

Access Advisory Committee to the Massachusetts Bay Transportation Authority

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Wednesday, January 23, 2013

AACT Membership Meeting Minutes

Notables

The AACT Executive Board meeting will take place from 10:00 AM to Noon and the Membership meeting will take place from 1:00 PM to 3:00 PM on the fourth Wednesday of the month except when noted.

AACT has a page on the Boston Region Metropolitan Planning Organization's (MPO) website at www.bostonmpo.org; click on AACT. Links can be found there for the following items: agendas, upcoming meetings, past meeting minutes, the Memorandum of Understanding (MOU) between the MBTA and AACT, and the AACT bylaws, and ADA regulations. There are also links to the MPO's newsletter, TRANSreport, and information on accessibility at the MBTA. This page includes the contact information for the AACT Coordinator.

Comments and questions concerning AACT should be directed to the Acting Interim Chairman James White by contacting the AACT Coordinator, Ms. Janie Guion, at 617-973-7507 (voice); 617-973-7089 (TTY); 617-973-8855 (fax); or at AACT@ctps.org (email).

The AACT meeting location is accessible to people with disabilities and is near public transportation. Upon request (preferably two weeks in advance of the meeting), every effort will be made to provide accommodations such as assistive listening

devices, materials in accessible formats and in languages other than English, and interpreters in American Sign Language and other languages. Please contact the MPO staff at 617.973.7100 (voice), 617.973.7089 (TTY), 617.973.8855 (fax), or publicinformation@ctps.org.

The MPO complies with Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA) and other federal and state non-discrimination statutes and regulations in all programs and activities. The MPO does not discriminate on the basis of race, color, national origin, English proficiency, income, religious creed, ancestry, disability, age, gender, sexual orientation, gender identity or expression, or military service. Any person who believes herself/himself or any specific class of persons has been subjected to discrimination prohibited by Title VI, ADA, or other non-discrimination statute or regulation may, herself/himself or via a representative, file a written complaint with the MPO. A complaint must be filed no later than 180 calendar days after the date on which the person believes the discrimination occurred. A complaint form and additional information can be obtained by contacting the MPO (see above) or at www.bostonmpo.org.

Members needing service information or wanting to inquire about MBTA services should do so through the MBTA Marketing and Communications Department at 617-222-3200 or 800-392-6100, TTY 617-222-5146, Monday through Friday 6:30 AM to 8:00 PM and Sat/Sun from 7:30 AM to 6:00 PM, or the MBTA website at www.mbta.com/customer_support/feedback/.

Please sign in at all meetings.

Announcements are always welcome. Please be prepared to give as many details as possible: date, time, location, contact person, and phone number. A written notice is appreciated.

Attendance

AACT Members

Ian Perrault, James White, Betty J. King, Tyler Terrasi, Angela Manerson, Beverly Ann Rock, Mary Ann Murray, Donald Summerfield, Kathryn Piccard, Marilyn MacNab, Reginald Clark, Allen Karon, and Ellen Frith

MassDOT - MBTA Representatives

Larry Haile, Phil Graham, Paul Fitzgerald, Frank Oglesby, Mike Hulak, Carol Joyce-Harrington, and Tim Davis

Vendor Representatives

John Tuttle – Veterans Transportation, LLC

Jackie Reynolds and Randy Hendrickson – Greater Lynn Senior Services

Victor Herrera and Mike Rushin– The Joint Venture of Thompson Transit and YCN, LLC and National Express

Others

Kathy Devon – Massachusetts Office on Disability

Sharon Harrison – Massachusetts Commission for the Deaf and Hard of Hearing

Lisa Weber - Massachusetts Rehabilitation Commission

Boston Region Metropolitan Planning Organization (MPO)/Central Transportation Planning Staff (CTPS)

Daniel Amstutz and Janie Guion

Meeting

Interim Chairman James White called the meeting to order at 1:05 PM

Members, friends and guests introduced themselves

Meeting Minutes Approval

November 14, 2012 meeting minutes were presented and approved with one abstention

Chairman's Report

IC White commented on the following:

- On December 21 he attended a ribbon-cutting ceremony for the Vertical Transportation Improvement Project at Park Street Station
- He participated in the December 31 System-Wide Accessibility Customer Orientation class which acquaints consumers with riding the MBTA safely and other accessibility features, by hands-on and classroom training
- He read two letters addressed from the AACT Executive Board to Dr. Beverly Scott, the new MBTA General Manager: a welcome message and a request to meet and greet with the AACT Executive Board of Directors. He also read an acknowledgement of thanks from Dr. Scott to IC White for his impromptu comments on behalf of the AACT membership at the Park Street Station ribbon-cutting ceremony
- He attended trainings with THE RIDE contractors and a recertification training class at the MBTA Charlestown garage where he discovered operators were using an out-of-date circle-check card from 2007 which identified the Americans with Disabilities Act (ADA) equipment that must be verified before buses leave the garage. He has contacted

Judge Patrick King and Kevin Voltour about the problem. He is waiting to hear an explanation from System-Wide Accessibility. He is very concerned that vehicles are leaving the garage without the proper checks

- He made a request to the MBTA Transit Police Deputy Chief Lewis Best to send a representative to regularly attend the AACT Membership meetings
- He attended a Transportation Workshop hosted by Lisa Weber of the Massachusetts Rehabilitation Commission, assigned by the State Legislatures to do a transportation study outside of the Boston area which came out of the Executive Order 530 Commission
- He supports Governor Patrick's proposal to seek a new transportation financing plan
- Ian Perrault was thanked for attending a January 16 Metropolitan Planning Organization informational meeting

There were no questions.

Presentation by

Margaret "Peggy" Griffin, Regional Civil Rights Officer with the Federal Transit Administration (FTA)

Ms. Griffin gave an overview of the FTA; her role as a Civil Rights Officer and areas that she is responsible for. She addressed the recent Americans with Disabilities Act (ADA) changes that were enacted in late 2011. She stated that the FTA is a federal transportation agency and is primarily a grant making agency which has now been given the new role of monitoring safety. She commented that this is a new role for the FTA.

Ms. Griffin's office is located in Region One, but she works directly for the Office of Civil Rights headquartered in Washington, DC. She has been with the FTA for twelve years and stated that

there are ten regional offices throughout the U.S. with the Regional One site being located in Cambridge, MA.

There are also divisional offices across the country, including the New York Lower Manhattan Recovery offices formed after the September 11 World Trade Towers disaster, and the Los Angeles office.

A few of the highlights of her presentation are as follows:

- She discussed four Civil Rights Programs: 1) Title VI Civil Rights Act of 1964, which requires programs requesting funding to demonstrate that they are distributing benefits and burdens equally throughout all communities; (2) the Americans with Disabilities Act (ADA); 3) the Equal Employment Opportunity Program which the FTA oversees for their larger grantees that work with the workforce of larger organizations; and (4) the Disadvantaged Business Enterprise, Program, which looks at contracting opportunities when agencies have over \$250,000.00 of federal funding available for contracts.
- ADA oversight was delegated to the U. S. Department of Transportation by the U. S. Department of Justice.
- FTA is slightly different from the U.S. Department of Justice and the Architectural Access Board. The U. S. Department of Transportation issues their own rules for the ADA. She noted that for those rules to change they would need to issue a “notice of proposed rule-making,” have a comment period, accept comments from the public, take the comments and write a final rule, and then issue the final rule. She stated that this happened about 18 months ago.
- She strongly recommended that when a ruling is submitted for the public comment period the public should write to express their positive and negative views on that rule.

Comments can be made in writing or electronic versions.

- Ms. Griffin discussed President Obama's Executive Order 12898, which requires federal agencies to develop environmental justice strategies to protect minority and low-income people. This definition can include people with disabilities who fall into those categories. She recommended that persons with disabilities get involved with transportation projects for accessibility early in the process when it is easier to make adjustments to project designs.
- She addressed Title II which deals with public transportation and a public agency that requires that no entity shall discriminate against an individual with a disability in the provision of transportation services. This is different from Title VI, which addresses programs receiving federal financial assistance; the ADA is much broader.
- She noted new guidelines in Section 37.42, railroad station requirements (see attached).
- The only person to make final decisions on ADA rulings is the Department of Transportation General Counsel in Washington, DC.
- She commented that complaints are now handled and investigated at headquarters in Washington, DC. She also stated that the FTA staff will assist in taking the information concerning your complaint or you may file electronically at www.federaltransitadministration.gov or by U.S. mail.

She then asked for questions.

K. Piccard commented on the Sharon, MA, commuter rail station which is not wheelchair accessible. She asked when existing stations should become wheelchair accessible.

P. Griffin stated that any alterations, to the maximum extent feasible, which result in the altered area being accessible to and usable by individuals with disabilities including persons in wheelchairs, must be made accessible. In general maintenance

to a station does not count. However the rule defines maintenance narrowly giving examples of “re-papering, re-painting or re-roofing” as examples of maintenance. The Sharon Station was an unusual case and is being handled outside by another agency. The passage of Section 37.42 set the stage for this rule. The Sharon Station is now under Architecture Access Board jurisdiction --the FTA determined they would be the lead because the complaint was filed with them and they have local jurisdiction.

D Summerfield asked why the FTA only considers Americans with Disabilities Act Accessibility Guidelines (ADAAG) and not 521 CMR even though 521 CMR will be stricter than ADAAG.

P Griffin remarked that her agency has no authority to implement state law. She explained that ADAAG is the Americans with Disabilities Act Accessibility Guidelines and that these are the federal requirements for facilities. She also noted that 521 CMR is the Commonwealth of Massachusetts State Building Code that is administered under the Department of Public Safety.

M MacNab commented that she submitted a request for the creation of a three-digit emergency number for persons who use paratransit who may find themselves stranded and need to be evacuated in storm-like conditions. She would like to see this become part of Homeland Security. She asked where at the federal level she should resubmit her request.

P Griffin suggested that maybe it is a Federal Highway Administration or a Homeland Security initiative. She asked that the request be forwarded to her to research the appropriate agency.

R Clark commented that safety on MBTA buses is a big issue for him; he stated that operators drive recklessly and, being visually impaired, he is tossed about the vehicle before being seated.

P Griffin stated she doesn't see a federal rule on that type of safety issue. She stated that this is perhaps an issue for the MBTA.

IC White asked if the FTA had been contacted about the Governor's 530 Executive Order regarding social services and paratransit.

P. Griffin stated that she had not worked with that commission.

IC White thanked Ms. Griffin for her presentation.

AACT Nominations for Executive Board of Directors term 2013-15

IC White opened the nominations for the AACT Board of Directors by reading the guidelines. He also stated that meeting attendance for candidates will be verified.

Nominees for the Executive Board of Directors:

Current Board members, Ian Perrault, Beverly Ann Rock, and Mary Ann Murray were nominated for the AACT Board. All have accepted their nomination. Tyler Terrasi also accepted his nomination. Kathryn Piccard was nominated but was not sure if she wanted to accept or decline the nomination. Marilyn MacNab was nominated but was unavailable during the nomination to accept. She will be contacted regarding her decision to accept or decline the nomination.

MBTA System-Wide Accessibility Department (SWA)/Fixed Route Services

Larry Haile, SWA Coordinator, presented his report (see attached).

He announced the following:

- On Thursday, March 7, the next System-Wide Orientation training will take place at 10 Park Plaza. All interested persons must sign-up with SWA
- A disabled-youth group will be participating in the training. He noted that there is a federal effort to encourage school age youth to experience public transit

He then asked for questions.

D Summerfield commented that he is very concerned that the Stryker Evacuation Chairs located throughout the MBTA property are behind locked doors. He sees this as a problem, should the first responders really need access. He is recommending that the chairs be placed in a safe area that is secure and available for First responders' easy access.

L Haile stated that he will do research.

A Karon asked about the station accessibility for wheelchairs on the line for the new Cape Cod seasonal summer train service.

L Haile stated that he is aware of the situation and that accessibility will be the concern of the Cape Cod Regional Transit Authority (CCRTA) since they are the overseeing body of the project. He suggested that he contact the CCRTA for an answer. The MBTA is only the operator of the trains.

A Manerson asked why the MBTA was putting in so many cameras.

L Haile stated that it is for increased security throughout the system.

M MacNab asked that a report be given on the MBTA's large donation of Stryker Chairs to the City of Boston. She also would

like to know whether other departments and cities and towns were also part of that donation.

L Haile asked for more information.

IC White suggested that he speak with Laura Brelsford.

K Piccard commented that she hopes that each young consumer is given information about THE RIDE. In many cases they or their parents may not be aware they are eligible for THE RIDE.

L Haile stated that, in the process of qualifying consumers for the orientation training, he has the opportunity to gauge what level of transit the youth may need. The object of the orientation is to get consumers to travel by fixed route.

E Frith asked how members can observe the ADA training of the bus operators.

L Haile stated that each month in his written report the training information is listed. He asked that anyone who is interested in attending contact his office.

The Office of Transportation Access (OTA)

Frank Oglesby, MBTA Deputy Director of Paratransit Operations
– OTA, THE RIDE

Mr. Oglesby distributed the December 2012 reports for THE RIDE (see the attached).

He announced the following:

- A new Paratransit Contract Administrator has been hired, Kelli Ahola, formerly of Joint Venture.
- OTA sent out a letter to the two-hundred and sixty-one consumers who had been overcharged for transfer trips. The money has been reimbursed and the issues are now closed.

He then asked for questions.

IC White asked that he talk about trip negotiations.

M Hulak said that he does not have the parameters with him but all vendor staff is aware and have copies of the options.

M MacNab stated that the reservationists are reporting that they are not aware of the negotiations and that she is still being charged for trip adjustments. She stated each time the reservationist touches the computer you are charged.

IC White asked Mr. Oglesby to send the negotiations policy so that AACT may distribute it.

M Hulak clarified that the issue M. MacNab is referring to is not related to the software issue.

K Piccard stated that she is having the same issue with Veterans Transportation for negotiations even though she gets in plenty of time not to be charged for the negotiations.

J Tuttle stated that it is impossible to schedule trips outside the thirty minute window. The MBTA has provided them with guidance on negotiations. He added that based on your pickup time you cannot predict your arrival time. The software does not schedule you at the time the schedule is made to arrive more than thirty minutes before your requested arrival time. He went on to say that when the schedule is made the day before you cannot be scheduled to be dropped off before the thirty minutes.

IC White thanked Mr. Oglesby for his report.

MBTA Transit Police Q and A

Deputy Chief Kenneth Green, of the MBTA Transit Police Department, is the night-time Commander and is also in charge of Community Partnerships for the Department.

Deputy Chief Green stated that this is his first time he has attended an AACT meeting. He was assigned the task by Chief Paul MacMillan.

He commented that he is aware that the membership has many concerns and that he will listen and try to answer. He stated that for concerns that would need more research he would try to find answers.

He then asked for questions.

D Summerfield stated that MBTA money trucks and maintenance vehicles often block the bus stops at both the Charles and Stuart Street stops. He noted that there are many bus stops that are blocked by many types of vehicles. He gave an example that vehicles can be often found near Central Square bus Route #1 inbound at Massachusetts Avenue and Prospect Streets.

Deputy Chief stated that no vehicle should be parked in bus stops. He stated that he would look into the situation. He commented that in the past a memo had gone out to remind employees not to block bus stops.

E Frith reported that bus operators are parked in areas designated for passenger drop-off and pickups. She stated that she has reported this to the MBTA Police Department. She also wants to know where she should call to report operators who drive through red traffic lights.

Deputy Chief stated that she should report the information with time, date and bus number and his department will pass it on to the appropriate transportation area. He suggested that she report violations to the MBTA Customer Service Department at 617-222-3200.

IC White thanked Deputy Chief Green for his time.

Greater Lynn Senior Services (GLSS)

Jacquelyn Reynolds, MBTA Contract Relationship Manager, distributed her report and announced that there were no further updates since the report had been produced.

She then asked for questions.

IC White commented to Ms. Reynolds that he was treated well at passenger assistance training.

J Reynolds thanked him for the compliment.

M MacNab wanted Ms. Reynolds to know about the excellent treatment she was given on a really complex trip. She asked that she thank her staff for all their kindness.

J Reynolds thanked her for sharing her trip success.

IC White thanked Ms. Reynolds for her report.

The Joint Venture of Thompson Transit and YCN Transportation (JV)

Victor Herrera, General Manager for the Joint Venture, distributed his report and made the following comments.

New Customer Service Approach

- JV is starting a new initiative focusing on customer service and Operations mainly in the area of scheduling.
- He stated that customer service is what JV does and it is extremely important. He also noted that there have been issues over the past few months that need to be addressed
- Their goal is to have a stronger, friendlier approach to customer service by:

- Having a more direct approach with consumers by reaching out and contacting customers by telephone when it comes to issues
- Recognizing issues before they become complaints
- Assembling a strong customer service team to address these issues

Operations-Scheduling

- They will address on-time performance which is extremely important
- JV has the personnel and the will to address these issues
- They have a complete support from JV's owners, National Express
- JV wants to hear from all their customers and strives for excellent service

He then asked for questions.

IC White said he was informed by OTA about the problems of JV regarding their customer service and on-time performance. He also stated that Mr. Herrera did contact him to discuss the matter. He offered support on behalf of AACT.

V Herrera thanked IC White for the offer.

M MacNab expressed thanks to a JV dispatcher who took extra care and devised a plan for her to leave her home in the morning before the construction crew begin their work on her street.

V Herrera thanked Marilyn and stated that he is very interested to know when he has a satisfied consumer. He wants to know when people do good work as well as those who do not. He stated that consumers should file their complaints and compliments since this is a way to improve upon the service.

IC White thanked Mr. Herrera for his report.

Veterans Transportation (VT)

John Tuttle, Operations Manager, distributed his report and commented that there were no further updates since the report was produced.

He then asked for questions.

M MacNab asked about the Premium Fares that are being charged to unsuspecting consumers. She also commented that too many people were scheduled on a vehicle she was traveling in.

J Tuttle stated that they have guidance from the MBTA. Consumers should always let the MBTA or his office know if they feel they are being overcharged. The staff has been informed of the Premium Fares and the negotiations. He also addressed the lack of space in a vehicle caused by incomplete information entered into a consumer's profile. For example, the profile should identify a larger sized person or a consumer who brings on more equipment than expected. He noted that the software is accommodating to circumstances if alerted. He asked that consumers provide the best assessment they can without inconveniencing others.

IC White stated that he has made quite a few trips in many of THE RIDE vehicles and did not see any of the monthly notices of the AACT meeting. He asked that he be able to put the sleeve for the AACT notice back in vehicles. This information is provided so that consumers are made aware of AACT, to help build the membership, and provide contact information for AACT.

IC White thanked Mr. Tuttle for his report.

Open Discussion

M Hulak asked that vendors re-instruct reservationists to give the consumers his or her balance at the end of booking a trip and enforce it is a requirement. The purpose of a reservationist reading back scheduled trips is for accuracy. He also noted that if anyone is having problems with negotiations and being overcharged for trips he recommends that they contact OTA.

He also gave an update on the web-based software Manage My Trips module. He explained that this is software that can be utilized to book THE RIDE on the MBTA website. The software is experiencing serious issues. He stated that he has been in contact with the CEO of StraGen, the manufacturers of the software. The members informed the CEO that this level of service is unacceptable. He is hoping to have answers today and to have the module fully functional by the next day. He thanked everyone for their patience.

D Summerfield welcomed Lisa Weber of the Massachusetts Rehabilitation Commission to the AACT meeting and thanked her for her work to expand paratransit service throughout the region.

ANNOUNCEMENTS

IC White announced that he is forming a Bylaw Committee for review and update of the bylaws. Anyone who would like to participate should contact Janie Guion, AACT Coordinator at 617-973-7507.

IC White thanked Daniel Amstutz for assisting at the meeting.

The meeting ended at 3:05 PM.