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**[MUNICIPALITY]**

# ADA Transition Plan

**[DATE OF ADOPTION]**





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# Executive Summary

The Americans with Disabilities Act was passed in 1990 as a step towards eliminating discrimination against individuals with disabilities. ADA Title II requires communities to establish self-evaluations and/or transition plans, as determined by community employee size, for updating public facilities. Title II covers programs, activities, and services of governmental entities with a specific focus on protecting citizens from discrimination on the basis of disability. The goal of this act is to afford every individual the opportunity to benefit from businesses and services and to afford businesses and services the opportunity to benefit from the patronage of all Americans.

Regulations state that structural architectural and communication barriers must be removed in public areas of existing facilities when their removal is readily achievable. Public buildings, public parks, sidewalks, curb ramps, and crosswalks were assessed in order to understand what modifications are required. An inventory and assessment of all pedestrian facilities on county and local roads was completed by staff from the Warren County Planning Department and the Adirondack/Glens Falls Transportation Council on behalf of the [MUNICIPALITY]. All existing facilities were assigned a rating, based on the criteria outlined in Appendix A, and entered into the mobile device application, *ArcGIS Collector*. Staff heads-up digitized features in the office, using the most current aerial photography and *Google Street View*. Later, using *ArcGIS Collector* and generated features, staff rated these features in the field for compliance, and collected photographs and other important site-specific information. Data collected for facilities on State highways was provided by the New York State Department of Transportation.

The [MUNICIPALITY] has a total of XXXXX feet of sidewalk, XX curb ramps, and XX crosswalks that were analyzed for this Transition Plan. To prioritize improvements of community facilities, two factors were assessed - accessibility condition and location. Appendix A of this document provides the detailed evaluation criteria used to perform the assessment of facility condition. Table 3 of this Plan identifies the location priority rankings set by the [MUNICIPALITY]. The Transition Priorities Work Plan (Appendix C) contains the [MUNICIPALITY]'s proposed schedule of improvements to these facilities - based on location, then by condition rating. The majority of improvements are expected to be complete within ten (10) years.

# Introduction

## Overview

The purpose of this ADA Transition Plan is to ensure that the [MUNICIPALITY] creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. Additionally, the [MUNICIPALITY] has reviewed [MUNICIPALITY TYPE]-owned buildings and services in an effort to identify impediments to public services.

The [MUNICIPALITY] has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities.

The ADA Transition Plan identifies physical barriers and prioritizes improvements that should be made through the community. This Transition Plan describes the plans, policies and programs to enhance the overall pedestrian accessibility.

## History

In [YEAR ADOPTED], the [MUNICIPALITY], completed an ADA Transition Plan addressing architectural barriers in their buildings, facilities, and programs. In [YEAR IMPLEMENTED], the [MUNICIPALITY] began a [PROGRAM TERM (IN YEARS)]-year program to replace or improve non-compliant facilities, as identified through this plan, throughout the [MUNICIPALITY TYPE (I.E. TOWN)]. This plan demonstrates the continued progress by the [MUNICIPALITY] to make their facilities reasonably accessible for all persons.

## Legal Requirements

The federal legislation, known as the American with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

Title II specifically applies to “public entities” (state and local governments) and the programs, services, and activities they deliver. Title II, Article 8, requires public entities to take several steps designed to achieve compliance. The plan shall, at a minimum, include:

- A list of the physical barriers and their locations in a public entity’s facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be utilized to remove these barriers and make facilities accessible;

- The schedule for taking the necessary steps to achieve compliance with Title II;
- Public complaint/grievance procedure; and
- The name/position of the ADA Coordinator and/or official responsible for the plan's implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets and sidewalks. Before a transition plan can be developed, an inventory of the current curb ramps and sidewalks must be developed.

## Jurisdiction

Defining jurisdictional boundaries and identifying the responsible entities is central to the successful implementation of the ADA Transition Plan. Three jurisdictional entities have been identified for this plan, the [MUNICIPALITY], Warren County, and the State of New York.

Although three jurisdictional entities possess rights-of-ways within the [MUNICIPALITY], the legal responsibility of maintaining and improving non-conforming or deficient facilities does not necessarily fall to the owner of the right-of-way.

According to New York State Highway Law [CITY§349-c(2.2) - VIL§46 - TOWN§140(18)], sidewalks may be installed by a county or the State of New York, with the permission of the local municipality. However, notwithstanding an agreement to the contrary, once installed, the local municipality is obligated to maintain those sidewalks. The following table (Table 1) identifies the entity responsible for the maintenance and improvement of non-conforming facilities.

Table 1: Responsible Entity for Maintenance of Pedestrian Facilities

Facility Type	[MUNICIPALITY]	Warren County	New York State
Sidewalks	[MUNICIPALITY]	[MUNICIPALITY]*	[MUNICIPALITY]*
Curb Ramps	[MUNICIPALITY]	[MUNICIPALITY]*	[MUNICIPALITY]*
Crosswalks	[MUNICIPALITY]	Warren County[**]	New York State[**]
Pedestrian Crossing Signals	[MUNICIPALITY]	Warren County[**]	New York State[**]
Other	[MUNICIPALITY]	Warren County[**]	New York State[**]

\*See subsection: *Installation of Conforming Facilities during Roadway Alteration Projects*  
 [\*\*In a city - the maintenance of all pedestrian facilities are the responsibility of the city]

## Installation of Conforming Facilities during Roadway Alteration Projects

In accordance with the *Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing* (<https://www.ada.gov/doj-fhwa-ta.htm>) - when pedestrian walkways intersect a curb, but no curb ramp exists the entity facilitating the roadway alteration is responsible for the provision of a curb ramp. The same principle exists if an entity is undertaking a roadway alteration project that requires the removal of other pedestrian facilities, such as sidewalks. If the facility is removed it must be reinstalled and conform to the most current accessibility standards.

## Identified Obstacles to the Public Right-of-Way

The [MUNICIPALITY] has conducted a self-evaluation of obstacles within the [MUNICIPALITY TYPE] and county right-of-ways, based on criteria outlined in Appendix A. The evaluation criteria are based on the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).

### Detailed Evaluation

An inventory and assessment of all pedestrian facilities on county and local roads was completed by staff from the Warren County Planning Department and the Adirondack/Glens Falls Transportation Council on behalf of the [MUNICIPALITY]. All existing facilities were assigned a rating, based on the criteria outlined in Appendix A, and entered into the mobile device application, *ArcGIS Collector*. Staff heads-up digitized features in the office, using the most current aerial photography and *Google Street View*. Later, using *ArcGIS Collector* and generated features, staff rated these features in the field for compliance, and collected photographs and other important site-specific information.





The inventory and assessment of pedestrian facilities on state roadways was completed by the New York State Department of Transportation (herein referred to as “NYSDOT”). The numeric ratings of facilities for data collected by Warren County and NYSDOT varied slightly - but were modified to ensure consistency. Additional details on the ratings can be found in [Table 2](#).

To assist with the prioritization of facilities in need of replacement, the collected data is represented in map and table formats.

## Accessibility Condition

To complete the Detailed Evaluation, an accessibility condition rating for each of the identified facilities was determined. The [\[MUNICIPALITY\]](#) used the following ratings and definitions to assess the condition of each sidewalk, curb ramp or crosswalk facility on local and county right-of-ways.

**Table 2 - Characteristics of Accessibility Condition**

	Characteristics	Example
<b>Rating 1: Not Accessible</b>	<ul style="list-style-type: none"> <li>Significant Discontinuity</li> <li>Inaccessible</li> </ul>	<ul style="list-style-type: none"> <li>No Curb Ramps</li> <li>Steps</li> <li>Significant Heaving</li> </ul>
<b>Rating 2: Less Accessible</b>	<ul style="list-style-type: none"> <li>Limited Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Several Minor Defects</li> </ul>
<b>Rating 3: More Accessible</b>	<ul style="list-style-type: none"> <li>Provides Access</li> <li>Not Fully Compliant</li> </ul>	<ul style="list-style-type: none"> <li>Curb Ramps <u>without</u> Detectable Warnings</li> <li>Limited Minor Defects</li> </ul>
<b>Rating 4: Fully Accessible</b>	<ul style="list-style-type: none"> <li>Designed to Meet Current Standards</li> </ul>	<ul style="list-style-type: none"> <li>Newly Installed Facility</li> </ul>

## Utilization of New York State DOT Data

Data collected by for local and county rights-of-way utilized a different numeric rating method and names for condition type than that collected by NYSDOT on state rights-of-way. For assessments conducted on local and county right-of-way the [MUNICIPALITY] used a scale of 1-4, whereas data collected by New York State Department of Transportation used a scale of 1-5. The following table (Table 3) was utilized to reconcile these differences.

Table 3 - Accessibility Rating Conversion

New York State		[MUNICIPALITY]	
Numeric Rating	Condition Type	Numeric Rating	Condition Type
1	Not Applicable	N/A	N/A
2	Not Accessible	1	Not Accessible
3	Partially Accessible	2	Less Accessible
4	Accessible	3	More Accessible
5	Fully Accessible	4	Fully Accessible

## Methods to Removing Barriers – Policies & Priorities

The [MUNICIPALITY] utilizes many different approaches to removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public complaints and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.

The [MUNICIPALITY] bases barrier removal priorities on two factors: location and the accessibility condition of the facility.

## Location Priority

According to the proposed ADA design guidelines, “the U.S. Department of Justice (DOJ) regulation imposes a specific construction requirement...specifies a priority for locating (curb ramps) at State and local government offices and facilities; transportation; places of public accommodation; places of employment; and other locations.” Following this guidance, the [MUNICIPALITY] identified its location priority as follows, beginning with the highest location priority:

1. Facilities serving government facilities (including schools);
2. Facilities serving commercial and employment centers;
3. Facilities serving mixed-use neighborhoods; and
4. Facilities serving residential areas.

## Priority Rank

In order to determine the overall priority of non-compliant facilities, the [MUNICIPALITY] has chosen to use the following matrix (Table 4) to match the location priority to the accessibility condition.

Table 4: Location Priority Ranking

	Location Priority			
	1	2	3	4
Accessibility Condition	Government Facilities	Commercial Areas	Mixed-Use Areas	Residential Areas
1	High - 1	High - 2	High - 3	High - 4
2	Medium - 1	Medium - 2	Medium - 3	Medium - 4
3	Low - 1	Low - 2	Low - 3	Low - 4

Priority Rank Levels

High	Medium	Low
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As Table 4 illustrates, the [MUNICIPALITY] will prioritize improving all of the facilities identified as having the lowest accessibility condition rating (1) first, beginning with the highest location priority areas (1).

A map and proposed work plan of priority facilities to upgrade that shows which features are high, medium, and low priorities for barrier removal are shown in Appendix B and Appendix C, respectively.

# Public Complaint Process

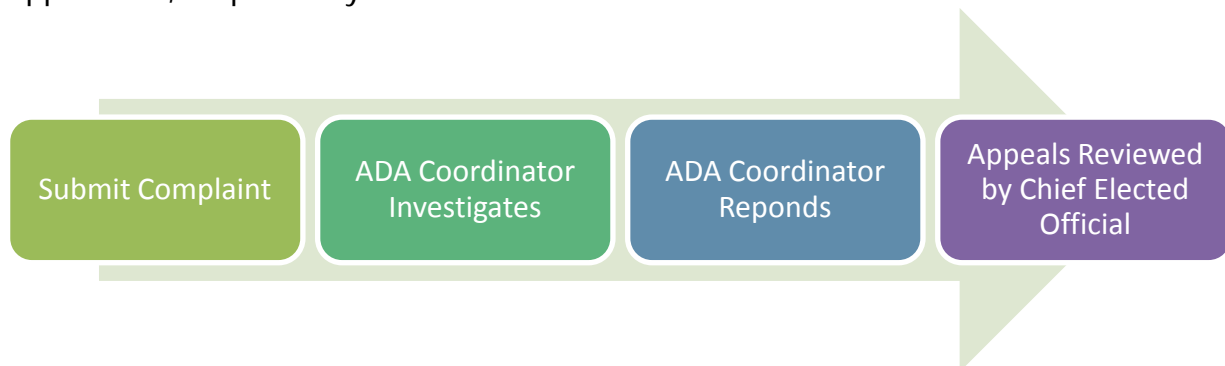
The public complaint process is an integral part of this Transition Plan. Public complaints or requests may often drive the prioritization of improvements. Those wishing to file a complaint or a request regarding accessibility of a sidewalk or curb ramp should contact the ADA Coordinator, in writing, electronically or by another alternative means to accommodate those persons with disabilities.

The complaint should be submitted no later than 60 calendar days from date of the alleged violation. Within 15 calendar days the ADA Coordinator will meet or contact the complainant to discuss possible resolutions. Following this meeting or contact with the ADA Coordinator, the ADA Coordinator will respond, within 15 calendar days, in writing and/or by an alternative means to accommodate the complainant. This response will explain the position of the [MUNICIPALITY TYPE] and offer substantive resolutions to the complaint.

If within 15 calendar days, the complainant is not satisfied with the determination and resolution by the [MUNICIPALITY TYPE], the complainant may file an appeal with the [CHIEF ELECTED OFFICIAL] or their designee. Within 15 calendar days from the receipt of the appeal, the [CHIEF ELECTED OFFICIAL] will meet or contact the complainant to discuss the complaint and possible resolutions. Within 15 calendar days from the meeting or contact the [CHIEF ELECTED OFFICIAL] will respond in writing to the complainant with a final resolution on the complaint.

All documents related to the complaints must be retained by the Town for a period of at least three years.

For more information on the [MUNICIPALITY TYPE]'s adopted *Grievance Procedure under the Americans with Disabilities Act* and the name and contact information for the [MUNICIPALITY TYPE] ADA Coordinator, visit the [MUNICIPALITY TYPE] website at [MUNICIPAL WEBSITE ADDRESS]. This information can also be found in Appendix E and Appendix F, respectively.



# New Construction & Alterations

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alteration, the [MUNICIPALITY], through the adoption of this Transition Plan, has adopted the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities* (ADAAG) ([www.access-board.gov](http://www.access-board.gov)) as supplemented by the 2011 *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (PROWAG). These are the primary regulatory standards that govern the design and construction of all pedestrian facilities in all [MUNICIPALITY TYPE] projects. It is important to note that in alteration projects, whenever pedestrian facilities cannot fully meet the standards outlines in the ADA Guidelines, a determination of each structural implacability or technical infeasibility must be thoroughly documented in the permanent project record.

## Public Buildings, Programs, & Services

### [IF THESE FACILITIES ARE IN NEED OF IMPROVEMENT]

In addition to providing accessible pedestrian facilities, the [MUNICIPALITY] is fully committed to ensuring that the [MUNICIPALITY TYPE]'s public buildings, programs and services are accessible to the general public.

Appendix J provides an implementation schedule and description of [MUNICIPALITY TYPE]-owned buildings, programs and services in need of improvement.

OR

### [IF THESE FACILITIES ARE NOT IN NEED OF IMPROVEMENT]

In addition to providing accessible pedestrian facilities, the [MUNICIPALITY] is fully committed to ensuring that the [MUNICIPALITY TYPE]'s public buildings, programs and services are accessible to the general public.

A review of [MUNICIPALITY TYPE]-owned buildings, programs and services was completed. No accessibility impediments to these facilities and services were identified.

# Work Plan Schedule

The [MUNICIPALITY]'s commitment to improving the accessibility of public facilities is clearly demonstrated by the Work Plan (Appendix C).

The [MUNICIPALITY] is responsible for the improvement of the facilities identified in the work plan found in Appendix C of this plan. However, as previously discussed under the *Jurisdiction* section of this report, if another jurisdiction is undertaking alterations of a roadway, that agency is responsible for the replacement of removed pedestrian facilities or for the construction of a curb ramp to the adjacent sidewalk if one does not exist.

NYSDOT undertakes on-going road maintenance and alterations. For the purposes of this Transition Plan, areas lacking the provision of curb ramps in state rights-of-way will be identified in this plan as being undertaken by NYSDOT. The improvement of these facilities will correspond to the approved NYSDOT capital improvement program.

Nothing contained in this work plan would in any way prevent the [MUNICIPALITY] from modifying the implementation schedule.

## Monitoring & Updates

### Transition Plan Management

As with any effective planning document, the [MUNICIPALITY]'s Transition Plan will require continued review and updating. It is recommended that the review and update occur on a five (5) year cycle. However, this does not preclude the [MUNICIPALITY TYPE] from altering that five year cycle. If new regulations are adopted or new information is available that does not alter the intent of the transition plan, the [MUNICIPALITY] intends to add appendices to the document reflecting those changes.

Members of the public that wish to see changes made to the plan are encouraged to submit their comments and concerns, in writing, to the ADA Coordinator to consider including during the next update.

## Coordination with Public Improvements and Capital Expansion

The [MUNICIPALITY] has identified a schedule for improvement to non-compliant facilities (Appendix C). However, the [MUNICIPALITY] should take advantage of regular capital improvement projects or private development to upgrade deficient facilities, if occurring adjacent to those facilities.

The [MUNICIPALITY] will coordinate with New York State Department of Transportation (NYSDOT) capital improvement schedule to replace or upgrade non-compliant curb ramps along State highways.

## Public Input

The [MUNICIPALITY] has provided opportunities for individuals to comment on this Transition Plan, which includes:





- Copies of the ADA Transition Plan have been made available at the [PUBLIC LOCATIONS I.E. TOWN HALL, LIBRARY, SENIOR CENTERS];
- The ADA Transition Plan has also been made available on the [MUNICIPALITY]'s website at [MUNICIPAL WEBSITE ADDRESS]; and
- The Town Board discussed and opened a [REVIEW PERIOD (IN DAYS)]-day review period, beginning on [MONTH/DAY/YEAR], before the adoption of the ADA Transition Plan.

All comments received from the public can be viewed in Appendix I.



# APPENDIX A: Evaluation Criteria

## Crosswalks

Rating	Accessibility Condition	Description
1	Not Accessible	<p>Accessibility for persons with disabilities is impossible or very difficult. Examples include:</p> <ul style="list-style-type: none"> <li>• Heaving pavement</li> <li>• Potholes</li> <li>• Drainage grates in crosswalk are oriented parallel to travel</li> <li>• Major maintenance/drainage issues (dirt, leaves, gravel)</li> </ul> 
2	Less Accessible	<p>Not to current standards. Accessibility is possible, but there are problems. Examples include:</p> <ul style="list-style-type: none"> <li>• Paint/tape is worn on a majority of crossing</li> <li>• Pavement has minor cracks</li> <li>• Drainage grates are in crosswalk but oriented perpendicular to travel</li> <li>• Minor maintenance/drainage issues (dirt/leaves/gravel)</li> </ul> 
3	More Accessible	<p>Facilities are accessible, are in need of additional improvements to be fully compliant. Examples include:</p> <ul style="list-style-type: none"> <li>• Paint/tape is worn on a minority of crossing</li> </ul> 
4	Fully Accessible	<p>Full accessibility to persons with disabilities and meet current standards. Examples include:</p> <ul style="list-style-type: none"> <li>• All paint/tape fully visible</li> <li>• Pavement is smooth</li> <li>• No drainage grates in crosswalk</li> </ul> 







# APPENDIX A: Evaluation Criteria

## Sidewalks

Rating	Accessibility Condition	Description
1	Not Accessible	<p>Accessibility for persons with disabilities is impossible or very difficult. Examples include:</p> <ul style="list-style-type: none"> <li>• Less than 4-feet wide</li> <li>• Major cross-slope problems</li> <li>• Severe cracking, heaving (more than ½-inch)</li> <li>• Flooding or drainage issues</li> <li>• Obstructions</li> </ul> 
2	Less Accessible	<p>Not to current standards. Accessibility is possible, but there are problems. Examples include:</p> <ul style="list-style-type: none"> <li>• 4-feet wide</li> <li>• Minor cross-slope problems</li> <li>• Surface is not smooth/slip-resistant (brick, slate)</li> <li>• No cracks/gaps/heaves more than ½-inch</li> <li>• Minor obstructions (but at least 3-feet of space)</li> </ul> 
3	More Accessible	<p>Facilities are accessible, are in need of additional improvements to be fully compliant. Examples include:</p> <ul style="list-style-type: none"> <li>• Issues identified under Rating 2, but to a much lesser extent rendering the facility ineligible to be rated as fully accessible</li> </ul> 
4	Fully Accessible	<p>Full accessibility to persons with disabilities and meet current standards. Examples include:</p> <ul style="list-style-type: none"> <li>• 5-feet wide</li> <li>• Max. cross-slope of 2%</li> <li>• Firm, stable, and slop resistant surface (concrete, asphalt)</li> <li>• No cracks/gaps/heaves more than ¼-inch</li> <li>• No obstructions (utility poles, vegetation, grates)</li> </ul> 

# APPENDIX A: Evaluation Criteria

## Curb Ramps

Rating	Accessibility Condition	Description
1	Not Accessible	<p>Accessibility for persons with disabilities is impossible or very difficult. Examples include:</p> <ul style="list-style-type: none"> <li>• No detectable warning AND other issues</li> <li>• Major excessive slope/cross-slope</li> <li>• Cracks/gaps/heaves in excess of ½-inch</li> <li>• Less than 4-foot clear space at top &amp; bottom</li> </ul> 
2	Less Accessible	<p>Not to current standards. Accessibility is possible, but there are problems. Examples include:</p> <ul style="list-style-type: none"> <li>• No detectable warning</li> <li>• Minor excessive slope/cross-slope</li> <li>• No cracks/gaps/heaves more than ½-inch</li> <li>• 4-foot clear space at top &amp; bottom</li> <li>• Maintenance/drainage issues (dirt/leaves/gravel)</li> </ul> 
3	More Accessible	<p>Facilities are accessible, are in need of additional improvements to be fully compliant. Examples include:</p> <ul style="list-style-type: none"> <li>• Curb ramp otherwise compliant, but missing detectable warning</li> </ul> 
4	Fully Accessible	<p>Full accessibility to persons with disabilities and meet current standards. Examples include:</p> <ul style="list-style-type: none"> <li>• Smooth/stable/slip-resistant surface (concrete, asphalt)</li> <li>• No cracks/gaps/heaves more than ¼-inch</li> <li>• Detectable Warning Surface</li> <li>• Side flare dimensions &amp; slope (10% max)</li> <li>• 5-foot clear space at top &amp; bottom</li> <li>• Max. running of 8.33%</li> </ul> 

# **APPENDIX B:**

## **ADA Transition Accessibility & Priorities Map**

# APPENDIX C:

## ADA Transition Priorities Work Plan

Implementation Year: 1- 5					
Implementation Year	Street Name/ Intersection	Facility Type	Location Priority	Facility Rating	Right-of-Way Owner
1-5	Ottawa/Mountain	Curb Ramp	1	1	Village
1-5	Mountain Dr	Curb Ramp	1	1	Village
1-5	Lower Amherst St	Curb Ramp	1	1	Village
1-5	Kurosaka Ln	Sidewalk	1	1	Village
1-5	Lower Amherst St	Crosswalk	1	2	Village
1-5	Mountain Dr	Crosswalk	1	2	Village
1-5	Lower Amherst St	Crosswalk	1	2	Village
1-5	Mountain Dr	Crosswalk	1	2	Village
1-5	Old Post/Mountain	Curb Ramp	1	2	Village
1-5	Lower Amherst St	Curb Ramp	1	2	Village
1-5	Lower Amherst St	Curb Ramp	1	2	Village
1-5	Lower Amherst St	Sidewalk	1	2	Village
1-5	Canada St	Sidewalk	1	2	State
1-5	Canada St	Sidewalk	1	2	State
1-5	Canada St	Sidewalk	1	2	State
1-5	Lower Amherst St	Sidewalk	1	3	Village
1-5	Beach Rd	Sidewalk	1	3	County
1-5	Old Post Rd	Sidewalk	1	3	Village
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Canada St	Sidewalk	1	3	State
1-5	Mountain Dr	Curb Ramp	1	4	Village
1-5	Beach Rd	Sidewalk	1	4	County
1-5	Beach Rd	Sidewalk	1	4	County
1-5	Beach Rd	Sidewalk	1	4	County
1-5	Beach Rd	Sidewalk	1	4	County
1-5	Beach Rd	Sidewalk	1	4	County
1-5	Mountain Dr	Sidewalk	1	4	Village
1-5	Mountain Dr	Sidewalk	1	4	Village
1-5	Lower Amherst St	Sidewalk	1	4	Village
1-5	Canada St	Sidewalk	1	4	State
1-5	Canada St	Sidewalk	1	4	State
1-5	Canada St	Sidewalk	1	4	State
1-5	Canada St	Sidewalk	1	4	State
1-5	Canada St	Sidewalk	1	4	State
1-5	Canada St	Sidewalk	1	4	State
1-5	Lake Shore Dr	Sidewalk	1	4	State



# APPENDIX C:

## ADA Transition Priorities Work Plan

Implementation Year: 5-8					
Implementation Year	Street Name/ Intersection	Facility Type	Location Priority	Facility Rating	Right-of-Way Owner
5-8	Amherst/Ottawa	Curb Ramp	2	1	Village
5-8	Amherst/Ottawa	Curb Ramp	2	1	Village
5-8	Ottawa St	Curb Ramp	2	1	Village
5-8	James/Ottawa	Curb Ramp	2	1	Village
5-8	Dieskau/Mcgillis	Curb Ramp	2	1	Village
5-8	Park/Mcgillis	Curb Ramp	2	1	Village
5-8	Park/Mcgillis	Curb Ramp	2	1	Village
5-8	Chestnut/Dieskau	Curb Ramp	2	1	Village
5-8	Chestnut/Dieskau	Curb Ramp	2	1	Village
5-8	Mohican/Dieskau	Curb Ramp	2	1	Village
5-8	Mohican/Dieskau	Curb Ramp	2	1	Village
5-8	Mohican St	Sidewalk	2	1	Village
5-8	Dieskau St	Sidewalk	2	1	Village
5-8	Dieskau St	Sidewalk	2	1	Village
5-8	Ottawa St	Sidewalk	2	1	Village
5-8	Ottawa St	Sidewalk	2	1	Village
5-8	Ottawa St	Sidewalk	2	1	Village
5-8	McGillis Ave	Sidewalk	2	1	Village
5-8	McGillis Ave	Sidewalk	2	1	Village
5-8	Park Pl	Crosswalk	2	2	Village
5-8	Mohican St	Crosswalk	2	2	Village
5-8	Amherst St	Crosswalk	2	2	Village
5-8	Ottawa St	Crosswalk	2	2	Village
5-8	Iroquois St	Crosswalk	2	2	Village
5-8	Dieskau St	Crosswalk	2	2	Village
5-8	Montcalm St	Crosswalk	2	2	Village
5-8	Mcgillis Ave	Crosswalk	2	2	Village
5-8	Ottawa/Montcalm	Curb Ramp	2	2	Village
5-8	Amherst/Ottawa	Curb Ramp	2	2	Village
5-8	Montcalm/Iroquois	Curb Ramp	2	2	Village
5-8	Montcalm/Iroquois	Curb Ramp	2	2	Village
5-8	Montcalm/Iroquois	Curb Ramp	2	2	Village
5-8	Parrot/Ottawa	Curb Ramp	2	2	Village
5-8	Ottawa/James	Curb Ramp	2	2	Village
5-8	Dieskau/Mcgillis	Curb Ramp	2	2	Village
5-8	Mohican/Dieskau	Curb Ramp	2	2	Village
5-8	Dieskau St	Sidewalk	2	2	Village
5-8	Ottawa St	Sidewalk	2	2	Village
5-8	Ottawa St	Sidewalk	2	2	Village
5-8	Amherst St	Sidewalk	2	2	Village
5-8	Canada St	Sidewalk	2	2	State
5-8	Canada St	Sidewalk	2	2	State
5-8	Canada St	Sidewalk	2	2	State
5-8	Canada St	Sidewalk	2	2	State
5-8	Ottawa St	Crosswalk	2	3	Village
5-8	Ottawa St	Crosswalk	2	3	Village
5-8	Ottawa St	Crosswalk	2	3	Village
5-8	Ottawa St	Crosswalk	2	3	Village
5-8	Ottawa St	Crosswalk	2	3	Village

# APPENDIX C:

## ADA Transition Priorities Work Plan

Implementation Year: 5-8					
Implementation Year	Street Name/ Intersection	Facility Type	Location Priority	Facility Rating	Right-of-Way Owner
5-8	Amherst St	Crosswalk	2	3	Village
5-8	Iroquois St	Crosswalk	2	3	Village
5-8	Ottawa St	Crosswalk	2	3	Village
5-8	Ottawa St	Crosswalk	2	3	Village
5-8	Mcgillis Ave	Crosswalk	2	3	Village
5-8	Ottawa/Montcalm	Curb Ramp	2	3	Village
5-8	Ottawa/Montcalm	Curb Ramp	2	3	Village
5-8	Ottawa/Montcalm	Curb Ramp	2	3	Village
5-8	Amherst/Ottawa	Curb Ramp	2	3	Village
5-8	Montcalm/Iroquois	Curb Ramp	2	3	Village
5-8	Parrot/Ottawa	Curb Ramp	2	3	Village
5-8	Dieskau/Mcgillis	Curb Ramp	2	3	Village
5-8	Dieskau/Mcgillis	Curb Ramp	2	3	Village
5-8	Ottawa St	Sidewalk	2	3	Village
5-8	Amherst St	Sidewalk	2	3	Village
5-8	Montcalm St	Sidewalk	2	3	Village
5-8	Canada St	Sidewalk	2	3	State
5-8	Holly Dr	Sidewalk	2	4	Village
5-8	Montcalm St	Sidewalk	2	4	Village
5-8	Montcalm St	Sidewalk	2	4	Village
5-8	Montcalm St	Sidewalk	2	4	Village
5-8	Montcalm St	Sidewalk	2	4	Village
5-8	McGillis Ave	Sidewalk	2	4	Village
5-8	Canada St	Sidewalk	2	4	State

# APPENDIX C:

## ADA Transition Priorities Work Plan

Implementation Year: 8-10					
Implementation Year	Street Name/ Intersection	Facility Type	Location Priority	Facility Rating	Right-of-Way Owner
8-10	Amherst/Hendrick	Curb Ramp	3	1	Village
8-10	Helen/Montcalm	Curb Ramp	3	1	Village
8-10	Mcgillis/Helen	Curb Ramp	3	1	Village
8-10	Mcgillis/Helen	Curb Ramp	3	1	Village
8-10	Mcgillis/Helen	Curb Ramp	3	1	Village
8-10	Helen/Mohican	Curb Ramp	3	1	Village
8-10	Helen/Mohican	Curb Ramp	3	1	Village
8-10	Mohican St	Curb Ramp	3	1	Village
8-10	Helen St	Sidewalk	3	1	Village
8-10	Hendrick St	Sidewalk	3	1	Village
8-10	McGillis Ave	Sidewalk	3	1	Village
8-10	Helen St	Sidewalk	3	1	Village
8-10	Helen St	Sidewalk	3	1	Village
8-10	Helen St	Sidewalk	3	1	Village
8-10	Amherst St	Sidewalk	3	1	Village
8-10	Helen/West	Curb Ramp	3	2	Village
8-10	Helen/Montcalm	Curb Ramp	3	2	Village
8-10	Helen/Montcalm	Curb Ramp	3	2	Village
8-10	Hendrick/Montcalm	Curb Ramp	3	2	Village
8-10	James/Helen	Curb Ramp	3	2	Village
8-10	Helen St	Sidewalk	3	2	Village
8-10	Helen St	Sidewalk	3	2	Village
8-10	Amherst/Hendrick	Curb Ramp	3	3	Village
8-10	Amherst/Hendrick	Curb Ramp	3	3	Village
8-10	Helen/West	Curb Ramp	3	3	Village
8-10	Helen/Montcalm	Curb Ramp	3	3	Village
8-10	Hendrick/Montcalm	Curb Ramp	3	3	Village
8-10	Hendrick/Montcalm	Curb Ramp	3	3	Village
8-10	Hendrick/Montcalm	Curb Ramp	3	3	Village
8-10	James/Hendrick	Curb Ramp	3	3	Village
8-10	Hendrick/James	Curb Ramp	3	3	Village
8-10	James/Helen	Curb Ramp	3	3	Village
8-10	Montcalm St	Sidewalk	3	3	Village
8-10	Montcalm St	Sidewalk	3	3	Village
8-10	Montcalm St	Sidewalk	3	3	Village
8-10	James St	Sidewalk	3	3	Village
8-10	McGillis Ave	Sidewalk	3	3	Village
8-10	Amherst St	Sidewalk	3	4	Village
8-10	James St	Sidewalk	3	4	Village
8-10	James St	Sidewalk	3	4	Village

# APPENDIX D: ADA Policy Statement



## NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the **[name of public entity]** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

***Employment:*** **[name of public entity]** does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

***Effective Communication:*** **[Name of public entity]** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **[name of public entity's]** programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

***Modifications to Policies and Procedures:*** **[Name of public entity]** will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in **[name of public entity]** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **[name of public entity]**, should contact the office of ***[name and contact information for ADA Coordinator]*** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **[name of public entity]** to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of **[name of public entity]** is not accessible to persons with disabilities should be directed to ***[name and contact information for ADA Coordinator]***.

**[Name of public entity]** will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



# APPENDIX E: ADA Grievance Procedures

## [Name of public entity] Grievance Procedure under the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the **[name of public entity]**. The **[e.g. State, City, County, Town]**'s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**[Insert ADA Coordinator's name]**  
**ADA Coordinator [and other title if appropriate]**  
**[Insert ADA Coordinator's mailing address]**

Within 15 calendar days after receipt of the complaint, **[ADA Coordinator's name]** or **[his/her]** designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **[ADA Coordinator's name]** or **[his/her]** designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **[name of public entity]** and offer options for substantive resolution of the complaint.

If the response by **[ADA Coordinator's name]** or **[his/her]** designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee.

Within 15 calendar days after receipt of the appeal, the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **[name of ADA Coordinator]** or **[his/her]** designee, appeals to the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee, and responses from these two offices will be retained by the **[public entity]** for at least three years.

## APPENDIX F: ADA Coordinator Contact Information

### **[MUNICIPALITY] ADA Coordinator**

All complaints and/or questions regarding accessibility of any public buildings or pedestrian facilities within the right-of-way of the [MUNICIPALITY] should be directed to designated official below.

Name:

Title:

Telephone Number:

Fax Number:

Email:

Mailing Address:

**APPENDIX G: Resolution Adopting Policy Statement,  
Grievance Procedure & ADA Coordinator**  
**Resolution by the [LEGISLATIVE BODY] of the [MUNICIPALITY]**  
**To Adopt ADA Policy and Grievance Procedures and Designation of**  
**ADA Coordinator**  
**Resolution # \_\_\_\_-[YEAR]**

On a motion by Board member \_\_\_\_\_, and seconded by Board member \_\_\_\_\_

**WHEREAS**, pursuant to Title II of the Americans with Disabilities Act of 1990 (ADA), the [MUNICIPALITY] cannot discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities; and

**WHEREAS**, in compliance with Title II of the ADA, the [MUNICIPALITY] shall name an ADA Coordinator; and

**WHEREAS**, in compliance with Title II of the ADA, the [MUNICIPALITY] shall adopt a grievance procedure for resolving complaints alleging violations of Title II of the ADA; and

**WHEREAS**, in compliance with Title II of the ADA, the [MUNICIPALITY] shall adopt and publish notice to the public regarding the [MUNICIPALITY TYPE] ADA Policy; and

**WHEREAS**, in compliance with Title II of the ADA, the [MUNICIPALITY] shall post the ADA coordinator's name, office address and telephone number along with the ADA Policy Statement and ADA Grievance Procedure on its website.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the [LEGISLATIVE BODY] of the [MUNICIPALITY] hereby designates [NAME] as the ADA Coordinator for the [MUNICIPALITY TYPE]; and

**BE IT FURTHER,**

**RESOLVED**, that the [LEGISLATIVE BODY] of the [MUNICIPALITY] hereby adopts the ADA Grievance Procedures, a copy of which is attached hereto; and

**BE IT FURTHER,**

**RESOLVED**, the [LEGISLATIVE BODY] of the [MUNICIPALITY] hereby adopts and shall publish notice to the public regarding the [MUNICIPALITY YPE] ADA Policy, a copy of which is attached hereto; and

**BE IT FURTHER,**

**RESOLVED**, in compliance with Title II of the ADA, the [MUNICIPALITY] shall post the ADA coordinator's name, office address and telephone number along with the ADA Policy Statement and ADA Grievance Procedure on the [MUNICIPALITY TYPE] website and at such other locations as may be determined appropriate.

AYES:

NAYES:

ABSENT:

RESOLUTION duly adopted on:

STATE OF NEW YORK )

) S.S:

COUNTY OF Warren )

I, \_\_\_\_\_, Clerk of the [MUNICIPALITY], New York, do hereby certify that I have compared the foregoing copy of the resolution with the original resolution of file in my office and that the same is a true and correct transcript of said original resolution and of the whole thereof as duly adopted by said [LEGISLATIVE BODY] at a meeting duly called and held at the [LEGISLATIVE BODY'S MEETING ROOM, i.e. Town Hall] on \_\_\_\_\_ by the required necessary vote of the members to approved the resolution.

WITNESS, my hand and the official seal of the [MUNICIPALITY TYPE] Clerk of the [MUNICIPALITY], New York, the \_\_\_\_\_ day of \_\_\_\_\_, [YEAR].

# APPENDIX H: Resolution Adopting ADA Transition Plan

## Resolution by the [LEGISLATIVE BODY] of the [MUNICIPALITY] To Adopt ADA Transition Plan Resolution #\_\_\_\_-[YEAR]

On a motion by Board member \_\_\_\_\_, and seconded by Board member \_\_\_\_\_

**WHEREAS**, pursuant to Title II of the Americans with Disabilities Act of 1990 (ADA), the [MUNICIPALITY] cannot discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities; and

**WHEREAS**, Title II of the ADA requires that the [MUNICIPALITY] conduct a self-evaluation of its policies and practices to ensure that its programs, services, activities and facilities are accessible to and do not discriminate against people with disabilities; and

**WHEREAS**, Title II of the ADA requires that the [MUNICIPALITY] develop and adopt a Transition plan, which documents physical barriers to accessibility, proposes modifications to remove those barriers, and a schedule to complete the modifications; and

**WHEREAS**, the [MUNICIPALITY] remains committed to the ADA and the elimination of barriers to public programs, services, activities and facilities; and

**WHEREAS**, an ADA self-evaluation and Transition Plan for the [MUNICIPALITY] has been prepared and is referred to as the [MUNICIPALITY] ADA Transition Plan;

**WHEREAS**, public review and input regarding this plan has been received by the [MUNICIPALITY].

### NOW, THEREFORE, BE IT

**RESOLVED**, that the [LEGISLATIVE BODY] of the [MUNICIPALITY] hereby adopts the [MUNICIPALITY] ADA Transition Plan and directs [MUNICIPALITY TYPE] staff to begin implementation of the plan.

AYES:

NAYES:

ABSENT:

RESOLUTION duly adopted on:

STATE OF NEW YORK )

) S.S:

COUNTY OF Warren )

I, \_\_\_\_\_, Clerk of the [MUNICIPALITY], New York, do hereby certify that I have compared the foregoing copy of the resolution with the original resolution of file in my office and that the same is a true and correct transcript of said original resolution and of the whole thereof as duly adopted by said [LEGISLATIVE BODY] at a meeting duly called and held at the [LEGISLATIVE BODY'S MEETING ROOM, i.e. Town Hall] on \_\_\_\_\_ by the required necessary vote of the members to approved the resolution.

WITNESS, my hand and the official seal of the [MUNICIPALITY TYPE] Clerk of the [MUNICIPALITY], New York, the \_\_\_\_\_ day of \_\_\_\_\_, [YEAR].

# APPENDIX I: Public Comments Received

## **APPENDIX J:**

### **Public Buildings, Programs, & Services Work Plan**