



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting date: April 12, 2017
Room 204
Time: 6:30 pm

Minutes

Setti D. Warren
Mayor

Barney Heath,
Director, Planning &
Development

Rachel Powers
Manager
Community Development

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

Jason Rosenberg
Chairman Emeritus

Advisor
Sergeant Jay Babcock
Newton Police Department

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

1000 Commonwealth Ave.
Newton, MA 02459
T 617-796-1240
F 617-796-1254

www.newtonma.gov

Commission Members Present:

Rob Caruso, Co-chair
Girard Plante, Co-chair
Jane Brown, Treasurer, participating remotely
Lucie Chansky

Commission Members Absent:

Barbara Lischinsky
Rosemary Larking

City Staff Present:

Jini Fairley, ADA Coordinator
Sgt. John J. Babcock, Police
Rachel Powers, Planning

Guests:

Melissa Mahaffey, West Newton Hearing Center
Tyler Hinckley, Perkins & Will
Representatives from Brimmer & May School
Sandra Lingley

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

2. Approval of March 13, 2017 Meeting Minutes (6:35-6:40)

Rob asked if everyone had a chance to read the minutes of the March 13 meeting as distributed. All had and Lucie made a motion to accept the minutes as read and distributed. Jane seconded the motion. The motion passed unanimously by a vote of 4-0.

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

**Rachel gave the following CDBG Access Projects Report:
April 12, 2017**



CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

★ **FY17 Curb Cuts Funding Pool** – (CD17-03A Budget: \$87,125 Committed: \$0; Expended: \$0; Balance; \$87,125). Funding pool for new curb cuts projects. CD staff asks that the COD develop a plan for these funds as soon as possible and for projects that can be done in a relatively short time frame. The annual CDBG Timeliness test approaches in early May 2017.

★ **FY15 Curb Cuts** (Project CD15-03Y). Budget \$21,375.92; Committed: \$0; Expended: \$0; Uncommitted Balance: \$21,375.92). Remaining funds need to be allocated toward identified priority locations.

FY15 Accessible Pedestrian Signals – (CD15-03Z Budget: \$20,800; Committed: \$20,800 Expended: \$0; Balance: \$20,800). The MOU for the installation of 32 APS units has been executed with DPW. **Contract being executed. Anticipated April 12th start date.**

Currently, signals are planned at the following intersections:

- Beacon @ Chestnut (units to be determined)
- Commonwealth @ Centre (8 units)
- Centre @ Walnut (4-8 units)
- 1600 Washington Street @ Warren House (2 units)
- **Lincoln Street @ Walnut Street (8 units)**
- **One more location needs to be identified**

Carroll Center Accessibility – (Budget: \$110,473; Expended: \$0; Balance: \$110,473). The Carroll Center Accessibility Project was approved by the Planning and Development Board January 11, 2017. **Bid to be release April 20, 2017, for a bid opening on May 4, 2017.**

Highlands Playground Access – (CD15-032 Budget: \$99,000; Expended: \$0; Balance: \$99,000). The contract with David White & Son has been executed. The accessible pathways component will begin in spring 2017.

Newton Corner Curb Cuts (Project CD15-034 Budget: \$72,500; Expended: \$0; Balance: \$72,500). The project will include 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. Engineering will be put out

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

the remaining for public bid this winter for construction in spring 2017. **APS component of project should begin April 12th.**

Rachel pointed out the items that have updates, specifically the APS project which will start late April. She would like the COD to identify one more location for APS installation for this APS project this evening. The bid process has begun for the installation of the Carroll Center elevator in May. Rachel invited us to celebrate National Community Development Week with an event at the DARE Family Services home which had many accessibility features, like ramps, a lift, wider doors, installed for the residents there, an \$180,000 project funded by CD Housing Rehab funds. It is April 19 at 10am. Since the CDBG and Home funds may be cut or substantially lowered, many communities are bringing attention with events such as this one. The Mayor will be there and should be a wonderful event.

Rachel also explained the Consolidated Plan, a 5-year Plan, FY16-FY20, put together by Planning & Development department with needs assessment, etc., and the Annual Action Plan which is submitted each year and is based on the Consolidated Plan, with goals and updates. She will forward the link to the draft Annual Action Plan, and she is taking comments until May 2.

4. Identify Locations for CDBG funded Access Projects (6:45-7:00)

Rachel explained the following list of locations for FY18 Access Projects:

Ideas/Locations for CDBG-Funded Access Projects

Curb Ramps:

- 77 Fair Oaks Ave (1)
- 46 Wyoming Rd. (1)
- 51 Thaxter Rd. (1)
- 529-521 California St. Rear (Thaxter Rd. side) (1)
- 60 Parkway Rd. (Thaxter Rd. side) (1)
- 503 California St. (1)
- 495 California St. (Bemis Rd. side) (1)
- 246 Linwood Ave. (Broadway side) (1)
- 600 California St. (Linwood Ave side) (1)
- Fessenden at Fair Oaks Rd. (3)
- Schofield at Fair Oaks Ave. (3)
- Nevada at Churchill (3)
- Linwood at Nevada (4)
- Nevada at Wyoming (3)
- Linwood at Watertown St. (3)
- Linwood at Walnut St. (8)
- Watertown St. at Page and Walker (7)

APS:

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

New Installation:

Centre & Church Streets
Washington & Church Streets
Newtonville Ave & Harvard- 5 Pushbuttons exist
Tremont & Waverly

Upgrades:

Walnut & Lincoln Streets (6)
Beacon St. & Langley Road
Centre St. & Cabot St. & Sargent

Park Accessibility

-Needs Parks & Rec staff to survey possible choice of one below

Cold Spring Park- add more accessible pathways to connect other pathways and to fields/possible perimeter pathway
Albemarle/Halloran – Perimeter pathway or continuous pathway throughout
Weeks Field- create pathways to and around fields from parking
Cabot Park- add pathways to fields or perimeter

This list of the curb cuts has the specific locations identified by the city where there are missing curb cuts. Lucie pointed out that if all cannot be accomplished, that this list should be prioritized for the busier intersections first. Jini explained that this may be the order that DPW/Highway Division will be doing them. Rob commented that he saw activity over near the Cabot School, both curb ramps and sidewalks. Jini said that that area was in the CIP for last year and the contractor is just finishing up. This year the concentration is in the Carr School area. Last month the COD voted to use the older CDBG funds of the Curb Cut Funding Pool to construct many curb cuts listed here. The other items are ideas for using the FY18 allocation of CDBG funds. If some of the curb cuts listed here are not accomplished with the older funds, they will be listed for the FY18 Curb Cut Funding Pool. APS were next discussed, especially to choose one or more from the FY18 idea list for the APS Project that is about to be underway. After much discussion, Lucie made a motion to add one or more of the following intersections for APS installation in order to complete the contract for APS with older funds, in this order, dependent on whether any of these may be already included in the Newton Corner Project: Walnut & Lincoln Streets, Washington & Church Streets, Centre & Church Streets, and Tremont & Waverley. Jane seconded the motion. The motion passed unanimously by a vote of 4-0.

Next discussed was the projected FY18 use of funds to improve accessibility in one or two parks. From the list, Cabot was eliminated for consideration since there will be much construction both at the school and on at least one side of the Park the next 2 years while Cabot School is renovated/newly

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

constructed. Lucie asked which parks are the most used/busiest. Albemarle/Halloran and Auburndale Cove were discussed as potential parks that could benefit from either a perimeter path or an improved network of paths throughout. Also we should consider parks one could get to by public transportation. A vote is not needed at this meeting.

5. HP Fines Report (7:00-7:10)

Sargent Babcock gave the following Accessible (HP) Parking Fines Report:

FINES

CODE #26 & CODE #27

MARCH 2017

CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS	
.....	\$1,600.00
8 TICKETS @ \$200.00	
CODE #26 (OUTSTANDING)	
.....	\$3,700.00
17 TICKETS @ \$200.00	
1 TICKET @ \$300.00	
TOTAL	
.....	\$5,300.00
CODE #27 (TOTAL PAID) CURB CUTS	
.....	\$1,000.00
5 TICKETS @ \$200.00	
CODE #27 (OUTSTANDING)	
.....	\$1,400.00
7 TICKETS @ \$200.00	
TOTAL	
.....	\$2,400.00

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

COMBINED TOTALS

TOTAL PAID {COLLECTED}.....\$2,600.00
TOTAL OUTSTANDING.....\$5,100.00
TOTAL FINES ISSUED.....\$7,700.00

Fiscal Year To Date:

FINES

CODE #26 & CODE #27

JULY 1, 2016 - MARCH 31, 2017

(9 MONTHS)

CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS

.....\$10,200.00

CODE #26 (OUTSTANDING)

.....\$24,500.00

TOTAL

.....\$34,700.00

CODE #27 (TOTAL PAID) CURB CUTS

.....\$10,300.00

CODE #27 (OUTSTANDING)

.....\$15,000.00

TOTAL

.....\$25,300.00

COMBINED TOTALS

TOTAL PAID {COLLECTED}.....\$20,500.00

TOTAL OUTSTANDING.....\$39,500.00

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

TOTAL.....\$60,000.00

Sargent Babcock explained the process with both the city and the RMV as to collecting outstanding tickets. There are 2 systems, one for out-of-state vehicles and in-state. Before the RMV takes any action, like suspension, the city has to prove that 3 notices have gone out to the vehicle owner within 90 days of the issuance of the ticket. A hold on renewing a license of registration would happen when the vehicle owner goes to renew either his registration or his license. This could be awhile, since registration of passenger vehicles is every 2 years, and renewing a license is much longer. For out-of-state, there is no hold put on by the RMV, but the city still sends out delinquent notices. The city of Newton’s process, if there are 5 or more unpaid tickets on record, the vehicle is towed and held until the tickets are paid. If the vehicle owner pays the tickets online, just as the vehicle is about to be towed, one can avoid the towing by paying online during regular business hours to prove all is paid up. Since there is such a high number of unpaid fines, and the COD only gets a portion of the collected fines at the end of the fiscal year, the COD will look into reviewing the agreement with the city regarding the COD portion to have the unpaid tickets tracked beyond the end of the fiscal year, as it could take up to 2 years or more before the ticket is paid.

6. Treasurer’s Report (7:10-7:15)

Jane gave the following Treasurer’s Report:

April 12, 2017 COD Meeting

As of April 7, 2017, the balances of the COD accounts have not changed since the March 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 = \$8,809

Account # C108006-513001 Operation Access – Disability Commission

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

Type: Special Appropriations

Balance = \$2322.04

CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Account #13D10901 Set up in Fall 2015 to receive Community Access Monitor Program fees and pay expenses)
Type: Revolving Account
Balance = \$1114.65

Account# 29B22001 Disability Commission Gift
Type: Gift/Donation Account
Balance = \$0.00

There were no questions for Jane.

7. ADA Coordinator's Report (7:15-7:20)

Jini gave the following report of her ADA activities:

Self-Evaluation:

- Police Annex- reviewed on site what accessibility issues have been remedied since the KMA 2011 Accessibility Audit

Site Visits:

- Auburndale Square-Met with resident and city staff at corner of Lexington and Comm Ave and carriage road. Accessibility issues with snow removal, unfinished treatment around tree, and bike cutout.
- Beacon Street- Met with Police and Engineering to determine safe midblock crossings

Trainings:

- Structured Negotiations- Webinar with Laney Feingold
- Access to Healthcare- Webinar by US Access Board
- Fair Housing Accessibility First Policy Training- sponsored by HUD, all day in New Haven, CT- reviewed the 7 principles of accessibility and the criteria when Fair Housing Laws must be followed
- Design of ADA Curb Ramps& Pedestrian Access Routes-all day, in person, workshop covering Laws, dimensions, types, accessible routes, etc.

Meetings/Events/Conference Calls:

- Council On Aging- spoke about the COD, what it is and does, and my position as ADA Coordinator for the city
- Activate Newton- meeting with HHS to discuss community walks
- Fair Housing Committee- I attend this monthly

Girard asked about the site visit to Auburndale Square. A resident using a wheelchair got stuck in a bike cutout at the end of the carriage lane, and

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

also had issues negotiating along the new sidewalk where it met the land around a tree. The work there is not finished but as an interim solution, DPW will put some fill in so that the sidewalk is flush with the tree area. As for the bike cutout, either it will be properly signed or moved and widened to be also an ADA compliant curb ramp. The neighbor who helped the individual in the wheelchair asked for this site visit and was very familiar with MAAB regulations. Jini also mentioned that she checked with the library and there is a Rollerball Track Mouse, one just needs to check in with Special Services to locate which computer has it.

8. Listening Workshops & Hearing Rehabilitation foundation (7:20-7:40)

Melissa Mahaffey described 2 upcoming Listening workshops, sponsored by the West Newton Hearing Center, which has been in West Newton since 1985, conducted by Jeff Plante, a renowned oral rehabilitation specialist. Jeff founded the Hearing Rehabilitation Foundation, located in Somerville, and he focuses on helping people use their hearing effectively, whether they are using hearing aids or not yet in need of amplification with hearing aids. Jeff works one on one with patients of the West Newton Hearing Center, and through his Foundation, he sees many children and adults, regardless of their income. These Listening 2-part Workshops will be on May 1 and May 15, at the Unitarian Church on Washington St. across from the Police Station. Melissa is looking for us to give her resources, places to advertise the workshops to residents of Newton who may have a hearing loss but not known to the West Newton Center. Many suggestions were given by members, such as advertising in the Senior Center's newsletter, in the Newton At Home newsletter, to the housing complexes run by Newton Housing Authority, and other housing complexes. Rob asked about Tinnitus treatment and Melissa said there are retraining therapy treatments, when it is not accompanied by hearing loss, such as with some diseases, like Multiple Sclerosis.

9. MAAB Variance Brimmer & May Auditorium (7:40-8:00)

Tyler Hinckley, architect from the firm of Perkins & Will, along with the Development Director and a Trustee of the Brimmer & May School, discussed the reasons for the AAB variance application for a lift to be installed in their auditorium. A large 2-storey new addition and renovation is underway of their main academic building, for their middle and high school students. This large project triggered MAAB regulations requiring

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

accessibility throughout the existing building. Due to the space constraints, they are planning to use a portable lift, stored in place, as a permanent lift to access the stage of the auditorium. If they used the permanent model of this lift, it would be considered an elevator, and the enclosure and mast would inhibit sight lines. MAAB regulations require a permanent lift, thus the waiver/variance request. They do not have a place to store this portable lift so it will be acting as a permanent one. Girard asked if there was a manual option in case of emergency or power failure, and by referencing the specifications of this lift, there is a manual pump to lower the lift. Tyler had inquired as to where else the manufacturer has sold/installed this model, and he found out one was in Framingham, but he did not do a site visit to see this lift there. The MAAB continued this variance and asked several questions for more information. They wanted to know where the lift will be stored, about the accessible route from accessible seats to the lift, and if egress requirements will be

Adequate. Tyler addressed all these questions from the MAAB and presented answers to the Commission. There were many questions during the discussion, mostly around safety of the lift's use and how it will be installed to act like a permanent lift. Lucie asked if there will be a locking mechanism, such as a key, and who would have possession of the key and who will be trained on how to use the lift. The representatives of the school assured the members that safety is of prime importance and they will develop a policy regarding the key and the training. Lucie voiced concern that the key must be available whenever the auditorium is in use, basically at all times and personnel need to be identified and trained. Lucie made a motion to support the variance sought by the Brimmer & May School with the following conditions; that the lift will be always used as a permanent lift, stored in place, with the castors stored away from the lift, that a plan/policy be put in place to prevent the use of the lift unnecessarily, but if there is a key, that it is available when the lift is needed by someone with a mobility impairment, , and that a site visit be made by Brimmer & May to see this lift in operation, especially how it works manually in case of a power outage. This motion was seconded by Jane. The motion passed unanimously by a vote of 4-0.

10. Auburndale Commuter Rail Accessibility Project (8:00-8:10)

The hour was late and Girard needed to leave, who was going to speak on this agenda item.

CITY OF NEWTON, MASSACHUSETTS
Commission On Disability

11.Sponsor AHVP in State Budget (8:10-8:20)

Again, with the late hour and Girard needing to meet his transportation, this agenda item will be tabled until next month for Girard to lead it.

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

There was no Old or New Business taken up.

13.Adjournment (8:30)

The meeting was adjourned at 9PM.

NEXT MEETING DATE: May 8, 2017

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.