



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting Date: January 13, 2020
Room 204
Time: 6:30 pm

MINUTES

Ruthanne Fuller
Mayor

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

Amanda Berman
**Director, Housing &
Community Development**

Tiffany Leung
**Planner
Community Development**

Members

Rob Caruso, Co-Chair
Girard Plante, Co-Chair
Jane Brown, Treasurer
Warren Abramson
Lucie Chansky
Lakshmi Kadambi
Anne Marie Killilea
Rosemary Larking
Sandra Lingley
Barbara Lischinsky
Eileen Sandberg
Matt Volpi

Jason Rosenberg
Chairman Emeritus

Advisor

Sergeant Bob Lee, Jr.
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

Commission Members Present:

Rob Caruso, Co-chair
Girard Plante, Co-chair
Jane Brown, Treasurer
Warren Abramson, participating remotely
Lucie Chansky
Lakshmi Kadambi
Anne Marie Killilea, participating remotely
Rosemary Larking, participating remotely
Sandra Lingley
Barbara Lischinsky
Eileen Sandberg
Matt Volpi

City Staff and Advisors Present:

Jini Fairley, ADA/Section 504 Coordinator
Tiffany Leung, Planning
Sgt. Bob Lee, Police
Dana Hanson, Mayor's Office
Gabriel Holbrow, Planning
Shelby Booth, participating remotely

Guests:

Tyrone Hooks
Ross Lilley, Exec. Dir. Access Sport America
Representatives from Riverdale (40B) Apartment Development

1. Introductions (6:30-6:35)

All members were present at the beginning of the meeting, Anne Marie, Rosemary and Warren participated remotely by phone, as well as Shelby Booth, advisor.

2. Approval of 12/9/2019 Meeting Minutes (6:35-6:40)

Rob said that an addition is needed to these minutes, as his comments regarding the members conduct towards Girard at

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November's meeting were not included in the December minutes. Jini will add a summary of his comments to the December minutes. Before the vote, Barbara interrupted Rob stating that she was the member who accused Girard of representing the COD with the MBTA, back in the summer, and reported on at the November meeting. Barbara asked if there was a miscommunication, why didn't Girard say that he was acting as an advocate and a rider of the T, especially at the Riverside station, and not as the COD Co-chair. Rob replied that Barbara wasn't at the December meeting when he defended Girard's position. It was agreed to end this discussion and the meeting proceeded. Rosemary made a motion to accept the minutes as amended. Lakshmi seconded the motion. The motion passed by a vote of 9-0-3, Anne Marie, Eileen, and Barbara abstained.

3. New Community Engagement Specialist in Planning Dept. (6:40-6:45)

Gabriel Holbrow introduced himself to the COD as the new Community Planner/Engagement Specialist in the Planning Department. He wanted to meet the Commission members and wants to be the channel of communication between the COD and the Planning Department. Some of his outreach will be about projects such as the 2 streetscapes in Newtonville (spring) and West Newton Square (July, Zoning Redesign, and some large housing developments such as Riverside. There were concerns voiced by several members regarding potential parking spaces reduction and how that affects existing accessible spaces. Jini explained the laws governing how many accessible spaces are necessary for parking lots, and that existing accessible spaces would remain even if the number of parking spaces are reduced in a particular lot.

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

Tiffany gave the CDBG report, which can be viewed on page 8. She reminded Commission members that the Consolidated Plan for FY21-25 will be presented to the Planning and Development Board on February 3 and there will be a public hearing on this plan at that meeting. It will be online on the city's website the last week in January. Tiffany mentioned that this is the time the COD discusses and recommends access projects for CDBG FY21 funding (anticipated to be approximately \$95,000) and talked about public feedback she received at the 3 community meetings regarding access in the Consolidated Plan, such as automatic door openers, ramps, accessible restrooms, safer mid-block crossings, more signage, etc. She will

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need a vote from the COD on access projects at the next meeting in February, so these project(s) are included in the Annual Action Plan for FY21. Lucie asked about requirement for automatic door openers in new construction. Jini said they are not required, at the moment, unless sufficient clearance stated in AAB is lacking, but the proposed AAB rules and regulations will require automatic door openers for exterior doors.

5. Accessible (HP) Fines Reports (6:50-6:55)

Sgt. Lee gave 2 Fines reports, tickets issued in December and year-to-date totals. These reports can be viewed on page 9 and 10.

6. Operation Access Update (6:55-7:00)

Sgt. Lee reported that between November 29 and December 26, there were 71 tickets issued, totaling \$14,200. The overtime hours were 111 hours and cost approximately \$5200. Jini mentioned that she does not yet have the status of these tickets, as to whether they have been paid, dismissed, or outstanding. Several members wanted to know if any of the tickets issued in December, or even for the fiscal year are repeat offenders. Sgt. Lee does not have that information but will try and get that.

7. Treasurer's Report (7:00-7:05)

Jane gave the Treasurer's Report and can be viewed on page 11.

8. ADA Coordinator's Report (7:05-7:10)

Jini gave her report on her ADA activities, which can be viewed on page 12.

9. AccesSportAmerica (7:10-7:30)

Ross Lilley, Executive Director, gave an informative presentation about this organization, Access Sport America, which provides adaptive sports and programs for youth and adults with disabilities. These programs are designed to promote each person's highest physical and athletic potential while cultivating social and emotional well-being. Ross says no one just gets a ride, the person with a disability or challenge is part of the team, they don't get a ride in a canoe, they use adaptive equipment so they can help steer or propel the canoe, so as to engage everyone and create a sense of independence. Access Sport America programs and activities and training happen year-round, training about 2,000 people yearly, some sign up for one session or many. Most of their sites are in Massachusetts, including in

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Newton and Waltham, but also as far away in Florida and Guatemala. Some of the sports they run and adapt: windsurfing, ‘Hawaii 5-0’ canoeing (really long canoes), sailing, kayaking, canoeing, cycling, stand-up paddle boarding, skateboarding, soccer, basketball, football, and hockey clinics and much more, and all the adaptive equipment needed. Ross’ presentation showed many wonderful photos as he described how they adapted each sporting activities both with adaptive equipment such as one-handed paddle, supportive seating, and with able-bodied trainers. Members were impressed with Ross’ presentation and the breadth of experience and knowledge to figure out how to provide a sport or a fitness training adaptation for every individual. There are summer programs where able-bodied high school and college students are trained as camp counselors to provide support for youth with disabilities. Each session costs \$20 session, and he is looking for partners who can help support Access Sport America financially. Jini mentioned that some of the funds from the Accessible (HP) fines could potentially be use to provide a scholarship or grant for Newton residents with disabilities to participate in their summer sessions, or to supplement the training cost for a camp counselor, for example. Ross received great applause and the members will keep Access Sport America in mind when they deliberate the use of the accessible fines funds. You can find out more about Access Sport America and the many programs and activities at their website:

www.accessportamerica.org

10. Riverdale 40B Project (7:30-7:50)

Steve Buchbinder, Attorney for this project, introduced representatives from the developer (Criterion) and architect (Icon), describing this proposed 40B housing project located off of California St. on Riverdale Avenue, comprising of 204 rental apartments, along the Charles River. Under Chapter 40B, a development would be seeking a Comprehensive Permit, not a Special Permit, and would not go in front of the City Council for approval but in front of the Zoning Board of Appeals. Their first meeting is scheduled for May 5. A developer of a 40B project has the affordability option to provide either 20% of the apartments for households with an income at 50% AMI or less, or 25% of the apartments for households with an income 80% AMI or less, and it would not be subjected to the city’s inclusionary zoning ordinances. Criterion has chosen to make 51 apartments with affordable rents provided to households with an income

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at 80% AMI or less. Jack from Criterion described the site of this proposed residential housing, along the Charles River, where a bike path parallels the river which would be not far from the development, and next to Forte Park. Currently on this site is a one story building and parking lot, which pretty much covers the whole site. Nancy took over to describe the proposed buildings, which would be 2 and a courtyard between them, connected with an archway above, which would lead down to the river, and open to the public. Besides apartments, there would be innovation space in a separate building, and possible small community and recreation amenities for the public such as canoe and kayak rental and bike tune-up shop, and/or a café/food truck. A question on projected rents, affordable units will range from \$1100 to \$1600 monthly, where the market rents would range from \$1900 to \$3500. The unit mix: 22 studios, 22 3-Bedrooms, 99 1 Bedroom, and 61 2 Bedrooms. Question on accessibility- all apartments will be Group 1 (AAB regs.) and 5% will be Group 2 (AAB regs.) more fully accessible, and 2 % will be for residents with sensory disabilities (vision and hearing loss). All pathways through the landscaping and to amenities will be accessible, virtually the entire project will be accessible. When asked if there could be some affordable apartments for residents earning 50% AMI, Jack replied that he is trying to offer 1 or 2, but not really sure of that yet. A question on parking, all will be under the buildings and the number of spaces is enough for each apartment to have at least one car and often parking is shared with those using the innovation center during the day and residents who were at work, have the same space in the evening and overnight. Public transportation is a little bit of a walk to Watertown St. for Bus 59, but the bike path goes down to Watertown Square where there are several busses into surrounding towns. A question on a curb cut/sidewalk waiver was part of their requests, and they assured that all sidewalks and curb cuts will be accessible within the project and along their site. More information can be found on the city's website under the Planning Department.

11. Annual COD Officers Election (7:50-8:20)

Rob asked Matt, Chair of the Nominating Committee to give the names in nomination for the 3 officer positions, Co-Chairs (2) and Treasurer (1). Jane is the sole nomination for Treasurer. For Co-chair: Anne Marie, Lakshmi, Eileen, Sandra, and Matt have been nominated in advance of this meeting. Nominations from the floor: Rosemary nominated Rob, Girard

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nominated Rob and Sandra for Co-chairs, and Jane for Treasurer.

Rosemary made a motion to have a Chair and Vice-Chair instead of Co-chairs. No one seconded the motion so the motion was dismissed. Matt, Sandra, and Eileen declined their nomination for Co-chair. Rob nominated Girard for Co-chair. The following members were nominated for the Co-Chair position: Anne Marie, Lakshmi, Rob, and Girard. Barbara asked Anne Marie and Lakshmi if they are willing to serve as Co-chairs. They both said yes and Barbara nominated Anne Marie and Lakshmi as Co-chairs for 2020. Rob explained that rather than a motion, each person will vote separately for each officer position.

Co-Chair:

Anne Marie: Yes votes from Lucie, Eileen, Lakshmi, Jane, Sandra, Barbara, Rosemary, Warren, and Anne Marie. Anne Marie received 9 votes, more than the majority (7) so she is elected COD Co-chair for 2020.

Lakshmi: Yes votes from Lucie, Matt, Eileen, Lakshmi, Jane, Sandra, Barbara, Warren, and Anne Marie. Lakshmi received 9 votes, more than the majority, thus Lakshmi is also elected as COD Co-chair for 2020.

For Treasurer:

Jane – Jane received Yes votes from every member, 12-0, so she is unanimously elected Treasurer for 2020.

Barbara and many others thanked Rob and Girard and applauded them for their service as Co-chairs for over a decade.

12.Old/New Business (8:20-8:30)

Jane wanted the members to consider Rosemary's suggestion from last month to limit comments from COD members during the COD meetings. A motion was made by Jane, to limit comments to a maximum of 3 minutes from COD members. Rosemary seconded the motion. The motion passed unanimously.

Lucie asked if time, going forward, could be devoted to discussing goals and work of committees, and some suggested that an additional/special meeting could be called to cover many of these topics.

Girard congratulated the new Co-chairs and remarked that it is a daunting task and not to let politics poison the work and business of the COD as we can lose focus of who we represent and serve, people with disabilities first and the city second. Eileen suggested we have a little celebration next month to thank Rob and Girard, but Girard said he wasn't interested in a celebration, that he will still be serving on the Commission as a member,

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and Rob said it is all very overwhelming. Both Lakshmi and Anne Marie asked for everyone’s help, and in particular, to Rob and Girard, for advice and as mentors as they take on their new roles as COD Co-chairs.

13.Adjournment (8:30)

At 9:05, a motion was passed unanimously to adjourn.

**Respectfully prepared and submitted by
Jini Fairley**

NEXT MEETING DATE: February 10, 2020

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.

**Newton Commission on Disability
CDBG Access Projects Report
January 13, 2020**

FY20 Rectangular Rapid Flashing Beacons (RRFBs) – (CD20-03A; Budget: \$60,000; Expended: \$0; Balance: \$60,000) The COD voted to allocate FY20 architectural access funds to the installation of four sets of RRFBs at the following intersections: Centre Street/Pleasant Street; Christina Street; Lincoln Street/Chester Street; and River Street/Elm Street. Dagle Electrical Construction Corp. was awarded the contract. **Staff held a pre-construction meeting with the contractor on January 3rd, 2020. At this point, installation is expected to take place in late March 2020.**

FY20 Park Pathway Installations – (CD20-03B; Budget: \$30,500; Expended: \$0; Balance: \$30,500) The COD voted to allocate FY20 architectural access funds to the installation of accessible pathways to park amenities across the City. 7 locations were identified, including Auburndale Playground, Cabot Park, Countryside School, Franklin School, Upper Falls Playground, Weeks Park, and West Newton Common. **Staff will be convening with DPW and Parks and Rec to discuss next steps.**

FY20 Curb Cut Pool – (CD20-03C; Budget: 31,882.33; Expended: \$0; Balance: \$31,882.33) The COD voted to allocate FY20 architectural access funds to the installation of curb cuts. **No update.**

NEWTON POLICE DEPARTMENT

NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

DECEMBER 2019

TOTAL NUMBER OF TICKETS ISSUED	98
TOTAL VALUE OF TICKETS ISSUED	\$ 19,800.00
REDUCTION AMOUNT	\$ 5,000.00
TOTAL AMOUNT PAID	\$ 4,500.00
TOTAL OUTSTANDING	\$ 10,300.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	90
TOTAL VALUE	\$ 18,200.00
REDUCTION AMOUNT	\$ 4,800.00
TOTAL AMOUNT PAID	\$ 3,900.00
TOTAL DUE	\$ 9,500.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	8
TOTAL VALUE	\$ 1,600.00
REDUCTION AMOUNT	\$ 200.00
TOTAL AMOUNT PAID	\$ 600.00
TOTAL DUE	\$ 800.00

NEWTON POLICE DEPARTMENT

NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

FISCAL YEAR 2020

As of *DECEMBER 31st, 2019*

FY 2020 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED	241
TOTAL VALUE OF TICKETS ISSUED	\$ 48,600.00
REDUCTION AMOUNT	\$ 13,200.00
TOTAL AMOUNT PAID	\$ 20,335.00
TOTAL OUTSTANDING	\$ 15,165.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	179
TOTAL VALUE	\$ 35,900.00
REDUCTION AMOUNT	\$ 11,600.00
TOTAL AMOUNT PAID	\$ 11,920.00
TOTAL DUE	\$ 12,440.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	62
TOTAL VALUE	\$ 12,700.00
REDUCTION AMOUNT	\$ 1,600.00
TOTAL AMOUNT PAID	\$ 8,415.00
TOTAL DUE	\$ 2,725.00

Treasurer's Report

Given by Jane Brown, Treasurer of the Commission On Disability
Presented at the January 13, 2020 COD Meeting
As of January 10, 2020, the balances of the COD accounts are as follows:

Account #14-3314M3 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: \$61,939

Account # C108006-513001 Operation Access – Disability Commission

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

Type: Special Appropriations

Balance: \$7,202.97

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 #13D10901 Set up in Fall 2015 to receive Community Access Monitor Program fees and pay expenses)

Type: Revolving Account

Balance: **\$940.00**

ADA COORDINATOR'S REPORT

Given by Jini Fairley, ADA/Section 504 Coordinator, and presented at the January 13, 2020 COD meeting.

Site Visits:

- River and Elm-Review location for 4th RRFB funded by CDBG, with Tiffany and Traffic Engineer
- Auburndale Cove- Review pathways to playstructures with Tiffany and Luis (new Open Space Coordinator)

Trainings:

- Webinar on the Air Carrier Access Act
- Webinar on Chapter 1 of the ADA/ABA Standards

Meeting/Events/Conference Calls:

- NewCAL- every other week meeting
- Fair Housing Committee- I attend this monthly
- Complete Streets Committee & Road Paving- I attend, every other week
- CODA- monthly meeting- on phone with other CODs and ADA Coordinators
- Development Review Team (DRTs) – I attend as needed- proposed hotel and condos at River and Lexington
- Crescent St. Working Group
- Newton Cultural Council- spoke on accessible venues and programs
- Open Space & Recreation Plan Committee-updating the 2013 plan