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# CITY OF NEWTON, MASSACHUSETTS

## Commission On Disability

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Meeting date: December 14, 2015  
Room 204  
Time: 6:30 pm

Minutes

Setti D. Warren  
Mayor

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  
617-796-1253

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#### Members Present:

**Rob Caruso Co-Chair**  
**Girard Plant Co-Chair- remote Participation via phone**  
**Jane Brown - remote Participation via phone**  
**Lucie Chansky**  
**Rosemary Larking- Remote Participation via phone**  
**Barbara Lischinsky**

#### City Staff:

Jini Fairley, ADA Coordinator  
Sgt. John Babcock, Police

#### Guests:

Sandra Lingley  
Bev Droz  
Jeffrey Curtis

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

**Rob called the meeting to order at 6:36PM. Everyone introduced themselves, both in the room and on the phone. Only Jane had joined us on the phone at the start of the meeting.**

### 2. Approval of November 9, 2015 meeting Minutes (6:35-6:45)

**Rob asked if there were any changes, corrections, additions/deletions to the minutes that were sent to members prior to the meeting. Hearing none, Jane made a motion to accept the minutes as read/distributed and Barbara seconded the motion. The motion passed by a vote of 3(Rob, Barbara, Jane in favor - 0 opposed and 1 abstention (Lucie, since she was absent last month)**

### 3. CDBG Report (6:45-7:00)

**Lydia was not able to attend the meeting due to illness. Her report was sent to members in advance of the meeting, which follows:**

**CDBG Access Projects Report  
December 14, 2015**

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**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. **After a delay in shipment, the units have been delivered. DPW staff is now working with Dagle to schedule installation.**

- 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).

<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.

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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
  - 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. CD staff is working with DPW staff to finalize bid documents this winter. **Construction is still planned for spring 2016.**

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

**Sgt. Babcock gave the following report regarding fines collected and outstanding for violations of vehicles blocking curb cuts or parking in an accessible (HP) parking space without a placard or plate:**

**HP FINES**

July 1, 2015-November 30, 2015 (5 MONTHS)

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CODE #26 (TOTAL PAID)

HP SPOTS.....\$10,760.00

CODE #26

(OUTSTANDING).....\$5,100.00

TOTAL.....\$15,860.00

CODE #27 (TOTAL PAID)

CURB CUTS.....\$4,615.00

CODE#27(OUTSTANDING).....\$1,515.00

TOTAL.....\$6,130.00

COMBINED TOTALS

TOTAL COLLECTED.....\$15,375.00

TOTAL OUTSTANDING.....\$6,615.00

TOTAL.....\$21,990.00

**Sgt. Babcock reported that many of the violations occur in the morning, as folks run in for a coffee or a quick errand. Not connected to this report, Rob reported that he heard from David Koses that the parking space, HP5-15, that the COD voted to support, will not be heard by the Traffic Council until a design from the Engineer Division of DPW is submitted which would take that parking space off the road (Brookline St.) among other improvements for bus lane and parent drop off areas. Sgt. Babcock was aware of that decision but neither he nor Jini received that email. Rob will forward it along to us.**

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

Jini described the following activities of the past month:

Site Visits:

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- Newton Highlands Playground with Carol Shine and Lydia Scott
- Rail Trail in Newton Upper Falls
- Elevator construction from outside to inside entrance

### Curb Cuts/APS:

- Beacon St. at driveway crossing for Angier School
- Auburn St. from Comm Ave. to Grove St.
- Intersection of Beacon /Beethoven/Evelyn in anticipation of Zervas construction to begin in January

### Polling Locations:

Site visits with Newton Elections staff and Secretary of State staff at the following: Grace Episcopal Church, Waban Library, Cabot Park Village, Weeks House, Bowen School, Memorial-Spaulding School, Schuman Center, and one potential new one

### Trainings:

- Fair Housing Training with Barbara Chandler
- Webinar on Accessible Museum Exhibits

### Meetings:

- Testified at AAB Hearing
- Fair Housing Committee
- Snow

**Jini reported that she and Lydia visited the Newton Highlands Playground with Carol Shine shortly after the November COD meeting. It is not accessible at all, in poor condition with no amenities and a severe drainage problem. At the December 10 CPC meeting, this project was not fully funded so some financial support from the COD may be sought.**

**Jini described her visit to the Rail Trail under construction located between Easy Street near National Lumber to beyond Oak & chestnut streets. There will be access to the trail across from the Coffee Depot near the accessible (HP) parking spaces.**

**DPW contractor improved the crossing of one of the new Angier School's driveway along Beacon St, making the crossing more perpendicular by changing the curbing, sidewalk and berm. Barbara checked it out rather quickly at the end of last week, and said it felt like half an S curve as she walked from the direction of Washington st. towards the Square. She plans to revisit again.**

**Jini accompanied staff from Elections Dept and the Secretary of State's office inspecting 9 locations that are polling locations. This is part of her Self-Evaluation areas.**

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Barbara asked about some parking spaces on Beacon St. in front of the church just before approaching Angier School coming from the Square. The space closest to the crosswalk when a vehicle is parked there, can obstruct the view of a pedestrian, especially one in a wheelchair, trying to cross. Sgt. Babcock

Said that one of the spaces was taken away as it was too close to the fire hydrant, and in the spring, restriping will bring the remaining 2 parking spaces back away from the crosswalk. Much of that area, including the signals, are not yet permanent until Angier School opens up on January 6 and traffic patterns get established are more realistic after that. Rosemary asked about snow removal in the city and Jini pointed out that the new Snow Plan was on the city's website, under the link called Winter Storm or Blizzard, and also through the Public Works Department where there are several snow resources. Jini explained that she has been walking the sidewalks and intersections of streets that will be paved next construction season, with staff of several divisions of DPW to determine if any of the curb cuts or APS need to be considered during the construction phase in 2016. At the end of her report Girard joined the meeting by phone.

**6. AAB Variance Application-1081 Washington St. (7:30-8:00)**

Attorney Jeffrey Curtis, representing the Sleepys store at 1081 Washington St., a small new building, used to be a vegetable market there, has had a delay in the delivery and installation of the elevator in order to have wheelchair access to the second floor of the store. There were some questions and discussion as to how Sleepys can tell their prospective customers that the elevator is not in yet, and won't be until March 1. Jeff had no problem with Sleepys informing everyone who calls to let them know that access to the second floor is by stairs until the elevator is installed. Jeff said that the store itself won't have that many selections of mattresses and other furniture to try out, not even king size, and that a close by store (1.7 miles) would have a much better variety and is fully accessible. Lucie suggested that the mattresses be on the first floor and the pillows and accessories be on the second floor where they could be brought down for those who couldn't access the second floor until March 1. Jeff said that would have been a good idea but the second floor is twice as big as the first floor which he explained how the building is constructed. One of the advantages to own this building is that it is located alongside the Mass Pike and Sleepys has a large sign on top of the building where everyone on the

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**Pike can see it. Jeff said that he would like the COD's support, even though the MAAB will be hearing this waiver application on the same day as this meeting. Lucie made a motion to support this temporary waiver of vertical access at 1081 Washington St. until the elevator is installed and that Sleepys has a responsibility to inform customers of the inaccessibility of the building's second floor until the elevator is installed and functioning. The motion was seconded by Jane. The motion passed unanimously with a vote of 6(Rob, Barbara, Lucie, and Girard, Jane, and Rosemary on the phone)-0.**

**7. Old/New Business (8:00-8:15)**

**Barbara asked Jay if there was some way there could be a light or a better way to protect pedestrians crossing the driveway at the West Entrance of Newton-Wellesley Hospital entrance along Washington St. When she was crossing there recently she wound up on the hood of a car as they were starting to move and didn't see her and she had motorists yelling at her. It is frightening to cross there, particularly dangerous when those vehicles leaving Newton-Wellesley Hospital are turning left onto Beacon St., they don't see her crossing coming from the right. Jay said that he doesn't know the process but he would speak with Bill Paille to see what could be done, possibly a pedestrian activated light for the crosswalk and he will also speak with the hospital's executive staff, and will let Jini and Rob know what he finds out to pass on to her.**

**Jay and Jini gave an update on the Mass. Dept. Of Transportation (DOT) grant that was recently awarded to the city for Bike and Pedestrian Safety. It is for \$100,000 and will be used for the purchase of Accessible Pedestrian Signals (APS) which was the top priority, message boards, and textured material for an unsignalized crosswalk (s). Rob asked if the textured crosswalks are like the ones he has seen in Wellesley. Jini said it is similar but her site visit was in Westwood with David Koses, where there is a slightly different material being used. There are several manufacturers of this type of material. The city may have to front the funds before reimbursement by Mass DOT, not clear yet. The city would have to supply the labor costs for any installations. There will soon be a meeting to discuss the locations of all these items, which should greatly improve the safety of cyclists and pedestrians. Lucie suggested a location to install a textured crosswalk which would lead from the Barry Price Center across to the**

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other side of Christina St, so that clients there could access the stores along Needham St. Jay looked it up on Google Maps and said he didn't see a sidewalk on the other side, so it might take some extra work there, to install a sidewalk and curb cuts but it is doable and he will keep this location in mind. Jini mentioned that the crosswalks from City Hall over to the Library across Homer would also be a good location for this textured crosswalk. Jay mentioned that the message boards were his idea to use around the city to warn motorists to stop for pedestrians in crosswalk. These boards are electronic and take up a parking space in the street. We have about 6 in the city but several more are needed.

Jini mentioned the two notices from the MAAB that were issued just before the last meeting, one for 14 Collins Rd. (Riverside Community Care) and one for a walkway at Boston College which she sent electronically for this meeting. There were no questions. Lucie asked if anyone knew if the Waban Hardware opened up yet, and Barbara said it hadn't yet, and Jay said that the ramp is done.

Jini had an announcement of an event that the Mayor has organized to celebrate the diversity and inclusiveness of the Newton community with several speakers from different immigration and refugee organizations, as well as religious and civic. It will take place on Sunday, December 20 at 1PM. Jane and Jini are planning to attend. Jini will forward the announcement to all, and will also be sent out from the Mayor's office if you are on that listserve.

Rosemary asked if, as a Commission, can we express opposition to the cuts in The Ride that the MBTA/Mass DOT are proposing? Rob and all agreed that the COD could voice their opposition and there was some discussion as to whether there is a template through DPC or BCIL to use. Rob said that after last year's debacle with the MBTA during the winter, Governor Baker took over and appointed a control board, and this board is considering cutting out completely the premium Ride service, that is any trips outside of ¾ mile of a bus or T stop, or when the bus is not operating, like on weekends. This board is also considering raising the fares from \$3 to \$4.20. Girard said that there was a rally today (Dec. 14) at the Transportation Building in downtown Boston, that he was planning to attend but couldn't at the last minute. However there is another meeting this coming Thursday

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**(December 17), also regarding The Ride, that BCIL is sponsoring, that he is planning to attend. According to Rob and Girard, there is a loop hole regarding this ¾ mile limitation that never should have existed in the paratransit regulations of the ADA. Rob mentioned that there was an upcoming conference call on this Thursday, December 17 at 10am with Jeff Dougan from MOD with Commission members and this topic and possible letter template may be identified. Girard also noted that the MBTA is considering other cuts to the T service and will be having public meetings/hearings in the T service area in January like they did in 2012. A motion was made by Barbara for the Commission to write a letter to voice our disgust and dismay of the proposed cuts in The Ride service by the Governor-appointed MBTA Control Board. Lucie seconded the motion. The motion passed unanimously by a vote of 6-0. Rob and Girard will research if there is a template letter and will inquire on the MOD call on Thursday. Jini mentioned that she was not invited to this MOD conference call but Rob invited her to join it if she is available.**

**Speaking of The Ride, Barbara asked Jini if she had heard about the conditional eligibilities that blind and visually impaired Ride patrons have been receiving by The Ride after their in-person Ride eligibility interview. Jini has heard of this happening with blind Ride users, it appears that one must not only be blind but have at least one other disability, like a physical one, which also prevents riding busses and the T.**

**8. Adjournment (8:15)**

**The meeting was adjourned at 8:50PM. Rob mentioned that next month we will have our annual election for officers for the Commission, Chair/Co-Chairs and Treasurer..**

**NEXT MEETING DATE: January 11, 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: [ifairley@newtonma.gov](mailto:ifairley@newtonma.gov) or (617) 796-1253. For Telecommunications Relay Service, please dial 711.