



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting Date: December 10, 2018
Room 205
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
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, participating remotely
Jane Brown, Treasurer
Lucie Chansky
Barbara Lischinsky
Rosemary Larking, participating remotely
Anne Marie Killilea
Sandra Lingley
Matt Volpi
Lakshmi Kadambi

City Staff Present:

Jini Fairley, ADA/Section 504 Coordinator
Tiffany Leung, Planning
Sgt. Robert Lee, Police
Dana Hanson, Mayor's Office

Guests:

Alice Cotoia

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

All 10 members were in attendance, including Girard and Rosemary participating by phone.

2. Approval of 11/14/18 Meeting Minutes (6:35-6:40)

Rob asked if there are any changes to be made to the minutes of November's meeting. Lucie asked if details about her son be taken out. Jini and Lucie will do that after the meeting. Jane made a motion to accept the minutes as amended and Anne Marie seconded the motion. The motion passed by a vote of 9-0-1 (Barbara abstained as she was absent last month).

3. CDBG Report (6:40-6:50)

Tiffany gave the following CDBG-funded Access Projects:

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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. **Site visit performed on 11/15/2018. Parks & Rec continues to work with the contractor to address drainage issues. However, the accessibility portion of the project is complete, and staff is proceeding with project close-out.**

Newton Corner Curb Cuts – (Project CD15-034 Budget: \$141,940.00; Expended: \$123,633.40; Balance: \$18,306.60). 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. **Contractor is working to complete punch list items. Staff continues to coordinate with DPW and Parks & Rec for the installation of planters at Peabody and Washington Street intersection.**

FY18 APS – (CD18-03B Budget: \$16,821.42; Expended: \$16,821.42; Balance: \$0) The COD voted to approve the installation of Accessible Pedestrian Signals (APS) at the locations listed below. Contractor is Dagle Electrical Construction Corp. **Project is complete, and staff is finalizing paperwork for project close-out. Locations include:**

- **Grove Street/Auburn Street/Central Street**
- **Washington Street/Beacon Street**
- **Newtonville Avenue/Harvard Street**

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. **Staff is working with the law department to finalize MOU and additional paperwork for the contractors.**

Matt mentioned that it is very hard to see someone in the crosswalk crossing Centre St. near CVS in Newton Centre, especially after sunset. Could a flashing beacon/RRFB work there as they are now on Homer St. between the Library and city Hall? Jini did mention that there may be a pilot to study the lighting in all of the commercial area of Newton Centre,

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but did not know the timeline for that. She said she could run the suggestion by the Transportation division of DPW.

4. Accessible (HP) Fines Reports (6:50-7:00)

Sgt. Lee gave the following Accessible (HP) Fines Report:

PARKING TICKET AND FINES REPORT NOVEMBER 2018

TOTAL NUMBER OF TICKETS ISSUED

41

TOTAL VALUE OF TICKETS ISSUED

\$ 8,300.00

REDUCTION AMOUNT

\$ 1,000.00

TOTAL AMOUNT PAID

\$ 2,120.00

TOTAL OUTSTANDING

\$ 5,180.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED

25

TOTAL VALUE

(25 @ \$200)

\$ 5,000.00

REDUCTION AMOUNT

(5 @ \$200)

\$ 1,000.00

TOTAL AMOUNT PAID

\$ 800.00

TOTAL DUE

\$ 3,200.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED

16

TOTAL VALUE

(15 @ \$200 & 1 @ \$300)

\$ 3,300.00

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REDUCTION AMOUNT

\$ 0

TOTAL AMOUNT PAID

\$ 1,320.00

TOTAL DUE

\$ 1,980.00

PARKING TICKET AND FINES REPORT FISCAL YEAR 2019

As of December 1st, 2018

FY 2019 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED

202

TOTAL VALUE OF TICKETS ISSUED

\$41,300.00

REDUCTION AMOUNT

\$10,400.00

TOTAL AMOUNT PAID

\$16,765.00

TOTAL OUTSTANDING

\$14,875.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED

135

TOTAL VALUE

(129 @ 200) (6 @ 300)

\$27,600

REDUCTION AMOUNT

(43 @ 200) (4 @ 300)

\$9,800.00

TOTAL AMOUNT PAID

\$9,025.00

TOTAL DUE

\$9,275.00

CODE # 27 CURB CUTS

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NUMBER OF TICKETS ISSUED

67

TOTAL VALUE

(64 @ 200) (3 @ \$300)

\$13,700

REDUCTION AMOUNT

(3 @ \$200)

\$600.00

TOTAL AMOUNT PAID

\$7,740.00

TOTAL DUE

\$5,600.00

There were no questions for Sgt. Lee.

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

Jane gave the following Treasurer's Report:

As of December 6, 2018, the balances of the COD accounts have not changed since the November COD meeting and 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 #14M1146-4710HP Revenue taken in during the year for Fines Collected

Balance: \$0

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: **\$160.97**

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

Type: Special Appropriations

Balance: \$6400.00

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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6. ADA Coordinator's Report (7:05-7:15)

Jini gave the following ADA Coordinator's Report:

Site Visits:

- Newton Highlands Playground/Park- Walked the accessible paths with Tiffany and Parks & Recreation staff
- Washington St. at Woodland Station, at 1600 (near Warren House), at Prospect St., and Auburn St.- Terry Crowley and I met Barbara and Sandra to check out sidewalks, curb ramps, crosswalks, and APS

Trainings:

- Webinar- Digital Accessibility with Laney Feingold- excellent, author of Structured Negotiations

Meeting/Events/Conference Calls:

- Public Meeting for Newton Highlands MBTA Station Accessibility Project
- Human Rights Commission Awards Ceremony- To support Nathan Persampieri
- Austin Street Housing - every other week meetings
- Fair Housing Committee- I attend this monthly
- Complete Streets Committee & Road Paving- I attend, every other week
- CODA- monthly meeting

Jini described her site visits, the webinar she viewed and some of the meetings listed on the report above, including the Human Rights Commission Award Ceremony where Nathan Persampieri received one of the Youth awards for his campaigns to raise awareness among his peers of disability and accessibility. COD members, Jane, also a Human Rights Commission member, Sandra, and Lakshmi were also in attendance. There was a question about when the renovated Newton Highlands Playground, on Winchester/Dedham Streets will have toilets as an amenity. Jini did not know the timeline, as funding was not available during this phase, but when they are provided, they will be accessible. In the meantime, if portable toilets are provided, there will be at least 1 accessible portable toilet for every 10 non-accessible toilets.

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7. Accessible Parking Space Request (7:15-7:30)

Alice Cotoia described the reasons she is requesting an accessible parking space out front of her home. Alice has a heart condition and a mobility impairment and there are less stairs and a shorter distance for her to get in and out of her house when parked out front, than in the shared, sloped, driveway. Her street is always parked up, right in front of her house frequently, even with cars parking for days, and even overnight during the winter parking ban. Beech Street is a small street between Jasset and Faxon, but very busy, and often people park in front of her house since there is only space for one car. Rosemary made a motion to support Alice Cotoia's request for an accessible parking space out front of her house at 16 Beech St. Jane seconded the motion. The motion passed unanimously by a vote of 10-0. Jini explained that the Traffic Council has the final decision, but that she will convey this support and vote to them before this week's Traffic Council meeting on Thursday when her request is on the agenda.

8. Co-Chairs report on the Meeting with the Mayor (7:30-7:45)

Rob , Girard, Dana and Jini met with the Mayor at their quarterly meeting on November 8. Due to transportation difficulties, Rob and Girard participated by phone. The main topic discussed was the formula used to distribute the fines collected for accessible (HP) violations/tickets. Presently the formula is that the first \$40,000 goes into the city's general fund, and anything over and above this amount is split 60% to the COD for access projects, and 40% to the city's general fund. The Mayor proposes to reverse that distribution, where the first \$40,000 would be for the COD for access projects, and anything collected above that amount would be split 60% for the city's general fund and 40% for the COD's access projects. The Mayor reasoned that the amount for the COD's access projects (approved by the Mayor and the City Council) would be a more consistent amount, as often, in the past few years, there has been over \$40,000 collected fines. That way the COD could plan and count on at least that amount going forward each year. Rob and Girard brought to the COD members to vote on whether to accept this proposal or to negotiate another formula. In addition, the Mayor has committed \$100,000 for the next 3 years, from the Capital Improvement Fund, to meet the goal of 100% of the city's signalized intersections to include the newest version of Accessible Pedestrian Signals (APS), which provide and audible and tactile way for pedestrians with disabilities to know when it is safe to cross the street.

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Barbara commented that even though this seems to be a reasonable proposal, she would prefer that the COD received 100% of the accessible (HP) fines collected, as does Waltham, and some other municipal CODs. Dana added that if the COD has an idea for a project, whether we have enough funds in this account, to bring it to her to see if there are other pots of money first, rather than taking from the COD account. Lucie asked how much has been credited to the COD every year with the current formula. Jini said, not counting the Operation Access proceeds, where the COD is credited 100% collected, the COD's highest amount was a little over \$13,000. Lucie made a motion to accept this new proposal from the Mayor as to how to distribute the fines collected from accessible (HP) parking violations, that is, the COD account would be credited the first \$40,000 collected, and any amount above that amount would be split 60% to the city general fund and 40% to the COD account. Jane seconded the motion. The motion passed unanimously by a vote of 10-0.

9. Candidate for COD Membership –Warren Abramson (7:45-8:00)

Warren was unable to attend the meeting due to illness. This agenda item will be tabled and taken up at the January meeting.

10. Update on Public Meeting for the Accessibility Project at the Newton Highlands T Station (8:00-8:10)

Both Girard and Jini attended this public meeting run by the MBTA, who presented the 75% design of the proposed accessible improvements at the Newton Highlands T Station. The Mayor, Rep. Ruth Balser, several City Council members, and city staff joined the public. The presentation is online at the MBTA website. Three accessible entrances/exits will be provided as well as the platforms raised so that it is at the same height as the train entrance. Right now, there are 2 entrances that have non-compliant steep incline/declines and one entrance with stairs to get to the tracks. A manual lift is needed to assist someone using a wheelchair to board the train. A new accessible entrance will be added from the inbound side of the tracks, along with making the Walnut and Station Streets entrances/exits ADA compliant. Community members were concerned about the canopies planned over some of the accessible ramps, and the distance one will need to walk to board the trains. The platform cannot be raised under the historic train station, so the platforms are further east for the outbound train and the inbound platform is further west. Girard said

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that the audience was friendlier than the meeting in April. The canopies will help keep snow and ice from accumulating overnight and before the MBTA officials can get to the station to clear the entire station in the early morning. It was a positive meeting and the 100% Design plan will be presented to the community in the spring, 2019. Girard added that there is a plan for the 3 Newton commuter rail stations to become accessible in the next few years. Jini also said that a new undertaking by MassDOT and the MBTA is to transform the Green Line above ground and underground, in the next 10-15 years will become accessible. Barbara asked if the crossing of Walnut St. by the bridge over the T will become compliant, as there is no curb ramp there now, and Jini said that that there is hope that this will be taken care of during the ADA improvements at this station, since the TIP project for Walnut St. has not yet been funded.

11. Letter to MOD (8:10-8:15)

Rob said that the letter was a template if CODs wanted to send to the Governor to focus attention on disability experience and other qualifications the disability community would like to see for MOD's next Executive Director. It is completely voluntary, there is no mandate to approve and send this or a modified letter. Girard said that CODs have a lot of power when it comes to issues and legislation that affects people with disabilities. MOD is closely connected to CODs, providing technical assistance to all the state Commissions on Disability, helping more CODs form around the state, provide the Community Access Monitor Program, and much more. Jane made a motion to send this letter from the Newton COD, and Lakshmi seconded the motion. The motion passed with a vote of 9-1, with Lucie opposing as she didn't think the letter was well-written. Rob will work with Jini to get this letter on the Commission's letterhead.

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

13. Rosemary relayed an incident she had with a Ride driver in late November. Rosemary has complained to The Ride. And Barbara recommended bringing this issue to the Disabled Persons Protection Commission (DPPC). Jini mentioned that she assisted Rosemary by following up with The Ride as to what they have in her profile about which seat belt/straps she must wear or not. Eligibility of The Ride should be getting back to her. Lucie will send the contact information for DPPC or the Elder Abuse Commission. Rob reminded everyone that next month the annual election of officers for the

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COD will take place at the COD meeting. Rob wished everyone a Merry Christmas/holiday and a Happy New Year 2019.

14.Adjournment (8:30)

The meeting adjourned at about 9PM.

Respectfully prepared and submitted by Jini Fairley.

NEXT MEETING DATE: January 14, 2019

The location of this meeting is wheelchair accessible and reasonable accommodations will be provided to persons 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.