



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

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

MINUTES

Setti D. Warren
Mayor

Commission Members Present:

Rob Caruso, Co-chair

Girard Plante, Co-chair

Jane Brown, Treasurer

Lucie Chansky

Rosemary Larking, participating remotely

Barney Heath
Director, Planning &
Development

Commission Members Absent:

Barbara Lischinsky

Rachel Powers
Programs Manager
Community Development

Amanda Lipson
Planner
Community Development

City Staff Present:

Jini Fairley, ADA/Section 504 Coordinator

Sgt. John J. Babcock, Police

Rachel Powers, Planning

Amanda Lipson, Planning

John Daghlian, Engineering

Alfredo Vargas, Engineering

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

Guests:

Kat Eutsler

Sandra Lingley

Representatives from the Ruderman Family Foundation

Jason Rosenberg
Chairman Emeritus

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

Just before the meeting started, Rob opened the conference call as Rosemary was planning on joining the meeting remotely. For some reason, she wasn't able to join the meeting, even when Rob tried later in the meeting.

Advisor
Sergeant Jay Babcock
Newton Police Department

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

2. Approval of May 8, 2017 Meeting Minutes (6:35-6:40)

Rob asked if there were any additions/changes to the draft minutes of the May meeting. Rachel said where the minutes reference CDBG Funding Ideas, it should read FY18/FY17, not just FY18. Jini will make those corrections. Girard wants the minutes to state more clearly stated that he had to leave the

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meeting to get his ride home, before the vote was taken on whether to support the Sunrise Senior Living project. Although the minutes do reflect when Girard had to leave the meeting, he also wants to have it on record, where the vote is recorded, that he was absent. Jini will make those additions. Lucie made a motion to accept the minutes, as amended. Jane seconded the motion. The motion passed unanimously by a vote of 4-0.

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

Rachel introduced Amanda Lipson, new Community Development Planner, just joined the Planning Department, who replaces Lydia, and will be the staff person working on CDBG Access projects with the Commission and Jini. Rachel gave the following CDBG Access Projects report:

★ **FY17 Curb Cuts Funding Pool** – (CD17-03A Budget: \$87,125 Committed: \$0; Expended: \$0; Balance; \$87,125). **FY17 Curb Cut project has been developed in conjunction with the COD and DPW/Engineering based on the recently completed inventory. The environmental review record is being finalized and an MOU will be drafted and distributed. DPW/Engineering anticipates completing 30-40 curb cuts in the Carr School area during the current construction season.**

★ **FY16 Architectural Access Pool** (Project CD16-03A). Budget \$21,375.92; Committed: \$0; Expended: \$0; Uncommitted Balance: \$21,375.92). **Remaining funds will be allocated toward FY17 Curb Cut project identified above. The Planning and Development Board approved the transfer at their meeting on 06/05/2017.**

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. **The project started April 24th. APS installations are underway.**

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)

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- Centre and Church Street

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 opening on May 4, 2017. Working with the legal department on contract development.**

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. **A small portion of accessible pathways was completed near the Winchester St. entrance.**

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 the remaining for public bid this winter for construction in spring 2017. **APS component of project began April 24th and is nearing completion.**

Rob and Girard wanted to know when the Newton Corner project is going to be finished. Rachel said that Beta Design has not finished the curb cut design so that the project could be bid out. This project was supposed to go out to bid in May at the latest, and it is impacting the timeliness of this project and funding. Lucie mentioned that she was in Needham Center and said that there are new street lights and they looked beautiful, a big change there, and perhaps Rachel might want to visit there.

4. Identify Locations for FY18/FY17 CDBG funded Access Projects (6:50-7:00)

There was a discussion regarding what areas to fund with FY18 CDBG funds.

Ideas/Locations for FY18/FY17 CDBG-Funded Access Projects

Distributed in Advance of the June 12, 2017 COD Meeting

APS:

New Installation:

Beacon & Washington St.- 6 pushbuttons

Newtonville Ave & Harvard- 5 Pushbuttons

Tremont & Waverly-4 pushbuttons

Upgrades:

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Beacon St. & Langley Road- 7 pushbuttons
Centre St. & Cabot St. & Sargent- 3 pushbuttons

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- may wait until all construction is completed on Cabot School in summer of 2019
Auburndale Cove- make connections to already existing pathways

Curb Ramps:
Mid-Block Crosswalks and curb Ramps
Beacon & Dorset-2 ON SCOPE OF WORK FOR FY17 CURB CUTS
Beacon & Carlton- 2 ON SCOPE OF WORK FOR FY17 CURB CUTS
Beacon & Woodward & Windsor- several- need input and design from DPW

Some of the following curb ramps will be completed with FY17 CDBG funds and the remainder will be funded with FY18 CDBG funds

Watertown St. at Page and Walker (7) YES
Linwood at Watertown St. (3) YES
Linwood at Walnut St. (8) YES
Fessenden at Fair Oaks Rd. (3) YES
Schofield at Fair Oaks Ave. (3) YES
Nevada at Churchill (3) YES
Linwood at Nevada (4) YES
Nevada at Wyoming (3) YES
77 Fair Oaks Ave (1) YES
46 Wyoming Rd. (1) YES
51 Thaxter Rd. (1) YES
529-521 California St. Rear (Thaxter Rd. side) (1) YES
60 Parkway Rd. (Thaxter Rd. side) (1) REMOVED PER DPW
503 California St. (1) YES
495 California St. (Bemis Rd. side) (1) REMOVED PER DPW
246 Linwood Ave. (Broadway side) (1) YES
600 California St. (Linwood Ave side) (1) REMOVED PER DPW
WATERTOWN@ ALBERMARLE -PREVIOUSLY FELL OFF LIST, PART OF SCOPE
NORTH @ ALBERMARLE -PREVIOUSLY FELL OFF LIST, PART OF SCOPE

There was discussion but no vote on the location of the three areas to fund from the list above. The members wanted to see how many of the curb cuts were constructed with FY17 funds and DPW funds before a vote. For the APS, there is a long list but not sure if some of them will be installed with FY17 CDBG funds. The consensus was to wait until it was clear as to the amount of CDBG funds allocated to Access projects and the location in each category.

5. Access Issues at Newton-Wellesley Hospital (7:00-7:10)

Barbara had brought to Jini's attention during the past month, some difficulty with using the automatic door opener at the West entrance of Newton-Wellesley Hospital. Since Barbara was not present at his meeting, Jini reported that she and Barbara have a meeting set up to meet with the Compliance Officer of NWH next

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week. Jini asked if there were other issues members would like us to include in the meeting. Lucie mentioned that many of the exam rooms of the physician practices are small and can barely accommodate one person using a wheelchair.

6. HP Fines Report (7:10-7:20)

Sargent Babcock gave the following reports one for the month of May and one showing totals from July 1, 2016 through 5/31/17.

FINES

CODE #26 & CODE #27

MAY 2017

CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS

.....\$800.00

4 TICKETS @ \$200.00

CODE #26 (OUTSTANDING)

.....\$3,900.00

15 TICKETS @ \$200.00

3 TICKET @ \$300.00

TOTAL FINES

.....\$4,700.00

CODE #27 (TOTAL PAID) CURB CUTS

.....\$1,200.00

6 TICKETS @ \$200.00

CODE #27 (OUTSTANDING)

.....\$3,000.00

15 TICKETS @ \$200.00

TOTAL FINES

.....\$4,200.00

COMBINED TOTALS

TOTAL PAID {COLLECTED}.....\$2,000.00

TOTAL OUTSTANDING.....\$6,900.00

TOTAL FINES ISSUED.....\$8,900.00

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FINES

CODE #26 & CODE #27

JULY 1, 2016 – MAY 31, 2017

(11 MONTHS)

CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS	
.....	\$12,800.00
CODE #26 (OUTSTANDING)	
.....	\$31,900.00
TOTAL	
.....	\$44,700.00
CODE #27 (TOTAL PAID) CURB CUTS	
.....	\$12,700.00
CODE #27 (OUTSTANDING)	
.....	\$23,500.00
TOTAL	
.....	\$36,200.00
COMBINED TOTALS	
TOTAL PAID {COLLECTED}.....	\$25,500.00
TOTAL OUTSTANDING {NOT COLLECTED}....	\$55,400.00
TOTAL DISMISSED ON APPEAL.....	(\$10,535.00)
TOTAL FINES ISSUED.....	\$70,365.00

Girard commented on the very high “Outstanding” amount. Sargent Babcock says there is no mechanism for violators to pay immediately, it may take up to 2 years for an outstanding ticket to affect the violators, when they go to renew the registration of their vehicle. Newton has a mechanism where if someone has 5 or more tickets outstanding, they will tow and hold, but if someone just has 1 accessible space violation, the vehicle would not be towed. When Lucie asked about appeals, Sargent Babcock said that the Parking Control Officer takes a picture for either accessible parking ticket, which helps with appeals, often someone did not hang their tag properly so the PCO couldn’t see the ID number

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Reasonable Accommodation Requests:

- ASL Interpreter for 3 city meetings
- New Hyde Housing-Reserved Parking for accessible van

Training:

US Access Board Webinar on Accessible Dining Surfaces and Bars

Meetings/Events/Conference Calls:

- Crescent St. Project Team- have joined and viewed potential designs for 8 apartment building(s)
- Crescent St. Working Group-weighed in on accessibility of designs
- Development Review Team (DRT) - commented on The Street new plans
- DRT- 70 Crescent St. and Park- commented on providing visitability and more accessible apartments
- Off-Leash- attended and gave input on possibility of a fenced in area for service animals
- Fair Housing Committee- I attend this monthly
- APS Group of MACOD- finalizing proposed APS regulations for MAAB to consider adopting

Jini was asked about her site visit to Newton Housing Authority regarding setting aside reserve parking spaces for the tenants there, 13 apartments, who have mobility impairments. Sargent Babcock and Jini were advocating for a resident there to have a van-accessible parking space reserved for him, and then for others who had or will request a similar reasonable accommodation.

9. Accessible (HP) Parking Space Request (7:30-7:45)

The petitioner did not attend the meeting, even though she was planning on it and she received an agenda via email from Jini last week. Jini had spoken to her about her difficulties of finding a parking space in front of her house, as she has only a narrow driveway, tandem parking with other tenants, and she cannot always use the driveway. Her disability makes it very difficult for her to walk any distance, either with her small children or with groceries/packages. Rob and Lucie visited this location and they discovered how filled the parking spaces on that street and how narrow her driveway is at 154 Chapel St. Lucie made a motion to support this request for an accessible parking space. Jane seconded the motion. The motion unanimously passed by a vote of 4-0.

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10. MAAB Variance –Adams & Clinton Curb Cut (7:45-8:00)

John Daghlian and Alfredo Vargas from the Engineering department for the city presented the reasons for the variance for the curb cut at the intersection of Clinton and Adams Street. In order to correct the cross slope and make the curb cut compliant, it would be necessary to reconstruct the steps at the building which butts up to the sidewalk. The steps to the store there are not on ground but rest on supporting foundation, and the cost to do this reconstruction would be over \$56,000. The design they came up with is to correct the cross slope and provide a level landing area but the running slope is steeper than the MAAB allows, even with moving the curb out about 18”, thus the variance is needed. The city is repaving Adams St. and reconstructing all the curb cuts and sidewalks along Adams St. between Watertown St. and Washington St. There were several observations and Girard was very pleased with the research and investigation the engineers did to try to find a compliant solution, but it was not possible, even though the members are not fans of variances. A motion was made by Lucie and Jane seconded the motion. The motion passed unanimously by a vote of 4-0.

11. Ruderman Foundation (8:00-8:15)

Jasmine from the Ruderman Family Foundation spoke about this foundation and its mission and work and especially about the conference, called the Ruderman Inclusion Summit they are putting together in the fall (November 19 and 20), which focuses on inclusion of people with disabilities in society, with workshops on housing, healthcare, education, and employment, with speakers from around the world. They are hoping for the attendees to number 1000, and she is looking for co-promoters for this conference, to spread the word, to put it out on social media, to have members of the co-promoters to attend the Summit, etc. Girard was familiar with some of the White Papers the Foundation has published. The Ruderman Family Foundation is located in Newton and many of their grantees have been in Newton. The goals of the Summit is to highlight the inclusion for people with disabilities and bring together/network with those who are doing interesting and innovative work to further this goal. After a very informative Q&A period, Lucie made a motion for the Newton Commission On Disability to become a co-promoter of the 2017 Ruderman Inclusion Summit, and Jane seconded the motion. The motion unanimously

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passed by a vote of 4-0. Jasmine will follow up with materials to help us with promoting the Summit.

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

The only new business was that Jini mentioned that there were 2 potential candidates for membership on the COD, but they have not responded to the invitation to attend any meetings so far. Rob asked if there were any MAAB actions to discuss, and Jini said everyone received the decisions prior to this meeting and they were pretty self-explanatory.

13.Adjournment (8:30)

**The meeting was adjourned at 8:50PM
NEXT MEETING DATE: July 10, 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.