

Commission on Disability Meeting
Minutes from Tuesday, May 21, 2013
Worcester City Hall, Levi Lincoln Room, 3rd fl.
4:15 PM

Attendance

Members present: Rachel Shannon Brown, Herbert Cremer, Charles Hiamah, Stephen Stolberg, Pauline Piso and Lynne Towler

Members absent: Javier Pena

Staff: Jayna Turcek, Ryan C. Ollis

Guests: Troy Thompson, No Evil Project; Matthew L. Moison, Green Hill Golf Professional

Members of the Public: John Cronin, David Johnson, Jacqueline Norton

1. Call to Order: The meeting began with a call to order and welcome from the chairperson. There were around the room introductions.

2. Worcester Fire Community Risk Reduction program (CRR), Education Unit:

Lt. Annmarie Pickett from the Worcester CRR, Education unit gave a presentation to the Commission. Lt. Pickett explained that the Education Unit reaches out to the community and specific groups to provide fire safety education. The Education Unit works to meet the group's cultural, education, and disability needs by providing relevant safety instructions. Chairperson Brown thanked Lt. Pickett for her presentation.

3. Green Hill Golf Course: Policies and Procedures for Golfers with Disabilities:

Worcester Golf Pro Matthew L. Moison provided a draft of Green Hill Municipal Golf Course's Policies and Procedures for Disabled Golfers for the Commission's review and approval.

Electric Chairs are not designed to carry golf clubs and go down slopes. They would present a safety concern. Instead, the golf course has bid on specially designed golf

carts that would serve the same purpose. The Golf carts are designed to distribute the weight evenly allowing greater access to the golf course and the seat swivels to the side allowing the golfer to hit their shot and swivel back. The Commission members expressed both support and opposition to specially designed golf carts.

Mr. Cremer asked for an explanation of Green Hill's emergency response policies. Mr. Moison explained that the staff is reactive, equipped with first aid kits and two-way radios, and has instant access on and off the golf course. They would treat all emergencies in the same way.

Director Turchek asked for the definition of the term "facility" found in the policy. "Facility" means everything including the golf course, golf shop, restaurant, and deck.

Mr. Moison expressed a desire to have open dialogue with the Commission and take any suggestions the Commission has to improve the accessibility of Green Hill for persons with disabilities.

Mr. Stolberg motioned to approve the policy and Mr. Hiamah seconded the motion. 5 in favor, 0 opposed, 1 abstained. The motion carried.

4. Approval of April 16, 2013 Minutes:

Chairperson Brown, Mr. Stolberg, and Mr. Cremer offered edits to the April 16, 2013 minutes. Motion was made to accept the minutes with edits by Mr. Stolberg seconded by Mr. Hiamah. There were 5 votes in favor, 1 opposed, and 0 abstentions. Motion carried.

5. Public Comment Period:

Chairperson Brown explained the public comment period guidelines asking that comments reflect needs of the disabled and opportunity was given to reserve time later in the meeting to express their concerns on a particular item on the agenda.

The Chairperson thanked the Commission members for not responding to emails received from the public and noted that all Commission business is to be conducted at duly called meetings.

Ms. Norton asked for a clarification on the definition of "Commission Business". Chairperson Brown pointed to the Commission's brochure for clarification. Ms. Norton also expressed concern that advocacy was not Commission business.

6. Emergency Preparedness and Emergency Management:

David Clemens, Director of Emergency Communications, reported to the Commission on Disability on emergency preparedness. Mr. Clemens has been working with an intern from U-Mass to create a homelessness annex to better serve the homeless community.

Mr. Clemens has been working with Worcester Housing Authority to make written contingency plans in the case of an emergency that meets the specific needs of the community such as individuals who are oxygen dependent or individuals who have issues if elevators don't work. There is nobody who is trapped in this city, they will always find a way to reach and help you. This Disability Registry enables better planning to meet the needs of the disability community.

Mr. Cremer expressed concern that the Emergency Preparedness Committee has stopped meeting. The staff member in charge of the board left. Mr. Clemens intends to stay involved with the group once the position is filled.

Mr. Clemens has worked with the W RTA to improve evacuation plans to city shelters. The department uses the WRTA as a first point of contact and they use the WRTA to move people (small scale: house fires to large scale: national disasters).

Relocation announcements are made through media, a reverse notification system that sends emails, text messages, or voicemails to citizens subscribed to service, and finally by police driving through neighborhoods with their intercom on.

Ms. Norton asked Mr. Clemens about personal emergency preparedness and resources available. The department uses the Red Cross, with its larger infrastructure, to provide resources to feed people.

Chairperson Brown requested Mr. Clemens work with Technical Services to link the Alert Worcester and the Disability Registry.

Mr. Cremer requested the Office of Human Rights and Disabilities to apply for grants to supply persons with disabilities with 72 hour emergency go bags.

Chairperson Brown thanked Mr. Clemens for providing the Commission with an educational dialogue.

7. Disability Etiquette Video:

The City Cable Services has offered to assist the Commission on a video project if the Commission wishes to take one on. An etiquette video could be an educational and awareness tool for the community. The AutoMark video has received a great deal of hits and a new video could further extend the Commission's outreach into the community.

The etiquette video could contain little vignettes about what is helpful and not helpful when working with people with disabilities. The Commission members were enthusiastic. Mr. Hiamah and Mr. Stolberg volunteered to be the liaisons to the office in developing a script. The Chairperson asked all members to brainstorm and asked that an update on the project's progress be brought to the next Commission meeting.

8. Commission on Disability Brochure:

The Commission reviewed an updated draft brochure with staff, member and office location changes. Director Turchek expressed an interest to distribute the brochure and create greater interest and participation in the Commission. Ms. Norton expressed concern that that the brochure ambiguously states the responsibilities of the Commission. After discussion, the chairperson believed specific wording would limit the Commission's mission. Chairperson Brown and Mr. Hiamah offered edits to the brochure. Chairperson Brown asked for one final draft that will be voted on next month. The brochure will be placed on next month's agenda.

9. AAB notices and applications:

The Commission reviewed notices and applications from the Architecture Access Board. This was an update from the Board informing the commission that they granted a variance at 649 West Boylston Street, Worcester and a notice of meeting at 193 Lake Avenue, Worcester.

10. Friends of the Commission:

The friends of the Commission could help fundraise for the Commission and assist with the Commission's business. Mr. Cremer no longer saw a need. Mr. Cremer suggested the Office of Human Rights and Disabilities hire an intern. Director

Turchek introduced the summer intern, Ryan Ollis. Chairperson Brown and the Commission welcomed Mr. Ollis.

11. Director's Report

Tomorrow is the workshop for the Introduction to Architectural Plan Reading held in this room from 1M-4PM. There are 18 people registered. Megan Dufresne is the presenter. The participation demonstrates a willingness to learn more about advocacy and disability issues. Commission members should feel free to wear name tags and help out.

Regional meeting for Commission on Disabilities for central region is May 29th at Fitchburg State University. Mr. Cremer heard it was cancelled because of low registration. Director Turchek will confirm and notify members.

Additionally, the statewide meeting is scheduled for June 7th at Best Western in Marlborough. The MA Office on Disability wants to know if any of you are attending and what accommodations you will need.

Members were reminded to mark their calendars for the training on Tuesday, June 18, 2013 from 8:30AM to 4:00PM. This is the Field Based Training presented by the New England ADA Center and the Institute for Human Design. This training will review the ADA and review a building for specific access barriers.

Mr. Stolberg motioned to adjourn. The meeting was adjourned at 6:10

Respectfully submitted:

Ryan Ollis
Intern
Human Rights and
Disabilities Office

Jayna Turchek
Director
Human Rights and
Disabilities Office

Green Hill Municipal Golf Course Policies and Procedure for Golfers with Disabilities

Mission:

Green Hill Municipal Golf Course shall codify, train and implement, policies and procedures for the; communication, registration and access to the course of golfers and visitors with disabilities.

Communication:

- When talking with a person with a disability, speak directly to that person rather than through a companion or sign language interpreter. Be patient if someone uses a device in order to communicate. Never pretend to understand someone, simply ask questions if you do not understand and they will correct it if necessary.
- To get the attention of person who is deaf, tap the person on the shoulder or wave your hand. Look directly at the person and speak clearly, slowly, and expressively to determine if the person can read your lips.
- When meeting a person who is visually impaired, always identify yourself and others who may be with you.
- Leaning on or hanging on to a person's wheelchair is an invasion of personal space and property.
- Place yourself at eye level with anyone who uses a wheelchair or crutches or who has physical limitations.
- If you offer assistance, wait until the offer is accepted. Then listen or ask for instructions. The worst they can do is say "No, thank you".
- When writing or need proper language, avoid all negative connotations or attitudes. Make reference to the person or persons first and then the disability, i.e., "a person with a disability" rather than "disabled person".
- Most importantly, relax and just be yourself. Remember that they are people first and disabled second.
- Web site information shall contain specific information to inform players with disabilities of course access policies. Daily changes and updates shall be added to this page as necessary to inform players of any special circumstance that may prohibit accessing specific areas of the course due to weather or maintenance consideration.
- Email notifications shall include links to course disability access policies and updated conditions.
- Tee time confirmations shall include links to course disability access policies and updated conditions.
- Service animals are permitted throughout the facility.

Player Registration:

- Use main cash register to assist customers in registering for play.
- Players with wheel chairs or mobility issues can be brought to the right side of the main register where there is open space provided for them.
- Allow for extra time as needed to accommodate players with disabilities. Never bypass the players to get to the next customer.
- Course starter/rangers shall be notified by staff or player of any special considerations they may need.

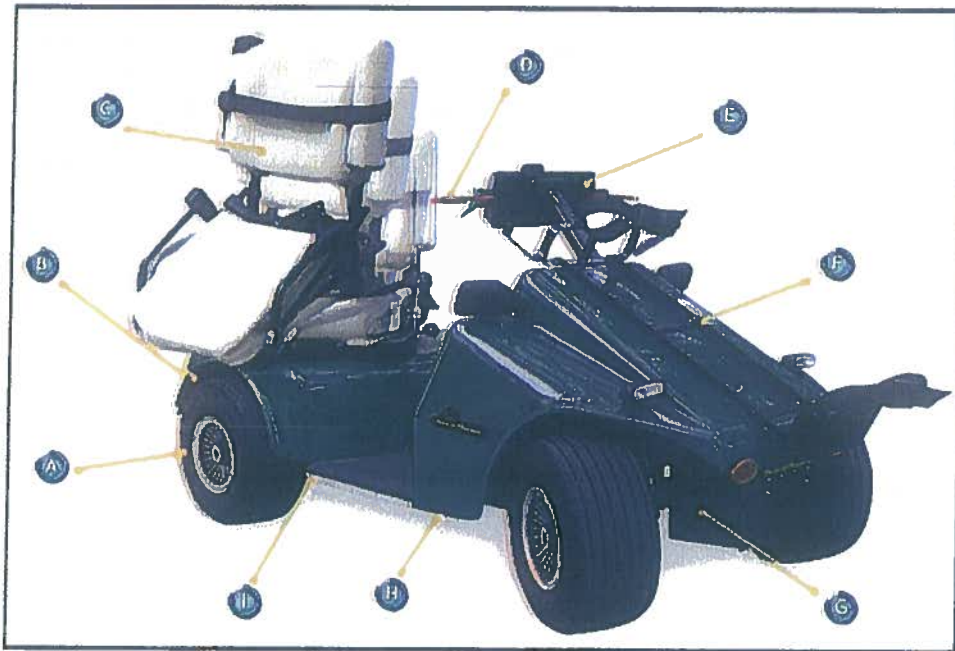
Access to the course:

- Golf course starter/rangers shall assist players in locating the first tee or starting hole in a timely manner to ensure disabled players can meet their tee time.
- Golf Carts must be stored in the front of the building on the black top on the level ground behind the 6th green.
- Driving rules and regulations:
 - Players with mobility issues, who need special considerations, i.e. increased cart access, must notify starter/ranger or have clubhouse staff notify starter/rangers that the player shall be using the course's specially designated golf cart parking locations.
 - These players shall be granted increased access to the golf course grounds to allow for greater ease of reaching the teeing ground and putting greens.
 - Specially designated cart parking markers shall be placed on each hole by the grounds maintenance crew in areas that allow for greater access to the putting greens. These markers shall be placed on flat terrain away from damp or slippery conditions. These markers shall be moved from time to time to prevent wear patterns as in accordance with best case maintenance practices.
 - Cart path only rules shall be installed when course conditions become too wet to allow carts on fairways and roughs. This condition causes rutting of the course, unsafe travel on slope areas, and slippery footing conditions.
 - When course conditions require cart path only usage all handicap driving rules are suspended.
- To replace the use of power chairs on the course GHMGC shall maintain as part of the overall golf cart fleet specially designed golf carts for players with mobility issues.

Jayna

Today the course is sending out a new RFP for golf carts. I enclosed language within the bid to add a cart similar to the image enclosed.

Sample image of special mobility cart



[Type text]

Invitation to Participate

The Commission on Disability typically meets on the third Tuesday of the month at 4:15 pm in the Levi Lincoln Chamber, 3rd Floor, City Hall, 455 Main St. Please check meeting notices at City Hall, on the City website:

www.worcesterma.gov

or on the Worcester government channel, Charter cable channel 12.

If you would like to bring an issue to the attention of the Commission, you can speak during the public comment period of the meeting or make a request to address the Commission by contacting Jayna Turchek, at (508) 799-1152 or by email to: disabilities@worcesterma.gov

To request an Accommodation

The City of Worcester is committed to making all public meetings accessible to the public. Please contact Jayna Turchek to request an accommodation. Please note that we may require 1-2 weeks advance notification to request sign interpreters.

City of Worcester, Massachusetts



Administration

Michael V. O'Brien
City Manager

Jayna Turchek
*Director of Human Rights &
Disabilities*

& ADA Coordinator

Dawn Clark
Disability Intake Coordinator

Commission Members

Rachel Shannon Brown, Chair
Lynne Towler, *Secretary*
Herbert Cremer
Charles Hiamah
Pauline Piso
Stephen Stolberg

Associate Member

Javier Peña

*Working together to improve
accessibility & understanding*

Commission on Disability

Mission Statement

The Commission ensures that all Worcester residents and visitors with disabilities have access to city programs and services by providing information and referral, advocacy, outreach and educational programs.

Executive Office of the City Manager
Office of Human Rights & Disabilities
Outreach Office, Room 303
Office of the Director, Room 311
City Hall - 455 Main Street
Worcester, MA 01608

Telephone: (508) 799-8483 or
(508) 799-1152
Fax: (508) 799-1208

Email:
disabilities@worcesterma.gov

Web:
www.worcesterma.gov/ocm/disabilities
es

History of the Worcester Commission on Disability

In 1977, a small group of people with disabilities met with City Manager Frances McGrath to request the establishment of an advisory committee on disability issues. In 1978, City Manager McGrath, through Executive Order 19, established the “*City Manager’s Advisory Committee on the Handicapped*.”

In 2003, under authority of Article Six of the Home Rule Charter there was established under the jurisdiction of the city manager the “*Worcester Commission on Disability*.”

Establishment and Membership

Classification: Advisory

Term: Three (3) years

Membership: Seven regular members, five associates; appointed by the city manager.

Special requirements for nomination: A majority shall consist of people with disabilities; one member may be a member of the immediate family of a person with a disability.

Duties and Responsibilities

- Encourage public awareness of disability issues.
- Coordinate with local groups or individuals organized or committed to conduct research and carry out programs designed to meet the problems and needs of people with disabilities.
- Review and make recommendations about policies, procedures, services and activities of city departments and agencies to bring about full and equal participation by people with disabilities.
- Advise and assist city officials and employees to ensure compliance with local, state and federal laws and regulations that affect people with disabilities.
- Monitor the city’s development for the proper accessibility protocols.
- Provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability.
- Submit an annual report to the city manager stating the undertakings of the commission, its accomplishments, conclusions and recommendations concerning the status of persons with disabilities in Worcester.

Activities

Monitor the City’s progress regarding the Americans with Disabilities Act Transition Plan.

Review HP Parking violation stats.

Monitor Accessible cab stats.

Advise Public Works Dept. on critically needed repairs and annual expenditure of \$200,000 for accessibility of sidewalks.

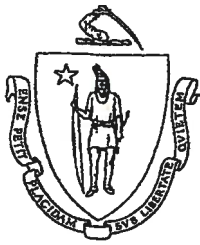
Review and comment on local applications before the MA Architectural Access Board.

Provide trainings for the community on disability related topics

Become a Member

Membership is open to Worcester residents who have lived in the city for at least one year and are registered voters. Contact Jeannie Michelson at 508-799-1175 for more information. An application can also be obtained on the city’s website:

www.worcesterma.gov/boards-commissions



*The Commonwealth of Massachusetts
Department of Public Safety*

*Architectural Access Board
One Ashburton Place, Room 1310
Boston, Massachusetts 02108-1618*

Phone 617-727-0660

Fax 617-727-0665

www.mass.gov/dps

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Andrea J. Cabral
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

TO: Local Building Inspector
Local Disability Commission
Independent Living Center

Docket Number V 13 087

FROM: ARCHITECTURAL ACCESS BOARD

RE: **Retail Building**
649 West Boylston Street
Worcester

Date: **4/24/2013**

Enclosed please find the following material regarding the above location:

Application for Variance

Decision of the Board

Notice of Hearing

Correspondence

Letter of Meeting

The purpose of this memo is to advise you of action taken or to be taken by this Board. If you have any information which may assist the Board in reaching a decision in this case, you may call this office or you may submit comments in writing.



The Commonwealth of Massachusetts

Department of Public Safety

Architectural Access Board
One Ashburton Place, Room 1310
Boston, Massachusetts 02108-1618

Phone 617-727-0660

Fax 617-727-0665

www.mass.gov/dps

Docket Number V 13 087

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Andrea J. Cabral
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

NOTICE OF ACTION

RE: Retail Building' 649 West Boylston Street Worcester

1. A request for a variance was filed with the Board by Greg O'Connor (Applicant) on April 3, 2013

The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board:

Table with 2 columns: Section (30.7.1) and Description (Petitioner seeks relief from having to provide a toilet room with a dimension of 72" x 90" in accordance with 521 CMR Section 30.7.1 figure 30D. The petitioner does provide dimensional clearances and maneuvering spaces that provide a usable single user (unisex) toilet room. See plans marked by the Board as exhibits 1 and 2. (enclosed))

2. The application was heard by the Board as an incoming case on Monday, April 22, 2013

3. After reviewing all materials submitted to the Board, the Board voted as follows:

GRANT: the variance to Section 30.7.1 as proposed in the application submitted, for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has been proven in this case

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: April 24, 2013

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Walter White T.H.
Chairperson
ARCHITECTURAL ACCESS BOARD



The Commonwealth of Massachusetts

**Department of Public Safety
Architectural Access Board**

**One Ashburton Place, Room 1310
Boston Massachusetts 02108-1618**

Phone: 617-727-0660

Fax: 617-727-0665

www.mass.gov/dps

Docket Number

(Office Use Only)

REQUEST FOR ADJUDICATORY HEARING

RE: _____
Name and address of building as appearing on application for variance

I, _____, do hereby request that the Architectural Access Board
conduct an informal Adjudicatory Hearing in accordance with the provisions of 801 CMR Rule 1.02 et.
seq. as I am aggrieved by the decision of the Board with respect to Section(s) _____
of the Rules and Regulations of the Architectural Access Board, 521 CMR.

I understand that I may request such a hearing within **thirty (30) days** of receipt of the Notice of Action.

Date: _____

Signature

PLEASE PRINT:

Name

Address

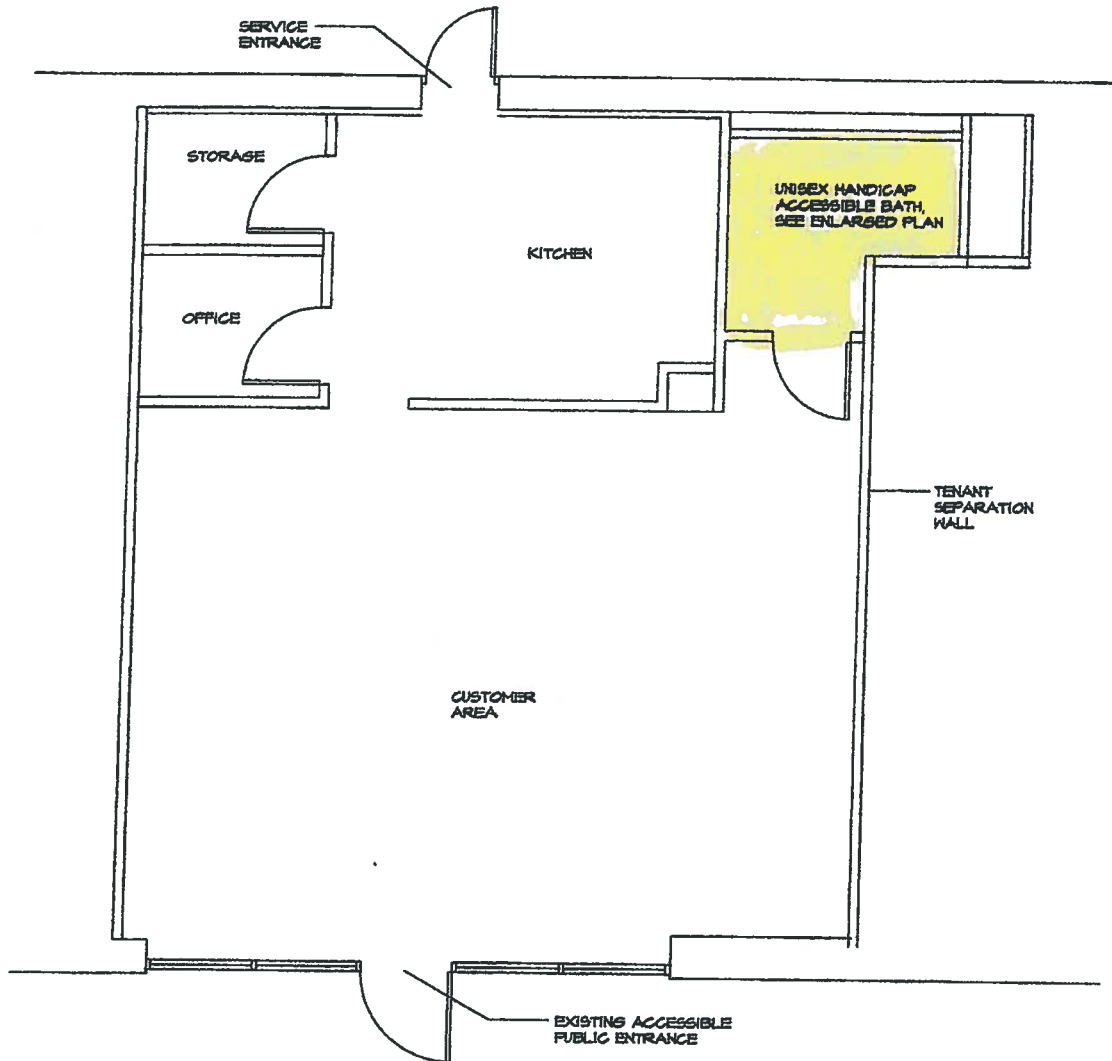
City/Town State Zip Code

E-mail

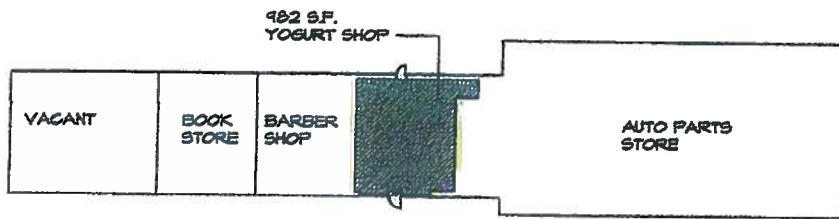
Telephone

PLEASE NOTE:

This form must be received by the Board within thirty (30) days after receipt of the Notice of Action.



YOGURT SHOP FLOOR PLAN

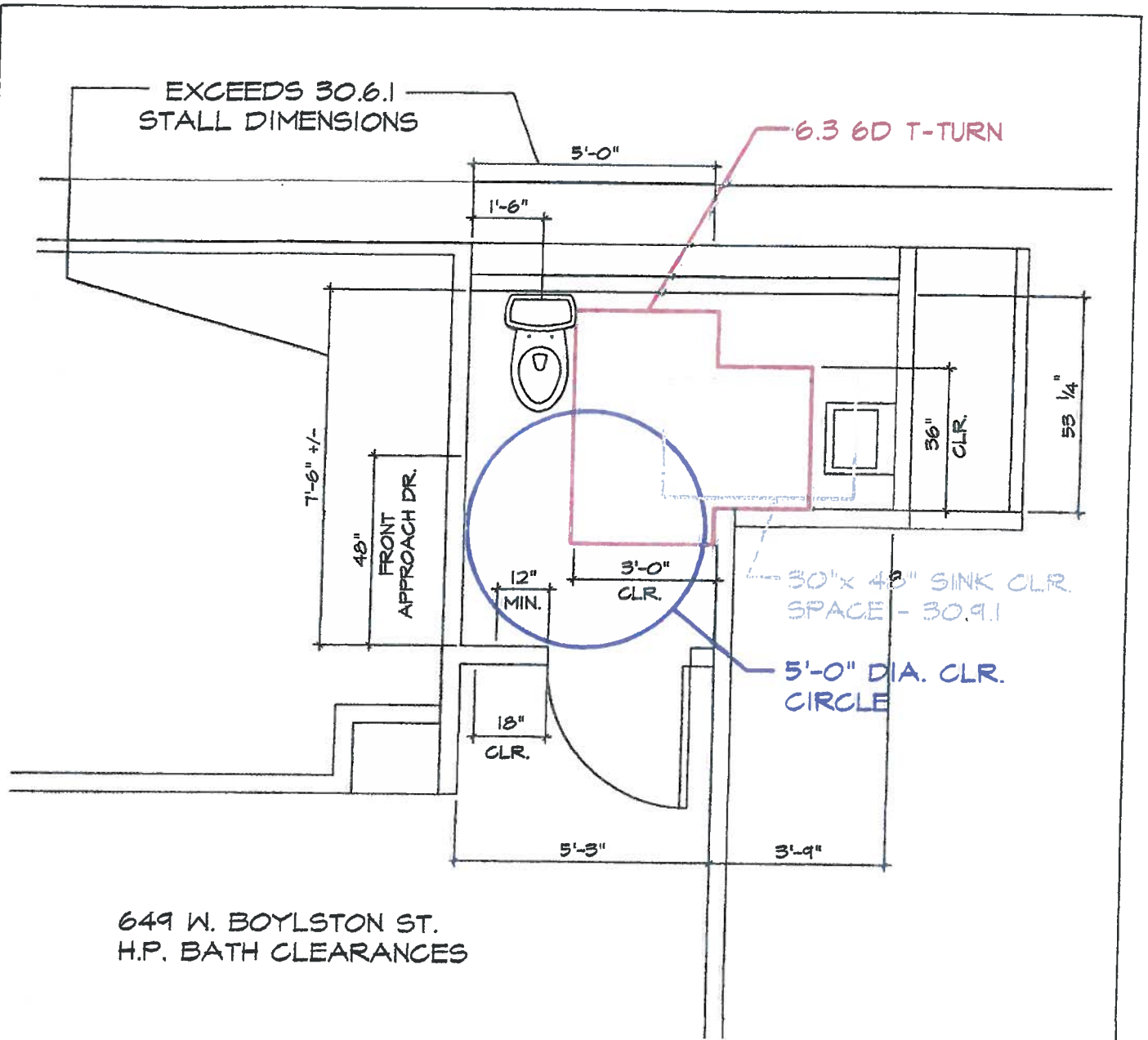


RETAIL BLDG. KEY PLAN

649 W. BOYLSTON ST.
WORCESTER, MA
JOB NUMBER 12-769

Gregory J. O'Connor Associates, Inc.
ARCHITECTS
339 Main Street · Worcester, Massachusetts 01608

DATE: 3/29/2013

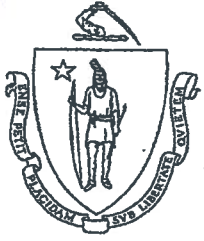


649 W. BOYLSTON ST.
H.P. BATH CLEARANCES

649 W. BOYLSTON ST.
WORCESTER, MA
JOB NUMBER 12-769

Gregory J. O'Connor Associates, Inc.
ARCHITECTS
339 Main Street - Worcester, Massachusetts 01608

DATE: 3/29/2013



The Commonwealth of Massachusetts
Department of Public Safety

Architectural Access Board
One Ashburton Place, Room 1310
Boston, Massachusetts 02108-1618

Phone 617-727-0660

Fax 617-727-0665

www.mass.gov/dps

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Andréa J. Cabral
Secretary

Thomas G. Gatzonis, P.E.
Commissioner

Thomas P. Hopkins
Director

TO: Local Building Inspector
Independent Living Center
Local Commission on Disability
Complainant

Docket Number C-11 151

FROM: Architectural Access Board

RE: Madulka's Ice Cream
193 Lake Avenue
Worcester

DATE: 4/26/2013

Enclosed please find a copy of the following material regarding the above location:

Application for Variance

Decision of the Board

Notice of Hearing

Correspondence

Letter of Meeting

Stipulated Order

First Notice

Second Notice

The purpose of this memo is to advise you of action taken or to be taken by this Board. If you have any information which would assist the Board in this case, you may call this office, or you may submit your comments in writing to the above address.

Thank you for your assistance.



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Department of Public Safety

Architectural Access Board
One Ashburton Place, Room 1310
Boston, Massachusetts 02108-1618

Phone 617-727-0660

Fax 617-727-0665

www.mass.gov/dps

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

April 26, 2013

RE: Madulka's Ice Cream, 193 Lake Avenue, Worcester (Docket Number C11-151)

Dear Mr. Madulka;

The Board will be visiting the above mentioned site on **Wednesday May 15, 2013 at 3:30 p.m.**

Please have someone available at the site to answer any questions.

If you have any questions or concerns before the visit, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Dempsey".

Mark E. Dempsey
Compliance Officer
Architectural Access Board

cc: Local Building Inspector
Disability Commission
Independent Living Center