



TOWN OF MILFORD
COMMISSION ON DISABILITY
52 Main Street, Milford, Massachusetts 01757

Harold S. Rhodes, Chairman

On Wednesday, January 21, 2015, a meeting of the Milford Commission on Disability (MCOB) was held in Room 14 at the Milford Town Hall. Meeting was called to order at 7:05 PM by H. Rhodes, Chairman.

Members Present: Harold Rhodes (Chairman), Demetra Edwards, Margaret Myatt, Fran O'Neill, Susan Clark, and Tom Andruskevich. A quorum of the membership was in attendance.

Members Unable to Attend: D. DeBartolomeis

Guests in Attendance: Mike Nicholson

Membership. The Commission has two vacancies. H. Rhodes indicated that he is going to contact J. Walsh (Special Needs, Milford School System).

Minutes: Minutes from the meetings on December 17, 2014 accepted unanimously as written on a motion by T. Andruskevich; seconded by M. Myatt.

Treasurer's Report: The following balances were reported GF Account \$1130.00; Revolving Account \$2,082.84; and Gift Account \$0.00; Louisa Lake Platform Gift Account Balance: \$0.00. The Treasurer's Report was accepted unanimously on a motion by D. Edwards and seconded by M. Myatt.

Correspondence:

1. MCOB has received news from the State Legislature. Bill S1985 has passed allowing commissions on disability a quorum to be met by remote participation if they so choose.
2. H. Rhodes received a letter from Gerald Moody regarding funds generated by HP parking fines (attached). The letter will be forwarded to the Board of Selectman.
3. H. Rhodes received information from the Milford Humanitarian Organization stating: Meetings are held on Saturday mornings. The next meeting is on March 7, 2015 at 9:00 am at Trinity Church.
4. H. Rhodes received information that the Community Health Network Associates (CHNA-6) will have a meeting, dedicated to Transportation Access, on March 13, 2015 at 9:00 am at the Milford Senior Center.

Discussion. H. Rhodes distributed the results from the survey of the Handicap Parking Fines and sharing with the local Commission on Disability. H. Rhodes indicated that he will talk with R. Villani about updating the Town Bylaws so that the funds collected from the HP fines go into MCOD account. (Note: Cities indicated with ** receive separate city budgets.)

City	HP Fine	COD Share
NEWTON	\$200 / \$300	60%
Lowell	\$300	\$20,000
TAUNTON	\$300	100%
Westport	\$300	100%
WINTHROP	\$300	100%
PITTSFIELD	\$250	0%
BURLINGTON	\$200	100%
METHUEN	\$200	100%
NATICK	\$200	100%
WEYMOUTH	\$200	100%
FRAMINGHAM	\$200	50%
SHARON	\$200	50%
WORCESTER	\$200	0%**
BELLINGHAM	\$150	100%
WATERTOWN	\$150	100%
WAKEFIELD	\$125	100%
LYNN	\$125	25%
MILFORD	\$125	0%
BOSTON	\$120	0% **
CAMBRIDGE	\$100	0% **
BELMONT	\$100	100%
GRAFTON	\$100	100%
HAVERHILL	\$100	100%
MARBLEHEAD	\$100	100%
NEW BEDFORD	\$100	100%
NEWBURYPORT	\$100	100%
PEMBROKE	\$100	100%
WALTHAM	\$100	100%
WILBRAHAM	\$100	100%
BARNSTABLE	\$100	50%
LEOMINSTER	\$100	50%

New Business

- a. As per MCOD's recommendation to have the funds collected from the Handicap Parking fines, H. Rhodes indicated that he would discuss this with the Town Administrator to schedule for a future Board of Selectman meeting.
- b. H. Rhodes made a motion for the purchase of up to \$100.00 for a screen for the purpose of presentations regarding disabilities. The motion was seconded by S. Clark. Accepted unanimously.

Accessibility – Business

- a. 148-150 East Main Street (12/14/2014). Response: *While the site plan addresses accessibility issues, it is required that the words "First Offense \$125.00 Fine", or comparable per Milford By-Law Art. 22 as amended, be added to each Handicap Parking sign (see detail 7 sheet C3).*



- b. 195 West Street (Day Care) – handicap access
- c. 232 West Street - Accessible parking. Response: *Assuming the un-dimensioned accessible parking space and access aisle both meet AAB dimensional requirements, the only comment is that "Van Accessible" should be included in the HP signage detail. (521CMR 23.6.3*



- d. 235 East Main Street – Accessible parking & accessible entrance. Response: *The site plan indicates 52 proposed total parking spaces in the lot for which AAB requires three accessible spaces with access aisles (521CMR 23.2.1). The site plan indicates only two accessible spaces with one access aisle. It is requested that one additional accessible parking space with access aisle be added to the site plan. If the proposed parking lot located west of the proposed structure is for public use and includes an accessible route to an accessible public entrance, then there should be accessible parking with access aisle(s) in that lot. (521CMR 23.3.3) Additionally, it appears that there will have two separate driveways, one for public use and one for employees. Both look identical from the street with no indication of "Employee Only" or "Public Entrance" signage. It is suggested that such informational signage be included in the plan, where appropriate, for the public's use. Notes #23 & #24 on Sheet C-7.0 referring to 'all entrances being handicapped accessible' are noted. Placement of accessible signage on the site plan is in a location subject to vehicular contact. While there is a brief reference to placement of signage in a bollard on Sheet C7.0 (Handicap Parking Sign Detail), it is requested that the bollard be described in*

more detail (e.g., material, outer diameter and height from pavement). (521CMR 23.6.4)



- e. 47 Summer Street (Main Oxy) – defer to Building Commission. Response: *With regard to the Maine Oxy accessible route, COD submitted a review on August 10, 2010, copy attached, in which the same concern was expressed. This was submitted prior to the 8/17/2010 planning board review. I have reviewed plan G-9625 with regard to the Site Plan Waiver for the proposed Planet Aid renovation where they propose to install a fitness area within existing space. Accessible entrance for Main Oxy and Cross Fit. (12/15/14) From the Building Inspector: I have reviewed plan G-9625 with regard to the Site Plan Waiver for the proposed Planet Aid renovation where they propose to install a fitness area within existing space.*



It is my understanding that the proposed space is to be used for employees of Planet Aid, and as such is considered a private building. Private buildings are not subject to 521 CMR Architectural Access Board Regulations. However, if the fitness center is to be open to the public which I have discussed with Plate Aid representative, that portion of the building/site would be subject to Handicap Regulations. Additionally, it appears that a portion of the facility that is occupied by Maine Oxy is considered public, and does not fully comply with 521 CMR 20, as there does not appear to be a compliant accessible route from the handicap spaces to the retail space. I would recommend that they modify existing conditions to become compliant.

- f. 49 Cedar Street (Crystal Room) – AAB Hearing 12/1 in Boston (Notice rec'd 8/14); Vertical Access; Front Entrance
- g. Burger King – missing HP signage and ramp violation

- h. Cornerstone – HP Spots on angle to the street
- i. Milford Regional Medical Center – Existing Facility. MCOB has not received a response from the hospital in regard to the MCOB Facility Review. J. Erickson will contact hospital for response.
- j. Main Street area – foundation permit issued
- k. Milford Regional Medical Center – New Facility H. Rhodes reported the senior hospital personnel are reviewing shower seating in the PCU rooms to be fully AAB/ADA compliant.
- l. Quarry Stop & Shop – missing HP parking spots (11/18/14); Fafard to respond end of this week 12/15/14.
- m. Other new construction in Milford
- n. New Temporary Certificates of Occupancy

Accessibility – Town of Milford

- a. Disability Awareness Day. H. Rhodes will begin to focus on developing Disability Awareness Day.
- b. Milford Town Hall Outdoor Stairs/Main Street Stairs. D. Edwards consult with R. Villani to improve visibility.
- c. MWRTA. As extensive community support for Public Transportation continues to grow, the topic will be discussed at the Board of Selectman meeting on either February 9 or February 16, with the objective to have FinCom to create a transportation sub-committee.
- d. Review Milford Facilities with Milford ADA Coordinator. T. Andruskevich met with R. Villani. R. Villani will initiate the process. T. Andruskevich informed R. Villani about upcoming Community Access Monitoring (CAM) Trainings.
- e. Senior Center Parking. H. Rhodes will follow up with a reminder to R. Villani.
- f. Trail Access Improvements. H. Rhodes has met twice with R. Deluzio regarding Trail Access Improvements. H. Rhodes will provide R. Deluzio with a detailed report (attached).
- g. Trail Auditory App. M. Myatt will research a Trail App that may provide descriptive auditory information.
- h. Upper Town Hall. M. Myatt provided R. Villani with contact information for Shanahan Sound. M. Myatt will contact V. Reis for status update.

Accessibility – Resolved

- a. 1 Railroad Street & Cemetery Street – Amended Special Permit
- b. 2 Cape Road
- c. 250 Fortune Blvd. (no comment)
- d. 260 Main Street – Flag

- e. 27 Maple Street (no comment)
- f. 296 West Street
- g. 324 Main Street – Sky Buffet
- h. 51 Depot Street – Medway Oil.
- i. 6 Commercial Way – Solar
- j. 64-66 Central Street (Convenience Store)
- k. 8 Commercial Way (no comment)
- l. Blaire House
- m. CVS
- n. Doc's Sport Bar
- o. Milford Youth Center
- p. Quarry Stop & Shop – missing HP parking spots (11/18/14); Fafard to respond end of this week 12/15/14.
- q. Woodland School

Next Meeting: Wednesday, February 18, 2015, 7:00 p.m., Room 14, Milford Town Hall.

Adjournment: Meeting adjourned at 8:25 p.m. on a motion by D. Edwards and seconded by S. Clark.

Respectfully Submitted,



Demetra Edwards
Secretary

CC:
Town Administrator
Board of Selectman
Department of Inspections
Town Accountant

**TOWN OF MILFORD, MASSACHUSETTS
LEGAL DEPARTMENT
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**GERALD M. MOODY
TOWN COUNSEL**

January 7, 2015

Zachary Taylor
Town Accountant
Town Hall – 52 Main Street
Milford, MA 01757

RE: Allocation of Funds from Handicapped Parking Violations

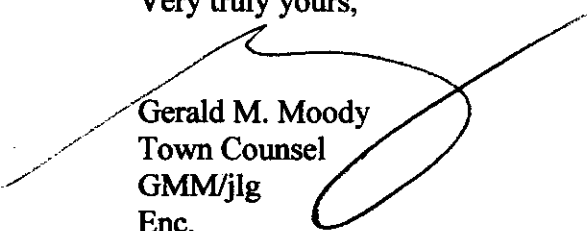
Dear Zach:

Attached is a copy of G.L. c. 40, § 22G which would authorize a city or town to deposit all or part of the funds received for violation of handicapped parking regulations in a separate account for utilization by a commission on disability “for the benefit of persons with disabilities.”

You will note that the opening of the section refers to a “city or town which has accepted the provisions of section 8 J”. Milford (though long ago in 1985 established a Commission on Disability consistent with law) has never actually voted to accept G.L. c. 40 section 8 J. This statute authorizes and provides an outline of the powers of a Commission on Disability. Milford made a conscious decision in 1985 not to accept the statute but simply to create its own Commission on Disability under its own Home Rule powers.

There would be nothing inconsistent with a vote now by Milford town meeting to accept this statute and to allocate all or a portion of the funds received as parking receipts. However, Town Meeting action would be required in that regard. I would suggest that you recommend to Mr. Rhodes that he meet with the Board of Selectmen to discuss the concept with them and see if they have an agreement as to acceptance of the statute and a percentage allocation of receipts under a bylaw amendment. If all are finally in agreement I will draft the necessary article or articles.

Very truly yours,



Gerald M. Moody
Town Counsel
GMM/jlg
Enc.

Westlaw.

M.G.L.A. 40 § 22G

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C

Effective:[See Text Amendments]

Massachusetts General Laws Annotated Currentness

Part I. Administration of the Government (Ch. 1-182)

■ Title VII. Cities, Towns and Districts (Ch. 39-49A)

■ Chapter 40. Powers and Duties of Cities and Towns (Refs & Annos)

→→ § 22G. Funds received from fines for handicap parking violations; deposits in account; expenditures

Any city or town which has accepted the provisions of section eight J is hereby authorized to allocate all funds received from **fines** assessed for violations of handicap parking in said city or town to the commission on disabilities.

Funds so received shall be deposited by the city or town treasurer in a separate account and shall be used solely for the benefit of persons with disabilities. Said account shall be established by the city or town treasurer and shall be kept separate and apart from all other monies. Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the commission on disabilities in accordance with the accepted procedures of the city or town for the disbursement of funds, including the approval of the mayor and city council or the town manager or board of selectmen. The city or town accountant shall submit annually a report of said account to the mayor and city council or the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts.

CREDIT(S)

Added by St.1992, c. 241.

HISTORICAL AND STATUTORY NOTES

St.1992, c. 241, an emergency act, was approved Nov. 25, 1992.

LIBRARY REFERENCES

Municipal Corporations ➡ 887.

Westlaw Topic No. 268.

C.J.S. Municipal Corporations § 1884.

RESEARCH REFERENCES



**TOWN OF MILFORD
COMMISSION ON DISABILITY**

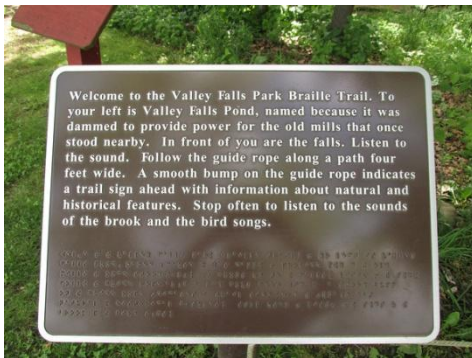
52 Main Street, Milford, Massachusetts 01757

Harold S. Rhodes, Chairman

Meeting Notes – January 8, 2015

On Thursday, January 8, 2015, Reno DeLuzio, Chairman of the Milford Upper Charles Trail Committee, and Harold Rhodes, Chairman of the Milford Commission on Disability (MCOD), discussed potential improvements to the Milford Upper Charles Trail for persons with disabilities.

1. **Braille Signage at Trail Head** (see examples below). MCOD will develop a proposal to include one new Braille signage, at an accessible height and location, ideally using Signs Plus.



2. **Trail Info Signs.** MCOD will review all existing Trail Info signs to determine if additional signs are required, if the current signs are accessible, and if the signs need to be in Braille. After the review, MCOD will develop a proposal to improve the Trail Info signage.



Meeting Notes – January 8, 2015

3. **Accessible Parking.** MCOD will review the quantity maintenance of accessible parking at every parking lot directly related to the trail. After the review, MCOD will develop a proposal to improve accessible parking, if needed.
4. **Third Accessible Bench provided by MCOD.** Mike Bresciani has agreed to install the third accessible bench at the turnout along the Senior Center trail, weather permitting. MCOD suggests that at least one clear ground space that is at least 30 by 48 inches should be provided at one end of the bench and positioned to allow wheelchair users to be seated shoulder-to-shoulder with an individual seated on the bench.
5. **Fourth Accessible Bench provided by MCOD.** MCOD will develop a proposal for the location of the fourth accessible bench, likely in the area of Lake Louisa. The proposal may include some low-profile shrubbery behind the cane stop shown at the turn-out along Louisa Lake. See picture below.



6. **Additional Accessible Benches.** MCOD will develop a proposal for additional accessible benches to be located throughout the Trail.
7. **Louisa Lake Kiosk.** Reno will develop a plan to make the Lake Louisa Kiosk more accessible wither by moving the Kiosk to the edge of existing accessible pavement or by adding accessible pavement to the existing location. See picture below.

Meeting Notes – January 8, 2015

8. **Access Link from the Trail to the Gazebo at Lake Louisa.** MCOD will review whether the access link from the trail to the Gazebo at Lake Louisa is accessible.



9. **Walking Trail for Persons with Low Vision.** MCOD will develop a proposal to identify possible locations for a walking trail for persons with low vision (see example as shown in the video below). Additionally, MCOD will develop a proposal for the type of walking trail to be implemented. This walking trail cannot obstruct mowing or brush cutting machinery within the limits of the shoulders or adjacent areas where the vegetation is being maintained.

<https://www.dropbox.com/s/7iruzukn3y1q mz1/Low%20Vision%20Walking%20Trail.wmv?dl=0>

10. **Accessible Trash Bins and Dog Clean up Stations.** MCOD will review whether the all trash bins and dog clean up stations are accessible (paved surface, height, reach).