



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting date: September 11, 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

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Commission Members Present:

Rob Caruso, Co-chair

Girard Plante, Co-chair

Jane Brown, Treasurer, participating remotely

Barbara Lischinsky

Rosemary Larking, participating remotely

Commission Members Absent:

Lucie Chansky

City Staff Present:

Jini Fairley, ADA/Section 504 Coordinator

Sgt. John J. Babcock, Police

Rachel Powers, Planning

Amanda Lipson, Planning

Rachel Blatt, Planning

John Daghlian, Engineering

Guests:

Sandra Lingley

Anne Marie Killilea

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

2. Approval of July 10, 2017 Meeting Minutes (6:35-6:40)

Rob asked if there were any changes to be made to the minutes of the July 10 meeting as distributed. Rachel Powers asked for clarification as to whether 2 particular APS intersections were included in the vote in July, specifically Washington & Beacon Streets and Grove and Auburn/Central Streets. Jini reported that both those intersections were on the CDBG Funding Ideas list that was distributed in advance and also read out loud for the vote. Rosemary made a motion to accept the minutes as read and



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distributed and Jane seconded the motion. The motion passed unanimously by a vote of 5-0.

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

Amanda gave the following CDBG Access Project Report:

★ **FY17 Curb Cuts Funding Pool/FY16 Curb Cuts Funding Pool** – (CD17-03A/CD16-03B Budget: \$108,500.92; Expended: \$58,289.16; Balance; \$50,211.76). The FY17/FY16 Curb Cut project has been developed in conjunction with the COD and DPW/Engineering based on the recently completed inventory. DPW/Engineering anticipates completing 30-40 curb cuts in the Carr School area during the current construction season. **Both MOUs have been signed by DPW. Construction has begun and is anticipated to be completed in late summer.**

Completed locations:

- **Linwood Ave @Broadway**
- **Fesseseden @Fair Oaks Ave**
- **Schofield @Fair Oaks Ave**
- **Nevada @Churchill**
- **Linwood @Nevada**
- **Watertown @Page @Walker**

FY15 Accessible Pedestrian Signals – (CD15-03Z Budget: \$26,000; Committed: \$26,000 Expended: \$26,000; Balance: \$0). **Project is completed and closed out. Stephen is fixing audio issue in units.**

42 APS were installed at the following intersections:

- **Beacon @ Chestnut (8 units)**
- **Commonwealth @ Centre (8 units)**
- **Centre @ Walnut (8 units)**
- **1600 Washington Street @ Warren House (2 units)**
- **Lincoln Street @ Walnut Street (8 units)**
- **Centre and Church Street (8 units)**

Carroll Center Accessibility – (Budget: \$110,473; Expended: \$0; Balance: \$110,473). The Carroll Center Accessibility Project was approved by the Planning and

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Development Board January 11, 2017. **The Funding Agreement and Owner/Contract Agreement were reviewed by law and received back on 7/21. Contracts were signed by the City and Carroll Center. Elevator contractor ThyssenKrupp is still reviewing the documents. Construction is expected to begin in November after parts are ordered and received.**

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 began in spring 2017. **Improvements are moving along. Underground work needs to be completed before further pathway construction.**

Newton Corner Curb Cuts (Project CD15-034 Budget: \$72,500; Expended: \$788.95; Balance: \$71,711.05). 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. **Designs have been finalized and change orders underway to begin work in the current construction season. However, designs found that additional work is needed, bringing the full project over budget.**

FY18 Curb Cuts (CD18-03A Budget: \$30,380; Committed: \$0 Expended: \$0; Balance: \$0)

FY18 APS (CD18-03B Budget: \$17,360; Committed: \$0 Expended: \$0; Balance: \$0)

FY18 Park Pathways (CD18-03C Budget: \$39,060; Committed: \$0 Expended: \$0; Balance: \$0)

Amanda said that once the city has received the CDBG funds for FY18 from the federal government, the newer projects will have dollar amounts. There was some discussion as to whether CDBG Access funds can be used to purchase and install a HAWK signal which has APS built in, used as a midblock signal to cross a busy street, like the one in Waban Square. Jini said they cost about \$45,000 and she will forward the information to Rachel that she has from the city's Traffic Engineer. Sargent Babcock said that the most active HAWK signal is a midblock near Boston College crossing Commonwealth Avenue.

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

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Sargent Babcock gave the following Fines Reports for July, August, and fiscal year-to-date:

FINES

CODE #26 & CODE #27

JULY 2017

CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS
.....\$800.00
4 TICKETS @ \$200.00

CODE #26 (OUTSTANDING)
.....\$3,100.00
14 TICKETS @ \$200.00
1 TICKET @ \$300.00

TOTAL FINES
.....\$3,900.00

CODE #27 (TOTAL PAID) CURB CUTS
.....\$400.00
2 TICKETS @ \$200.00

CODE #27 (OUTSTANDING)
.....\$600.00
3 TICKETS @ \$200.00

TOTAL FINES
.....\$1,000.00

COMBINED TOTALS

TOTAL PAID {COLLECTED}.....\$1,200.00

TOTAL OUTSTANDING.....\$3,700.00

TOTAL FINES ISSUED.....\$4,900.00

TOTAL DISMISSED ON APPEAL.....(\$3,000.00)
{15 TICKETS @ \$200.00}

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FINES

CODE #26 & CODE #27

AUGUST 2017

CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS
.....\$1,400.00
7 TICKETS @ \$200.00

CODE #26 (OUTSTANDING)
.....\$2,400.00
12 TICKETS @ \$200.00

TOTAL FINES
.....\$3,800.00

CODE #27 (TOTAL PAID) CURB CUTS
.....\$1,600.00
8 TICKETS @ \$200.00

CODE #27 (OUTSTANDING)
.....\$1,000.00
5 TICKETS @ \$200.00

TOTAL FINES
.....\$2,600.00

COMBINED TOTALS

TOTAL PAID {COLLECTED}.....\$3,000.00

TOTAL OUTSTANDING.....\$3,400.00

TOTAL FINES ISSUED.....\$6,400.00

TOTAL DISMISSED ON APPEAL.....(\$1,600.00)
{8 TICKETS @ \$200.00}

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FINES

CODE #26 & CODE #27

JULY 1, 2017 - AUGUST 31, 2017

(2 MONTHS)

CODE #26 (TOTAL PAID) ACCESSIBLITY SPOTS	
.....	\$3,900.00
CODE #26 (OUTSTANDING)	
.....	\$3,800.00
TOTAL	
.....	\$7,700.00
CODE #27 (TOTAL PAID) CURB CUTS	
.....	\$2,400.00
CODE #27 (OUTSTANDING)	
.....	\$600.00
TOTAL	
.....	\$3,000.00

COMBINED TOTALS

TOTAL PAID {COLLECTED}.....	\$6,300.00
TOTAL OUTSTANDING {NOT COLLECTED}.....	\$4,400.00
TOTAL DISMISSED ON APPEAL.....	(\$4,600.00)
TOTAL FINES ISSUED.....	\$10,700.00

Sargent Babcock said that they were working with their vendor to come up with the ticket numbers issued during Operation Access during the holiday period as those ticket numbers were not tracked, as they were for the spring Operation Access. There has been a delay in crediting the COD's HP Fines account for fiscal year 2017. Jini had

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inquired when she noticed that the account balance had not changed. Hopefully the city will figure that out by our next meeting.

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

Jane gave the following Treasurer's Report:

As of September 8, 2017, 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 = \$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 = \$460.62 (Police bill from February-June = \$1861.42)

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

6. ADA Coordinator's Report (7:10-7:15)

Jini gave the following ADA Coordinator's Report:

Site Visits:

- Trees on Beacon St. between Walnut St. and Chestnut St. impacting the sidewalk
- Toilet Rooms in City Hall- to assess accessibility needs for MOD Grant
- Curb Cuts at Commonwealth/Homer/Lowell and Commonwealth/Walnut- scoping to retrofit for more accessibility
- Curb Cuts & APS at Washington & Prospect and Washington & Auburn Streets- investigating APS volume and reason for apex curb cuts
- Playground at Hyde- scoping accessible pathway from New Hyde housing to proposed play structure.
- Pearl, Adams, Chapel, and Waltham Street Parking Lots- verifying initial reports from the Parking Lot Audit initiative

Training:

- Webinar-US Access Board- Surface Roughness & Rollability Research

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Housing:

- Land Use Committee- Wrote 2 memos (July 11 & August 7) and gave testimony at their August 8 meeting regarding Chestnut Hill Realty's proposals to offsite their affordable apartments from the new Hancock Estates to 219 Commonwealth Avenue, where there is no equivalent accessibility
- Plan Review proposed mixed use building on Watertown St.

Meetings/Events/Conference Calls:

- Council On Aging's Mayoral Candidate Forum- in August, very well attended
- Open House - City Departments available to answer any questions posed by candidates for Mayor, Councilors, and School Committee
- Picnic & Play in the Park- Launch of Mayor's Vision Campaign
- Review of Ordinances- Dog License & Lodging
- Crescent St. Project Team & Working Group meetings- have joined and viewed plans for an 8 apartment building(s)- ongoing
- Weekly Construction Meeting- ongoing
- Fair Housing Committee- I attend this monthly
- MACOD- monthly meeting- new projects

Jini reported that one of her webinar trainings involved surfaces, tested out by people using wheelchairs found that the expansion joints of concrete panels were rougher than pavers/bricks, since the latter has a beveled edge, thus easier to roll over. However, the maintenance issue of bricks and pavers must be continuous as they often raise up making it very difficult for wheelchair users to traverse.

7. West Newton Streetscape Update (7:15-7:30)

Rachel Blatt gave the members an update on the plans, not yet finalized, of the enhancement project for West Newton Square. The scope is from just a little past Chestnut St. (Dunkin Donuts) to the east, through the square on Washington St. all the way to the Jury parking lot to the west, which is past the Local restaurant and just before the on and off ramp to the MassPike. This is a \$4 million project and involves the city's right of way that is the sidewalks curbs and roadway, improving the pedestrian experience as well as bicycle lanes, and better vehicle flow. The design is at 75%, almost final, but some tweaks may still be possible. She mentioned that Jini has been

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involved in the project from the beginning, giving input all along the way, from the perspective of pedestrians with disabilities. Rachel discussed the traffic signals which will have APS and be synchronized, and the parking configuration, as to where the accessible parking spaces will be located, types of curb cuts, width of sidewalks, etc. She mentioned that the last time this square was updated was 40 years ago when 88 trees were planted and only 8 have survived. Asked why that happened, Rachel said that the trees chosen had a very large root ball, planted in a small space and too close together. Tree planting technology has improved over these intervening years, which will be taken into account and to restore the tree canopy where possible. In the main part of the square there will be a protected bike lane, where the bike lane is along the curb and parking will be in one of the existing travel lanes, narrowing Washington St. to 2-3 lanes for vehicles. The Washington/Watertown/Waltham signals will become one signal with a couple of new crosswalks. The sidewalks will be widened in some areas, especially at the plaza area, introducing more gathering and eating outdoor spaces. The travel path on the sidewalks will be concrete at least 5 feet wide, and some pavers on the curbside around trees, which will have both raised planters and also planted at the sidewalk level. Rachel walked us through the square from west to east describing the intersection improvements, where crosswalks and curb cuts will be and accessible parking locations, and every traffic signal will have Accessible Pedestrian Signals (APS). Barbara expressed great concern that a pedestrian, especially one with a visual impairment will now have to cross a bike lane to enter or exit a parked car or to cross the street. At the crosswalks/signals, a bicyclist must stop if there is a red light for the travel lane for vehicles. She has observed many times that sometimes the cyclists obey the rules of the road, but just as often they do not. Studies have shown when a bike specific signal is provided, which we will, compliance with the rules of the road goes from 30% to 80%. Girard and Rob gave some current examples in Cambridge with the protected bike lane as being proposed here. There will be some bump outs that shorten the crossing of several intersections, including crossing Watertown St. towards the plaza. There will be 2 accessible parking spaces on the business side, on the other side on Waltham St. and one two in the courthouse parking lot. Sandra and Barbara commented on the deplorable conditions of the sidewalks along the east side of Washington St. from Comm Ave to Perkins. Rosemary asked about the timing of

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crossing, and Jini said the timing is being lengthened in some crossings in this new project.

8. Newton Corner Update & Funding Request (7:30-7:45)

John Daghlian explained what the design engineers developed to improve Newton Corner accessibility, and the new design has come in very over budget. The construction of all the sidewalks and curb cuts on Washington and Centre St. around the perimeter of Newton Corner is over \$667,000. John brought the design plans to describe and for the members to look at. He is asking for additional CDBG funds from the Commission to help defray the cost of these accessible improvements. When the Federal government releases the FY18 CDBG funds, the APS project is already been voted upon, but the curb cut project and park accessibility has not. The remaining FY18 CDBG funds for access projects is approximately \$69,000 for the Commission members to vote on John said that there are approximately 20 curb cuts in this project to improve Newton Corner's accessibility, approximately 40 APS units, and virtually all the sidewalks around the perimeter and improved crosswalks. There was discussion, led by Barbara, regarding the ideas for a park improvement, such as at Weeks, either a perimeter path or through the park. Jini said that she did run all the ideas by Parks & Rec but since there were no plans/designs for Weeks or the other parks considered, they would not be able to manage a project in FY18. Rob said since we had not specifically recommended a curb cut project or the park pathways projects, that we could consider using those funds (FY18) for this Newton Corner project. Barbara made a motion to recommend that the FY18 CDBG funds that were going to be used for curb cuts and park pathways be used for Newton Corner instead, approximately \$69,000. Jane seconded the motion. The motion passed unanimously by a vote of 5-0.

9. DPW/Customer Service Notifications & Response (7:45-8:00)

Rob began this agenda item stating frustration members have had with the response from the 3-1-1 Customer Service line. He feels a letter should go out, from the Commission, letting them know that their response to a reported situation should be thoroughly investigated and the response should be truthful. Recently, in the last couple of weeks, Barbara has received responses that all is taken care of, but when she went back to check out what she had reported, nothing had been done. In the past, she

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has received a ‘pending’ response when she has reported an issue through the 3-1-1 system when the request may take some time to resolve, but these past couple of weeks, has been different, often saying the problem is complete and fixed, when it is not so. She also had some issues with the 3-1-1 system working with her screen reader, which seemed to have been fixed but not throughout the entire system. These technical issues have been resolved by Customer Service. However, DPW would be the responsible department to respond to 3-1-1 issues relating to tripping hazards on sidewalks, bushes obstructing sidewalks, traffic signals and APS not working, etc. Specifically Barbara had reported the terrible condition of the sidewalks between Kingdom Hall and the Warren House on Washington St. She admitted that she had chosen the wrong issue, choosing bushes obstructing the sidewalk instead of sidewalk repair, but in her description of where this issue is, either in the address field or the comment field, she was very clear as to what she was reporting. The very next day she received a response from Newton Support, saying that it was completed. Although she knew that there was no way that DPW could repair that long stretch of sidewalk overnight, she and Sandra drove by this area and found no changes. This isn’t the first time she has received that her 3-1-1 issue is complete, also with the website and webmaster, as she can’t seem to be able to upload her photos. She usually submits her 3-1-1 requests online in the evening when there is no one to call and explain what the issue is and that it is not fixed. Rosemary commented that she often has to ride in the street along this stretch of Washington St. because the sidewalks are in such disrepair. Rob said that it is reprehensible that DPW isn’t giving truthful responses to these 3-1-1 issues. He asked Jini if she thought a letter from the COD is necessary to find out what is happening here. Jini said she would rather work with DPW staff to investigate and resolve this specific submission and response, but if others feel a letter would be helpful, certainly the Commission can do that, too. Barbara made a motion for the COD to send a letter to ask for an investigation of the 3-1-1 responses to a resident of Newton

In the past two weeks where issues have not been resolved but the response says it was complete, and why this is happening. Jane seconded the motion. The motion carried unanimously by a vote of 5-0.

10.Membership on Fair Housing Committee (8:00-8:05)

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Jini wanted to remind Commission members that their representation on the Fair Housing Committee is needed. In the description of the composition of the Fair Housing Committee membership, it clearly states that a member of the COD should be a voting member. Jini does make every effort to attend their monthly meetings but is not a voting member. Barbara mentioned that she used to attend for many years when it was the Fair Housing Task Force, but the early morning meeting, start time is 8am, makes it very difficult to make. Girard also used to attend these meetings in the past but also has a difficult time making such an early meeting. Perhaps new potential members of the COD will have the desire and be able to attend and participate and be a voting member of the Fair Housing Committee. In this discussion, Rob mentioned that the state has expanded the number of members on Commissions on Disability, from 9 to 13, so we should keep that in mind for recruiting purposes for our Commission. Rob introduced a potential COD member, Anne Marie Killilea, who has applied for membership and came to observe her first COD meeting, to get an idea of some of the issues the Commission takes on and is responsible to carry out. Anne Marie said she is a late-deafened person and was very curious to learn about the Accessible Pedestrian Signals (APS), especially because the newer ones have vibration as well as audible features, which could help her. She has been an advocate for many years with hard of hearing people, and is looking forward to promote more accessibility through her membership on the Commission.

11. Self-Evaluation/Accessibility Community Meeting (8:05-8:10)

Jini announced that she will be presenting the ADA Self-Evaluation at a community meeting in early November. She asked if anyone had a preference as to which evening. She is hoping to have it at the Senior Center and advertise in their newsletter. Barbara mentioned that she has commitments on the first and third Wednesday of each month.

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

Rosemary brought up that the waiting line at Shake Shack is too narrow. Jini said that she would check in with the manager there to increase the width to at least 32 inches, but preferred 36 inches. Jini said that she will call the manager and get back to Rosemary and at the next meeting.

13. Adjournment (8:30)

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The meeting adjourned just before 9PM when both Girard and Barbara had to leave and the quorum was lost.

NEXT MEETING DATE: October 16, 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.