



# City of Fall River Massachusetts

## Commission on Disability

**WILLIAM A. FLANAGAN**  
*Mayor*

**WILLIAM FONTAINE**  
Chairman

**DENNIS POLSELLI**  
Vice Chairman

Minutes from January 9, 2014

Called to Order: 2:07 PM

- 1) Roll Call: Chairman William Fontaine, Vice-Chair. Dennis Polselli, Ken Pacheco, Debbie Pacheco, Michael Geary, Lisa Atkinson

Staff: Claudia Viens, HHS

Guest: Jeffrey L. Dougan, Mass. Office on Disability

Dan Robillard, City Council Vice-President, Mr. Raymond Mitchell

- 2) Public Input: None

- 3) Acceptance of minutes: from December 12, 2013

Motion: Mike Geary

Second: Vice Chair. Dennis Polselli

Chair. Fontaine introduced and welcomed Mr. Jeffrey Dougan from the Massachusetts Office on Disability to the meeting.

- 4) Bills and Communications:

Chair. Fontaine stated that at the last meeting Mr. Robillard brought up that the Commission is suppose to give a report to the City Council and the Mayor a yearly report. This has not been done. The Chair. contacted the City Clerk for her advice and she stated to contact the Law Dept.

Chairman Fontaine would like permission from the Commission to contact the Law Dept. on behalf of the Commission to find out exactly what we need to put in the report.

Motion: Lisa Atkinson

Second: Mike Geary

Debbie Pacheco stated she assumed the contact person would be Atty. Howayeck our ADA Coordinator.

Chairman Fontaine stated he would contact Corporation Council, Ms. Souza and ask her advice on whether to give it to one of her clerks or handle it herself. All we are looking for is guidance on what to put in the report.

Vice Chair. Polselli stated Debbie Pacheco has a good point. I think if we could somehow get the ADA Coordinator to start coming to some of our meetings.

Chairman Fontaine stated the ADA Coordinator will be discussed later in the meeting.

Vice President of the City Council, Mr. Raymond Mitchell made a suggestion. "If you send a copy of the meeting minutes to the Council and to the Mayor's Office he thinks that would satisfy the report they are looking for in the future." He further stated that sending that and keeping them apprised of everything this Commission does on a monthly basis.

Chairman Fontaine called for a motion that the Chairman, or Claudia Viens to send the minutes of the meeting on a regularly monthly basis to all City Councilors once the Commission has approved them.

Motion: Lisa Atkinson

Second: Mike Geary

Chairman Fontaine asked if there were any questions?

Debbie Pacheco stated what Councilor Mitchell recommended but would like to add one step and that would be to find out from legal department first. Chairman Fontaine stated this would be in addition to the report. Just to keep them apprised of what the Commission is doing on a monthly basis.

Vice Chair. Polselli stated he was not sure what motion we are voting for.

Chairman Fontaine stated the motion we are voting for now is to contact the Legal Dept. for clarification to what we will put into the yearly report as well as to the City Council and the Mayor. We had a motion, a second, and a discussion.

Can we have a vote?

All those in favor; all, none opposed.

Chairman Fontaine stated the second motion was to send the minutes of the meeting to all the City Councilors.

We had a motion, a second, and a discussion.

All those in favor, all, none opposed.

Jeffrey Dougan asked the Chairman if there is anyone who would need help with the annual report or however you want to do that? I helped other Commissions with that he stated.

Chairman Fontaine asked Mr. Dougan to send us any information that he has. Jeffrey Dougan stated he would send it to the Chairman.

Ken Pacheco asked the Chairman to ask Councilor Mitchell if any other Commissions send in minutes currently?  
Councilor Mitchell stated he feels if you send a report to City Council and the Mayor's Office it would be easier for this party. You would be sending exactly what you are doing monthly.

Ken Pacheco asked Vice. Chair Polselli if he received his e-mail?  
Vice Chair. Polselli stated yes.

Ken Pacheco asked if it was something he could convert?  
Vice Chair. Polselli stated no.

Ken Pacheco stated that it was a Word document.  
Vice Chair. Polselli stated it did not come through for some reason.

Chairman Fontaine stated for Mr. Pacheco to send it to the Chairman and he will make sure its in readable form for Mr. Polselli.  
Ken Pacheco then stated he made copies for the Commission here today. It was a Word document and it should have been readable for Mr. Polselli.

Chairman Fontaine stated almost anything would throw it off (letterhead, city symbol, any markings). Ken Pacheco stated if we ask for anything from other departments we have to make sure they don't put it on letterhead and they only put it in a Word Document.

Lisa Atkinson asked Vice Chair. Polselli if he received her e-mail from this morning? Vice Chair. Polselli stated he did receive the e-mail.

Ken Pacheco passed around an update on requests from the Commission. That's why I asked if Vice Chair. Polselli received my e-mail. (so he could continue about it at the meeting).

Chairman Fontaine asked if he could see the document. Vice. Chair. Polselli did not receive this document. The letterhead would make it invalid.

Chairman Fontaine stated to Vice-Chair Polselli that the items on the document are on the Agenda and he would read them one by one. He stated he would take it home and send it to Mr. Polselli so he can read it in Braille form. This was not sent to him before the meeting, technically we are not able to discuss this if you object. We will have to hold it over because it had not been five days prior to the meeting.

Vice-Chair. Polselli asked when it was sent. Ken Pacheco stated he sent it yesterday.

Chairman Fontaine asked Vice-Chair. Polselli if he will accept the fact

that the Chairman will read this to you for discussion. We are not voting he stated. This is just old business. Vice. Chair. Polselli stated that was fine.

Chairman Fontaine stated that is acceptable for Vice-Chair. Polselli.

5) Awareness:

Blizzard 2014 – Disability Community Evacuation Procedure/Plan  
Chairman Fontaine stated seven months ago the Commission asked permission to sit on Emergency Evacuation Board and the Committee that they put together in the City of Fall River. Mr. Geary was going to be the contact member. The Chairman called Dept. Chief Aguiar from the Fall River Management no less than four times. I still have not received a response he stated. Because of this blizzard we need to know as a Commission, what are the plans to enforce it if they do have to evacuate anyone with Disabilities or a Disability group home.

I have not received a response and the Chairman asked if you would like to send an Official letter to Chief Richard Aguiar of Fall River Emergency Management or do you know of anything else that we could do?

Ken Pacheco stated he would like to make a motion to send a letter to Chief Viveiros requesting some response to previous letters sent to Rick Aguiar regarding the Emergency Evacuation program in the city of Fall River.

Second: Vice. Chair. Polselli

Chairman Fontaine offered to write that letter.

Mr. Dougan commented if we are reaching out to the Emergency Management Director of Fall River that we could also make contact with MEMA.

Chairman Fontaine stated before we step outside of our city limits, the Commission likes to work within our own resources. If we don't get any results then we will go through the state or federal government.

6) Old Business:

- a) Financial Sub-Committee report – Chairman Fontaine asked if there is a motion to accept the subcommittee on finance?

Motion: Mike Geary

Second: Ken Pacheco

- b) Commission Brochure – Debbie Pacheco stated she will follow up with Atty. Howayeck again and find out if it was approved by the Legal Dept. and the Mayor's Office.

Chairman Fontaine stated the Commission appreciates what Mrs. Pacheco has done with the Commission Brochure.

Vice. Chair Polselli asked Debbie Pacheco when did she send the Brochure to the Law Dept.

Debbie Pacheco stated it was in November.

Vice. Chair Polselli stated it has taken over two months for a Brochure.

- c) Mr. Biszko – Chairman Fontaine stated he has left messages for Mr. Biszko and also stopped by his office. We have not heard anything. What would the Commission like to do about that?

Lisa Atkinson asked if the Chairman followed up with correspondence?

Chairman Fontaine asked if the Commission would like to make a motion To send correspondence on letterhead to Mr. Biszko?

Motion: Lisa Atkinson

Second: Mike Geary

Chairman Fontaine asked if there were any questions?

Debbie Pacheco stated she thought that would be the first step. The letter should be stating some of these outstanding items could if we have some clarification. Give Mr. Biszko the opportunity to be able to respond Mrs. Pacheco stated. We should include a deadline in the letter she said.

Lisa Atkinson asked how soon would you be able to generate this correspondence and forward it to Mr. Biszko?

Chairman Fontaine stated it would be forward tomorrow.

Chairman Fontaine stated he needs permission from the Commission for Mr. Dougan to interject as a representative of MOD on how we can handle these concerns or complaints that we have. Does anyone have an objection?

Ken Pacheco stated we should take full advantage of Mr. Dougan since he is here.

Mr. Dougan stated the next step after trying to reach out to the Building Inspector might be to seek approval from the building code complaint from the Architectural Access Board. If the local building inspector is not able to respond or willing to respond on the issues that are arisen. As a Commission you should have every right to ask permission to file a building code complaint.

Chairman Fontaine stated we need permission from the Commission before the Chairman could actually do anything.

Lisa Atkinson stated for the record, in the future if we are communicating verbally or via e-mail that it should be followed up with some type of correspondence. I've never received any correspondence that has been addressed to Mr. Biszko. I think this Commission should have a formal record so we are all aware.

Chairman Fontaine stated he would include her on the e-mail list.

- d) Mr. Pacheco – Update ADA issues
  - a) Council Chambers ramp work will begin immediately following the current projects, which are under construction, during the ramp construction period. We will also address the companion seating issue. The Council Chambers will be equipped with hearing assistive technology.

First floor restrooms in the main building will be constructed in the southwest corner of the building adjacent to the cafeteria.

Chairman Fontaine asked why is it that on the second through sixth floor the bathrooms are located across from the elevators? Wouldn't it be easier to move the information booth and have the bathrooms come down a straight line.

Ken Pacheco stated the stairwells are there and the only plumbing available is on the Southside of the building.

Lisa Atkinson asked if we could go back to the Council Chambers regarding the hearing systems technology.

Ken Pacheco stated the technology available in that room is for someone in need of that usage it will be tied into the system here and would be allowed to get a portable pack.

Lisa Atkinson asked if she could recommend installing a visual fire alarm in this room.

Ken Pacheco stated there is a visual fire alarm.

Chairman Fontaine asked if there was a time frame?

Ken Pacheco stated as soon as construction is done. A month or maybe before that.

The Hearing Room on the first floor of the Council Building will be modified for accessibility by raising the floor and creating a level floor across the entire room. This room will also be equipped with hearing assistive technology.

Chairman Fontaine stated the goal is to make all meetings accessible.

Ken Pacheco stated once the Hearing Room is accessible all City Boards will meet there. Signage throughout the building is being manufactured and will be in compliance with ADA standards.

Vice. Chair. Polselli asked if the Braille sign is included?

Ken Pacheco stated the Architect is working on a master directory that will go underneath the television monitor. There will be a Braille version of the directory.

Vice. Chair Polselli also asked if the television monitor would be audible?

Ken Pacheco stated yes.

Chairman Fontaine asked if there could be a motion for the television monitor to be audible.

Motion: Vice Chair Polselli

Second: Mike Geary

Lisa Atkinson stated she fully supports the discussion for the purchase of signage of the building. Door pulls, closing mechanisms; handles and other miscellaneous hardware shall be replaced or repaired to comply with ADA standards.

Ken Pacheco stated as we go into offices we are making sure it is compliant. Counter space in new offices will have a drop down level.

Vice Chair. Polselli asked the question about the Hearing Room Architectural proposal is that in conjunction with the audit that was done in 2012?

Ken Pacheco stated in response to the survey we were getting some concerns from the board members that presenters were having a difficult time getting to the floor level.

Braille Equipment:

Ken Pacheco stated we are working with two vendors on a Braille/printer combination commercial unit. I have requested specifications from the two companies and we will develop an RFP for the purchase of this equipment.

Chairman Fontaine asked Mr. Pacheco if anything has been done about the IT Department as far as getting correspondence to Mr. Polselli electronically?

Ken Pacheco stated we will move forward with the IT Department to make sure anything Mr. Polselli needs done will be in a reasonable amount of time.

Mr. Dougan would like to make a comment. Braille equipment itself is expensive. Do you have vendors that could print up documents?

Ken Pacheco stated we originally started with \$5,000 to \$7,000 for the piece of equipment and another \$1,000 for software. What we found on the service piece is that it takes 5 to 10 day turn around the documents.

Vice Chair. Polselli stated the material from Health and Human Services is accessible and I am able to access it. What is the hang-up with the IT Department? What do you suggest I do he stated.

Ken Pacheco replied the IT Department is made up of 3 people and they are responsible for every piece of billing and documentation that leaves Government Center. If you send me an e-mail requesting a document that needs to scan. I can scan that document in electronic form. My problem is are you capable to converting that back?

Ken Pacheco stated he has no information regarding the ADA Coordinator.

Chairman Fontaine stated there is a letter in front of you. A few of the Commissioners had comments and suggestions on how to change the letter. Chairman will rewrite the letter and it will be in the Mayors Office tomorrow.

Ken Pacheco stated BETA is ready to start the next area survey however I have been reluctant to give them the ok to begin until I have a solid, fundable plan for completing the work in the first phase area. I also have an invoice for the Commission in the amount of \$1,000.00.

Ken Pacheco stated the Kennedy Park Pavilion would be taken care of in the Spring.

Ken Pacheco stated Iwo Jima Access project if approved by the Park Board would begin after the CSO Project is completed.

Lisa Atkinson asked if we could go back to BETA. I have a concern about sidewalks that are grass. I don't think they are accessible for folks in manuel wheelchairs.

Ken Pacheco stated the city's policy has been if the sidewalks are grass we do not change them. The homeowner has the ability to do there own sidewalks.

Ken Pacheco stated the Armory Building repairs have not been done. There is a memo to the building director to why the work has not been done. Can we leave that on the Agenda for February?

Wheelchair accessible taxi service – Ken Pacheco stated this item has been sent back from legal to me for clarification on COD intent to monitor, fund and provide written procurement procedures if required.

Chairman Fontaine stated at the last meeting the Chairman asked permission To speak with the Inspector General, MOD, Registry of Motor Vehicles and State Police who are running the abuse program. The Chairman stated he hasn't yet and he will speak with Mr. Dougan next week to find out whom that contact should be.

#### 7) New Business:

Chairman Fontaine stated we have the Roberts Rules of Order 11<sup>th</sup> edition and The CMR 21.

Lisa Atkinson asked where they would be housed?  
Chairman Fontaine stated it should travel with the Chairman.

Ken Pacheco stated there is a copy in the Clerk's Office. If anyone needs to see it. Lisa Atkinson thought the reason for purchasing the books was to be housed in the Government Center.

Ken Pacheco stated that we could leave the books in Health and Human Services Dept. with Claudia Viens.

Chairman Fontaine thanked Mr. Dougan for his assistance.  
Mr. Dougan stated if there is anything he could do to help just contact him.

Chairman Fontaine stated he spoke with Council President Camara about the use of Council Chambers for the year 2014. He verbally approved it. I brought the letter to Mrs. Taylor, the secretary of the Council to make it formal.

Vice Chair. Polselli and Chairman Fontaine had submitted a letter to all the City Councilors to invite them to this January 9th meeting. As you can see we only had the Vice President in attendance.

Chairman Fontaine stated he would like to make a motion to go into Executive Session for the purpose of HP abuse program discussion.

Motion: Mike Geary

Second: Lisa Atkinson

8) Agenda:

Chairman stated it will be announced.

9) Adjourn: 5:02 p.m.

Motion: Mike Geary

Second: Lisa Atkinson