

**City of Worcester  
Commission on Disabilities  
December 8, 2010 Meeting Summary**

Type of Meeting: Regular Monthly Meeting  
Date and Time Convened: December 8, 2010 - 4:00 p.m.  
Place Where Convened: Worcester City Hall, Esther Howland City Council Chamber  
Members Present: Rachel S. Brown, John Cronin, Grace Clark, David H. Perry, Steve Stolberg  
Members Absent: None  
Associates Present: Deborah Malone, Herbert Cremer  
Associates Absent: Mary Healey  
Staff Present: Fran Manocchio  
Public Present: Mike Kennedy, Center for Living & Working, Inc., Robert Bermudez

1. Meeting called to order at 4:07 pm by Rachel S. Brown, Chairperson.
2. Acceptance of November Minutes: Hold until end of meeting.
3. Communications and Reports:  
Rachel noted that she has not received any correspondence from the City Manager regarding the November 29, 2010 letter about construction projects.
4. Old Business:
  - a. Implementation of Registry and Outreach Plan: The City Manager's Office presented a report to City Council on November 16, 2010, outlining the development of a Voluntary Emergency Preparedness Registry for People Requiring Additional Assistance. The report stated that the Office of Human Rights and Disabilities, the Division of Public Health, the Department of Emergency Communications and the Technical Services Division, in partnership with the Commission on Disabilities, collaborated to develop a registry for people who may require assistance in the event of a natural or manmade disaster. The Registry was available on the City's website as of December 1, 2010. Fran asked that Commissioners work with her to complete an outreach and media plan to share with the City Manager's Office. Rachel Brown emphasized that this is a voluntary registry and the information is confidential. Brainstorming/Discussion:
    - Print media: Senior Scoop, InCity Times, Over 55 paper
    - Worcester Senior Center
    - Worcester Housing Authority and privately managed housing complexes
    - Government Access Station, WCCA, Public School Channel
    - State Agencies, including Mass. Rehabilitation Commission, Mass. Commission for the Blind, Mass. Office on Disabilities, Mass. Commission on Deaf and Hard of Hearing
    - Aging and Disability Consortium
    - Outreach to individuals who can assist residents with completion of the registry; e.g., Worcester Housing Authority has social workers

- Steve Stolberg offered to discuss the registry with consumers at CLW during the intake process.
- Websites of various partners/collaborators
- Utility Companies (Is there a role?)
- Nursing homes
- Nurses Aide training programs/home health care agencies
- City's Public Health nurses who go to Worcester Housing Authority locations
- Seven Hills Foundation and other residential programs for people with emotional/psychiatric disabilities
- Worcester Public Schools?

Fran offered to draft materials; Herb and Debbie volunteered to review and revise.

b. Follow-up on Snow Removal Ordinance Discussion: Debbie Malone reported that the next meeting of the Snow Removal Committee will be held on Monday, December 13. Work is nearly complete on the double-sided flyer in English, Spanish and Vietnamese. A report went to City Council on November 16, 2010; Councilors were very enthusiastic about the approach and early notification to the community regarding snow removal. Rachel Brown noted that the WRTA is responsible for clearance of bus stops and shelters. WRTA officials have stated they are working with DPW&P to clear the shelters and downtown locations. Herb Cremer inquired about business owners who about a bus stop; Rachel stated, once again, that the WRTA is responsible and if they chose to do so, they can contact business owners.

c. City Hall Garage: No further communication/discussion.

d. Follow-up on November Election: Fran reported on meeting with Mayor O'Brien who requested that Fran, as the City's ADA Coordinator, visit all 37 polling location on election day(s) to conduct an audit of the AutoMARK machines and other ADA compliance issues. Commissioners disagreed vehemently with this recommendation. Commissioners directed Fran to communicate with Mayor O'Brien that the responsibility for monitoring ADA elections compliance is with the City Clerk and the Assistant Clerk for Elections. Rachel Brown noted that the Mayor can command City Council to get the Elections Commission into full compliance with the ADA. Rachel has not received any acknowledgment of her correspondence with the City Clerk and Elections Commission regarding her observations as a first time poll worker in September 2010. Upon further discussion by Commissioners, all agreed that there are two issues: a) widespread problem among poll workers and staff of non-compliance and b) despite major training effort by Commission on Disabilities and outreach, violations of the ADA and HAVA continue. Lastly, Herb Cremer shared photographs of handicap parking violations at one of the polling locations.

## 5. Transition Plan, Accessibility and Access Board Issues

A. ADA Transition Plan Work Group Report: Work Group did not meet in December. Fran forwarded the revised Checklist, Training Agenda and PowerPoint to Christina Andreoli in the City Manager's Office who was forwarding the information to the Law Department and Human Resources for their review. The Work Group will meet

on January 11, 2011. The Commission held two public hearings in November, one in evening and one during the day. The daytime meeting had a better turnout. The purpose was to gather information about residents' experiences and concerns regarding the City's compliance with ADA. Commissioners noted areas to improve for future public hearings: more effective outreach and communication plan; request that individual's/agency's presence is "essential"; more announcements in media. Recommendation made to include a "feedback" option on the City's website, on the Office or Commission home page.

B. AAB (Architectural Access Board) Updates Mike Kennedy from Center for Living & Working provided the following updates:

- Social Security Office, Madison Place, 51 Myrtle St. The AAB passed a motion to impose a one-time fee of \$500.00 due to the property owner's failure to respond. They passed a second motion to set up a site visit to verify the measurements which Mike Kennedy will attend. Question raised: What happens to the fines/fees the AAB receives?
- 210-212 Summer Street -. Received AAB correspondence dated 11/5/10 stating that the Board voted to deny their variance request for the reason that impracticality had not been proven in this case and to dated they (AAB) have not received an appeal from the petitioners regarding the violation of this code. Received a copy of the AAB Notice of Hearing dated 11/30/2010. An informal adjudicatory hearing will take place on 2/7/11 as a result of variance for modification of or substitution of Section 28.1 (Vertical Access on the Second Floor).
- Channing Terrace Apartments, 26 Channing Street - Received the AAB decision dated 11/4/10 to continue the hearing to allow time for the petitioners to submit:
  - More information regarding the policy for referring both existing tenants and potential tenants to fully accessible housing within the City of Worcester
  - A status and/or response from DHCD regarding the 10/26/10 letter to Jo Ann McGuirk, Deputy Associate Director.
  - Plans showing the installation of vertical access into coinciding common areas such as access to the lobby (if access is available via an accessible route), as opposed to the current plans which allow access from the ground floor into a first floor apartment.
  - Funding deadlines for the project.

A site visit was scheduled for 11/8/10 at 2:00 p.m. Received a copy of the AAB's Notice of Action dated 11/30/10 to grant the variance requested based on the fact that documentation proved that the cost of compliance would be excessive without substantial benefit to people with disabilities and on the condition that as proposed the accommodation and referral policies are implemented and anyone requesting said service is given assistance with completing the required paperwork upon request. Also, a site visit was performed by AAB staff.

C. New Polling Location at Anna Maria College, Prescott Street: Mike Kennedy reported that he has not received any communication from either the City Clerk, Assistant

Clerk for Elections or the Elections Commission in response to his communication regarding ongoing concerns at the newest polling location.

D. Notification from City regarding Construction Projects: Letter sent to City Manager under Rachel S. Brown, Chairperson's signature on November 29, 2010; no response yet.

6. Transportation and TPAG: Mike Kennedy attended the recent TPAG meeting which was sparsely attended. There was an important discussion regarding an increase in appeals for paratransit (ADA) services. The WRTA/PBSI raised the possibility of looking at functionally based medical documentation. Debbie Malone inquired about how TPAG will solicit input from consumers. Mike Kennedy commented that he offered assistance from Center for Living & Working, Inc. and the REDD group. Rachel Brown noted that the Commission on Disabilities may want to weigh in on this issue at a future meeting and write a letter to the WRTA. Since some members of the Commission serve on the appeals board, Commissioners commented that this issue is pertinent.

7. New Business: Herb Cremer raised the issue of the Commission honoring individuals and businesses with a certificate of appreciation, such as the community groups/youth who assist elders and people with disabilities with snow removal (free of charge) and/or businesses who are attentive to accessibility issues. This led to brief discussion about HP placards and the potential source of revenue if the Worcester Police Dept. conducted "stings" to seek out illegal placard use.

Fran Manocchio reminded Commissioners about an upcoming program, sponsored by the Human Rights Commission, on December 10<sup>th</sup> at City Hall on employment discrimination. Fran also commented on a recent complaint involving individuals with service animals (dogs) and a local restaurant. The Licensing Commission, which issues annual licenses to all restaurants and bars in November and December, will attached the ADA guidelines on service animals with this year's packet.

Meeting adjourned at 6:04 pm.

Respectfully submitted,

Fran Manocchio  
Director, Office of Human Rights & Disabilities  
December 3, 2010