

Date and Time: 11/23/20 6:35 PM
 Location: Webinar
 Members Present: Kay Bell, Doug Frey, Pat Guthy, Chairperson, Lisa Kouchakdjian, Caroline Santangelo
 Members Absent:
 Also Present: Sue Rushfirth, Jennifer Roberts - Board of Selectmen Liaison (arrival about 7:00 PM)
Public Commenters: Linda Faust,

Convene: The regular meeting of the Sudbury Commission on Disability (COD) was called to order by Pat Guthy at 6:35 PM. A quorum (at least a majority of 3 of 5) was present.

1. Selection of Meeting Recorder: Kay Bell was assigned to record minutes. The order of rotation for recording minutes next will be Caroline Santangelo, Lisa Kouchakdjian, Doug Frey.

Chair announcement: David Correia, Director of Advocacy for the MetroWest Center for Independent Living, set up a Loring School site visit appointment for Tuesday, Dec 1, 2020 to meet with Ms. Guthy, Ms. Kouchakdjian, and Ms. Bell.

2. Update on Loring School Playground Accessibility, Self-Evaluation and Transition Plan, Board of Selectmen meetings 11/04 and 11/17:

Ms. Guthy stated that this is a special meeting of the COD to discuss the two important topics.

Having had cooperative communication with Bill Barletta, Combined Facilities Director and one of the Town's two ADA Coordinators, with agreement that the draft reports produced by the Institute for Human Centered Design as they progress in the Self Evaluation process would be available to the COD, Mr. Barletta more recently informed Ms. Guthy that the drafts would not be available after Town Manager Henry Hayes stated so at the November 4th meeting of the Board of Selectmen (BOS). At the November 16th goals setting meeting of the BOS Mr. Barletta referred to the Self Evaluation and indicated that there will be some concerns that are "low hanging fruit" that can be readily addressed and that other more substantial issues will be prioritized and addressed over time without clarifying who will be involved in developing the Transition Plan.

Having learned these things Ms. Guthy stated concerns about the denial of access to draft reports and about the progress and expected completion of the Self Evaluation to the BOS Liaison to the COD, Jennifer Roberts. Ms. Guthy asked that Ms. Roberts inquire about the progress and completion date for the Self Evaluation on behalf of the COD and pursue the issue of access to Self Evaluation draft materials. At the subsequent BOS meeting Ms. Roberts did not make those inquiries. BOS Chair, Janie Dretler asked if there was a time framework or deadline for correction of conditions in Sudbury that are not compliant with ADA requirements.

Ms. Guthy consulted with Jeff Dougan, Assistant Director for Community Services at the Massachusetts Office on Disability, seeking technical assistance regarding involvement of CODs and others in a Self Evaluation process. Mr. Dougan indicated that the Title II Action Guide published by the New England ADA Center (with whom the consultants conducting the Self Evaluation are associated and which is associated with the MOD) explains the responsibilities of Towns under the ADA, including that the public be involved in this process, in particular people

with disabilities living in the community and organizations representing their interests. Mr. Dougan asked to be kept informed of the Sudbury's inclusion of community input, including the COD, in the reviewing the Self Evaluation and the development of the Transition Plan.

Developments related to the property at Camp Sewataro have surfaced and raise concerns. Ms. Bell shared an article on the Town website submitted through the Town Manager's Office, apparently written by Camp Sewataro. It announces installation of a temporary accessible toilet and planning for an accessible ramp into the largest pavilion there. The rear entrance, closer to that building than the main entrance has been opened for use and there is some parking there. Ms. Guthy expressed concern that a comprehensive plan based on the Self Evaluation with input from the community and the COD is the ideal and the Sewataro property is part of that process.

Further information also states that many public activities have been taking place there since the Camp season ended. Smile Mass has joined with two persons who work with preschool aged children to conduct learning events. Lisa Kouchakdjian pointed out an issue not related to accessibility: If programs are operated for a fee, is the Town receiving a benefit of those fees; how is that being managed? So both accessibility and fiscal issues are questions.

Ms. Bell directed attention to the efforts being made to adapt the facility already in use and considers it a priority to help assure that accessibility projects be completed correctly and that they are meant to be part of the Transition Plan coming soon. Ms. Kouchakdjian supports improving access but would like to know where the funds are coming from to implement the improvements – is it the Camp or is it the Town who is responsible?

Ms. Roberts explained that Sewataro Community Liaison staff develops programs. Ms. Kouchakdjian restated support for making it accessible and then stated that when programs are conducted on Town property and it exposes the Town to liability, and that is why we are so interested in the results of the Self Evaluation. The process has some issues that need to be resolved.

Ms. Guthy restated to Ms. Roberts concerns about denying the COD access to draft reports and a statement of the date of completion of the Self Evaluation. Ms. Kouchakdjian referred to regulations Department of Justice 28 CFR Part 35 that clearly state that the public is to be involved in this process, which in MA includes the COD. They emphasized that these rules are part of the ADA which is civil rights law and that Sudbury has a significant number of citizens living with disabilities whose access needs to be provided.

Ms. Bell will send Ms. Roberts a package of information and links to free technical training and resources developed for towns to assist them in compliance with ADA Title II regulations. Ms. Kouchakdjian emphasized that public and COD are supposed to be involved in both aspects of the Self Evaluation and Transition Plan. Ms. Roberts expressed support for the COD's work and asked what would the involvement look like? Ms. Guthy stated we would first like to review draft reports. The fact that the COD was told that the property at Sewataro was being evaluated only as a camp; however the property is being used by the public. Ms. Kouchakdjian sees no justifiable reason to deny access to drafts of assessments. She stated that the COD performs the function of noting where accessibility is not provided and cited the situation at a health care business where it is a severe problem (a Title III situation) and which the town building codes should not allow and town staff seems to lack the competencies to apply them.

Ms. Bell described the planning and development input brought into the Transportation Committee programs by Mr. Frey's and that of people living with disabilities in town and into

the design of most recent Town Meeting. Currently 60% of participants in the taxi program are people with disabilities. Ms. Kouchakdjian added that Ms. Guthy's participation in the Master Plan Steering Committee also incorporated the perspective of accessibility through discussion and through bringing in technical training from Mr. Dougan of the MOD for the entire committee. The COD was invited to and Ms. Sue Rusfirth, former COD member, did assist Parks and Recreation and the Senior Center to assess and make recommendations about outdoor exercise equipment.

Ms. Guthy expressed concern about the duration of the Self Evaluation process so far. Ms. Kouchakdjian asked who is actually working on making Sewataro more accessible. Ms. Roberts surmises it's a combination of the Camp team and town staff. Discussion of which entity, the Town vs. the Camp operator, is responsible for facilities and programs in and out of camp season ensued. Some specifics are stated in the contract and some are not.

Ms. Roberts agrees that the COD does need to be involved in the Self Evaluation process and feels there's been a breakdown of communication that she will attempt to help with. Ms. Kouchakdjian believes Ms. Guthy has been very effective in contacting town officials and that recently the COD has simply been marginalized; that the COD's job is to educate and help; that the marginalization happening now is not acceptable.

Ms. Guthy raised issues related to the Handicapped Parking Fines Fund. When the COD voted to allocate up to \$1000 to support the project to make the Town website fully accessible. When investigated it appears that for two years no funds have been deposited, though handicapped parking violations have been issued. Ms. Roberts suggests raising this with the Town Managers office to see if it can be resolved. She will think about how to make the general situation better.

3. Next Steps: (at 1:21 min. in STV recording)

Mr. Frey asked if there are any actions Ms. Guthy has in mind to address the situations just discussed. Ms. Guthy suggested the possibility of

- a) Compose and deliver a letter to the BOS
- b) Attend a BOS meeting and deliver a letter
- c) Submit a Public Records (FOIA) request for the draft reports we wish to study
- d) Go to the public

Ms. Kouchakdjian suggested writing a letter and reading it at public comment at the next BOD meeting. Ms. Santangelo expressed feeling disrespected as a COD member. She feels the Town does not take the COD work seriously and sees simply writing another letter as an exercise in futility. If it requires appearing physically and reading a letter to get their attention it seems that's what is needed.

Mr. Frey asks why they don't want us to be part of the process. Are they feeling overworked and just want to let people like us give input at the public comment area? Or maybe it's an education and awareness problem; but with all I'm hearing it doesn't sound like it's that.

Ms. Faust suggested that an editorial might be a way to go.

Ms. Kouchakdjian reiterated the value of a letter and further suggested that when the Institute for Human Centered Design presents the completed Self Evaluation Report to the BOS that, as has been done with other projects the Town has conducted, the COD needs to be at the table for a

joint meeting to discuss and pose questions about this town-wide assessment and plan. She would like that idea to be part of the letter to the BOS. The BOS, the COD and other entities affected by the report could be present.

Ms. Bell described other examples of the Town eliciting community involvement in town planning for projects through public events and would like the letter to suggest that possibility for the Self Evaluation project. She also suggested that the letter be read out to the BOS by multiple members of the COD as a united group, as a very constructive message.

Ms. Guthy stated strongly the value of inclusion underlying the work the COD is doing and would like the letter to reflect that. She suggested members work individually on the draft letter in the packet and submit suggestions to her by Monday, November 28, 2020 to be consolidated for our upcoming meeting.

Next meeting: 6:30 PM Monday, December 3, 2020

Ms. Roberts thanked the commission for dedication, expressed regret for any feelings of disrespect that have occurred, supports the approach the commission has discussed and will do what she can to help by communicating “up the line.”

Adjourn

MSV Mr. Frey moved and Ms. Bell seconded the motion to adjourn. The motion carried unanimously. The meeting adjourned at 8:32 PM

A true copy attest: Kathleen (Kay) F. Bell
Meeting Recorder

January 7, 2021