



CITY OF NEWTON, MASSACHUSETTS

Commission On Disability

Meeting Date: September 12, 2022

MINUTES

Room Zoom

Time: 6:00PM

This meeting was a virtual meeting on Zoom, by phone or by computer/iPad:

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Meeting ID: 846 1010 0556

Passcode: 279296

Commission Members Present:

Eileen Sandberg, Co-Chair, participating remotely

Jane Brown, Treasurer, participating remotely

Rob Caruso, participating remotely

Lucie Chansky, participating remotely

Nancy Kritzman, participating remotely

Sandra Lingley, participating remotely

Barbara Lischinsky, participating remotely

Matt Volpi, participating remotely

Members Absent:

Anne Marie Killilea, Co-Chair

Lakshmi Kadambi

Darby Leigh

Staff:

Jini Fairley, ADA/504 Coordinator, participating remotely

Sgt. Mike Wade, Police

Hattie Kerwin Derrick, Mayor's Office

Isaac Prizant, DPW Transportation

Guests:

Councilor Bowman

Councilor Downs

Petr Chovanek

Ima Jonsdottir

Girard Plante

Olga Kalsou , 825A Washington MAAB variance

1. Introductions (6:00-6:05)

At the start of the meeting, at 6:01PM, there were 7 members present (Eileen, Rob, Lucie, Jane, Matt, Sandra, and Nancy). Sandra said that Barbara will join a little late.

2. Approval of the July 11, 2022 Meeting Minutes (6:05-6:10)

Eileen asked if there were any changes/corrections to the draft minutes. Hearing none, Jane made a motion to accept the minutes as written. Lucie seconded the motion. The motion passed unanimously by a vote of 7-0.

Ruthanne Fuller
Mayor

Barney Heath,
Director, Planning &
Development

Amanda Berman
Director, Housing &
Community Development

Nika Sandal
Planner
Community Development

Members

Anne Marie Killilea, Co-Chair

Eileen Sandberg, Co-Chair

Jane Brown, Treasurer

Rob Caruso

Lucie Chansky

Lakshmi Kadambi, Co-Chair

Nancy Kritzman

Darby Leigh

Sandra Lingley

Barbara Lischinsky

Matt Volpi

Jason Rosenberg
Chairman Emeritus

Advisor

Sergeant Michael B. Wade

Newton Police Department

Staff

Jini Fairley

ADA/Sec 504 Coordinator

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3. CDBG Report (6:10-6:15)

Nika gave the CDBG report for July and August. This report can be viewed on page 6. Good news, Phase I of the Marty Sender trail is completed a portion of 1250 linear feet have been made accessible. McGrath perimeter pathway is still under design. Sandra asked if Nika could get an updated timeline for construction as it was supposed to be completed this summer. A site visit to Langley/Warren/Chase will take place this fall to begin this FY23 CDBG funded project.

4. Prioritization of FY24 CDBG-Funded Access Projects (6:15-6:30)

Nika asked if the members have any new Infrastructure (curb cuts, signals, etc., as this area was chosen in June) projects to recommend for FY24 CDBG funding. If no new ones, are there any recommendations of past projects that were not chosen. Eileen mentioned that the 2 curb cuts and improved crosswalk at City Hall on City Hall Drive is a priority. Questions about the curb cut inventory were voiced and Jini said that a consultant is looking at the completed inventory to develop priorities with high pedestrian volume around municipal buildings, village centers, transportation nodes, etc. but that isn't ready yet for the COD to choose from and next month the top 3 projects will be voted upon. Barbara asked about sidewalks for CDBG funding and Nika and Jini clarified that long stretches of sidewalk are not allowed but if a sidewalk is connected to a curb cut, for example, a missing curb cut due to grass at a corner would be allowed there. Jini mentioned that there is a sidewalk inventory and the city/DPW/consultant are now developing a prioritization for CIP funding and the COD will be involved in both the curb cut and sidewalk inventories to recommend priorities and projects. Councilor Downs added the Bike & Pedestrian Plan, hired a consultant in developing this plan which will not only be focusing on bike lanes but an accessible network with sidewalks and intersections.

Lucie suggested maybe a smaller/few curb cuts in Newton Centre for the balance of funding since City Hall Drive may not use all the allocation. Rob mentioned that once we are notified of the ARPA projects, there may be some or all not chosen for ARPA. Hattie said that the Mayor will be announcing ARPA funded projects by the end of the month. This discussion ended with Sandra asking to see the list of previous projects suggested along with the ARPA funded projects so as to recommend more projects besides City Hall Drive.

5. Accessible Fines Reports (6:30-6:35)

Sgt. Wade gave the Fines reports, August activities and the fiscal year to date (July, August)). These reports can be found on pages 7 & 8.

Matt mentioned that the situation on Tiger Drive during arrival and dismissal has been greatly improved by a policy change where only school vans and vehicles with disability placards/plates are allowed to pull in and drop off/pick up students.

6. MAAB Variance 825A Washington St. (6:35- 6:55)

Olga Kalsou, owner of a private physical therapy practice and small Pilate studio and tenant at 825A Washington St presented her reason for a MAAB variance. Since the city

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determined that her business was a change of use ((private to public), although 2 previous tenants were using the same space for the public/classes, she needed a variance as she was unable to provide accessible access to this basement space. The entrance is accessible from the sidewalk but narrow stairs lead down to her rented space. The MAAB continued their deliberation in August and asked for more photos of the space, entrance and emergency egress, etc. Jini furthered explained that Olga was not making any renovations so only triggered MAAB compliance under 'change of use'. Olga mentioned that the MAAB were considering her variance today after she furnished them more photos and a letter, which members also viewed prior to this meeting. Olga watched the MAAB meeting today and she is pretty sure that they agreed that it was infeasible to put in an elevator or lift in this space. In any case, she is looking for the support of the COD for this variance to be granted. Several mentioned that Olga is providing sessions in customers' homes if they cannot do the stairs, which is positive and provides this service accessibly and in the neighborhood. Jane made a motion to support the variance Olga and A-Z Physical Therapy is seeking to be granted, with the necessary condition that any customers who cannot use the stairs will be treated in their homes. Barbara seconded the motion. The motion passed unanimously by a vote of 8-0.

7. MAAB Variance -Lowell Ave (6:55-7:15)

Isaac Prizant the variances being sought by the city for several curb cuts along Lowell Avenue, 2 at the intersection of Highland/Hull and Lowell Ave. and 2 at Austin St. and Lowell Ave. These 2 intersections are part of traffic calming and due to the challenging topography, the 4 curb cuts are non-compliant due to their running slope. Although not able to make these slopes under the maximum 8.33% slope, the design does provide perpendicular curb cuts with level landings and detectable warning panels. At Lowell and Austin, the existing bridge over the Pike is what contributes to the running slopes of the curb ramps to be non-compliant. The crosswalk for crossing Lowell is on the southern side of the intersection and will also have an RRFB there. There are 12 curb cuts altogether at these 2 intersections and 8 will become compliant and these 4 cannot be made compliant. Jane made a motion to support the variances for these 4 curb cuts due to the topography of existing streets and bridge, as it is infeasible to make the running slope compliant. Barbara seconded the motion. The motion passed unanimously by a vote of 8-0.

8. DRAFT ADA/504 Transition Plan Review (7:15-7:45)

Jini gave a little background as to her efforts to update the 1991 original ADA Transition Plan. She, along with staff from ISD, DPW, Public Buildings, and Parks staff, assessed the accessibility of municipal buildings, parks, signals, and much more from 2015 to 2017 and presented to the public in 2017. An ADA/504 Transition Plan is needed when existing buildings, parks, and infrastructure need structural changes to become compliant. It is an enormous number of streets, curb cuts, buildings and parks so the Plan outlines, in Appendix A, facilities to become compliant in the next 6 years (FY23-FY28. This Plan will be monitored annually and a revised Appendix A will be updated near the end of FY28. Jini also mentioned that the Plan is still undergoing a

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review by several key departments and might have some changes in the final draft, but she didn't want to wait any longer to get input/feedback from the members of the COD. Several members complimented on the thoroughness of the Plan, both the narrative and the appendices. Lucie didn't feel that one sentence in the narrative was true right now. That sentence, at the bottom of page 37, stated that the city serves all students with disabilities from the age of 3 to 22. However, presently, there are students with disabilities who are recommended to graduate and not receive transition services from age 18 to 22. Thus the sentence should qualify that students with disabilities are served from the age of 3 to graduation and some students with disabilities are served to the age of 22.

Jini suggested several ways for members to give her feedback besides in this meeting, such as using the Comment tool in Microsoft Word, sending an email, or any other way. Jane made a motion to approve the 2022 ADA/504 Transition Plan. Rob seconded it. The motion passed unanimously by a vote of 8-0.

9. Treasurer's Report (7:45-7:50)

Jane gave the Treasurer's Report, which can be found on page 9.

10. ADA Coordinator's Report (7:50-8:00)

Jini gave the ADA activity report, which can be found on page 10. She mentioned that much of her time was putting the final touches to get the ADA Transition Plan to be reviewed. She highlighted the site visit to the completed portion of the Marty Sender Trail. It looks terrific and hope you will get a chance to check it out. She also mentioned arranging the New England ADA Center to put a presentation together for youth sports leagues for the administrators, coaches, and managers, to let them know especially about Reasonable Accommodations for youth participants and/or their parents. Although not a high participation at the end of August, it is posted on the Parks, Recreation, and Culture website for the youth leagues who rent/lease from the city, to view at their leisure. Rob asked about the upcoming meeting on Crystal Lake Park, which was held on September 15. She encouraged anyone interested in making Crystal Lake Park including the beach and the left side of the docks, to become more accessible.

11. Potential Project(s) for MOD's Grant (8:00-8:05)

Jini was soliciting more ideas for the MOD grant, if she finds the time and a viable project to apply for in about 2 weeks. A possibility is applying for RRFBs but she has applied for them before, maybe some different locations. Sandra said her research said that RRFBs are especially good for crossing 4 lanes of traffic, where the city stated that they don't use RRFBs for more than 3 lanes of traffic.

12. Update on Mental Health Event (8:05-8:10)

Eileen said that one of the organizers checked out the War Memorial Auditorium for the Me2 Orchestra. Unfortunately that auditorium will not be large enough stage for the orchestra. They also checked out the Newton North High School auditorium, and that stage is the right size. She and Hattie are now putting a reservation for the use of the auditorium on May 7 in the afternoon..

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13. Harvest Fair Participation & Materials (8:10-8:20)

Eileen said she is happy to provide the table and tent for the Harvest Fair. Hattie reminded her that a reservation for space is needed as soon as possible. Hattie also provided the emails for the chairs of the HRC and the FHC to collaborate and share a space/table, like last year. Jini said that Lakshmi dropped off a good number of brochures and pamphlets and about 50 of the cold packs with the disability icons and COD info, all to distribute at the Fair. Several members volunteered to be at the table, for an hour or two. Anyone interested should email Eileen to sign up for a specific time. The Fair is open from 10 to 5, on Sunday, October 16. It is a great opportunity to see folks in person, both COD members and the FHC and HRC members, and great PR event for the COD.

14. COD Membership Update (8:20-8:30)

Eileen announced that due to health reasons, including Long Covid, Anne Marie regrettably will step down from Co-chair but will remain a member of the COD. So Eileen will be the only Co-Chair until January's election. She may be reaching out to members to help her out, especially in the event of illness or unforeseen absence. She urged everyone to consider stepping up to a leadership role as a Co-Chair in January. Eileen also announced that Ima and Nyree have been appointed by the Mayor to fill the 2 vacancies on the COD and just had their interviews with Programs & Services Council Committee and will hopefully be voted in by the entire City Council, either on September 19 or early October. Both Nyree and Ima gave excellent statements, including their background and the reasons they want to join the COD. Ima said she was excited to be on the COD and begin the work. Ima asked if there is an orientation for new members, and although there is no formal training, Eileen and Jini and Hattie can arrange a Q&A session. Matt added that the Community Access Monitor Program is excellent and brings you up to speed.

Next Funding subcommittee is September 19. Sandra asked about having hard copies of some of the spreadsheets that were sent out with the Draft ADA Plan. Jini asked her to send her an email to describe which documents/reports she wants. She also asked about meeting in-person. It is not required, according to the Attorney General, until March 15. Eileen said that she will put it on the October agenda.

15. Adjournment (8:30)

The meeting adjourned at 8: 22PM.

This draft of the minutes was prepared and submitted by Jini Fairley, staff to the COD.

NEXT MEETING DATE: October 17, 2022

The location of this meeting is wheelchair accessible and reasonable accommodations will be provided to persons with disabilities 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.

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Reports & Supplemental Materials:

September 2022 CDBG Report.pdf
Newton Commission on Disability
CDBG Access Projects Report
September 12, 2022

Phase I Marty Sender Pathway Installation – (CD21-03A; Budget: \$66,847.00; Expended: \$0; Balance: \$66,847.00)

Reconstruction of the Marty Sender Path with an accessible route, covering approximately ¼ mile of the route. The Marty Sender Pathway Installation has

been completed. This project including roughly 1250’ of pathway improvements to the trail to comply with ADA requirements. 3.5’ of existing surface cover

from areas within floodplain and resurface roughly 1185’ of existing trail. A total of 44.28 cubic yards of materials were removed and a total of 43.77

cubic yards of new surfacing was brought in. These improvements allow for safer and easier enjoyment of the trail/pathway for all.

FY22 McGrath Park Perimeter Path Installation – (CD22-03A; Budget: \$91,300.00; Expended: \$0; Balance: \$91,300.00)

Constructing an accessible perimeter path around Richard McGrath Park. PRC has finalized a contract with CDM Smith Inc., to be the designer architect for

this project. Project is currently in the design phase.

FY23 Langley/Warren/Chase Crossing –

Installation of accessible crossings at Langley Rd. and Warren St. This includes a bump out on the northeast corner of the intersection to create the space

needed to install a curb cut to cross Warren St. Planning staff has collected demographic information at this location for the FY23 Annual Action Plan.

Planning staff to meet with DPW to conduct site visit during fall of 2022.

Reminder! During the September meeting, we will be presenting and discussing potential projects before voting on a top three the following October.

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NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

August 2022

TOTAL NUMBER OF TICKETS ISSUED	37
TOTAL VALUE OF TICKETS ISSUED	\$ 7,400.00
REDUCTION AMOUNT	\$ 1,800.00
TOTAL AMOUNT PAID	\$ 1,200.00
TOTAL OUTSTANDING	\$ 4,400.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	33
TOTAL VALUE	\$ 6,600.00
REDUCTION AMOUNT	\$ 1,800.00
TOTAL AMOUNT PAID	\$ 1,200.00
TOTAL DUE	\$ 3,600.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	4
TOTAL VALUE	\$ 800.00
REDUCTION AMOUNT	\$ 000.00
TOTAL AMOUNT PAID	\$ 000.00
TOTAL DUE	\$ 800.00

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NEWTON POLICE DEPARTMENT

NEWTON COMMISSION ON DISABILITY

PARKING TICKET AND FINES REPORT

FISCAL YEAR 2023

As of August 31st, 2022

FY 2023 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED	73
TOTAL VALUE OF TICKETS ISSUED	\$ 13,400.00
REDUCTION AMOUNT	\$ 4,600.00
TOTAL AMOUNT PAID	\$ 3,600.00
TOTAL OUTSTANDING	\$ 5,200.00

CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	67
TOTAL VALUE	\$ 12,200.00
REDUCTION AMOUNT	\$ 4,600.00
TOTAL AMOUNT PAID	\$ 3,200.00
TOTAL DUE	\$ 4,400.00

CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	6
TOTAL VALUE	\$ 1,200.00
REDUCTION AMOUNT	\$ 000.00
TOTAL AMOUNT PAID	\$ 400.00
TOTAL DUE	\$ 800.00

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Treasurer's Report

Given by Jane Brown, Treasurer of the Newton Commission On Disability (COD)
Presented at the September 12, 2022 Newton COD Meeting
As of August 31, 2022, the balances have not changed since the July COD meeting, and are as follows:

Account # 5500-335518 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: \$38,499.60

Account # 01C40128 Set up to pay for RRFB at Langley/Warren/Chase intersection

Type: Special Appropriations

Balance: \$18,000.00

Account # 01C60211 Set up to purchase accessible equipment for Burr School playground.

Type: Special Appropriations

Balance: \$1,537.00

Account # 01C10802-513010 Operation Access – Disability Commission

Set up to pay for targeted enforcement of accessible HP Fines violations by the Police

Type: Special Appropriations

Balance: \$1,880.89

Account#C401083-586005 Set up to purchase and install Accessible Pedestrian Signals (APS) units at the Waverly/Tremont intersection

Type: Special Appropriations

Balance: **\$50.50** (8 APS units installed in December 2018)

Account # 5064D103 Set up in Fall 2015 to receive Community Access Monitor Program fees and pay expenses)

Type: Revolving Account

Balance: \$29**0.00**

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ADA COORDINATOR'S REPORT

Given by Jini Fairley, ADA/Section 504 Coordinator

Presented at the September 12, 2022, Newton Commission On Disability meeting for activities during the months of July and August 2022.

Site Visits:

- Marty Sender Phase I – nearly completed

Trainings:

- Webinar: Residential Facilities
- Webinar: Ask an ADA Professional-Effective Communication
- White House Briefings from agencies connected to disability and aging- weekly in July
- Webinar-ADA Jeopardy
- Webinar: ADA 32nd Anniversary
- Webinar: Managed by a Robot
- Webinar: Access to Natural Resources, not the Built Environment
- IHCD Lunch&Learn: Creative Leadership

Meeting/Events/Conference Calls:

- Organized Webinar on ADA & Youth Sports for PRC and Newton Leagues
- CIP meetings throughout August
- Traffic Council- 827 Beacon, and Elm St.
- Albemarle fields working group with consultant
- Crystal Lake Park with consultant
- OSRP Trails Committee
- NewCAL-Attend bi-weekly Working Group meetings
- NewCAL community meeting, Public Facilities, Finance Committee, & City Council
- Fair Housing Committee (FHC)- attend monthly meetings
- FHC Lottery/Lease-up Subcommittee monthly meetings
- Complete Streets Committee & Road Paving- attend bi-weekly meetings
- Commissions On Disability Alliance Monthly Meetings