



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting date: 9/21/15
Room 205
Time: 6:30 pm

Minutes

Setti D. Warren
Mayor

Lydia Scott
Senior Planner
Community Development

Members

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

Jason Rosenberg
Chairman Emeritus

Advisor

Sergeant Jay Babcock
Newton Police Department

Staff

ADA/Sec 504 Coordinator
Jini Fairley
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Members Present:
Rob Caruso Co-Chair
Girard Plant Co-Chair
Jane Brown
Lucie Chansky
Barbara Lischinsky
Absent:
Rosemary Larking

City Staff:

Jini Fairley, ADA Coordinator
Lydia Scott, Planning and Development
Sgt. Jay Babcock, Police
David Koses Transportation Coordinator

Guests:

Sandra Lingley
Tony Pino, owner of MiniLuxe

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

The meeting was called to order at 6:35PM. Introductions were made.

2. Remote Participation Votes (6:35-6:45)

Rob Caruso said that we needed to take 2 votes regarding Remote Participation. The first one was to acknowledge that the COD has been using Remote Participation for the COD meetings in 2015 as a result of the Mayor's Executive Order No. 1 (September 2012) which adopted the amendment of the Open Meeting Law which permits Remote Participation. A motion was made by Jane to acknowledge that the Commission On Disability has been using Remote Participation for their 2015 meeting, thanks to the support of Newton's Mayor authorizing Remote Participation. Barbara seconded the motion. The motion carried with a unanimous vote of 5-0. The second vote needed, explained by Rob, is whether to adopt Remote Participation going forward for all COD meetings, or to adopt Remote Participation for each individual meeting. A motion was made by Jane to adopt Remote Participation generally going forward for all meetings. Barbara seconded the motion. There was a question by Lucie as to what would happen if there was a time where the members would not want to use Remote Participation for a specific meeting. Rob said that the key word here is generally, and if that situation arose, the members could vote at the previous meeting not to allow Remote Participation for the next meeting. Lucie also mentioned that when

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one participates remotely, like she did last month, it is very difficult to hear everyone and to follow a conversation, hear motions, etc. However, the motion was not restated with language that would specify conditions when the COD members would not permit Remote Participation for a specific meeting and how that would be decided, the motion stood and a vote was taken. The vote was 4 -1, in favor was Rob, Girard, Barbara, and Jane. Lucie voted No because the motion was not qualified.

3. Approval of August 10, 2015 meeting Minutes (6:45-6:55)

Rob asked if there were any additions, deletions, changes, corrections to the minutes of the previous meeting of August 10, 2015. Hearing none, a motion was made by Jane to accept the minutes as read and Barbara seconded the motion. The vote was 4-1, 4 in favor (Rob, Girard, Barbara, and Jane) and 1 Abstention (Lucie, stating she could not hear much of the meeting when she participated remotely by phone last month).

4. CDBG Report (6:55-7:05)

Lydia presented the following CDBG Access Projects 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. **The units have been ordered and installation is scheduled for mid-October.**

- Walnut Street at Beacon Street (6 units)
- Hammond Street at Beacon Street (6 units)
- Homer Street/Lowell Avenue at Commonwealth Avenue (6 units)

At this point, Lydia said that Jini had pointed out to her the last intersection was incorrect on this report only, correct with DPW. It should read Homer St. at Walnut St.

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).

Upcoming Projects
Lincoln & Walnut
Washington & Walnut

Total Budget
TBD
TBD – Initial estimate by September 2015

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Lincoln & Walnut – A design for this intersection, created by the Engineering and Transportation Divisions, was presented on Monday, July 14th, 2014. However, several alterations to two corners of the intersection must be made to the design. DPW is in the process of completing a cost estimate for this project. **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 fall/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
 - 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 month.**

Retrofitting Curb Cuts – (Project CD13-03Q. Budget: \$16,548.82, Expended: \$0, Balance: \$16,548.82). Designs and estimates for this project are complete. The work will be completed by DPW this fall. **CD staff is in process of working with DPW on the MOU. DPW's final estimate for this project is \$16,302.**

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Lydia said that since the original amount in this project was less than the DPW estimate, funds from the Curb Cut fund was moved into this project so that work can be completed this fall.

Rob asked about the retrofitting of these curb cuts from apex to perpendicular were part of the larger survey of apex curb cuts to be undertaken by DPW. Lydia said no, that these curb cuts were determined to be in need of retrofitting 3 years ago, and were not specifically due to the fact that they were apex curb cuts.

Lydia reported that she had reached out to Public Buildings Commissioner, Josh Morse, and Jini, to get some ideas for access improvement projects for the remainder of FY2016. She is now reaching out to COD members for their suggestions, especially where access is needed. Pathways in parks, specifically in Lyons Park, was suggested by Girard, and Jini suggested possibly checking the bathrooms in some of the park field houses. Lydia said that she and Jini will conduct some site visits before the next meeting Lucie asked about the Newton Centre field house, which is the Jeannette Curtis Field House, which is quite inaccessible. . Since it has not been renovated in the recent past, and since the city's obligation is programmatic access, if a person using a wheelchair were to attend a program there, for example, camp, an accessible place would need to be found and the program be relocated.

5. HP Fines Report (7:05-7:15)

Sgt. Babcock gave the following report regarding HP Fines:

CODE #26 & CODE #27

JULY 1, 2015 – AUGUST 31, 2015

(2 MONTHS)

CODE #26 (TOTAL PAID)

HP SPOTS.....	\$2,810.00	
CODE #26 (OUTSTANDING)		\$3,800.00
TOTAL	\$6,610.00	

CODE #27 (TOTAL PAID) CURB CUTS

.....	\$ 400.00	
CODE #27 (OUTSTANDING)		\$1,800.00
TOTAL		\$2,200.00

COMBINED TOTALS

TOTAL COLLECTED.....\$3,210.00

TOTAL OUTSTANDING.....\$5,600.00

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TOTAL.....\$8,810.00

Sgt. Babcock also reported that the HP parking space for Memorial Spaulding School has been moved from down the hill on Brookline St. to right out front of the school on Brookline St. where it is level, located in the drop off zone, the only accessible place with a curb cut to access the sidewalk immediately in front of the space. He moved it under Police Emergency Order and will proceed to follow the proper steps to go before the Traffic Council. This issue was brought to the attention of the COD previously by Lucie and revisited with Jini in August. With Jini's assistance along with Inspectional Services and Transportation department staff, Sgt. Babcock was able to rectify this long-standing access issue. The HP sign was installed and Painting of the space will be completed this fall and eventually an indent will be created for this space. Lucie tanked him, as did all the members. Lucie asked about the HP spaces in the school parking lot, and Sgt. Babcock responded that he has no jurisdiction there. Jini said that she has recommended restriping and signage with the school department regarding these spaces.

6. ADA Coordinator's Report (7:15-7:25)

Jini made the following report of some of her activities:

Self-Evaluation:

- ADA review of Frank A. Day Middle School
- ADA Review of Newton South High School
- Polling Location Site Visits
 - Grace Episcopal
 - Countryside Elementary School
 - Bowen Elementary School
 - Mason Rice Elementary School
 - Weeks House

Jini reported that the above site visits are necessary to form the basis for the updated ADA Transition Plan.

Poll Worker Training

9/9/15 and 9/15/15

Jini covered disability etiquette and gave some pointers as to the Automark voting machine for blind and low vision voters.

Site Visits:

- Fire Dept. Headquarters- Jini gave an overview of the construction anticipated both to Engine 3, the new Emergency Operations Center, and the renovations to the Headquarters. For the first time, this building will be accessible!

Issues:

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- Beacon & Centre APS- still working with the new Traffic Engineer to add a different sound crossing Beacon St. (North/south)
- Striping of crosswalks- Several areas in the city where residents have complained about the faded crosswalks.
- Inaccessible retail store- working with Inspectional Services

Meetings:

- Elevator Project- Jini's giving input on all aspects of this project, including the bathrooms and ramp and railings into City Hall near the new elevator.
- Capital Improvement 5-Year Plan (CIP)
Jini reported that she was on the Steering Committee for the 5 year Capital Improvement Plan.

7. HP 4-15 (Temple St.) Parking Spaces (7:25-7:35)

David Koses presented the need for 2 additional parking spaces on Temple Street as the Temple has many members in their congregation with HP placards. These parking spaces would be on level ground and situated close to the ramp that leads to the Temple entrance. There are also 2 accessible (HP) parking spaces in the nearby parking lot, but Rob pointed out that these spaces are tilted downhill. David handed out some photos of where these new spaces would be located. There were some questions and a concern about the gravel berm that someone might encounter in exiting their vehicle, and members recommended that be filled in. A motion to support the request for 2 accessible (HP) parking spaces on Temple Street, the final location based on safety and with the recommendation that the gravel berm be filled in was made by Lucie. Jane seconded the motion. The motion passed unanimously, with a vote of 5-0.

8. 23 Boylston St. AAB Variance (7:35-7:50)

Tony Pino, owner of MiniLuxe nail and waxing salon, known for their better hygiene and better labor practices, presented his application for the variance regarding vertical access. This is the second salon in Newton, the other one is located in Newton Centre. Tony passed out their Accommodation Policy. The previous tenants in this space, a ground floor, and a basement, did not have an elevator or lift, so he was quite surprised that according to code he would need to do that or apply for a variance, based on impracticability, due to the space and cost. The ground floor is the only entrance to the business and is fully accessible. Their original plans were to provide each service on the ground floor, in any case, and there would be no need to go down to the basement level, if stairs were impossible. He said that high priority would be given to someone with a mobility impairment to be scheduled on the ground/main floor. Their waxing beds can raise and lower, and they can perform most services if someone wishes to remain in their wheelchair. There were questions regarding the bathrooms accessibility, and the answer was that there is a fully accessible one on the ground/main floor, and how long would the wait be if all the rooms were filled on the ground/main floor, and Tony said maybe 5-10 minutes and someone with a mobility impairment would be prioritized. There was some discussion about whether the reservationist

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asked if the patron has a mobility impairment but he couldn't guarantee that would happen, and others felt that question was intrusive. The responsibility is on the person making the reservation. He believed that there was a nearby curb cut to the sidewalk that leads to his salon. A motion was made by Barbara to support this variance application and was seconded by Jane. The motion passed unanimously with a vote of 5-0.

9. CAM Training Update (7:50-8:10)

Jini reported that only 2 registrations have been received, and Jane is assisting the registration process. Also the checks are being deposited through the regular process by the Law department into the COD account specially set up for the CAM activity. Rob reported that a Dunkin Donut shop will be donating coffee and donuts for the 2 breakfasts. Rob also mentioned purchasing a case of water bottles and possibly other items at BJ's, if needed. Jini checked with the chef at the City Hall cafeteria for a price for a lunch box, if we don't obtain a donation from a local restaurant/grocery market. No one has asked any business for the lunch donation as of yet. Many suggestions were given, and Jini will contact Whole Foods, Wegman's, to begin with. Everyone was encouraged to let Jini know if they approach any business for food donations. Girard will contact someone he knows that has a catering business. Jini will forward the Excel spreadsheet to Rob and Girard in case the three of us want to follow up with some of the nearby towns to be sure they received the brochure, and if not, to send them one.

10. Newton Corner Walk Through (8:10-8:20)

Girard joined Ald. Alison Leary and Alicia Bowman on a walk through in the Newton Corner commercial district. The bus shelter is rusted out and that crossing is nightmarish. There was at least one curb cut made of brick where the bricks had heaved up and not passable for Girard. The worse area was near the businesses at Centre and Centre Ave, where members of the COD evaluated the APS and crossing several years ago, and has yet to be configured to be a safer crossing. Girard suggested that we consider this area for improvements with CDBG funds in January. Jini added that perhaps, by taking on small projects there, the APS there, the curb cuts, and recommend the shelter be repaired (may be the T's responsibility) and explore making it safer where the children are crossing to go to Underwood or Bigelow, the COD can make a difference. Our guest, Sandra Lingley, mentioned that Exit 17 on the Mass Pike is going to be an electronic toll there, right in the area we are discussing.

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

Just as Girard was finishing his account of the Newton Corner Walk-Through, David Olson came in to let us know that the funds for the accessible podium for the Aldermanic Chambers was just approved by the Board of Aldermen and establishment of the COD Revolving Account, for the CAM Training was also approved. Even though the BOA approved up to \$10,000, the actual amount in this revolving account will be the revenue from the CAM training registration fees, minus any expenses encountered to host this training.

Jini mentioned that the COD just received a variance application for 14 Collins Rd. in Waban regarding the placement of an HP parking space and access aisle at a daycare program at the

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Union Church. It may be heard by MAAB before our next meeting. At this point, Girard and Barbara had to leave so there was no longer a quorum.

12.Adjournment (8:30)

The meeting was adjourned at 8:45PM.

The location of this meeting is accessible and reasonable accommodations will be provided to persons requiring assistance. If you have a reasonable accommodation need, contact Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. For Telecommunications Relay Service, dial 711.