

## **Boston Commission for Persons with Disabilities**

Minutes for Wednesday, October 27, 2010

Present:, Eileen Brewster, David Estrada, John Kelly, Suzanne Leveille, Carl Richardson, Janice Ward, Heather Watkins, and John Winske. Arnold Berry was absent. Jay Walsh and new Commissioner Kristen McCosh represented the City.

The September minutes were accepted.

On behalf of the board, John K. welcomed new Commissioner for Persons with Disabilities, Kristen McCosh.

**Commissioner's Report:** Kristen reported that it is the beginning of her 2<sup>nd</sup> week. She will send out her contact information, and maintain an open door policy with the board. She has interviewed her staff members regarding their activities, and to formulate priorities. She will be scheduling training for them in the future, and began an office telephone log. She will be doing outreach, for example she has met with BCIL and the Cambridge Commission for People with Disabilities. She met with Joanne Massaro, commissioner of the public works department, who is interested in joining the board for a meeting after the new year. Kristen has also set up a meeting to begin looking at the transition plan for the city.

In the short-term, she would like to work on sidewalk access, snow removal, HP parking, polling access, housing, employment, and emergency preparation.

Carl cautioned that the commission is heavily represented by people with mobility impairments, that other disabilities must not be forgotten. For example, to pay attention to alternate formats, interpreters, etc.

Members discussed the transition plan, which predates the current administration. Jay said that not every Department must be part of the plan, just ones that interact with the public and manage public space -- schools, transportation, etc. He said the city needs to bring the existing plan, which includes departments that have been merged, into current format.

**Chair's report:** John K. reported that the city is now looking again at "Route 1" (from upper Court Street past the Starbucks/Steaming Kettle), even though it must contend with the coming construction of the MBTA station for Government Center. (Meanwhile, the city has priced out the alternate, "Route 2", along the Washington Mall from the old Statehouse at \$100,000.) One possibility would be for the access route to come directly from the T station down the stairs. If the new path were to hug the storefronts and then turn left across plaza, it could join any future path coming down from the station. This route would have the advantage of bringing access to the stores, and providing tactile cues for people with visual impairments.

Members expressed concerns about construction and the placement of elevator access. The MBTA project was delayed by the initial proposal being over budget. A new team has been formed, but there is basically just a rendering of the possible plan. John K. said that MBTA Gen. manager Richard Davey will come to the January 2011 meeting [postponed until April because of snow]. Any access route would remain open during construction. Materials for the access route are still undecided, with discussion of different kinds of pavers and concrete. City Hall Pavers will not be used.

City officials encouraged members to check out the pavers at the Boston Harbor Hotel. John K. said that he would collect and forward alternate sidewalk designs to show the possibilities of concrete. There is the possibility of edging the route with a color differential -- the example was a red path with a gold edging, which Carl said would be good for people with low vision. The project manager said that an engineered image should be available by mid November.

The city definitely prefers pavers, mostly for aesthetic reasons. Pavers are stronger and cheaper than granite, and harder than asphalt. Tinted concrete is easier to spot repair than colored asphalt. Jay said that because of treatments necessary for snow and ice, other materials are less conducive to the wear and tear of snow plows, and that brick is stronger and better looking.

When the cost of the route is set, we can discuss how the remaining funds should be dispersed. For example, replacing the curb cuts made of bumpy cobblestones on the island at Court/Cambridge-Tremont was part of the city's original proposal. Kristen suggested that a Ride drop-off be considered, as there is not a good place now that The Ride is not permitted into the Congress Street entrance.

Transportation Commissioner Tinlin has asked his department to investigate questions coming out from our September meeting. Carl said that other towns are ticketing in private lots, and asked which housing developments can be ticketed. Jay says there must first be an agreement between the property owner and the city, in which the property is "leased" to the city just for purposes of ticketing.

Jay said that in other cities, HP parking is limited to double the usual allotted time. Boston now exempts people with HP placards, but wants there to be turnover. Commissioner Timlin was very concerned about people clogging HP spots downtown, Union Street for example. He would like to see turnover by instituting a limit for HP parking, perhaps twice as long as the two hours now permitted.

John W. complained about HP spots turning into valet spaces in the evening, and that neighborhoods might have different needs regarding HP parking, something the commission could investigate during a listening tour.

John K. said that the Architectural Access Board is in the process of rewriting its regulations, and is welcoming ideas for changes. Proposals are considered immediately. One change has been that keys are no longer allowed on wheelchair lifts. Keys must be removed by Oct 2011. John K. also advocated for the removal of the lockout mechanism, whereby someone has to join him on the left to keep the up/down button pressed. There is some question about whether intercoms should be required, as there may not be someone available to answer the call. Carl said that he had to get a waiver for the recent installation

of a lift at the Statehouse. Eileen said that a button triggering an alarm would be best for calling for help.

Lift dimensions will remain at 36" by 54", which is too short for some wheelchairs. The weight limit is usually 750 pounds, and Carl said that it can be hard to find one with a larger capacity. The necessity that a second person ride the lift with people who can't press the button from inside pushes up against the weight limit.

Kristen has had the same negative experience with lifts because of their breakdown record. She said that she will send out email asking for suggestions regarding the code-rewriting.

**Air-conditioning in apartment buildings:** Janice and Suzanne suggest that more flexible guidelines are needed so that building owners don't use the heating season requirement (September 15-June 15) as an excuse to not provide air-conditioning during very hot days in those months. There were many days over 90 in April and May 2010, for example. Suzanne said that the present code comes from the state, but that cities can make changes. Janice said that as she researched the issue, city inspectional services referred her back to public health. She and Suzanne are not interested in mandating change, but that we be more flexible like other states. The heat requirement should be removed.

Carl said that the Statehouse operates with a temperature requirement, and that it does take days to switch between systems. There will be complaints about people being both too hot and too cold on the same day. He offered help in identifying legislators who would be able to push for legislative changes. John W. said that it was a "no-win scenario", as turnover from heating to air-conditioning can take a few days -- both the heat and air conditioning cannot be on at the same time. There could be a cold snap in the spring, for example. He suggested reaching out to Elder Affairs.

Jay said that the city has only received complaints about heat not being on, but that it does open cooling centers in the summer, and that transport is offered. Members said that this is not always realistic -- some people would not be able to go.

**Committees:** John K. asked for volunteers to work on committees regarding issues before the commission, such as variances, finances, and access. Committees might be a good way to involve community members, especially those who may have applied to be on the commission. Jay thought this might require a bylaw change, and will send out the final version of the bylaws.

John W. said the commission should try to work constructively together with Kristen. Regarding the city's need for variances, he said that if the commission is working smoothly, reasonable conclusions without variances should be possible, and that the city's need for variances should disappear. The commission should not work at cross purposes to the Commissioner. Kristen said that proposals coming from the commission will appear stronger than if coming from her, but agreed to work together. John K. said that it's inevitable that the commission might take a position that Kristen, as a city employee, could not share. Kristen said that getting plans early enough should prevent many problems. She

said that she does not have any staff capable of looking at plans, that she would refer plans out to other departments.

John W. said that he could work on variances, and that he owns a powerful scanner that can convert hard copy into electronic formats quickly. He could receive hard copies and send out electronic versions. He, Carl, and Heather are interested in in outreach committee. Heather said everyone should be on that committee because we all live in different neighborhoods. John K. said that outreach should be made to independent living centers, especially the Multicultural Independent Living Center. No one expressed interest in working on finances.

There followed a discussion of the website, and whether that should be part of the outreach committee. There could even be a Facebook page. Carl asked whether the city website was fully accessible for screen readers -- it isn't, Kristen will be working on that. John W. suggested finding volunteers to use screen readers with the city website. Carl said that Facebook is not accessible. Suzanne suggested that our page be part of the city website.

John K. tabled the discussion of variances in the interest of time. He suggested rescheduling the planned commission reception for later in the fall. John W. proposed postponing the event until the spring when the weather is better and the commission could be more prepared. Carl added that it would give Kristen more time to settle in. A motion was proposed and passed unanimously to postpone the event until spring, perhaps the end of April. It was agreed to combine the November and December meetings into one meeting on December 1 for two hours. After that, the commission will return to meeting on the fourth Wednesday of every month -- not the last Wednesday.

The commission adopted stationery, and decided that only the Chair would need to have business cards printed. Jay said there is a standard business card format for city employees, and said he would look into the cost. Carl cautioned about cards being used to misrepresent city business, and told the story of community access monitors misusing cards from the state. John K. said that he would do some research on what other commissions do.

Announcements: John K. invited people to join him on November 8 out at Maverick Station, where the MBTA contractor installed noncompliant sidewalks. MassDOT will hold its next meeting on November 3, and it has a public comment period. Janice announced the October 29 opening of the Copley Square elevator.

There was no public input.

Jay said that the swearing-in of new members would take place on December 1.

**Recording made by Carl Richardson, minutes written up by John Kelly**