

Commission on Disability Meeting  
Minutes from Tuesday November 20, 2012  
Worcester City Hall, Levi Lincoln Room, 3<sup>rd</sup> flr  
4:15 PM

**Attendance**

**Members:** Herbert Cremer, Charles Hiamah, Deborah Malone, Pauline Piso, Stephen Stolberg, and Lynne Towler

**Staff:** Dawn E. Clark, Jayna Turchek

**Guests:** Deputy Chief Sean Fleming from the Worcester Police Department, Worcester Head Librarian Wei Jeng Chu, and Worcester Public Library Facilities Manager Joel Wentworth

**Members of the Public:** Jacqueline Norton, Terry Kelly, L. Kelly, Jo Hart

**1. Call to Order:** The meeting began with a call to order and welcome from the chairperson. Ms. Malone, the Vice Chairperson, chaired the meeting in the absence of the Chairperson. There were around the room introductions.

**2. Public Comment Period** Ms. Malone explained the public comment period guidelines asking that comments reflect the needs of the disabled and opportunity was given members of the public to reserve time later in the meeting to comment on a particular item on the agenda.

**3. Minutes:** Motion was made to accept the minutes as written by Mr. Stolberg seconded by Miss. Towler. Motion carried with one abstention.

**4. Sidewalk Snow Removal Presentation:** Deputy Chief Sean Fleming spoke on snow removal in the city for this upcoming winter both for the private and the public sector. Mr. Cremer asked when the next snow removal committee meeting was to occur. Mr. Cremer told the Deputy Chief that he would continue to serve on the snow removal committee as a private citizen and asked to be told when the next meeting would be scheduled. Ms. Turchek will follow up with Common Pathways. Mr. Cremer also wanted youth that shovel for free to be recognized with a certificate. Jo Hart expressed concerns over the accessibility of bus stops in the winter. She is concerned that bus stops are not cleared and buses do not stop or are re-routed without notice to passengers if there is not a clear space. She

commented that this is not just in one location but all over the city and recommended the WRTA be contacted. She said they are already aware of the situation but wants to make sure what happened two years ago does not happen again. Members asked Jayna Turchek to please look into the matter complained of by Ms. Hart. Ms. Malone asked if Deputy Chief Fleming could please discuss with the Department of Public Works what homeowners should do when street snow is piled on their property or sidewalks after they have cleared the sidewalk. If there are any concerns or questions, the public can call the DPW customer service number 508-799-1300. A member of the public asked who shovels the sidewalks along foreclosed properties and was answered that if the property is cited, the snow will be removed by a contractor and the billing will be handled later. The City of Worcester snow removal policy was provided in the Commissions' meeting packet in October. Ms. Malone commented that notices regarding the snow removal policy were sent to homeowners along with their recent water bills. Ms. Malone reminded everyone that if there is a problem to call the DPW number 508-929-1300 so that Worcester Police Department can enforce.

##### **5. Discussion on Library Accessibility with Library Staff**

Ms. Malone welcomed Wei Jeng Chu and Joe Wentworth. In 2009 the library requested additional HP parking spaces on Library Lane. This work has not yet been done. Ms. Jeng Chu will follow up to see that it gets done. Ms. Malone brought up the need for access to accessible computers due to the restricted hours for the computer room. Ms. Jeng Chu indicated she was aware of the issue and was in the process of rectifying. Mr. Cremer asked that the bathroom on the third floor be equipped with a toilet paper holder that is higher to the ground and to have paper towels available for hand washing. Mr. Wentworth said this would be done. Concern was also raised about the pathway from the McGrath parking lot to the Library because it is not always clear of snow/ice. Mr. Wentworth indicated this was not the Library's property. However, they do try to clear when asked. A question was also asked about the step after the crosswalk as you enter the parking lot. Mr. Wentworth explained that they can not change the step because there is a massive electric box underneath and they would have to close library lane in order to get the slope correct. A question was also asked about the slate pieces along sidewalk and entrance. Mr. Wentworth said they had to remove the seal over the slate because people were slipping and without the seal water gets under the pieces and freezes and over time the slate pieces lift up. Ms. Jeng Chu said that in the spring the library will go through

strategic planning and they would like to put capital funds towards corrected the slate problem. Ms. Jeng Chu said the library district taskforce has met three times to discuss visions for the parking lot, members and the public are encouraged to come. A member of the public suggested that the library needs a bus stop and Ms. Malone suggested this might be something for the taskforce to consider. Other resources mentioned: the library has museum passes that can be reserved online.

#### **6. Ombudsman for the Disabled and Fragile Elderly**

Mr. Cremer brought up the idea at the Senior Center to consider a grant for an ombudsman and public advocate to do outreach for the disabled and fragile elderly. Ms. Turchek suggested that the Commission could review available resources to identify gaps where these case management/advocacy services are already provided and/or to demonstrate the need. She suggested it may be helpful to create a resource guide identifying existing services. She also suggested the Commission could develop and conduct a survey. Mr. Cremer suggested Ms. Turchek contact Michael Muehe, Executive Director of the Cambridge Commission for Persons with Disabilities who will receive the 2011 Advocate and Activist for Disability Rights award at the Boston Center for Independent Living 's 15th Annual Marie Feltin Award Ceremony later this month to see how this type of advocacy is done in Cambridge.

Mr. Cremer also said he wanted to see a report on disability cases in the office. He wants to see reports like those given under the last staff liaison to the commission. Ms. Turchek said she will be happy to provide information when a request was made.

#### **7. Downtown Sidewalk Project – AAB Follow up**

The requested variance was granted based on the material provided by the City of Worcester.

#### **8. MA Recovery Hospital**

Ms. Turchek recommended this item be tabled. Mr. Pena had placed this item on the agenda and he is not present.

#### **9. Worcester Historical Museum**

In a letter provided to the Commission William Wallace, Executive Director, of the Museum thanked the Commission for reviewing the request for an

accessible replacement of their front doors. On October 18, 2012 the Worcester Historical Commission denied the request for a wavier of the one-year demolition delay ordinance. They look forward to working with the Commission in the future.

#### **10. John Street Church**

Ms. Turchek recommended this item be tabled. Mr. Pena had placed this item on the agenda and he is not present.

#### **11. Communications and Reports**

Director of Human Rights and Disabilities – Ms. Turchek announced that the Office is planning a training on “What to do if you suspect abuse of persons with disabilities and elders” on Wednesday, January 30, 2013 from 2-4 PM at the Worcester Senior Center. Susan Love from the Disabled Persons Protection Commission will present during the first hour followed by Mary Parenteau from the Protective Unit, Elder Services of Greater Worcester. The target audience is Worcester City employees and volunteers. She asked the Commission if it was interested in co-hosting this training along with the Elder Affairs Commission. The Commission wants to co-host. When asked if others could be invited she responded that it is possible. This would be determined after the new year when the response is assessed.

The Office is developing an outreach list of agencies, groups, providers and interested individuals. The purpose is to make known the work of the Office and Commission and the various meetings, events and notices of interest to the community.

#### **12. Member Updates and New Business**

Mr. Cremer expressed his concern that the commission did not have quorum for the October 30, 2012 Commission Meeting.

#### **13. Announcements and Adjournment**

There being no other business, the chair called for adjournment. Pauline PISO so moved and Steve Stolberg seconded.

The meeting adjourned at 7: 00PM

Submitted by

Lynne Towler in collaboration with Dawn Clark and Jayna Turchek

## ***Sidewalk Snow Removal Policies***

---

### Public Sidewalks

- Worcester City Ordinance (C12 s23) states that owners or occupants of property with sidewalks bordering on any street is required to remove snow and ice from sidewalks ten (10) hours after snow ceases to fall.
- Please make a path of at least four (4) feet in width and also clear ramps at corners that abut your property.
- Complaints can be made to Department of Public Works and Parks if snow/ice is not cleared 10 hours after snow ceases. Department of Public Works and Parks can be reached at (508) 929-1300, or use our [Online Customer Service Center](#).

- Department of Public Works will refer complaint to the enforcing agency which is the Police Department.
  
- The fine for failing to comply with the city's sidewalk snow removal ordinance is **seventy-five dollars (\$75.00) per day.**
- Even if you are on vacation or are a landlord it is still your responsibility as the property owner to ensure that your sidewalks are cleared.
  
- A provision of this ordinance also permits that if the owner or occupant fails to clear the sidewalk of snow within the time allowed, the city may remove the snow and clear the sidewalk. **The city may then seek reimbursement** of the expense incurred from the owner or occupant.

- If you are a homeowner and you are elderly or disabled, you may qualify for assistance. View the [List of Referrals for Sidewalk Snow Removal \(44KB\)](#) or contact the DPW&P Customer Service Center at (508) 929-1300.

<http://www.worcesterma.gov/dpw/seasonal-information/sidewalk-snow-removal>

This Ordinance shall not apply to sidewalks abutting the rear lot line of any property along a state highway which is maintained by the state as the same shall from time to time be identified and published by the commissioner. \*

\*Amended October 25, 2011 - 9687



11.07.2012 13:00

Hood

Always good  
Always Hood

Proud Partner of the  
Boston Red Sox

Hood.com



Hood



EMV

EMV

EMV

EMV

EMV

EMV

EMV





11.07.2012 13:54

AAB Variance Application

Worcester Recovery Center & Hospital at 309 Belmont Street

Comments submitted electronically by Mike Kennedy, ADA/Access Coordinator, Center for Living & Working, Inc.

1) Interior-There were a variety of variance requests concerning the interior of the building. The reasons behind the need for variances where either dimensions that were non-compliant by amounts small enough to not adversely affect the accessibility such as ADA dimensions versus the more stringent AAB ones. Some accessibility features were purposely omitted or altered for the safety of the patients (such as suicide prevention) and staff. I found all the interior related variance requests to be reasonable and sensible because it ensures safety to staff and the patients.

2) Walkways- I drove around the new building and observed what I believe were all the new parking areas and sidewalks. We need to keep in mind the size of the facility and the fact that the sidewalks cover an area of 25 acres as stated in their variance request seeking relief from total adherence to the running and cross slope codes. From what I observed, I didn't see any sidewalks that looked like they were totally non-compliant. For the record, I have seen sidewalks in other municipalities that had such severe cross slope, that I could see it from my car while I was driving. I didn't see any of that here. In addition, curb cuts seemed to have been installed in all the places that they are required to be. I also observed that all the crosswalks at the grounds and all along the Belmont Street streetscape project have what appears to be either brick or I hope for the sake of avoiding future access violations, stamped concrete. I couldn't tell from my car.

3) Accessible parking - I saw plenty of handicapped parking spaces scattered throughout the grounds. I saw signage indicating visitor parking but nothing for staff. There were several handicapped parking spaces that had the above ground signage and compliant access aisles. However, I also saw a bunch of parking spaces that had the above-ground handicapped parking signage but no access aisles and that concerned me. I brought that to the attention of the AAB compliance officer who actually was one of the ones who performed the site visit and he pointed out the fact that these spaces are over and above the required number that need to be fully compliant. The total number of parking spaces is such that it would take hours to try to count them all, so I have to go with the amount of parking spaces that they claim they have. I don't recall seeing a variance request to have accessible spaces without the proper stripping. If these not totally compliant handicapped parking spaces aren't a concern for the AAB, then I don't have a problem with it either.



worcester historical museum

City of Worcester Commission on Disability  
Jayna L. Turcek, Esq., Director  
Office of Human Rights & Disabilities  
City Hall  
455 Main Street  
Worcester, MA 01608

To the members of the Commission:

Thank you for your time and perspectives on October 9, 2012, regarding our door replacement project intended to guarantee access to Worcester Historical Museum, 30 Elm Street. On October 18, 2012 the Worcester Historical Commission denied our request for a waiver of the one-year demolition delay ordinance, requiring the Museum to wait until August of 2013 to proceed with the project.

Given this delay, we gratefully withdraw our request for further Commission discussion/interaction at this time. We will continue to work on this goal with architects and engineers, and will look forward to sharing our plans at a future date.

Sincerely,

William D. Wallace  
Executive Director

9 November 2012

**Chairperson**  
Rachel Shannon Brown

**Vice-Chair**  
Deborah Malone

**Secretary**  
Lynne Towler



**City of Worcester  
Commission on Disability**

**Members:**  
Herbert Cremer  
Charles Hiamah  
Pauline Piso  
Stephen Stolberg

**Associate Members:**  
Javier Pena

## **MEETING AGENDA**

### **COMMISSION ON DISABILITY**

**Tuesday, November 20, 2012**

**4:15 PM\***

**Worcester City Hall, Levi Lincoln Chamber**

- |  |                  |
|--|------------------|
| <b>1. Call to Order, Welcome and Introductions</b>               | <b>4:15-4:20</b> |
| <b>2. Public Comment Period</b>                                  | <b>4:20-4:35</b> |
| <b>3. Discussion of October 16, 2012 Minutes</b>                 | <b>4:35-4:40</b> |
| <b>4. Sidewalk Snow Removal Presentation</b>                     | <b>4:40-5:00</b> |
| <b>5. Discussion on Library Accessibility with Library Staff</b> | <b>5:00-5:20</b> |



CITY OF WORCESTER COMMISSION ON DISABILITY  
c/o JAYNA TURCHEK, ESQ., DIRECTOR  
OFFICE OF HUMAN RIGHTS & DISABILITIES, CITY HALL  
455 MAIN ST., WORCESTER, MA 01608  
TELEPHONE (508) 799-1152 | FAX (508) 799-1208  
EMAIL: [disabilities@worcesterma.gov](mailto:disabilities@worcesterma.gov)



- 6. Ombudsman for the Disabled and Fragile Elderly 5:20-5:35**
- 7. Downtown Sidewalk Project - AAB follow up 5:35-5:45**
- 8. MA Rehabilitation Hospital 5:45-5:55**
- 9. Worcester Historical Museum 5:55-6:00**
- 10. John Street Church 6:00-6:05**
- 11. Communications and Reports 6:05-6:10**
  - a. Director of Human Rights and Disabilities
- 12. Member Update and New Business 6:10-6:15**
- 13. Announcements and Adjournment 6:15\***

**\* Please note: We will do our best to conclude the meeting on time however the meeting may be extended until 6:45pm if additional time is required.**

- 14. Items for Future Discussion:**
  - a. Service/Companion Animal Ordinance
  - b. Emergency Preparedness and Emergency Management
  - c. Friends of the Commission
  - d. Transportation and TPAG
  - e. Bullying Project
  - f. Executive and Advisory Commissions