



Braintree Town Council Committee on Ordinance & Rules

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

David Ringius, Jr, Chairman
Shannon Hume, Vice- Chairman
Julia Flaherty, Member
Charles Ryan, Member

Wednesday, August 23, 2023 MINUTES

A meeting of the Committee on Ordinance & Rules was held Remote via Zoom Webinar on Wednesday, August 23, 2023, beginning at 5:00pm.

Chairman Ringius was in the Chair.

Clerk of the Council, Susan Cimino conducted the roll call to begin the meeting

Present: David Ringius, Jr, Chairman
Shannon Hume, Vice-Chairwoman
Julia Flaherty, Member
Charles Ryan, Member

Also Present: Margaret Laforest, Chief of Staff
Marybeth McGrath, Director Municipal Licensing & Inspections
Kristina Ziniti, ADA Coordinator
Valerie Fletcher: Executive Director
Meghan Dufresne: Architectural Designer
David West: ADA Information Specialist and Accessibility Surveyor
Elizabeth Maglio, Councilor District 3
Commission on Disability members

David Ringius, Jr, Chairman of the Committee on Ordinance & Rules asked for a moment of silence for our first responders and all those serving home and abroad.

Approval of Minutes

- None

Old Business

- None

New Business

• 23 053 Mayor: Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan or take up any action relative thereto

Chairman Ringius stated you all have been sent the link to the 554 page Americans with Disabilities Act (ADA) Transition Plan. This meeting is to have the consultants answer any questions prior to making a recommendation to the full Council on September 5, 2023 – when we will be required to adopt this plan. The (consultants) representatives from the Institute for Human Centered Design who helped the Town of Braintree complete the ADA Transition Plan are:

- Valerie Fletcher: Executive Director vfletcher@ihcdesign.org
- Meghan Dufresne: Architectural Designer mdufresne@ihcdesign.org
- David West: ADA Information Specialist and Accessibility Surveyor dwest@ihcdesign.org

Here are the links:

[Town of Braintree Priority for ADA Transition Plan](#)

[Town of Braintree Priority ADA Transition Plan Spreadsheet](#)

Margaret Laforest, Chief of Staff explained Under Title II of the American with Disabilities Act (ADA), the Town of Braintree is required to complete a Self-Evaluation and Transition Plan. The self-evaluation reviews the town's public facilities, programs, services, activities and events to determine compliance with the ADA and identify any barriers to accessibility. The Transition Plan is a rolling fluid document that prioritizes the identified barriers and how they will be corrected.

The Town of Braintree received a planning grant from the Massachusetts Office on Disability (MOD) and contracted with the Institute for Human Centered Design (IHCD) to assist with the self-evaluation process. The draft transition plan was provided to the Commission on Disability, posted online and available in print at designated town buildings, between May 8 and June 22, 2023, while public commentary was being solicited. IHCD incorporated the public comments into the final transition plan. IHCD is available to provide the Town Council and Commission on Disability with a presentation of the Plan and Priority spreadsheet. A Public Hearing is required for this matter. Once the plan is adopted by the Town Council, the town will become eligible for project grant funding through MOD for up to \$250,000 to implement accessibility improvements. The Municipal Americans with Disabilities Act (ADA) Improvement Grant Program supports capital improvements specifically dedicated to improving programmatic access and/or removing barriers encountered by persons with disabilities in applicant facilities throughout the Commonwealth. The next FY24 grant cycle opens on August 1, 2023, and has a submission deadline of September 30, 2023.

Margaret Laforest, Chief of Staff stated after this presentation for the Council members to give their thoughts and input as far as priorities for your district and anything that's standing out to you.

Meghan Dufresne: Architectural Designer, from the Institute for Human Centered Design gave a PowerPoint presentation:

IHCD Scope of Work:

- ✓ Evaluation of Programs, Services and Activities – infrastructure of policies & procedures that support program access;
- ✓ Evaluation of Facilities; and
- ✓ ADA Self-Evaluation – comprehensive data about the current state of compliance that identifies both issues that need corrective action and gaps in policies and procedures.

Title II of the Americans with Disabilities Act requires that state and local government entities do not discriminate against people with disabilities in their **programs, services, and activities**.

State and local governments must take steps to examine their programs and develop a plan for compliance with the law.

Evaluation of Programs, Services and Activities:

The Part B report summarizes IHCD's findings of ADA Title II compliance. The information pertinent to the assessment was obtained from:

- ✓ An online ADA questionnaire developed by the Institute for Human Centered Design (IHCD) and submitted by eight (8) departments;
- ✓ The Commission on Disabilities;
- ✓ The Town website;
- ✓ Town employees.

Findings 1:

Designate a Responsible Employee:

- ✓ The Town has met its obligation to designate a responsible employee by appointing Kristina Ziniti as the Town's ADA Coordinator.

Grievance Procedure:

- ✓ The Town has a grievance procedure for members of the public.

Notice of ADA Requirements:

- ✓ From the responses submitted by staff it seems that the Town does not post the ADA Nondiscrimination Notices everywhere the public seeks information, including social media.

Findings 2:

Reasonable Modification of Policies, Practices, and Procedures:

- ✓ There is no evidence that the Town was unable to provide reasonable modification. However, with issues of access in older buildings, the Town should understand that a reasonable modification, (such as moving a meeting to an accessible location) may be requested.

Employment and Reasonable Accommodation:

- ✓ There is no evidence that the Town has failed to provide reasonable accommodations to its employees.

Effective Communications – Auxiliary Aids and Services:

- ✓ From the questionnaire responses received, and the Town's website, the Town has pledged a commitment to provide effective communication.

Strategies for Facilities:

3 strategies to ensure access to programs, services and activities:

- ✓ Relocation of programs, services and activities within the current facility;
- ✓ Relocation of programs, services and activities to another facility;
- ✓ Renovation of the facility to ensure access to programs, services and activities.

Self-Evaluation and Transition Plan Goals

- ✓ All the Town's programs, services and activities, when viewed in their entirety, are readily accessible to and usable by people with disabilities.
- ✓ Priority of ensuring "Program Access" with a goal of equal participation of people with disabilities.
- ✓ Implementation strategy integrated into Town planning and budgeting.
- ✓ All residents, regardless of ability feel that they know about and can participate in all that the Town has to offer.

Kristina Ziniti stated we are lucky to have got the MOD Grant in December 2021 to help complete the Transition Plan. This company (IHCP) is amazing. This is an exciting time. I'm hopeful this is going to move forward. Once this is adopted the next round is a project grant we can get up to \$250,000 for project grants.

Councilor Flaherty asked about implementation. This is very lengthy with projects all over town and each one is quite expensive to implement. Do you have guidance on how to prioritize things. Valerie Fletcher stated we work with our clients to prioritize. It is pretty inevitable that our first concern is to make sure that you address anything that constitutes a safety risk. For municipalities you have an obligation to make sure everyone has access to what you have to offer in terms of programs, activities and services. Those rise to the top over renovation of buildings.

Margaret Laforest stated after this it is my intention to have an internal meeting with DPW Facilities and our ADA Coordinator to review this. We have not as a team yet had that deep dive. This is decades of old infrastructure that we need to modernize. This is a significant process. This now is our roadmap. This is a multi-year, multi-project document.

Councilor Flaherty stated what I really want to know if that the town has a plan to implement this. Margaret Laforest stated we are looking to get a prioritized list working with the DPW Facilities team. Our next immediate step is to apply for the grant funding.

Councilor Ryan stated anything we can do in-house to save money would be great.

Councilor Hume stated this was a huge undertaking and in my opinion this is a huge success. Has any updates been made?

Margaret Laforest stated public feedback documents were posted and feedback ended in June 2023. We took that feedback and began to implement it right away.

Councilor Hume asked who will have the list and update what has been done and needs to be done.

Margaret Laforest stated the list will live with the ADA Coordinator but very much so the tasking and to do's will be with the Facilities team.

Chairman Ringius stated entering Braintree we post being a community of inclusion but I think going around Braintree there are some areas we lack in terms of playgrounds, curb cuts, our municipal buildings. I was happy to see there are some things we have done right and potential to grown on those. This committee is allowing this to move forward to the Council to hope to get some of these things checked off. I would like to see follow up and monitoring to see progress that has been made especially with the grants.

Crystal Evans, COD stated Mass DPH also has a small grant due October 2023 which would be targeting accessibility but there needs to be collaboration with the independent living center. There is a lot of funding if we take a step back and look at all the populations that depend on accessibility.

Margaret Laforest stated we welcome any feedback. Let's accept this plan and we can report to the council on progress and how we're going to get to that.

Mary Russo, COD asked which cemetery was looked at for ADA compliance?

Kristina Ziniti stated the one on Plain Street.

Elizabeth Maglio, Councilor asked about an emergency evacuation and planning. There was no deep dive on that in this report. How can we address those safety factors and how is this handled in other communities.

Ms. Fletcher stated the level of emergency planning is critical. The person most vulnerable are people with disabilities and older people. As far as the ADA Transition Plan the ADA doesn't address it all that specifically.

Chairman Ringius asked if there is a motion for Order 23 053

Motion made by Councilor Hume for favorable recommendation to the full Council Order 23 053.

MOTION: That in accordance with the provisions of Title II of the American with Disabilities Act (ADA), the Town of Braintree through the Braintree Town Council adopts the ADA Transition Plan as prepared by Institute for Human Centered Design.

Motion: by Councilor Hume for favorable recommendation to the full Council to approve Order 23 053

Second: by Councilor Ryan

Roll Call Vote: For (4 – Flaherty, Hume Ringius, Ryan), Against (0), Absent (0), Abstain (0)

It was unanimously voted by Roll Call to adjourn the meeting at 6:05 p.m.

Respectfully submitted,

Susan M. Cimino, Clerk of the Council

Documents provided for Meeting

- 23 053 Mayor: Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan or take up any action relative thereto