



TOWN OF GRAFTON
GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD

(508) 839-5335 • FAX (508) 839-4602

www.grafton-ma.gov

ACCESSIBILITY ADVISORY COMMISSION (AAC)
(Emergency Meeting)

AGENDA / MEETING NOTICE - AMENDED

Wednesday, September 13, 2023 – 6:30 p.m.

Zoom Conference Link to join the webinar:

<https://us06web.zoom.us/j/84712778970>

Or Phone: 301-715-8592

Webinar ID: 847 1277 8970

International numbers available: <https://us06web.zoom.us/u/kkQ0mAIfo>

A copy of the Grafton Public Meeting Remote Participation Guidelines, dated March 24, 2020 (and subsequent extensions) is attached to this agenda for reference. Please review the guidelines prior to joining the remote public meeting. We will be fielding questions via Chat feature. Also, written comments may be directed to disabilitycommission@grafton-ma.gov.

1. **Municipal ADA Improvement Grant Submission**
2. **Bylaw Study Committee**
3. **Change in Regular Meeting Day**
4. **Next Meeting** Thursday, September 21, 2023, at 6:30p.m.

Adjourn

2023 SEP 12 PM 4:17

RECEIVED TOWN CLERK
GRAFTON, MA



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PUBLIC MEETING REMOTE PARTICIPATION GUIDELINES

March 24, 2020

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, the various Boards and Committees representing the Town of Grafton will conduct their public meetings and hearings via remote participation. No in-person attendance of members of the public will be permitted.

In Advance of Meetings:

- All non-emergency items are still required to be properly posted at least 48 hours in advance of the meeting. This is still done by contacting the Clerk's Office.
- All members should receive the same documents for the meeting electronically
- Supporting documents should be posted on the Town website and be available for members of the public.
- For meetings with public participation, encourage written public comments.

Essential Components for Remote Meetings:

- Access to participate for a quorum of committee members at the time of the meeting.
- Ability to take minutes which accurately reflect the meeting and the votes taken.
- Ability to record meeting for playback (this is not required under the order, but is preferred)
- Ability to allow for real-time public participation/comments (this is not required under the order, but is preferred)

- Meetings with public hearings must provide access for third party participation to all members of the committee.

Identifying the Proper Medium to Conduct Meetings:

While we are suspending the use of Municipal Center Conference Rooms and the local broadcasting equipment, there are alternatives for Boards and Committees to consider. Below are a few options available to Committees. There may be alternatives that members are more comfortable using which will be permitted so long as the essential components for all meetings are met through use of that medium.

- *Executive Town of Grafton Zoom Account with Webinar Functions* – this account was purchased by the Town Administrator’s Office and has a webinar function for hosting meetings that require public participation/third party access for participation. This method is currently the preferred method and should be used by Boards and Committees that have hearings and require third party participation through public comments or from applicants seeking permits. (includes but is not limited to: Select Board, Planning Board, ZBA, CPC, School Committee, Conservation Commission)
 - At this time, the Town only has one executive host account with a webinar feature. If you wish to use the executive zoom account with webinar feature, you may need to schedule meetings at different times/days than your board typically meets to ensure no conflict with other meetings.
- *Standard/Free Zoom Accounts* – Anyone can access a free zoom account with up to 100 participants for a maximum 40-minute meeting. This function will allow for Boards and Committees to record their meetings for future playback and the ability to share screens. Please note that there are several systems available that offer similar abilities and any of them can be used for this purpose. (ex. Google Meet, Skype for Business, Microsoft Teams, etc.)
- *Free Conference Call Line*- For Boards and Committees that typically do not have recorded meetings and require little third-party interaction, the free conference call line is an option. This option does not have a record feature so accurate minute taking is critical.
- *Local Cable Access*- Currently, the town is not allowing for local cable access broadcast through the conference rooms in the Municipal Center. However, to the extent possible, local cable will be used if it is accessible and safe for staff, committee members, and members of the public.

Use of Zoom for Remote Access to Public Meetings

Zoom Video Communications, Inc. (“Zoom”) can be used for remote conferencing services to allow for remote access to public meetings. Access numbers and web addresses will be provided as part of each meeting’s agenda posted to the town calendar on the homepage of Grafton’s website, www.grafton-ma.gov.

Meetings can be accessed from your personal computer, cellphone and/or telephone. It is anticipated that most Board and Committee meetings will continue to be broadcasted by Grafton Access Television through Zoom’s “Record” feature.

Protocols for Remote Public Meetings Using the Webinar Feature

- All participants entering the meeting via a personal computer (“computer participants”) are required to rename themselves with their official first and last name.
- Computer participants are encouraged to click on the “Participants” feature in Zoom to view all participants and to view/use the “Q&A” function to pose questions on the bottom of the screen.
- Computer participants may “Pin” to a particular video screen.
 - It is recommended to “Pin” to the staff member associated with the committee, or in the case where there is no staff member, to the Chairperson. This can be done by right clicking over the three (3) dots symbol in the top right corner of the staff/Chair’s video screen.
- The Chair or present support staff should adhere to the script provided as an attachment to this document for the purpose of properly recognizing members and providing information to the public. (This script is a draft/guide and should be tailored to your needs)
- The Chairman will identify him or herself.
- The Chairman will conduct a roll call of the Board.
- The Chairman will call the meeting to order.
- All participants (excluding Board members) will be muted throughout the meeting and must use the Q&A function.
- All participants are required to include their name and address when using the chat feature to pose a question through the Chairperson.
- All documents displayed throughout the meeting will be controlled by the present staff member or Chairperson.
 - Only computer participants will be able to view documents.

- If and when the Chairman allows for public comments/questions, it will be conducted in the following sequence:
 1. The Chairman will read public comments/questions received in advance of the meeting followed by real-time Board and/or applicant responses.
 2. The Chairman will read real-time comments/questions typed by computer participants in the “Q&A” feature followed by real-time Board and/or applicant responses.
 - Computer participants must click on “Q&A” to enter their comment/question.
 - The staff or Chair will address the question live to the Board. It will be discussed and then marked “answered” by the staff or Chair.
 3. The Chairman will ask if any other participants accessing the meeting have comments/questions.
- Board members needing to be recused at any point during the course of a meeting will be placed in a virtual “Waiting Room” by the staff person or Chairperson.

Directions to access meetings will be posted on agendas for the public when available.

AGENDA ITEM 1 – Municipal ADA Improvement Grant

3.1 - Project Request

Grant Scope:

This project will cover the installation of ADA-accessible service counters at the offices of the Town Clerk, Board of Health, and Sewer Department. As well as all appurtenant work, including the demolition of a portion of the existing wall to accommodate the new service counter, and all related carpentry, millwork, glazing, painting, corner guards, and veneer plaster finishings.

Each service counter will be a renovation to the existing Grafton Municipal Center.

Cost Estimate:

The Town has already installed one service counter, located at the Building Department, and is in the process of installing a counter at the Assessor's Office. These counters cost between \$40,000-\$50,000 between demolition, fabrication, and the installation of glass. Due to the placement of some of the counters covered in the scope of this grant, we anticipate the cost will be closer to \$60,000 per installation. This is based on prior quote solicitations for service counters and the cost for glass installation.

Project Timeline:

As the Town has already started installing Service Windows, we have a firm grasp on the demands of the project. We have an Architect on retainer who will help us develop drawings for each window and produce documents for the sealed bid process. We anticipate having these documents within one month of receiving notice if we are awarded a Grant. It would be our intention to bundle the three service window's together, so that the same company can complete each project in succession.

In order of priority, we would install windows at the Clerk's Office, the Board of Health, and the Sewer Department. We estimate each window would take roughly 4 weeks. If we were to be awarded a Grant, we would want to have the project completed before May of 2024.

Proposed Use:

Increasing accessibility has been a priority for Grafton for many years. The installation of these windows would allow residents increased access to the three offices specified.

There would be no user fees for this project.

Staffing and Maintenance Plan:

All work for this project will be contracted out to a vendor using the proper procurement methods. After the project is completed all service counters will be properly maintained by town custodial staff to ensure they remain clean and functional.

Based on prior experience with the installation of service counters, we do not anticipate any interruption in regular service for the residents of Grafton. Regular entrances to offices will remain functional during construction, and if necessary, staff will be moved to alternate offices to ensure that services can still be provided.

Impact on Access:

Our goal is to increase accessibility to each one of these offices, as they have some of the most frequent interactions with our residents. Installation of these counters will allow residents to pay Sewer bills, interface with the Clerk to complete any business they may have, and access the Board of Health Office without restriction or barriers to access.

The addition of these service counters will have an impact on every resident of Grafton. The installation of these service counters will remove existing impediments by providing enhanced access to the goods and services that these offices provide. This project was endorsed by the Town's Accessibility Advisory Commission, as a way to fulfill the goals we have outlined in our ADA Self Evaluation.

Renovation and Construction History:

The addition of service counters is a project that the Town has been chipping away at over the past several years. A service window is currently being installed at the Assessor's Office, which we anticipate being finished by January 1, 2024. We added a counter and glass to the Building Department in the Fall of 2021. Glass was added to existing service counters in the Planning/Conservation Department at the same time. The Planning/Conservation counter was installed in ~2017, and a separate service counter was installed at the Treasurer/Collectors office in ~2014.

Additional Funding Sources:

We have been designated to receive an earmark from the State for \$50,000 that was originally going to cover one service counter. This money would now be used in conjunction with the ADA Grant (if awarded) to cover design costs for the counters, as well as any additional work that exceeds the amount awarded by this grant.

3.2 - Impact Information

Impact on People

Based on the Census data provided by the Mass. Office of Disability, Grafton has roughly 1,500 residents with disabilities. As people are consistently using the Municipal Center to pay bills, apply for permits, and gain additional information, we anticipate that this project will have an impact on all 1,500 of these residents, and every other resident of Town.

Even if a disabled resident needs to send someone to the building as their representative, the increases in accessibility and quality of service will ensure a quick turnaround time for all business in the building.

Impact on Access

Completing service counters throughout the Municipal Center increases access in our highest traffic departments. Installation of these counters will allow residents to pay Sewer bills, interface with the Clerk and the Assessor, and sign up for community programs without restriction or barriers to access.

As a community, Grafton feels that equal access to all departments and services is paramount. By further increasing accessibility in the Municipal Center we will ensure that residents can easily interact with our staff to ensure equitable service delivery.

Monthly Usage

Each of these departments represents a high-traffic area, but they often have slow and busy seasons. The Assessor's Office is busiest during abatements, exemptions, and motor vehicle commitments, with upwards of 150 people a month visiting the office between September and May. The Clerk's office is consistently busy in election years and can see anywhere between 100 and 200 visitors a month depending on voting and licensing. Our Board of Health has been much busier during the COVID-19 pandemic, and we anticipate that this increase will persist into the future. The Board of Health services roughly 80 residents a month with questions about programs, disposing of used needles and answering questions on septic systems. Our Sewer department services roughly 50 individuals per month depending on the billing cycle and what programs are being run.

Census Data

Roughly 1,500 according to the census data available on Mass.gov.

3.3 – Other Information

Applicant Team

- William Blake, blakew@graffton-ma.gov | Asst. Town Administrator
- Robert Berger, bergerr@graffton-ma.gov | Inspector of Buildings/ADA Coordinator
- Rob Polsinelli, karmpol@gmail.com | Chair, Accessibility Advisory Commission

Architectural Board History

The Town has worked with the State's Architectural Access Board on two occasions on recent projects. The first was a \$3,000,000 renovation project to One Grafton Common. A large community space in the middle of Town. The second was a consultation for accessibility renovations for the Grafton Library, prior to the current renovations.

AGENDA ITEM 2

Bylaw Study Committee Review of Article 12 Section 21

August 25, 2023

Summary

Bylaw Article 12 Section 21, regulating accessible parking, was created in 1983, several years before the Americans with Disabilities Act, and has not been kept up to date with evolving standards for accessible parking.

It is now time to bring Section 21 up to date.

Section 21 is divided into four subsections:

§21-1 Requires accessible parking to be provided and specifies the standards for number of spaces, signage, and other details

§21-2 Prohibits unauthorized obstruction of accessible parking and curb ramps in off-street parking

§21-3 Prohibits unauthorized obstruction of accessible parking and curb ramps in public ways

§21-4 Authorizes the Select Board to adopt regulations for removal of vehicles obstructing accessible parking and curb ramps

The Bylaw Study Committee's review of these subsections can be summarized thusly:

- §21-1 is obsolete; the Architectural Access Board's regulations (521 CMR 23.00) cover the entire subject matter of §21-1. **The Committee recommends removing this subsection.**
- §21-2 and §21-3 remain relevant, but **the Committee recommends wording that combines and simplifies these subsections.**
- §21-4 repeats state law (G.L. c.40 §22D) but does not add anything of substance to what state law already provides for the Town. **The Committee recommends removing this subsection.**

Read on for an explanation of the origin of Section 21, the Committee's commentary on each subsection, and the Committee's recommended wording for the updated Section 21.

Where Did Article 12 Section 21 Come From?

Section 21 was adopted at the May 1983 annual town meeting. It got its structure from Chapter 644 of the Acts of 1981.

- Section 1 of Chapter 644 amended G.L. c.40 §21 by adding clauses (23) and (24)
 - §21-1 corresponds to c.40 §21(23), which:
 - authorizes a municipality to enact a bylaw requiring accessible parking in public and private off-street parking areas to which the public has access
 - specifies what that bylaw must say for number of spaces, signage, location, sidewalk access, size, and aisle
 - §21-2 corresponds to c.40 §21(24), which:
 - authorizes a municipality to enact a bylaw prohibiting obstruction of accessible parking or curb ramps in areas covered by c.40 §21(23)
 - specifies what penalties the bylaw must include
- Section 2 of Chapter 644 amended G.L. c.40 §22A
 - §21-3 corresponds to c.40 §22A, which for accessibility:
 - authorizes a municipality to regulate (by bylaw, order, rule or regulation) parking on ways “within its control” by designating accessible parking and prohibiting parking or standing in such a manner as to obstruct an accessible curb ramp
 - specifies (mirroring c.40 §21(23)) signage, location, sidewalk access, size, and aisle for accessible parking
 - specifies what penalties the bylaw, order, rule or regulation must include (mirroring c.40 §21(23))
 - §21-3 does not include the specification of signage, etc, nor does it include the penalties
- Section 3 of Chapter 644 amended G.L. c.40 §22B
 - §22B is all about metered parking; Grafton has no metered parking
- Section 4 of Chapter 644 amended G.L. c.40 §22D
 - §21-4 corresponds to c.40 §22D, which for accessibility:
 - authorizes the select board (or some other board or commission empowered to establish traffic regulations) to adopt rules and regulations for removal of a vehicles obstructing a curb ramp, or occupying or obstructing designated accessible parking on “any way under the control of the municipality”
 - Grafton accepted §22D at the May 1983 annual town meeting

Chapter 632 of the Acts of 1985 expanded the definition of authorized vehicles; Section 21 was updated to match.

521 CMR 23.00 (Architectural Access Board regulations) completely covers the subject matter of Section 21-1. (And some of the specifications within Section 21 are out of date.) Thus, Section 21-1 is no longer necessary; we propose to delete it.

SECTION 21-1. Designated parking spaces for vehicles owned and operated by disabled veterans or by handicapped persons and bearing the distinctive number plates authorized by section two of chapter ninety of the Massachusetts General Laws or special parking identification plates (i.e., placards) or any vehicle bearing the official identification of a handicapped person issued by any other state as amended by Chapter 632, Section 7 of the Acts of 1985 and as amended be provided in public and private off-street parking areas.

- a. Any Town body or person that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, to reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by section two of Chapter 90, or special parking identifications plates (i.e., placards) or any vehicle bearing the official identification of a handicapped person issued by any other state as amended by Chapter 632, Section 7 of the Acts of 1985 according to the following formula:

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five percent of such spaces but not less than two; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four; more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one-half percent of such spaces but not less than ten; more than one thousand but not more than two thousand, one percent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one percent of such spaces but not less than twenty; and more than five thousand, one-half of one percent of such spaces but not less than thirty.

- b. Parking spaces designated as reserved under the provisions of paragraph (a) shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May Be Removed At Owner's Expense"; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be twelve feet wide or two eight-foot wide areas with four feet of cross hatch between them.

Section 21-2 is based on G.L. c.40 §21(24). Section 21-3 is based on G.L. c.40 §22A. The two statutes are nearly duplicates of each other (one applies to public and private off-street parking, the other to public ways); both authorize the Town to enact prohibitions on obstructing parking spaces and curb ramps for persons with disabilities. Thus, Sections 21-2 and 21-3 can be combined and simplified. Grafton's Chief of Police has informed us that a local bylaw expressing such a prohibition is useful, so this is the one part of Section 21 that remains useful.

SECTION 21-2. This By-Law shall prohibit or regulate the leaving of unauthorized vehicles within parking spaces designated for use by disabled veterans or handicapped persons as authorized by Section 1 or in such a manner as to obstruct a curb ramp designated for use by handicapped persons as a means of egress to a street or public way.

The penalty for violation of this By-Law shall be one hundred dollars and for each subsequent offense, the vehicle may be removed according to the provisions of Section One Hundred and Twenty D of chapter Two Hundred and Sixty-Six of the Massachusetts General Laws. (T.M. 10/15/01)

SECTION 21-3. The Town acting under the Massachusetts General Laws further regulates the parking of vehicles on ways within its said control by restricting certain areas thereon for the parking of any vehicle owned and driven by a disabled veteran or handicapped person whose vehicle bears the distinctive number plates authorized by section two of chapter ninety of the Massachusetts General Laws, or special parking identification plates (i.e., placards) or any vehicle bearing the official identification of a handicapped person issued by any other state as amended by Chapter 632, Section 7 of the Acts of 1985 or by prohibiting the parking or standing of any vehicles in such a manner as to obstruct any curb ramp designated for use by handicapped persons.

Section 21-4 simply repeats G.L. c. 40 §22D, authorizing the Select Board to establish traffic regulations; the bylaw does not itself establish such regulations, nor does it add anything significant to what the statute says. The Town accepted the provisions of G.L. c.40 §22D in 1983. Thus, Section 21-4 has no useful effect; we propose to delete it.

SECTION 21-4. Inasmuch as the Town has accepted Chapter 644 of the Acts of 1981 as herein provided, the Select Board on recommendation of the Traffic Safety Committee is empowered to establish traffic regulations, and may adopt, amend, alter or repeal rules and regulations, with such limitations, if any, as may be deemed proper, authorizing the chief of police of the Town or such sergeants or other officers of higher rank in the police department as he may from time to time designate, to remove, to some convenient place through the agency of a person or persons in the employ of the police department or by an independent contractor selected in accordance with the General Laws and this By-Law, on the basis of competitive bids, any vehicle parked or standing on any part of any way under the control of the Town in such a manner as to obstruct any curb ramp designated for use by handicapped persons as means of egress to a street or public way, or to occupy or obstruct any parking space reserved for a vehicle used by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by section two of chapter ninety of the Massachusetts General Laws, or special parking identification plates (i.e., placards or any vehicle bearing the official identification of a handicapped person issued by any other state as amended by Chapter 632, Section 7 of the Acts of 1985 or to impede in any way the removal or plowing of snow or ice or in violation of any rule or regulation which prohibits the parking or standing of all vehicles in such ways or portions thereof at such time and recites that whoever violates it shall be liable to charges for the removal and storage of the vehicles as well as subject to punishment by fine as provided in Section 2 herefore. (T.M. 5/2/83)

We propose to replace the existing Sections 21-1 through 21-4 with the following.

Section 21. Obstruction of Parking and Curb Ramps for Persons with Disabilities

No unauthorized vehicle may park or stand in such a manner as to obstruct a parking space designated for use by persons with disabilities or obstruct a curb ramp designed for use by persons with disabilities as means of egress to a street or public way.

The penalty for violation of this section shall be \$100 for each offense, and for the second and subsequent offenses, removal of the offending vehicle in accordance with G.L. c.40 §22D. The Chief of Police or designee may impose the penalty by the non-criminal disposition procedure set forth in G.L. Ch. 40, §21D.