

City of Worcester
Commission on Disabilities
April 14, 2010 Meeting Summary - Revised

Type of Meeting: Regular Monthly Meeting

Date and Time Convened: April 14, 2010 - 4:00 p.m.

Place Where Convened: Worcester City Hall, Esther Howland City Council Chamber

Members Present: Dawn Clark, Rachel Brown, Grace Clark, John Cronin, Jacqueline Norton, Jacqueline Norton

Members Absent: Joseph Sinasky

Associates Present: Deborah Malone, Mary Healey, Herbert Cremer

Associates Absent: None

Staff Present: Fran Manocchio

Guest Present: Elvira Guardiola, City of Worcester's Parking Administrator

Public Present: Mike Kennedy, Scott Babbitt, John P. Bird and Deborah Orzack

Meeting called to order at 4:03 pm by Dawn Clark, Chairperson.

1. Guest: Elvira Guardiola, Parking Administrator, City of Worcester

Topic: Handicapped Parking

- Ms. Guardiola explained her role; as Parking Administrator for the city of Worcester she is the hearing officer for those individuals who appeal parking tickets and other violations. Her office receives 30 – 40 appeal requests per day. According to Massachusetts General Law Chapter 90, a handicap placard or handicap license plate are required in order for any vehicle to park in a designated handicapped parking area. Many violations of designated handicapped parking are issued by Parking Control Officers who notice that placards are not properly displayed (e.g., expiration date may not be visible). Worcester Police Officers issue violations. Ms. Guardiola noted that appeals regarding these violations are in two general categories: a. people who state they have a placard but did not hang it or b. people who park in a designated area without a placard.
- Between 1/1/2010 and 4/14/2010, 297 tickets were issued for handicapped parking violations. Ms. Guardiola further stated that the City does not have authority to monitor private parking lots, such as the Greendale Mall; however, some locations hire police details for busy seasons and the police officers will issue tickets.
- Regarding privately owned businesses or housing complexes, an individual who observes an HP violation can notify the property manager and request that the property manager contact the Worcester Police Dept.
- One member shared that Salem and Framingham “deputized” members of the Commission on Disabilities in order to assist police with issuing violations. Some communities may use revenue collected from the HP violations for work of the Commission on Disabilities. Specifically, in Worcester, an agreement was made to designate \$200,000/year in DPW&P funds for ADA related work (e.g., street repairs, sidewalk repairs, curbcuts and audible signals) rather than revenue going

directly to the Office on Disabilities and/or Commission on Disabilities.

Ms. Guardiola suggested that Fran Manocchio have a conversation with Chief Gemme of the Worcester Police Dept. about this possibility.

- Ms. Guardiola identified a possible educational need. She sees people in appeal hearings who believe because they have an HP placard, they can park illegally. Some individuals apparently do not understand that there are responsibilities along with having the HP placard.
- If individuals have questions about HP parking and housing, please contact Ines Beron, Housing Discrimination Worker at City Hall (508/799-8486), Fran Manocchio (508/799-1186) or Rachel Brown (508/752-3718). There are specific regulations regarding fair housing and HP parking.

Possible Action Items:

- Public Education suggestions made by Rachel Brown: a. Review materials that are available now when an individual applies for and receives an HP placard. b. The Commission on Disabilities could develop a flyer on “What to Do If You See a Problem”.
- The City’s ordinance only allows issuing of violations on-site. Some communities allow violations if someone brings a photograph of a HP placard violation.
- Increase fines (\$200 ticket currently for HP parking space and ramp violations)
- Invite Chief Gemme to a future Commission meeting.

2. March minutes approved with revisions. Fran will re-submit.

3. Nominations for Election of Officers: Rachel Brown was nominated as Chair and David Perry was nominated as Vice-Chair. Both accepted the nominations. Election will be held at the April meeting. We also need a clerk. Fran will inquire about Associate Members serving as an officer; will have to check the City Ordinance.

4. Transition Plan, Accessibility and Access Board Issues:

a. Report from Transition Plan Workgroup Debbie Malone reported on behalf of workgroup. Dave Clemons, Director of Emergency Management, was unable to attend the meeting. Fran received and distributed copies of a lengthy list of city-owned properties. We need to get clarification on specific properties that house city programs and services. The workgroup develop strategy and action steps. Christina Andreoli, Director of Administration in the Office of the City Manager, will attend the next meeting on May 13, 2010. We hope to have the City Manager distribute surveys to city Department Heads to update the ADA Transition Plan. Rachel Brown offered a motion that Dawn Clark continue as Chair of the ADA Transition Plan Workgroup even though her term on the Commission expires the end of May; David Perry seconded the motion and it passed unanimously.

b. Architectural Access Board Issues: Mike Kennedy reported that we have received correspondence from the AAB regarding Washburn House which has requested several variances as they convert their property to a hospice. The AAB

sent a notice of hearing, probably based upon the number of variance requests. Chairperson Clark inquired: “Has the Commission on Disabilities made a recommendation/comment regarding variance requests?” Mike Kennedy stated that he will review again and communicate with Fran Manocchio if any specific recommendations should be sent forward.

Mike Kennedy also raised concerns about the parking lot at the Social Security Administration office at 51 Myrtle Street. There are not enough handicapped parking spaces provided. Mike has communicated with the property owner, who has not responded. Therefore, he filed a complaint with the AAB.

5. Transportation and TPAG:

- Dawn Clark reminded everyone to appeal Paratransit denials. Debbie Malone mentioned that at a recent TPAG meeting, it was emphasized that the WRTA was trying to get people to use fixed route services. Ms. Malone also pointed out the WRTA’s legal obligation to provide Paratransit services. Rachel Brown mentioned that the ADA requires Paratransit services and reminded people to appeal any denials. Commissioners and members of the public shared personal experiences with WRTA and PBSI services.
- Mike Kennedy explained that he will continue to work with WRTA consumers on Paratransit appeals.
- Dawn Clark explained that Fran Manocchio met with Steve O’Neil, Administrator of the WRTA, who approved the proposal that Pam Callahan, the City’s Training Coordinator, along with the Commission, develop and deliver mandatory training to all management, bus drivers and PBSI personnel. Ms. Clark proposed that we write a letter to support this training; the Commission agreed by consensus.

6. ADA Complaint against Elections Commission:

- Dawn Clark and Fran Manocchio attended recent Elections Commission meeting. The Board of Elections Commissioners and staff offered one hour of an annual mandatory two hour training session with Wardens and Clerks. The Commission on Disabilities will develop and deliver a training program. This training will occur prior to the fall elections.
- Elections Commission staff members have set-up four on-line training modules for all poll workers. The modules include: State Ethics Training, Accuvote, Automark and ADA. Fran and Dawn will preview.
- Deb Malone commented that the trainings should include “hands-on” experiential learning for use of the Automark machines and an assessment/evaluation tool.
- Dawn Clark and Rachel Brown attend the Human Rights Commission meeting last week to discuss the ADA complaint against the Elections Commission. They expressed their appreciation to the Human Rights Commissioners who were very open to collaboration and offered to assist with any community outreach.

7. New Business: Debbie Orzak and Fran Manocchio brought forward an issue related to the Friends of the Worcester Senior Center, Inc. Ms. Orzak is interested in going on a trip in June and is encountering challenges with transportation. Further

discussion next month.

8. Announcements and Adjournment:

- Ms. Norton referenced grant funding to obtain students to help with the ADA transition plan process and motioned to refer that idea to the ADA Transition Plan Work Group. The motion was seconded by Grace Clark and was approved unanimously.
- Mr. Cremer recommended that we consider having students appointed to the Commission because those students' connections could be useful.
- Mr. Cremer mentioned a training he attended at Clark University on "disability as the new civil right."

The meeting was adjourned at approximately 6:05 pm after a motion by Dawn Clark and John Cronin; the motion was accepted unanimously.

Respectfully submitted,

Fran Manocchio
May 4, 2010