

Commission on Disability Meeting
Minutes for April 24th, 2018, 4:30PM
Levi Lincoln Chamber (3rd fl.)
Worcester City Hall (2)

Attendance:

Members Present: Robert Bureau, Nancy Garr-Colzie, Fitzroy Hall, D. Karuna, Elizabeth Myska , Joseph Prochilo, Lindsey Silva, Stephen Stolberg

Members Absent: Robert Bilotta, John Gleason, Paul Keister

Staff: Jayna Turcek, Dawn E. Clark

Guests: David D’Arcangelo, MA Office on Disability Director, (via videoconference); Dr. Reeve Brenner, Bankshot playground, (via telephone)

Welcome, Call to Order & Introductions

The Chairperson called the meeting to order. Commissioners introduced themselves.

Approval of March 20th 2018 Minutes

Commissioner Myska moved approval and Commissioner Garr-Colzie seconded the motion. The Commission unanimously approved the March 20th, 2018 minutes as written.

Conversation with David D’Arcangelo, MA Office on Disability Director (via videoconference)

Chairperson Prochilo welcomed Mr. D’Arcangelo via video. Mr. D’Arcangelo thanked the Commission doing work on behalf of people with disabilities and introduced MOD’s General Council. He stated that the Mass. Office on Disability provides technical assistance to all duly established Commissions on Disability in the state of Massachusetts.

The Commission had sent Mr. D’Arcangelo questions prior to his visit with the Commission:

1. What is MOD’s mission:

The Massachusetts Office on Disability (MOD) is established under Mass. General Laws Chapter 6, Sections 185-189. The mission is to, “***bring about full and equal participation of people with disabilities in all aspects of life...in a manner that fosters dignity and self-determination***”.

Within this role MOD has several roles include:

- ADA Coordinator for the Executive Branch of state government which includes 68 offices making sure each office has its own ADA Coordinator and appropriate technical assistance including information About Title I (Employment) and Title II (State) of the American with Disabilities Act. Sometimes Information about Title III for those agencies needing this information to do business.
- Serves as technical advisor to all duly established Commissions on Disability in the state of Massachusetts. There are approximately 150 duly established Commissions across the 351 Massachusetts municipalities.
- Member of the Massachusetts Architectural Access Board which reviews CMR 521 (Disability related building code.) Generate list for membership on the AAB
- Maintain the Client access Program: This program helps people with disabilities and family members to understand various State and Federal services available to them. Sometimes leading to a role of advocacy.
- Serving on various disability related councils and committees including the 911 Council, Mass. Commission Against Discrimination, Statewide Independent Living Council, the Commission for the Blind and the Statewide Rehabilitation Council
- Emergency Preparedness Program: MOD has brought “Emergency Go Pacs” to Worcester in the past few years.
- Consultant to state Supplier Diversity Office

Like all Massachusetts State agencies, MOD has updated its website where the public can navigate all the services MOD offers.

2. In the past MOD has provided information on state and federal legislation, recently the House of Representatives at the federal level has passed House Resolution 620 that will impact access to property. Will this affect the AAB process and how will the public be notified in changes should it pass?

MOD is following this bill with great interest. However, MOD is not a legislative group, we do not do analysis of legislation and did not have information such as that. He did say that there is not a Senate Bill that complements the House Bill. He was not sure what that means, but assured the Commission if this bill should become law Massachusetts Commissions on Disability will be the first to be informed by MOD.

As far as the AAB, there are two routes to addressing architectural barriers. 1. Massachusetts Architectural Access Board which reviews CMR 521 and 2. Federal Department of Justice (DOJ) and going to federal court. (This route has been found to be more difficult to get the attention of the DOJ. There needs to be a more systemic issue.) The state AAB process will be the place where one is more likely to be heard. Mr. D'Arcangelo stated MOD wants more access rather than less and will work to make this happen.

3. What kind of services and trainings does MOD provide?
 - Technical assistance with the AAB process
 - Client Assistance Program (CAP): If there is a Mass. Rehabilitation or Mass. Commission of the Blind consumer and they disagree with the service outcome they can use the CAP to help mediate the concern.
 - Trainings are noted on the website and include but not limited to Title I, II and III; general ADA, Community Access, and Emergency Preparedness and service animal training.
 - MOD staff will be most happy to determine which training a commission would like and come out to do the training.
4. How can we become more informed on statewide education campaigns related to HP fraud enforcement?

In 2015, Mr. D'Arcangelo met with the Registry of Motor Vehicle Director to ask her to reinvigorate the Taskforce on the Misuse of Disability Placards.

They have done a top to bottom review of the parking laws and are not using the term HP anymore instead using disability placards instead.

If the Commission and Police Department would like, MOD is willing to come and do a training around disability parking laws. All commissions are able to receive disability parking fines to use solely to benefit persons with disabilities. The Taskforce found that the Inspector General's report indicated there is considerable abuse of the disability placard. The new RMV electronic data base connects with the Social Security death information so a letter is sent requesting the deceased placard be returned. The Taskforce wants to provide as much independence for people with disabilities as possible.

Question from public: Massachusetts Commission Against Discrimination have no trespassing guidelines. Will they be activated to protect advocates seeking barrier free access on private property? Many people are participating in MOD's Community Access Monitoring Program and may be in jeopardy of trespassing Mr. D'Arcangelo will talk with his staff and recommended checking with MOD if there is a specific concern before monitoring a property.

He added that there is a review and hearing on the AAB regulations currently in progress. The last review was 12 years ago. Chairperson Prochilo thanked Mr. D'Arcangelo.

The Chairperson took items on the agenda out of order while waiting to be connected to the next speaker.

Discussion on WRTA proposed service cuts

This item was tabled.

Service animals public education project (Clark University students/ Canines for Kids)

Director Turchek was recently contacted by Mr. Joseph O'Brien, former City Mayor and now Professor at Clark University. He has a group of students working with Ms. Harkness and Canines for Kids to learn about service animals and legislation to prevent service animal fraud. The students have prepared a flyer to share with businesses and others about the use of service animals. Director Turchek

invited the students to this meeting, but they were not able to attend. She shared the flyer with email communication with the Commission.

Bankshot playground: Dr. Reeve Brenner (via telephone)

The Commission viewed a video about the Bankshot product before meeting with Dr. Brenner.

Dr. Brenner promotes Bankshot playground product as equal to a swimming pool as it provides independence for people with all different types of disabilities. Sports on most courts are competitive. Bankshot seeks to promote equality in recreation.

From a cost perspective Bankshot is maintenance free except to sweep the floor occasionally. Staff is not necessary. If there is staff it could be used for leagues. It can be an outreach tool for the community.

A Bankshot court can be indoor or outdoor, weather does not really matter. What matters is where the people are. If there was a destination park, a larger system would be appropriate. If indoor use a smaller system with something else. Boston Children's Museum and Bridgeport Science Museum have small systems in small spaces. All stations combinations can be viewed on Bankshot's website.

A partnership with the Worcester Art Museum would work well. In Houston, Texas there is a 24station court known as the "Spark" Program. There is a 24 station system in the Memphis, Tennessee Museum. Partnerships make good sense; however, a family is not going to pay museum prices to play. So it depends on the situation.

Dr. Brenner compared the cost of a tennis court to that of a Bankshot court. Four people can play on a tennis court at a time and eighty people can play on the same space and time using a Bankshot court. There are Bankshot courts that have been in use for 30 plus years. He says it is a good investment. Worcester may want to consider a court not too large or small. A thirteen station system would cost under \$25,000. Everything is sent except the poles which would be purchased locally.

Director Turchek asked for other urban centers where the product was being used related to the various forms of vandalism. Dr. Brenner indicated in thirty years, he knows of one piece of equipment having been stolen. The equipment has held up in

the heat (ex: Texas) and the cold (Canada). As for a warranty, if a replacement board is needed, they will replace it. They do not want a hole in any of their systems.

Bankshot does not do installation. Installation is not too hard. Set up cost is separate to the equipment cost.

Other communities who are using: Several in Connecticut; Revere, MA is about to set one up; Boston Children's Museum; Bankshot website has many pictures.

There was concern about visually impaired people being able to use. A court for a blind group in Florida has been successful.

The smallest system is a nine station court: 3 beginner, 3 moderate and 3 difficult requiring practice and skill to transition to the next level. It is \$16,760.00 using 850+ square feet. (Junior Classic is 1200 Square feet.) The product is fiber glass and comes painted. The floor would be Worcester's choice. (Bankshot provides options to consider.)

Dr. Brenner suggested putting a system in where there is already a school and/or park.

Chairperson Prochilo thanked Dr. Brenner for the presentation.

The Commission wants to follow up on this product and will contact Springfield, Ma to see how Bankshot is working there. Accessible recreation is identified on the C.H.I.P. Would like a list of places within one and a half hours from Worcester so Commissioners could visit if in the area.

Review COD FY18 goals document

The Chairperson reviewed the Commission's seven FY18 goals. Some were worked on more than others. Housing and Transportation goals have had no substantial work done this year. Work on the School Transition Program and Disability Dialogues goals are being developed and may go into FY' 19.

Update on COD 40th Anniversary Event – Thursday, October 11th 4-6PM

D. Karuna asked members to sign up for tasks needed to be completed in the next months. Plans are to have a PowerPoint, educational table around the side of the space, a video and round table conversation. Food will be decided in the coming months. Suggestions: Media, Flyer Save the Date, Constant Contact etc.

Review of AAB notices and applications: No City properties

Variance Application

- 570 Lincoln Street

Decision of the Board

- 6 Brussels Street, Suite 312, Docket # V18 048

Suggestions for upcoming agenda items

None

Announcements:

- **REDD (Rights, Equality and Dignity for the Disabled)** May 8th, 2018, 4:00 – 5:30PM, YWCA, Members Lounge
- **Audio Journal, Accent on Ability Radio Program:** May 10th, 2018, 5-6pm, <http://www.audiojournal.net/>
- **Emergency Preparedness Meeting:** May 8th, 2018 at 9:00 am at 2 Coppage Drive.
- **Rev-Up! Conference,** May 18th, 10am-3pm, Best Western Royal Plaza Hotel & Trade Center, Marlborough, Massachusetts Lunch will be provided! Register by May 11th
- **Next Commission on Disability meeting:** May 15th, 2018 4:30pm.

Adjournment

The meeting was adjourned.