

Commission on Disability Meeting  
Minutes from July 21, 2015, 4:30PM  
Worcester City Hall, Levi Lincoln Chamber 3<sup>rd</sup> Flr.

**Attendance:**

**Members Present:** Francesca Abbey, Herbert Cremer, Susan Fahlbeck, Nancy Garr- Colzie, Paul Keister, Elizabeth Myska, Joseph Prochilo, Douglas Russell, Jr., Stephen Stolberg

**Members Absent:** Robert Bilotta, Susan Swanson

**Staff:** Jayna Turchek; Dawn E. Clark, Adam Maarij, Student Intern

**Members of the Public:**

Joseph Bellil; Michael Kennedy; Jack Peacock; John Provost and Scott Ricker

**Welcome, Call to Order & Introductions**

The Chairperson Steven Stolberg welcomed commission members and the members of the public present. He invited members of the public to sign in. After the meeting was called to order, the commissioners introduced themselves.

**Approval of June 16<sup>th</sup>, 2015 Minutes**

Commissioner Garr-Colzie moved to approve the minutes as amended with edits offered by Commissioners Cremer and Fahlbeck. Commissioner Abbey seconded the motion. Motion passed unanimously.

**Conversation with City Manager Edward M. Augustus , Jr. on city's ADA Plan and COD Annual Report**

Director Turchek introduced City Manager Edward Augustus. He is here to have a conversation with the Commission in response to having received the Commission's FY'15 Annual Report.

The City Manager thanked the commission for its hard work and the study done to bring accessibility issues to the forefront. He is committed to asking what can and should the city be doing to make every part of city government fully accessible to all people be it streets and sidewalks, public buildings or programs and services.

Mr. Augustus shared highlights of what the city is doing to increase accessibility. With the 2014 ADA Transition Plan Report in hand the city has used both capital and operating budgets to improve the identified areas of need. One of the capital expenditure requests proposes to move a DPW/Water staff person into a newly renovated space with elevator and restrooms to provide accessibility to residents doing business with this office. This will make the services available at the Water Department accessible which it is not presently.

The Parks Department has worked hard to make improvements to accessibility. For example, Coes Pond beach will be receiving a newly rehabbed bath house and the red bridge in Elm Park will be accessible. The city also is working to make pathways in the parks more accessible.

The Manager has applied for a Massachusetts grant to build the second universally accessible park in New England. This park will be located at Coes Pond. The only other fully accessible park in New England is at Spaulding Rehabilitation in Boston. It is important for every person especially children to enjoy our parks. This is a great opportunity not only for the city, but for anyone in Central Massachusetts. Many groups are involved with this project and he recommends the Commission get involved by reviewing the park design and plans.

Last year 50 miles of streets were repaved and 23 miles of new sidewalks were created. Every time a street is repaved sidewalks and curb cuts are created/rehabbed. Next year Main Street will be updated from court house to court house.

The Manager has talked to the City Clerk about the challenges at some of the polling locations. The Election Commission has made very good progress on meeting the identified challenges by changing location or rooms in the facility. They are working with the city's partners to improve the accessibility of the polling locations.

Additional dollars are going into the City Hall elevators. There have been some issues over the past year. Over \$200,000 has been committed for their repair and maintenance which will ensure City Council and Board/Commission meetings are always accessible to the public in City Hall.

The manager responded to questions:

- Snow removal has been a challenge and was a huge issue this year. The City used resources they never used before: called in National Guard; used snow melters; and did overnight snow removal. Keeping up with the wall of snow was as challenging to the city as it was to the homeowner. Snow removal in New England is a challenge; the city is constantly asking how to do it better.
- The paving of Main Street next year will include lighting, sidewalk including a bike lane. There will be a public hearing so people will know what is going to happen and make comment.
- When addressing the safety of streets that do not have sidewalks. Consideration to install a sidewalk is done on a case by case basis. This was the case on McKeon Road and now there are sidewalks. There is not a proactive effort to put sidewalks on streets. As good

as the city is doing with its streets, there are 500 miles of streets and thousands of miles of sidewalks in the city.

- The City Council has a process for getting streets and sidewalks fixed. This year the Council voted to use unused tax levy money for street work.
- There are not a lot of good traffic options to make Kelly Square safer, but that area is being looked at since the recent tragedy. There may be small changes that could be made.
- When asked if he could do more to add more diversity to the Commission on Disability, the City Manager looked around the table at those he has appointed and said there is a lot of diversity already on the Commission. He welcomes anyone with an interest in serving to apply and he asked that the Commission work through the Director with any ideas on recruitment. He agreed that we need all voices and perspectives on the Commission.
- Councilor Russell and Assistant Commissioner of Parks Robert Antonelli received praise from the public for ramp and other improvements made at Tivnan Field. The Manager appreciates the work that Commissioner Robert Antonelli does and stated Mr. Antonelli understands accessibility issues and is responsible for over 60 parks with limited resources.

Chairperson Stolberg thanked the City Manager.

**Presentation of the city website review (Lise Capet and Helen O’Keefe, Institute for Human-Centered Design)**

Director Turchek introduced Lise Capet and Helen O’Keefe from the Institute for Human-Centered Design who will review the report on the Accessibility of the City of Worcester’s Website. The Commission was provided with the report and for the public the report can be found on the City’s Office on Disabilities web page.

The Institute for Human-Centered Design is an international educational and design non-profit based in Boston.

As a way of summarizing the presentation the minutes include the report's Executive Summary and Conclusion with responses to questions asked at the meeting.

### **“Executive Summary**

The ‘WorcesterMA.gov’ website contains a number of features that enable users with a wide spectrum of abilities the opportunity to access information about the City of Worcester and the many programs, services and benefits offered through the website. Currently, it meets some applicable portions of the World Wide Web Consortium/Web Accessibility Initiative (W3C-WAI) Web Content Accessibility Guidelines (WCAG 2.0) and Section 508 of the Rehabilitation Act, but a few steps could be taken to fully meet these web accessibility standards. The standards presented in Section 508 and the W3C/WAI's WCAG 2.0 provide the most robust set of guidance for a website that works well for users with the widest range of physical, sensory or cognitive abilities.

### **Requirements for non-discrimination in web information**

The U.S. Department of Justice has clarified expectations that the websites of state and local governments are covered by ADA title II as well as under Section 504 for recipients of federal financial assistance. The City of Worcester's responsibility as an ADA Title II entity, based on guidance from the US Department of Justice (DoJ), is to meet the WCAG 2.0 AA guidance. Websites should be considered ‘programs’ of the City. (See more detail from DoJ: [http://www.ada.gov/anprm2010/web%20anprm\\_2010.htm](http://www.ada.gov/anprm2010/web%20anprm_2010.htm).)

Though the obligation is not ambiguous, the Department of Justice (DoJ) is expected to revise the regulations implementing ADA title II relative to the accessibility of web information and an announcement is expected at any time. DoJ is responding to the need for clarification in the face of inconsistent court decisions, differing standards for web accessibility, and calls by people with disabilities to end any misperceptions about the requirements.

Given the significance of web-based information for residents interacting with local government, web accessibility should also be viewed as an obligation to non-discrimination for state and local governments under the overarching responsibility to ensure “programmatically access” to people with disabilities and as a responsibility to provide “effective communication,” a core administrative responsibility under both Section 504 and the ADA.

### Web Content Accessibility Guidelines - WCAG 2.0

Web Content Accessibility Guidelines (WCAG 2.0) are the most commonly recognized standard for web accessibility globally. It has been developed through a global participatory process and maintained by the World Wide Web Consortium (W3C): an international community where member organizations, a full-time staff, and the public work together to develop web standards. Led by web inventor Tim Berners-Lee and CEO Jeffrey Jaffe, W3C's mission is to lead the web to its full potential. The first design principle that guides W3C's work is: Web for All.

The social value of the web is that it enables human communication, commerce, and opportunities to share knowledge. One of W3C's primary goals is to make these benefits available to all people, whatever

their hardware, software, network infrastructure, native language, culture, geographical location, or physical or mental ability.

Web Content Accessibility Guidelines (WCAG) 2.0 covers a wide range of recommendations for making web content more accessible. Following these guidelines will make content accessible to a wider range of people with disabilities, including people who are blind or low vision, deaf or hard of hearing, have learning disabilities, cognitive limitations, limited movement, speech disabilities, photosensitivity and combinations of these. Following these guidelines will also often make your web content more usable to users in general.

There is a global trend toward bringing the mix of guidance on web accessibility into agreement – “harmonization” - so that shared guidance will result in reliable and predictable accessibility across more nations.

#### Synopsis of WorcesterMA.gov

Users with disabilities, including those with low or no vision, limited or no hearing, physical /motor impairments, and cognitive disabilities will find that portions of the website are accessible but they will encounter difficulties with the usability or ease of use with certain aspects of the site. The biggest challenge for users is with the organization of the main website and the ability to find information. The City of Worcester also uses numerous external web-based service providers (e.g., pay online parking ticket) that are found to be partially inaccessible. The City could limit this problem in the future by including requirements for accessibility as a core procurement requirement of the service provider and could mandate that payment will be contingent on satisfactory performance for required accessibility.

The other set of websites reviewed WorcesterMass.org;  
WorcesterEnergy.com; BuyWorcesterNow.com; CMWIB.org;

Job1ForYouth.com did not equal the accessibility quality of WorcesterMA.gov, so specific attention should be given to those other websites.

## **Conclusion**

A lot of good work has already been undertaken to improve and maintain the accessibility of *WorcesterMA.gov*. The focus has been on the needs of blind users. This is a great step forward, but the spectrum of people with disabilities to consider goes well beyond people who are blind. Planning should anticipate users with physical (dexterity and reach issues) and sensory (sight, hearing), and the very diverse group of people with brain-based conditions ranging from learning disabilities to mental health conditions to cognitive issues. And it's important to consider how well the sites work for older users who are not digital natives.

A great number of accessibility features were present and worked well for User/Experts. However, users with low vision and users with cognitive impairments (e.g., dyslexia) found the navigation particularly challenging and confusing. *WorcesterMA.gov* is a large website that is very text-heavy. The addition of images or videos as an alternate means to receive information could vastly improve the experience of users who struggle with large amounts of text.

By addressing the key findings identified earlier, much progress can be made to ensure the accessibility and usability of the *WorcesterMA.gov* website. Those will greatly help senior users, users with low vision and user with cognitive impairments. We believe it will also improve the experience of everyone who visits the site.

It is important for the *WorcesterMA.gov* website team to continue to include older users and users with a mix of disabilities across the

spectrum of skill and technological ability for ongoing testing and evaluation of the website. It is also critical to success that future online service application procurements stipulate very specific requirements for meeting WCAG 2.0 AA accessibility to avoid the situation of linking city services to inaccessible external service providers.

Given that websites are constantly being updated, it is important to make sure that every person involved in the uploading of content pay the same attention to accessibility. We suggest developing a reference guide for the staff to remind them of those accessibility best practices.

It will build expertise and capacity among all pertinent City staff and ensure long-term accessibility for all residents.”

Responses to questions:

- Automatic captions are not required
- Other concerns were about zooming and stoking.

One member of the public suggested that Vlogs could be one way to involve the deaf community.

### **Election of Officers (Continued from June): Chairperson and Secretary**

The City ordinance calls for three Commission officers: Chairperson, Vice Chairperson and Secretary. The Chairperson is responsible for conducting Commission meetings and setting the agenda. The Secretary writes the minutes and keeps attendance records.

Votes were cast for the Chairperson nominees as follows:

Francesca Abbey – 1 vote

Paul Keister – 4 votes

Stephen Stolberg – 2 votes

Commissioner Keister was congratulated as the FY '16 Chairperson of the Worcester Commission on Disability. Outgoing Chairperson Stolberg was thanked for his leadership service.

Commissioner Cremer was nominated for the position of Secretary but did not accept the nomination. No additional nominations were made for Secretary.

### **Review of AAB notices and applications: No City facilities**

#### First Notices:

- 55 Lake Ave. North, Docket #C 15 101

#### Responses:

- 894 Grafton Street, Docket # C12 026

#### Notice of Hearing:

- 894 Grafton Street, Docket # C12 026
- 64 Beacon Street, Docket #V15-049

#### Decisions and Resolutions:

- 17 Dean Street/34 Institute Road Docket # V15 132
- 670 West Boylston Street, Docket #V15 125
- 55 Lake Ave. North, Docket # V14 353

### **Suggestions for Upcoming agenda Items**

Commissioner Cremer suggested the Commission look into Uber taxis regarding accommodating persons with disabilities. He also suggested the Commission review the restaurant being built at the DCU regarding accommodating persons with disabilities, and requested the Commission review the plans for the Coes Pond playground regarding how to best accommodate persons with disabilities.

Members of the public requested a separate public comment section be placed on the agenda and another member asked if he could address the Commission on electromagnetic sensitivity.

## **Announcements**

The following announcements appeared on the agenda for information:

- **WRTA Transportation Planning Advisory Meeting**  
September 16th, 1-2:30pm, WRTA Building, 287 Grove St.
- **REDD (Rights, Equality and Dignity for the Disabled)**  
No meeting until September
- **Audio Journal, Accent on Ability Radio Program:** August 18<sup>th</sup>, 2015, 5-6pm, <http://www.audiojournal.net/>
- **Next Commission on Disability meeting:** July 21<sup>st</sup>, 2015 4:30pm.

**Emergency Preparedness Tip:** People with disabilities might want to consider having several gallon containers of water per person at home for emergencies.

## **Adjournment**

The meeting was adjourned.