

## **MAYOR'S COMMISSION FOR PERSONS WITH DISABILITIES**

### **AGENDA**

**March 21, 2012,  
Piemonte Room, 5<sup>th</sup> Floor Boston City Hall,  
5:30 PM-7:30 PM**

- Introductions
- Approval of February 18 Minutes
- Commissioner's Report: Kristen McCosh
- Chair's Report: John Kelly
- NStar power outage
- Controversy on 521 CMR
- Public Input
- Old Business
- New Business
  - Community Meeting – Thursday, May 3
  - ADA Day – Thursday, July 26

**Next Commission Meeting: April 11, 2012**

**Boston Commission for Persons with Disabilities**

**Minutes for Wednesday, March 21, 2011  
BRA Board Room 933, 9<sup>th</sup> Floor Boston City Hall 5:30-7:30PM**

**Present:**

(JK) John Kelly, Chair  
 (CR) Carl Richardson, Vice-chair  
 (AB) Arnold Berry  
 (HW) Heather Watkins  
 (JWard) Janice Ward  
 (DE) David Estrada

**Staff Present:**

(KM) Kristen McCosh, Commissioner  
 (KA) Kathryn Aldrich

**Absent:**

(EB) Eileen Brewster  
 (JWinske) John Winske  
 (SL) Suzanne Leveille

John Kelly convened the meeting at 5:40PM.

## Changes to March Minutes:

Change Amy “Noble” to “Nable”  
 Review “200 buses” and remove “half”

## Commissoner’s Report – Kristen McCosh

Last week Kristen attended the National ADA Symposium in Orlando, Florida. It was a national conference to focus on the updated rules and regulations for PROWAG, ADA transition plans, etc. She came away with good tidbits of information to apply to Boston. For example, service animals (for Title II and Title III) are limited to dogs and horses, with the exception of Title I and fair housing, than any animal is allowed in the house. Kristen met Jeff Dougan, from the Massachusetts Office of Disabilities, which is a great contact to have. The big takeaway was that Boston is ahead of the curve, is organized and motivated, and already working towards advocacy efforts.

There is no update on the Copley Place Expansion Project.

KM and KA attended the City Hall Accessible Route kickoff meeting with Leo Murphy, and met with the contractors, TASC0 from Belmont. There was discussion about the smallest length of brick to be used in the project. David Biancavilla had said the bricks will be no less than 4”, but Leo is going to insist the smallest brick is no less than 6”. The project is on target to start ASAP, however there is a delay in acquiring the asphalt sample on site. There (3) samples of brick will be laid out on the plaza for review and comment.

Kristen had an interview with Landscape Architecture magazine regarding advocacy and highlight what Boston is doing in terms of alternatives to use of brick. The City Hall Accessible Route may be featured in the magazine.

KM and KA have been meeting with the Boston Redevelopment Authority (BRA) about the possible mapping of access routes as a pet project. City collected flyover data in September, but just now finished processing the data. The eventual goal is to have an application that is compatible with Google Mapping. Unfortunately, there is a wait until 2013 for the needed census data for mapping of populations and variables of pedestrian ramps. San Francisco is doing something similar. The hope is to do real time data, with the ability to update data.

Kristen is working with David Chandler and Jim Gillooly to update the Transition Plan. City is recommending updates across the board will be made only when work is done over \$50k, but PROWAG requires all updates to meet full regulations. CR noted as an aside, that it would be nice to have a consistency throughout the City with the chirping APS vs the beeping APS. The curb cut (pedestrian ramp) list is also encompassed.

MV-1 Vehicle was out today at City Hall for a viewing. JWard thought it was impressive with clear turning radius. There were mixed reactions to the vehicle. It is the only vehicle made in factory to be accessible. JK wasn't able to get into the vehicle with any kind of ease (almost hit head). The ramp was 16" steep, lowered mini-vans are much safer in terms of entry. MV-1 ramp was very long, unlikely that as a cab it would have room to deploy. Captain O'Connell was present for the viewing, and was not convinced there are cab issues currently existing in the City. Advocates need to encourage people to call and complain to the police. JK suggested Take A Cab Day to be coordinated with the Blind Community to highlight issues. CR asked if he could complain about taxi cabs that pass over him. JWard used the MBTA class action law-suit as an example where testers went undercover. DE noted there are two issues present (1) Accessibility and (2) actually getting a cab. KM had suggested dedicated phone number to Captain O'Connell, but he did not feel it was necessary. JWard raised the issue of expense; perhaps cab coupons should be encouraged. There are only 100 "accessible" cab medallions for the 1825 cab medallions in the City.

KM went to Public Health Symposium that focused on looking at the cause of death and then taking a step back and looking at the cause of the cause in terms of community planning. Boston is on board with the movement, it is very similar to Boston Complete Streets.

The CPWD TV show is resuming in May and will have closed captioning.

Connect Historic Boston, initiative between COB and the National Park Service to connect transit hubs to national parks. The meeting is coming up, looking forward to encouraging accessibility.

CR motioned to accept February minutes.

JWard seconded.

Minutes approved.

JWard did get a date for the meeting with Suzanne at the Department Code of Health regarding the a/c issue. She suggested May 30<sup>th</sup>. JWard will send follow up email with information. CR suggested approaching the State to have a bill passed.

Chairs Report – John Kelly

John announced his resignation from the Advisory Board, and that this would be his last meeting as the Chair. Great things have been accomplished and it has been a great experience for him.

JK sent email about looking at health in communities. March 22<sup>nd</sup> at Kendall at 4pm, there will be a walk promoting healthy walking and being a pedestrian. It is hosted by the US Surgeon General, but does not include the accessibility community.

JK lost power during the recent and horrific NSTAR fire in the Back Bay. NSTAR kept making promises that power would be back every 5 hours. Boston Alert was missing. Can City process information outside of itself? JK waited for call to tell him what he should do. A lot of people were affected by the buildings loss of power – no elevator, no heat, no electric range, no lights, etc. JK could not exit his building. Many people were freezing and his wheelchair eventually ran out of power. There was evacuation of the Hyatt, Prudential building and Berklee dorm. There was no formal assumption of emergency, although 20,000 people were affected. This is an example of a great need for better Emergency Planning. The City should be in charge during this type of crisis. KM is working with Emergency Needs, and meeting about functional needs, but there is definitely confusion between FEMA, MEMA, and COB. KM will talk to #4500 about any disability calls that came in during the power outage, and will find out if there will be an investigation.

JK wrote letter to Boston Medical Center (BMC) Outpatient Department about not having an accessible waiting room. KM spoke to BMC about the NSTAR asphalt patch on Albany Street in the South End, will be going back out to review site again.

An article was written by Kyle Chaney, where he interviewed JK at the Second Thoughts hearing at the State House. Chaney referred to JK “who *suffered* a spinal cord injury”. JK called the editor to complain, but was told that no one ever complains about such an issue and that they “have been referring to people like that for years”.

JK is now working on projects with Senator William Brownsburger to review DCR and getting DCR regulated. DCR spent \$30k on one feasibility study for improvements, but fixed nothing. Senator was receptive and wants DCR to meet obligations.

Fenway Alliance on Huntington Ave is now in charge of the State Cultural District. JK testified against them and now Fenway Alliance is establishing an Access Board.

JK is working with advocates on fighting to keep 521 CMR as the State code, instead of the IBC. The IBC is significantly inferior to the 521 CMR code, and also requires an updated version each year for the price of \$300 for all the books. There will be a meeting on March 30<sup>th</sup> in Cambridge from 3-5pm.

JK talked to Richard Davey regarding Copley Place, in which board goes through Simon Properties. Simon has been MIA for making improvements for the last 10 years. JK would like to send letter as a Commission to support having users be involved in the design, rather than the people making money. JWard pointed out that it is unacceptable after all of these years of neglect for them to come in and make changes. KM will follow up about the projects ADA consultant.

AB motioned to write letter.

JWard seconded. Motion passed.

JK also wants a letter from Commission about 521 CMR.

CR motioned to write letter.

DE seconded. Motion passed.

Announcements:

March 31<sup>st</sup> – Vigil on Boston Common for people murdered by family members

April 4<sup>th</sup> – 4pm – MBTA rally at the State House

April 25<sup>th</sup> – 1130am – 250 Washington St – State Public Health – a/c issue

Old Business:

Transition time, but meetings need to be setup for Mondays, want to get a Main Streets Program meeting with Stephen Gilman.

Meeting adjourned at 7:26pm.

Next meeting is April 11, 2012.