

**MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES  
OCTOBER 19, 2009**

**MINUTES – Meeting in Newton City Hall – Cafeteria**

**PRESENT:** Rob Caruso (Co-Chair), Girard Plante (Co-Chair), Jane Brown, Lucie Chansky, Jeff Hutter, Rosemary Larking, Barbara Lischinsky, Heather Platt, Jason Rosenberg

**REGRETS:** Jini Fairley

**STAFF:** Beverly Droz (Human & Vol. Services), Kathleen Cahill (Planning & Dev.)

**GUESTS:** Nancy Jodoin, Rob Muollo (Planning & Dev.), Ald. Scott Lennon, Lucia Dolan (League of Women Voters), Cindy Stone (Historic Newton), Susan Abele (Historic Newton)

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The meeting was called to order at 6:37pm and chaired by Rob Caruso and Girard Plante. Introductions were made around the room and guests were welcomed.

**SIDEWALK & SNOW ISSUES- Ald. Scott Lennon**

We welcomed Alderman Scott Lennon (Ward 1), who represents Nonantum and Newton Corner and has been the alderman for this district for eight years. Alderman Lennon has spoken with Rob Caruso over the years and recently Lennon has been involved in a snow related committee. Each winter, residents, who have concerns, contact him. He sees the needs of the residents. He stated that he hears about the same streets and corners every year. He has docketed an item in Public Facilities, which was heard by the full Board of Alderman.

Alderman Lennon is planning on developing a formal working group to identify areas of need. He will send information to Bev. The initial strategy is to look at both the short and long term, walk ability near schools and village centers. The Department of Public Works (DPW) is responsible for taking care of the streets and seven sidewalk routes, while Parks & Recreation is responsible for care of the schools and some of the village centers work. The DPW has two locations; one at Crafts Street and one at Eliot Street. Alderman Lennon feels that communication is lacking between the two sites and will address it.

Rob stated that the MCPD snow committee meets annually each November with the DPW, typically at the Eliot Street location. MCPD continually voices concerns, but nothing changes. Rob indicated that he has been attending these meetings for 10 years. Scott stated that it is by ordinance that business owners are expected to clear in front of their businesses and asked what the enforcement process is. He indicated that the enforcement is lacking. Captain Mintz recently sat in on their meetings recently and it was noted that they don't enforce the ordinance if snow accumulation is less than approximately four inches.

Rob stated that about four years ago, the MCPD started sending out a notice to businesses stating that they could be fined for non-compliance, but that it isn't up to the MCPD to do this. The communication and information should come from the City.

Rob called upon Lucia Dolan who said that the League of Women Voters is part of this snow committee and is interested in putting forward a city bill to address these issues. Scott gave

examples of a park area that wasn't cleared and another one that was cleared. Residents call into complain and are told that the responsibility of one park is one department and the other is a different department. The residents don't want to hear it.

Rosemary indicated that she and the late Alderman McGrath had worked for two years on a list of priorities. The subject of volunteers able to assist came up. Bev explained that both she and DPW solicit teens to have their name on a snow shovelers' list that is published and given to seniors and people with disabilities who request the list. It is divided by village so they know which teens to call for snow shoveling help.

Barbara asked about the routes near the MBTA, particularly where she walks. Rob called upon Nancy Jodoin to explain how service dogs are trained to not go in the street. Scott said that they have talked to various state agencies (like the MBTA), which will clear the steps but not the sidewalks. The City says it doesn't have the resources. Scott stated that it needs to be prioritized according to the most utilized. The DPW measures the mileage and snow. They were willing participants but won't take the lead in re-routing their seven routes. It will take leadership from the snow committee.

Bev explained her role in Human Services, which includes fielding ADA complaints from residents. She talked about the need for collaboration between the MCPD committee, Scott's committee, the LWV, the PTO's and Safe Routes. She said if we could all work together, we would have a more powerful voice on this vital issue.

Scott stated that the City does an excellent job with street clearing but not with the curb cuts. He is trying to figure out who is responsible for doing what; some departments have different time schedules. It was noted that there is no excuse for a lack of access, that it's a matter of accountability. Scott indicated that his goal is for the City to have one point person to take complaints and concerns and deal with them. The majority of snow removal work is performed by contractors. Girard suggested that there is a solution, which is to put efforts together to have village sidewalks cleared. It's an incentive for businesses to get business. In some communities, businesses pool their funds to have a sidewalk plower.

Heather suggested having contractors get into a wheelchair or go to the Carroll Center and experience what it is like to be handicapped. Scott stated that the sidewalks are cleared a number of hours after the streets are plowed. Jason said that we have been addressing this for 15 years and that the ordinance needs to be changed so that businesses also have the responsibility of plowing or shoveling curb cuts in addition to the sidewalks. Girard suggested the City send a letter to businesses in Newton Center and Auburndale to state that this is expected of them. Scott said that it won't work without police enforcement and that it is lacking. Alderman Danberg has been looking at Brookline but they don't have the resources. Lucia added the LWV is interested in seeing what the other communities are doing.

Bev asked why the Board of Aldermen hasn't brought back the ordinance requiring residents to shovel their own sidewalks. Jason stated that it was originally rescinded because of pressure from seniors who weren't able to do it, yet they are the ones who benefit. Lucie suggested the idea of authorizing the meter enforcers to issue citations to businesses that are in violation. Scott stated that these issues would be further discussed in other meetings.

The Committee thanked Alderman Lennon and Ms. Dolan for attending.

## **PRESENTATION – ACCESS ISSUES AT THE HISTORY MUSEUM-**

**Cindy Stone, Director and Susan Abele, Curator**

We welcomed Cindy Stone, Executive Director of Historic Newton, and Susan Abele, Curator. Items to be discussed were emailed to members ahead of time. Cindy stated that they are re-doing the archives at the Jackson Homestead. She indicated that the current lift is located adjacent to the garbage cans and has charged the architect with making it more HP accessible and universal. Susan described the blueprints, and where things are located. She noted that they do not use the front entrance. They are creating a new doorway at the corner of the main building and “L” and it will be equipped with a ramp.

Cindy stated that they went to the CPA to get funding because of the historic preservation, and explained what it entails for their archives. Goals for the project include: 1) providing good access for the public and 2) providing good historic preservation. The CPA allocated \$360,000 but the architect indicated it would cost \$543,000. The Handicapped access update was at \$76,383 and is now at \$99,825. Cindy and Susan requested CDBG funding.

Questions presented to Cindy and Susan included whether or not there are any audio presentations for blind and sight-impaired people and if tactile and Braille signage is available. They stated that there were not but there should be. Jason provided some history and said that this meets the types of goals that MCPD looks for but it is also a good time for challenges to be met for the sight impaired. Cindy and Susan said that the preliminary design includes this. It is a public building, so it falls under the jurisdiction of that department.

They are hoping that it will be completed in two years. They have the CPA funds of \$357,400 and they have other project contributions funding \$97,154. They are currently looking for \$186,420. In addition, they are making bathroom and areas accessible and the ramp is extensive. Heather asked if some of the funding could be used for tactile signage. Kathleen said that it would be eligible. More discussion followed and included getting a consultant to help advise them with various ideas. Nancy serves on the ADA committee at the State House and made some suggestions.

Kathleen spoke about the application process for FY 2010, CDBG funds which started on July 1, 2009. Susan and Cindy wanted to attend the meeting to make the first presentation and see if the MCPD is interested. The MCPD thanked them for their presentation.

## **ANALYSIS to IMPEDIMENTS: IDENTIFICATION OF IMPEDIMENTS TO FAIR HOUSING IN NEWTON- Rob Muollo**

We welcomed Robert Muollo, Housing Planner with the Dept. of Planning & Development. Rob came to speak about the Analysis to Impediments (AI) to fair housing. He stated that Fair Housing is open and welcoming the community. The AI is a comprehensive review and analysis of municipal housing, economic, transportation conditions as well as public and private sector policies in order to ensure that housing choices and opportunities for all persons in a community are made available.

The Planning & Development Department is asking for the MCPD’s input for the next update on the AI. The MCPD has played an active role with the former Fair Housing Task Force. There was testing for discrimination in the sales and rental market. There is an action plan in place to

address the many issues that face us, and we are striving to make this community better. The Fair Housing Plan concluded that economics rather than discrimination play a big part in who lives in Newton. Several impediments were identified including a lack of available land to develop affordable housing, the high cost of housing and lack of new land for new development, lack of education and outreach, and monitoring and investigative testing is needed to ensure fair housing practices.

Some of the actions include changing the land use and zoning policies, encouraging the development of all types of affordable housing throughout Newton, initiate education and outreach programs, and conducting monitoring and investigative testing.

Rob asked the MCPD for their feedback, as this is an ongoing, working document. Barbara stated that the Newton Housing Authority (NHA) is the largest landlord but they have been “hands off”. She noted that she had to go to HUD to have her case heard. Every 40B complex (she believes there are three), are not listed in Massachusetts Access and that it is a violation of access. She stated that everything in Needham is listed. Rosemary indicated that at real estate agencies, they don’t help by offering the options they should. They need more education so they won’t discriminate. Rob stated that is a good example of an impediment. Rosemary also said that rental landlords don’t want someone with Section 8 status, and yet they would actually be assured of payment. Girard noted that more education is needed.

Rob is looking to set up future meetings with a partnership, including some Latino contacts. He stated that his boss, Trisha Guditz and he is staff to the Fair Housing Committee. Results from the last AI led to testing and training, the establishment of the Fair Housing Committee and the Fair Housing Action Plan, which outlines 12 steps of what needs to be done to eliminate fair housing discrimination in the City. Bev noted that the MCPD plans, if possible, to have a member be on the Fair Housing Committee to represent our many issues.

The MCPD thanked Rob for his presentation.

## **MINUTES**

**A motion** was made by Lucie Chansky and seconded by Jason Rosenberg to approve the minutes from September 14, 2009 with the change that the meeting started at 6:40pm and on page 3, the word computer should be commuter. The motion was approved unanimously.

## **HANDICAPPED PARKING - Bev**

### **Status of 108 JFK Circle**

Bev contacted the woman who brought the issue of HP spaces to the Mayor’s attention. This woman will try to attend the upcoming Traffic Council meeting to present on her location. Bev relayed all the details about the current status of this to David Koses in the Planning Dept.

### **Status of 15 Madoc Street**

Bev reported that the owner of the house at 15 Madoc Street withdrew his request for handicapped parking. Bev thanked Lucie for her research on this site. We had recommended that it was up to the Traffic Council’s decision but with the withdrawal, the issue is moot.

### **Resident’s Request for HP Parking in Newtonville**

Dr. Morton Kliman submitted an application requesting 2 HP spaces on Walnut St. in Newtonville. Dr. Kliman states that there are no handicapped parking spaces along either side of

Walnut Street, near the intersections of Walnut Avenue, Newtonville Avenue and Austin Street. He requests that spaces be devoted in front of the CVS on the corner of Walnut Street and Newtonville Avenue and in front of the Bank of America located on Walnut Street and Austin Street.

Lucie visited the area and noted that the HP spaces in the Austin Street parking lot are too far from the CVS so the space should be located in front of the CVS. However, she noted that it would be hard to exit the car onto the street. The parking space Dr. Kliman suggested on the other side of the street, in front of the Bank of America would be better located to Austin Street due to vehicles turning the corner and there would be a HP space on Walnut already. Rob concurred. It was noted that curb cuts would need to be installed. Jason stated that where the crosswalks are, they are often ignored. Nancy said that the crosswalk at the pizza restaurant is respected.

The Committee agreed that we would suggest that location to the Traffic Council and Bev will follow-up.

### **CDBG REPORT - Kathleen**

This report was submitted to MCPD by email before this meeting for their review. Per usual it is copied here within the minutes. Kathleen Cahill presented the report. Comments are noted after a project.

Accessible Pedestrian Signals (Project CD0703C. Expended, \$7,818; Budget balance: \$11,995; CD10-03D, Budget balance: \$6,000). Centre St. and Centre Ave. is a priority intersection; however that is on-hold pending a final decision by the Newton Corner Advisory Committee on VHB conceptual plans. Washington St. and Commonwealth Ave. is another priority intersection. The scope of changes at Washington & Commonwealth includes an upgrade to the existing traffic signal equipment; there is approximately \$65,000 in funds available for this work. If leftover funds are available after the above equipment is installed accessible pedestrian signals will be considered and the Mayor's Committee will be able to weigh in on options (a letter from the MCPD to C. Schuckel was sent and the co-chairs will meet with C. Schuckel). Other priority locations submitted to traffic engineering include: Washington and Beacon as well as Washington Street by Newton-Wellesley Hospital. The City's contract with Republic ITS was recently renewed and these intersections are expected to be complete in late November. *It was noted that Kathleen would check in with Frank Nichols about a list of APS.*

Charlesbank Playground (Project CD0903C. Budget balance, \$30,000). Project includes the installation of a ramped concrete walkway with metal handrails, designed to complement new play equipment, benches, and picnic tables and allow access through the park. Newton Corner Advisory Committee members made some recommendations on play equipment. Ray Dunetz, the landscape architect retained for the project is working to finish construction documents, a phasing plan will then be developed based on the budget.

Curb Cuts (Project CD1003C, Expended \$2,465 Budget balance, \$145,000). Committee earmarked funds for curb cuts on Everett and Gibbs and Sumner and Gibbs in Newton Centre. Construction on these curb cuts will hopefully begin within the next two weeks. MCPD needs to evaluate project goals for the 2010 construction season. *It was noted that the DPW keeps pushing it out two weeks.*

Retrofitting Curb Cuts (Project CD0903E, Budget balance, \$6,000). A list of 7 locations (Homer Street, Beacon St. @ Dalton, Centre Green @ Langley, 1188 Centre Green, 82 Lincoln Street, 100 Walnut Street, 28 Commonwealth St) (19 curb cuts) have been identified by committee members and staff. Project 10% complete; most locations require being ADA compliant. *It was noted that some curb cuts are cracking. Some corrective action needs to be done, but it doesn't seem to be a priority.*

Cold Spring Accessible Route (CD10-03A, Budget balance: \$36,000) Project includes accessible "L shaped" pathway from parking area to circle where the farmer's market is held. Project will be bid with other CDBG-R (stimulus) projects this winter and begun Spring 2010.

*It was noted that it would all be put out to bid. A template should be together by November so projects can be completed in the spring.*

Crystal Lake Accessible Pathway (CD10-03B, Budget balance: \$9,000) Project includes funds for material costs associated with the construction of an accessible pathway along City's property easement on 230 Lake Avenue. Pathway construction complete and material bills are being processed. *It was noted that the pathway looks really nice. Signage will be installed to make it clear as to what is accessible.*

Nahanton Accessible Pathway and Handicap Parking Space (CDR09-03, Budget balance: \$30,000) Project includes retrofitting park for handicap accessibility through the construction of an accessible pathway and the addition of a van accessible parking space. Project will likely go out to bid Fall 2009.

Newton Centre Accessible Pathway and Handicap Parking Spaces (CDR09-04, Budget balance: \$23,500) Project includes construction of an accessible pathway and the addition of two handicap accessible parking spaces. Project will likely go out to bid Fall 2009.

*It was noted that HP spaces would be designated on Bowen Street and a path will be built to the universal playground.*

Kathleen stated that she would be asking DPW to work on their list of curb cuts so we will be ready to go next year. She mentioned a memo to Frank Nichols. The curb cut at Lowell and Washington near the gas station is not on the list, and has been prioritized by MCPD for a long time. Nancy noted that there is no accessibility at Harvard and Washington, which has three express buses. Kathleen will add to the application that people submit a plan. It would be helpful for all to see a plan that we can view before anyone comes to MCPD to present.

## **OTHER BUSINESS**

### **Education Center**

Lucie stated that at the Education Center two weeks ago, tables were situated so that they blocked access to the door. She emailed Jim Marini who told her that they would be moved. She revisited the Education Center and noted that one table was still blocking access.

### **Parklands**

Bev noted that she is continuing to follow-up on various playground areas in parks. The MCPD members noted that, to be in compliance, rubberized surfacing needs to replace the fibar/wood chips. It was noted that this is especially true in new or recently constructed areas, and that older

playgrounds should be prioritized according to use and funding available, but all should receive some consideration and attention.

### **City Hall Elevator**

Bev was contacted first by a woman with an accessibility issue, and then by the Mass. Office on Disabilities. While the elevator on the Homer Street side of City Hall makes the building technically accessible, the resident was finding it difficult to make it all the way down the hallway to the office where she was visiting. Bev proposed a plan to the Mayor and related staff, as well as to Rob and Girard, that we keep a wheel chair at the office next to the elevator on both the 1<sup>st</sup> and 2<sup>nd</sup> floors. Bev has proposed providing orientation for the staff there and putting better signage in the elevator. Currently the elevator has an emergency phone. If anyone has a problem in the elevator, one would press the button and would be connected immediately with 911. Members agreed with this plan and Bev will continue to follow-up.

**A motion passed to adjourn at 9:00 pm.**

**The next meeting will take place on Monday, November 16, 2009.**

Respectfully submitted by Beverly Droz