

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION

IN RE: ADA TITLE II SELF-
EVALUATION AND TRANSITION PLAN

DelDOT Administration Center
Farmington-Felton Conference Room
800 Bay Road
Dover, Delaware

Monday, August 5, 2013
5:30 p.m.

BEFORE:

JOHN McNEAL
DelDOT
ADA Title II Coordinator

PUBLIC MEETING

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ORIGINAL

1 (Off-the-record presentation by
2 Mr. McNeal.)

3 MR. McNEAL: Anybody have any
4 questions? Well, that's about as easy as it
5 could be made on me.

6 MS. KIEFER: I do. I have a
7 couple questions.

8 My name is Diane Kiefer, and I
9 represent the newly form Mending Pieces, which
10 is a support group for amputees and other
11 disabilities, or other abilities, whichever way
12 you want to look at it.

13 Much to my dismay, when I lost my
14 leg in 2011, we didn't have one in Dover, so I
15 decided we needed one. So we're in the process
16 of getting going. It's been pretty successful.
17 I do have business cards. We meet on the
18 fourth Thursday of every month at 7:00 p.m. at
19 St. Andrew's Lutheran Church currently.

20 I have a couple of questions and
21 just would like some feedback.

22 When I lost my leg, I thought it
23 was kind of strange that nowhere did I get any
24 information of where to look, where I could go



1 for information other than the obvious I knew
2 to go to Motor V for a placard or license
3 plate. And I was wondering if there was some
4 way that could be part of the information that
5 we would share with people because I was in
6 shell-shock. I went in for a little infection
7 and came out without a leg. And I think that
8 kind of information is really important to
9 people. That's why I started the support group
10 because a lot of people are just like they go
11 in the hospital, something happens or they have
12 surgery and they have a stroke or whatever is
13 going on and don't really know where to go or
14 where to look.

15 So I have found that a lot of
16 people just kind of sit there and wither away.
17 I just happen to be a Tigger-bounce person and
18 said I wasn't going to crawl in the closet. So
19 I don't.

20 So I really feel that there's got
21 to be a way to pass information on, and maybe
22 when people do come in and get the placards and
23 the license plates, we could just have a little
24 contact card with it or that, saying, you know,



1 if you have questions about anything, this is
2 where you would call. Because I never knew
3 where to call and neither did my husband, and
4 he's been an amputee for 21 years.

5 And the other thing is I was
6 wondering, does anybody else have problems when
7 you're in a crosswalk going across with your
8 cane, your roll aid or wheelchair, do people
9 speed up on you? Because they do that to me,
10 and I don't know if it's a blonde thing or
11 what's going on.

12 Anyway, thanks.

13 MR. McNEAL: To the second
14 question I'll answer first, and it sure seems
15 that way. For some reason, when I am in a
16 crosswalk and I'm actually out in the street,
17 seems like traffic always gets a little faster
18 which causes me to get a little faster, and I
19 don't know if it's something that happens or if
20 it's something that I'm just aware of because I
21 just want to get out of the way.

22 MS. KIEFER: I'd like to know
23 what they benefit from those extra 10 seconds
24 that they zip by me.



1 MR. McNEAL: Unfortunately we
2 live in a very hurry-up world these days. It's
3 one of the reasons why crosswalks are important
4 because we have a number of locations where
5 people are utilizing the crosswalks because we
6 can have crosswalks available and,
7 unfortunately, somebody not utilize them. Or
8 in the case of some areas -- I know that one of
9 the areas of focus that we will have certainly
10 is in Rehoboth, as we put crosswalks in along
11 Route 1, that's a high-volume pedestrian
12 community. People love to go back and forth
13 shopping at the outlets.

14 So it's important for us to have
15 all Delawareans and our visitors safe. So
16 utilizing them is certainly one thing you think
17 once you're on them people would do as they're
18 required to do and yield to pedestrians, but
19 sometimes it doesn't feel as though that
20 occurs.

21 To your first question, I
22 understand, at least in my experience, more
23 than some know. It's extremely frustrating.
24 To answer it, I can say that I think there are



1 certainly avenues with our website where we can
2 incorporate the names of other agencies. We
3 already have a few. We can certainly add to
4 that.

5 One of the things that I noticed
6 many, many years ago as one who had an injury
7 occur as a young adult was there's no neon sign
8 saying help is here. But every once in a
9 while -- I found a hidden jewel in one of our
10 centers for independent living. We have two
11 centers for independent living in the state. A
12 total of four facilities. Is that correct?

13 Four.

14 Those centers for independent
15 living I give thanks to each and every day.
16 Some in this room might know a person by the
17 name of Jamie Wolf. Jamie worked at the center
18 and gave me the direction that I needed to just
19 get things started.

20 Our community, the State Council
21 For Persons With Disabilities, is an incredible
22 avenue to not just get information. Kyle is
23 the state ADA coordinator. He is always
24 willing to share information and guide people



1 in the right direction. There are a number of
2 advocacy groups and individuals as well who are
3 always willing to give information. But our
4 groups are always looking for new people to be
5 active and involved, too.

6 If you'd like to email me with
7 your information, with your specific group, I
8 happen to know somebody who's a part of that as
9 well, I'll be happy to get you some
10 organizations that you can attach yourself to
11 to not just get the word out but be available
12 to help others, which is what I think we all
13 try to do.

14 MS. KIEFER: That would be great.
15 Thanks.

16 MR. McNEAL: Go ahead.

17 MR. HODGES: Kyle Hodges, State
18 Council For Persons With Disabilities.

19 Just to piggyback on your issue
20 about information, I'll give you my card, you
21 can certainly contact me, but there's now
22 through the Division of Services For Aging
23 Adults With Physical Disabilities, there's an
24 aging and disability resource center, and it's



1 trying to be a one stop for all that
2 information. I know that one stop has been
3 coming up ever since I have been here.
4 Gradually they're becoming more and more able
5 to identify services for people. They also
6 publish a book every couple years now that has
7 a tremendous amount of organizations and
8 services for people with disabilities. So it's
9 another resource that you could use. To get
10 into places maybe like DMV, that's another
11 issue, but it's a good idea.

12 MR. McNEAL: Once again, we will
13 be taking comments, we will be taking questions
14 all the way up through the 19th of August. So
15 if there's something that comes up later,
16 something that you'd like to add for us to
17 consider incorporating, I hope that you will do
18 that.

19 Again, I thank you for your
20 participation tonight. Always feel free to
21 contact me, and I look forward to working with
22 you well into the future.

23 We have got a question.

24 MR. SCHEIR: I am Craig Scheir.



1 I'm just a Dover citizen.

2 I like the plan. I'm wondering
3 if you can comment about the budget at all. Do
4 we have a budget to make the transition in a
5 reasonable amount of time?

6 MR. McNEAL: As I said, we're
7 confident that we can do this over a 10-year
8 period of time. Saying that, we know that we
9 have -- everybody's got budget restraints, but
10 by saying that we can do it over a 10-year
11 period of time says that we believe that we
12 have the budget capacity and the wherewithal to
13 be able to do those things in a 10-year period
14 of time.

15 So our 10-year plan takes that
16 into consideration. Anything more specific
17 than that I'd have to get back to you. Of
18 course, there is a number of ways to look at a
19 prioritization methodology where what areas do
20 you concentrate on first. We have developed
21 that. And we will polish that to ensure that
22 we're doing what we can, not just for what we
23 feel our priorities are, but, as I said
24 earlier, the State has its strategies for



1 policy and spending. So we have to abide by
2 what the State requires, too, for us to move
3 forward.

4 But if I say that we're looking
5 to do it over a 10-year period of time, that
6 means that we expect to have a budget to do so
7 as well.

8 MS. KIEFER: One other question.
9 You mentioned before about the Paratransit and
10 some changes. Can you elaborate on that at
11 all?

12 MR. McNEAL: Yes.

13 MS. KIEFER: Would you elaborate?

14 MR. McNEAL: One of the things
15 that I want to ensure people is I have heard a
16 number of different things. I have received
17 phone calls from people being alarmed about the
18 possibility of going straight down the line
19 with ADA compliance. And the Department is not
20 looking to do that.

21 We have a number of challenges.
22 It's not just on-time performance that's an
23 issue, but fiscally the Paratransit system is a
24 huge challenge to keep up with.



1 Part of improving the Paratransit
2 service is improving the transit service, our
3 fixed-route services. There's a number of
4 things that have got to be taken into
5 consideration, and that's what we need to do to
6 ensure that we meet what we're required to do
7 by the federal government, which there's
8 probably some people in this room who would
9 challenge that the Paratransit service is
10 currently doing that with on-time performance.
11 I know that there's a number of people who are
12 dissatisfied with how late they arrive in
13 certain locations.

14 We need to let the community know
15 what exactly the parameters are that we're
16 required to do so that expectations are also
17 reasonable. But we're not looking at totally
18 deconstructing what we currently have, but we
19 have to make some modifications in a number of
20 different areas with identifying how we meet
21 what we're required to do, our on-time
22 performance with the population and
23 particularly within the area that we're
24 required to. And, quite frankly, we're just



1 not at the moment. There's a number of
2 different things that DTC, the Department is
3 looking at to incorporate those changes. And
4 the community will be involved in that as well.

5 I'll continue to keep anybody
6 updated as we move through this, through these
7 steps.

8 MS. SCHEIR: I'm Cheryle Scheir.
9 That's my husband Craig.

10 He noticed before the meeting
11 started that in one of these appendices it has
12 like a summary of what's in compliance and
13 what's out of compliance, sort of a personal
14 list. And we live here in Dover, as he said,
15 and we're not far from railroad tracks. We
16 hear them in the night sometimes.

17 We noticed that one railroad
18 crossing in Delaware is compliant out of like
19 170. And we know that, when we look around
20 town, we see more pedestrians than we ever have
21 and we see more bike riders than we ever have,
22 and we see more people in wheelchairs than we
23 ever have.

24 So those railroad crossings that



1 we're thinking of, a lot of them are in fairly
2 residential areas. People really use them.
3 Can you comment about that? Is it because road
4 projects so far haven't captured those areas?
5 Or is it some other reason? And then also
6 what's the plan for railroad crossings?

7 MR. McNEAL: That's a good
8 question, and, you're right, we do have -- we
9 have a number -- I live in Camden-Wyoming.
10 We've got a railroad right down the street.
11 And we know that we have -- I think you
12 answered the question in part when you were
13 making suggestions. I think it's one of the
14 areas that there wasn't a whole lot of clarity
15 on what was required.

16 I know that our ADA compliance
17 team identifies them, and we're working to
18 ensure that we are doing what we need to as we
19 identify them. I don't think that there was
20 the level of -- I think when people think about
21 the ADA and they think about overall the
22 community as a whole, unless you live close to
23 a railroad, it's probably not a high
24 consideration. But it's a huge safety



1 factor -- safety issue for those who do live
2 there.

3 It's one of the areas that we are
4 focusing on. I know that our ADA compliance
5 team is well aware of the lack of focus to this
6 point. We're more involved now than I think
7 the Department has ever been when it comes to
8 that, and that's in part thanks to the
9 involvement of our ADA compliance team.

10 Do we need to do more in
11 addressing those things through design,
12 identifying them during project scoping,
13 working with the railroad companies, making
14 sure that they're doing their part to inform us
15 when changes take place? I think that there's
16 all of those things and more that probably
17 still need to be addressed. But we are far
18 more aware of it now, and we know as we're out
19 there, and this is our area of focus, that it's
20 an important area of focus. And we will
21 continue to do what we can as in all areas to
22 ensure that even those not so obvious parts of
23 our pedestrian rights-of-way are getting the
24 attention that they need.



1 Like I said, it's one of those
2 areas that seems like a no-brainer, big train
3 coming down the track across an area where
4 people are navigating across. But I think in
5 he a broader view, just a lot of people don't
6 take into consideration as much as they should
7 because unless you live nearby one.

8 MS. OSIECKI: Linda Osiecki of
9 DelDOT.

10 I like to add to that, you'd have
11 a problem -- a difficulty dealing with the
12 railroads because you have agreements and
13 right-of-way and laws going back to the 1800s.

14 MS. KIEFER: On the tracks.

15 MS. OSIECKI: In some ways
16 they're kind of entrenched, and it's not as
17 easy often to deal with them unless they're
18 willing to make those changes, too.

19 MR. McNEAL: Thank you.

20 Yes, ma'am?

21 MS. HADDICK: I'm Pam Haddick,
22 the town clerk for the Town of Wyoming, and I
23 just wanted to bring up the fact we had a
24 sidewalk project that DelDOT did for us a



1 couple of years ago on Railroad Avenue in
2 Wyoming. And the original plans included
3 crosswalks going across the train tracks, and
4 the railroad company absolutely would not give
5 us the right-of-way to do that.

6 So it's not because the towns
7 don't want it, it's not because we don't think
8 about it or care about it, it's the railroad
9 companies. And it sounds as though, to us at
10 least it did, to me at the time, that they
11 didn't want to take the responsibility for
12 putting in a crosswalk that would be ADA
13 accessible across the railroad tracks because
14 then if an accident occurred, what they had
15 allowed to happen could cause them to get sued.
16 That was how it felt to me. And I mean, you
17 know, they can certainly get sued now the way
18 it is because it's terrible. And we had to cut
19 that part out of the contract because they
20 would not allow it to happen.

21 MR. McNEAL: That's a huge
22 challenge, and, unfortunately, the right thing
23 which seems so obvious most of the time isn't
24 always the easiest thing to do. Even the thing



1 that seems most obvious, the right thing, the
2 thing that you would think would be
3 commonsensical in its own way. But often times
4 those are the type of challenges.

5 That said, I can certainly see,
6 and hearing that particularly, that one of the
7 things that needs to be done is we need to work
8 together to inform the railroads of what our
9 needs are. And I think a collective voice
10 sometimes helps move that along better than one
11 or two scattered.

12 Any others?

13 (No response.)

14 MR. McNEAL: I'm going to say it
15 again. You have until the 19th. Feel free to
16 visit the website, incorporate your comments
17 there. You can also mail me. My mailing
18 address is on the business card. If you didn't
19 have one, we will make sure that you get one.
20 But the easiest way is to pick up the phone and
21 call me. I won't avoid your phone calls. I
22 enjoy your calls.

23 I thank you again very much for
24 your time this evening. I'm hoping you have a



1 good rest of your evening. Hope to hear from
2 you and hope to hear positive things from you
3 in the near future. Thank you.

4 (Meeting adjourned at 6:43 p.m.)

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C E R T I F I C A T E

STATE OF DELAWARE)
)
NEW CASTLE COUNTY)

I, Kimberly A. Hurley, Registered Merit Reporter and Notary Public, do hereby certify that the foregoing record, pages 1 to 19 inclusive, is a true and accurate transcript of my stenographic notes taken on Monday, August 5, 2013, in the above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8th day of August, 2013, at Wilmington.



Kimberly A. Hurley



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