



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting Date: March 11, 2019
Room 204
Time: 6:30 pm

MINUTES

Ruthanne Fuller
Mayor

Barney Heath,
Director, Planning &
Development

Rachel Powers
Manager
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
Matt Volpi

Jason Rosenberg
Chairman Emeritus

Advisor

Sergeant Bob Lee, Jr.
Newton Police Department

Staff

Jini Fairley
ADA/Sec 504 Coordinator
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Commission Members Present:

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

City Staff Present:

Jini Fairley, ADA/Section 504 Coordinator
Tiffany Leung, Planning
Sgt. Robert Lee, Police
Rachel Powers, Planning

Guests:

Eileen Sandberg
Michael Iodice, Chatham Properties, LLC
Sandy Houston, Executive Director, Longyear Museum
Gary Wolfe, architect for 400 Beacon St.

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

The meeting started at 6:30 and at the time of introductions, Matt and Rosemary were not yet present, either by phone or in person.

2. Approval of 2/11/19 Meeting Minutes (6:35-6:40)

Rob asked if everyone had a chance to read the minutes, distributed in advance and copies at the meeting, and if there were any changes or comments. Hearing none, Jane made a motion to accept the minutes as submitted and Lucie seconded the motion. The motion passed by a vote of 7-0-2 (Barbara and Sandra abstained as they were absent last month).



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

Tiffany gave the following CDBG Access Projects Report:

Highlands Playground Access – (CD15-032 Budget: \$123,750.00; Expended: \$117,562.50; Balance: \$6,187.50). Accessible pathways component began in spring 2017 with contractor David White & Son. **Staff is waiting to receive retainage bill from Parks & Rec to proceed with project close-out.**

Newton Corner Curb Cuts – (Project CD15-034 Budget: \$141,119.06; Expended: \$141,119.06; Balance: \$0). The project included the installation of 11 accessible curb cuts on Washington Street and around the Newton Corner Circle. The Highway Division completed several curb cuts in and around Park Street improvements during the previous fiscal year. A. R. Belli also completed improvements through an existing contract with the City. **Project is closed.**

FY19 City Hall Wheelchair Accessible Single Use Toilet Room- (CD19-03A Budget: \$114,822.33; Expended \$0; Balance: \$114,822.33) The COD voted to allocate FY19 architectural access funds to the installation of a wheelchair accessible toilet room on the first floor of City Hall. The project will be managed by the City of Newton Public Buildings Department. Contractors are Vanguard Construction and P.J. Kennedy. **Contractors began work 2/7/2019. Plumber has cored the ground and added the piping. Two new walls have been built and painted on the other side of the wall, in DPW's office. Next, they will be working on the ceiling tile.**

Tiffany announced that the Community Development division of the Planning department is planning events to celebrate CD Week from April 22-26. She highlighted the opening of the Newton Highlands Playground where CDBG Access funds were contributed. Tiffany is inviting the entire COD, friends and family, to attend the event and asked if the Co-chairs would be on the program to say a few words. She is coordinating with the Parks & Recreation Department to have several activities and refreshments. The Mayor will speak, City Councilors as well, it is April 26, from 4-7PM, and the rain date is Tuesday, April 30 from 1-3PM. Jini mentioned another CD Week event on Thursday, April 25 from 6:30-8:30, a Fair Housing training for decision-makers in the city, such as City Councilors, including the Land Use Committee, and there is a limit on the number who can attend. Jini will send out information about both events when they become available. Rob asked if there will be a ribbon-cutting

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ceremony for the new accessible single use toilet room. There will be but the timing of such an event is not yet available.

4. Accessible (HP) Fines Reports (6:45-6:50)
Sgt. Lee gave the following reports:

PARKING TICKET AND FINES REPORT

FEBRUARY 2019

TOTAL NUMBER OF TICKETS ISSUED	18
TOTAL VALUE OF TICKETS ISSUED	\$ 3,600.00
REDUCTION AMOUNT	\$ 400.00
TOTAL AMOUNT PAID	\$ 600.00
TOTAL OUTSTANDING	\$ 2,600.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	7
TOTAL VALUE (7 @ \$200)	\$ 1,400.00
REDUCTION AMOUNT	\$ 200.00
TOTAL AMOUNT PAID	\$ 400.00
TOTAL DUE	\$ 800.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	11
TOTAL VALUE (11 @ \$200)	\$ 2,200.00
REDUCTION AMOUNT	\$ 200.00
TOTAL AMOUNT PAID	\$ 200.00
TOTAL DUE	\$ 1,800.00

PARKING TICKET AND FINES REPORT

FISCAL YEAR 2019

As of March 1st, 2019

FY 2019 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED	319
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TOTAL VALUE OF TICKETS ISSUED	\$64,800.00
REDUCTION AMOUNT	\$23,320.00
TOTAL AMOUNT PAID	\$31,865.00
TOTAL OUTSTANDING	\$11,505.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	223
TOTAL VALUE	\$45,400.00
REDUCTION AMOUNT	\$22,110.00
TOTAL AMOUNT PAID	\$18,500.00
TOTAL DUE	\$6,030.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	96
TOTAL VALUE	\$19,400.00
REDUCTION AMOUNT	\$1,210.00
TOTAL AMOUNT PAID	\$13,365.00
TOTAL DUE	\$5,475.00

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

Jane gave the following Treasurer's Report:

As of March 8, 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**

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: \$2102.97

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**

Account# 29B22001 Disability Commission Gift

Type: Gift/Donation Account

Balance: **\$0.00**

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Jane asked if there was any progress regarding the donation Jason spoke of several years ago. Rob, Girard, and Jini have been involved in an exchange of emails with Jason and he thought he had already sent it to the city. Jini has asked for him to check his books and let her know when a check was sent/given to the city, and details on the check, like date, amount, etc. Jini was not made aware of any donation/check received by the city since she started in her position as ADA Coordinator and city staff of the COD, in May 2015. Stay tuned.

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

Jini gave the following ADA Coordinator activity report:

Site Visits:

- Tufts University-checking out plaza pavers similar to proposed for 28 Austin St. Plaza
- Mary Baker Eddy House-400 Beacon St.- observing existing conditions and possible variance requests

Meeting/Events/Conference Calls:

- State House- Visit with Sen. Creem, Rep. Balsler, and Rep. Kahn- with 4 Newton COD members and Chair of Brookline COD on AAB Bill
 - “History of disability- presented by students of the Gann Academy
- Levingston Cove- 2 meetings on accessible features
- Construction Meeting with single use toilet room
- MBTA Automated Fare Collection 2.0- looking for locations in Newton for fare machines
- Parks & Recreation- planning for CD week at Newton Highlands Playground
- “Still Standing” at New Repertory Theater
- Fair Housing Committee- I attend this monthly- Save the Date for Fair Housing Training- April 25 from 6:30-8:30!
- Complete Streets Committee & Road Paving- I attend, every other week
- CODA- monthly meeting- on phone with other CODs and ADA Coordinators

Jini described her site visits. She was impressed with the smoothness of the brick pavers on a plaza at Tufts and she did not feel the small spacing between the bricks for drainage/permeability. At the Mary Baker Eddy House, she saw all the accessibility improvements to this historic house museum, in Phase I, and checked out most of the items listed that will need a variance in the Phase II plan. Although the cab of the existing elevator, to be modernized, is 3 inches short in width and depth, it is very exciting that

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the basement and the second and third floor will soon be accessible to the public. Jini also described her visit to Senator Creem's office at the State House, a joint meeting with the Brookline COD. Anne Marie, Lakshmi, Jane, and Sandra were able to join and had a wonderful sit-down for an hour meeting with Catherine Anderson, Sen. Creem's legislative aide. The topics covered were the AAB bill, and the vacancies at MOD and the AAB, 2 major state agencies that serve people with disabilities and enforce accessibility in Massachusetts. We took a mini tour of the State House, led by Jini, and visited Representatives Kahn and Balsler briefly. Lakshmi mentioned the presentation she and Jini attended by students of the Gann Academy, in which they shared their research on the history of disability and to uncover the people and stories behind the barely marked stones in the Metfern cemetery, almost 300 residents of the Fernald School and the Metropolitan State Hospital. These stones had only a number, in the order of their death. It was a very moving presentation and Lakshmi and I feel it is a presentation that should be shown to an even wider audience, perhaps the COD would sponsor such a meeting/event. Jini has a connection with one of the students who presented and the students seemed interested in presenting to parents of children with disabilities, perhaps to the SEPAC.

7. Accessible (HP) Parking Request-Newton Centre (7:00-7:15)

Before Jini began to explain why, on behalf of Newton residents, she applied for an accessible parking space on the west side of Centre St. out front of CVS, Sgt. Lee read an email Jini received from one of the residents who uses a power chair, and his reasons for the need of an accessible space. The only other on-street accessible parking space in all of the commercial area of Newton Centre village is over on Union Street. Even though there are several municipal parking lots in Newton Centre, they are often parked up and a distance to travel to the businesses on this side of Centre St. There is a bump out at the intersection of Pleasant St. and Centre St. which would protect the passengers who might park in this proposed accessible parking space from vehicles turning right out of Pelham St. onto Centre St. and also provides a surface for rear ramps from accessible vans to deploy. There was much discussion as to a close by accessible parking space in the rear of CVS, which is part of the municipal parking lot, and none in the small CVS parking lot. Some felt that an on-street accessible parking space makes a driver exit to a nearby vehicle lane, especially if the driver is also getting out a mobility aid on that side of the vehicle. On the other hand, it is a good

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place for an accessible van to deploy its passenger side ramp onto the sidewalk. Since there was so much debate, especially about the rear entrance and parking of CVS, the width of the sidewalk on the side of CVS at Pleasant St., Jini and others will revisit the area to provide more information for this on-street accessible parking space. There was a motion by Lucie to ask DPW to review the parking in the municipal parking lot behind CVS and to see if an additional accessible parking space could be installed closer to CVS, and for someone in the city to evaluate the safety if an accessible parking space was installed in front of CVS where the bump out is. That motion didn't get seconded. This agenda item was tabled for further investigation and discussion at another COD meeting in the future, as to whether to support this proposed on-street accessible parking space at this location or not.

8. Candidate for COD-E. Sandberg (7:15-7:25)

Eileen Sandberg has applied to be a member of the COD. Rob asked if she could summarize the most recent information she sent regarding her involvement in disability issues, both personally and professionally. Although not a person with a disability herself, she has always had a family member with a disability. Her father had Polio, and she saw him handle his challenges as a matter of fact. All 5 of her children were on IEPs, and three of her children have continued to have significant disability, such as Autism, Mental Illness, and Intellectual Disabilities. She has been involved in the Special Education Parents Advisory Committee (SEPAC) for 10 years, chairing it for 4 of those years. She is very familiar with Section 504 of the 1973 Rehabilitation Act and IDEA. Although not as familiar with the ADA the Architectural Access Board, or the Fair Housing Act, she is eager and willing to learn. Lucie made a motion to recommend Eileen to the COD, saying she is qualified, bright, intelligent, and a leader and the COD will benefit greatly to have her as a member. Jane seconded the motion. The motion passed unanimously by a vote of 10-0

9. MAAB Time Variance-2300-2320 Comm Ave (7:25-7:40)

Michael Iodice, from Chatham Properties, LLC, owner's representative, of 3 apartment buildings at 2300, 2310, and 2320 Commonwealth Avenue, each building having 18 apartments, 6 on each of the 3 floors, explained the time variance application. The elevator in each building needs to be modernized as it is very difficult to get parts for these more than 40 year

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old elevators. Since vertical accessibility will not be available during this project, a time variance is necessary. In the application, they said they have given notice to all apartment dwellers to offer anyone on the upper floors who may need an elevator to relocate to the first floor, or if a first floor apartment is not available, that they will be put up in a hotel for the duration of the project, estimated to be about 8-10 weeks for each building. The project will only modernize one elevator at a time. Sandra asked a question about whether if someone is relocated to the first floor or to a hotel due to their disability and the need for the elevator, if they can relocate back to their original apartment when the project is completed and elevator is functioning. Mr. Iodice said he hasn't been asked that question, but their thought would be that the person who had relocated to the first floor would stay there, rent unchanged for a year, but the apartment that was vacated would be rented, in the meantime . After some discussion, Matt made a motion to support the time variance with the stipulation that any tenant(s) who was relocated either to a hotel or to a first floor apartment due to a disability where there was a need for vertical accessibility during the elevator modernization in their building, is informed and given the option to return to their original apartment when the project is complete. Warren seconded the motion. The motion passed unanimously by a vote of 10-0.

10.MAAB Variance-400 Beacon St (7:40-8:10)

Sandy Houston, Executive Director of the Longyear Museum which owns the Mary Baker Eddy House and grounds at 400 Beacon Street and Gary Wolfe of Wolfe Architects, explained the variances applied for from the Architectural Access Board, as they completely restore this late 1800s historical House Museum, in Phase II of its restoration. Since the cost of this restoration triggers full compliance, there are many variances sought due to the historical and structural constraints of the Mary Baker Eddy House. However, this Phase will make this House Museum accessible to the public from the basement to the top/third floor. An existing elevator will be retrofitted, in the same existing shaft that went from the first floor to the third floor, and will now also go to the basement, where exhibit areas are proposed. The interior of this existing elevator is short by 3 inches in depth and width for full compliance but will accommodate most needing this vertical accessibility, and a video will be available as a virtual tour of the rooms on the other 2 floors, if someone cannot use this slightly small elevator. Proposed is another accessible entrance, at the basement level, will

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be provided in Phase II, as the main entrance was made accessible in Phase I. The basement is fully exposed on the south side and will be renovated to have visitor services, orientation space, toilet rooms, etc., along with an accessible parking space outside close to this entrance . Every floor, from the basement to the third floor will have an accessible toilet room. They will also be doing some regrading in order to improve the drainage and water run off so that they can make an accessible entrance to the carriage house, with original sleighs dating back to the early 1900s inside. This Phase will also restore the formal gardens and vegetable gardens, but they are located down a steep grade on the property, below the main house and the carriage house, so they will provide a video of these gardens for anyone who cannot walk down this hill. They also hope to provide, upon advance notice, a vehicle to drive visitors around the property. At this point, Rosemary joined the meeting, having some issues with getting through to the conference. Gary said that there are many issues with making an old house fully accessible, such as door openings too narrow, door handles at the wrong height, or requiring grasping or twisting, raised thresholds over 1/2 inch, sloping ceilings on the third floor under 80 inches, wall or ceiling mounted historic light fixtures under 80 inches, non-conforming railings, etc., 18 variances in all, but reminded us that a docent conducts the tour for everyone, and can open doors for the tourists, warn when there is a protruding object or other safety issues, etc., which is the premise that the variances are based on, as well as a video virtual tour. Girard said he is not a fan of variances but applauds their previous and proposed accessible features for this property. Rob mentioned that he visited the Mary Baker Eddy House when he first arrived at Boston College, in 1969, and is looking forward to visit it once again when the restoration is complete. Barbara made a motion to support all the variances requested, and Rosemary seconded the motion. The motion passed unanimously by a vote of 11-0.

11.Old/New Business (8:10-8:30)

Rob brought up the sponsorship of the AAB Bill that the COD has supported in the past, but hasn't passed yet. Jini emailed an electronic form that the COD would fill out to show their support of the AAB bills in the State Senate and House. Rosemary made a motion for the Newton COD to show its support of these bills, making the AAB equivalent to the ADA. Lakshmi seconded the motion. The motion passed unanimously by a vote of 11-0.

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Rosemary suggested that the COD use some of their funds to install a bench at the duck pond of City Hall with a plaque to Linda Plaut, or a plaque in City Hall, as she had some very positive experiences with Linda over the years, demonstrating how inclusive Linda was in all the programs she developed and ran over the last 45 years. Rosemary relayed a personal situation where Linda was her advocate, although she did not work directly with the COD. The city also experienced the passing of Rev. Haywood, who Rob said, always promoted accessibility and visitability, both at the Myrtle Village housing development and on the early plans about Austin Street housing development. And Tom Hopkins, the Executive Director of the AAB died this past January and he personally helped our Commission, he was a person with a disability who, in Rob's opinion, irreplaceable, as he went above and beyond to help cities and towns and businesses become more accessible for 20 years. He was just a phone call away, for our city engineers, our inspectors, for our ADA Coordinator, for COD members, to give advice on an accessibility issue. Rosemary asked if there is something the COD could do for all 3 of these wonderful people we have lost. Dana mentioned that there will be a remembrance of Linda Plaut on Sunday, May 5, in the War Memorial, an ice cream social, also an event of the Festival of the Arts, which is now known as the Linda Plaut Festival of the Arts. At that event, either the COD Co-chairs or members, like Rosemary, could publicly remember Linda for all that she did, personally or professionally. If the Commission didn't want to do something apart from this event in May, would there be interest in installing a bench or two along the trail at the Cove in Auburndale, as there are no benches for someone to sit and rest as they walked the trail. Rob said that would be a good project to consider for some of the COD funds. In the past the COD did purchase some benches for some trails, and Rob suggested keeping a list of places, such as at the Cove, and at the Duck Pond to begin with and Sandra suggested to put a subcommittee together to explore where to place some benches.

Jini mentioned that the MBTA will be at the Transportation Advisory Group (TAG) meeting on Wednesday, March 13, to hear Newton's concerns for some of the changes they want to make, both to bus routes and elimination of some bus stops. Jini mentioned that both the routes of bus 52 and 59 could be affected, which will also have repercussions for Ride users as well, and bus stops in Newton Corner and on Route 9 near the malls.

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Jini also mentioned a terrific program at the library for elders and people with disabilities who cannot easily, or at all, get to the library, they can borrow books, videos, etc. and someone will deliver them to you and pick them up again and passed out information on this service.

12.Adjournment (8:30)

The meeting adjourned at 8:45PM.

Respectfully submitted by
Jini Fairley

NEXT MEETING DATE: April 8, 2019

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.