

**City of Worcester Accessibility Advisory Commission
Tuesday, October 17, 2023, 4:30 PM Meeting Minutes**

**City Hall, Levi Lincoln Chamber (3rd floor)
Hybrid Meeting**

ASL interpreters onsite and video

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTJhNDdmNjQtMGZlMy00ZWVlLThhZWQtZiQ0MjVhMjBhNTVh%40thread.v2/0?context=%7b%22Tid%22%3a%22f25998dd-1be6-42c6-a44c-8785f3e6deb6%22%2c%22Oid%22%3a%2202af705d-5ebe-4000-83cf-64efc45b8c33%22%7d

Meeting number: 271 185 130 443 Password: SEg7KZ

**Join by phone: 469-998-7682 Access code: 397 384
563#**

Attendance:

**Members Present: Robert Bureau, James Delage, John Finn, Jr.,
Darya Karuna, Elizabeth Myska, Joseph Prochilo, Stephen Stolberg**

Members Absent: None

Staff: Victor Perez, Dawn E. Clark

Guests:

**WooSox: George Lorin, Coordinator of Marketing & Fan Engagement
Mass. Commission Against Discrimination: Michael D. Memmolo, Interim
Executive Director and Alison Caton, Director of Training
Lee Anne Hooley: Worcester Talking Book Library**

Call to order, instructions for virtual meeting, introductions

Chairperson Bureau requested Director Perez provide the technology instructions for public access to the meeting. A unanimous roll call vote was taken to start the meeting at 4:38pm. Chairperson Bureau elevated Associate Commissioner Joseph Prochilo to full member for the meeting.

Approval of September 21, 2023 meeting minutes

This item was tabled.

Polar Park Accessibility Update: Conversation with Coordinator of Marketing & Fan Engagement George Lorin

Mr. Lorin acknowledged meeting many of the Commission members and appreciated seeing them again today. His role includes coordinating accessibility efforts for the park. A third successful season was just completed and he thanked the members for their support. The Commission did its last tour in March and now the season has ended the items noted by the Commission will be worked on.

Mr. Lorin gave an update on the accessibility items addressed since the Commission's March 2023 visit.

1. There was an accessible space introduced next to the home dug out and hope to add more.
2. In the past if one wanted to have access to accessible seating a call needed to be made to the WooSox ticket office. This was to ensure the people that needed the seating got it. Midway through the season WooSox were required to have the ability for people to reserve accessible seating online.
3. Six accessible painted seats were installed at the lower level by the batter's box.
4. WooSox has put a ramp to allow access closer to the restroom. They have not yet been able to put a bathroom on the lower level. A lift is being considered to help with quick access. One idea is to put a lift at Section 14 for restroom access.

5. Hopefully by December braille will be added to the fire alarm boxes for the visually impaired people.
6. The emergency phone on the concourse now works and when used it goes directly to the security center.
7. The name “Family Rest Room” is being changed to “Accessible Rest Room.”
8. The sidewalk/ramp going to gate C is on the list to be regraded for wheelchair accessibility before the snowfall.

Commissioner comment: TVs closed captioning need to be turned on in the lobby for Deaf and Hard of Hearing patrons. The main screens in the Park need to have captioning as well.

Mr. Lorin: The Park does not have control of this. It needs to be discussed with NESN.

Commissioner: Does NESN have a Disability Officer? This person would deal with this issue.

Mr. Lorin: He wasn't sure about a Disability Officer.

Commissioner: They should as captioning in media is required under Federal Law.

Mr. Lorin: He will look into this. He will share his contact for additional issues and questions. They are planning for the next season and are open to feedback on possible promotions from AAC.

Commissioner: How many accessible restrooms are there in the Park?

Mr. Lorin: There are five or six restrooms.

Commissioner: She made a suggestion to have an accessibility-for-all event.

Mr. Lorin: Thank you.

The AAC wants to schedule its next visit to the Park before spring opening.

Addressing Disability Discrimination: Conversation with Interim Executive Director Michael D. Memmolo and Director of Training Alison Caton

Ms. Caton explained that disability and retaliation have been the two major issues the Massachusetts Commission Against Discrimination (MCAD) have been working with over the past four years. If there was retaliation in response to a legal claim about not getting an accommodation in the workplace or for housing then a second complaint would be opened. Often the two issues go hand in hand. Often the conversation between the person with the disability and the other person such as the landlord doesn't happen causing an issue, which results in the filing of a claim.

MCAD enforces the law, but it is not an advocacy group. The process is as follows:

1. Intake where the complainant shares their story and the MCAD determines the issue.
2. The issue is then brought to the one being complained about. A common complaint example: The no-pet policy was not accommodated for a person needing a service or support animal.
3. After receiving both sides of the story, all could meet and negotiate an agreement.
4. If #3 did not work out all parties could meet again with the complainant to ask questions.
5. At the end of an investigation, the MCAD could announce a probable cause finding if there is sufficient evidence of discrimination, with an effort to mediate.
6. If this does not work, there would be a hearing with a hearing officer. This would be in about two years, and this is why there are so many steps in the process to try to get an agreement for complainants.

About a year ago MACD's office had to vacate the Denholm Building and has not had a presence in Worcester since then. Mr. Memmolo announced that soon MACD will be opening an office at 18 Chestnut Street in Worcester making the services more accessible to area people. In the meantime, many services are remote/online. Most of the mediations are being done online and this is expected to continue.

The MCAD does a significant amount of training with parties to claims and those who have no claims but communicate their interest. The MCAD offers free training to agencies and groups who want to learn more about their rights.

Zoom training on Civil Rights on November 21st at 6:30pm. This opportunity occurs monthly. Registration information can be found at mcad.gov

In closing, Mr. Memmolo said that with the help of the Governor, Legislature and local Senators and Representatives, MACD has never been funded as it is this year. This is a landmark in the Commission's 80-year history.

The Chairperson welcome an annual update on cases so the Commission can remain informed and thanked the quests.

A Conversation with Lee Anne Hooley about the Talking Book Library

The Taking Book Library is in the Main Worcester Library on Salem Street in Worcester serving people who are visually impaired, those who have learning disabilities and are unable to hold a book for a long time. The library serves people of all ages, focusing mainly on the Central Massachusetts area, but we do provide services for people across the state.

Users must be eligible and applications must be certified by a doctor, nurse, social worker, librarian, optometrist, ophthalmologist, psychologist, nurse, or any other qualifying medical provider. Applications are available in English, Spanish, Portuguese, Vietnamese, Arabic and more as demand requires with the aim of growing the list. We want to be representative of the many diverse languages spoken in homes in the Worcester area.

The service is predominantly done by mail and it is free postage both receiving and returning. Audio books are played on a machine with braille and large buttons easy to use with a port that plugs in to electricity to charge. There are other accessibility features for those who may need them, such as remote controls and breath switches.

The large print books are for all ages. Right now, the wonder book series for younger readers are being featured.

Patrons are welcome to come into the library as well. The program has five full time employees and one volunteer. It is funded by an interstate grant and the State Board of Library Commissioners. They work with the entire state focusing on the 71 towns around Central Massachusetts.

The library includes audio books, large print books, audio described DVDs, and braille. We have books for all ages, including picture books and Wonderbooks. We can circulate these books to folks of all ages and encourage caretakers to read to the young ones in their lives.

Other services include the following.

- They have a study room with a hearing loop table for those who have a key coil hearing aid.
- In the public space there are three accessible computers.
- They partner with a group that does one-on-one accessibility workshop training. They will help patrons use smart phones and tablets with great success.
- Currently, there is a monthly virtual book club.
- There is a projector and audio described screen movies with snacks, which has been popular both with the visually impaired and those with full vision who enjoy knowing about the services.
- On October 27th there will be a 55 plus fair with a scavenger hunt and resources available for other agencies along with hopefully COVID vaccine shots.
- They are working on developing a recording studio.
- They are working on increasing the audio book collection with different languages. Right now, there is a collection of 148,000 books.
- They are working on collaborating to bring programs out into the community.

Agencies and individuals can apply for access to Talking Book services.

There are programs all over the country and world.

Commissioner:

Does the participant have to be a resident of Worcester?

Ms. Hooley: We cover the entire state.

Resident:

Has the library worked with Sorenson for a videophone at the library?

Ms. Hooley:

The library has access to language line thru an IPAD, connecting to many languages as well as ASL.

Resident:

It would be important to send out a flyer to the Deaf at Center for Living & Working, Inc. and other Deaf providers.

Ms. Hooley:

She will work with the library staff to get the word out about language line and ASL availability.

Update regarding Chief Equity Officer job description reviewed by Chairperson Bureau

At the September meeting it was noted by a Commission member that the job description for the Chief Equity Officer posted was not the one revised by Chairperson Bureau and at least reviewed by the Chairperson of the Human Rights Commission. Mr. Perez had agreed to ask the City Manager about this.

Mr. Perez reported that GOVHR, the national firm hired by the city to seek candidates for the position, wanted to use the shorter job description. The longer description was to be used internally. The longer description is likely to be used to inform the interview process.

Commissioner: How can we guarantee we get the best person for the job if the job description does not adequately reflect what we are looking for? We were led to

believe a revised job description which would include significant accessibility related issues would be posted for candidates to review. Using the posted description may limit the right candidate applying for the Worcester position because accessibility is not adequately addressed. He feels the disability community is being shortchanged again.

Several Commissioners and a resident had similar concerns about accessibility seemingly being tossed to the side. The Commission thought the City Manger agreed to add the A to the Department's title.

Mr. Perez said he wished he had more information about the internal discussion, but he did not. He is willing to bring the Commission's concerns to the City Manager.

There has been reference tonight about the earlier request to add the A for accessibility to the title of the DEI Department as it now appears in the ordinance. Mr. Perez noted in a July meeting with the City Manager this request had be made and that he had been amenable to the addition of the A. The name of the department is described in the ordinance. To change the name would require a change to the ordinance.

Commissioner: What steps need to be taken to change the ordinance to add the A?

Mr. Perez: Changes to an ordinance require a vote from the City Council.

The Chairperson would be willing to meet with the City Manager if this would be helpful.

Update regarding Center for Living and Working, Inc. event with new WRTA Administrator Joshua Rickman

This was listening session arranged by a staff member at Center for Living & Working, Inc. Issues presented to Mr. Rickman included issues with drivers, para-transit complaints, and the need to update WRTA's technology. He listened to people and took names of people who had concerns to be able to follow up with them.

Commissioner Myska suggested encouraging Mr. Rickman participate in a blind

walk and a wheelchair stroll.

She mentioned her White Cane Day walk on Saturday, October 14th. She and her guides walked from St. Vincent's hospital to the Transportation Hub because very few of her VIP's have been to the Hub. She also suggested Mr. Rickman take a bus on a blind walk.

Suggestions for future agenda items

- Invite WRTA Administrator
- Review the Snow Removal Ordinance

Review of AAB notices and applications: (No City property)

Variances

- 222 Harrington Way (The Ecotarium) – Q&A With Project Consultant Michael DiMascio

Mr. DiMascio explained the Ecotarium is putting on an addition over a portion of the building that already exists. The cost of the addition plus the cost of the fire regulation of putting sprinklers throughout the building exceeds 30% of the equalized assessment value of the building. This requires the updating of the building that meet AAB codes.

As part of this upgrading stair rails, stair noses and protruding objects are to be addressed. Fully accessible restrooms will be on the new third level. Currently there are accessible restrooms on the first and second levels and there are also restrooms on these same levels which are not fully accessible. The corridors going into these restrooms are narrow and don't allow for wheelchair moveability and the rooms are made of concrete blocks.

The first request is to ask MAAAB to waive the requirement to update the original restrooms because there are close accessible restrooms on both levels and new restrooms are being added on the third floor as well as the cost would be unreasonable.

Commissioner noted the concern of making a family restroom also an accessible restroom; people who do not need an accessible restroom are using the accessible restroom, leaving the disabled person to wait.

Commissioner Koruna moved to support – Relief from 521 CMR 26.6 – Allow inaccessible restrooms to remain untouched in light of close proximity of accessible restrooms. Associate Commissioner Delage seconded the motion. All approved via role call with Commissioners Myska and Prochilo recusing themselves given they are members of the MAAAB.

The Ecotarium sits on a hill. There is an entrance on the first level and there will be an entrance on the third level. There are parts of the paths that exceeded 1/20 slopes which are not in conformance with the code. The Ecotarium has a long-term plan to do site work. In the meantime, the plan would be to change the current parking to accessible parking which allows people to enter on the first floor. Fundraising to cover this work is underway.

The second request of the MAAAB is a time variance for access to the first-floor entrance until the site work to be completed.

Commissioner Koruna moved to support – – **Temporary Relief from 521 CMR 25.2** – Allow that the first level entrance be the only accessible entrance until the time that the museum secures sufficient funding and completes a major site project. Commissioner Stolberg seconded the motion. All approved via roll call with Commissioner Myska and Prochilo recusing themselves given they are members of the MAAAB

Notice of Action

- 670 West Boylston Street
- 36 Upsala Street

Announcements:

- **Next Accessibility Advisory Commission meeting:
November 21, 2023 - 4:30pm**

- **White Cane Day - October 15, 2023**
- **October is National Disability Employment Awareness Month:**
<https://www.dol.gov/agencies/odep/initiatives/ndeam>
- **WRTA Transportation Advisory Planning Group – Thursday, October 25, 2023 - 1 -2:30pm**

Adjournment:

Meeting was adjourned at 6:54 pm by a unanimous roll call vote moved by Commissioner Bureau and seconded by Commissioner Myska. Approved by roll call.

*Material can be viewed at the Human Rights & Accessibility Office upon request.