go before the Conservation Commission and out for construction bid this Winter. **No new update.**

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 completed the scope of work and concept design for this project. Project was presented at the December 2022 meeting. DPW posted the bid on the City of Newton's website on January 5th. The bid opening date was January 19th. The contractor chosen was Antonellis Construction. The bid came in just a

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

little under \$150,000. Construction started on May 30th, 2023, and ended on June 16th. Although the bulk of the project has been completed, there is a vendor back order. Antonellis Construction is waiting for the push button for the RRFB. It is expected to be in stock mid to late September. In addition, DPW is waiting for the final as-built inspection and report from the Contractor. The Push buttons have been installed. The contractor submitted an as-built plan, but there was some comments and are waiting for the contractor to submit the revised as-built plan. Still waiting for an as-built plan.

No new update.

FY24 City Hall Campus – (Cost Estimate: \$42,000) Two curb cuts to be added to connect folks to the accessible elevator entrance near the Department Head parking lot. The site visit has been completed. The contractor chosen for this project is Antonellis Construction. Work is set to start on September 9th, 2023. Antonellis is hopeful that the work will be completed in 2 to 3 days of work. After their work is completed DPW will be responsible for the regrading of the pavement and stripping to keep costs down. Majority of the work has been completed. The contractor needs to install pedestrian crossing signs and DPW needs to restripe the crosswalks and reset brick to make the work level. The pedestrian crossing signs have been installed, the crosswalks restriped, and concrete was put in place of the brick to ensure to that it is level with the existing brick. The contractor completed the compliance paperwork but the project hasn't been closed. **No new update**

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

NEWTON POLICE DEPARTMENT

NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

January 2024

TOTAL NUMBER OF TICKETS ISSUED	44
TOTAL VALUE OF TICKETS ISSUED	\$ 8,800.00
SUCCESSFUL APPEALS	\$ 2,400.00
TOTAL AMOUNT PAID	\$ 2,000.00
TOTAL OUTSTANDING	\$ 4,400.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	41
TOTAL VALUE	\$ 8,200.00
SUCCESSFUL APPEALS	\$ 2,400.00
TOTAL AMOUNT PAID	\$ 1,800.00
TOTAL DUE	\$ 4,000.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	3
TOTAL VALUE	\$ 600.00
SUCCESSFUL APPEALS	\$ 000.00
TOTAL AMOUNT PAID	\$ 200.00
TOTAL DUE	\$ 400.00

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

NEWTON POLICE DEPARTMENT

NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

FISCAL YEAR 2024

As of January 31, 2023

FY 2023 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED	247
TOTAL VALUE OF TICKETS ISSUED	\$ 49,400
SUCCESSFUL APPEALS	\$ 9,400
TOTAL AMOUNT PAID	\$ 14,000
TOTAL OUTSTANDING	\$ 26,000.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	223
TOTAL VALUE	\$ 44,600.00
SUCCESSFUL APPEALS	\$ 9,200.00
TOTAL AMOUNT PAID	\$ 11,800.00
TOTAL DUE	\$ 23,600.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	24
TOTAL VALUE	\$ 4,800.00
SUCCESSFUL APPEALS	\$ 200.00
TOTAL AMOUNT PAID	\$ 2,200.00
TOTAL DUE	\$ 2,400.00

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Treasurer's Report

Given by Nyree Kibarian, newly elected Treasurer of the Newton Commission On Disability (COD)

Presented at the February 12, 2024 Newton COD Meeting

As of February 1, 2024, some (*) of the balances of the COD accounts have changed and 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: \$ 76,889.60

Account 01C60218-524090 Set up to purchase accessible play equipment for Williams School Playground

Type: Special Appropriations

Balance: \$10,831.12

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: \$166.54 *

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: \$0.00*

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 February 12, 2024 Newton Commission On Disability meeting, for activities during the month of January 2024.

Site Visits:

- None

Trainings:

- FHAA Accessibility Requirements Overview- excellent
- Northeast ADA Center-2023 Year in Review
- MOD sponsored ADA Coordinator Peer Resource Group & Training “Resources for Municipalities”-excellent
- FHAA Requirement 7-Specification A Bathrooms- excellent
- White House Aging & Disability Briefing
- FHC sponsored Training for Realtors- excellent
- Safe Routes To School Webinar- very good

Meeting/Events/Conference Calls:

- DRT & Historic for Horace Mann addition
- Traffic Council for 2 accessible parking spaces-9 & 5 Murphy Court
- DRC/SBC & Working Group meetings- Countryside School
- DRC/SBC & Working Group meetings -Franklin School
- DRC/SBC & Working Group meetings for Horace Mann addition
- Fair Housing Committee (FHC)- attend monthly meetings
- FHC Subcommittee- attend monthly meetings
- Complete Streets Committee & Road Paving- attend bi-weekly meetings

Commissions On Disability Alliance monthly meetings

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

2023 Goals_ a few ideas for items to watch_ (1).pdf

2023 Goals: a few ideas for items to watch:

1.

Affordable and accessible housing needs for people with disabilities:

-Armory apartment complex -Haywood House -Have a COD member join the Fair Housing Committee

2.

Public Building Projects:

-NewCA

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-Projec

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e-mail

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newcal@newtonma.gov

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<https://newcal.projects.nv5.com/>

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website
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<https://www.countrysideelementaryschoolproject.com/>

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Franklin School Renovation -Project e-mail: franklin@newtonma.gov -Project website:
<https://www.newtonma.gov/government/public-buildings/capital-projects-investing-now-for-newton-s-future/school-projects/franklin>

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Horace Mann School Renovation -Project e-mail: horacemann@newtonma.gov -Project website:
<https://www.newtonma.gov/government/public-buildings/capital-projects-investing-now-for-newton-s-future/school-projects/horace-mann>

3.
PRC Projects:
-Levingston Cove (under construction)
-Gath Pool Project e-mail: gathpool@newtonma.gov Project website: <http://www.newtonma.gov/gathpoolproject>
-Crysta

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Lak
e
Par
k
improvement
s
Project
t
email
:
CrystalLakeProject@newtonma.gov

Project
t
website
:
www.newtonma.gov/parkprojects

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Marty Sender Greenway (Phase II)
4.
Accessibility at parks and public places, other than mentioned above:
-trails -walking bridges -buildings

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

5.

Pedestrian Access and Safety:

-Bicycle Pedestrian Network Plan Advisory Committee -Nancy will join them

-Snow removal

6.

Accessible Transportation:

-NewMo -Newton Highlands T Station -Chestnut Hill, Eliot, and Waban T stations -3 Newton Commuter Rail Stations -

Accessible buses for senior recreational

field trips

7.

Emergency Preparedness information for people with disabilities:

-accessible/inclusive emergency drills in public buildings -accessible/inclusive evacuation equipment in public buildings

8.

Inclusive playgrounds

-Can we offer guidance for PTOs and Parks and Rec. -this could possibly become a working group? -Ima and Jini are

assisting with upgrades to the Williams

School playground that badly needs it and where there are several children attending who have disabilities and have very little access on the playground

9.

Accessibility and safety issues in and around schools

-accessible parking -snow removal for access and playgrounds so kids can go outside during recess -accessible field trips

policy -accessible bathrooms

-accessible and inclusive emergency drills

10.

Accessible and inclusive events and festivals:

-Harvest Fair -Inclusive Carnivals for children -Dedicated Accessible Parking Area

11.

Mental health:

-bring awareness with events/outreach -collaborate with the Elliot House

12.

Intellectual Disabilities:

-Is everyone being served by the Department of Developmental Services?

13.

Site visit group:

-organize 2-3 people to do site visits for CDBG projects -Any other site visits people are interested in for monitoring, e.g. schools, parks, trails, city

events, let us know and we can organize.

14.

Accessible and inclusive sports opportunities

-Waypoint Adventure -<https://www.waypointadventure.org/> -Access Sport America -

<https://www.nchpad.org/Directories/Organizations/2263/Access~Sport~America>

-Bike Newton -<https://www.bikenewton.org/> -SMILE Mass -<https://smilemass.org/> -Volt Hockey and Power Soccer at Boston Self Help Center

<https://bostonselfhelpcenter.org/sports-teams/volt-hockey>

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CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Program

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<https://www.mass.gov/adaptive-recreational-programs-and-events>

15.

Outreach -some activities need to be reviewed with Hattie:

-Review and Update existing COD database of disability organizations in Newton and the surrounding area.

-Collect e-mail addresses of Newton residents interested in the COD and its activities

-Office hours at Senior Center or library

-Outreach events like

the Me2 Orchestra concert -Highlight Disability Awareness Month in the Mayor's Newsletter