



TOWN OF ACTON
TOWN CLERK

TOWN HALL
472 MAIN STREET
ACTON, MASSACHUSETTS 01720
TELEPHONE (617) 264-9615

EXCERPT OF THE PROCEEDINGS OF THE ANNUAL TOWN MEETING
HELD APRIL 7, 1987 WITH ADJOURNED SESSIONS HELD
APRIL 8, 1987, APRIL 9, 1987 AND APRIL 11, 1987

ARTICLE 42. Establishment of a Local Handicapped Commission

To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 40, Section 8J, to establish a handicapped commission, for the purpose of coordinating or carrying out programs designed to meet the problems of the handicapped and to raise and appropriate, or appropriate from available funds, the sum of \$500 for first year expenses of the Commission, or take any other action relative thereto.

ARTICLE 42.

Voted: That the Town accept the provisions of Massachusetts General Law Chapter 40, Section 8J to establish a handicapped commission for the purpose of coordinating or carrying out programs designed to meet the problems of the handicapped and to raise and appropriate \$500.00 for the first year expenses of the Commission.

**ACTON COMMISSION ON DISABILITY
TOWN HALL
472 MAIN STREET
ACTON, MA 01720
cod@acton-ma.gov**

January 9, 2012

Dr. Stephen Mills, Superintendent
Acton Boxborough Regional Schools
District Central Office
16 Charter Road
Acton, MA 01720

Dear Dr. Mills,

Thank you very much for allowing the time for Lisa Franklin and Danny Factor from our commission to meet with you on Wednesday, January 11, 2012 at 1:00 P.M.

As you may know, the Acton Commission on Disability advises and assists municipal officials and employees in ensuring compliance with state and federal laws and regulations which affect people with disabilities. We also make recommendations about policies and procedures to municipal departments, boards and agencies as they affect individuals with disabilities, and provide information and support to the town in matters pertaining to disability.

We are thankful for the efforts that the school district has taken to help disabled children learn. We are interested in how we can all continue to make sure that disabled children in the AB Schools fulfill their potential, integrate into the school community and learn how to become as independent as possible.

At our upcoming meeting, some of the issues which we are interested in touching on include:

- **Professional Development:** Equipping teachers with the most up to date practices in regard to special ed children.
- **Out of District Special Education:** Making sure out-of district children are receiving the same high quality education that other special ed and non-sped children receive.
- **Following a SPED Child:** Special Ed children's inclusion in principal's "day in the life" practices.
- **Autism Help:** Targeting issues raised by parents of autistic children in Sped Pac surveys.
- **Physical Barriers:** Compliance with the ADA regarding existing and new construction.

- **Stress:** Applying the discussion begun from your appearance at the screening of “Race to Nowhere” to children with disabilities.
- **Competitive v. Cooperative Education:** How competitive and cooperative practices affect special ed children.
- **Bullying:** Discussing the results of the SpedPac survey in regard to bullying and special ed children.
- **Diversity:** Making sure that we are reaching out to different kinds of special ed families and children.
- **Internships with the COD:** Providing great experiences for Special ed Children.
- **Scheduling:** Providing special ed children with the same opportunity to take diverse classes as that of regular ed children
- **Universally Designed Materials:** Reaching each child on his/her level.
- **College Fair for Disabled Children:** Exposing Special Ed Children to all kinds of options for their future.
- **Pupils Learning About Disability Issues :** Raising children’s awareness and sensitivity to the issue of disabled individuals.
- **COD Support to the AB Schools:** How the COD can best assist the AB Schools.

Thank you, again, for agreeing to meet with us. We very much look forward to exploring these and other topics with you, including any issues that you care to raise. We very much want to assist the AB Schools in any way that we can.

Very Truly Yours,

ACTON COMMISSION ON DISABILITY



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE VII CITIES, TOWNS AND DISTRICTS

CHAPTER 40 POWERS AND DUTIES OF CITIES AND TOWNS

Section 8J Disability commission; powers and duties; members; terms

Section 8J. A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be

appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Commission on Disability

472 Main St.
Acton, MA 01720
Phone: (978) 264-9615
Email: cod@acton-ma.gov

Description:

The Commission on Disability's mission is to make Acton a better place to live by: advocating for the rights and interests of citizens with disabilities and their families; ensuring that Acton meets the laws, regulations, and guidelines set down by federal, state and regional bodies pertaining to the rights of citizens with disabilities; and acting as a resource for education around the needs of people with disabilities and their families.

Additional Duties:

- Advocacy and education around the needs of persons with disabilities.
- Assisting town departments in complying with the ADA.
- Coordinating and carrying out programs designed to meet the needs of persons with disabilities in coordination with the programs of the Massachusetts Office on Disability.
- Researching local problems of persons with disabilities.
- Coordinating activities of other local groups organized for similar purposes.
- May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets necessary for the work.
- May receive gifts of property, both real and/or personal, in the name of the Town, subject to the approval of the Board of Selectman. Such gifts are to be managed by the Commission for the purpose of the Commission's work

Membership:

The commission allows up to 9 members and a majority of the members should consist of persons with a disability. A member may be of the immediate family of a person with a disability, and one member will be either an elected or appointed official of the Town. Any individual with an interest in the needs and concerns of persons with a disability is also encouraged to join the commission. A member can serve two terms of 3 years each. The Town Manager appoints members subject to the approval of the Board of Selectman.

Meetings:

The meetings are held on the second Thursday of the month, September through June, 7:00 to 9:00 PM at the Town Hall.

updated 9/00

Town of Acton - Commission on Disability

VCC SYMBOL: COD

MEMBERSHIP

The commission allows up to 9 members and a majority of the members should consist of persons with a disability. A member may be a member of the immediate family of a person with a disability, and one member will be either an elected or an appointed official of the Town. Any individual with an interest in the needs and concerns of persons with disability is also encouraged to join the Commission. A member can serve two terms of 3 years each. The Town Manager appoints members subject to the approval of the Board of Selectman.

MEETINGS

The meetings are held on the second Thursday of the month, September through June, 7:00 P.M. to 9:00 P.M. at Acton Town Hall.

The general responsibilities of the Commission are:

- Advocacy and education around the needs of the disabled.
- Assisting town departments in complying with the ADA.
- Coordinating and carrying out programs designed to meet the problems of the disabled in coordination with the programs of the Office on Disability.
- Researching local problems of the disabled.
- Coordinating activities of other local groups organized for similar purposes.
- May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets necessary for the work.
- The Commission keeps records of its meetings and actions and files an annual report which will be printed in the Annual Town Report.
- May receive gifts of property, both real or personal, in the name of the Town, subject to the approval of the Board of Selectmen. Such gifts are to be managed by the Commission for the purpose of the Commission work.

Additional Duties and Information:

- Members are encouraged to work on a project in a subcommittee.

COMMISSION ON DISABILITY

VCC SYMBOL : COD

MEMBERSHIP : Up to 9 members; 3 year staggered terms. Members are appointed by the Town Manager subject to the approval by the Board of Selectmen.

A majority of the members shall consist of those with disabilities. Other members may be from the immediate family of a handicapped person, and one member shall be either an elected or an appointed official of the Town.

MEETINGS : 2nd Thursday, September through June, 7:00PM to 9:00PM at Town Hall

GENERAL : The responsibilities of the Commission are :

- Coordinating and carrying out programs designed to meet the problems of those with disabilities, in coordination with programs of the Office on Disability.

- Researching local problems of people with disabilities.

- Coordinating activities of the other local groups organized for similar purposes.

The Commission :

- May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets necessary for the work.

- Keeps records of its meetings and actions and files an annual report which shall be printed in the Annual Town Report.

- May receive gifts of property, both real and personal, in the name of the Town, subject to the approval of the Board of Selectmen. Such gifts are to be managed by the Commission for the purpose of the Commission work.

ADDITIONAL DUTIES AND INFORMATION :

- Members are encouraged to work on a project in a subcommittee. Approximately 6 hours of work can be required between monthly meetings.

Spring 1990

VCC-COD.001: March 1994 retyped.

VCC-COD.002: June 1996, updated per COD

VCC-COD.003: June 1997, updated per COD



Massachusetts Office on Disability

One Ashburton Place, Room 1305
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Deval Patrick, Governor
Timothy P. Murray, Lt. Governor
Myra Berloff, Director

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MUNICIPAL COMMISSIONS ON DISABILITY

Commissions on Disability are established by vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities or the community.

Commissions:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

Commissions consist of no less than five, no more than nine members chosen by the Board of Selectman or Town Manager (in a town) and the Mayor or City Manager (in a city). The majority must be persons with disabilities and one may be a member of the immediate family of a person with a disability. One must be an elected or appointed municipal official.

Applicable Laws:

- MGL chapter 40 section 8J, gives municipalities the authority to establish commissions;
- Section 504 of the Rehabilitation Act of 1973 requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities of organizations and agencies that receive federal money;
- Amendment Article 114 of the Massachusetts Constitution prohibits discrimination on the basis of disability under any service or program within the Commonwealth;
- The regulations of the Architectural Access Board require access in newly built and renovated buildings.

10. Receive gifts of property, both real and personal in the name of the City/Town subject to the approval of the city council; such gifts to be managed and controlled by the Commission.
11. Take such action as the Commission considers appropriate to ensure the equal access status of persons with disabilities.

ARTICLE III: MEMBERSHIP

1. The Commission shall consist of seven members appointed by the Mayor. The majority of members shall consist of people with disabilities. One of the members may be a member of the immediate family of a person with a disability. One member shall be either an elected or appointed official of the City/Town.
2. The members shall initially serve the following terms:
 - a. Two members shall serve one-year terms.
 - b. Two members shall serve two-year terms.
 - c. Three members shall serve three-year terms.

After the initial term, all members shall serve three-year terms.

3. Resignation shall be made by notifying the chairperson in writing.
4. If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made to the Mayor 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.
5. The Mayor shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.
6. Any members of said Commission may, after a public hearing, is so requested, be removed for cause by the appointing authority.
7. Members shall get the approval of the Commission prior to making statements or joining activities on behalf of the Commission.
8. All members shall have full voting rights.

ARTICLE VI: AMENDMENTS

1. These by-laws may be amended at any duly constituted meeting of the Commission by two-thirds vote of those members present provided written notice of the proposed amendment is distributed to each member at least fourteen (14) days prior to the meeting.

2. INSURE BUSINESSES, AGENCIES, AND ORGANIZATIONS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES.

- Survey businesses, agencies and organizations for communication and architectural access. Work with owners and managers to encourage compliance with the Americans with Disabilities Act, the Architectural Access Board's regulations and other disability laws.
- Educate owners and managers about the needs of persons with mobility, hearing, visual, cognitive and other disabilities.
- Introduce them to federal IRS \$15,000 tax deduction for barrier removal and \$5,000 tax credit for ADA compliance.

3. ENCOURAGE MOBILITY

- Survey all parking lots that are open to the public for HP designated spaces. Work with owners and the building inspector to bring the lots into compliance with AAB and ADA regulations and municipal by-laws.
- Review on-street HP designated parking and curb cuts. Work with local officials to increase both if necessary.
- Propose an ordinance/by-law that allow police to ticket cars on privately owned, publicly used parking lots and that increases fines for violations of HP parking.
- Evaluate transportation needs. Work with Regional Transit Authority, Council on Aging, municipal officials to increase (or to provide!) accessible transportation.

Some examples:

- Offer a program that gives discounts on taxi rides.
- Contract with a local van company to provide rides.
- Council on Aging and other transportation providers must also provide accessible transportation.

4. INCREASE ACCESSIBLE AFFORDABLE HOUSING.

- Work with housing authority to increase adaptable and accessible housing.
- Meet with local builders/developers to encourage development of accessible and adaptable housing.

10. OTHER CONSIDERATIONS.

- Determine how many people in your community have a disability (Massachusetts census figures indicate 17% of the population as having a disability; that percentage might be higher if you have a large elderly population).
- Find out what peoples needs are. Conduct a needs survey or hold a public hearing.
- Contact organizations in your community with similar concerns; veteran's office, council on aging, special needs parents advisory committee. Work together on common issues.
- Establish an advisory committee, friends of the commission or associate membership to increase support.
- Get organized. Adopt operating procedures, establish long and short-range goals, break into subcommittees or assign tasks to individuals to be accomplished between meetings.

B21. Council on Aging

There shall be a Council on Aging for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in coordination with programs of the Department of Elder Affairs established under General Laws, Chapter 19A, Section 1, *et seq.*, or any successor or related department or legislation affecting the affairs of the elderly. Without limitation, the mission of the Council on Aging is to help mobilize human, physical, and financial resources available to plan, develop, and implement innovative programs to insure the dignity and independence of elderly persons, including the planning, development, and implementation of home care programs for the elderly in the Town, and to advocate for elderly persons in an effort to maximize their independence and quality of life through the implementation of services to meet their health, economic, social, and cultural needs. Subject to the approval of the Board of Selectmen, the Council on Aging may promulgate administrative procedures governing its affairs.

B22. Tax Title Payment Plans

The Treasurer shall have the authority to enter into written installment payment agreements with persons entitled to redeem parcels in tax title on such terms and conditions as the Treasurer may determine in the Treasurer's reasonable discretion and in accordance with Massachusetts General Laws Chapter 60, Section 62A. This bylaw shall apply to all taxpayers with parcels in tax title in the Town of Acton. All installment payment agreements shall comply with the following minimum requirements:

1. The installment payment agreement shall have a maximum term of five (5) years;
2. The installment payment agreement may include a waiver of up to 50% of the interest that has accrued in the tax title account, but only if the taxpayer complies with the terms of the agreement (no taxes or collection costs may be waived); and
3. The installment payment agreement must state the amount of the payment due from the taxpayer at the time of execution of the agreement, which must be at least 25% of the amount needed to redeem the parcel at the inception of the agreement.

B23. Commission on Disabilities

- 23.1 This Commission on Disabilities shall consist of five (5) members and two (2) associate members, appointed by the Board of Selectmen, each serving a three (3) year term, pursuant to Charter § 4-2.
- 23.2 A quorum of the Commission on Disabilities shall consist of three (3) members or associate members, if designated by the Chair in the case of absence, inability to act, or conflict of interest on the part of any regular member, or in the event of a vacancy on the Commission.
- 23.3 The Commission on Disabilities shall act by a majority vote of its members or associate members, designated as described herein, present or otherwise entitled to vote under the Open Meeting Law, provided however, that if only a quorum of three (3) members or associate members is present, the vote must be unanimous to carry.

SECTION 4 - 2 **Appointment Powers, Selectmen**

	<u>NUMBER OF MEMBERS</u>	<u>LENGTH OF TERM (YEARS)</u>
Acton/Boxborough Cultural Council	7 Acton	3
Acton Community Housing Corporation	5-7	3
Board of Appeals	3	3
Board of Appeals (Assoc. Members)	3	3
Board of Assessors	3	3
Board of Assessors (Alternate Members)	1 or more	3
Board of Health	5	3
Board of Health (Associate Members)	2	3
Cemetery Commissioners	3	3
Commission on Disabilities	5	3
Commission on Disabilities Assoc Members	2	3
Conservation Commission	7	3
Council on Aging	9	3
Election Officers	as required	1
Hanscom Field Advisory Commission	1 (+1 Alternate)	3
Historical Commission	5	3
Historic District Commission	6	3
Historic District Commission (Alternate Members)	4	3
Metropolitan Area Planning Council	1	3
Representative		
Personnel Board	5	3
Planning Board	7	5
Planning Board (Associate Members)	2	1
Recreation Commission	5	3
Registrars of Voters	3	3

(See also Section 5 - 1)

The chairperson of any town board or commission with associate or alternate members may designate any such associate or alternative member to sit on the board of the agency for any particular matter(s) in the case of an absence, inability to act, or conflict of interest on the part of any regular board member thereof, or in the event of a vacancy on the board, until said vacancy is filled.

SECTION 4 - 3 **Town Manager**

(a) Employment of town manager - The selectmen shall employ a town manager for renewable three-year terms, who shall be especially fitted, in their opinion, by education, training and experience to perform the duties of the office. The person shall not have served in an elective office in the town during the twelve months prior to appointment, shall execute a bond in favor of the town for the faithful performance of duties in such sum and with such sureties as may be fixed or approved by the selectmen, and shall accept the terms and conditions of office by signing a contract as prepared by the selectmen under Section 4 - 1 (b).

**QUESTIONS FOR DISCUSSION FOR JEFF DOUGAN, MASSACHUSETTS
OFFICE ON DISABILITY**

Can you describe what the Massachusetts Office on Disability's vision is for a town that is as fully accessible as possible to individuals with disabilities? What are the major benchmarks that should be met?

What should a COD do to be a stronger, more influential presence in its community?

Which communities have CODs that you consider to be strong and effective in their respective communities? Why are they strong and effective? How have they achieved, maintained that strength?

What are the basic activities that the COD should be doing and building on? With reference to the general description of authorized activities in MGL ch. 40, section 8J, what should be the higher-ranked priorities for the COD, and what should be the lower-ranked ones?

What is the MOD's vision as to how town leaders (select people, town manager, etc.) should and can support a Commission on Disability? What are the duties and limits of the relationship between a COD and Town Board of Selectmen? What level of funding do towns normally supply to CODs? Has the MOD dealt with the issue of conflicts between municipal law and MGL ch. 40 section 8J?

Does the MOD believe that one of the major struggles of disabled individuals is lack of personal financial resources? Is poverty among disabled individuals a significant concern for the MOD and should it be for a COD? Have any CODs taken steps in helping provide relief in this area?

What if any limits exist in how far a COD should advocate on behalf of specific proposals to improve the lives of individuals with disabilities? Is taking a position on state or federal legislation appropriate or allowable?

What outreach have CODs done to reach their most vulnerable disabled residents?

What have CODs and towns done to maximize accessibility to town meetings, meeting of selectmen and town committees, and town cable television?

What statistics exist as to how many disabled individuals exist statewide and in particular towns?

What are successful (win – win) strategies for working with local historical buildings?

Have any communities with CODs engaged successfully in collaborative efforts with CODs in neighboring communities? If so, what have they done? If there have been no collaborative efforts, or the efforts have been unsuccessful, what are the reasons?

What are common trouble-spots for CODs, whether specific issues, committee organization and administration, relations with Town officials, relationship with residents, etc.?

How many members does the typical COD have? Do any CODs have non-voting positions, as Acton COD does?

What is the proper procedure for conducting a site visit? Is it appropriate to discuss issues related to a site with an applicant where the issues do not specifically related to the variance request?

What is your perspective on housing developments? What are the realities for promoting more accessible Housing?

What are the best ways to develop as a small group in order to have impact?

ARTICLE _____
(Majority vote)

COMMISSION ON DISABILITIES

To see if the Town will vote to amend Section B23 of Chapter B of the General Bylaws of the Town to read as follows:

B23. Commission on Disabilities

23.1 This Commission on Disabilities shall consist of five (5) members and two (2) associate members, appointed by the Board of Selectmen, each serving a three (3) year term, pursuant to Charter § 4-2.

~~22.2~~ There shall also be two (2) associate members of the Commission on Disabilities, appointed by the Board of Selectmen, each serving a three (3) year term, pursuant to Charter § 4-2.

23.2 A quorum of the Commission on Disabilities shall consist of three (3) members or associate members, if designated by the Chair in the case of absence, inability to act, or conflict of interest on the part of any regular member, or in the event of a vacancy on the Commission.

23.3 The Commission on Disabilities shall act by a majority vote of its members or associate members, designated as described herein, present or otherwise entitled to vote under the Open Meeting Law, provided however, that if only a quorum of three (3) members or associate members is present, the vote must be unanimous to carry.

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or take any other action relative thereto.

SUMMARY

This article conforms the Town Bylaw for the Commission on Disabilities with the Charter Amendment adopted by the 2009 Annual Town Meeting.

Article VII

SECRETARY

Section A. The Secretary shall:

1. Take charge of all correspondence and minutes of all meetings of the Commission.
2. Post notice of all meetings at least forty-eight (48) hours before each meeting at the Town Clerk's Office at the Town Hall.
3. The Secretary may delegate specific tasks with the approval of the membership.

Article VIII

TREASURER

Section A. The Treasurer shall:

1. Submit financial reports at the monthly meetings.
2. Submit all bills and vouchers to the Town financial administrator for payment.
3. Submit the Commission's budget to the Town.

Article IX

MEETINGS

Section A. All official meetings shall be held once a month, generally the second Thursday of each month at 7:00 p.m. The meeting will begin as soon as a quorum is reached.

Section B. A quorum shall be constituted when four (4) members are present.

Article IX (continued)

Section C. A Special meeting may be called at any time, by the Chairman or by at least three members. Notice must be posted to the public and given to the members not less than 24 hours before the meeting. The notice (by telephone or mail) is to be given by the requestor and is to state time, place, and purpose of the meeting. The Special meeting shall be limited to the stated subject.

Article X

RECORDS

Section A. The Commission shall forward one (1) copy of approved minutes to the Office of Handicapped Affairs and to the Town Clerk at the Town Hall to become part of the official record.

Article XI

FINANCES

Section A. Development of the annual budget shall be the responsibility of the Commission.

Article XII

ELECTIONS

Section A. Officers:

1. shall be elected annually by ballot at the June meeting.

C. The secretary shall:

1. Keep records of all meetings attendance, minutes, and correspondence;
2. Post notice of all meetings 48 hours before each meeting at the city/town clerk's office;
3. Send notice of meetings and minutes of the prior meeting to the members at least fourteen (14) days prior to the meeting.

D. The treasurer shall:

1. Keep records of all financial matters;
2. Develop a budget in coordination with the Commission;
3. Prepare a financial statement for inclusion in the annual report.

ARTICLE V: MEETINGS

1. Regular meetings shall be held at least six times a year.
2. A quorum shall consist of four members.
3. Meeting minutes will be amended and approved at the next meeting .
4. Special meetings can be called by the chairperson or by any three members.
5. Decisions will be made by a majority of those members present, unless where otherwise noted in these by-laws.

6. Notice of meetings will be sent to the members at least fourteen (14) days prior to the meeting.
7. Meetings shall adhere to Robert's Rules of Order.

ARTICLE VI: AMENDMENTS

1. These by-laws may be amended at any duly constituted meeting of the Commission by two-thirds vote of those members present provided written notice of the proposed amendment is distributed to each member at least fourteen (14) days prior to the meeting.

Massachusetts Office on Disability
March 1991

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4. Work in cooperation with the departments and agencies of the City/Town of _____ to bring about maximum participation of people with disabilities.
5. Initiate, monitor, and promote legislation at the city, state, and federal level which advances the equal status of people with disabilities and ensure that appropriate regulations are adopted and enforced pursuant to such legislation.
6. Encourage public awareness of disability issues.
7. Provide information, referral, guidance and advice to individuals, businesses, organizations and public agencies in all matters pertaining to disability.
8. Recruit and recommend prospective Commission members to the Mayor. At least one month prior to making recommendations, the Commission shall solicit nominations and ensure that said nominations reflect different disabilities.
9. File an annual report which shall be printed in the city/town annual report.
10. Receive gifts of property, both real and personal in the name of the town/city subject to the approval of the city council; such gifts to be managed and controlled by the Commission.
11. Take such action as the Commission considers appropriate to ensure the equal status of persons with disabilities.

Sample Operating By-Laws

_____ COMMISSION ON DISABILITY

ARTICLE I: TITLE AND PURPOSE

1. The name of this commission is the Commission on Disability (hereafter referred to as the Commission).
2. The purpose of the Commission is to coordinate or carry out programs in coordination with programs of the Massachusetts Office on Disability in order to bring about full and equal participation in all aspects of life in the City/Town of _____ for people with disabilities.
3. The purpose of these by-laws is to establish principles and procedures for the governance of this Commission.

ARTICLE II: POWERS AND DUTIES

1. Research local problems of people with disabilities.
2. Coordinate the activities of other local groups organized to meet the needs of people with disabilities.
3. Review and make recommendations about policies, procedures, services and activities of departments and agencies of the City/Town of _____ as they affect people with disabilities.

ARTICLE III: MEMBERSHIP

1. The Commission shall consist of seven members appointed by the Mayor. The majority of members shall consist of people with disabilities. One of such members may be a member of the immediate family of a person with a disability. One member shall be either an elected or an appointed official of the city.
2. The members shall initially serve the following terms:
 - a. Two members shall serve one-year terms.
 - b. Two members shall serve two-year terms.
 - c. Three members shall serve three-year terms.

After the initial term all members shall serve three-year terms.
3. Resignations shall be made by notifying the chairperson in writing.
4. If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made to the Mayor 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 be limited to: illness, a death in the family, weather, and professional responsibilities.
5. The Mayor shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.

6. Any members of said Commission may, after a public hearing, if so requested, be removed for cause by the appointing authority.
7. Members shall get the approval of the Commission prior to making statements or joining activities on behalf of the Commission.
8. All members shall have full voting rights.

ARTICLE IV: OFFICERS

1. The officers shall include a chairperson, vice chairperson, secretary and treasurer.
2. Officers shall be elected annually by a majority vote of the Commission.
3. One member may hold more than one office.
4. Duties

A. The chairperson shall:

1. Develop the agenda in coordination with the other officers;
2. Preside over all meetings;
3. Appoint subcommittees as needed;
4. Authorize expenditures as needed.

B. The vice chairperson shall perform all the functions of the chairperson in his/her absence.

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The commission may, subject to appropriation, appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns the members shall be appointed by the selectmen, except that in towns having a manager form of government appointments shall be made by the town manager, subject to the approval of the selectmen. In any city or town which has not accepted the provisions of section eight H, the energy resources commission may assume the powers and duties of a recycling commission.

When a commission is established, the initial terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall, in a city, be filled for the unexpired term in the same manner as an original appointment, and, in a town, in the manner provided in section eleven of chapter forty-one.

Added by St.1980, c. 384.

Historical and Statutory Notes

St.1980, c. 384, was approved July 3, 1980.

Library References

Municipal Corporations ¶126.
C.J.S. Municipal Corporations §§ 465 to 467.

Comments.
Municipal energy resources commission,
see M.P.S. vol. 18, Randall and Franklin,
§ 242.

Texts and Treatises

56 Am Jur 2d, Municipal Corporations, Coun-
ties, and Other Political Subdivisions
§§ 337-342.

§ 8J. Disability commission; powers and duties; members; terms

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures,

services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Added by St.1983, c. 75. Amended by St.1990, c. 260, § 10; St.1991, c. 390; St.1993, c. 214, § 1.

Historical and Statutory Notes

St.1983, c. 75, was approved April 29, 1983.

St.1990, c. 260, § 10, approved Nov. 20, 1990, in the first paragraph, in the first sentence, substituted "disability commission" for "handicapped commission", "persons with disabilities" for "the handicapped" and "Massachusetts office on disability" for "office of handicapped affairs", and, in the second sentence, substituted "persons with disabilities" for "the handicapped"; and, in the second paragraph, in the second sentence, inserted "in which towns the appointment shall be made by" following "council form of government," and, in

the third sentence, substituted "persons with disabilities" for "handicapped persons" and "disabled" for "handicapped".

St.1991, c. 390, approved Dec. 23, 1991, rewrote the section, which prior thereto read:

"A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting is hereby authorized to establish a disability commission, hereinafter called the commission, for the purpose of coordinat-

ing or carrying out the problems of coordination with the sets office on disabilities and shall research local disabilities and shall other local groups poses, and may distribute books, pamphlets necessary for the commission shall keep records and shall file an annual report and shall have at least ten meetings annually.

"Said commission shall consist of not less than seven members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a Plan D or Plan E form of government, said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities and one member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Municipal Corporations
C.J.S. Municipal

Comments.
Municipal corporations
M.P.S. vol. 1
§ 247.

§ 8K. Mapping

A city by ordinance may, for the purpose of preparing or updating maps of the location of utility lines, geographic or geologic

A mapping commission may be created to such mapping regional and federal funds relating to such mapping. It may receive, expend and accept with federal grant

Any city or town can create a Commission of Handicapped Affairs.

A city can create a commission, using the guidelines in MGL c 40 s 8J (outlined below) by vote of the city council subject to the provisions of the city charter.

A town can create a commission, using the guidelines of MGL c 40 s 8J (outlined below) by vote of its citizens at an annual meeting or special meeting.

What To Do:

I. Call your Town or City Hall and ask the procedure for putting your proposal for a commission on the agenda for the town meeting (town) or council meeting (city). It may, in some cases, involve getting a petition and signatures.

II. (Town) Get lots of friends to the meeting and pass the vote. (City) Have all your friends write letters and pass the council vote. Now that you have established a commission...

III. Call your Town or City Hall again and find out what kind of government you have. It should be one of the following:

- A. City, Plan A-E.
- B. Town-Selectmen
- C. Town-Town Council

IV. Appointing the commission (not more than 7 members).

- A. City, (Plan A-C) appointments by Mayor
- B. City, (Plan D and Plan E)-City Manager
- C. Town (Selectmen), Town manager subject to approval of Selectmen
- D. Town (Council)-Town Manager

V. Makeup of Commission

- A. The majority of members must be handicapped
- B. One must be either an elected or appointed official
- C. The Chairman/woman will be determined by a majority vote of the commission

VI. Terms of Service

The first members will have a term of 1, 2, or 3 years such that the term of one of the members expires each year. Their successors shall be appointed for 3 years.

VII. Functions of the Committee

- A. Research local problems of the handicapped
- B. Coordinate activities of other local groups organized for similiar purposes.
- C. Advertise, prepare, print and distribute books, maps, charts, plane and pamphlets necessary for its work.
- D. Keep records of its meetings and actions.
- E. File an annual report which shall be printed in the city or town annual report.
- F. Have at least 6 meetings annually.

VIII. Miscellaneous

- A. The commission may recive gifts of property upon approval of the city council or selectmen.
- B. The Office of Handicapped Affairs, located at One Ashburton Place, Boston, MA 02108 (617 727-7440) is always here to help you in any way you might need. Feel free to call us anytime.

CITIES, TOWNS & DISTRICTS

§ 8J. Disability commission; powers and duties; members; terms

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in said city or town. Such commission shall: (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Amended by St.1990, c. 260, § 10; St.1991, c. 390.

MUNICIPAL COMMISSIONS ON DISABILITY

Commissions on Disability are established by vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities of the community.

Commissions:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

Commissions consist of no less than five, no more than nine members chosen by the Board of Selectmen or Town Manager (in a town) and the Mayor or City Manager (in a city). The majority must be persons with disabilities and one may be a member of the immediate family of a person with a disability. One must be an elected or appointed municipal official.

Applicable Laws:

- MGL chapter 40 section 8J gives municipalities the authority to establish commissions;
- Section 504 of the Rehabilitation Act of 1973 requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities of organizations and agencies that receive federal money;
- The Americans with Disabilities Act requires the same non-discrimination of municipalities whether or not they receive federal money;
- Amendment Article 114 of the Massachusetts Constitution prohibits discrimination on the basis of disability under any service or program within the Commonwealth;
- The regulations of the Architectural Access Board require access in newly built and renovated buildings.

September 1992

**Massachusetts Office on Disability
(617) 727-7440 voice/TDD
1-800-322-2020 voice/TDD**

COMMISSIONS ON DISABILITY

GOALS

1. INSURE MUNICIPAL SERVICES, PROGRAMS, MEETINGS AND EMPLOYMENT OPPORTUNITIES ARE AVAILABLE AND ACCESSIBLE TO PERSONS WITH DISABILITIES.

- Meet with appropriate staff: the Americans with Disabilities Act coordinator, selectboard, mayor, city/town manager, planning staff, building inspector, department of public works to review regulations, priorities, make a plan and set timelines.
- Survey all municipal buildings, facilities, and sidewalks for access.
- Assess each service, program and activity for physical and communication accessibility and to make sure policies aren't discriminatory.
- Review grievance procedures and notification of rights.
- Prioritize what needs to be done (especially the expensive building renovations).
- Be aware of new programs, services or construction. Work with those involved to make sure they meet the needs of people with disabilities, e.g. be a member of the school building committee.

Some examples:

- All public meetings should be held in accessible locations.
- Emergency services such as police and fire departments should have telecommunication devices for the deaf (TDDs are devices which enable persons who are deaf to communicate by telephone).
- Written material, such as town reports and newsletters, should be available on tape and in braille upon request for people who are visually impaired.
- Announcements about municipal activities such as recreational programs, meetings, public health programs, and employment opportunities should be publicized on the radio, cable T.V. as well as in print.
- Sign language interpreters should be available at meetings and activities upon request.
- Libraries should have books on tape and in large print plus mail or home delivery for people who are shut-in.

2. INSURE BUSINESSES, AGENCIES AND ORGANIZATIONS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES.

- Survey businesses, agencies and organizations for communication and architectural access. Work with owners and managers to encourage compliance with the Americans with Disabilities Act, the Architectural Access Board's regulations and other disability laws.
- Educate owners and managers about the needs of persons with mobility, hearing, visual, cognitive and other disabilities.
- Introduce them to the federal IRS \$15,000 tax deduction for barrier removal and \$5,000 tax credit for ADA compliance.

3. ENCOURAGE MOBILITY

- Survey all parking lots that are open to the public for HP designated spaces. Work with owners and the building inspector to bring the lots into compliance with AAB and ADA regulations and municipal by-laws.
- Review on-street HP designated parking and curb cuts. Work with local officials to increase both if necessary.
- Propose an ordinance/by-law that allow police to ticket cars in privately owned, publicly used parking lots and that increases fines for violations of HP parking.
- Evaluate transportation needs. Work with Regional Transit Authority, Council on Aging, municipal officials to increase (or to provide!) accessible transportation.

Some Examples:

- Offer a program that gives discounts on taxi rides.
- Contract with a local van company to provide rides.
- Council on Aging and other transportation providers must also provide accessible transportation.

4. INCREASE ACCESSIBLE AFFORDABLE HOUSING

- Work with housing authority to increase adaptable and accessible housing.
- Meet with local builders/developers to encourage development of accessible and adaptable housing.

5. ALL STUDENTS WITH DISABILITIES SHOULD RECEIVE AN EDUCATION COMPARABLE TO THAT GIVEN TO NON-DISABLED STUDENTS IN THE LEAST RESTRICTIVE, MOST INTEGRATED SETTING.

- Evaluate programs for students with disabilities for mainstreaming and integration.
- Evaluate schools for architectural accessibility.
- Introduce a disability awareness program in the schools.

6. BE A RESOURCE: PROVIDE INFORMATION AND MAKE REFERRALS ON A BROAD RANGE OF DISABILITY ISSUES.

- Advertise the commission's existence. Post the community with flyers or brochures, put articles in the newspaper, use the cable t.v. and radio.
- Establish a way for people to contact the commission. Either set-up an office and phone answering machine or assign one commission member to be the contact person.
- Develop a file of information.

7. WORK TO PASS FEDERAL AND STATE LEGISLATION WHICH WILL INCREASE THE QUALITY OF LIFE FOR PEOPLE WITH DISABILITIES (LOBBY).

- Write, call, meet with legislators.
- Testify at public hearings.

8. ADVOCATE FOR THE RIGHTS OF INDIVIDUALS WITH DISABILITIES AND DISABILITY GROUPS.

- Set up and publicize a mechanism for people to contact the commission with their individual concerns.
- Work with appropriate officials and organizations to resolve situations.
- Work with Mass. Office on Disability Client Services Program.

9. EDUCATE THE PUBLIC ABOUT DISABILITY ISSUES.

- Develop good relationships with newspapers, T.V. and radio stations (start a column or regular show, write press releases about your work).
- Initiate awareness program in the schools.
- Speak to civic organizations such as Lions, Girl Scouts, Chamber of Commerce, and Rotary.
- Hold disability awareness workshops.

OTHER CONSIDERATIONS

- Determine how many people in your community have a disability (Mass. census figures indicate 17% of the population as having a disability; that percentage might be higher if you have a large elderly population).
- Find out what people's needs are. Conduct a needs survey or hold a public hearing.
- Contact organizations in your community with similar concerns: veterans' office, council on aging, special needs parents advisory committee. Work together on common issues.
- Establish an advisory committee, friends of the commission or associate membership to increase support.
- Get organized. Adopt operating procedures, establish long and short range goals, break into subcommittees or assign tasks to individuals to be accomplished between meetings.

MUNICIPAL COMMISSIONS ON DISABILITY

Commissions on Disability are established by vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities of the community.

Commissions:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

Commissions consist of no less than five, no more than nine members chosen by the Board of Selectmen or Town Manager (in a town) and the Mayor or City Manager (in a city). The majority must be persons with disabilities and one may be a member of the immediate family of a person with a disability. One must be an elected or appointed municipal official.

Applicable Laws:

- MGL chapter 40 section 8J gives municipalities the authority to establish commissions;
- Section 504 of the Rehabilitation Act of 1973 requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities of organizations and agencies that receive federal money;
- The Americans with Disabilities Act requires the same non-discrimination of municipalities whether or not they receive federal money;
- Amendment Article 114 of the Massachusetts Constitution prohibits discrimination on the basis of disability under any service or program within the Commonwealth;
- The regulations of the Architectural Access Board require access in newly built and renovated buildings.

September 1992

Massachusetts Office on Disability
(617) 727-7440 voice/TDD
1-800-322-2020 voice/TDD

<http://Town.Saugus.MA.us/COD/>



The Town of Saugus Commission on Disabilities

General

The Saugus Commission on Disabilities meets each month on the fourth Monday at 5:30 PM in the First Floor Conference Room of the Town Hall. We perform site surveys for accessibility at various times and days around the community. Watch the [Community Event Calendar](#) for details.

Our current members are:

Kathy Forbes	Chair Person	781-233-1164 (home)
Joseph Dennis Gould	Secretary	781-233-3942 (home) 781-594-1544 (work)
Dennis DeMatteo	ADA Co-Ordinator / Member	781-231-4119 (work)
Geraldine Roach	Member	781-233-5292 (home)
Hugh Doherty	Member	781-231-3451 (home)
Kevin Currie	Member	781-233-5671 (home)
David J. Nelson	Member	781-233-7793 (home)

The prime contact for any Commission on Disability questions or concerns is Chair Person Kathy Forbes.

We have two videos (one fifteen minutes and one half an hour) that are great for Handicap Accessibility Awareness training (both with and without closed captioning) that can be loaned to schools and organizations, and additionally members are happy to give presentations or hold question / answer meetings. Anyone who is interested should call the Chair Person.

Likewise, we can provide information and training on the [Community Access Monitor Program](#).

We're also starting a volunteer handicapped parking enforcement program working with the Saugus Police Department in which Commission on Disabilities members will be taking pictures of illegally

parked vehicles in handicapped spaces or blocking handicapped ramps, resulting in a \$100 ticket from the Saugus Police.

Authority And Purpose

The Commission on Disability was established by a vote of Town Meeting to promote the inclusion and integration of persons with disabilities in the activities, services, and employment opportunities of the community.

The Commission works to:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.
- Per state requirement, the Commission consist of no less than five, no more than nine members chosen by the Board of Selectmen or Town Manager. The majority must be persons with disabilities and one may be a member of the immediate family of a person with a disability. One must be an elected or appointed municipal official.

Goals

The Commission on Disability has many goals. In general we strive to:

- 1. Ensure Municipal services, programs, meetings, and employment opportunities are available and accessible to persons with disabilities.**

Meet with appropriate Staff: the Americans with Disabilities Act coordinator, Selectmen, Town Manager, Town Meeting, Planning Board, Building Inspector, Building Committee, Department of Public Works to review regulations, priorities, make a plan and set timelines.

Survey all municipal buildings, facilities, and sidewalks for access.

Assess each service, program and activity for physical and communication accessibility and to make sure policies aren't discriminatory.

Review grievance procedures and notification of rights.

Prioritize what needs to be done (especially the expensive building renovations).

Be aware of new programs, services or construction. Work with those involved to make sure they meet the needs of people with disabilities, e.g. be a member of the school building committee.

Some examples:

All public meetings should be held in accessible locations.

Emergency services such as police and fire departments should have telecommunication devices for the deaf (TDDs, a device which enables a deaf person to communicate by telephone).

Written material, such as town reports and newsletters, should be available on tape and in Braille upon a request for people who are visually impaired.

Announcements about municipal activities such as recreational programs, meetings, public health programs, and employment opportunities should be publicized on the radio and cable TV as well as in print.

Sign language interpreters should be available at meetings and activities upon request.

Libraries should have books on tape and in large print plus mail or home delivery for people who are shut-in.

2. Ensure businesses, agencies, and organizations are accessible to persons with disabilities.

Survey businesses, agencies, and organizations for communication and architectural access. Work with owners and managers to encourage compliance with the Americans with Disabilities Act, the Architectural Access Board's regulations and other disability laws.

Educate owners and managers about the needs of persons with mobility, hearing, visual, cognitive and other disabilities. Introduce them to the federal IRS \$15,000 tax deduction for barrier removal and \$5,000 tax credit for ADA compliance.

3. Encourage Mobility

Survey all parking lots that are open to the public for hp designated spaces. Work with owners and the building inspector to bring the lots into compliance with AAB and ADA regulations and municipal by-laws.

Review on-street hp designated parking and curb cuts. Work with local officials to increase both if necessary.

Propose an ordinance/by-law that allows police to ticket cars in privately owned, publicly used parking lots and that increases fines for violations of hp parking.

Evaluate transportation needs. Work with Regional Transit Authority, Council on Aging, municipal officials to increase (or to provide!) accessible transportation.

Some examples:

Offer a program that gives discounts on taxi rides.

Contract with a local van company to provide rides.

Council on Aging and other transportation providers must also provide accessible transportation.

4. Increase Accessible Affordable Housing

Work with the Housing Authority to increase adaptable and accessible housing.

Meet with local builders / developers to encourage development of accessible and adaptable housing.

5. All Students With Disabilities Should Receive An Education Comparable To That Given To Non-Disabled Students In The Least Restrictive, Most Integrated Setting.

Evaluate programs for students with disabilities for mainstreaming and integration.

Evaluate schools for architectural accessibility.

Introduce a disability awareness program in the schools.

6. Be A Resource: Provide Information And Make Referrals On A Broad Range Of Disability Issues.

Advertise the commission's existence. Post the community with flyers or brochures, put articles in the newspaper, use the web, cable TV, and radio.

Establish a way for people to contact the commission. Either set-up an office and phone answering machine or assign one commission member to be the contact person.

Develop a file of information.

7. Work To Pass Federal And State Legislation That Will Increase The Quality Of Life For People With Disabilities (Lobby).

Write, call, meet with legislatures.

Testify at public hearings.

8. Advocate For The Rights Of Individuals With Disabilities And Disability Groups.

Set up and publicize A mechanism for people to contact the commission with their individual concerns.

Work with appropriate officials and organizations to resolve situations.

Work with the Massachusetts Office on Disability Client Services Program.

9. Educate The Public About Disability Issues.

Develop good relationships with newspapers, TV, and radio stations (start a column or regular show, write press releases about your work).

Initiate awareness program in the schools.

Speak to civic organizations such as Lions, Girl Scouts, Chamber of Commerce, Rotary.

Hold disability awareness workshops.

Other Considerations

Determine how many people in your community have a disability (Mass. census indicates around 17%, but the figure might be higher).

Find out what people's needs are. Conduct a needs survey or hold a public hearing.

Work together with local organizations with similar concerns: Veterans' Office, the Council on Aging, the Special Needs Parents Advisory Committee, etc. on common issues.

Establish an advisory committee, friends of the commission or associate membership to increase support.

Get organized. Adopt operating procedures, establish long and short range goals, break into subcommittees or assign tasks to individuals to accomplish between meetings.

Applicable Laws

- Massachusetts General Laws, chapter 40 section 8J gives municipalities the authority to establish commissions.
- Section 504 of the Rehabilitation Act of 1973 requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities. of organizations and agencies that receive federal money;

- The Americans with Disabilities Act (ADA) requires the same non-discrimination of disabilities whether or not they receive federal money;
- Amendment Article 114 of the Massachusetts Constitution prohibits discrimination on the basis of disability under any service or program within the Commonwealth;
- The regulations of the Architectural Access Board require access in newly built and renovated buildings.



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shall file an annual
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The commission may, subject to appropriation, appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns the members shall be appointed by the selectmen, except that in towns having a manager form of government appointments shall be made by the town manager, subject to the approval of the selectmen. In any city or town which has not accepted the provisions of section eight H, the energy resources commission may assume the powers and duties of a recycling commission.

When a commission is established, the initial terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall, in a city, be filled for the unexpired term in the same manner as an original appointment, and, in a town, in the manner provided in section eleven of chapter forty-one.

Added by St.1980, c. 384.

Historical and Statutory Notes

St.1980, c. 384, was approved July 3, 1980.

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Municipal Corporations ¶126.
C.J.S. Municipal Corporations §§ 465 to 467.

Comments.
Municipal energy resources commission,
see M.P.S. vol. 18, Randall and Franklin,
§ 242.

Texts and Treatises

56 Am Jur 2d, Municipal Corporations, Coun-
ties, and Other Political Subdivisions
§§ 337-342.

§ 8J. Disability commission; powers and duties; members; terms

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures,

services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Added by St.1983, c. 75. Amended by St.1990, c. 260, § 10; St.1991, c. 390; St.1993, c. 214, § 1.

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Municipal Corporation
C.J.S. Municipal Corporation

Comments.
Municipal Corporation
M.P.S. vol. 1
§ 247.

§ 8K. Mapping

A city by ordinance may, for the purpose of preparing comprehensive maps of the location of utility lines, geographic or geologic features,

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Comments.
Municipal energy resources commission,
see M.P.S. vol. 18, Randall and Franklin,
§ 242.

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56 Am Jur 2d, Municipal Corporations, Coun-
ties, and Other Political Subdivisions
§§ 337-342.

§ 8J. Disability commission; powers and duties; members; terms

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Municipal Corporation Act, c. 218, § 247. Municipal Corporation Act, c. 218, § 247.

Comments.
Municipal Corporation Act, c. 218, § 247. Municipal Corporation Act, c. 218, § 247.

§ 8K. Mapping

A city by ordinance may, for the purpose of preparing maps of the location of utility lines, geographic or geologic features, or other information, acquire or cause to be acquired, by purchase or otherwise, any land, buildings, or other property, or any interest therein, which is necessary for the purpose of such maps.

A mapping commission may, for the purpose of such mapping, receive, expend, or contract for the use of money received from the state or from the federal government.

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lin, § 760.

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Historical and Statutory Notes

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Comments.
Municipal energy resources commission,
see M.P.S. vol. 18, Randall and Franklin,
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Texts and Treatises

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§ 8J. Disability commission; powers and duties; members; terms

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Municipal Corporation
C.J.S. Municipal

Comments.
Municipal Corporation
M.P.S. vol. 1
§ 247.

§ 8K. Mapping

A city by ordinance may prepare or cause to be prepared for the purpose of planning or development, or for the location of utility lines, maps of the town showing the location of utility lines, geographic or geologic features, and other information.

A mapping commission may be established by a city by ordinance to such mapping and planning, regional and federal, relating to such mapping and planning, to receive, expend and manage money with federal grant

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"Said commission shall consist of not less than seven members, one of whom shall be appointed by the city manager, subject to the approval of the selectmen, except in towns having a town council form of government, in which towns the appointment shall be made by the town manager. A majority of said commission members shall consist of people with disabilities and one member of the commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Municipal Corporations, c. 21A, § 247.

Comments.
Municipal Corporations, c. 21A, § 247.

§ 8K. Mapping

A city by ordinance may, for the purpose of preparing maps of the location of utility lines, geographic or geologic features, or for the purpose of receiving, expending or carrying out the problems of coordination with the city or town office on disabilities and shall research local disabilities and shall coordinate with other local groups, and may acquire and distribute books, pamphlets necessary for the commission shall keep records and shall file an annual report and shall have at least ten meetings annually.

A mapping commission may be established by a city or town which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting is hereby authorized to establish a mapping commission, hereinafter called the commission, for the purpose of coordinating with the city or town office on disabilities and shall research local disabilities and shall coordinate with other local groups, and may acquire and distribute books, pamphlets necessary for the commission shall keep records and shall file an annual report and shall have at least ten meetings annually.

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The commission may, subject to appropriation, appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns the members shall be appointed by the selectmen, except that in towns having a manager form of government appointments shall be made by the town manager, subject to the approval of the selectmen. In any city or town which has not accepted the provisions of section eight H, the energy resources commission may assume the powers and duties of a recycling commission.

When a commission is established, the initial terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall, in a city, be filled for the unexpired term in the same manner as an original appointment, and, in a town, in the manner provided in section eleven of chapter forty-one.

Added by St.1980, c. 384.

Historical and Statutory Notes

St.1980, c. 384, was approved July 3, 1980.

Library References

Municipal Corporations ¶126.
C.J.S. Municipal Corporations §§ 465 to 467.

Comments.
Municipal energy resources commission,
see M.P.S. vol. 18, Randall and Franklin,
§ 242.

Texts and Treatises

56 Am Jur 2d, Municipal Corporations, Coun-
ties, and Other Political Subdivisions
§§ 337-342.

§ 8J. Disability commission; powers and duties; members; terms

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures,

services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Added by St.1983, c. 75. Amended by St.1990, c. 260, § 10; St.1991, c. 390; St.1993, c. 214, § 1.

Historical and Statutory Notes

St.1983, c. 75, was approved April 29, 1983.

St.1990, c. 260, § 10, approved Nov. 20, 1990, in the first paragraph, in the first sentence, substituted "disability commission" for "handicapped commission"; "persons with disabilities" for "the handicapped" and "Massachusetts office on disability" for "office of handicapped affairs"; and, in the second sentence, substituted "persons with disabilities" for "the handicapped"; and, in the second paragraph, in the second sentence, inserted "in which towns the appointment shall be made by" following "council form of government," and, in

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"A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting is hereby authorized to establish a disability commission, hereinafter called the commission, for the purpose of coordinat-

ing or carrying out the problems of coordination with the city or town office on disability shall research local disabilities and shall coordinate with other local groups for purposes, and may also distribute books, pamphlets necessary for the commission shall keep records and shall file an annual report and shall have at least ten meetings annually.

"Said commission shall consist of not less than seven members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Municipal Corporation Act, C.J.S. Municipal

Comments.
Municipal Corporation Act, M.P.S. vol. 1, § 247.

§ 8K. Mapping

A city by ordinance may prepare or cause to be prepared for the purpose of planning or development, or for the location of utility lines, maps of the city or town showing the location of utility lines, geographic or geologic features, and other information.

A mapping commission may be established by a city or town to such mapping and for the purpose of planning regional and federal maps relating to such mapping. The commission may receive, expend and hold money with federal grants

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The commission may, subject to appropriation, appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns the members shall be appointed by the selectmen, except that in towns having a manager form of government appointments shall be made by the town manager, subject to the approval of the selectmen. In any city or town which has not accepted the provisions of section eight H, the energy resources commission may assume the powers and duties of a recycling commission.

When a commission is established, the initial terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall, in a city, be filled for the unexpired term in the same manner as an original appointment, and, in a town, in the manner provided in section eleven of chapter forty-one.

Added by St.1980, c. 384.

Historical and Statutory Notes

St.1980, c. 384, was approved July 3, 1980.

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C.J.S. Municipal Corporations §§ 465 to 467.

Comments.
Municipal energy resources commission,
see M.P.S. vol. 18, Randall and Franklin,
§ 242.

Texts and Treatises

56 Am Jur 2d, Municipal Corporations, Coun-
ties, and Other Political Subdivisions
§§ 337-342.

§ 8J. Disability commission; powers and duties; members; terms

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures,

services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Added by St.1983, c. 75. Amended by St.1990, c. 260, § 10; St.1991, c. 390; St.1993, c. 214, § 1.

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Municipal Corporation, C.J.S. Municipal

Comments.
Municipal Corporation, M.P.S. vol. 1, § 247.

§ 8K. Mapping

A city by ordinance may prepare or cause to be prepared for the purpose of planning or development, or both, maps of the location of utility lines, structures, or other geographic or geologic features.

A mapping commission may be established by a city to such mapping and planning, and for the purpose of receiving, expending, and managing federal grants for such purposes.

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When a commission is established, the initial terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

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Comments.
 Municipal energy resources commission,
 see M.P.S. vol. 18, Randall and Franklin,
 § 242.

Texts and Treatises

56 Am Jur 2d, Municipal Corporations, Counties, and Other Political Subdivisions §§ 337-342.

§ 8J. Disability commission; powers and duties; members; terms

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures,

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When a commission is established, the initial terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

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Comments.
Municipal energy resources commission,
see M.P.S. vol. 18, Randall and Franklin,
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§ 8J. Disability commission; powers and duties; members; terms

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures,

services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Added by St.1983, c. 75. Amended by St.1990, c. 260, § 10; St.1991, c. 390; St.1993, c. 214, § 1.

Historical and Statutory Notes

St.1983, c. 75, was approved April 29, 1983.

St.1990, c. 260, § 10, approved Nov. 20, 1990, in the first paragraph, in the first sentence, substituted "disability commission" for "handicapped commission", "persons with disabilities" for "the handicapped" and "Massachusetts office on disability" for "office of handicapped affairs", and, in the second sentence, substituted "persons with disabilities" for "the handicapped"; and, in the second paragraph, in the second sentence, inserted "in which towns the appointment shall be made by" following "council form of government," and, in

the third sentence, substituted "persons with disabilities" for "handicapped persons" and "disabled" for "handicapped".

St.1991, c. 390, approved Dec. 23, 1991, rewrote the section, which prior thereto read:

"A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting is hereby authorized to establish a disability commission, hereinafter called the commission, for the purpose of coordinat-

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TOWN OF ANDOVER
MASSACHUSETTS

ANDOVER COMMISSION ON DISABILITY

Town Offices
36 Bartlet Street
Andover, MA 01810
(978) 623-8200
www.town.andover.ma.us

May 27, 2002

Dana Snyder
Commission on Disability
Town Hall, Main Street
Acton, MA 01720

Dear Dana:

I am writing to you as the chair of your commission as listed in MOD's list for the year 2000. If you are no longer the chair, please accept my apology and direct this to the appropriate person.

As the vice-chair of the commission in Andover, I am rewriting the bylaws to reflect what we are actually doing. I think we all started out with the MOD model but we now need to refine our goals locally and include policies we have adopted. I'm contacting several commissions in eastern Massachusetts to ask the favor of a **copy of their bylaws**. It will be interesting to see how various groups direct their energies and draft corresponding bylaws.

I assure you this is strictly for my use in "beefing up" our minimal bylaws and I would not copy your materials or send them further. I will also send the "lenders" a copy of our revised bylaws after they are approved by our commission.

Thank you in advance for this favor. They can be sent by snail mail to:
115 Bailey Road, Andover, MA 01810-4242 or by e-mail to
maddyknows@aol.com. If you have any questions or concerns, I can be reached at
978-685-2441.

Sincerely,

Maddy St.Amand



Shrewsbury's Commission on Disabilities

1999 - 2000

Committee Chairpersons:

 John Harris

2nd Committee Chairpersons

Committee Members:

 Jerry Berrier
 Joe Bellil
 Emily Gerber
 Laurie Hogan

Meetings are held the first Tuesday of the month and are open to the public.
The next scheduled meetings are:

**December 6 7:00PM as usual
Conference Room B**

You can leave a voice mail anytime for more information at (508) 841-8448
TTY number 841-8530

Massachusetts General Law provides for the following:

A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in said city or town. Such commission shall (1) research local problems of people with disabilities; (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 Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or 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 activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and in towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.



Jeff.Dougan@modi.st, Come Again?

To: Jeff.Dougan@modi.state.ma.us
From: "George J. Lussier" <glussier@ma.ultranet.com>
Subject: Come Again?
Cc:
Bcc:
X-Attachments:

Jeff,

Sorry but I must have been leading you down a blind alley. As I read the material you sent me it seems to be mainly about the formulation of a Commission on Disability which we already are. My question was about the pros and cons of having a By-law section that covers our operation. Our Town liason recently raised a question about the origins of our by-laws, noting that no other board/commission in Acton has one.

My understanding is that without by-laws there is no common organization and therefore no Commission.

A new question has to do with the relationship between the local COD and the MCOD if any. From the material you sent under the heading of "Sample operating by-laws" there is a statement that states that we, the Acton COD, ".....is to coordinate or carry out programs in coordination with the MOD....." Do we have some agreement/affiliation?

What is behind my questions is some sense that we are going to feel squeezed by the town in order for them to have more control. Dana Snyder Grant has retired from being chairperson and from the Board. John Brako is the new Chairperson so the

Which reminds me, during our phone call, did you say something about a commission breaking off from the town and setting itself up as kind of a watchdog

TOWN OF ACTON
COMMISSION FOR THE HANDICAPPED

Needs Assessment
Survey Results

Types of disability or limitation

Physical	14
Visual	4
Hearing	3 7
Communication	2 5
Mental	2
Others	1 2

What aids are used

Wheelchair	8
Crutches	2
Cane(s)	10
Walker	4
Hearing Aid	3 7
Braces	3
Other	2

Gay - part in
survey -

What are your needs in the community

Transportation	6
Employment	4
Housing	2
Recreation	6
Social	5
Accessibility	10
TDD/TTY	1 2
Church Partip	2
Special Ed	7 9
Other	3

Other (disab.) -
Spec ed - 1

Total Surveyed was ~~24~~

~~28~~ 26

14 September 1989

October 3, 2002

Maddy St.Amand, Vice-chair
Andover Commission on Disability
Town Offices
36 Bartlet Street
Andover, Massachusetts 01810

Dear Maddy,

I am writing in response to your request for a copy of our bylaws. I apologize for the very late response. The Acton Commission on Disability Bylaws have been under review by the town manager since May of 2001 when they were rewritten to reflect updated language. The town manager does not believe we even need bylaws since there is already a State Laws that determines our scope of practice. We also have been told that no other commission or committee in town has bylaws therefore the COD doesn't need them. The term BYLAWS has confused the town officials and maybe our bylaws should be called something different. What is your position?

I have enclosed a copy of the Massachusetts General Laws, Chapter 40, Section 8J and the Acton COD Bylaws as proposed in May 2001.

Please send a copy of your rewritten bylaws and how your town officials have accepted them. I would greatly appreciate your input since I have just started as chairperson.

If you have any questions, please contact me at 5 Captain Forbush Lane, Acton, MA 01720 or 978-266-1129 or Bviola3@aol.com

Sincerely,

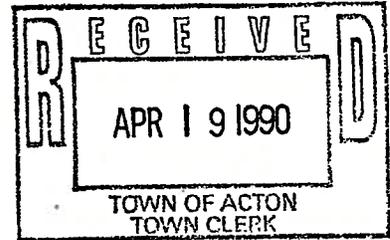
Brenda Viola, Chair
Acton Commission on Disability
Massachusetts Community Access Monitor

town clerk

Town of Acton
on Disability
COMMISSION FOR THE HANDICAPPED

Bylaws

February, 1990



Article I

TITLE

Section A. There shall be established an Acton Commission for the Handicapped as provided by Massachusetts General Laws, Chapter 40, 88J, enacted 1983.

Article II

OBJECTIVES AND RESPONSIBILITIES

Section A. It shall be that the Acton Commission for the Handicapped (hereafter throughout this document referred to as the Commission):

1. Act as a centralizing force in the Town of Acton and the community which shall deal with all handicapped issues: providing information, referrals, guidance, coordination, offering and providing technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination against person(s) with handicap(s) because of their status as a person with a handicap.
2. Take such action as the Commission considers appropriate to insure the equal status of person(s) with handicap(s) no matter what sex, creed, color, national origin, age, or sexual preference. *education* The Commission shall formulate, recommend, and support such programs as it deems important to assure compliance with Section 504 of the Rehabilitation Act of 1973 and other related legislation.

Article II (continued)

Section B. For the purpose of the Bylaws, a person with a handicap shall be defined as any person who:

1. Has a physical or mental impairment which substantially limits one (1) or more major life activities.
2. Has a record of such impairment or is regarded as having such impairments, as spelled out in Section 504 of the Rehabilitation Act of 1973.

Section C. The powers and duties of the Commission shall include the following, but not limited to:

1. Insure the equal status of the handicapped in education, employment, economics, political, health, legal and social spheres.
2. Design and implement programs that promote equality for all handicapped in town.
3. Review recommendations and policies of all departments, divisions, and agencies of the Town, when requested.
4. Initiate, coordinate and monitor the enactment of legislation which promotes equal status of the handicapped at the Town, State, Federal levels and to insure that appropriate regulations are adopted and enforced pursuant to such legislation, including but not limited to implementation of Section 504 of the Rehabilitation Act of 1973.
5. Assist in the planning and coordination of activities of all department and divisions within the Town upon request.
6. Participate in an advisory capacity in the hearing of complaints brought alleging discrimination against the handicapped, including but not limited to the Office of Affirmative Action.
7. Assist in public awareness of the handicapped through participation in public and media events sponsored by the administrative and/or legislative bodies of the Town, including but not limited to Town sponsored recreational, educational, developmental and legislative activities.

Article II, Section C. (continued)

8. Advertise, prepare, print and distribute books, maps, charts, plans and pamphlets necessary for the Commission's work.
9. Receive gifts of property, both real and personal, in the name of the Town, subject to the approval of the Board of Selectmen. Such gifts to be managed and controlled by the Commission for the purposes of the Commission work.
10. Hold at least a minimum of eight (8) regular meetings throughout the calendar year and to conduct additional meetings as necessary.

Article III

MEMBERSHIP

Section A. The Commission shall consist of ^(up to 9) ~~seven (7)~~ members. The majority of said Commission members shall consist of handicapped persons. One of such members should be a member of the immediate family of a handicapped person and one member of said Commission shall be either an elected or appointed official of the Town. Members shall represent as many cross-disabilities from the handicapped community as possible and the remaining members shall be concerned parents, friends and other interested citizens. The members shall initially serve the following terms:

1. All members will be appointed for a term of three (3) years.
2. If a member should resign before the end of his/her term, a replacement will be appointed to complete the term of office.

Section B. All members of the Commission are appointed by the Town Manager.

1. Commission members shall have full voting rights. (Members must be present to vote.)

Article III, Section B. (continued)

2. Members shall consult with the Commission whenever making any statements or joining any activities specifically on behalf of the Commission.
3. Members shall attend all meetings and other required functions.
4. Members shall call Commission Chairman when not able to attend meetings. A member who fails to attend three (3) consecutive meetings without good cause will be asked to discuss the situation with the entire membership.
5. Members shall submit agenda items to the Chairman three (3) working days before the scheduled meetings.
6. Members shall serve as members on the Commission without compensation with the understanding that members shall be reimbursed for any expense which shall be reasonably incurred through service as a member of the Commission.

Article IV

EXECUTIVE COMMITTEE

Section A. The Executive Committee shall consist of two (2) members; Chairman and Vice Chairman. The Executive Committee shall be elected by a majority vote of the Commission members as a whole.

Article V

CHAIRMAN

Section A. The Chairman Shall:

1. Develop all agenda items in coordination with the Vice Chairman.
2. Preside over all meetings.
3. Make sure the Commission members adhere to the agenda.
4. See that the Vice Chairman is left in charge in the Chairman's absence.
5. Be available for consultations at the request of the Commission or locate an assistant from among the other members.
6. Bring all statements proposed by individuals and members to be heard before the entire Commission.
7. Communicate to the entire Commission all communications he/she has sent or received related to his/her position as Chairman of the Commission.
8. Be responsible to insure that all line items on the yearly budget are strictly adhered to.
9. Appoint subcommittees as needed.

Article VI

VICE CHAIRMAN

Section A. The Vice Chairman Shall:

1. Take the place of the Chairman in his/her absence.
2. Assist support groups and subcommittees.

Article VII

SECRETARY

Section A. The Secretary shall:

1. Take charge of all correspondence and minutes of all meetings of the Commission.
2. Post notice of all meetings at least forty-eight (48) hours before each meeting at the Town Clerk's Office at the Town Hall.
3. The Secretary may delegate specific tasks with the approval of the membership.

Article VIII

TREASURER

Section A. The Treasurer shall:

1. Submit financial reports at the monthly meetings.
2. Submit all bills and vouchers to the Town financial administrator for payment.
3. Submit the Commission's budget to the Town.

Article IX

MEETINGS

Section A. All official meetings shall be held once a month, generally the second Thursday of each month at 7:00 p.m. The meeting will begin as soon as a quorum is reached.

Section B. A quorum shall be constituted when four (4) members are present.

Article IX (continued)

Section C. A Special meeting may be called at any time, by the Chairman or by at least three members. Notice must be posted to the public and given to the members not less than 24 hours before the meeting. The notice (by telephone or mail) is to be given by the requestor and is to state time, place, and purpose of the meeting. The Special meeting shall be limited to the stated subject.

Article X

RECORDS

Section A. The Commission shall forward one (1) copy of approved minutes to the Office of Handicapped Affairs and to the Town Clerk at the Town Hall to become part of the official record.

Article XI

FINANCES

Section A. Development of the annual budget shall be the responsibility of the Commission.

Article XII

ELECTIONS

Section A. Officers:

1. shall be elected annually by ballot at the June meeting.

Article XII, Section A. (continued)

2. may be elected by unanimous acclamation if running unopposed.
3. will serve a one-year term starting July 1st after the election and ending June 30th of the following year.

Article XIII

AMENDMENTS

Section A. These Bylaws shall be amended by a two-thirds (2/3) vote of the Commission members present at any meeting, provided written notice of the proposed change is made to each member at least fourteen (14) days prior to the scheduled vote and with subsequent approval by the Board of Selectmen.

Section B. The Bylaws shall be reviewed yearly for possible changes needed to assure a smooth functioning of the Commission.

Town of Acton
COMMISSION FOR THE HANDICAPPED

Bylaws

February, 1990

Article I

TITLE

Section A. There shall be established an Acton Commission for the Handicapped as provided by Massachusetts General Laws, Chapter 40, S8J, enacted 1983.

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OBJECTIVES AND RESPONSIBILITIES

Section A. It shall be that the Acton Commission for the Handicapped (hereafter throughout this document referred to as the Commission):

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2. Take such action as the Commission considers appropriate to insure the equal status of person(s) with handicap(s) no matter what sex, creed, color, national origin, age, or sexual preference. The Commission shall formulate, recommend, and support such programs as it deems important to assure compliance with Section 504 of the Rehabilitation Act of 1973 and other related legislation.

Article II (continued)

Section B. For the purpose of the Bylaws, a person with a handicap shall be defined as any person who:

1. Has a physical or mental impairment which substantially limits one (1) or more major life activities.
2. Has a record of such impairment or is regarded as having such impairments, as spelled out in Section 504 of the Rehabilitation Act of 1973.

Section C. The powers and duties of the Commission shall include the following, but not limited to:

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2. Design and implement programs that promote equality for all handicapped in town.
3. Review recommendations and policies of all departments, divisions, and agencies of the Town, when requested.
4. Initiate, coordinate and monitor the enactment of legislation which promotes equal status of the handicapped at the Town, State, Federal levels and to insure that appropriate regulations are adopted and enforced pursuant to such legislation, including but not limited to implementation of Section 504 of the Rehabilitation Act of 1973.
5. Assist in the planning and coordination of activities of all department and divisions within the Town upon request.
6. Participate in an advisory capacity in the hearing of complaints brought alleging discrimination against the handicapped, including but not limited to the Office of Affirmative Action.
7. Assist in public awareness of the handicapped through participation in public and media events sponsored by the administrative and/or legislative bodies of the Town, including but not limited to Town sponsored recreational, educational, developmental and legislative activities.

Article II, Section C. (continued)

8. Advertise, prepare, print and distribute books, maps, charts, plans and pamphlets necessary for the Commission's work.
9. Receive gifts of property, both real and personal, in the name of the Town, subject to the approval of the Board of Selectmen. Such gifts to be managed and controlled by the Commission for the purposes of the Commission work.
10. Hold at least a minimum of eight (8) regular meetings throughout the calendar year and to conduct additional meetings as necessary.

Article III

MEMBERSHIP

Section A. The Commission shall consist of seven (7) members. The majority of said Commission members shall consist of handicapped persons. One of such members should be a member of the immediate family of a handicapped person and one member of said Commission shall be either an elected or appointed official of the Town. Members shall represent as many cross-disabilities from the handicapped community as possible and the remaining members shall be concerned parents, friends and other interested citizens. The members shall initially serve the following terms:

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Article III, Section B. (continued)

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6. Members shall serve as members on the Commission without compensation with the understanding that members shall be reimbursed for any expense which shall be reasonably incurred through service as a member of the Commission.

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2. Preside over all meetings.
3. Make sure the Commission members adhere to the agenda.
4. See that the Vice Chairman is left in charge in the Chairman's absence.
5. Be available for consultations at the request of the Commission or locate an assistant from among the other members.
6. Bring all statements proposed by individuals and members to be heard before the entire Commission.
7. Communicate to the entire Commission all communications he/she has sent or received related to his/her position as Chairman of the Commission.
8. Be responsible to insure that all line items on the yearly budget are strictly adhered to.
9. Appoint subcommittees as needed.

Article VI

VICE CHAIRMAN

Section A. The Vice Chairman Shall:

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2. Assist support groups and subcommittees.