



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  
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**Meeting Date: December 9, 2019  
Room 204  
Time: 6:30 pm**

**MINUTES**

**Commission Members Present:**

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

**Commission Members Absent:**

Warren Abramson  
Eileen Sandberg  
Barbara Lischinsky

**City Staff Present:**

**Jini Fairley, ADA/Section 504 Coordinator  
Sgt. Bob Lee, Police  
Dana Hanson, Mayor's Office  
David Koses, DPW Transportation**

**Guests:**

**Tyrone Hooks  
Shelby Booth**

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

**At introductions, Girard and Rosemary were participating remotely by phone, and Eileen, Barbara, and Warren were absent.**

**2. Approval of 11/18/2019 Meeting Minutes (6:35-6:40)**

**Rob asked if there were any changes/corrections to the Minutes for the November 2019 meeting as distributed and read. Hearing none, Rosemary made a motion to accept the minutes. Jane seconded the motion. The motion passed by a vote of 9-0-1 (Girard abstained).**

**3. CDBG Report (6:40-6:45)**

**Tiffany was unable to attend to give her CDBG Access Project Report this month. This report can be read on page 6. Rob**

relayed a conversation he had with the Director of Planning, Barney Heath, regarding a staff member from the Planning Dept. to regularly attend the COD meetings. Barney said that his department is strained with staffing 26 Boards/Commissions/Committees and occasionally an absence may occur. Lucie asked if the Commission members could be notified whenever that might happen. Jini and Rob made it clear that Tiffany did notify the Co-chairs and Jini, and in the future, any staff absence will also be communicated to all COD members. Although there were no questions to be relayed to Tiffany, members were encouraged to either email Tiffany directly or to Jini if a question comes up after the meeting.

**4. Accessible (HP) Fines Reports (6:45-6:50)**

Sgt. Lee gave 2 Fines Reports, which can be viewed on pages 7 and 8. A question about cars in driveway hanging over and impeding the sidewalk, if this is legal. Sgt. Lee said it is illegal and the Police give tickets for this violation, as it is an ordinance. Rob asked if Operation Access begun and Sgt. Lee said it had on the weekend of Black Friday.

**5. Treasurer's Report (6:50-6:55)**

Jane gave the Treasurer's Report which can be found on page 9.

**6. ADA Coordinator's Report (6:55-7:00)**

Jini gave her report of ADA activities for the past month. This report can be viewed on page 10. Lucie asked about her site visit to the Waban Library and Jini explained that the city is looking at providing a more accessible toilet room, since the one on the main floor is small.

**7. Discussion of Fine for Blocking a Curb Cut & Appeal Process (7:00-7:20)**

David Koses, Transportation Coordinator for DPW and Hearing Officer for parking tickets, presented some scenarios he has encountered recently where the high cost of the Accessible Parking violation of blocking a curb cut was involved. After describing the situations of the residents appealing their ticket, these residents didn't even notice the curb cut and would never have parked there if they had, he suggested that perhaps the COD would consider a lower amount for the first offense, such as \$100 rather than the current \$200. He provided photos of some of the curb cuts/ramps in question and also passed out a sheet of some of the different types of parking violations, which can be viewed on page 11, and is also on the city's website.

There was much discussion and history given regarding how Newton and other municipalities came to charge for this violation and about both the situations he described and the merits of the current amount and more ways to educate (an article in the TAB, possibly) and discourage repeat offenders. Rob said that there is always room for the Hearing Officer to

evaluate and use discretion as to whether to dismiss or not, and he really appreciates David coming to the COD to relay his experience as a parking ticket Hearing Officer, but he was not in favor of lowering the cost of this violation. Sandra suggested that DPW should possibly use yellow paint to highlight the curb cuts. Lucie made a motion to reduce this ticket to \$100 for the first offense and \$200 for the second and subsequent offenses. Jane seconded the motion. The motion did not pass, with 5 votes against the motion (Rob, Girard, Rosemary, Sandra, and Matt) and 4 in favor of the motion (Lucie, Lakshmi, Anne Marie, and Jane). David thanked all the members of the Commission for the discussion and ideas to educate so that this type of offense will not happen so frequently in the future.

**8. Candidate for COD Membership-Tyrone Hooks (7:20-7:35)**

Tyrone Hooks introduced himself and started with the reason he wants to join the Commission as he feels sometimes the COD forgets who the customer, who they represent, is, and that is people with disabilities. He referred to the last discussion about the fine for blocking a curb cut/ramp. His thought is to still impose the fine but if the amount causes a hardship, that there is some mechanism for the violator to pay over several months, not reduce the fine amount. Also, he has been coming to several meetings and has not been in favor of some of the variances that the COD has supported. He feels the empathy or sympathy should go to the disabled person, not the developer or someone blocking a curb cut/ramp, and he wants to be part of the Commission to give more focus on people with disabilities. When asked when he became interested in disability issues, he replied when he himself became disabled, but did not want to disclose his disability. He has always been sensitive to anyone at a disadvantage, whether it be race, gender, or disability, it is where his heart is, and is committed to making sure people get a fair shake. He remembers when he was a kid, people with disabilities were in the window up in the attic. We've have come a long way, but there is still a long way to go.

Lucie made a motion to recommend Tyrone to become a member of the COD. Lakshmi seconded the motion. The motion passed unanimously by a vote of 9-0.

**9. Advisor Candidate -Shelby Booth (7:35-7:50)**

Shelby introduced herself as an instructor at The Carroll Center for the Blind (CCB), an Orientation and Mobility specialist, training adults who are blind or have low vision and are attending CCB's Rehabilitation facility how to navigate and use a white cane, independently traveling inside and outside. Her mobility lessons take place in Newton in all kinds of weather. Shelby would like to become an advisor so that she can alert or advise the Commission whenever there is an access issue, either with a traffic signal or an Accessible Pedestrian Signal (APS) or RRFBs, or visibility in a crosswalk, or other access issues encountered as they navigate the streets of

**Newton. In the past the Commission On Disability was superbly advised by Heather Platt, also an instructor at CCB, but no longer works in Newton. In the past year, Shelby has brought some of these issues to Jini's attention who, depending on the issue, Jini reached out to DPW and/or Parks & Recreation Departments to make improvements for safety and accessibility. Girard asked if she was familiar with both Section 504 and ADA and entities such as MOD and MCB, she said she is and whenever she doesn't know a particular regulation or guideline, she reaches out to colleagues for specific resources. Shelby would not be a voting member of the COD, an advisor only. Lucie wondered if Shelby could share with members some of the different gadgets and technology for people who are blind or have low vision. She said she could arrange that at some point. The consensus of the members is to have Shelby as an advisor and Rob welcomed her aboard!**

#### **10.Nominating Committee Report(7:50-8:10)**

**Matt gave a report of the activities of the Nominating Committee over the past few months. This report can be viewed on page 12. The Nominating Committee received 5 nominations for Co-chairs and 1 for Treasurer, via email. The purpose of this committee is to give members time to consider themselves or other members for the positions in advance, and if nominated, to consider whether they would want to serve if elected. Nominations can be put forth up to and during the January 13 COD meeting before the election begins. All votes will be public thus there will be roll call votes. Rob gave a little history that the Mayor, at the April quarterly meeting with him and Girard, had suggested new leadership for the COD, perhaps one Co-chair would stay on/be re-elected, and the other Co-chair would be newly elected, so that one of the current Co-chairs could mentor the new Co-chair for a year. Ultimately, the election of either 2 new Co-chairs or one current and one new Co-chairs is up to all the members when they vote in January. Dana added that the genesis of the Mayor's suggestion for new leadership is her feeling that leadership turnover is a healthy move, for fresh approaches, after 5 years or so, and that the COD's leadership is one of the longest standing among the many Boards and Commissions/Committees.**

#### **11.2020 Meeting Dates (8:10-8:15)**

**Jini distributed the list of dates of the COD meetings for the calendar year 2020. The only month that is NOT the second Monday of the month, falls in October, where the meeting will be held on the 3<sup>rd</sup> Monday of that month. All meetings are held in Room 204.**

#### **12.Old/New Business (8:15-8:30)**

Rosemary suggested for future meetings that there should be a specific time limit when a member wants to speak/make a comment, so that the meeting can run more efficiently. Rob agreed suggesting 2-3 minutes per member. She also asked about snow removal and Jini reported that she is part of the meetings where routes for sidewalk plows are discussed in the fall along routes to school as well into and around village centers and transportation nodes. She encouraged everyone to report any access issue connected to snow removal to use the 311 system, and if they don't get satisfactory results, let her know. Matt suggested a mid-winter and end of winter report from the Police as to how the enforcement of the new snow removal ordinance is going, where residents need to shovel their sidewalk along their property within 24 hours of the storm ending. This year, the home owner is getting a warning first rather than be given a violation/ticket. The exception to this requirement is if a home owner can't physically shovel their sidewalk and doesn't have the financial resources to pay someone to shovel for them. In that case, this home owner would apply for an exemption at the Senior Center. There was more discussion and questions and the consensus is to have someone from the city who is responsible for snow removal and the process for an exemption and/or the ordinance at a future meeting, maybe February or March.

Rob was upset with the COD members, Jini, and Dana (in a different meeting), who accused Girard of acting as the COD Co-chair and on behalf of the COD when he gave his report of the site visit at the Riverside T station with representatives from the MBTA, and didn't discuss it with the COD prior to the site visit. According to Rob, he asked Girard after November's meeting if he was acting as a resident and frequent rider at that T station or as the Co-chair of the COD. Girard said he was a concerned citizen and frequent user of that T station and was acting as an individual advocate, not as the COD Co-chair, at that time. Rob said that members and others mentioned above should have asked Girard's motivation and who he was representing, at last month's meeting, rather than accusing him of representing the COD without their knowledge. Rob remarked that Girard advocates daily on behalf of people with disabilities in many aspects of his community. The Boston Center for Independent Living have recognized Girard for his advocacy, especially for the increased budget for the Alternative Housing Voucher Program (AHVP). Last month, Barbara recognized all that Girard does on a daily basis for people with disabilities, and she meant no disrespect to Girard, but she wanted to know why he represented the COD with the MBTA at the Riverside Station. Girard did not explain who he was representing, and Barbara was absent from this meeting, during Rob's defense of Girard's actions. Rob admonished the members and said that they should be ashamed of how they treated Girard at last month's (November) COD meeting

13. Adjournment (8:30)

## **The meeting adjourned at 9PM.**

Respectfully prepared and submitted by

Jini Fairley

### **NEXT MEETING DATE: January 13, 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](mailto: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  
December 9, 2019**

**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 three sets of RRFBs at the following intersections: Centre Street/Pleasant Street; Christina Street; and Lincoln Street at Chester Street. **At the November 18<sup>th</sup> COD meeting, the COD voted to install the 4<sup>th</sup> RRFB unit at River Street and Elm. The vote was as follow:**

- **River and Elm Street: 6**
- **Centre, Cushing, and Clark Street: 4**
- **Walnut Street and Linwood Ave: 2**

**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. **No update.**

**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

NOVEMBER 2019

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TOTAL NUMBER OF TICKETS ISSUED	23
TOTAL VALUE OF TICKETS ISSUED	\$ 4,600.00
REDUCTION AMOUNT	\$ 400.00
TOTAL AMOUNT PAID	\$ 1,200.00
TOTAL OUTSTANDING	\$ 3,000.00

#### CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	14
TOTAL VALUE	\$ 2,800.00
REDUCTION AMOUNT	\$ 400.00
TOTAL AMOUNT PAID	\$ 400.00
TOTAL DUE	\$ 2,000.00

#### CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	9
TOTAL VALUE	\$ 1,800.00
REDUCTION AMOUNT	\$ 000.00
TOTAL AMOUNT PAID	\$ 800.00
TOTAL DUE	\$ 1,000.00



# NEWTON POLICE DEPARTMENT

## NEWTON COMMISSION ON DISABILITY

### PARKING TICKET AND FINES REPORT

#### FISCAL YEAR 2020

*As of NOVEMBER 30<sup>th</sup>, 2019*

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#### FY 2020 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED	134
TOTAL VALUE OF TICKETS ISSUED	\$ 27,200.00
REDUCTION AMOUNT	\$ 7,600.00
TOTAL AMOUNT PAID	\$ 13,830.00
TOTAL OUTSTANDING	\$ 5,835.00

#### CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	81
TOTAL VALUE	\$ 16,300.00
REDUCTION AMOUNT	\$ 6,200.00
TOTAL AMOUNT PAID	\$ 6,415.00
TOTAL DUE	\$ 3,730.00

#### CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	53
TOTAL VALUE	\$ 10,900.00
REDUCTION AMOUNT	\$ 1,400.00
TOTAL AMOUNT PAID	\$ 7,415.00
TOTAL DUE	\$ 2,105.00

# Treasurer's Report

Given by Jane Brown, Treasurer of the Commission On Disability  
Presented at the December 9, 2019 COD Meeting  
As of December 6, 2019, 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: \$59,883 (may be updated in late November or early December)

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 December 9, 2019 COD meeting.

## Trainings:

- ADA National Network Webinar: Inappropriate Questions- Legal- mostly focused on employment (ADA Title I)
- Technology Fair at The Carroll Center for the Blind- workshops and vendors/demos of the newest technology for people who have low vision or who are blind
- US Access Webinar- Restaurants & Bars

## 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

## Common Parking Citations Issued in Newton

The following list specifies some of the common parking citations issued in Newton:

list of 13 items

- Blocking an access ramp (curb cut)
- Parking in an accessible (handicap) parking space
- Parking within 5 feet of a driveway
- Parking beyond 12 inches of the curb or edge of the road
- Parking within 10 feet of a fire hydrant
- Parking within 20 feet of an intersecting way (except alleys)
- Parking on a crosswalk
- Parking on a bridge or at a bus stop
- Parking in a restricted zone or parking without a permit
- Parking in the wrong direction
- Parking during the Overnight Winter Parking Ban

list of 1 items nesting level 1

o From December 1st through March 31st, it shall be unlawful for any vehicle, other than one acting in an emergency, to be parked on any street, way, highway, road, parkway or private way dedicated or open to the use of the public for a period of time longer than one hour between the hours of 2:00 a.m. and 6:00 a.m.

list end nesting level 1

- Parking with a Senior Sticker but at an incorrect location

list of 1 items nesting level 1

o Senior Sticker is only valid at 1, 2 or 3 hour metered spaces within a city off-street parking lot.

list end nesting level 1

- Parking Overtime

list of 1 items nesting level 1

o No person shall park a vehicle within a designated metered parking space or in a parking space within a time-restricted area for a longer consecutive period than the time limit specified or beyond the hours specified. (a) Vehicles parked within any metered parking space must be moved to a different parking space upon or before the expiration of the posted time limit. (b) Vehicles parked within any non-metered time-restricted parking space must be moved to a location beyond the nearest intersection or to a location outside an off-street municipal parking lot upon or before the expiration of the posted time limit and may not return for two hours.

list end nesting level 1

list end

For a complete list of all parking rules, please refer to Chapter 19 and Chapter 19-TPR of the City of Newton Ordinances.

# **NOMINATING COMMITTEE REPORT**

The nominating committee for the 2020 COD leadership team was formed to solicit and aggregate nominations for the three elected COD positions (two co-chairs and one treasurer). The purpose was to provide ample time for commission members to consider whom (if anyone) they would like to nominate and, for those nominated, whether they would be willing to serve if elected.

Multiple emails were sent requesting nominations from each member to ensure everyone had adequate time and a chance to provide their input. Nominations can still be accepted at any time up to the election, which will be held during the January COD meeting.

To date, six commission members have submitted nominations.

Co-chair nominations (# of people who nominated them):

Annemarie (3)

Eileen (2)

Lakshmi (4)

Matt (5)

Sandra (1)

Treasurer (# of people who nominated them):

Jane (2)

Nominations may continue to be submitted via email up until January 13<sup>th</sup>. After that, nominations must be made in person at the COD meeting that evening preceding the election.

Please note that nominating someone does not obligate you to vote for them in the election. All votes are a matter of public record and each commission member may vote for up to two co-chairs and up to one treasure during the election.