



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting Date: July 9, 2018
Room 204
Time: 6:30 pm

MINUTES

Ruthanne Fuller
Mayor

Commission Members Present:
Rob Caruso, Co-chair, participating remotely
Girard Plante, Co-chair
Jane Brown, Treasurer
Lucie Chansky
Rosemary Larking, participating remotely
Barbara Lischinsky
Sandra Lingley
Matt Volpi, participating remotely

Barney Heath,
Director, Planning &
Development

Rachel Powers
Manager
Community Development

Commission Members Absent:
Anne Marie Killilea

Members

Rob Caruso, Co-Chair
Girard Plante, Co-Chair
Jane Brown
Lucie Chansky
Rosemary Larking
Barbara Lischinsky

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

Jason Rosenberg
Chairman Emeritus

Guests:
Anthony Nganga, architect for 1672 Washington St./Kingdom Hall
George Schnee, architect for 1523 Washington St.-Corpus Christi/St. Bernard's parish

Advisor
Sergeant Jay Babcock
Newton Police Department

Staff

ADA/Sec 504 Coordinator
Jini Fairley
617-796-1253

1. Introductions (6:30-6:35)
Girard is chairing the meeting as Rob is ill at home but participating by phone, as is Matt and Rosemary. Welcome to Tiffany Leung, Community Development Planner, Amanda Lipson's successor, and this is Tiffany's first day on the job. Anne Marie let Jini know that she will be late to the meeting (she did not attend).

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2. Approval of June 11, 2018 Meeting Minutes (6:35-6:40)

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Girard asked if everyone had a chance to read the minutes and if there were any corrections to be made. Hearing none, Rosemary made a motion to accept the June 11 meeting Minutes as read and distributed. Jane seconded the motion. The motion passed by a vote of 7-0-1 (Barbara abstained as she was absent at June's meeting).

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

Rachel gave the following CDBG report of access projects, mentioning that many are wrapping up:

FY17 Curb Cuts Funding Pool/FY16 Curb Cuts Funding Pool – (CD17-03A/CD16-03B Budget: \$108,500.92; Expended: \$97,405.67; Balance; \$9,822.33). The FY17/FY16 Curb Cut project was developed in conjunction with the COD and DPW/Engineering based on the recently completed inventory. DPW/Engineering sought to complete 30-40 curb cuts in the Carr School area by spring 2018. **Construction was expected to start back up again in May, however DPW shifted their focus to other priorities. Planning is coordinating with DPW to confirm completed locations and proceed with project close out.**

Carroll Center Accessibility – (Budget: \$111,745.92; Expended: \$100,698.62; Balance: \$11,047.30). The Carroll Center Accessibility Project was approved by the Planning and Development Board January 11, 2017 and Funding and Owner/Contract Agreements executed on December 14, 2017. **While a majority of the project is complete, and the elevator has been certified by the Commonwealth, the Carroll Center is still awaiting installation of the voice annunciators. The voice annunciators were mistakenly omitted from the original material order and are expected to ship July 20, 2018.**

Highlands Playground Access – (CD15-032 Budget: \$123,750; Expended: \$117,562.50; Balance: \$6,187.50). Accessible pathways component began in spring 2017 with contractor David White & Son. **Improvements are near completion but were temporarily delayed with the water main break on Winchester Street. Planning can release retainage following notification of full project completion and satisfactory inspection.**

Newton Corner Curb Cuts – (Project CD15-034 Budget: \$141,940; Expended: \$98,957.87; Balance: \$42,982.13). The project will include the installation of 11

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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 is completing the improvements through an existing contract with the City. **Construction is underway once again and is anticipated to close out this summer. Jini and Rachel went out on a partial site visit with DPW project staff and will report more fully after a final site visit when the project is completed.**

FY18 APS – (CD18-03B Budget: \$17,457; Expended: \$16,918.50; Balance: \$538.50)

The COD voted to approve the installation of Accessible Pedestrian Signals at the locations listed below. **All APS units have been installed, however additional upgrades were required. Awaiting final billing and close out paperwork.**

New Installation:

Beacon & Washington St. (6 pushbuttons)

Newtonville Ave & Harvard (8 Pushbuttons)

Grove/Central/Auburn (8 pushbuttons)

FY19 City Hall ADA Accessible Single Use Toilet Room- (CD19-03A Budget: \$105,000; Expended \$0; Balance: \$105,000) The COD voted to allocate FY19 architectural access funds to the installation of an ADA accessible toilet room on the first floor of City Hall. The project will be managed by the City of Newton Public Buildings Department. Procurement is expected to be finalized in August with Construction anticipated in September.

4. Accessible (HP) Fines Reports (6:50-7:05)

Sgt. Lee gave the following reports of accessible (HP) Fines issued, dismissed, collected, and outstanding, for June 2018 and for the entire fiscal year, July 1, 2017-June 30, 2018:

PARKING TICKET AND FINES REPORT JUNE 2018
PARKING TICKET MONTHLY TOTALS

TOTAL NUMBER OF TICKETS ISSUED

44

TOTAL VALUE OF TICKETS ISSUED

\$ 8,800.00

TOTAL AMOUNT PAID

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\$ 3,200.00
REDUCTION AMOUNT
\$ 2,200.00
TOTAL OUTSTANDING
\$ 3,400.00
CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED
36
TOTAL VALUE
(36@ 200)
\$ 7,200.00
REDUCTION AMOUNT
\$ 2,200.00
TOTAL AMOUNT PAID
\$ 2,800.00
TOTAL DUE
\$ 2,200.00
CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED
8
TOTAL VALUE (8 @ 200)
\$ 1,600.00
REDUCTION AMOUNT
\$ 0
TOTAL AMOUNT PAID
\$ 400.00
TOTAL DUE
\$ 1,200.00

PARKING TICKET AND FINES REPORT FISCAL YEAR 2018
FY 2018 PARKING TICKET TOTALS

TOTAL NUMBER OF TICKETS ISSUED
602
TOTAL VALUE OF TICKETS ISSUED
\$ 122,000.00

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REDUCTION AMOUNT

\$ 46,750.00

TOTAL AMOUNT PAID

\$ 63,480.00

TOTAL OUTSTANDING

\$ 13,295.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED

457

TOTAL VALUE

(12 @ 300, 445 @ 200)

\$ 92,600.00

REDUCTION AMOUNT

\$ 41,050.00

TOTAL AMOUNT PAID

\$ 43,325.00

TOTAL DUE

\$ 9,330.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED

145

TOTAL VALUE

(4 @ 300, 141 @ 200)

\$ 29,400.00

REDUCTION AMOUNT

\$ 5,700.00

TOTAL AMOUNT PAID

\$ 20,155.00

TOTAL DUE

\$ 3,965.00

Girard remarked that the outstanding balances are not as high as some years, and Sgt. Lee said it may be due to last minute violators paying their tickets when they either have to renew their vehicle registration or their license. Lucie wanted to know why the dismissed number of tickets is so high. Sgt. Lee said that the Police Department is not involved in the appeals, DPW's Parking

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Clerk handles the appeals. His opinion is that if someone either displayed their placard incorrectly or forgot to display their placard, when they come in for their appeal they show their placard and the ticket is usually dismissed or the fine reduced. Sgt. Lee said that a conversation with the Parking Clerk should be had so as to understand why the number of tickets dismissed is so many and if there is a small fine issued when someone forgets to display their placard, so that maybe they will remember next time, to avoid even a smaller fine. Lucie also pointed out, under Operation Access, almost half of the tickets issued were dismissed and the COD nearly lost money this year. Sgt. Lee is thinking it could be for the same reason, folks forgetting to put up their placards and the ticket is dismissed on appeal when they provide their placard. Sgt. Lee will contact the head Parking Clerk and ask how the appeal process works and why there seems to be such a high number of these tickets being dismissed and the guidelines the Parking Clerk uses in determining whether a ticket for parking in an accessible (HP) parking space without a placard or blocking curb cuts would be dismissed.

5. Treasurer's Report (7:05-7:10)

Jane gave the following Treasurer's report:

As of July 5, 2018, 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 = \$20,293 (A request to use \$6400 for APS installation at Waverley & Tremont will be voted on by the full City Council on July 9, 2018)

Account #14M1146-4710HP Revenue taken in during the year for Fines Collected

Balance = \$36,405 (will change when accounts are reconciled after end of fiscal year)

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 = \$1423.33(will decrease by \$1265.36 once bill is paid for police overtime)

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

Type: Revolving Account

Balance = \$940

Type: Gift/Donation Account Balance = \$0.00

6. ADA Coordinator's Report (7:10-7:20)

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After the 2 AAB variance applications were heard, one for Kingdom Hall and one for Corpus Christi/St. Bernard's parish gym, Jini distributed the following report but there was no time for questions:

Site Visits:

- Vassar Ave in Cambridge- observe how 2 guide dogs negotiate same level sidewalk/bike lane
- Main Library parking lot
- Newton Corner- partial, not yet completed
- Hancock Estates- New affordable and accessible apartments

Meeting/Events/Conference Calls:

- DRT- Northland housing development on Needham St.
- DRT- Golda Meir Expansion
- CPC- On Crescent St.
- Public Facilities- On Street Design Guide
- Austin Street Housing - every other week meetings
- Crescent Street Housing- I am on the Working Group and the Internal Team
- Fair Housing Committee- I attend this monthly
- Street Design Guide- interdepartmental meetings with consultants
- Complete Streets Committee & Road Paving- I attend, every other week

7. MAAB Variance-Kingdom Hall (7:20-7:50)

Anthony Nganga, architect for the renovations of Kingdom Hall, 1672 Washington St., presented the variances applied for with the AAB. The most level place for accessible parking and entering the building is in the rear of the building as the topography levels off at that point. There are stairs at the front of the building but not very level, at an incline in front. There exists a ramp in the back but was not compliant, but the renovations will make it AAB compliant with designated accessible parking close to this ramp. So they are seeking relief from making the front entrance accessible. They will renovate both toilet rooms (men and women) to be accessible as well during the renovations. They will create an area of refuge at the front of the building to the landing at the top of the front exterior stairs, when they redo the stairs and eliminate the step up/down at the front doors. Another variance they are seeking is not to provide accessible vertical access within the building from the basement to the main floor. There is an apartment in the basement which is not part of the accessible improvements/not open to the public. An elevator would be very costly and

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there is very little room in the basement part of the building to accommodate an elevator or lift. There was much discussion, as to what the basement rooms are used for, which includes a kitchen and meeting space. Members wanted to know if the activities that take place in the basement can also take place on the accessible floor, . The architect said that would be the case, if someone needed accessibility and a meeting could be relocated to the main floor. Most often this space is for the many volunteers who donate their time and professional expertise. The basement is much smaller than the main floor as there is a crawl space under the bathrooms, and there is an apartment. The kitchen is small, too, where food is heated up and brought upstairs to the main room. Lucie asked what the cost of the wheelchair lift would be if installed, even though that it would take up most of the space next to the kitchen in the basement. Mr. Nganga said that a LULA would cost about \$30,000, in addition to the \$410,000 being spent on the renovations. There is a separate entrance to the basement from the outside, but there are interior stairs, in a very narrow space with low ceilings and would not accommodate any kind of a chair lift. Rob commented that he doesn't understand why they cannot put a ramp to the front main entrance, either in addition to the stairs or in place of the current stairs, that the topography is not so great to dismiss this possibility. Mr. Nganga said that the side/back entrance is really the only place for accessible parking so using the entrance with the new accessible ramp, which brings one right into the large meeting space/church is appropriate. Girard asked for a summary, and Mr. Nganga said that the stage in the main room will also become accessible, and the doors will be compliant, and an area of refuge will be outside the front entrance/exit onto the landing at the top of the front stairs. Girard recommended that a portable ramp be purchased by the church in the event that someone using a power wheelchair can be safely rescued away from the building to a level space on the driveway. Mr. Nganga thought that makes a lot of sense to recommend this to the church.

Lucie made a motion to support the variances being sought by Kingdom Hall with the stipulations that a portable ramp be purchased/provided in case of an emergency to facilitate someone using a wheelchair can exit beyond the stair landing out front to a level space on the ground/driveway and that any event/meeting being held in the basement will be relocated to the main floor if someone needing accessibility requests this. Barbara

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seconded the motion. The motion passed by a vote of 7-1 (Rob Caruso voted to oppose this motion).

8. New Business- AAB Variance for 1523 Washington St.-Corpus Christi/St. Bernard's Parish

This variance application came in just after the agenda was posted so the Co-chairs decided to hear this variance application under New Business. Much of this project is to improve the accessibility, replacing the link, a 1.5 story structure which will be torn down, between the parish rectory/house, and the parish gym and hall below. Since the costs exceed the 30% threshold, the entire gym/parish hall must be made accessible, beyond what the project to replace the link between these 2 buildings involves. Replacing this link and making it accessible will involve the installation of a LULA as well as a ramp, and an entrance/egress to the gym/parish hall where accessible parking will be located, and constructing 6 accessible toilet rooms in the link structure, . There are 8 variances being sought due to the infeasibility to make this building fully accessible. The parish rectory/house is not part of this project and will remain vacant before, during, and after this project, to be renovated in the future. Learning Prep leases the gym but the parish uses the lower level of the gym which is the parish hall for events throughout the year. The major variance is not being able to provide accessibility to the stage in the gym, one factor due to the space available, a ramp is impossible, and a lift would be costly, another \$40,000. Another variance is that the parish lacks an assistive listening system in the gym and the parish hall. Some of the members suggested a portable system that is not as costly as what is projected. Another variance involves not being able to provide access to a mezzanine area in the gym, and the school does not allow anyone to use this mezzanine space, in any case, it is not necessary for what goes on in the gym. A porch on the street side of the gym/parish hall building cannot be made accessible, but there are several entrances and exits that are accessible to this building. There are about 9 doors with either door hardware or frame constraints to make them open wider. These are mostly up on the stage and one of the entrances to the gym is on an accessible route have 2 narrow leaves, and when both are opened, there is 5' wide opening. There are also issues with the older wooden stairs and handrails which are non-compliant but any of the new construction will have compliant handrails. Mr. Schnee reminded us that the project was not to renovate the gym space at all, but the life safety and accessibility costs

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triggered full accessibility, thus the options may lead to seeking variances if the cost or the structure/space available makes it infeasible. Controls and outlets were too low and would require extensive electrical work to reposition them. Lucie made a motion to support the variances sought. Jane seconded the motion. The motion Passed unanimously by a vote of 8-0.

9. Ideas for MOD FY19 Grant (7:50-8:05)

Jini informed the members that MOD has funds for FY19, although the grant application has not yet opened, which will be in August with the deadline for the application due in early October. As in past years, the grantees will have to submit invoices on or before June 30, 2019, so we must be mindful of the time needed to accomplish a project. Jini mentioned that she did have a conversation with Jeff to find out why the city's application for a grant last year was denied. He said the application was fine, but they had so many more applications, it was stiff competition. He did say that many of the projects chosen were ones that improved accessibility in many areas of the municipality, such as several parks, toilet rooms in schools, etc. Jini suggested that the COD consider projects that would be more citywide, such as installing more APS at signalized intersections, or pathways to playground structures from parking/sidewalks, or improvements to some of the 51 recently ADA-audited city-owned parking lots. Lucie had a couple of ideas, one, an education project, to give a presentation to the public explaining about accessible parking spaces, curb cuts, and much more, and the second one, more suited for this grant, would be to survey all the city's sidewalks for accessibility, tripping hazards, bushes blocking sidewalks, utility poles/boxes or trees protruding into the sidewalk. Jini said that she has already suggested to DPW to conduct a 'sidewalk Scan' as they have done with the city's streets, to determine the pavement condition. If this hasn't been started yet, it could be possible to investigate the cost of such a survey, maybe not for all of the 300 miles of sidewalks, but perhaps a subset, within village centers and a ¼ mile or more area outside the village centers. Jini will look into this with DPW, and see if it would be possible to apply for a grant for this idea. Barbara pointed out that there is a problem in the city when a stretch of sidewalk in poor condition reported 15 months ago is still not repaired/replaced. Jini said if a sidewalk survey was conducted, the COD, with DPW, could prioritize such situations and have plans to rectify in place. Jini encouraged everyone to send her ideas for this grant or to be prepared to discuss at the next meeting.

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10.Movie Event Discussion (8:05-8:20)

There was consensus from the members that, even though a forum on the importance of ASL Interpreters, especially in a school setting is very important and highlighting a disability, the movie shown last month was not appropriate, as it did not show what is provided and available here in the States, and does not have a positive ending. Jini suggested looking for another movie about deafness and the benefits of ASL instruction, and once found, perhaps the COD could sponsor the movie showing with Justin's help. The members decided to table this discussion and vote until Anne Marie can be in attendance, and when we have another possible movie to preview.

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

There was some discussion about whether to take an August hiatus this year, and not have an August meeting. With the understanding, if some pressing business arises which may require holding a meeting, Barbara made a motion to not have an August meeting. Jane seconded the motion. The motion passed unanimously by a vote of 8-0. Jini reminded everyone that the September meeting is on the second Wednesday, September 12, moved from the COD's usual night, the second Monday, due to a Jewish holiday.

12.Adjournment (8:30)

The meeting adjourned at 8:37 PM.

Submitted by Jini Fairley

NEXT MEETING DATE: September 12, 2018

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.