

Town of Weymouth
ADA Compliance and Transition Plan

Final Report

January 2011

Prepared by Independent Living Resources

Table of Contents	Page
Introduction and Purpose	3
Title II Requirements	3-4
Self-Evaluation and Transition Planning Process	4-5
Policy and Program Survey and Review of Previous Studies	6-8
ADA Accessibility Evaluation Park & Recreation Facilities 2005	
Accessibility Study of Abigail Adams Intermediate School 2004	
Accessibility Study of Fire Station #2 2004	
Employment Documents:	
Access Surveys – List of Buildings Surveyed	8
Organization of the Summary of Finding and Recommendations	9
Part 1. Model Policies and Procedures	10-22
Part 2. Draft Transition Plan	23-39
Part 3. Additional Recommendations	40

Introduction and Purpose

This report presents the findings and recommendations of the ADA Compliance Planning Project. The ADA Compliance-Planning Project has been carried out by Independent Living Resources on behalf of the Town of Weymouth over the last quarter of 2010. The recommendations in the report include model policies and procedures for adoption by the Town, and a summary of architectural barriers and barrier removal solutions – both structural and non-structural. All are designed to move the Town towards full compliance with its obligations under Title II of the Americans with Disabilities Act of 1990.

The ADA was signed into law twenty years ago, on July 26, 1990, by President George Herbert Walker Bush, and amended in 2008. Considered by many, the most important extension of civil rights protections since the Civil Rights Act of 1964, the ADA is the cornerstone of the national commitment to end discrimination that limits the participation of persons with any form of physical, sensory, cognitive, developmental and psychiatric disabilities in the mainstream of American life. The US Department of Justice issued Regulations implementing Title II of the ADA --*Non-Discrimination on the Basis of Disability in State and Local Governmental Services* -- on January 26, 1992 at 28 CFR Part 35.

Title II Requirements

Title II requires a systematic compliance planning process similar to, but more detailed than the process mandated by Section 504 of the Rehabilitation Act in 1977 for all recipients of federal financial assistance. The planning process encompasses a *self-evaluation* of policies and operating procedures used in the administration of the Town's public programs and services including public schools, and an access assessment of buildings and facilities. The goal of the process is to identify and correct any conditions that have the effect – whether intentionally or unintentionally – of

excluding or limiting the participation of *otherwise qualified* persons with disabilities in programs, services and activities operated by the Town including the opportunity to seek and hold employment on the Town's work force.

Title II requires that municipalities conduct a *Self-Evaluation* to identify changes and additions to policies and procedures needed to fully comply with the ADA's civil rights protections, and that they adopt and carry out a *Transition Plan* that identifies architectural barriers limiting access to programs and services, and structural or non-structural barrier removal solutions.

Self-Evaluation and Transition Planning Process

In August 2010, the Town issued an RFP and selected Independent Living Resources to conduct the *ADA Title II Self-Evaluation and Compliance and Transition Plan* process. The consultant's approach has been based on the scheme presented in *The ADA Title II Action Guide*, a widely used technical assistance manual funded by the National Institute On Disability and Rehabilitation Research. It is strongly recommended that the Town continue to use *The Title II Action Guide* as a primary reference document and moves forward on implementation of the compliance and transition plans. The *Action Guide* organizes the compliance planning process as *5 Administrative Action Steps* required of all state and local government entities with 50 or more employees.

1. Appoint an ADA Coordinator responsible for overseeing and coordinating all compliance activities.
2. Provide Public Notice of rights and protections under the ADA and how the entity meets its obligations.
3. Adopt and administer a Grievance Procedure for prompt and equitable resolution of complaints and disputes before they escalate into complaints to federal agencies or suits in federal courts.

4. Conduct a self-evaluation *reviewing policies and operating procedures* in four areas:

- Equal Employment Opportunity (ADA Title I)
- Non-Discriminatory Program Operation
- Effective Communication
- Program and Facility Accessibility

5. Develop and carry out a *Transition Plan* identifying structural and non-structural modifications needed to remove architectural and communications barriers in buildings and facilities.

In addition, the following quality standards have guided the consultant's execution of the project within the constraints of a limited budget and tight time frames:

- ◆ To carry out a legally rigorous, and comprehensive review to complete the self-evaluation and produce up-to-date Compliance and Transition Plans in collaboration staff and elected officials of the Town Weymouth.
- ◆ To present balance analysis with the Town's compliance obligations balanced by explanation of legal standards that set limits to those obligations -- *program accessibility, undue burden, undue hardship, and fundamental alteration*.
- ◆ To recommend model policies and procedures for adoption by the Town based on similar ones used in other municipalities.
- ◆ To develop a Transition Plan that identifies and prioritizes structural and non-structural barrier removal solutions with rough estimates of their cost and procedures for long-term implementation of the Plan.
- ◆ To provide information and clarification of questions for Town staff, officials and volunteers regarding the Town's ADA obligations.

Policy & Program Survey and Review of Previous Studies

The project began with the preparation, presentation and distribution of a survey document that included draft model policies and instructions to enable staff to identify and submit similar policies and procedures that are already in place for review by the consultant, and also to identify the programs open to the public operated by each department. Also during the start-up phase, four prior architectural accessibility studies were reviewed and one set of employment documents. These included an outdated 1994 Access Survey of Municipal Buildings and Parking Lots by the Carrell Group, and three more recent architectural accessibility studies, each of which provided useful information on barriers, potential solutions and cost estimates that has been incorporated in the recommendation and priorities of this report.

ADA Accessibility Evaluation Park & Recreation Facilities 2005

Submitted by the firm of Gale Associates on May 9, 2005, the study provides detailed access survey information access regarding conditions at 49 Town parks, playgrounds, recreation and athletic facilities and has been used to complete the current Self-Evaluation and Transition Plan. The study, conducted in conjunction with updating of the Town's Open Space and Recreation Plan in 2004, was intended to fulfill a requirement of the Massachusetts Division of Conservation Services for municipalities applying for grants funds. A ten year schedule was projected for completion of access improvements to address 'ADA deficiencies' at a total estimated cost of \$1,300,000 in 2004 dollars. Four sites with high levels of public use and special event programming - Lovell Playground and Skate Park, George Lane Beach, and Great Esker Park were given the highest priority. This order of priorities needs to be revised based on a program accessibility analysis and with broader community participation in setting priorities.

Accessibility Study of Abigail Adams Intermediate School 2004

A study by the firm of Alderman & MacNeish in 2004 evaluated architectural accessibility of the Abigail Adams School applying the standards of the Massachusetts Architectural Access Board (MAAB) to identify non-compliant conditions. The study recommended extensive barrier removal modifications including redesign of the main entrance, upgrading of the elevator, improved restrooms, reconstruction of recessed doorways, installation of door hardware and other access features. The cost was estimated at \$1.8 million, a level that could most effectively be accomplished in the context of an overall renovation of the building. Since renovations of that scope are not anticipated at this time, a more focused order of priorities is needed targeted to achieving a level of accessibility consistent with the program accessibility standard – within current budget constraints.

Accessibility Study of Fire Station #2 2004

Alderman and MacNeish also conducted an assessment of Fire Station #2 in 2004. And like the Abigail Adams Intermediate School Study, a comprehensive access assessment using state access standards was the basis for recommendations aimed at eliminating all barriers to accessibility of both floors of the fire station – including installation of an elevator. Such extensive renovations exceed the requirements of ADA Title II and it should be noted that access to employee only areas is covered under Title I as an issue of reasonable job accommodation to enable qualified employees as with disabilities to perform essential job functions – unless provision of the accommodation imposes an *undue financial or administrative hardship*.

Employment Documents:

A set of employment related documents were reviewed that included a general equal opportunity employment policies

and a grievance procedure. The documents did not include policies or procedures addressing the important requirements specific to Title I of the ADA such as the obligation to provide reasonable job accommodations to candidates or employees, to avoid impermissible inquiries regarding disability in employment applications and interviews, and to ensure confidentiality of disability related medical information.

Access Surveys: list of buildings surveyed

Access surveys were conducted in the municipal buildings and public schools listed below. Surveys were targeted to evaluate the areas of municipally owned buildings and schools that are open to the public to determine the extent to which they meet the program accessibility requirement that a level of accessibility be provided that enables person with disabilities to participate in the programs, services, and activities offered. Barriers and non-compliant access elements limiting program accessibility were summarized along with potential structural and non-structural solutions.

Municipal Buildings

School Buildings

Town Hall	School Admin
Tufts Library	High School
Senior Center	Abigail Adams
North Library	Chapman
Police Station	Early Childhood
DPW Building	Academy
Fire Headquarters - Station #2	Wassegussett
Fire Station #3	Thomas Hamilton
Family & Youth Center	

The Town's Parks and Recreation facilities were evaluated in 2005 by Gale Associates. They have not been resurveyed during this compliance planning process. The Gale study provides very detailed information on access conditions at 49 sites. It also recommended priorities for access improvements and projected a five to ten year implementation period at a cost of \$1.6 million adjusted for inflation. However, the priorities recommended in the Gale study were derived with insufficient public comment and consideration -- input was from only one member of the Commission on Disability. Those priorities should be reviewed with the full Commission and other stakeholders and revised for inclusion in the Final Project Report.

Summary of Findings and Recommendations

Findings and recommendations are presented in three parts:

Part 1: Model policies and procedures for adoption by the Town covering *general administrative requirements, non-discriminatory program operations, effective communication, equal employment opportunity and program and facility accessibility*.

Part 2 – the draft Transition Plan, summarizes architectural barriers limiting program accessibility with barrier solutions, rough cost estimates and an order of priorities.

Part 3 – additional recommendations related to citizen participation, training and other topics aimed at supporting effective implementation of the Compliance and Transition Plans.

Part 1 – Model Policies and Procedures

1.1 General Administrative Actions

ADA COORDINATOR:

The Town will name a Coordinator responsible for overseeing all ADA related compliance activities, for ensuring that the Self-Evaluation and Transition Plan are developed and implemented, and for receiving and resolving grievances.

It is also the responsibility of the ADA Coordinator to evaluate at least yearly the need for training of town staff, volunteers and officials in policies and procedures re Title II obligations and for ensuring that training be provided as needed.

PUBLIC NOTICE: The Town will adopt and distribute a *Public Notice of ADA Compliance* based on the following model:

AMERICANS WITH DISABILITIES ACT

The Town of Weymouth does not discriminate on the basis of disability and is committed to the full participation of persons with disabilities in all programs, services, and activities and on our work force.

The person named below is responsible for coordinating the Town's compliance with the Americans with Disabilities Act. Inquiries, complaints, requests for communication aids, and other accommodations and assistance should be directed to:

Coordinator (name and title)
Town of Weymouth Town Hall
Weymouth, MA
Phone:

Copies of this notice are available in large print, audiotape, Braille, and on computer disk. The Town's ADA grievance procedure, Self-Evaluation, and policies and procedures are also available on request.

Signed: _____

DISTRIBUTION OF PUBLIC NOTICE:

The *Compliance Notice* will be posted in visible locations in public buildings, and will appear in a short form on the Town's website and other public information materials. It will be made available upon request in alternative formats.

GRIEVANCE PROCEDURE

This grievance procedure is established to meet the requirements of the *Americans with Disabilities Act*. Any person with a disability or authorized representatives who believes that they have been discriminated against on the basis of disability in employment, or the provision of services, activities, programs, or benefits, are encouraged to bring their complaints to the attention of the ADA coordinator named below. A verbal or written complaint should include a description of the alleged discriminatory incident or action, the place and date of its occurrence, and the name of any employee or representative of the Town involved. The complaint should also include the name, address, and phone number of the person bringing the complaint or his/her authorized representative. If assistance is needed to file or pursue the complaint, the ADA Coordinator upon request will provide it. The complaint should be submitted as soon as possible but no later than 60 calendar days after the alleged discriminatory incident to:

ADA Coordinator (Name and Title)
Town of Weymouth
Town Hall
Weymouth, MA
Phone/ Fax:

Within fifteen calendar days of its receipt, the ADA Coordinator will meet with the complainant to clarify the facts of the incident and discuss possible resolutions. Within fifteen calendar days after the meeting, the ADA Coordinator will respond in writing, or if needed for Effective Communication, in an alternate format preferred by the complainant, such as large print, Braille, or audiotape. The response will explain the position of the Town and present options for substantive resolution of the complaint.

If the ADA Coordinator's response does not satisfactorily resolve the issue, the complainant may appeal the Coordinator's decision within fifteen calendar days of its receipt to the Mayor, or his or her designee. Within fifteen calendar days of receipt of the appeal, the Mayor, or his or her designee, will meet with the complainant to further clarify the complaint and discuss possible resolutions. Within fifteen calendar days of the meeting the Mayor, or his or her designee, will respond in writing or alternate format with a final resolution of the complaint.

Records of all complaints received by the ADA Coordinator and appeals to the Mayor will be kept on file for at least three years.

Decisions Regarding Undue Burden, Undue Hardship and Fundamental Alteration:

In any circumstance when, in the opinion of the ADA Coordinator, an accommodation, modification or other action, requested under Title II of the ADA may involve an undue financial or administrative burden or hardship, or a fundamental alteration to a program, service or activity; the Coordinator will refer the request to the Mayor for a final decision and will assist in properly documenting the reason for acceptance or denial of any such request.

1.2. Non-Discriminatory Operation of Programs and Services

EQUAL OPPORTUNITY POLICY

No qualified person with a disability shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any of Town's programs or activities.

In providing its' services, programs, and activities, the Town will not:

1. Deny a qualified individual with a disability the opportunity to participate in, or benefit from, a benefit, service, or activity.
2. Deny a qualified individual with a disability the opportunity to participate in, or benefit from, any aid, benefit, or service that is not equal to that afforded to others.
3. Otherwise limit a qualified individual with a disability the enjoyment of any right, privilege, advantage, or opportunity enjoyed by other qualified individuals receiving the aid, benefit, or **service**.

REASONABLE MODIFICATION POLICY

The Town will make reasonable modifications to policies and procedures necessary to accommodate the needs of a person with a disability whenever an otherwise qualified person with a disability requests such modification, unless it can be demonstrated that the requested modification would impose an undue burden or fundamental alteration to the program.

Requests for reasonable modifications should be made to program staff or the ADA Coordinator and can be presented verbally or in writing. It is the responsibility of the ADA Coordinator to ensure that requests are responded to appropriately and in a timely fashion—generally not more than two working days.

Final decisions regarding requests for reasonable modifications, that in the opinion the ADA Coordinator may represent an undue burden or fundamental alteration, will be made by the Mayor in a timely fashion and no longer than ten working days. Individuals seeking to contest a denial of a request for reasonable modification will be given the grievance procedure in the format appropriate to their needs.

ELIGIBILITY AND SAFETY REQUIREMENTS ASSURANCE

- It is the policy of the Town that prohibitions or limitations to the eligibility of qualified individuals with disabilities to receive services or participate in programs are not allowed unless they are essential to the operation of the program or service. Eligibility requirements have been reviewed by the ADA Coordinator and program managers and updated to comply with the requirements of the Americans with Disabilities Act. Whenever programs formulate new eligibility policies or new programs are developed, policies will be reviewed by the ADA Coordinator to ensure compliance.

Safety requirements have also been reviewed to ensure that they are necessary to the safe operation of programs, and that any decision to limit the participation of a person with a disability related to safety concerns will be reviewed on a case by case basis to ensure that the decision is based on facts, not myths or stereotype, and that all appropriate mitigating measures are taken to provide for maximum participation. Staff will be informed of, and trained in any changes in eligibility and /or safety requirements that may arise.

SURCHARGES PROHIBITION POLICY

It is the policy of the Town that surcharges will not be charged to persons with disabilities, their family members, or organizations representing them for the provision of reasonable accommodations, reasonable modifications to policies and procedures, auxiliary aids and services, or any other costs related to the participation of persons with disabilities.

INTEGRATED SERVICES POLICY

It is the policy of the Town that all services, programs, and activities are provided in the most integrated setting appropriate to the needs of participants with disabilities. Persons with disabilities are not required to participate in separate programs even if separate programs specifically designed to meet their needs are offered:

SIGNIFICANT ASSISTANCE POLICY

It is the policy of the Town that programs that receive significant assistance, either financial or in-kind from the Town, may not discriminate against persons with disabilities. It is the responsibility of the ADA Coordinator to inform organizations receiving assistance of this policy and to respond to any questions regarding its meaning and application. It is also the Coordinators responsibility to investigate any situation in which discrimination towards persons with disabilities may have occurred, and to take appropriate action either to correct the discriminatory situation or to recommend to the Mayor termination of assistance.

ACCESSIBLE TRANSPORTATION POLICY

It is the policy of the Town that transportation services are accessible to and usable by participants in programs regardless of disability. Individuals requiring accessible transportation should make their requests in writing or verbally to the ADA Coordinator. Requests should be made at least three days in advance. Effort will be made to respond to requests made on shorter notice. When a request cannot be met, notice will be given as soon as possible and at least one day before the date of the requested trip.

CONTRACTED SERVICES POLICY

It is the policy of the Town that when services are provide under contracts, the Town will set forth in the terms of the contract the obligations of the provider agency or agencies to operate in a manner consistent with the requirements of Title II of the ADA and, furthermore, that the Town will monitor the performance of the contractor in fulfilling this obligation.

1.3 Effective Communications

EFFECTIVE COMMUNICATIONS POLICY

It is the policy of the Town that auxiliary aids and services will be provided when necessary to ensure effective communication with persons whose disabilities effect communication. Persons with communications disabilities will be given the opportunity to request the aid or service that they prefer and the requested aid or service will by given primary consideration. The preferred means of communication will be provided unless doing so would impose an undue burden or an effective alternative means of communication is available.

Requests for auxiliary aids or services should be made verbally or in writing to program directors or to the ADA Coordinator. Unless otherwise specified, the Town urges that requests be made at least ten days in advance of the occasion on which the communications support will be needed. Reasonable effort will be made to respond on shorter notice.

The person requesting the service will be notified as soon as possible if the Town is unable to meet his/her request. In some circumstances, an appropriate alternative will be offered such as rescheduling. It will be the responsibility of the ADA Coordinator to train staff and oversee

implementation of effective communication procedures. The Mayor will be responsible for making final decisions related to undue burden or fundamental alteration.

ALTERNATIVE FORMAT POLICY AND PROCEDURES

All documents, publications, and materials used in Town programs will be made available to persons with disabilities who need them in alternate formats. Procedures have been established to respond to requests for alternative formats including large print, audiotape, Braille, and computer diskettes in a timely fashion. Three weeks notice is generally required for the preparation of Braille materials. Reasonable efforts will be made to respond on shorter notice.

Large print, short audio tapes, and computer diskettes will be prepared by staff persons who have been identified by the ADA Coordinator and trained in the necessary skills and procedures. Preparation of long audiotapes will be purchased from a professional provider.

1. The person making the request should identify the materials desired and specify his/her preferred alternate format to the program director or the ADA Coordinator either verbally or in writing ten working days in advance of the event or activity for which the material is needed. Reasonable effort will be made to meet requests made less than ten days before an event or activity.
2. The materials will be provided in the requested format at no charge.
3. Primary consideration will be given to the format preferred by the person making the request, and the Town will decide whether to provide the preferred format or an effective alternative format.
4. If a request cannot be met the person making the request will be informed as soon as possible but at least two days in advance of the event or activity.

5. The Mayor will make final decision regarding any request that may represent an undue financial or administrative burden.

WEBSITE ACCESSIBILITY ASSURANCE

The Information Technology Director will ensure that information posted on the Town's website including site navigation, notices, documents, and images are accessible to persons using screen reader technology.

INTERPRETER SERVICES POLICY

It is the policy of the Town that sign language interpreters will be provided upon request to any person needing interpreter services to participate in any meeting, program, or activity of the Town. Requests should be made at least twenty working days in advance of the event or meeting, but reasonable effort will be made to meet requests made on shorter notice. Requests can be made verbally, by TTY, or in writing to a program director or the ADA coordinator.

Within four hours of receipt of the request, the ADA Coordinator or other responsible employee will contact the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH), (telephone # (617) 695-7500) to schedule the interpreter service.

In addition to using the MCDHH, the Town maintains a list of names and phone numbers of at least three qualified freelance sign language interpreters working in the region. If informed that MCDHH has not been successful in scheduling interpreters as requested, staff of Town will immediately attempt to contact and schedule a freelance interpreter.

If an interpreter cannot be obtained, the ADA Coordinator or other member of the staff will offer the option of an alternative effective form of communication or the opportunity to postpone the meeting until such a time as an interpreter can be scheduled.

SOUND AMPLIFICATION & ASSISTIVE LISTENING DEVICE ASSURANCE:

Sound amplification and assistive listening devices will be provided upon request to persons needing the device to participate in programs, services, and activities.

The person needing the device (or his/her representative) can make a request verbally or in writing to the ADA Coordinator or Program Director ten days or as soon as possible before the scheduled event or activity will take place. Advance notice will not be necessary for meetings of the Town Council or other hearings at which amplification and assistive listening devices will routinely be provided.

The ADA Coordinator or other designated member of the staff will arrange for amplification and assistive listening device's use and will provide any necessary training or orientation to program staff. Reasonable effort will be made to meet requests made with less than ten days notice.

CAPTIONING:

It is the policy of the Town to ensure that televisions used in town programs have the capacity to display closed-captioning , that captioned versions of pre-recorded videos or DVDs purchased or rented for use in Town programs will be used if available, that public services announcements broadcast on behalf of the Town will be captioned.

EMERGENCY NOTIFICATION ASSURANCE:

The Town or Department will ensure that provisions are made to provide effective communications to persons with limited vision, hearing or speech in emergency notifications situations.

EFFECTIVE COMMUNICATION TRAINING:

It is the responsibility of the ADA Coordinator to evaluate at least yearly the need for training of town staff, volunteers and officials in effective communication and will arrange for training to be provided as needed.

1.4 Equal Employment Opportunity

EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the Town of Weymouth that no otherwise qualified individual with a disability shall, by reason of his/her disability, be excluded from employment or employment-related benefits. Employment, hiring, and advancement will be based solely on the employee or applicant's ability to perform function that the Town of Weymouth determines to be essential to the position.

REASONABLE ACCOMMODATIONS POLICY

It is the policy of the Town of Weymouth that reasonable accommodation will be made for an otherwise qualified applicant or employee with a disability, unless the Town of Weymouth can demonstrate that the accommodation imposes an undue financial or administrative hardship on the operation of its programs.

Notice of the availability of reasonable accommodations that may be needed by applicants during the pre-employment process will be included in job postings and advertisements and will be made available upon request to applicants with disabilities during interviews and other pre-employment functions as necessary to ensure equal opportunity for the applicant to secure employment with the Town.

During the pre-employment process, the Town will make no written or verbal inquiry regarding the existence, cause, extent or impact of any disabling condition.

Applicants will be informed at the initial pre-employment interview that the Town does not discriminate on the basis of disability and that requests for reasonable accommodations needed for the performance of essential job functions or for the enjoyment of other benefits of employment should be made following receipt of a conditional offer of employment, preferably at a post-offer meeting.

Persons with disabilities employed by the Town of Weymouth are encouraged to request reasonable accommodation at any time when such accommodation becomes necessary to the employee's performance of essential functions of their position or to the enjoyment of any other benefits of employment.

Requests for reasonable accommodations should be present verbally or in writing to the employee's immediate supervisor or to the ADA Coordinator. The request should include a description of the nature and purpose of the accommodation. Assistance will be made available to any employee requiring assistance in identifying an appropriate accommodation or in documenting the reasons why such accommodation is needed.

A decision will be made within ten business days of the submission of a reasonable accommodation request accompanied by any supporting documentation needed by the Town to fairly evaluate the request. The effectiveness of the accommodation and the need for changes or additions to the accommodation will be assessed during first month of the employee's use of the accommodation.

All reasonable accommodation requests and documentation, discussions, decisions and other matters including the results of medical examinations and/drug tests relative to an employee's status as a person with a disability will be kept confidential and documentation will be maintained in secure files.

If assistance is needed in designing a reasonable accommodation, the Town with the approval of the candidate or employee requesting the accommodation will consult the Regional ADA Technical Assistance Center, the Job Accommodations Network administered by the President's Committee on Employment of Persons with Disabilities and other individuals and organizations with expertise in the employment of persons with disabilities.

The Board of Selectmen in consultation with the ADA Coordinator will make the final decision concerning requested accommodations that may represent undue financial or administrative hardships.

Applicants and employees have the right to appeal the denial of any accommodation request using the ADA Grievance Procedure.

1.5. Program and Facility Accessibility

CURB-CUT POLICY:

Residents of the Town and other concerned parties may report to the ADA Coordinator and /or the Department of Public Works non-compliant or deteriorated curb-cuts that they have reason to believe present a barrier or hazard to pedestrians with disabilities. Residents with disabilities, members of their families or other representatives may request expedited installation of curb-cuts on walkways near places of residence when necessary to allow access to walkways near that residence.

The Department of Public Works will maintain a prioritized list of locations where curb-cut installation, maintenance or repair is needed to provide safe and effective access to walkways and in consultation with the ADA Coordinator and Commission on Disability request funding for a line-item in the budget for installation and repair of curb-cuts and hazardous walkway conditions.

Part 2: Draft Transition Plan

Barriers that limit program accessibility are identified for buildings and facility surveyed with barrier removal solutions, a cost estimate and recommended order of priority:

Order of Building Priorities:

A preliminary order of priorities has been assigned to buildings in three categories:

#1 High priority -- extensive structural modifications needed

#2 Moderate priority -- upgrades needed to some access elements

#3 Low priority -- relatively low cost modifications are recommended

Relatively low cost items are often within the scope of work for maintenance staff and can be funded through building maintenance budgets.

Priority1: Abigail Adams School – the school earned the highest priority because it supports multiple functions: public education programs for grades five and six, community and public meetings, cultural activities, and voting. The sloped site presents design challenges addressed in a 2004 accessibility study by Alderman and MacNeish. The study recommended extensive modifications to be included in an anticipated general building renovation. However, interim access solutions are needed to improve accessibility until a comprehensive building renovations provides long term solutions. To meet the program accessibility access routes are needed to connect the building with adjacent athletic fields, parking areas and walkways to Town Hall. Access modifications are also needed at accessible parking spaces – located on a sloped surface – at a rear entrances; a call system and security camera are needed to connect that entrance with the building office; at least one single user accessible restroom must be provided for general public use, an accessible restroom is needed near the Health Suite, and upgrades are needed in the accessible Girl’s and Boy’s restrooms; modification are needed to elevator controls; accessible seating and an access route to the stage are also needed in the auditorium.

Priority 1: Tufts Library – The main branch library offers programs not provided in any other library and is the site of numerous public meetings and a voting place. Access library services housed on the upper

level is limited by lack of accessible parking at the street level and non-accessibility of the elevator that connects the upper and lower levels. There are two accessible parking spaces in the lot at the base of the drive, but the route from the lot to the lower-level entrance is by descending a steeply sloped walkway. The ramp with handrails should be essential to reduce the potential for injuries that is especially serious when the walkway surface is wet or icy. The most serious access deficiency is that the building elevator is not accessible and the shaft is not large enough for upgrade to full accessibility. Until a major building renovation is carried out, an interim solution is to install a call system so that staff can be called upon to provide assistance using the elevator when necessary.

Priority 1: Thomas Hamilton Elementary -- pedestrian walkways are severely deteriorated; there is no ramp on the single step to the main entrance and the accessible side entrance is not secure; there are no fully accessible restrooms for children or adults. Note: the School Department may decide to prioritize other elementary schools rather than, or in addition to Hamilton and Wessagussett.

Priority 2: School Administration -- Accessible parking spaces are on a surface with a steep cross slope, handrails and stair nosing at entry stairs are non-compliant; there is no accessible restroom in the building and, a water fountain protrudes into the path of travel

Priority 2: Chapman Intermediate -- modifications are needed to increase access to the site on pedestrian routes and from upper parking lot to the building; accessible restrooms need upgrades and additional restrooms are needed in proximity to the Health Suite and in both locker rooms; door hardware is generally non-compliant and should be upgraded at doorways to primary spaces used by the public and visitors; handrails are needed on the ramp to the computer lab; and accessible seating is needed in the auditorium.

Priority 2: Early Childhood Center -- minor improvements are needed to restrooms; the restroom in the Health Suite should be converted to the children's standard of accessibility, and a single user restroom should be constructed near the building entry -- to end use of Health Suite restroom by visitors. Partial access to upper levels is by a stair glide wheelchair lift that needs to be regularly maintained and tested. The long term solution would be installation of an elevator as part of a general building renovation.

Priority 2: Wessagusset Elementary -- Accessible parking is more than 200 feet from the building

entrance; no van accessible space is provided; there are no accessible egress routes from classrooms; water fountains protrude into paths of travel; there are no fully accessible children's restrooms, none in the Health Suite and no fully accessible adult standard restroom; the stage in the cafeteria -- not often used -- has no lift or ramp access; handrails on stairs are non-compliant and stair tread nosings are not beveled to prevent tripping. The gym -- used for voting -- has non-compliant door hardware and no direct access route from building exterior.

Priority 2: Town Hall is well maintained and in good condition, but walkway and curb cut surfaces on the exterior of the building have deteriorated; H P parking spaces are not on an unobstructed access route to the building and there is no van accessible space in the parking lot. A number of upgrades are also needed to improve accessibility inside the building. The accessible restrooms on the lower level have non-compliant signage, there is less than 18 inches of latch side clearance at both restroom entrance doors, and toilet flushes are mounted where they are difficult to reach on the wall rather than open side of stalls. Also, at least one table with adequate knee space is needed in the Council Chamber.

Priority 2: Family and Youth Center has been renovated for accessibility but access modifications are needed to improve parking and provide a van accessible parking space; edge protection is needed on the landing at the base of the entrance ramp; the entry door is heavy and modifications are needed to restrooms and handrail on interior stairs. The most important issue is the parking lot. Accessibility is limited by its small size. Turning space is inadequate and exiting the lot is hazardous because of the restricted view of oncoming traffic often moving at a high rate of speed. A solution would be to provide additional parking spaces on the upslope side of the building and an accessible route from the added parking to the base of the ramp.

Priority 2: Senior Center -- the Center is in a single level building and is generally accessible, but modifications are needed in the Men's and Women's restrooms and the single-user accessible restroom near the cafeteria. The push plate for the power door opener in the entrance vestibule is often out of order and doors frames at the Veteran Center and other offices present a barrier for persons with limited balance and strength.

Priority 2: North Library -- the single level building is generally accessible, but accessible parking spaces are needed and an unobstructed walkway to the side entrance on which accessible door hardware should be installed. Minor modifications are also needed in the accessible restroom. Note: the accessibility modifications recommended for the Tufts Library and North Library will bring the town's

program of library services into compliance with the program accessibility standard of the ADA.

Priority 2: School Administration -- Accessible parking spaces are on a surface with a steep cross slope, handrails and stair nosing at entry stairs are non-compliant; there is no accessible restroom in the building and, a water fountain protrudes into the path of travel

Priority 3: Academy Elementary -- the most accessible of the system's elementary schools needs improvements to accessible parking and installation of a cane detectable warning at a protruding stand pipe in a stairwell.

Priority 3: Police Station -- the station is fully accessible except for parking spaces on sloped surfaces and a six-inch step at the prisoner entry. The Department would prefer parking that accessible spaces be provided as part of an expansion of the entire parking lot. The side entry step can be solved with a portable ramp stored on the wall by the doorway.

Priority 3: DPW building needs only a van accessible space, tactile signs at the accessible restroom and the Engineering office and a cane detectable warning at a display counter in the Engineering Office.

Priority 3: Fire Headquarters -- program access solution is to conduct meetings needing access at Station 3 which is fully functionally accessible.

Location	Barriers	Potential Solutions	Cost	Priority
Town Hall				
<u>Exterior</u>	No van accessible space.	<i>Install van accessible space</i>	\$800.00	1
	HP spaces not on an unobstructed access route,	<i>Install curb cuts if access aisles connected to unobstructed route</i>	\$2,500.00	1
	Deteriorated surfaces on walkways and curb cuts on building periphery,	<i>Repair walkways and install compliant curb cuts</i>	\$5,000.00	1
<u>Interior</u>	Inadequate knee space at tables in Council Chambers	<i>Provide table with compliant knee clearance</i>	\$500.00	2
	Water fountains on lower level protrude into path of travel	<i>Install can detectable warning</i>	\$300.00	3
Men's and Women's Restrooms:				
	Signs not on sidewall at entrance,	<i>Relocate signs (2)</i>	\$200.00	3
	Less than 18" latch side clearance on pull side (interior),	<i>Install power door</i>	\$3,500.00	1
	Toilet flush not on open side.	<i>Upgrade all access feature & install power door openers</i>	\$450.00	1
Tufts Library				
<u>Exterior</u>	Parking spaces poorly marked with deteriorated surface,	<i>Repaint spaces, install sign "No Parking in Access Aisle," patch and level surface.</i>	\$2,500.00	1
	Steep slope on walkway to rear entrance	<i>Install ramp with handrails and level landings.</i>	\$40,000.00	1

<u>Interior</u>	Exposed back of stairway at rear entry vestibule with less than 80" headroom),	<i>Install cane detectable warning.</i>	\$500.00	3
	Vestibule doors have non-compliant hardware (thumb depress type),	<i>Install compliant door hardware.</i>	\$400.00	1
	No signage indicating route to elevator,	<i>Install directory with building map in vestibule and signs on access route.</i>	\$500.00	3
	Elevator not accessible (cab & shaft not large enough for access upgrade),	<i>Interim solution: Install signage and call system linked to main desk.</i>	\$3,000.00	1
		<i>Permanent solution: install accessible elevator.</i>	_____	
North Library				
<u>Exterior</u>	HP parking on deteriorated surface and not marked with access aisle.	<i>Install two spaces with shared 8-foot wide access aisle near accessible side entrance.</i>	\$2,500.00	1
	Deteriorated walking surface at side entrance and on route from parking to entrance.	<i>Repair surface to eliminate tripping hazards.</i>	\$2,000.00	1
	Non-compliant knob door hardware at side entrance:	<i>Install lever hardware (a call button is also recommended).</i>	\$800.00	3
<u>Interior</u>				
Accessible Restroom:	TP dispenser: mounted above grab bar.	<i>Reposition TP dispenser below bar.</i>	\$150.00	3
	Toilet flush not on open side – out of reach range.	<i>Install flush on open side.</i>	\$450.00	1
	No insulation on sink pipes.	<i>Insulate pipes</i>	\$100.00	3

Senior Center				
<u>Exterior</u>				
Entrance:	power door control (push plates) in vestibule need frequent repairs.	<i>Replace control.</i>	\$1,500.00	1
<u>Interior</u>				
Corridor:	Water cooler protrudes.	<i>Install cane detectable warning.</i>	\$200.00	3
Corridor entrance to stage:	non-compliant door hardware, handrail one side only.	<i>Install lever hardware, install handrail both sides.</i>	\$1,000.00	1
Vet services:	non-compliant door hardware. Entry door recessed 12".	<i>Install compliant hardware.</i>	\$400.00	3
		<i>Install compliant door and frame.</i>	\$3,000.00	1
Gym/lunchroom:	railing on stairs to stage no horizontal extensions on one side.	<i>Install horizontal extensions on both sides.</i>	\$500.00	3
Single User Restroom (at gym):	Non-compliant sign on sidewall.	<i>Install compliant sign.</i>		3
	Non-compliant grab bars (not horizontal).	<i>Install compliant grab bars.</i>		3
	No insulation on sink pipes	<i>Install insulation on sink pipes.</i>		3
	Hand sanitizer mounted too high.	<i>Reinstall hand sanitizer</i>		3
	Soap dispenser mounted too high.	<i>Reinstall soap dispenser</i>		3
	Towel dispenser is mounted high.	<i>Install towel dispenser</i>		3
	Install baby changing table	<i>Install baby changing table</i>		3
			\$7,500.00	

Youth & Family				
Parking	No van accessible space, lack of maneuver space and hazardous transition to roadway	Install parking on side of building and construct access route connecting to walkway	\$8,000	1
Ramp:	no barrier at level landing at base of ramp to prevent roll off	<i>Install handrail or raised edge</i>	\$400.00	3
Entrance door:	weigh exceeds 18 lbs.	<i>Install new doorframe and entry door with adjustable door weight.</i>	\$8,000.00	1
<u>Interior</u>				
Elevator:	No sign directing to elevator	<i>Install sign showing location of elevator.</i>	\$600.00	3
	Emergency call box non-compliant hardware.	<i>Install usable hardware.</i>	\$150.00	3
Stairs:	non-compliant handrails to second floor.	<i>Install compliant handrails on both sides of stairway.</i>	\$2,000.00	1
Accessible restroom	door swings in to turning space	<i>Install pocket door.</i>	\$4,500.00	
		<i>Interim solution: Install sign indicating location of accessible restrooms on second floor.</i>	\$300.00	3
Exercise Room:	Non-compliant handrails on ramp to exercise room.	<i>Install compliant handrails.</i>	\$1,200.00	3
	No level landing and insufficient space for landing	<i>Interim Solution: Keep entry door open when room is in use & only used with staff supervision</i>		UD
Egress to parking lot:	4"-6" step down,	<i>Install ramp or walkway</i>	\$4,500.00	2

2ndFloor:				
Women's restroom:	Non-compliant latch in stall.	<i>Install compliant latch.</i>	\$150.00	1
	Non-compliant grab bars.	<i>Install compliant grab bars.</i>	\$500.00	1
Men's restroom:	Insufficient maneuver space in stall, corner of stall divider intrudes.	<i>Reinstall divider anchoring to masonry wall.</i>	\$500.00	3
	Soap dispenser not in reach	<i>Install soap dispenser at compliant height</i>	\$100.00	3
	Non-compliant sink hardware.	<i>Install compliant sink hardware</i>	\$150.00	3
Dept. of Public Works				
<u>Exterior</u>				
Parking:	no van accessible space	<i>Install van accessible space.</i>	\$1,200.00	3
Offices:	no tactile signs at Restroom and Engineering Office.	<i>Install signs on entry sidewall.</i>	\$400.00	3
Engineering Office:	protruding counter /display on back wall.	<i>Install cane detectable warning.</i>	\$600.00	3
Fire Headquarters — Station #2				
	The building lacks access features including restrooms.	<i>Hold meetings as needed at stations #1 or #3 – both are accessible.</i>	PA	

SCHOOL DEPT.				
Administration Building				
<u>Exterior</u>	HP spaces on severe cross slope,	<i>Regrade or relocate spaces</i>	\$4,500.00	1
	Entrance stairs w non compliant handrails and 1"lip on tread	<i>Install compliant handrails on exterior and interior entry stairs</i>	\$2,500.00	1
<u>Interior</u>	Restrooms have no access elements.	<i>Upgrade restrooms with all access features</i>	\$20,000	1
	Water fountain protrudes into [path of travel]	<i>Install cane detectable warning</i>	\$300	
High School				
Old Building				
Entrance	Entrance stairs steep with non-compliant handrails on interior	<i>Install compliant handrails and apply non-slip treatment to stair treads</i>	\$6,000	
Auditorium	Inadequate accessible seating and companion seating and no aisle seating with moveable arm rests	<i>Install wheelchair accessible seating with companion seating distributed in auditorium, and aisle seating with movable arm rests</i>	\$7,500	1
	Entry to wheelchair-lift not level and no clearance on latch-side.	<i>Provide staff assistance</i>	-----	
		<i>Install compliant handrails</i>	\$1,800	

Restrooms	Additional restroom upgrades needed single user and multi-user restrooms near auditorium and in locker rooms	<i>Upgrade restrooms</i>	\$20,000	
Girl's Locker Room	no accessible changing space	<i>Provide accessible changing area as needed</i>	\$1,000	
Abigail Adams (grades 5-6)				
<u>Exterior</u>	No accessible pedestrian routes	<i>Upgrade and widen walkway connecting Auditorium entrance to Town Hall</i>	\$50,000	
Auditorium entrance	No access provided at entrance.	<i>Install call system, security camera and remote latches</i>	\$7,500 \$20,000	
	No accessible parking or drop off.	<i>Reserve accessible parking spaces on roadway with curb cuts to walkway</i>		
Rear entrance	No call system, security camera or remote latch	<i>Install call system, security camera and remote latch</i>		
	No route to adjacent athletic fields	<i>Construct ramp and install handrails on stairs</i>	\$30,000	
	HP spaces at rear entrance on sloped surface	<i>Regrade or relocate spaces providing a van accessible space</i>	\$4,500.00	
	No signage re access routes or location of accessible entrances	<i>Remove signs with access symbol near non-accessible main entrance;</i>	\$400	

		<i>install signs stating location of accessible entrances at rear and auditorium.</i>	\$2,400	
<u>Interior</u>				
Auditorium:	Non-compliant seating,	<i>Install wheelchair and companion seating and aisle seating with movable armrests</i>	\$7,500.00	
	Non-compliant handrails on stairs to stage	<i>Install compliant handrails</i>	\$2,400	
	No assistive listening system	<i>Install wiring if needed to support assistive listening system</i>	\$3,000	
Elevator:	non-compliant controls and call buttons.	<i>Install usable controls</i>	\$25,000	
General Conditions:	Non-compliant door hardware and 12" recessed doorways.	<i>Install compliant door hardware at rooms used for public meetings</i>	\$6,000.00	
Restrooms:	No accessible single user restroom	<i>Install one single user restroom on each floor</i>	\$60,000	
	No signs indicating location of accessible restrooms	<i>Install signs at non-accessible restrooms indicating location of accessible restrooms.</i>	\$1,200.00	
	Privacy wall narrows maneuver space at entry to accessible restrooms	<i>Reconstruct privacy wall in accessible Girl's and Boy's restrooms</i>	\$6,000.00	
	Toilet stalls in accessible restrooms have non-compliant grab bars and latches	<i>Upgrade latches and grab bars in accessible stalls</i>	\$3,000.00	
	Restrooms in health suite are not accessible (insufficient space for	<i>Construct single user accessible restroom as</i>	\$30,000	

	upgrade.)	<i>close to health suite as possible</i>		
Chapman (Grades 7-8)				
<u>Exterior</u>	No curb cuts on sidewalks at entrance to school grounds:	<i>Install curb cuts</i>	\$5,000.00	
	HP parking spaces in the upper level lot not on access route	<i>Install curb cuts</i>	\$2,500.00	
<u>Interior</u>				
General Building Conditions:	Non-compliant door hardware throughout building	<i>Install hardware on doors used by public and visitors</i>	\$5,000.00	
	Sensors on double leaf corridor doors out of service	<i>Replace sensors</i>	-?-	
	Protruding water fountain at cafeteria lobby	<i>Install cane detectable warning</i>	\$300.00	
	No handrails on ramp to computer lab	<i>Install handrails</i>	\$1,000.00	
	Auditorium non-compliant seating	<i>Install wheelchair accessible seating / companion seating and seats with movable arm rests</i>	\$7,500.00	
	Non-compliant handrails on stairs to stage	<i>Install handrails</i>	\$1,200.00	
Restrooms:	No accessible restroom in Girl's locker room	<i>Upgrade restroom for accessibility</i>	\$8,000.00	
	No accessible restroom in Boy's locker room	<i>Upgrade restroom for accessibility</i>	\$8,000.00	
	Noncompliant restrooms at health suite (too small for upgrade)	<i>Install accessible restroom as close to suite as possible</i>	\$30,000	

Early Childhood Center				
	Limited access to upper levels by stair lift	<i>Interim solution -- evaluate needs of students or parents with limited mobility and relocate programs as needed to accessible areas.</i>	-----	
		<i>Long term -- install elevator when and if building is renovated</i>		
	Health Suite restroom features not to children's standard	<i>Upgrade restroom to comply with children's access standard</i>	\$2,500.00	
	No single user restroom on entry level	<i>Install single user restroom</i>	\$30,000	
	Other restrooms need minor upgrades	<i>Upgrade as part of general building maintenance</i>	\$2,000.00	
Academy School				
<u>Exterior</u>	One accessible space in main parking not on access route,			
	Two additional spaces on upper level with no route to main entrance			
	Van accessible' space parallel to curb with access aisle on roadway, exposed to traffic			
		<i>Provide four accessible parking spaces—at least one van accessible—within</i>	\$10,000	

		<i>200 feet of entrance.</i>		
<u>Interior</u>	Protruding stand pipe in stairwell	<i>Install cane detectable warning</i>	\$1,000.00	
	No handrails on stairs to stage	<i>Install handrails on stairs</i>	\$2,400.00	
Wessegussett School				
	No access egress from classroom	<i>Construct walkways or ramps to platforms on exterior of classrooms</i>	\$25,000.00	
	Protruding water fountains	<i>Install cane detectable warnings</i>	\$2,000.00	
	No accessible restroom	<i>Install one accessible single user restroom</i>	\$30,000.00	
Health Suite:	non-accessible restroom	<i>Upgrade to children's access standard</i>	\$5,000.00	
Stage:	No access (lift) to stage	<i>Install lift</i>	\$25,000.00	
	Non-compliant handrails on stairs to stage	<i>Install compliant handrail</i>	\$2,400.00	
	Non-compliant nosing on steps	<i>Bevel underside of nosing</i>	\$2,500.00	
Gym: (used for voting),	Non-compliant door hardware	<i>Install hardware</i>	\$800.00	
	No access route (exterior step)	<i>Install walkway or ramp</i>	\$4,500.00	

Thomas Hamilton				
<u>Exterior</u>	Severely deteriorated surfaces on walkway and roadways	<i>Repair walkway and roadway</i>	\$40,000	
	No van accessible parking space	<i>Provide van accessible space/ patch surface</i>	\$1,600.00	
	No access route to play area	<i>Install curb cuts and improve walkway</i>	\$10,000	
	No ramp at step to building entrance	<i>Install walkway or ramp</i>	\$7,500.00	
<u>Interior</u>	No accessible adult standard restroom	<i>Install an adult standard restroom for visitors</i>	\$30,000	
	No accessible children's standard restroom	<i>Install a children's standard accessible restroom near the Health Suite</i>	\$30,000	
		<i>Install lift, install handrails</i>	\$20,000	

Note: these preliminary estimates should be reviewed and further refined by Town staff to derive budget requests consistent with local market conditions. The addition of 15% overhead and profit and 15% is recommended for items to be performed by contractors.

Parks and Recreation Facilities:

It is recommended that the 2004 ADA Accessibility Evaluation of Park & Recreation Facilities submit by Gale Associates be used to guide decision making regarding parks, recreation and athletic facilities. However, the order of priorities should now be reviewed with the Disability Commission and other stakeholders. At least one site – the athletic fields at the Abigail Adams School should be elevated to the highest priority since their use is integral to school programs.

Curb Cuts:

Curb cuts are among the most difficult access features to design and maintain. The lack of level planes on which to construct ramps or cuts, drainage issues, and the effects of pedestrian traffic and weather all present problems. Curb cuts were surveyed on walkways in or adjacent to public buildings and facilities and at a number of major intersections. Recent curb cut installations, identifiable by inclusion of truncated domes as a tactile warning for visually impaired persons, are fully compliant. Some older cuts were poorly designed or have deteriorated over time and need repair or reconstruction.

In addition to strengthening general design and maintenance standards, it is recommended that the Town adopt a policy under which residents can request installation of curb cuts in residential area when necessary for their own safety and independence or members of their households

Part 3. Additional Recommendations

Title II requires that public entities provide persons with disabilities and other interested parties opportunity to participate in the Self-Evaluation process. A public hearing was conducted on January 25th to solicit comments on the Self-Evaluation findings and recommendations and to explain proposed actions and recommendations in the compliance and transition plans.

An effective citizen participation process is essential to establishing appropriate priorities and ensuring that expenditures and administrative actions are targeted at the real concerns of the town's residents with disabilities.

As the Mayor and Council assume ongoing responsibility for the Compliance and Transition Plans the following procedural recommendations will promote effective implementation.

- The Mayor and Council should ensure that adequate training is provided to Town employees, volunteers and officials to enable them to master essential information and skills regarding the requirements of Title II of the ADA and the policies, procedures and barrier removal solutions adopted by the Town.
- The ADA Coordinator should be charged with monitoring the implementation of the plan—including the barrier removal projects identified in the Transition Plan—and report to the Town on progress and any problems requiring attention.
- The Commission on Disability should play a strong and active role, meeting regularly with the ADA Coordinator and at least twice yearly with the Mayor and Council to monitor progress on implementation , and should provide input to budgetary hearings and decision making.
- The Compliance and Transition Plans should be reviewed and updated at least yearly in conjunction with a public hearing to address problems that arise and any needed reordering of priorities.
- This plan should be held in a three ring binder with updates added recording progress reports, priorities and budget allocations made each year, accomplishments and problems to be resolved.

