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# CITY OF NEWTON, MASSACHUSETTS

## Commission On Disability

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Meeting date: November 9, 2015  
Room Law Library Conference Room  
Time: 6:30 pm

Minutes

Setti D. Warren  
Mayor

### Members Present:

**Rob Caruso Co-Chair**

**Girard Plant Co-Chair- remote Participation via phone**

**Jane Brown**

**Rosemary Larking- Remote Participation via phone**

**Barbara Lischinsky**

### Absent:

**Lucie Chansky**

### City Staff:

Jini Fairley, ADA Coordinator

Lydia Scott, Planning and Development

Sgt. John Babcock, Police

Carol Schein, Parks & Recreation

### Guests:

Sandra Lingley

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

**The meeting of the Commission On Disability was called to order at 6:50PM on November 9, 2015. The late start was due to the fact that the previously reserved meeting room (204) was in use. Jini was asked by Maureen Lemieux, CFO for the city, to find another conference room. After checking on 2 other conference rooms, finding them also in use, Jini opened up the Law Library Conference room. It is a small room and we barely fit in the space. Everyone introduced themselves, and Rosemary will join us at 7PM.**

### 1. Approval of October 19, 2015 meeting Minutes (6:35-6:45)

**When Rob asked if there were any changes to the minutes for the October 19 meeting that were distributed, in advance, Barbara asked for clarification regarding meetings at Memorial Spaulding School. She thought that the meetings held at Memorial Spaulding were not for the general public but just for the school community. That is what all of us remembered, so it was agreed that the word**

James Freas, Acting  
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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“public” in the minutes regarding Memorial Spaulding (under HP 5-15) discussion, would be changed to “school”. Barbara made a motion to accept the minutes, as amended, reflecting the change of the word “Public” to “school”. Jane seconded it. The motion passed unanimously with a vote of 4-0.

**2. CDBG Report (6:45-7:00)**

Lydia said that she had only one update this month, regarding the APS installation at the 3 intersections listed below under FY14. Transportation Director, Bill Paille, reported to her that there is a delay in receiving the APS equipment, so these APS were not installed at the end of October. Lydia gave the following CDBG Access Report:

**Historic Newton/The Jackson Homestead – Archives Preservation and Access** – (CD11-03F. Budget: \$40,000; Expended: \$33.98; Balance: \$39,966.02). Project is estimated to start in summer of 2015; a bid has been selected. It has been determined that the project will not require CDBG funding. The balance in this budget must be re-allocated. **No update.**

**FY14 Audible Pedestrian Signals (APS)** – (CD14-03Z. Budget: \$13,000 Expended: \$0; Balance: \$13,000). Funding will go towards the purchase of units to be installed at intersections throughout the City. Up to twenty (20) units may be purchased from this budget. The intersections below have been selected to receive new units. **No update.**

- Walnut Street at Beacon Street (6 units)
- Hammond Street at Beacon Street (6 units)
- Homer Street at Walnut Street (6 units)

**Audible Pedestrian Signals – Centre & Centre** (Project CD13-03R. Budget: \$6,609.25; Expended: \$0; Balance: \$6,609.25). Transportation staff will visit the site this month to determine the number of APS units need to upgrade this intersection, and will draft an MOU. Staff will also review the existing timing of the signals at the intersection to make any necessary changes. The existing budget can fund up to ten (10) units. **No update.**

**Curb Cuts** (Project CD15-03Y. Budget \$193,987.71; Expended: \$0; Balance: \$193,987.71).

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<u>Upcoming Projects</u>	<u>Total Budget</u>
Lincoln & Walnut	TBD
Washington & Walnut	TBD

Lincoln & Walnut – A design for this intersection, created by the Engineering and Transportation Divisions, was presented on Monday, July 14<sup>th</sup>, 2014. However, several alterations to two corners of the intersection must be made to the design. **No update.**

Washington & Walnut – Walnut St. has been paved from Comm. Ave. to Cabot St. Additional paving on Walnut St. is expected in 2015. The Washington St. MPO study is complete and the report is now available. Engineering staff is finalizing the design for this intersection. **No update.**

The following locations were approved for improvements in May 2014. The first two Auburndale intersections have been identified in the City's 2016-2020 Capital Improvement Plan; designs are currently in progress.

1. Auburndale **(both intersections included in Capital Improvement Plan; designs in progress as part of the work in Auburndale Square.)**
  - a. Lexington and Commonwealth.
  - b. Melrose and Commonwealth.
2. Newton Centre
  - a. Centre & Hyde **(work completed)**
  - b. Centre & Allerton **(part of larger upcoming Newton Centre project)**
3. Newton Corner
  - a. Vernon & Baldwin.
  - b. Centre & Sargent and Centre & Cabot. **(survey work will be required and will be completed in winter 2015.)**
4. Newton Highlands
  - a. Lincoln and Hartford.
  - b. Mid-block crossing on Lincoln between Walnut and Hartford.
5. Newtonville
  - a. Austin St. (north side) from Hillside Ave. to Star Market.
6. Nonantum

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- a. Stearns Park at Jasset
- 7. West Newton
  - a. Wellington Park on Kilburn Street

**Newton Centre Playground Pathway Phases IV-VI** – (CD15-03X. Budget \$130,000, Expended: \$165.10, Balance: \$129,834.90). All designs are complete. CD staff received DPW’s estimate of \$22,583 for the work on two phases. DPW has determined this work will be contracted out for spring 2016 construction. CD staff is working with DPW staff to prepare bid documents this fall. **No update.**

Rob asked Lydia who would be in charge of the signal at Beacon St. and Manitoba. She said Bill Paille, and Jini and Sgt. Babcock agree. Rob said that he and Barbara were at that intersection and the control box strapped to the pole interferes with anyone in a wheelchair to both access the push button (which is on the wrong side of the pole) to activate the walk signal and to position themselves at the curb cut in order to safely cross Beacon St. Sgt. Babcock said it was temporary as all the permanent signals are not yet installed. Sgt. Babcock said he would also take a look at it this week and see what could be done in the meantime.

**3. HP Fines Report (7:00-7:15)**

**Sgt. Babcock gave the following HP Fines Report:**

**HP FINES**

**CODE #26 & CODE #27**

**JULY 1, 2015 – OCTOBER 31, 2015**

**(4 MONTHS)**

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

.....\$7,125.00

**CODE #26 (OUTSTANDING)**

..... \$5,605.00

**TOTAL**

.....\$12,730.00

**CODE #27 (TOTAL PAID) CURB CUTS**

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.....	\$2,815.00
<b>CODE #27 (OUTSTANDING)</b>	
.....	\$2,300.00
<b>TOTAL</b>	
.....	\$5,115.00
<b>COMBINED TOTALS</b>	
<b>TOTAL COLLECTED.....</b>	<b>\$9,940.00</b>
<b>TOTAL OUTSTANDING.....</b>	<b>\$7,905.00</b>
<b>TOTAL.....</b>	<b>\$17,845.00</b>

Sgt. Babcock said that most of the violations take place in the morning as people are running in to get a coffee or a quick errand and park in the accessible (HP) parking spaces without a placard. Rob asked how many of the Outstanding are in appeal. Sgt. Babcock does not have that breakdown. Rob then asked how many who appeal their ticket are successful. Sgt. Babcock said it is about 50-50. Anyone bringing in a ticket to the Parking Clerk or officially appeal the ticket go before Sgt. Babcock. If someone forgot to hang it up or properly display the placard, he will rescind the ticket but need to properly display the placard, face up, in the future. One individual came to him with a placard but doesn't want to hang it or display properly, not wanting anyone to know he has a disability. In that case, Sgt. Babcock rescinded the ticket this one time, but told him he had to properly display the placard from now on when he is parked in an accessible (HP) parking space, otherwise he will be ticketed.

At this point, Rosemary Larkin joined the meeting remotely by phone.

**4. ADA Coordinator's Report (7:15-7:30)**

Jini did a site visit with Ed Mullen from Inspectional Services to Carr School which is being used as a swing school, where Angier School students and staff are located during the construction of the new Angier School. Carr School is in very good shape, ADA-wise, as it was renovated just a couple of years ago. We did observe that the hallways are very cluttered, not safe nor accessible, in places. There is a student using a wheelchair and appears not to have any issues in navigating the school. One item that Jini

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said she will follow up on is that a changing table is placed in the accessible (HP) stall, but that should be in a family/unisex bathroom, when there is room, for privacy.

Jini said that she is accompanying DPW staff on site visits to view sidewalks, curb cuts, driveways, and signals at intersections of streets that will be paved in the 2016 construction season. This month she was at Adams St. between Watertown St. and Washington St., Crafts St. between Watertown and Ashmont Sts., and Auburn St. from Comm Ave to Washington St. Basically these streets have been chosen since they are scheduled to have utility work done (National Grid, etc.) and when finished, DPW or their contractors will pave the road that has just been dug up by the utility work. Jini also mentioned a meeting she was at where an update from the Engineering Division was given regarding inspection of all the curb cuts in the city, starting with the village centers. This work is a little more than half way completed, and all apex curb cuts are being documented for the need for an apex, which often is sight distance concerns or utilities in the way. A list will be generated of apex curb cuts which may need to be reconstructed to be perpendicular instead. Jini spoke at two training meetings of city staff responsible for snow plowing, both streets and sidewalks. The feedback from the snow plow operators and snow shovelers was very positive, putting a face on what pedestrians encounter getting around the city during a snowstorm and afterwards, throughout the winter. Jini also mentioned that she participates in a weekly Snow meeting with staff from many departments, and that there will be an updated Snow and Ice Control Plan coming out in a few weeks.

Jini encouraged COD members to call or email her about any issues encountered as they happen, so she can get to the responsible staff person to resolve it. Often she is not made aware of 311 requests, but that is also a route to go when having an issue that the city is responsible for, especially outside of business hours. This goes for anytime of the year, not just in the winter. Barbara mentioned that she reported 2 obstructions overhanging sidewalks and reported to 311. The obstructions are still there after months. It is the homeowner's responsibility and DPW often informs the homeowner with a letter, but follow up may be the issue here. Sgt. Babcock took down the locations of these obstructions, as did Jini, and they will report it again to DPW and look into it. One meeting Jini attended was regarding Cabot Park with some Parks & Rec staff including the Commissioner and PTO parents . During the discussion, the Commissioner,

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was urged to move up the process of creating a Master Plan for Cabot Park, a highly used park but without accessible paths and facilities.

**5. HP 5-15 (Parking Space (7:30-7:45))**

This agenda item was continued from last month since Sgt. Babcock, who submitted the request the relocation of an existing HP parking space, was unable to be present last month. He relayed that he and Dawn Fleming from the Police Dept., Jini, Ed Mullen from Inspectional Services, and Nina Wang from Transportation met at Memorial-Spaulling School in August to evaluate the accessible (HP) parking spaces both in the parking lot and on the street. The HP parking space on Brookline St. was heading downhill from the school entrance and in the bus lane. Sgt. Babcock said that the existing space on the hill was inaccessible on two counts, it wasn't on level ground and it wasn't close to the main accessible entrance. All city staff present agreed that this HP parking space needed to be moved to a level spot and closer to the main entrance. The new location is level, close to the front entrance of the school, with an existing curb cut in front of the space. Under his emergency powers, Sgt. Babcock moved/relocated the existing HP parking space from down the hill, up to this level location, closest to the school main entrance with a curb cut. It was also recommended by the staff present to indent where this space is located, between 18"-2 feet, as the sidewalk there is quite wide, and would make it safer for drivers to exit their vehicle. Sgt. Babcock reported that this indent is under design by DPW and would be constructed in the 2016 season. Sgt Babcock pointed out that the majority of drivers/passengers with a placard would be able to exit their car, even if they are a driver, and get on the sidewalk safely, and others in wheelchairs with a side ramp would exit directly onto the sidewalk. Sgt. Babcock said that There is room for cars to go around someone parked in this accessible (HP) parking space, opening their door on the street side, he tried it himself, as the road is 3 lanes wide. There is sufficient distance for traffic coming up behind this parking space to see someone parked there and exiting their vehicle. Sgt. Babcock said that moving this accessible (HP) parking space from down the hill to a level location and closer to the main accessible entrance now makes this parking space ADA compliant. Sgt. Babcock reported that he has been observing this newly located accessible (HP) parking space and it seems to be working very well for the past 2 months, used often by visitors, grandparents bringing a grandchild into school, etc. He is looking for the Commission's

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support as he brings this request to the Traffic Council to make it permanent. There was much discussion as to the placement of this accessible (HP) parking space and concerns of AAB violations regarding the parking lot accessible spaces and maintaining a working elevator, but mostly centered around safety concerns since it is a busy street. Rob spoke about his observations when he was out there on a Saturday which were recorded in last month's meeting minutes, although he thinks he wasn't looking at the new HP space. a. Rob added that, until an indent or something similar to what was constructed at the Ed Center takes place at this location and the AAB violations are resolved, he won't support this relocation of the HP space and also doesn't think it is safe for people like himself who get out on the driver's side, then opens the back door to get his manual wheelchair and set it up before he can get on the sidewalk in his wheelchair, since this is a busy street. Rob said that he would not use that space, but would park in the accessible (HP) parking space in the school parking lot, even though it is a distance from the front of the school's entrance and meeting rooms. The question came up as to whether two cars with placards want/need to park there, and Sgt. Babcock said that someone with a placard can park along that street, right behind the occupied accessible (HP) parking space, just like one does at a meter, when there is not an available accessible (HP) parking space, as long as they display there placard. Girard and Sgt. Babcock exchanged examples of other locations of similar HP spaces. He said he didn't want to support it until he had a chance to visit the site and observe the safety of the placement of this space. After everyone voiced their questions and concerns, a motion was made by Barbara to support the relocation of this accessible (HP) parking space even with all the reservations members had. Jane seconded it. The motion passed with a vote of 3-2, Jane, Rosemary, and Barbara voted to support this HP Request and Rob and Girard opposed.

**6. Newton Highlands Playground Plans (7:45-8:10)**

**Carol Shine, Open Space Coordinator of Newton's Parks & Recreation Department presented the plan to renovate the Newton Highlands Playground, officially the Joseph Lee Park. The park borders on Winchester St., Dedham St. and the private road extension of Upland Avenue. Carol passed out the colored plan of the 100% design, photos of the existing conditions, plus the plan and elevations of the proposed pre-fab support building (most of these documents were furnished in advance to Commission members). It is a 13 acre park, 60% open and 40% wooded.**



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An under-utilized and rundown park, the Parks & Recreation department obtained funds for a master plan from the Community Preservation Act. The park has a severe drainage problem as there is a high water table there and a poor drainage system. The designers, Weston and Samson, created a beautiful, multi-generational, and fully accessible design, which includes a football field, also to be used for soccer and lacrosse, and a Little League regulation baseball field. There will be accessible paths throughout the park, connecting every element, which also includes bathrooms, including an accessible family bathroom, tennis courts, basketball court, and 2 playgrounds, for children from 2-5 years old and one for 5-12 years old, basically reworking the entire open space. There will be a small parking lot with 2 accessible (HP) parking spaces. There will be 17 benches along the paths and shade trees placed near the benches. Barbara pointed out that the pedestrian access doesn't seem very safe and there needs to be some attention to the street crossings, walking from Walnut and Centre Sts., for example. She would also like to have the traffic signal at Winchester/Dedham/Needham Sts intersection, for APS to be installed. Rosemary pointed out that many parks do not have a physical address, especially to give to the Ride. Carol said that the address is 16 Winchester St. Carol said she would like the Commission's support as she is submitting her application to the Community Preservation Committee this week and will be in front of that committee in December. Lydia mentioned that the Commission might want to consider recommending that some of the CDBG funds be used for the accessibility features of this renovation. Lydia is going to look into the possibility of using CDBG funds for this project and the Commission will consider recommending CDBG funds at a future COD meeting. Carol said that the CPC likes to see diverse funding streams and provided to Lydia the approximate costs of 3 accessible features, the network of accessible pathways, the accessible bathrooms, and the rubber surface under the playground equipment. Both Girard and Rob asked about the timing of this project. Carol said that it is hoped that this park will be ready for use in the spring of 2017. Rosemary made a motion that the Commission On Disability support the plans to renovate the Newton Highlands Playground/Joseph Lee Park. Jane seconded the motion. Barbara said she couldn't support this project unless there is a way for pedestrians to walk to this park, which would involve improvements to the intersection of Winchester/Dedham, and Needham Sts. An amendment to the motion was made by Barbara with this contingency that an accessible

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route to the park is provided for pedestrians and was voted upon. The motion was passed unanimously with a vote of 5-0. Sgt. Babcock suggested that the Commission write a letter to the Commissioner of the Department of Public Works, Jim McGonagle, to fast track the improvements to the Winchester St. corridor between Needham St. and Walnut St. so that traffic lights, APS, and crosswalks could be installed to make the route from the intersection of Centre and Walnut Sts. Safe for pedestrians walking to this park.

**7. CAM Wrap-Up (8:10-8:20)**

Rob said that the Community Access Monitor Training Program went very well and he has already sent a thank you to Jeff Dougan for his excellent presentations during the 2-day training. Rob also thanked everyone involved in organizing the Community Access Monitor Training Program, especially Jane. Rob also said that Thank You letters were in process for Dunkin Donuts (Newtonville), Wegmans, and Shaws (Newtonville). Jini added that 30 people registered, including 4 Commission members, and, after expenses are paid, the COD's revolving account will have a little more than \$1100. These funds can be used for COD activities or projects which align with the COD's mission.

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

Rob announced that the Mayor has appointed Jane as the city representative to the Commission On Disability, replacing John Lojek. We still have 3 vacancies that the COD would like to fill. Rob also announced that the next meeting is our holiday meeting so feel free to bring refreshments, food or drink of any kind, to share.

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

The meeting was adjourned at 9:05PM.

**NEXT MEETING DATE: December 14, 2015 (Holiday party)**

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](mailto:jfairley@newtonma.gov) or (617) 796-1253. For Telecommunications Relay Service, please dial 711.