

## BARNSTABLE DISABILITY COMMISSION

Mailing address - 230 South Street  
Hyannis, MA 02601



Officers  
Raye Kaddy, Chair  
Linda Cook, Vice Chair  
William Cole, ADA  
Tammy Cunningham, Secretary/Treasurer

Office: 508-862-4914  
FAX: 508-862-4960  
E mail: bdc@town.barnstable.ma.us

Members and Advisors  
Patricia Andres  
Jim Berks  
Jean Boyle  
Merrill Blum  
Anne Mazzola  
Al Melcher  
Sheila Mulcahy  
Ann Canedy, Council Liaison

### BARNSTABLE DISABILITY COMMISSION MINUTES

March 21, 2012

Minutes

11:30 a.m.

Barnstable Senior Center, Route 28 Hyannis, MA 02601

ATTENDEES: Raye Kaddy, Chair, Linda Cook, Vice Chair, Merrill Blum, Pat Andres, Sheila Mulcahy, Ann Canedy, Town Councilor/Council Liaison, Tammy Cunningham, Treasurer/Secretary. Also Present: Representative David Vieira, Patti Machado, Leisure Recreation Director, Jim Kinsella, and Dick Andres, resident.

Meeting called to order at 11:30 A.M.

Chair Kaddy opened the meeting thanking Representative Vieira for attending and asking members present to introduce themselves.

#### *Visitors and discussion:*

Representative Vieira was present to discuss the status of House Bill 2883. Rep. Vieira stated he spoke with Representative Atsalis over the phone and it was determined Rep. Vieira would attend the Disability Commission meeting.

Representative Vieira stated MCOB testified against the bill. He spoke with the Committee yesterday and the bill is dead. The bill has been sent to study and, it will not be moving forward.

Representative Vieira asked the BDC for their ideas on areas of focus that need to be addressed. Areas of focus discussed were grants available for access projects, funding, fewer resources, collaboration between other towns and with local Recreation departments.

Office address – J. F. Kennedy Museum, Hyannis, MA 02601

Representative Vieira discussed the creation of the "Falmouth Fund" and the possible creation of developing something similar focusing on accessibility. They also discussed creating a 501c3 "Friends of the Disability Commission."

Chair Kaddy also commented on the need for highlighting universal design for accessibility.

Al Melcher stated he tried years ago to get the Cape Disability Commissions together, but it was not successful because of the turnover on the commissions.

Representative Vieira asked the BDC if they would be willing to be the Host Commission for a Capewide meeting with all Disability Commissions. The BDC agreed to host the meeting.

A discussion was then hold on the 911 Indicator for the Disabled.

Chair Kaddy commented she would return to flagging bills relating to accessibility and the impaired and report the information to the Commission.

***Minutes of January 18, 2012:***

Linda Cook moved to approve, Pat Andres seconded. Unanimous.

***Finance Report:***

See attached report. Current balance is \$41,597.18.

***Beach mat(s) update:***

Patti Machado stated they have spoken with Pathmat and they will be using Craigville Beach as a test beach for their mat. Pathmat currently does not have any mats located on Cape Cod. Jim Berks has offered to test the mat.djourn

Patti Machado provided copies of an email sent to her from an organization called Smile Mass. There is an event located at Chapin's Restaurant and they are looking to donate beach wheelchairs to Town recreation departments. Patti Machado stated she would be attending the event.

***Complaints for Accessibility:***

A brief discussion was then held on whether or not a formal complaint procedure should be established for taking complaints and then moving forward through the resolution process. It was determined a discussion would be held between Chair Kaddy, Linda Cook, and Tammy Cunningham.

***Other Business:***

Certificates of Appreciation – Linda Cooke passed out Certificates of Appreciate to those present. A certificate will also be given to Dan Wood and Representative Vieira as well.

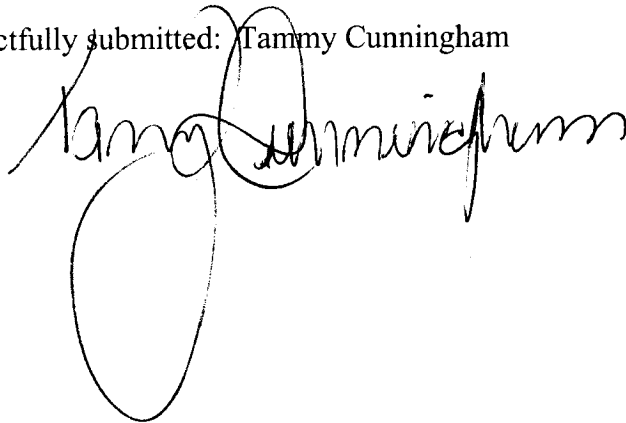
**Monitor Training:**

Monitor training will be held June 6<sup>th</sup> and June 7<sup>th</sup>.

A brief discussion was held concerning the Red Cross Heroes breakfast and members attending.

Meeting adjourned at 1: 26 p.m.

Respectfully submitted: Tammy Cunningham

A handwritten signature in black ink, appearing to read "Tammy Cunningham". The signature is written in a cursive style with a large, prominent loop at the beginning and end.

**Machado, Patti**

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**From:** susan@smilemass.org

**Sent:** Monday, March 19, 2012 2:57 PM

**To:** Machado, Patti; Lotte Diomede

**Cc:** rkaddy@verizon.net; pfulcher@town.ortland.mass.us; recreation@eastham\_ma.gov; dtobin@town.chatham.ma.us; dpineau@town.dennis.ma.us; hlm@ci.mashpee.ma.us; janet\_barricman@nps.gov; mpowers@eastham\_ma.gov; parmstrong@yarmouth.ma.us; wpierce@scslearn.org; eojala@town.brewster.ma.us; panddoffer@comcast.net; ebeebe@town.harwich.ma.us; gfasino@maritime.edu; gboucher@townofsandwich.net; hcajma1991@hotmail.com; jeff.carter@state.ma.us; caspariusm@manchester.ma.us; sthomas@townofwellfleet.org; dupuis\_dionne@yahoo.com

**Subject:** SMILE Mass - Thursday April 5th



**smile mass**  
small miracles in life exist

Dear Park and Recreation Departments,

You are cordially invited to come meet Smile Mass  
at Chapin's Restaurant  
85 Taunton Ave., Dennis Mass  
**Thursday, April 5th at 10.00AM**

On Friday, many of you received an email from Patti Machado who was kind enough to help us get the word out.

Smile Mass is a non-profit 501-c3 who is looking to place up to a 100 beach wheelchairs on the public beaches of Cape Cod. We at Smile Mass are very excited about Phase 1. We will be bringing the wheelchair for all see!!  
And that is where you come in...

We would like to know what your beaches are like.  
How many beach wheelchairs would your town benefit from, if any?  
How does your town usually administrate the loaning program of the wheel chairs?  
Do people rent the chairs? If so, how often are they in use?  
We want to know what works and what doesn't? We want to help you make your town more accessible.

We will be serving a light breakfast with tea and coffee.

We at Smile Mass want to make sure you all know we are donating these chairs so there will be no cost to any town. All you have to do is show us a need.

So we can plan accordingly, please let us know if you will be coming, and what towns/beaches you represent.

We at Smile Mass are looking forward to meeting everyone.

Sincerely,  
Lotte Diomede  
Co-founder & President  
and  
Susan Brown  
Co-founder & Vice-President  
[www.smilemass.org](http://www.smilemass.org)  
617-967-7755

For more information on Smile Mass, please contact Nancy McShea, Past President of MRPA. She has worked with Smile Mass in the past.

We know that the email on Friday went out with a date of April 4th. That was a mistake on the part of Smile Mass. We hope you are still able to join us.

**BDC NET INCOME STATEMENT  
FISCAL YEAR FISCAL 2012**

run: 3/20/2012 10:33 AM

UPDATED 01/05/2012

	July	August	September	October	November	December	January	February	March	April	May	June	Total
<b>Revenue:</b>													
Parking fines	825.00	400.00	925.00	525.00									2,675.00
Interest income	56.33	47.86	59.55	48.54	64.55	54.64	38.98						370.45
Other													-
<b>Total</b>	<b>881.33</b>	<b>447.86</b>	<b>984.55</b>	<b>573.54</b>	<b>64.55</b>	<b>54.64</b>	<b>38.98</b>						<b>3,045.45</b>
<b>Expenses:</b>													
Postage													-
Scholarships		2,500.00			3,000.00								5,500.00
Other grant payments					1,980.42	145.18		87.79					2,463.39
BDC admin expense	250.00	524.20		1,104.25									1,628.45
Other Expense	250.00	3,024.20	-	1,104.25	4,980.42	145.18	-	87.79	-	-	-	-	9,531.84
<b>Total</b>	<b>631.33</b>	<b>(2,576.34)</b>	<b>984.55</b>	<b>(530.71)</b>	<b>(4,915.87)</b>	<b>(90.54)</b>	<b>38.98</b>	<b>(87.79)</b>					<b>(6,546.39)</b>
Net increase/(decrease)													
Beginning Balance	48,143.57	48,774.90	46,198.56	47,183.11	46,652.40	41,736.53	41,645.99	41,684.97	41,597.18	41,597.18	41,597.18	41,597.18	48,143.57
Ending Balance	48,774.90	46,198.56	47,183.11	46,652.40	41,736.53	41,645.99	41,684.97	41,597.18	41,597.18	41,597.18	41,597.18	41,597.18	\$ 41,597.18

**Annual Calendar - Agenda Items  
Barnstable Disability Commission  
2011-2012**

<b>Month</b>	<b>Agenda Item</b>	<b>Responsibility</b>
August	Who are we? A review of our mission Strategic planning for year Election of officers	Chair with members
September	Goal setting – first reading & discussion Update – contact list of members	All members
October	Review the BDC By-laws (2010) Scholarships – motion/vote Goals for 2011-2012 – motion/vote Committee structure and members - update	
November	Invite MOD (MA Office on Disability to winter meeting Invite Building inspector et.al to January meeting	
December	No meeting scheduled	
January	Mid-year Review of goals -- status report	Chair w/ all members
February	No meeting	
March	Mass Office on Disability - speaker Assignment of access/surveys to BDC members	
April	Access surveys continued	All
May	Preliminary annual report Report on scholarship recipients Meet with Head of Town Beaches	Vice-chair
June	Commission self-evaluation forms Nominate Slate of officers	All members
July	No meeting scheduled	

**Monthly Organizational Calendar for Activities**

<b>Date</b>	<b>Activity</b>	<b>Responsibility</b>
Monthly	Finance report	Treasurer
Monthly	Access report – monitoring, beaches, HP spaces etc.	Chair of survey committee
Monthly	Activities report	
Monthly	Updates from the chair/vice-chair Correspondence, contacts, communication (office)	

(4)

1/18/12

 **Verizon Message Center**

*Rep. Vieira mtg.*

Wednesday, Dec 21 at 8:04 AM

**From:** acanedy@comcast.net  
**To:** rkaddy@verizon.net  
**Subject:** Re: H2883

Raye and Linda:

I have communicated with Representative Vieira that March is the first good opportunity for a meeting with him. He came back with an interesting suggestion. He asked whether the Commission would be interested in having a joint meeting with the Commissions from Barnstable, Bourne, Falmouth, and Mashpee. He has apparently had some success in other joint meetings with CPC, town planners, and town clerks and found that the meetings became an interesting sharing opportunity.

Perhaps you may want to have him attend the March meeting and a future joint meeting could be discussed by the Commission or perhaps you might want to plan for one joint meeting. Maybe a brief discussion of your options at your January meeting???

Have a great Christmas and happy new year if I don't see you!

Ann B. Canedy  
Town Council - Precinct 1  
Box 23  
Cummaquid, MA. 02637

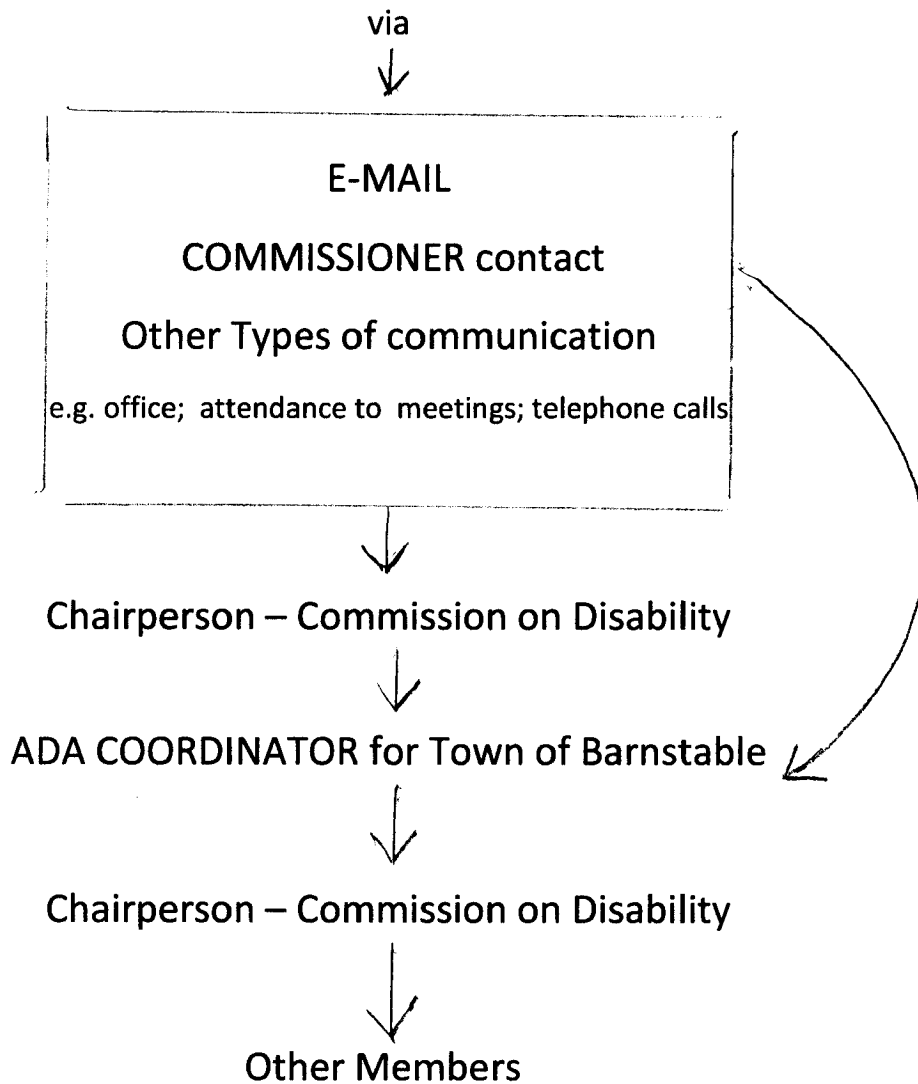
**From:** rkaddy@verizon.net  
**To:** acanedy@comcast.net, rkaddy@verizon.net  
**Cc:** ncook4492@comcast.net



# Barnstable Commission on Disability

## PROBLEM RESOLUTION POLICY

Incoming complaint/problem is received



Other questions:

Should all requests be funneled through the chairperson to the ADA coordinator/designee? Should all requests be made in writing (e.g. e-mail to ADA or BDC chairperson?)

## **~~BARNSTBLE DISABILITY COMMISSION~~**

Town of Barnstable Commission on Disability

**The Barnstable Disability Commission (BDC) hereby adopts the Town of Barnstable Section 15.01 – 15.02 – 15.03 as sponsored by the Town Manager and accepted and approved by the Town Council:**

**Article 15.01: Term of Office:** There shall be a Disability Commission consisting of not more than eleven members. A majority of the persons appointed shall consist either of persons with disabilities or persons in an immediate family of a person with a disability or persons who have extensive experience in the field of disabilities and one member shall be an employee of the town. The Commission may appoint two alternates.

**Article 15.02: Authorities and Responsibilities.**

- 1. Research local problems of people with disabilities residing within the town of Barnstable.**
- 2. Advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities.**
- 3. Coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Mass. Office of Disabilities.**
- 4. Review and make recommendations about policies, procedures, services, activities and facilities of departments and boards of the town as they affect people with disabilities.**
- 5. Provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability.**
- 6. Coordinate the activities of other local groups organized for similar purposes.**
- 7. The Commission may draft rules and regulations concerning disabled persons needs and issues, for adoptions by Town Manager and Town Council.**
- 8. The Commission may receive gifts of property, both real and personal, in the name of the Town, subject to approval of the Town Manager; such gifts to be managed by the Commission.**
- 9. The Disability Commission is an advisory committee of the Town.**

**Article 15.03: Interrelationships**

- A. Town council:** The Disability Commission interacts with the Town Council to advise the Council on policies designed to meet the needs of the disabled. The Commission interacts primarily with the Town Council's Committees on Human Resources and Planning and Development.
- B. Town Manager:** The Disability Commission interacts with the Manager to ensure that Town programs and activities, as well as facilities, seek to improve and enhance service to the disabled, as well as

come into compliance with State and Federal standards concerning same. The Commission receives administrative support through the Human Resources Department.

- C. **Other Boards:** The Disability Commission interacts with the Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health, Historical Commission, Old King's Highway Historic Committee, Public Works Commission, Fair Housing Committee, Housing Authority and Subsidized Housing Committee to ensure compliance with relevant laws, rules and regulations concerning disabled persons

(Amended 8/19/93 – Item#93-130: 11/01/01-Item #2002-32 by Town Council vote)

## **THIS SECTION STATES THE COMMISSION RULES OF OPERATION:**

### **MISSION STATEMENT**

The mission of the Barnstable Disability Commission is to advise and guide the Town of Barnstable and its population in carrying out the rules and regulation of the Americans with Disabilities Act and Massachusetts Architectural Access Board and to assist in providing accessibility for the disabled.

In addition, the Barnstable Disability Commission shall provide information and referral services to residents requesting same.

The Barnstable Disability Commission (BDC) further adopts as its articles, the goals set forth by the Massachusetts Office on Disabilities for “Commissions on Disability” (March 1992) + (June 2008) and “Municipal Commissions on Disabilities” (Jan. 1992). These articles and future articles as adopted by a majority of the sitting Commission members may govern and guide this Commission and its members.

### **OFFICERS:**

Further, this Commission will elect a slate of officers by majority vote consisting of:

1. A Chairperson, a Vice-chairperson, Secretary/Clerk, and a Treasurer.
2. An annual election of officers will take place at the first meeting after July 1<sup>st</sup> of each year.
3. One member may hold more than one office.

### **CHAIRPERSON shall:**

- Develop agenda in coordination with the Chairperson, Vice-chairperson, and Clerk.
- Preside over meetings; in absence thereof, Vice-Chairperson, Secretary or Treasurer will preside.
- Make sure Commission adheres to the agenda. Be available for consultations at the request of the Commission or designate an assistant from among other members.

- Bring all statements proposed by individuals and members to be heard before the entire commission.
- Communicate to the Commission all communications sent or received related to position of Chairperson of Commission.
- Insure that all line items on yearly budget are adhered to.
- Appoint committees as needed.
- Will oversee all individual and committee activity.

**VICE-CHAIRPERSON shall:**

- Perform all the functions of the chairperson in his/her absence.
- Assist the chairperson as requested (eg. office monitoring).

**SECRETARY/CLERK shall:**

- Take care of all correspondence and minutes of all Commission meetings.
- Post notice of all meetings in a public place one week before each meeting is held or as regulated by MASS law.
- Keep all department heads and all other necessary entities informed of major changes on issues relating to 15.02 and the Commission's authorities and responsibilities.
- Submit reports to Town Council upon request or as needed.
- Mail minutes of previous meeting and agenda for upcoming meeting to members at least 10 days prior to upcoming meeting.

**TREASURER shall:**

- Keep records and establish separate accounts to handle gifts of property, both real and personal as outlined in 15.02, and the Handicapped Parking Funds.
- Develop annual budget to present to the Commission for approval and provide subsequent monthly reports to the Commission on all accounts under the control of the Commission.

**MEMBERSHIP:**

- Must be a registered voter of the Town of Barnstable.
- All members shall have full voting rights
- Can be either a person with a disability, a relative of a disabled person, or an advocate for the disabled
- Chairperson of a committee must be a Commission member. The general public may participate on a sub-committee.
- Town employee member is not subject to residency requirement.
- Meetings shall adhere to Robert's Rules of Order.
- If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made in writing to the Town Manager that he/she be removed from the

Commission, unless any or all absences have been excused for good cause by the chairperson. Good cause shall include, but not limited to: illness, a death in the family, weather, and professional responsibilities.

- Decisions will be made by a majority of those members present unless where otherwise noted in these by-laws.
- An open discussion shall be held within each meeting for items of information, reporting, and agenda setting.
- Meeting minutes to be amended and approved at the next meeting.

### **RECORDS:**

- Commission shall keep minutes of all its official meeting and the minutes will be distributed to members at least 10 days prior to upcoming meetings.
- A file of minutes and activities shall be maintain by the Secretary/Clerk
- One copy of approved minutes shall be forwarded by the Secretary/Clerk to the Town Clerk, Town Council Chairperson and Town Manager to become part of the official record.
- Annual Report shall be prepared and submitted to the Town Manager on or before the date requested by the Town Manager.

### **FINANCES:**

- Expenditures of up to ~~\$100~~ \$200. may be approved for payment by the Chairperson of the Commission and/or the Treasurer without recourse to votes, however, subject to approval by the Finance Office for the Town of Barnstable. All other expenditures shall require the simple majority vote and with subsequent approval by the Town Council and Town Manager.

### **AMENDMENTS:**

- By-laws shall be amended by majority vote of the Commission members at any meeting, provided written notice of the ~~purposed~~ proposed change is made to each member at least fourteen (14) days prior to the scheduled vote and with subsequent approval by the Town Council and Town Manager.
- By-laws shall be reviewed yearly for possible changes needed to assure smooth functioning of the Commission and to comply with changes in state and federal laws on disability.

Revised 1/6/2012  
Revised 10/20/10  
Revised 06/19/02  
Revised 11/01/01  
Revised 6/20/01  
Revised 12/18/98  
Issued 10/19/98

**Verizon Message Center**

Thursday, Feb 16 at 7:56 AM

**From:** "Cunningham, Tammy" <Tammy.Cunningham@town.barnstable.ma.us>  
**To:** "Raye Kaddy" rkaddy@verizon.net  
**Subject:** FW: 187 West Main Street

Hi Raye,

I wanted to pass this information along to you. I will let you know the final resolution/recommendation. Thank you. Tammy

*Tammy L. Cunningham IPMA-CP MPA*  
Assistant Director of Human Resources  
Town of Barnstable  
230 South Street  
Hyannis, MA 02601  
(P) (508) 862-4692  
(F) (508)790-6307  
(E) [Tammy.Cunningham@town.barnstable.ma.us](mailto:Tammy.Cunningham@town.barnstable.ma.us)

-----Original Message-----

**From:** Anderson, Robin  
**Sent:** Wednesday, February 15, 2012 4:15 PM  
**To:** Cunningham, Tammy  
**Subject:** 187 West Main Street

Hi Tammy,

I reviewed the information on file regarding 187 West Main Street and the complaint you sent over with Tom Perry. It appears that the structure may pre-date handicap requirements but Tom will confirm that independently. At this point, Tom has left a message for Ralph Jones to arrange for a new a new capacity inspection tomorrow. In any case, the restaurant owner should not be advertising this location as wheel chair accessible. Although the public entrance may accommodate a wheel chair, being unable to access the restrooms prevents the use from being handicapped accessible. Therefore, the advertisement is misleading at best. If the site is determined to be grandfathered, no signage posted or painted on the pavement is required to reserve parking for those vehicles with a handicapped placards. The interior aisle space question will be answered once the data is compiled after the new capacity inspection.

I imagine that someone from this office may advise the business owner to stop erroneously advertising its accessibility after all of the data is reviewed but Tom Perry will direct me accordingly.

*Robin*

Robin C. Anderson

*Items  
# 7 & 9*