

**Access Advisory Committee to the Massachusetts Bay  
Transportation Authority**

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**AACT Membership Meeting Minutes**

***Wednesday, September 25, 2013***

**Notables**

The AACT Executive Board will meet from 10 AM to noon and the Membership meeting will be conducted from 1PM to 3 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](http://www.bostonmpo.org); click on "Get Involved" then scroll down to "Access Advisory Committee to the MBTA." 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 Chairman James White by contacting the AACT Coordinator, Ms. Janie Guion, at 617-973-7507 (voice); 617-973-7089 (TTY); 617-973-8855 (fax); [AACT@ctps.org](mailto:AACT@ctps.org) (email); or at c/o CTPS, 10 Park Plaza, Suite 2150, Boston, MA 02116 (mail).

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](mailto: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](http://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/](http://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 always appreciated.

**Meeting opened at 1:07 PM**

**Reading of the Agenda**

**Introductions**

*Attendees:*

James White, Ian Perrault, Lisa Weber, Cheryl Ravalli, Rick Morin, Allen M. Karon, Beverly Ann Rock, Mary Ann Murray, Richard Mahoney, Kathryn Piccard, Viola A. Thacker, Nancy Miller, Angela Manerson, Robert Dias, Theadora Fisher, Marilyn MacNab.

Also:

Anne Hartstein, Myra Berloff, Bridget Dunn, Allan Motenko, Linda S. Salzer, Robert Solomon, Deanne Sisco, and James Williamson

**MBTA Staff:**

Larry Haile, Kelli Ahola, Carol Joyce-Harrington, Marie Trottier, Kenneth Green, Mike Hulak, Frank Oglesby, Jim Nilan, and W.J. Grant

**Vendor Staff:**

M. Claire DiPillo, National Express-Joint Venture; Jacquelyn J. Reynolds, Greater Lynn Senior Services; and John Tuttle, Veterans Transportation

### **MPO Staff:**

Janie Guion and Matt Archer

### **Chairman's Report**

*The Chair stated the following:*

- He informed members of the upcoming Transportation Summit to be presented by AACT
- He advised the members of several policy changes that will be implemented with THE RIDE vendor new contract. In discussion are the No-Show/Late Cancellation Policy; Automated Transportation Access Pass, and the non-ADA accessible taxi rides

*\*He read the following: U.S. Department of Transportation (DOT) regulations 49 CFR 37.125(h) addressing the issue of no-show policies governing ADA complementary paratransit service programs, which states that: "The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA paratransit eligible individuals who establish a pattern or practice of missing scheduled trips. (1) Trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists."*

\*He noted that public hearings will be held before any policy change is implemented.

\*He stated that the AACT Board has voted and feels that this is policy that will improve on-time performance

He stated that he has concerns with each of the above policy changes

- He and Vice-Chair Morin attended the 2013 Selection Committee meeting for the new THE RIDE contract

He then asked for questions.

**K. Piccard** expressed her concerns for consumers who may lack telephone service or be in a location where they cannot make adjustment to trips in a timely manner.

**Chairman White** reminded consumers to attend the public hearings to express their concerns.

**P. Shaw** noted her concerns for consumers with chronic illnesses who may be penalized.

**Chairman White** noted that the policy would be applied to consumers who book at least seven trips in a month who have not canceled before a penalty is applied. He noted that this policy is in draft form and is only in discussion and that consumers should attend the public hearing.

**Vice-Chair Morin** stated that there are provisions in the policy for consumers that would take into consideration circumstances which may prevent someone from contacting the vendor in a timely matter. He stated that the public input

period is very important for this policy and that the hearings will probably happen in early January.

**M. MacNab** shared that at a recent public meeting she heard that in a statement by Mr. Lambert AACT's Board of Directors is committed to the new policy and that the MBTA would be rolling the new policy out in the fall. She noted that the No-Show/ Cancellation policy is a "done deal" and that there is conflicting information out in the community. She asked that more information be sent to her and consumers about the U.S.DOT regulations 49 CFR 37.125(h) regarding the federal regulation policy.

**Vice-Chair Morin** recommended that she check out the website for the Disability Rights Education & Defense Fund (DREDF) <http://dredf.org> which gives a series of technical guidance on Americans with Disabilities Act, Transportation Guides on the No-Shows in ADA Paratransit.

### **The MBTA Fare Increase Study (MFIS): Examining the Impact of the July 2012 Fare Increase on Seniors and Persons with Disabilities**

**Ann Hartstein, Secretary of the Executive Office of Elder Affairs (EOEA), and Myra Berloff, Director of the Massachusetts Office on Disability (MOD)** discussed the report. They were given the responsibility by the Joint Committee on Transportation (JTC), of the Senate and House Committees on Ways and Means, to study the impact of the July 1, 2012 MBTA system-wide fare increases on seniors and persons with disabilities. They were directed to study the impact on personal finances, employment, and the overall quality of life of seniors and persons with disabilities living in the affected areas, with the MBTA providing information necessary to prepare the report.

**Director Berloff** informed the membership that the MFIS could not have happened without a full partnership with AACT and the disability community. She stressed the importance of everyone who participated and that their valuable input and honesty was very helpful in completing the study. She commented that the report released earlier this month is self-explanatory, very short and clear. She also explained that all the questions and comments written were incorporated in the survey tool and that everyone's voices were heard.

**Secretary Hartstein** thanked AACT for being very helpful in getting the word out about the survey. She also stated that many people responded honestly and openly, according to the many comments in the free writing section. She explained that every response they received will help in the future as they work toward making sure that THE RIDE and all paratransit services are available in the Boston region, as well as across the Commonwealth. She commented that the survey indicates how these changes affect consumers and how the message is carried across the Commonwealth. She thanked everyone for their efforts to work with them to have consumers respond to the survey.

**Director Berloff** commented that the Chairman's Report in regards to some possible recommendations being addressed by the EO 530 Commission is a result of consumers being so open with their feedback and that this will now move the discussion forward.

They then asked for questions.

**K. Piccard** asked that a new survey be commissioned to show changes in THE RIDE usage for all consumers and/or separately for those who have been certified and the new users since the fare changes went into effect. She sees

this as a possible way to look at usage patterns since the fare changes went into effect, relying not just on what a consumer says on a survey, but observing over a period of time how they are adjusting.

**Director Berloff** commented that tracking consumers on THE RIDE Program would be illegal and that it becomes a privacy issue. She noted that there have been instances where other regional transit authorities were tracking the movements of consumers and it became an issue and was discontinued due to legality. She believes that self-reporting is more powerful.

**Secretay Hartstein** stated their agencies had their staff consult with the MBTA frequently on data for the survey. She also stated that they may be able to consult with the MBTA to find out what information may be available. She asked that Ms. Piccard write about the details for the type of survey she is requesting and submit them to her so that she understands what exactly is being asked of EOEA. She noted that if the MBTA has that type of information and is willing to share the data, it is worth looking into.

**Director Berloff** noted that they have lots of interest and that her idea is worth a following up.

**M. MacNab** asked how they differentiated the control survey takers from those who simply volunteered. She also asked how both agencies plan to ensure that the final results will be put into action and not just become paper sitting on someone's desk. She also wanted to know what the next step will be; will their agencies work together or independently? She asked if they would go to the Governor or if there a plan to change any legislation.



**Secretary Hartstein** stated that there were a total of 856 participants in the MFIS with 665 people being part of the actual survey. The people who received the card and responded and the volunteer group who responded on their own were treated separately but compared statistically. Both groups were found to be equivalent and they were all analyzed at once. They were separated in the final analysis, and just to be clear, they were all viewed separately to make sure there was no substantial difference between people who were part of the survey and those who were not, so as to not affect the outcome.

She stated EOEA and MOD are part of the governor's administration and work internally; and that there are recommendations that both agencies have been assigned to follow-up on. She commented that they will work internally to make sure that the results of the survey are taken into account on any transportation issues that come up.

**Director Berloff** stated that as a result of the EO 530 Commission, the Statewide Coordinating Council on Community Transportation (SCCCT) was formed. She stated that MOD and EOEA are part of the Council with representatives from the disability community, regional transportation authorities, the MBTA General Manager, members from the Executive Office of Health and Human Services, and others from state government who may have an impact on paratransit. She stated that much of what will be discussed are the recommendations from the EO 530 Commission and the recent recommendation from the survey. She noted that this is an on-going process.

**Secretary Hartstein** stated that at the kickoff of the SCCCT the report caused much discussion of what is to be done. There was plenty of talk about mobility

and accessibility; and because to the report, affordability and equity would be two issues that will continue to be part of the discussion. She also mentioned that because of the MFIS report these issues have made an impact on the EO 530 Commission.

**Chairman White** stated that today the AACT Board of Directors was given an overview of the SCCCT kickoff and views SCCCT as a way for everyone trying to come up with a common solution and that there are people willing to take a closer look. They are identifying problems and finding solutions. He sees this as a positive effort.

**P. Shaw** asked how the JTC was involved.

**Director Berloff** stated that it was the JTC that gave them the responsibility to do the report; she also suggested that consumers meet independently with their legislative representatives. She suggests that members make an appointment with the members of the JTC and give their own personal story to them, since these stories can be very powerful and that there is interest from the members of the JTC.

**Chairman White** thanked Director Berloff and Secretary Hartstein for the work together putting together the survey and the Final Report.

**Director Berloff** acknowledged the two staff analysts who organized the survey, Bridget Dunn from EOEA and Allan Motenko from MOD.

***MBTA System-Wide Accessibility Department (SWA)/Fixed Route Services***  
***Larry Haile, Coordinator*** submitted his report and noted the following information on T-Alerts, at the suggestion of a member:

- T-Alerts will be more detailed when notifying customers about service outages. He noted that planned T-Alerts to some extent will be implemented with a brief explanation and unplanned outages will feature alternatives for service options.
- Monthly reports will be submitted to the AACT Chairman.

*He then took questions.*

**R. Mahoney** asked which MBTA department was responsible for bus stop signs.

**L. Haile** stated that the MBTA creates the signage but he will need do research on placement of signs.

**T. Fisher** stated the new MBTA Key Bus Route Program in the Jamaica Plain area at bus stops has added benches in the middle of the sidewalk (path-of-travel) making it impossible for mobility devices to navigate safely. She asked if the MBTA would consider repositioning the benches.

**L. Haile** suggested that she file a complaint with MBTA Customer Communication regarding specific stops where there are obstructions. He asked that she stress it as an accessibility-related issue. He stated that SWA will be contacted and that they are able to monitor the progress of the complaint.

**K. Piccard** stated that people should be stopped from installing street furniture in such circumstances, it is illegal. She also asked which department is responsible for monitoring that it is corrected.

**L. Haile** stated that his department does have some say in where items are placed with regards to accessibility-related issues.

**Chairman White** noted that he is still waiting to review the documentation concerning the removal of the bus stops. And that he had discussed his

concerns with Dr. Scott. He noted that the stops were implemented without AACT reviewing or being notified of any stops removal.

**Vice-Chair Morin** asked if there was an update to the annual accessibility plan to make the MBTA 100 percent accessible on fixed route.

**L. Haile** noted that he would share AACT concerns with Ms. Trottier.

**K. Piccard** stated that when Dr. Scott addressed AACT she noted that although it may have been a longer term plan, it may have shorter term components, and perhaps there are parts that have been completed.

**Chairman White** thanked Mr. Haile for his response to the T-Alerts and his report.

***MBTA Transit Police Department, Deputy Chief Kenneth Green*** stated that *he is willing to answer questions that are police related.*

He then asked for questions.

**MA Murray** asked about illegal parking at bus stops on the North Shore.

**Deputy Chief Green** commented that Dave Carney would be the person in charge of the problem parking on the North Shore. He has been notified.

**Chairman White** commented that private and commercial cars and trucks and MBTA vehicles are always blocking THE RIDE vehicles from unloading and picking up passengers on both Stuart and Charles Streets.

**Deputy Chief Green** commented that he would look into the matter.

**M. MacNab** asked Deputy Chief Green if he would contact the City of Boston Transportation Commissioner Tinlin. She would like to see a study done that will address the problems and issues with parking in front of 10 Park Plaza and on Stuart Street. She commented that she was instrumental in getting better parking conditions at both Back Bay and South Stations.

**Chairman White** commented that at 1344 Hyde Park Avenue near Blake Estates on Hyde Park Avenue, MBTA bus operators on the Route 32 accelerate their bus while the elderly are in the crosswalk.

**Deputy Chief K. Green** stated he would look into the matter.

**MBTA Staff** from the Safety Department stated he would also do research.

**Chairman White** thanked Deputy Chief Green for his comments.

***MBTA Office for Transportation Access -THE RIDE Program***

**Frank Oglesby, Deputy Director**, submitted THE RIDE report and had no further updates.

**Vice-Chair Morin** asked Mr. Oglesby to explain the next procurement process for paratransit operators.

**F. Oglesby** stated that they are in the process of receiving bids from prospective paratransit operators interested in providing paratransit service for fiscal years 2015-2019.

**K. Piccard** asked if any of the three territories has not received any bids.

**F. Oglesby** stated that all territories did receive bids.

**Chairman White** asked for an update from THE RIDE Eligibility Center (TREC).

**M. Hulak** stated that there were no issues with TREC and that the monthly data are reported with THE RIDE Activity report that had been distributed.

**K. Piccard** commented that a consumer stated that during her interview at TREC she was asked about medication. She asked if OTA had addressed this change in policy regarding medication privacy for those who do not want to disclose any information.

**M. Hulak** stated that he answered the question last month by noting that consumers do not have to share information on the kind of medication they use. He stated that the notification is at the bottom of the statement they sign.

**K Piccard** stated that a consumer stated that she was not told she did not need to disclose the medication she was taking. She also stated that a person may be visually impaired or distracted from reading the information at the bottom of the page. She would like to have that information appear in plain view and that each person is told verbally. She stated that this is a privacy issue.

**P. Shaw** insisted that if she had known she had the right to not discuss her medication she would not have. She also commented that she met with Dr. Scott about the issue and that her concerns have been forwarded to the MBTA General Counsel. Ms. Shaw feels that it is a form of discrimination and that it should stop.

**Chairman White** stated that he will be meeting with Assistant General Manager Trottier, of System-Wide Accessibility, and Michael Lambert and will let them know there is a very serious issue at the TREC, and that a letter of concern will be addressed regarding the privacy of medications.

**K. Piccard** would like to have the consumer medication information removed from the TREC form.

**Vice-Chair Morin** stated that at the beginning of the interview a statement is made regarding Health Insurance Portability and Accountability Act.

**K. Piccard** stated that she wants action now and that consumers are being asked very inappropriate questions by the TREC staff. She disagrees that consumer should wait to have the statewide form developed.

**Chairman White** agreed to write a letter.

**Chairman White** thanked Mr. Oglesby for his report.

***National Express/Joint Venture (NE/JV)***

**M Claire Dipillo, NE/JV Driver Manager**, distributed her monthly report for August and stated that she was happy to answer questions.

**K. Piccard** asked how NE/JV distinguished between late pickups and missed trips. She noted that the monthly report said that in August there were 407 late pickups and twenty-one missed trips. She is concerned about consumers who wait a very long time.

**C. Dipillo** stated that a missed trip is thirty minutes or more late; at which time the consumer would find his or her own transportation home. A late trip is when THE RIDE is twenty to thirty minutes late but the consumer still takes THE RIDE.

**Chairman White** thanked Ms. DiPillo for her report.

***Veterans Transportation (VT)***

**John Tuttle, Operations Manager**, distributed his report and reported no new updates.

**He then took questions.**

**K. Piccard** asked if VT had received all their new vehicles due at this time.

**M. Hulak** stated that none of the vendors had received all their allotted vehicles in this contract term.

**Chairman White** asked for the total number of vehicles to be distributed to all vendors.

**M. Hulak** stated that there are over two-hundred vans but is not sure about the number of sedans.

**M. MacNab** said she is very concerned with the Veterans taxi driver training and asked whether those drivers are trained in the same manner as THE RIDE drivers. She commented that she had observed Veterans cab driver being less than professional at a particular pickup site.

**J. Tuttle** stated that all vehicle drivers receive the same training and the same level of discipline.

**M. Hulak** asked if a complaint had been filed with OTA and that if so he would look into the complaint.



**BA Rock** stated that she has been in VT vehicles that were less than clean.

**J. Tuttle** explained that all drivers are to perform a circle check of the vehicle leaving the garage at the beginning of their shift. He also noted that vehicles are serviced by two professional cleaning crews. He asked that consumers report vehicles that are not cleaned and they will handle the situation immediately.

**M. MacNab** complimented Veterans on their service of the last thirty-five years.

**J. Tuttle** thanked Ms. MacNab for the very kind words and that Veterans continues to work hard to service their customers.

**Chairman White** thanked Mr. Tuttle for his report.

### ***Greater Lynn Senior Services (GLSS)***

**Jacquelyn Reynolds, MBTA Contract Relationship Manager**, distributed her monthly report and reported no new updates.

She then asked for questions.

**N. Miller** commented that she was having problems with directions for trip time on the GLSS website.

**J. Reynolds** explained how to navigate the website.

**Chairman White** thanked Ms. Reynolds for her report.

### **Open Discussion**

**R. Solomon** explained that he does not have a cellular phone to report a late vehicle and if he returns to his apartment to check on his trips he may miss THE

RIDE. He also noted that he has the worst ride when traveling in THE RIDE van.

**Chairman White** stated there are concerns with that very issue. He stated that he has discussed this with the Office for Transportation Access management. He suggested that consumers file a complaint if they feel not enough was done to locate them for their trip.

**M. Hulak** apologized to Mr. Solomon for his uncomfortable ride conditions.

**P. Shaw** asked that AACT do a study to see how many consumers' have been denied from THE RIDE who have had their accounts for years and have since been rejected due to the weight and size of their mobility device. She would also like to have data presented on a monthly basis.

**M. Hulak** stated there is not a standard definition for mobility devices any longer. Some years back it was 30x48. Our vehicles can accommodate mobility devices up to 34x54. Our lift platforms are one of the largest in the industry if not the largest for Paratransit vehicles. Customers can continue to use the service as long as the mobility device falls below the 34x54 limit.

## **Announcements**

**Chairman White** read two letters of thanks addressed to Carol Joyce-Harrington and Dr. Beverly A. Scott, and also commended the AACT Summit Committee for the planning of the upcoming event. (See the attached)

**Meeting adjourned at 3:02 P.M.**