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# CITY OF NEWTON, MASSACHUSETTS

## Commission On Disability

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Meeting date: December 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, participating remotely**  
**Girard Plante, Co-chair**  
**Jane Brown, Treasurer**  
**Lucie Chansky**  
**Barbara Lischinsky**  
**Rosemary Larking, participating remotely**

**City Staff Present:**  
Jini Fairley, ADA/Section 504 Coordinator  
Sgt. John J. Babcock, Police  
**Amanda Lipson, Planning**

**Guests:**  
**Sandra Lingley**  
**Anne Marie Killilea**  
**Matt Volpi**  
**Julia Elhauge**

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

**Rob attended the meeting remotely and Girard presided over the meeting. Rosemary also was on the conference call. Anne Marie received a letter appointing her to the Commission and is just waiting to be sworn in. Sandra has her interview with the Zoning and Planning Committee this evening at 7:45.**

**Matt has an interview with Jini and the city's Board and Commission Coordinator on Wednesday.**

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

**Girard asked if everyone received and read the minutes of the November meeting, and if there were any changes to discuss and make to these minutes. Hearing none, Rosemary made a motion to accept the minutes as read and distributed. Lucie seconded the motion. The motion passed unanimously by a vote of 6-0.**



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

Amanda gave her monthly report on the access projects funded by the Community Development Block Grant (CDBG), which was distributed in advance of this meeting. There was a question to clarify from Barbara as to what the holdup is with the contract between the city of Newton and the elevator company for the Carroll Center project. It has to do with who is liable if there is any damage that might occur during construction/rehabilitation of the elevator in the main building at The Carroll Center. Hopefully those 2 parties will agree and the elevator company will sign the contract, so this project can be completed, as a long time has passed.

Regarding the Newton Highlands Playground, Amanda said it should be completed in the spring, and some features are open now. Lucie had emailed Jini saying she only saw stairs at the Winchester entrance when she drove by. Jini contacted Carol Schein, who just sent Jini a photo of the accessible walkway that starts near the top of the stairs and traverses the slope down to the network of pathways throughout the park. The other entrance on Dedham also is accessible as well as from parking. This project also generated questions by Barbara and Lucie about the Mass DOT project on Needham St. and Highland Avenue in Needham, which is slated to begin in spring/summer of 2019, which will signalize all the off and on ramps to Rte. 9 at Winchester St., providing safer crossings, to get to the park. Lucie asked about Oak & Christina. Jini said that project has been delayed until next spring/summer, where Mass DOT is reconstructing that intersection and adding pushbuttons and APS there.

**4. Accessible (HP) Fines Reports (7:00-7:10)**

Sargent Babcock gave 2 reports of the tickets issued for accessible (HP) parking violations for the month of November and the year-to-date.  
For November 2017:

**FINES**

**CODE #26 & CODE #27**

**NOVEMBER 2017**

**CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS**

.....\$600.00

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

**5 TICKETS @ \$200.00**  
**1 TICKET @ \$300.00**  
**TOTAL FINES**  
.....\$1,900.00

**CODE #27 (TOTAL PAID) CURB CUTS**  
.....\$1,400.00  
**7 TICKETS @ \$200.00**

**CODE #27 (OUTSTANDING)**  
.....\$1,200.00  
**6 TICKETS @ \$200.00**

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

**COMBINED TOTALS**

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

**TOTAL OUTSTANDING.....\$2,500.00**

**TOTAL FINES ISSUED.....\$4,500.00**

**TOTAL DISMISSED ON APPEAL.....(\$600.00)**  
**{3 TICKETS @ \$200.00}**

**Year-To-Date:**

**JULY 1, 2017 – NOVEMBER 30, 2017**  
**(5 MONTHS)**

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**CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS**  
.....\$12,600.00

**CODE #26 (OUTSTANDING)**  
.....\$ 4,000.00

**TOTAL**

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.....	\$16,600.00
<b>CODE #27 (TOTAL PAID) CURB CUTS</b>	
.....	\$7,700.00
<b>CODE #27 (OUTSTANDING)</b>	
.....	\$3,900.00
<b>TOTAL</b>	
.....	\$11,600.00

**COMBINED TOTALS**

<b>TOTAL PAID {COLLECTED}.....</b>	<b>\$20,300.00</b>
<b>TOTAL OUTSTANDING {NOT COLLECTED}.....</b>	<b>\$7,900.00</b>
<b>TOTAL DISMISSED ON APPEAL.....</b>	<b>(\$11,500.00)</b>
<b>TOTAL FINES ISSUED.....</b>	<b>\$28,200.00</b>

Girard observed that collection of the fines is doing better and Sargent Babcock thought that more people are realizing they made a mistake and pay the fines rather than leaving them outstanding.

**5. Operation Access Update (7:10-7:20)**

Sargent Babcock did not yet have the interim statistics regarding this year's holiday Operation Access. Jini was furnished a preliminary update but her notetaker where that information was stored did not work. Sargent Babcock said that he would email to Jini to distribute to the members an interim report for Operation Access as soon as possible. The Operation Access , targeted enforcement of the accessible parking regulations, began on the Friday after Thanksgiving and will run through the day after Christmas.

Lucie brought up the new fines for misuse or fraudulent use of the disability placard . These new fines, said Sargent Babcock, are to deter fraud and is ticketed and sent to the RMV. The new law/increase of fines does not affect the parking violations, or the amount of fines collected for Code 26 and Code 27 in Newton.

Lucie asked about plowed piles of snow in the accessible parking spaces. Sargent Babcock said that most of the businesses know they are not supposed to do this and they often say their contractor did that.

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**6. Treasurer's Report (7:20-7:30)**

Jane gave her Treasurer's report, distributed in advance, on the balances of the 4 COD accounts. There was only one change, an increase of the HP Fines account of \$2484. It was noted that the \$7000 to be debited from this same account to be transferred into the Operation Access account has not yet taken place.

**7. ADA Coordinator's Report (7:30-7:40)**

Jini gave a detailed report, distributed in advance, of her activities in the past month. The highlight was the Self-Evaluation meeting she held on November 16, for residents to give feedback on the state of accessibility currently in the city, in order to inform the multi-year ADA/504 Transition Plan. There was a small resident turnout, but it was a cold and rainy evening. Jini said she felt very supported of her efforts in reviewing the 63 city facilities, the 73 parks and playgrounds, more than 100 signalized intersections for Accessible Pedestrian Signals, on separate maps with green circles indicating fully accessible, yellow circles indicating accessible but issues remain, and red circles indicating not accessible, and much more. Rob spoke about the Commission On Disability and there were 4 other COD members in the audience. There was also many city staff present, from the departments of DPW, Public Buildings, Parks & Recreation, Planning, Inspectional Services, Law, and Information Technology. Jini's presentation covered the applicable accessibility laws that the city follows and the obligation to remove barriers so that people with disabilities, whether residents, employees, or visitors, with disabilities can participate fully in the city's programs activities, and services.

**8. Update on Judge King/MBTA Public Meeting (7:40-7:50)**

Girard was unable to attend this presentation. He did, however, reach out to the assistant manager of System-wide Accessibility for the MBTA, to get an update.

**Update on Ruderman Inclusion Summit (7:50-8:00)**

Lucie and Jini presented their participation in the Ruderman Inclusion Summit, covering the agenda and their impressions of the 2-day conference. One take away is that if all people with disabilities joined forces, there would be 20% of the population influencing legislation, elected officials, and much more. The keynote speaker on Sunday was the deaf actress, Marly

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**Matlin, who gave a great speech, and hoping to continue to influence Hollywood to hire actors with disabilities, as many roles of people with disabilities are not played by a person with that disability.**

**9. Old/New Business (8:00-8:10)**

**Jini distributed the COD meeting dates for 2018. Nine of the meetings are on the second Monday of the month, but 3 dates, in September, October, and November 2018, will be held on the second Wednesday of the month, due to available rooms in City Hall.**

**Barbara wanted to go on record that she has not received an adequate response to several 311 requests, mostly pertaining to repair (or replacement) of sidewalks along the east side of Washington St. from Newton Wellesley Hospital to at least Prospect St. After some discussion, Rob and Girard decided to speak directly with the Highway/Street Operations Director, Shane Mark, to find out why even minimal repairs for the dangerous and unsafe sidewalk conditions have not taken place this past construction season, since it was brought to his attention, and to the Mayor, back in April.**

**Lucie mentioned that she let Jini know about a section of sidewalk where just off of the sidewalk towards the Nexus complex, drops off quickly and someone using a wheelchair or a stroller, or who have difficulty with vision may slip off and fall down a steep embankment. Jini had contacted the Building Inspector for the Nexus project and are looking into what can be helpful to prevent such an accident. Sandra added that the placement of the accessible parking spaces are not in convenient places, even one place an accessible parking space is in front of the loading dock by the ski business. Once she and Barbara have taken photos and documented all these issues, they will present it to the Commission On disability and Inspectional Services.**

**A member of the public, Julia Elhauge spoke about the new playground at the Underwood School. She wanted to be sure that the COD was aware of the issues there, not accessible. She was contacted by a mother of a student at Underwood who uses a wheelchair who is left out and remains on the sidewalk instead of being able to join in with her classmates. Jini said she is aware of the school's choice to use only engineered wood fiber ( looks like wood chips) throughout the playstructure. Jini explained, although an acceptable material within the new 2010 ADA Standards, it is not really providing an accessible route to the ground level play components or to the**

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**2 transfer points of the elevated play components. Parks & Rec have been out there with Jini and are working on a solution to make this accessible route happen with either mats or rubber tiles. These materials would not cover the entire playground, but would go to the essential play components. Julia was relieved to know that the city is working on improving the accessibility of this playground. Jini also mentioned that she is asking the Parks & Rec department to review all the new playgrounds built in the city since 2012, in order to ensure that they are accessible or, if not, to work on improvements going forward, possibly having higher standards than the ADA and AAB, in Newton..**

**10.Holiday Party**

**There were many refreshments for members, advisors, and guests to enjoy at the end of the meeting.**

**11.Adjournment (8:30)**

**The meeting adjourned before the holiday party and members and guests stayed past 9PM.**

**NEXT MEETING DATE: January 8, 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](mailto: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.