

**CDTC ADA Working Group – Meeting #4  
May 5, 2016 at 9:30 AM  
CDTC Offices  
Meeting Agenda**

- 1. Introductions**
- 2. Review/acceptance of Meeting 3 Notes**
- 3. Upcoming ADA Training discussion**
- 4. CDTC Unified Planning Work Program (UPWP): ADA Working Group Tasks**
- 5. ADA Compliance Requirements for accessibility of pedestrian facilities in the public right of way:**

**A) Pedestrian Facility Design Requirements – NYSDOT Resources:**

Webinar Series: Preliminary and Final Design of Pedestrian Facilities and ADA

[https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Prelim\\_Design\\_Ped\\_Facilities\\_Feb\\_2016.pdf](https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Prelim_Design_Ped_Facilities_Feb_2016.pdf)

[https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Final\\_Design\\_Ped\\_Facilities\\_Apr\\_2016.pdf](https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Final_Design_Ped_Facilities_Apr_2016.pdf)

See also: <https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/chapter-18>  
under Resource Links

- 6. NYSDOT ADA Transition Plan update: Region 1 and Statewide**
- 7. Town of Bethlehem ADA Transition Plan and Inventory update**
- 8. CDTC intern project: pedestrian facility presence/absence inventory update**
- 9. Around the Table:**
  - Other Local government pedestrian facility inventories and/or ADA Transition Plans
  - Issues encountered/questions
- 10. Next Steps and Next Meeting**

CDTC ADA Working Group – Meeting #4  
**Notes May 5, 2016 Meeting**

**1. Attendees:** Valerie Deane, NYSDOT Region I; Pete Rea, NYSDOT Region I; Kara Hogan, FHWA; Christopher Wallin, City of Schenectady; Stephen Caruso, City of Schenectady; Peter Knutson, City of Schenectady; Aaron Spies, CDTC; Sam Wells, CDTA; Maryellen Casey Usis, CDTA-Retired; Melissa Cherubino, City of Cohoes; Brad Birge, City of Saratoga Springs; Ken Kovalchik, Town of Bethlehem; Anne Benware, CDTC; Carrie Ward, CDTC. Aaron Spies, CDTC.

**2. Review/acceptance of Meeting 3 Notes.** Anne quickly reviewed and group had no changes.

**3. Upcoming ADA Training discussion** – Kara Hogan reported that FHWA/NYSOT are conducting ADA Trainings around the state for local municipalities and organized through the MPOs. The one day training for the Capital District is slated for late August/September; more information to follow. It will focus on ADA Transition plans but a training session on NYSDOT's inventory methodology will be sought. Kara offered to reach out to Angel Canales on this and also suggested Nate Harp, a GIS person from NYSDOT, should be asked to assist. It was noted that NYSDOT has been providing more detail on requirements for "before/after" locally sponsored federal aid project related curb ramp and sidewalk improvements. Chris Wallin mentioned he attended a NYSDOT training on this and as a result the City bought a digital level as there are new sidewalk/curb ramp specifications and documentation requirements, including before/after photos, that require accurate slope measurements. Local CHIPS funded projects may soon be subject to these requirements as well. There was a brief discussion regarding the needs within urban areas where sidewalks currently exist and that current funding programs for pavement only are providing diminishing returns due to the need to upgrade pedestrian facilities in urban area repaving projects. Kara reiterated that regardless of your municipality type (city, village, town or county) ADA must be met.

It was noted that contractors and consultants need to be up to speed regarding pedestrian facility design specifications for ADA compliance. NYSDOT has posted webinar slides on preliminary and final design – see: Webinar Series: Preliminary and Final Design of Pedestrian Facilities and ADA

[https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Prelim\\_Design\\_Ped\\_Facilities\\_Feb\\_2016.pdf](https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Prelim_Design_Ped_Facilities_Feb_2016.pdf)

[https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Final\\_Design\\_Ped\\_Facilities\\_Apr\\_2016.pdf](https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/Final_Design_Ped_Facilities_Apr_2016.pdf)

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under Resource Links.

The subject of liability and the need for municipal legal staff to understand ADA transition plan and pedestrian facility inventory requirements was discussed. The potential to include this topic in upcoming training and to invite and incentivize participation of municipal corporation counsels was raised and will be pursued. Kara will explore with FHWA headquarters. Pete Knudson noted that the outcome of the current legal action against NYC regarding ADA compliance may have an impact on how other municipalities in the state view the need for action. Brad Birge suggested that inviting municipal attorneys/risk and safety staff to training would be helpful to engineering and planning staffs. Melissa Cherubino recommended it may also be worthwhile to hear insurance carriers perspectives. Kara noted

that it should be understood that more and more ADA related complaints are being submitted and investigated by FHWA civil rights staff.

Anne mentioned that a representative from the firm Accessology had contacted CDTC and is looking to come to the region to provide a one day free workshop. Anne will follow up and provide more information to the group at a later date.

**Various questions regarding ADA Transition Plans** were asked and Kara provided the following answers:

**Q:** How often does the pedestrian facility inventory need to be updated?

**A:** FHWA is flexible on this topic. For example, NYSDOT's first plan was completed in 2009 and an update was just finished.

**Q:** How detailed is the inventory required to be? Are measurements with "smart" (digital) levels for slopes required?

**A:** FHWA suggests keeping it simple and recommends use of NYSDOT's planning level data inventory using the 1 through 5 rating system.

**Q:** Some municipalities have older plans adopted in the early 1990's that dealt primarily with buildings. Can pedestrian facilities be added to these older plans through amendment or should a separate plan be developed?

**A:** It's up to the municipality, but an existing ADA Transition Plan can be amended and updated to cover pedestrian facilities in the public right of way.

**Q:** Can an ADA Transition Plan include narrative only without the completed inventory, budget and schedule of improvements?

**A:** Yes but the schedule for undertaking and completing the inventory as well as the process that will be used to include stakeholders and set priorities for improvements should be described.

**Q:** Are there boilerplate materials for ADA Transition Plans, the ADA Coordinator, Grievance/Complaint Procedure and inventory methodology available?

**A:** Yes. Chapter 13 of the NYSDOT Procedures for Locally Administered Federal Aid Projects (PLAFAP) Manual and its Appendices provide templates and checklists.

See: <https://www.dot.ny.gov/portal/page/portal/plafap/view-document?id=1423>

**Q:** Which staff person at the municipal level should be appointed as the ADA Coordinator?

**A:** That depends on the municipality, but it can be the Engineer or Attorney, or someone else. It was suggested that a municipal working group/task force be organized to ensure all relevant municipal departments are involved in developing, supporting and carrying out the plan.

**4. CDTC Unified Planning Work Program (UPWP):** ADA Working Group Tasks. Anne quickly reviewed the tasks which are: organize this working group, schedule meetings, provide research, explore best practices – as related to pedestrian rights of way in Transition Plans; reach out to FHWA and NYSDOT ADA experts – Working Group meetings, trainings, and other tasks; tally ADA Transition Plans in the region; inventory sidewalk presence and absence around the region and explore the feasibility and cost of developing a consultant conducted detailed ADA compliance inventory data collection effort. The annual budget for this task is set at \$60,000.

**5. NYSDOT ADA Transition Plan update: Region 1 and Statewide:** Pete Rea and Valerie Deane distributed and described the contents of the Region 1 ADA Transition Plan completed in 2015. The Region 1 plan includes a schedule for improvements by county and state route number as well as an estimated budget. NYSDOT tries to cluster projects to get more projects done for less cost due to contractors cost for mobilization. Valerie pointed out that while the google streetview/visidata method was a good first inventory tool there were gaps and some data quality issues. Consequently, Region 1 is developing their own inventory which will rely on more field collected data. Pete noted that NYSDOT is

developing tracking methodology to ensure that construction inspections include data collection regarding ADA compliance improvements to keep the inventory up to date.

**6. Town of Bethlehem ADA Transition Plan and Inventory update:** Ken Kovalchik reviewed the Town's previous sidewalk inventory work and the upcoming ADA inventory slated for this summer. Town departments have been working together to develop a cost and schedule proposal that will be presented to the Town Board this summer. The Town uses a 10 year paving schedule such that all town roads are repaved within that timeframe. Staff is looking at how this schedule and paving budget can be modified to include pedestrian facility improvements/ADA compliance upgrades. Town Highway Department staff uses iPads and a collections app to snap photos and collect other information on ADA issues they see when they are out in the field on other projects. Photos/data are uploaded to the Town's GIS system using this app.

**7. CDTC intern project: pedestrian facility presence/absence inventory update:** Carrie Ward provided the status of the project and showed a map illustrating locations where CDTC has collected and input data, either from municipal contacts or by CDTC's interns. A table was distributed showing CDTC's GIS Sidewalk Data Inventory Status in terms of which municipalities have had data collected or obtained, the data source, the collection method and whether data is incomplete, needs review or complete.

**8. Next Steps and Next Meeting:** CDTC staff will organize the next meeting, with FHWA's help, to go through NYSDOT's templates and other tools provided in Chapter 13 of the PLAFAP manual as noted above. In addition, the August/September training format and specific information to be presented will be developed by FHWA in coordination with NYSDOT staff and will complement the meeting to review Chapter 13. CDTC staff will also upload ADA Working Group information to the CDTC website.









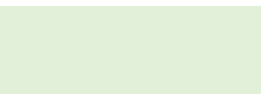
**Town of Bethlehem**  
**Sidewalk Inventory Assessment**  
**ADA Transition Plan – Right-of-Way Component**

## Background/History

- **1992** – Town adopts ADA Transition Plan – addresses ADA accessibility for Town owned buildings, limited discussion on accessibility within rights-of-way (sidewalk/curb ramp).
- **2008** – completed informal sidewalk assessment (only assessed whether sidewalk exists).
- **2014** – First comprehensive sidewalk assessment completed, curb ramps not assessed.
- **2015/2016** – Develop curb ramp evaluation criteria, begin analysis of different program goals and the resulting costs of meeting those goals.
- **2015** – Town Board increases 2016 sidewalk maintenance budget from \$25,000 to \$30,000 (only includes cost of concrete, Town Highway labor not included in budget amount).
- **2016** – Town Highway Department, Department of Public Works, GIS and Planning Department completing cost analysis and maintenance options.

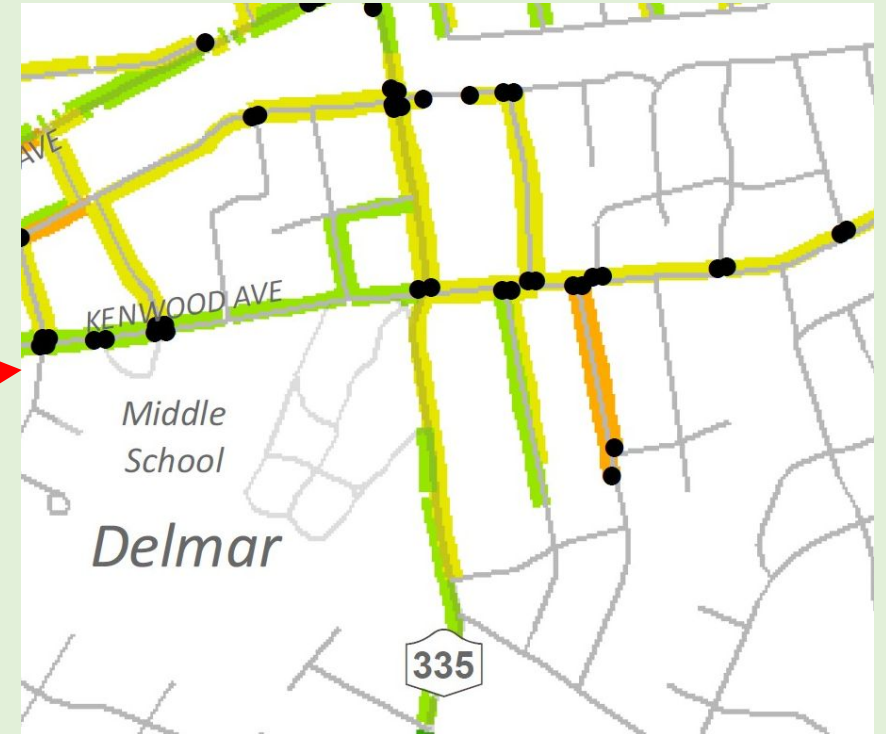
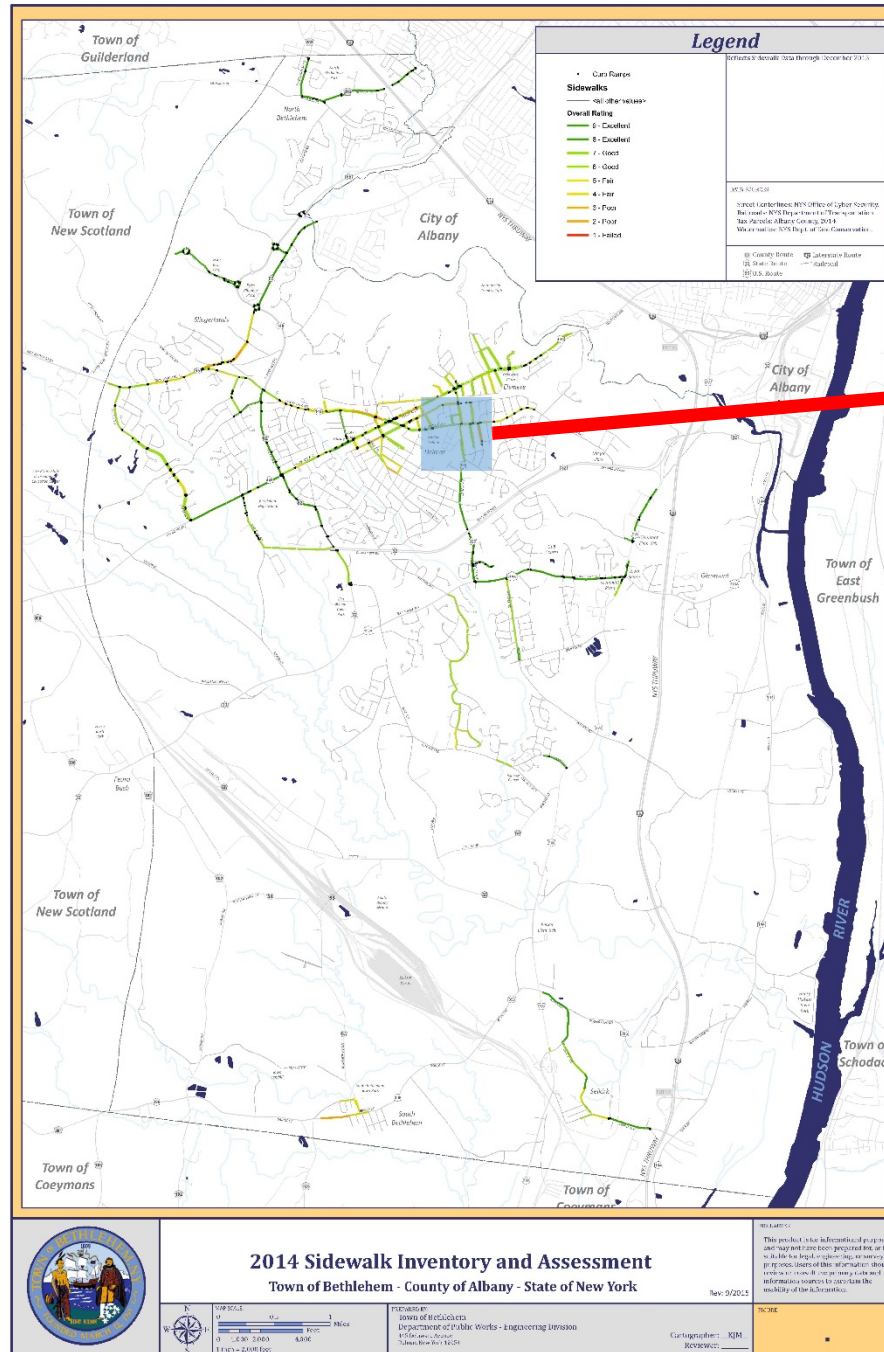
## Sidewalk Assessment - Criteria

1. PASER – Pavement Surface Evaluation and Rating System
2. PASER used by the Town Highway Department for roadway pavement assessment, completed every two years.
3. Developed a similar rating system for sidewalk assessment, completed every two years.
4. Town Highway Department staff complete sidewalk/curb ramp assessments.

Surface rating	Visible distress	Examples
<b>9</b> <b>Excellent</b>	Pavement is new. Does not require maintenance	
<b>8</b> <b>Excellent</b>	Less than 1/8" vertical edge; little or no depressed or raised areas, for cement concrete cracked squares (no more than 2 pieces), no spalling of concrete surface or raveling of bituminous surface, no horizontal separation, or debris/vegetation	
<b>7</b> <b>Good</b>	Same as 6, but in slightly better condition. Needs routine maintenance – spot patch repairs/crack filling.	
<b>6</b> <b>Good</b>	Vertical edge between 1/8" and 1/4"; 0-1" raised/depressed; no more 3 cracked squares of cement concrete; less than 25% spalled concrete surface or bituminous surface, less than an inch of horizontal separation; less than 25% covered by debris/vegetation	
<b>5</b> <b>Fair</b>	Same as 4, but in slightly better condition. Needs preservative fractural sealcoat/joint grinding.	
<b>4</b> <b>Fair</b>	Vertical edge between 1/4" and 1/2" 1-2" raised/depressed; no more than 4 cracked squares of cement concrete; 25-50% spalled concrete surface or raveled bituminous surface; less 1-1 1/2" of horizontal separation; 25-50% covered by debris/vegetation	
<b>3</b> <b>Poor</b>	Same as 2, but in slightly better condition. Needs milling and/or structural overlay/patching or replacement of sections full width	
<b>2</b> <b>Poor</b>	Significant aging. Vertical edge between 1/2" and 3/4"; 2-3" raised/depressed; no more than 5 cracked squares of cement concrete; 50-75% spalled concrete surface or bituminous surface; less 1 1/2-2" of horizontal separation; 50-75% covered by debris/vegetation	
<b>1</b> <b>Failed</b>	Vertical edge between 3/4" and 1"; greater than 3" raised/depressed; more than 5 cracked squares of cement concrete; more than 75% spalled concrete surface or bituminous surface; more than 2" of horizontal separation; more than 75% covered by debris/vegetation	



# 2014 Sidewalk Assessment



- Curb Ramps
- Sidewalks
  - <all other values>
- Overall Rating
  - 9 - Excellent
  - 8 - Excellent
  - 7 - Good
  - 6 - Good
  - 5 - Fair
  - 4 - Fair
  - 3 - Poor
  - 2 - Poor
  - 1 - Failed



## Sidewalk Assessment – Material Summary

*Table 1 - Sidewalk Material Summary*

Material	Total Length (ft)	Total Length (mi)	Total Length (%)
Asphalt	142,342	26.96	48.9%
Asphalt Over Concrete*	937	0.18	0.3%
Concrete	141,982	26.89	48.9%
Mixed	3,290	0.62	1.1%
(blank)*	2,577	0.49	0.8%
Grand Total	291,129	55.14	100%

\*(blank) to be rated with next inventory

- Summarizes the total length of sidewalk by material type.
- Even mix of concrete and asphalt sidewalk throughout the Town

## Sidewalk Assessment – Rating Summary

*Table 2 - Sidewalk Rating Summary*

Rating	Total Length (ft)	Total Length (mi)	Total Length (mi)	Total Length (%)
2 - Poor	5,373	1.02	2.79	5.1%
3 - Poor	9,287	1.76		
4 - Fair	27,364	5.18	14.22	25.8%
5 - Fair	47,741	9.04		
6 - Good	68,736	13.02	21.29	38.6%
7 - Good	43,642	8.27		
8 - Excellent	48,657	9.22	16.01	29.0%
9 - Excellent	35,877	6.79		
(blank)*	4,451	0.84	.84	1.5%
Grand Total	291,129	55.14	55.14	100%

\*(blank) to be rated with next inventory.

- Summarizes the overall condition rating of sidewalk segments.
- New sidewalks receive a default rating of “9 – Excellent”
- Majority of sidewalks classified as good or excellent.
- Block to block ratings – does not determine segment as a whole.
- Rating does not include curb ramps, will be determined under separate inventory.

## Sidewalk Assessment – Rating Criteria





## Sidewalk Assessment – Rating Criteria



## **Condition Based Scenarios**

- C-1 – Fix only poor rated sidewalks, rated 2 – 3 = 2.79 miles (current Town practice)
- C-2 – Fix poor and fair rated sidewalks = 17.01 miles
- C-3 – Bring all asphalt and concrete sidewalks less than 5' wide, and in poor/fair condition = 27.1 miles

## **ADA Based Scenarios**

- ADA 1 – Replace all 3' wide sidewalks with 5' wide sidewalks, regardless of condition = 0.42 miles
- ADA 2 – Replace all 3' wide and 4' wide sidewalks with 5' wide sidewalks, regardless of condition = 21.3 miles
- ADA 3 – Replace all 3' wide sidewalks, rated 2-5 = 15.57 miles



## **Next Steps**

- 2016 sidewalk and curb ramp inventory – Spring/Summer 2016
- Finalize per mile cost analysis for sidewalks – Town personnel vs subcontractor
- Finalize curb ramp cost analysis – Town personnel vs subcontractor
- Presentation to Town Board in June
- Adoption of sidewalk/curb ramp element to Town's 1992 Transition Plan – Summer/Fall 2016

# Questions

State \_\_\_\_\_

<b>State DOT Transition Plan Attributes Review Guide:</b> All Elements posted conspicuously on website, for internal and external use	
Transition Plan Attribute	Review Comments
<b>Official responsible</b> for implementation of the TP, i.e., Executive Director, Secretary, Commissioner, Chief Engineer, etc. 28 CFR 35.150(d)(3)(iv)	
<b>Inventory of barriers</b> (identification of physical obstacles) 28 CFR 35.150(d)(3)(i); 28 CFR 35.105 (a) – State demonstrates good faith by identifying intersection information, including curb ramps and other associated accessibility elements, as a starting point and showing movement and commitment toward developing a full inventory.  Require an Action Plan to develop an inventory of sidewalks (slopes, obstructions, protruding objects, changes in levels, etc.), signals (APS), bus stops (bus pads), buildings, parking, rest areas (tourist areas, picnic areas, visitor centers, etc.), mixed use trails, linkages to transit.  Best practice - have discussion of jurisdictional issues/responsibilities for sidewalks	
<b>Schedule</b> – Show a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short term (planned capital improvement projects) and a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA. 28 CFR 35.150(d)(2) This would also include prioritization information, planning, and investments directed at eliminating other identified barriers over time. 28 CFR 35.150(d)(3)  Best practice - dedicate resources to eliminate identified ADA deficiencies	
Describe in detail the <b>Methods</b> that will be used to make the facilities accessible. 28 CFR 35.150(d)(3)(ii)  Best practice – include the Standard that the STA is following (i.e., 2010 ADAAG, 2011 PROWAG)	
Other ADA Requirements	Review Comments
<b>Public Involvement</b> – Description of process to allow public to readily access and submit comments for both self-evaluation and transition plan. 28 CFR 35.150(d)(1); 28 CFR 35.105(b)  Best practices: a) detailed list of individuals consulted posted conspicuously on website, does not have to be in actual TP, but must be documented and available; b) have both electronic and hard copy notice. 28 CFR 35.105(c)	
<b>ADA policy statement</b> is a requirement of State Agencies, but does not have to be in the TP per se, but it is a good practice and needs to be easily accessible by the public. 28 CFR 35.106  Best practice - post conspicuously on website, for internal and external use	
Clear identification of the <b>ADA Coordinator</b> (dedicated trained staff) with contact information (i.e., name, office address, telephone number, email address, fax number) 28 CFR 35.107(a)	
Clear <b>Complaint/Grievance Process</b> to receive and address complaints/grievances from the public (is a requirement of State Agencies, but does not have to be in the TP per se, but it is a good practice and needs to be easily accessible by the public). 28 CFR 35.107(b)	
<b>REVIEWER</b> _____ <b>DATE</b> _____	