



Sudbury Commission on Disability Meeting Agenda **REVISED: see list below**

Thursday, September 8, 2022 **7:30 – 9:30 PM**

To join this virtual meeting click 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

Confirmation of quorum. Roll call of members present. Reading of protocols.

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

Public Comment

Welcome

Welcome new members Cameron LaHaise and Pat Brown

Minutes

Review methods for approving minutes. Approve available minutes:

1. Apr 7, 2022 (Liesje)
2. May 5, 2022 (Karyn) available
3. Jun 20, 2022 (Liesje)
4. June 29, 2022 (Karyn) available
5. July 6, 2022 (Kay) available
6. August 18, 2022 (Randi)
7. August 30, 2022 (Liesje)

Reports (as available)

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

Discussion / Potential Action

1. Membership: Two open COD seats. Community Access Monitor Certification.

2. Municipal ADA Improvement Grant from Massachusetts Office on Disability if application information is available. Consider special meeting.
3. Disability Awareness Month: Project with Goodnow Library and any other actions for observing the month
4. Sudbury Doing Good, Saturday November 5 from 11:00 AM to 2:00 PM
5. Whether or not to disable Zoom Chat and/or Q&A functions
6. Correspondence from Kathy Gipps of Institute for Human Centered Design: Consider delegating to Transition Plan Subcommittee.
7. Group norms and procedures for managing concerns among members regarding statements, writings, or actions
8. Postings on COD Town web pages and Facebook
9. Goals for coming year: Specific actions, prioritization, members involved in implementation, placement on calendar, resources required, etc.

Close Meeting

1. Review tasks generated at meeting
2. Future meeting dates
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 – REVISED TO INCLUDE LIST

1. Community Access Monitor Training by MOD
2. Muni ADA Improvement Grant 2022 ITM coms
3. Sud Doing Good Exhibitors info
4. Technical Assistance IHCD K Gipps June 2022
5. Code of Conduct for Committees rev 03-21
6. Goals discussion 09-08-22

Massachusetts Office on Disability

Community Access Monitor Training

The Community Access Monitor Program trains you to survey buildings for accessibility. You will use your skills to advocate for compliance with various rules and regulations.

Since the creation of the Community Access Monitor Project in 1985, approximately 12,000 people have been trained by the Massachusetts Office on Disability to survey buildings for accessibility and to advocate for compliance. Over 2,000 people have been certified as Community Access Monitors.

Initially, the Community Access Monitor Project emphasized the enforcement of the Architectural Access Board's Rules and Regulations. Now, with the federal Americans with Disabilities Act in effect, requirements for access have broadened to include communication and programmatic as well as architectural accessibility. As the scope of accessibility legislation has broadened, so has the role of the Community Access Monitor.

The workbook provided at these trainings contains information on access legislation and provides a step-by-step process for conducting assessments and encouraging voluntary compliance with the Americans with Disabilities Act and the Architectural Access Board Rules and Regulations.

CAM Training - September:

Date: Tuesday, September 13th and Wednesday, September 21st

Time: 9:30am-2:30pm

Location: Virtual on Zoom

Host: Acton Commission On Disability

CAM Training - November:

Date: Wednesday, November 2nd and Thursday, November 3rd

Time: 9:30am-2:30pm

Location: Virtual on Zoom

Host: Pittsfield Commission On Disability, AD-Lib Center for Independent Living

Accessibility

Architectural, communication, programmatic, and policy barriers prevent people from participating fully in society. People with disabilities can't assume they can use common public places, such as stores, banks, offices, and restaurants. They can't always take part in ordinary activities like working, getting an education, visiting friends, and attending community events. Most non-disabled people take these freedoms for granted.

Accessibility means much more than ramps for wheelchair access. People can have all types of disabilities, ranging:

- Physical
- Sensory
- Cognitive
- Others

All people should have equal access to facilities, services, and programs. People with disabilities must not be discriminated against through:

- Structural barriers
- Unequal policies and practices
- Inaccessible means of communication and spreading of information

Your role

Community Access Monitors play an important role in encouraging access improvements. While you don't have legal enforcement authority, you still can be an effective advocate by working with:

- Municipal disability commissions
- Independent Living Centers
- ADA Coordinators
- Building inspectors
- Others

Skills you'll learn

This program trains you to advocate for accessibility improvements and conduct building assessments. We can give you:

- Knowledge of access laws and regulations
- Understanding of the range of state and federal organizations
- Skill in surveying and advocacy
- The ability to be persuasive and persistent

With these skills, you can encourage voluntary compliance with the:

- Americans with Disabilities Act
- Architectural Access Board Rules and Regulations

Getting involved

Pre-registration is required.

To request a training or to attend an upcoming training, please contact:

Ashley Santana, Access Specialist at MOD: ashley.santana@mass.gov

Municipal ADA Improvement Grant opportunity deadline Sep 30,2022

1. On 9/1/2022 11:02 AM, Bilodeau, Maryanne wrote:

Hi all,

Sandra Duran has this information and we have been looking at this so we can submit an application after the Town Manager has signed it.

Maryanne

2. **From:** Kay Bell <kaybell@mail.com>

Sent: Thursday, September 1, 2022 3:51 PM

To: Bilodeau, Maryanne <BilodeauM@sudbury.ma.us>; Commission on Disability <disability@sudbury.ma.us>; Duran, Sandra <DuranS@sudbury.ma.us>

Cc: Roberts, Jennifer <RobertsJ@sudbury.ma.us>

Subject: Re: Municipal ADA Improvement Grant - Invitation to attend COD meeting

Thank you, Maryanne, for this important information.

In keeping with the arrangement made with Town Manager Hayes when the COD actively endorsed his request for \$200,000 at Town Meeting, I cordially invite you and Combined Facilities Director Duran to attend the Thursday, September 8, 7:30 PM meeting of the full Commission on Disability.

This would be an apt opportunity for the COD to hear what is in development for the Massachusetts Office on Disability Municipal ADA Improvement Grant application. We have learned through discussion with MOD staff that an endorsement letter from a town's COD is an asset to a project grant application. If COD members have an understanding of the Action Steps for the Transition Plan and the project targeted for this grant, we would be in a good position to consider making such an endorsement.

Attached is an excerpt from the "New England ADA Title II Action Guide for State and Local Governments" that describes an ideal ADA Team and explains the value of including people with disabilities in Transition Plan processes.

With optimism for collaboration ahead,

Kay

3. On 9/2/2022 12:29 PM, Bilodeau, Maryanne wrote:

Hi everyone,

I talked with Sandra and next week is too early and the grant application/projects are still being worked on.. I plan on attending the October 13th COD meeting and by then

then will be something for you to discuss. If there is information to share before then, we will certainly do that.

I also want say to everyone that it's been my pleasure talking to all of the current members over the summer and getting to know each of you better; and I want to welcome the new members as well as thanking you for volunteering.

I look forward to working with the entire team and at any time feel free to reach out to me.

Take care everyone and have a wonderful long weekend.

Maryanne

4. Date: 9/2/22 3:11 PM (GMT-05:00)

To: "Bilodeau, Maryanne" <BilodeauM@sudbury.ma.us>, Commission on Disability <disability@sudbury.ma.us>, "Duran, Sandra" <DuranS@sudbury.ma.us>, Select Board <SelectBoard@sudbury.ma.us>

Cc: "Roberts, Jennifer" <RobertsJ@sudbury.ma.us>, patbrownian@me.com, cameronlahaise@gmail.com

Subject: Re: Municipal ADA Improvement Grant - Invitation to attend COD meeting

Dear Maryanne,

Thanks for letting us know that you and Sandra Duran can't make our September 8 meeting. Our next regular meeting is actually Thursday, October 6 (not October 13) and we will be glad for the chance to get caught up on developments underway and in planning.

It's too bad that the COD won't be informed early enough to be able to add an endorsement letter to the grant application package before the deadline of September 30, since Jeff Dougan, Assistant Director for Community Services at MOD, has repeatedly told us that such a letter adds points to an application package.

Looking forward to meeting with you on October 6.

Appreciatively,

Kay

5. On 9/2/2022 3:32 PM, Bilodeau, Maryanne wrote:

Pat, if the grant application is ready before the end of the month we will let you know in case it co-ordinates with another September meeting. I will have to see if October 6th would work as i already have a commitment. Right now I have it on my calendar for October 13th unless Sandra has it to share before September 30th. Thx.

Maryanne

6. 9/4/2022, 10:35 AM

Dear Maryanne,

This is Kay here, not Pat. Thanks for considering including the Commission on Disability. Inclusion is the core purpose of the COD.

The agenda of the COD's September 8th meeting will include the Town's current effort to secure a Municipal ADA Improvement Grant. COD has frequently scheduled a special meeting for dealing with work that is better off not delayed until our regular first-Thursday meetings. If you have

1. any specific information about the application content and process underway
2. favorable dates in September that the COD might meet with Sandra Duran and you to be informed and consider writing a letter of endorsement

that information would be helpful to our discussion on September 8.

This brings to the forefront the need to reactivate monthly check-in briefings that were shared with the former Town Manager. The opportunity for regular information exchange and preliminary discussions of important topics proved productive for the COD and the Town. The chair and vice-chair would be the regular attendees at monthly check-ins.

Appreciatively,

Kay 781 367-7380

7. On 9/6/2022 03:14 PM, Bilodeau, Maryanne wrote:

Hi everyone,

I hope you all had a nice long weekend. I was able to connect with Sandra Duran, our Facilities Director, today and she said that in regards to availability for a COD meeting in September (and have the Improvement Grant finalized and available to discuss) that Wednesday, September 28th, would work. I'm not sure how that works for people's schedules, and I understand if it doesn't, but I wanted to at least give you an idea as to when something would be available to review.

Thanks so much.

Maryanne



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 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

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.

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

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.

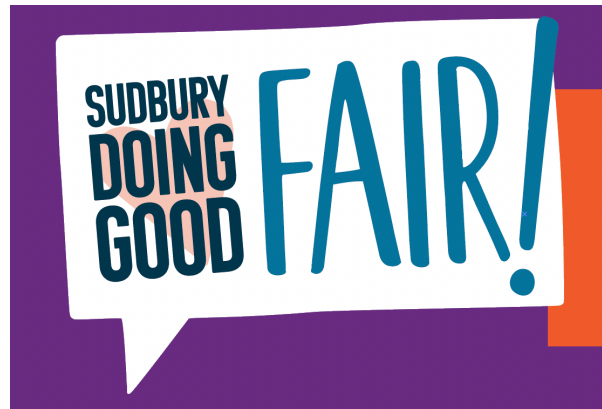
Best,

Kathy

Kathy Gips

New England ADA Center

A Project of the Institute for Human Centered Design



Saturday, November 5, 2022, 11:00 a.m. to 2:00 p.m.
Goodnow Library, 21 Concord Road, Sudbury, MA 01776

2022 Exhibitor Information

Each exhibitor will get a table on the first or second floor of the Goodnow Library. Please bring your own table signs, posters, table banners, promotional material, and give-away items (ex: wrapped candy, pens). Exhibitors are expected to staff their table from 11:00 a.m. to 2:00 p.m.

We are asking exhibitors to help recruit attendees by reaching out to members/constituents via email, social media and website posts.

Frequently Asked Questions

Can any Sudbury group be an exhibitor at the Fair?

Any Sudbury not-for-profit group can be an exhibitor including non-profit organizations, community groups and Town of Sudbury departments/committees.

How many other exhibitors will there be?

We expect to have around 45 exhibitors. There is limited space so sign up early.

How many attendees are you expecting?

We hope to have 200 or more attendees.

Is the event free of charge to attendees?

Yes

Is the library fully accessible?

Yes

What time can I get into the library to set up?

Please arrive between 10:00 and 11:00 a.m. to set up. The library will be open at 9:30 am if you need to set up earlier. Please reserve time to clean up your space at the end of the event.

Where in the library will we be set up?

You will receive your table location when you check in.

How many people can we bring from our organization?

Two representatives from your organization is ideal.

Can I hang a banner or tape a sign to the wall?

Sorry, no.

Will I have access to electricity?

Some locations may have access to electrical outlets but it is not guaranteed. Let us know in advance if you will need to be near an electrical outlet.

Can I ask for donations?

While the Community Info Fair is not intended to be a fundraising event per se, subtle solicitations are acceptable. We are asking exhibitors to refrain from placing donation jars on their tables.

Can I sell promotional items?

Yes.

Can I provide give-away items to attendees?

Yes, but if it is a food item, please make sure it is nut-free.

Can I feature an activity at the table?

Yes. We encourage you to offer an activity to engage attendees, particularly if it is related to your mission and/or is family or community service-oriented. Please refrain from messy craft projects (i.e., no glitter, paint).

Can I hold a raffle at my table?

You may offer attendees a chance to win a prize, but may not require money in order to participate.

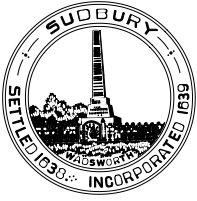
Will there be food and beverages available at the event for exhibitors?

Food will not be available. We encourage you to bring your own food and beverages. Water is available so bring your own water bottles.

What will be the COVID protocol at the event?

We will follow the recommended Sudbury Board of Health COVID guidelines as of Nov 5.

For more information, please contact Holly Bernene at goodnowlibraryfoundation@gmail.com or Tricia Brunner at brunner@sudburyfoundation.org.



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.]

GOALS

An excerpt from July 6 meeting minutes. Open ended.

...broad goals for the coming year:

- Provide disability awareness and visibility activities in October
- Pursue the creation of a Transition Plan Team/working group including the COD and other Town stakeholders to address and prioritize
- Bring disability education events to the community
- Continue to monitor capital projects
- Create a warrant article for the 2024 Town Meeting
- Make a presentation to the Sudbury Chamber of Commerce

SMART GOALS principles

S	specific	Clear details
M	measurable	What counts as success?
A	achievable	Are funds, people, other resources available?
R	relevant	Fits the COD mission?
T	time-based	Dates for prep, implementation, completion?