



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting date: July 11, 2016
Room 204
Time: 6:30 pm

MINUTES

Setti D. Warren
Mayor

Barney Heath,
Director, Planning &
Development

Lydia Scott
Senior Planner
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
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Commission Members Present:

Rob Caruso, Co-chair
Girard Plante, Co-chair, participating remotely
Jane Brown, Treasurer
Lucie Chansky
Rosemary Larking, participating remotely
Barbara Lischinsky

City Staff Present:

Jini Fairley, ADA Coordinator
Sgt. John J. Babcock, Police
Barney Heath, Director of Planning & Development
Lily Canon Reynolds, Community Engagement Manager

Guests:

Sandra Lingley

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

The meeting began about 6:40 after Rob conferenced in Girard and Rosemary on the phone. Everyone introduced themselves.

2. Approval of June 13, 2016 meeting Minutes (6:35-6:40)

Rob asked if everyone received and had a chance to read the minutes from the June 13 meeting. All had, and Rob asked if there were any corrections, additions, deletions to the minutes. Hearing none, Jane made a motion to accept the minutes as read and distributed. Barbara seconded the motion. The motion passed unanimously by a vote of 6-0.

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

Barney gave the following CDBG report:
CDBG Access Projects Report
July 11, 2016



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FY17 Curb Cuts Funding Pool – (CD17-03A. Budget: \$87,125; 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 reason is that we don't want to be at risk of failing the annual CDBG Timeliness test in early May 2017.

FY15 Audible Pedestrian Signals – (CD15-03Z. Budget: \$20,800; Expended: \$0; Balance: \$20,800). This new project budget has been set up and funded. CD staff will work with DPW to execute an MOU and to place the orders for the 32 units. At the 6/13/16, meeting, the COD approved the following intersections to receive the units:

- Beacon @ Chestnut (units to be determined)
- Commonwealth @ Centre (8 units)
- Centre @ Walnut (4-8 units)
- 1600 Washington Street @ Warren House (2 units)

FY16 Access Projects Funding Pool – (CD16-03A. Budget: \$88,431; Expended: \$0; Balance: \$88,431). Full project amount is available for allocation towards any new access projects. CD staff again asks for a formal decision on these funds as soon as possible because of the annual Timeliness test.

Highlands Playground Access – (CD15-032). Budget: \$99,000; Expended: \$0; Balance: \$99,000). Project is expected to be put out to bid in Fall 2016.

FY15 Curb Cuts (Project CD15-03Y. Budget \$106,809; Balance: \$106,809). Funds available for new curb cuts projects. Staff will work to set up two new projects soon based on the 6/13/16 vote of the COD:

- Newton Corner Curb Cuts - \$72,500. Installation of curb on Washington Street and around the Newton Corner Circle.
- Christina Street Curb Cuts (located at Barry Price Center). Work would be done in house by DPW Highway Division. Tentative cost estimate is \$11,883.

FY15 Parks Curb Cuts – (CD15-031. Budget: \$29,490; Expended: \$8,498; Balance: \$20,992). Work is complete at Stearns Park on Jasset Street and at Wellington Park on Kilburn Street. Project to be closed out and balance returned to FY15 Curb Cuts pool.

Newton Centre Playground Pathway Phases IV-VI – (CD15-03X. Budget: \$130,000;

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Expended: \$99,447.22; Balance: \$30,552.78). Work is completed but still waiting for final bill and various federal compliance documentation.

Barbara asked Barney whatever happened to the construction of curb cuts at the intersection of Lincoln and Walnut Streets. Barney has only been on the job a month so he had no knowledge of this project. Jini said that a final design has not been adopted to address making the curb cuts ADA-compliant. The COD was in favor of helping to fund this project back in 2014 but it hasn't been scheduled, as far as she knows. It remains a complicated situation as One of the options could possibly eliminate a lane of traffic on Lincoln, plus half of the curb cuts would be on the bridge over the T tracks. Jini said that she would inquire about it. Barbara also mentioned that this intersection could benefit from an APS upgrade as it was difficult to locate the pole with the pushbutton and it didn't appear that the APS were working. Jini said that the APS (chirps) does work when the opposite pushbutton is pushed, but will have DPW check the pushbutton on the corner of Walnut and Station Streets.

Lucie asked if the timeliness test mentioned in the CDBG report was something new. Barney said that this test is not new. HUD requires municipalities to spend annually all that is granted, and not to hold onto more than 1.5 times the grant. This applies not just to the CDBG Access projects but all the CDBG funding. Rosemary asked if the playgrounds at Peirce School and Auburndale Cove were funded with CDBG access funds. Jini said no, they were not funded with CDBG funds but through the city's revenue. She added that 2 schools a year are receiving \$75,000 to replace their playgrounds, and the school community can raise additional funds, if needed.

4. HP Fines Report (6:50-7:00)

Sgt. Babcock gave the following HP Fines report, which is for the entire fiscal year (FY) 2016:

HP FINES

CODE #26 & CODE #27

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JULY 1, 2015 – JUNE 30, 2016

(12 MONTHS)

CODE #26 (TOTAL PAID) HP SPOTS
.....\$22,945.00
CODE #26 (OUTSTANDING)
.....\$ 4,470.00
TOTAL
.....\$27,415.00

CODE #27 (TOTAL PAID) CURB CUTS
.....\$18,025.00
CODE #27 (OUTSTANDING)
.....\$3,845.00
TOTAL
.....\$21,870.00

COMBINED TOTALS

TOTAL PAID {COLLECTED}.....\$40,070.00
TOTAL OUTSTANDING.....\$8,315.00
TOTAL.....\$48,385.00

Sgt. Babcock reported that last year there were tickets issued in the amount of \$43,125, so there was an increase of almost \$5,000 in the total number of fines issued. Lucie asked which violation had the most increase, and Sgt. Babcock said that nearly \$4,000 of that increase was violators parking in an accessible (HP) parking space without a placard or plate. His department has sent information to the driving schools that operate in Newton to recommend teaching the regulations regarding accessible (HP) parking spaces and curb cuts. Rob asked if the high schools are still in the business of providing driver's education/On the Road lessons and Sgt. Babcock replied that no, they are no longer in the business, that the driving schools are separate companies, but the high schools coordinate the time the students need

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to leave campus for their On the Road lessons. Jini mentioned that in her conversation with the city's Comptroller, David Wilkinson, that the COD would receive funds to be appropriated and approved by the Mayor and City Council, based on fines collected of June 30 of each fiscal year. The Comptroller, will let Jini know when the funds are transferred from the general fund to the COD account, sometime in July. Under the agreement made by Rob and Girard with the Mayor in 2012, the funds received would be a 60-40% split on funds collected above the first \$40,000. That would mean that the COD account should reflect about \$42 or thereabouts. The exact number will be reported in the next Treasurer's Report in August. Rob and Girard do not recall that the funds need to be collected by June 30, so Jini said that she could explore that stipulation more with David and Rob will look through his paperwork to see if he has the agreement in writing. Sgt. Babcock said that some of the tickets issued for parking in an accessible (HP) parking space are rescinded, because in housing parking lots, the elderly take their placard inside for overnight for fear of their placard being stolen and might not be back in the car in the morning before they are tagged. In these cases, Sgt. Babcock has suggested that they copy their placard and put it on the dashboard, so that the parking control officer can validate that the placard is active and belongs to that car, thus eliminating these tickets which would be rescinded, once the driver brings the placard to appeal. There was some discussion begun as to what to use these funds for, and more will be discussed further into the meeting. Barbara asked if any improvements will be made to crossing the driveway at Newton-Wellesley Hospital West Entrance. Jini said that she has brought it up several times in various meetings but no progress as of yet. Jay said that he is going out there with someone from the Transportation Department to see what signs, such as warning vehicles that a crosswalk is coming up, pedestrians crossing, or explore the possibility of a pedestrian light for the crosswalk there.

5. Treasurer's Report (7:00-7:05)

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Jane presented the following Treasurer's report:

As of July 7, there are no changes to the accounts reported at the June 13, 2016 meeting, as follows:

The Newton Commission On Disability has three accounts.

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 = \$17,227

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 = To Be Determined

Jini added that there will be funds added to the first account listed later in July. There was more discussion regarding how the agreement for the HP funds came about. Rob said that he and Girard wanted to pattern it on what Waltham was doing, using the funds to pay for police/parking control officer detail to issue tickets to violators. In the first year of this program, the Waltham COD was able to present a check for \$75,000 to the Waltham Boys and Girls Club to improve access at their facility. In addition, the amount of the fines for these 2 violations was increased from \$100 to \$200, and for the second offense, \$300, passed by the City council. There were differences of opinions as to how Newton and the COD would use the funds from these fines, and it came down to the COD only getting a percentage over and above the first \$40,000. It was understood by the parties involved that this agreement could be renegotiated in the future.

6. ADA Coordinator's Report (7:05-7:15)

Jini gave the following report on her ADA activities:

Site Visits:

- River St. from Elm St. to Burr School
- Parks & Rec at Kennard Estates
- Auburndale Cove
- Peirce Playground
- Jackson Homestead

Issues:

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- Advocacy for residents around transportation and housing

Meetings/Events/Conference Calls:

- Fair Housing Committee
- Weekly Construction
- Massachusetts Alliance of CODs
- Newton-In-Motion
- Complete Streets
- Councilors Reception for New Employees

Jini answered a few questions after Lily's presentation. She described one of her site visits to River and Elm St, a busy T intersection.

7. New Community Engagement Manager (7:15-7:30)

Lily Canon Reynolds recently joined the Planning Department and the purpose of her newly created position of Community Engagement Manager, is to cooperatively and proactively engage with the community on long-term planning projects. Lily described 3 of the projects she is working on: housing strategy, transportation strategy (Newton-In-Motion, and the West Newton Square improvements. She described the types of engagement, such as public forums, workshops, web presence, and out in the community on city streets. She described that the West Newton Square Improvements, partnering with DPW, will look at traffic flow, the condition of the streets and sidewalks, the lighting and the landscape. There is money set aside in the CIP for this village center improvements for next year. There was a kick-off meeting in June and another opportunity will take place the same week as this meeting, to meet city staff and consultants out in the Square Wednesday, July 13, from either 9-10am or in the evening from 6:30-7:30. Another project is getting feedback from many community members and stakeholders on the newly released Housing Strategy to see which options there is some consensus and goals to pursue for the next few decades regarding housing development, including affordable housing options. Lily will come back at a future meeting to speak with Commission members after they have had a chance to read the Housing Strategy report, which she provided in hard copy and gave information to find it online:

www.newtonma.gov/housingstrategy

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where one can find links to the factbook, full report, and a one page summary. Lucie asked of Lily's background and she said she has a Masters in Urban studies and worked in Vancouver to bring the indigenous population into the planning process. Lucie said that she is frustrated by what is happening in Planning and doesn't feel it makes sense to increase the density of Newton. Much of the new housing plans/projects are taking away open space and parking lots, so there is no place to park. She moved to Newton because it is a suburb and not a big city. She doesn't feel enough people have been asked if the city's intention is to add more housing instead of preserving open space. Lily said that nothing will be taken away but rather add to the city and its character and diversity. Jane said that the new developments proposed in Newtonville will change the character of the village she lives in and she will have to live through the construction which is disruptive, to say the least. Barbara added that she feels that the city should spend more on the infrastructure, as our sidewalks and streets are abysmal, in terrible condition, rather than on more housing development and studies. She feels we should be investing in what is already here in the city and improve what we have. Lily said that the Planning department works closely with DPW, for example, on the upcoming West Newton Square enhancements project. Rosemary asked if she knew about a pilot project with Uber and people with disabilities. Lily said she hasn't worked on that but the Transportation Strategy/Newton-In-Motion is looking at rideshare programs like Uber. Rosemary said that Uber does not have wheelchair accessible vehicles and Rob said that there are plans being worked on for Uber to have some accessible vehicles in the near future. Rosemary said that the MBTA has a pilot where they subsidize a short trip from someone's home to public accessible transportation but she said what's the point if the Uber vehicles are not able to take wheelchairs. Jini said that the T and advocacy groups are working with Uber and Lift and cab companies to be able to provide such a trip, to avoid using The Ride. They have not ignored the fact that many need these Rideshare companies to have accessible vehicles, and hopefully it will be a reality soon. Lily said she would like to come back to the COD meeting to get the members input regarding the Housing Strategy report, and any other project the COD would like more information about. Girard said that there is still a crisis in this state regarding the lack of accessible and affordable housing, and that he would like to be involved. At the end of the meeting Lily provided a hard copy of the one-page Overview, 20 page Summary, and the full 130 page Housing Strategy Report, and will return at a future COD

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meeting for the members' input. Lucie also mentioned a report just out about the Management of the Planning Department, and that there is a link for that report on the same page as the Housing Strategy report.

Projects to Fund with HP Fines Revenue Discussion (7:30-8:00)

From the Treasurer's Report, the COD has a little over \$17,000 to spend on a project (s), that would be first approved by the Mayor and the City Council. Jini encouraged the COD members to identify some possibilities and use these funds soon. One idea put forth was to pay for extra police/parking control details to enforce the no parking in accessible (HP) parking spaces without a placard or plate and no parking blocking curb cuts. Rob made a point that the revenue from these special details should come back to the COD in order to continue to fund these extra details or other access projects. Jay suggested that we pilot this project, for a month, such as from the day after Thanksgiving to Christmas, when there is the most abuse. He thinks he could figure out a way to track the tickets issued by the extra detail that the COD funds would be used. Lucie offered another suggestion, an educational campaign with a brochure about the Commission and describing the laws and the fines if one violates these laws, and widely distribute the brochure/pamphlet at open Houses, schools, library, etc. Jay suggested possibly having an intern from the Mayor's office prepare the brochure, but someone would have to guide and supervise. Another possibility, suggested by Jane was to hire a graduate student in the field of disability and Lucie felt it should be someone who has some expertise in writing or Public Relations and the COD members could provide the content to be included, and perhaps giving a stipend, like a paid internship. Jay said that most of the colleges in the nearby area have internship programs. Girard mentioned that there are students at Emerson in the field of Graphics Design and Communications/Media and they do have an internship program. Another idea from Lucie was possibly giving grants to Newton businesses to make their store/business more accessible, that was done in the past, like \$1000 each. Rob said that he has had some experience with something similar where HUD was offering \$10,000 to assist a business to make their front entrance wheelchair accessible, such as adding a ramp or redesigning and constructing an accessible entrance. The main 'string' was that the business could not change the entrance, after the work was completed, for 10 years, and none of the businesses wanted to sign off on that. With these funds, that stipulation would not be necessary. Lucie asked Jay if we use some

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of the funds for an extra police detail to ticket violators of the accessible parking rules, would that take away from what his department is doing already. Jay said no, it would be in conjunction with what they do now and the COD would be paying for a dedicated person to only ticket HP parking abuse. He suggested during the holiday season, have someone for 4 hours on a Thursday through Saturday/Sunday going to malls, Needham St., village centers, etc. Jay will give us an idea of the cost for having this extra detail to focus on ticketing violators who are parking in accessible HP parking spaces or blocking curb cuts/ramps. It was decided that we would not make a decision at this meeting, but explore these and other possibilities to use the funds. Lily said that she has interns from Mt. Ida College and they are looking for projects for other interns.

8. State Budget Update (8:00-8:10)

Due to the late hour, the rest of the agenda was skipped. There were brief comments on the possibility of taking a hiatus in August, depending on what comes in that might need a vote next month.

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

None discussed.

10. Adjournment (8:30)

The motion for adjournment was made and passed unanimously at 8:55PM.

NEXT MEETING DATE: August 8, 2016

The location of this meeting is 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 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.