



## **Sudbury Commission on Disability Meeting Agenda - Revised 6-24-22**

**Wednesday, June 29, 2022**

**7:30 – 9:00 PM**

To participate in this virtual meeting click the link:

<https://us02web.zoom.us/j/86958120920>

For audio only, call 978-639-3366 or 470 250 9358

Enter meeting ID 869 5812 0920

### **Open Meeting**

Convene with confirmation of quorum. Roll call of members present

Reading of protocols

Select minutes recorder (Karyn, Kay, Randi, Liesje)

Public Comment

### **Discussion / Potential Action**

1. Conduct interview of applicant for membership
2. Complete scores for all interviewees; submit to Karyn for cumulative tally
3. Discuss tally. Discuss correspondence from Mr. Simon. Generate report to Town Manager.
4. Sudbury Chamber of Commerce: correspondence, potential presentation
5. Sewataro: Invitation to collaborate on listing alternate sites for some resources; correspondence from IHCD regarding Title II vs. Title III status of various aspects of programs and resources
6. October Disability Awareness activities: Goodnow Library, other...
7. Annual Calendar: Set stage to define goals for coming year at next meeting

### **Reports**

1. Other committees: Diversity, Equity, and Inclusion; Transportation
2. Subcommittees: Capital Projects, Brain-based, Transition Plan
3. Liaisons: Council on Aging, Sudbury SEPAC, L-S SEPAC

## **Close Meeting**

1. Approve minutes if available:
  - a. Apr 7, 2022 (Liesje)
  - b. May 5, 2022 (Karyn)
  - c. Jun 13, 2022 (Randi)
  - d. Jun 20, 2022 (Liesje)
2. Future Meeting Dates: Wed, Jul 6, 7:30 PM; Thu, Aug 18, 7:30 PM
3. Future Agenda Items
4. Adjournment

These agenda items are those reasonably anticipated by the Commission to be discussed at the meeting. Not all items listed may in fact be discussed and other related items, not listed, may also be brought up for discussion to the extent permitted by the Open Meeting Law.

## **Supporting Materials Provided**

Code of Conduct rev 03-21

Correspondence from Len Simon

**Correspondence from Maura Carty**

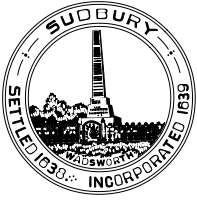
Correspondence from Sudbury Chamber of Commerce

Correspondence from Kristen Drummy of Camp Sewataro

Correspondence from Kathy Gipps of IHCD

Draft of year calendar – to help plan activities

SMART goals template – aid to structure goals chosen



# Town of Sudbury

## Code of Conduct for Town of Sudbury Committees

Whose Members are appointed by the Sudbury Select Board  
or the Sudbury Town Manager

1. A member of any Committee who has accepted appointment by the Select Board or the Town Manager to a Committee position is expected to comply with the following code of conduct. Failure to adhere to this code will be considered by the Board and Town Manager when making re-appointment decisions.
  - a. A member of a Board or Committee in relation to their community should:
  - b. Realize that their function is to follow the mission statement of the Committee.
  - c. Accept the role of a Committee member is a means of unselfish service, not to benefit personally or politically from their Committee activities.
  - d. Abide by the ethics guidelines established by the State.
  - e. Conflicts of interest: Refrain from participating as either a member of the Committee or as a member of the public in Committee matters in which they have a personal interest.
  - f. Abide by all policies established by the Select Board.
  - g. Realize that they are one of a team and should abide by all decisions of the Committee once they are made.
  - h. Be well informed concerning the duties and responsibilities of the Committee.
  - i. Remember that they represent the entire community at all times.
2. A member of a Board or Committee in their relations with staff of the Town should:
  - a. Request assistance from Town staff only through the staff person assigned to the Committee.
  - b. Refrain from publicly criticizing an employee of the Town. Concerns about staff performance should only be made to the Town Manager through private conversation.
  - c. Recognize and support the administrative chain of command and refer all complaints.
  - d. Ensure that any materials or information provided to a Committee member from Town staff should be made available to all Committee members.
3. A member of a Board or Committee in their relations with fellow Board/Committee members should:
  - a. Not make statements or promises of how they will vote on matters that will come before the Committee until they have had an opportunity to hear the pros and cons of the issue during a public meeting of the Committee.
  - b. Make decisions only after all facts on a question have been presented and discussed.
  - c. Refrain from communicating the position of the Committee to reporters or state officials unless the full Committee has previously agreed on both the position and the language of the statement conveying the statement.
  - d. Uphold the intent of Executive Session and respect the privileged communication that exists in Executive Session.

- e. Treat with respect and courtesy all members of the Committee, attendees and staff despite differences of opinion.
  - f. Treat with respect and courtesy any member of the public, including anyone they have brought to represent them, who comes before the Committee for any reason, but particularly in matters related to regulatory issues.
4. If circumstances change so that meeting attendance on a regular basis becomes difficult, the Committee member will offer his or her resignation to the Board, so that someone who can regularly attend meetings can be selected by the Board.

[Adopted by the Select Board July 11, 2006; revised September 8, 2009; revised March 9, 2021. Please note: This code of conduct was originally developed based on similar codes used by other elected Boards and Committees in other communities.]

June 22, 2022

Dear Members of the Commission on Disability,

I am writing in regard to filling the three vacancies on the nine-member Commission on Disability.

I watched the interviews conducted on Monday evening, June 20, when each of the five candidates was asked the same set of questions by the Commission members in attendance. I came in part way through Ms. Nam's interview, the other four I watched in their entirety. I am familiar with Ms. Nam's positions and votes on some key matters when she was on the Finance Committee.

I understand that the last applicant, Ms. Pat Brown, is scheduled to be interviewed on June 29. I served for five years with Ms. Brown on the Select Board.

I was very much impressed with two of the applicants, Becky Chisholm and Cam LaHaise. They are highly qualified. They have demonstrated their commitment to an individual with a disability, and more importantly, the wider community of persons with a disability. In my opinion, they would bring valuable knowledge, experience, and expertise to the Commission on Disability. It would be hard to find two individuals who would be a better fit for service on your Commission.

Lindsey Neilson, is a recent graduate, with education in the neurosciences. She divides her work at Mass. General Hospital between a clinical setting and as a researcher. I see her as a person who is seeking to expand her experience, and who will bring her boundless energy to the Commission. Her offer to 'give me a research project and let me run with it and bring you my findings' would dovetail well with the Commission's mission. Ms. Neilson could research how the Commission on Disability's work is related to state law:

[https://malegislature.gov/Laws/GeneralLaws/Parti/Titlevii/Chapter40/Section8j#:~:text=Such%20commissi on%20shall%20\(1\)%20research,meet%20the%20problems%20of%20people](https://malegislature.gov/Laws/GeneralLaws/Parti/Titlevii/Chapter40/Section8j#:~:text=Such%20commissi on%20shall%20(1)%20research,meet%20the%20problems%20of%20people)

Ms. Neilson would add a new perspective and dimension to your mission.

On the other hand, Ms. Nam, Mr. Haarde, and Ms. Brown have something in common. In their roles on the Select Board or the Finance Committee, they have all voted against funding a major amenity intended to provide persons with

disability the opportunity to enjoy the outdoors in a safe, natural, and enjoyable setting. They have all voted against funding the Bruce Freeman Rail Trail. Besides voting against an amenity that is designed to be ADA accessible, their votes have been at odds with the overwhelming majority of Sudbury Town Meeting attendees, who have consistently supported the rail trail. This brings their judgments and priorities into question.

Ms. Chisholm, Ms. LaHaise, and Ms. Neilson will bring fresh faces, new ideas, and dynamic energy into Sudbury's municipal government. New blood keeps organizations innovative and forward thinking, and sees goals as attainable. I would recommend all three for seats on the Commission on Disability.

Clearly, the decision of whom to add to the Commission on Disability is yours. I felt it might be helpful to provide my perspective based on my experience in working with many of Sudbury's boards, committees, and commissions.

I wish to thank each of you for your diligence and efforts to make Sudbury more inclusive, and a better place for persons with disabilities to participate in community life and decision making.

Respectfully,

Len Simon

Meadowbrook Circle

[Note: This correspondence it added to our packet with my apology for not having seen Maura's first email until her second one arrived. Citizen comment is valued in writing much the same as we invite and listen to Public Comment at meetings. Thank you for your understanding. KB]

On Thu, Jun 16, 2022 at 2:29 PM M. Carty <[mocart71@gmail.com](mailto:mocart71@gmail.com)> wrote:  
Dear COD,

I want to thank you all for your very important work you do for the whole Sudbury community. You all dedicate your time to an essential cause. I watched the last COD meeting and I was quite uncomfortable when one member continued to discuss her personal feelings about potential COD candidates. The conversation felt very personal and aggressive. It almost felt like the one member was trying to sway the whole Committee before the candidates could be interviewed. It felt very unwelcoming and inequitable.

I hope when you decide which candidates to recommend, you don't allow the words from the last meeting to sway your decision because I can tell you that all the candidates are worthy of your review and deserve a fair process. If anyone volunteers their personal time for a Town Committee position, it shows their dedication to our town and the cause.

I am very involved in the community and have learned there are ALWAYS two sides to every story. Please allow the process to guide your decision making.

Thank you for your dedication to our town,  
Maura Carty  
15 Stonebrook Rd

On 6/24/2022 8:27 AM, M. Carty wrote:

Commission on Disability,

Mission Statement:

“The Commission works independently and in collaboration with other Town boards and departments to eliminate barriers and to assist people living with disabilities in becoming empowered to advocate for themselves”

I am concerned with item #3 on the next COD agenda, “Discuss tally. Discuss correspondence from Mr. Simon. Generate report to Town Manager”. It is unclear to me how Mr. Simon’s correspondence falls into the recommendation process the COD has already agreed upon.

The COD’s mission reads, “The Commission works independently and in collaboration with other Town boards and departments to eliminate barriers and to assist people living with disabilities in becoming empowered to advocate for themselves”. I implore you to please stay true to your mission and NOT get caught up with personal vendettas. The decision to place Mr. Simon’s correspondence on the agenda feels personal. I too wrote into the COD expressing my feelings on one of the COD meetings, why wasn’t this letter also placed on the agenda? This does not seem FAIR or EQUITABLE. Why does one resident have access to the COD agenda and not others?

I watched the interviews earlier this week and I can tell you, the COD does not have an easy decision. All the candidates feel passionate about becoming a member of the commission and all have unique qualifications that would benefit our community.

It saddens me to learn that Mr. Simon and some members of the commission are trying to make this commission political and not



concentrating all the commission's efforts “to eliminate barriers and to assist people living with disabilities in becoming empowered to advocate for themselves”.

Is this an example of what we want to show future applicants who want to volunteer their time? As I stated in my previous letter, all applicants willing to dedicate their time to any committee should be welcomed and treated fairly.

Please ignore the political and personal attacks and allow the process that was agreed upon, follow the rubric, listen to the candidates responses, and vote.

As I stated before, "Please allow the process to guide your decision making"

Thank you for your time and your dedication to our community,

Maura Carty  
15 Stonebrook Rd

Kay sent message to Sudbury Chamber of Commerce June 10, 2022

**Message:** HI all, Just want you to know that at the last meeting of the COD members voted to become a member of the SCC. I have made the request of the Town administration to send a check for \$ 100 from our account to you at the address listed on this website. We are hopeful that we on the COD can formulate a program for one of the member meetings of the SCC. We're a bit occupied just now, but within the next few months we should be able to offer a short presentation. In fact, we could chat with you a bit in the interim to get a sense of what would be most useful. Kay

June 13, 2022

Hi Kay

This is terrific news.

I am ready to talk when you are about getting your message out to the Sudbury Chamber community.

Martha

Martha Bernard Welsh

President, Sudbury Chamber of Commerce

Board President

Dress for Success Worcester

[mwelsh@DressForSuccessWorcester.org](mailto:mwelsh@DressForSuccessWorcester.org)

978 460 3145

June 15, 2022

Yay! Great news :)

Donna Moy-Bruno

[www.DontForgetDonna.com](http://www.DontForgetDonna.com)

On 5/25/2022 4:52 PM, Kristen Drummey wrote:

Hello!

Thank you so much for sharing Sounds of Summer on your website! We are looking forward to the event, and hope to see many Sudbury residents there! I wanted to share the full promotional details and flyer, which I just sent along to Leila Frank to be added to the town website.

Thanks again!

-Kristen

On Wed, May 25, 2022 at 6:36 PM Kay Bell <[kaybell@mail.com](mailto:kaybell@mail.com)> wrote:

Hi Kristen,

Good to hear from you. This must be a WAY busy time for you. I love that the community will be able to enjoy this mix of music genres live in full color and "surround sound" during a beautiful New England lead up to summer. Such a great program!

I will pass this along. Spreading the word of fun is so rewarding.

Kay

On 5/27/2022 4:32 PM, Kristen Drummey wrote:

Great to hear back from you!

I was hoping we could connect sometime soon -- As we embark on making the property more accessible, I think that an easy first step would be to post a list of accessible facilities in town. Obviously the work at Sewataro will take time, but I would love to post something on our beautiful Eagle Scout-designed and constructed map kiosks sharing other options for those who need them. I have looked at the town website on more than one occasion and was surprised that I couldn't find anything similar... which may just be a sign that I am not a great searcher of the internet!

I was wondering if you'd be interested in working together on creating a document listing local recreational facilities that are compliant. I have been in

touch with Jenn Stone, from the Park and Recreation Commission, and think that it would be a wonderful way to collaborate.

Let me know what you think, and have a wonderful weekend!

-Kristen

On Tue, May 31, 2022 at 5:31 PM Kay Bell <[kaybell@mail.com](mailto:kaybell@mail.com)> wrote:

Hi Kristen,

It would be a pleasure to work with you and your team to make that first step a reality. The COD has its annual reorganizing meeting on Thursday, June 2. Once that's behind us, we will know who is serving in what role for this year. Let's talk on Friday or soon after to set up a first session.

My first thought for getting an inventory of alternate resources extant around town: refer to the Self Evaluation, because it seems pretty comprehensive. And collaborating with Jenn as a Parks and Rec rep is great too.

Let me know when a good time for a call or Zoom is for you after Thursday, and I can set up the zoom or we can just chat on the phone.

Kay 781 367-7380

On 5/27/2022 4:32 PM, Kristen Drummey wrote and cc-d Jenn Stone:

Hi Kay,

I totally agree about using the information we have from IHCD to create this working document - and we look forward to updating it over the years as we make changes to our property and the Fairbank renovation is complete.

I've included Jenn on this email - we would love to connect next week. Is there any chance you are free Tuesday afternoon? Maybe 1-ish?

Thanks again!

-Kristen



## Technical Assistance from Institute for Human Centered Design Spring 2022

On May 24, 2022 Kathy Gipps and Kay Bell discussed the material about Liberty Ledge/Camp Sewataro by telephone. Kathy sent an email the next day.

On 5/25/2022 10:17 AM, [kgips@ihcdesign.org](mailto:kgips@ihcdesign.org) wrote:

Hi Kay,

Here's the excerpt from the Department of Justice Title II regulations that I mentioned.

I am not implying that the town of Sudbury or the Manager are discriminating. The relationship between title II and III entities can be complex.

### **Subpart B—General Requirements**

#### **§ 35.130 General prohibitions against discrimination**

(a) No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

(b)

(1) A public entity, in providing any aid, benefit, or service, may not, **directly or through contractual, licensing, or other arrangements**, on the basis of disability—

(i) Deny a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified individual with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified individual with a disability with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aids, benefits, or services to individuals with disabilities or to any class of individuals with disabilities than is provided to others unless such action is necessary to provide qualified individuals with disabilities with aids, benefits, or services that are as effective as those provided to others;

(v) Aid or perpetuate discrimination against a qualified individual with a disability by providing significant assistance to an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit, or service to beneficiaries of the public entity's program;

[www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35130](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35130)

The Department of Justice's ADA Title II Technical Assistance Manual directly addresses the relationship between title II entities and title III entities.

[www.ada.gov/taman2.html#II-1.3000](http://www.ada.gov/taman2.html#II-1.3000).

Let me know if you have questions.

Regards,

Kathy

---

**From:** Kay Bell <>

**Sent:** Wednesday, May 25, 2022 5:11 PM

**To:** kgips@ihcdesign.org

**Subject:** Sudbury Liberty Ledge/Camp Sewataro agreement information

Dear Kathy,

Thank you for sending the important citation from ADA regarding discrimination, which is really the heart of the law.

I have attached three documents about the property:

1. A rudimentary aerial view to give you sense of the property
2. The contract between Sudbury and the manager, with eight notes about updates that have been made since the original agreement.
3. The license agreement that stipulates parameters of use of the intellectual property.

Having no formal legal background, the agreements are a bit cryptic to me. I flagged topics that seem most germane to ADA Title II and perhaps Title III:

- page 2: control of property
- page 2: use and excluded areas
- page 4: term of agreement
- page 5: management fee and payments to town
- page 7: resident priority for admission, scholarships to residents
- page 7: permitted uses
- page 10: intellectual property

By way of our phone conversation and your message below the Commission on Disability will have a better understanding of the protections to which people with disabilities are entitled regarding the property and programs.

1. Areas, facilities and programs open to the general public, at whatever time they are open to the public, are covered under ADA Title II.
2. Areas, facilities and programs open only to enrolled campers are covered under Title III, at least, and may also be covered under Title II depending on the details of the agreement between the town and the manager.

Any elucidation you are able to offer, particularly regarding those Sudbury resident children whom the town has required to be allowed to enroll in the camp, will be most helpful. Sudbury has strong, inclusive special education programs in our schools; hence we have many wonderful families here who have kids with special needs.

If you find, by seeing the details of the town's agreement with the manager, that the text in the Sudbury Self Evaluation and Transition Plan (July 2021) could be expanded or edited to give a clearer understanding, the Sudbury Commission on Disability would be appreciative and would circulate that information.

Thank you so much,

Kay 781 367-7380

---

June 3, 2022 2:10 PM Email

Hi Kay,

Thank you for sending me the documents.

As we've discussed previously, under Title II of the ADA, any area used by the public is subject to ADA requirements for "program accessibility." I know you are familiar with the regulations but I am repeating them here:



### **§ 35.150 Existing facilities**

(a) *General.* A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. This paragraph does not—

- (1) Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities;

[www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35149](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35149)

The agreement between the Town and the Manager stipulates that the Manager will determine what ADA modifications are needed and at the direction of the Town, the Manager will make the improvements at the Manager's expense. The Town will pay for ADA improvements that are required solely because they are areas used by the Town. That is fine, but the Town has obligations under the ADA for areas that are used by both the Town and the camp, not just areas that are solely used by the Town.

I know this has been an ongoing issue. I hope there will be movement forward.

Please contact me if you have questions.

Best,

Kathy

Kathy Gips

---

June 3, 2022 2:20 PM

Kay,

Sorry I did not respond to all your issues.

The Town should assure that Sudbury resident campers with disabilities can fully participate in all activities of the camp, since part of the agreement

includes ten scholarships for residents. This is a program of the town that is being provided by the camp via the agreement.

Best,

Kathy

Kathy Gips

New England ADA Center

A Project of the Institute for Human Centered Design

## **Annual Calendar** Terms begin in June

### **June**

1. Reorganization - officers
2. Reorganization - subcommittees
3. Liaison & committee assignments
4. New members
5. Review mission & broad goals

### **July**

1. Define action steps that are:
  - Specific
  - Measurable
  - Attainable
  - Relevant
  - Time oriented
2. Quarterly finance report

### **August**

1. Plan Oct Disability Awareness
2. Plan fall education event

### **September**

1. Promote awareness campaign and education event

### **October**

1. Implement awareness campaign
2. Deliver education event
3. Quarterly finance report

### **November**

1. Prepare Annual Report
2. Plan next event

### **December**

1. Approve annual report

### **January**

1. Submit annual report
2. Consider Town Mtg warrant article submission
3. Quarterly finance report

### **February**

1. Promote next event

### **March**

2. Deliver next event

### **April**

1. Support Unified Games
2. Quarterly finance report
3. Consider position on Town Meeting warrant articles relevant to accessibility

### **May**

1. Town Meeting participation
2. Review Bylaws

### **Ongoing**

- Monitor & collaborate with Town staff on Self Evaluation and Transition Plan
- Liaise with & serve on
  - Transportation
  - Diversity, Equity, Inclusion
  - SPS & L-S SEPACs
  - *Council on Aging?*
  - *Park & Recreation?*
  - *Permanent Building?*
- Monthly mtg w/ Town Manager
- Take advantage of Community Access Monitor training and other professional development opportunities



# SMART Goal

<b>S</b> Specific	Describe with clear details.
<b>M</b> Measurable	Tell what will show that the goal is accomplished.
<b>A</b> Achievable	Can this be done with the time, skills, and resources available?
<b>R</b> Relevant	How is this goal aligned with core values and mission?
<b>T</b> Timely	Set a start and finish date for your goal and.
	Start Date: _____ Finish Date _____

## What steps do you need to take to get you to your goal?

Action Items	Expected Completion Date	Actual Completion Date

## Potential Obstacles and Solutions

Potential Obstacles	Potential Solutions