

# Westminster, Massachusetts

Self-Evaluation  
& Transition Plan

2020

Community Opportunities Group, Inc.

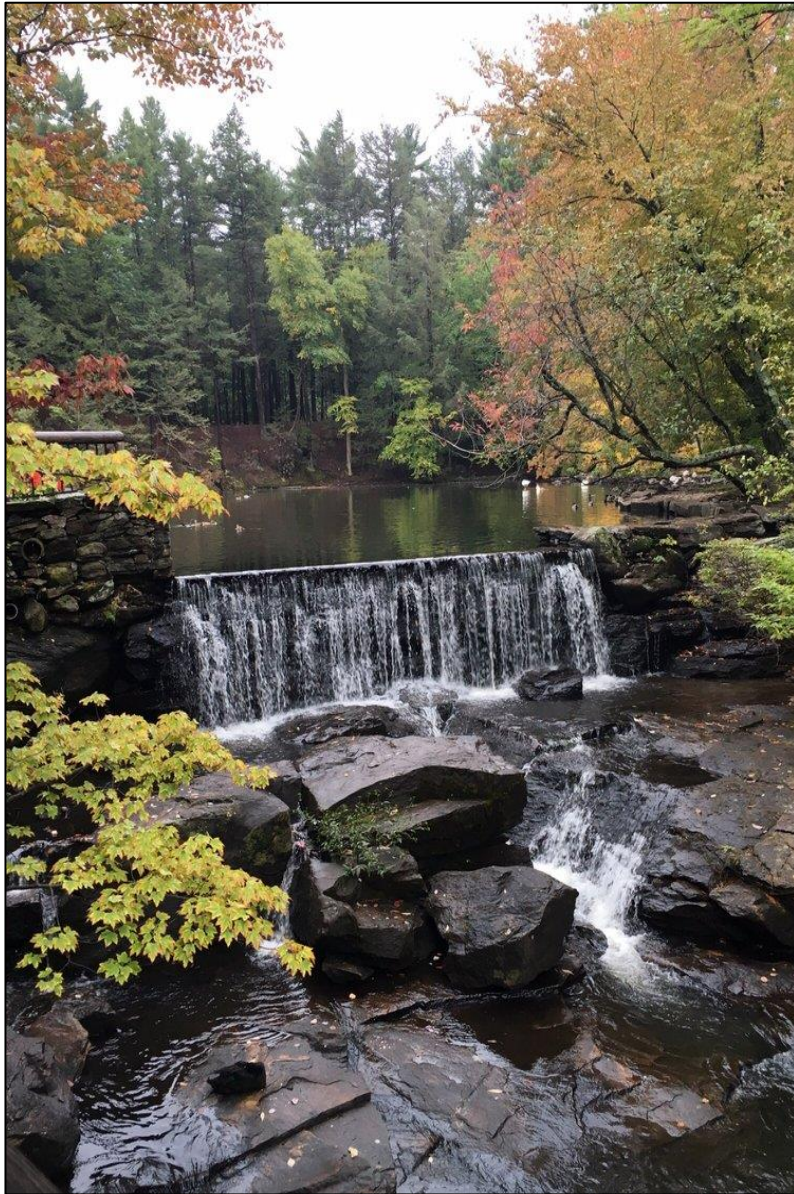


**KMA** ARCHITECTURE + ACCESSIBILITY

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# SECTION 1: INTRODUCTION



Situated at the base of Mount Wachusett, the tallest peak in Central Massachusetts, and straddling Route 2, the Town of Westminster is located in the Montachusett Region of Worcester County. Although the area was long occupied seasonally by the Nipmuck Native Americans given its location on the Mohawk Trail, the town was settled in 1737 as “Narragansett Number Two”, became a district in 1759 as the population grew, and was fully incorporated in 1770. The population has grown steadily since that time, in part due to Westminster’s location on the historic Massachusetts Turnpike and the Vermont and Massachusetts Railroad, with relative booms in population growth occurring during the 1850s, 1930s (in large part due to the presence of the Civilian Conservation Corps), 1960s, and 1980s-1990s. With more modest growth during the past twenty years, Westminster has a current population of 7,884 residents<sup>1</sup>.

A predominantly rural community, Westminster is just over 37 square miles in area, of which, just under 2

square miles (or 5%) is water, including four Great Ponds. Approximately 30% of the town consists of permanently protected open space, with large swaths of forested areas, scenic vistas, lakes, ponds, and other natural areas. Westminster’s natural landscapes and waterways brought early successes in agriculture, grist mills, furniture making, coopering, and perhaps most significantly, the baking of bread and crackers. The Westminster Cracker Company was founded in 1848, which provided employment to residents for many years until the factory was relocated to Vermont. Today, the Town has several major employers including the Wachusett Mountain Ski Area, Simplex Grinnel, and the Aubuchon Hardware Administrative and Distribution Center. There is limited public transportation provided by the Montachusett Valley Regional Transit Authority (MVRTA).

<sup>1</sup> American Community Survey, 5 year estimates, 2013-2018.

Like all municipalities, Westminster has a regulatory obligation to ensure that it does not discriminate against individuals with disabilities in the provision of municipal programs and services. The Americans with Disabilities Act (ADA) does not necessarily require that all the Town's facilities are fully accessible. **Rather, it requires that all the Town's programs and services, "when viewed in their entirety" are accessible.** The law provides public entities with some flexibility in how this standard can be met. Both structural and nonstructural methods of providing "*program access*" can be used.

The Town is required to perform a Self-Evaluation to determine the barriers that exist to its programs and services. Then, the Town must develop and implement a plan to remove the barriers. The only limit to the Town's obligation is if an action will result in a fundamental alteration to the program or service or create undue administrative or financial burdens. The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. If it is determined that barrier removal will result in such an alteration or burdens, the Town must still, "take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity."

**The ADA defines individuals with disabilities as those who fall into one of the following three categories:**

1. Individuals who have a physical or mental impairment that substantially limits one or more major life activities,
2. Individuals with a record of such an impairment; and
3. Individuals regarded as having such an impairment

The broad prohibition against disability-based discrimination requires that all of the Town's programs and services be accessible to individuals with disabilities. Thus, the Town must assess specific services, policies and practices and address the removal of physical barriers and/or the revision of policies and procedures, to ensure compliance with the applicable ADA and Section 504 regulations, and with all provisions of the Massachusetts Code of Regulations (521 CMR). Massachusetts State law further requires that the Town apply the more stringent of the above standards to achieve accessibility. **The ADA requires a public entity to take five administrative action steps:**

1. Designate an employee responsible for carrying out compliance activities.
2. Provide notice to the public of its rights and protections under the ADA and how the entity complies with those obligations.
3. Establish a grievance procedure.
4. Conduct a Self-Evaluation, a comprehensive review of policies and procedures.
5. Develop an ADA Transition Plan.

**The employee responsible for carrying out compliance activities is the ADA Coordinator. Ideally, the ADA Coordinator has:**



- Demonstrated knowledge of the ADA and related disability rights laws,
- Demonstrated knowledge of assistive technology and alternative formats used by individuals with disabilities,
- Knowledge of current best-practice policies, programs, services, and support systems for individuals with disabilities,
- Familiarity with local and federal funding streams supporting services to people with disabilities;
- Experience in evaluating and managing accessibility programs; and
- A demonstrated ability to successfully advocate for and implement new policies and/or programs.

## ADA and 504 Barrier Removal Requirements

There are two requirements under Title II of the ADA that require a public entity such as the Town to remove existing barriers to bring an end to and to prevent discrimination against a person or people with disabilities. These two requirements are as follows:

- **Program Accessibility** requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs, employment opportunities, and services. The ADA requires that public entities provide physical and communication access to each program service or activity. The Town must identify and correct policies and practices that have the effect of discriminating against individuals with disabilities.
- **Physical Accessibility** requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance or use of a facility. Further, the Town is required to maintain its existing facilities to ensure continued, unfettered, and uninterrupted access to persons with disabilities.

## Program Access

The Town's fundamental goal is to ensure that individuals with disabilities are afforded an equally effective opportunity to participate in, or benefit from, all of its programs and services, subject only to the limitations of fundamental alteration and/or undue burden. Therefore, the Town must implement policy changes, if necessary, so that persons with disabilities can have full access. Further, the Town must continue to make changes to prevent discrimination and continually work to increase accessibility.

The ADA's Section 202 states:

*“...No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”*

The ADA's Section 204 required that the U.S. Department of Justice (DOJ) promulgate implementing regulations, and adopted 28CFR35 in July, 1991. 28 CFR 35.149 states:

*“...No otherwise qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.”*

Which is further clarified, by 28 CFR 35.150, which states that:

*“A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.”*

This statutory and regulatory language above describes what is known as “program access” -- all programs must be readily accessible to, and usable by, qualified persons with disabilities. In addition, qualified students with disabilities must be provided with equal services in as integrated a setting as possible. The determination of what is an equal and integrated setting will be made on a case-by-case basis. What is appropriate for one person with a specific impairment may not be useful or appropriate for another person with the same impairment. Failure to provide “program access” is an illegal act of discrimination under Title II of the ADA. The Town must identify and correct policies and practices that have the effect of discriminating against individuals with disabilities.

### **METHODS OF PROVIDING PROGRAM ACCESS**

28 CFR 35.150 details the methods that a public entity such as the Town may use to provide program access. These include:

- Reassignment of services to accessible buildings;
- Delivery of services at alternate accessible sites;
- Alteration of existing facilities and construction of new facilities; or
- Any other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities.

From an architectural standpoint, this requirement does not mean that every building has to be accessible. However, every program must be accessible.

When choosing a method of providing program access, the Town will give priority to the one which results in the most integrated setting possible and appropriate to encourage interaction among all users. The determination of what is an equal and integrated setting will be made on a case-by-case basis, because again, what is appropriate for one person with a specific impairment may not be useful or appropriate for another person with the same impairment.

## LIMITATIONS ON THE PROVISION OF PROGRAM ACCESS

The ADA's regulations specify certain clear limitations on a public entity's obligation to provide program access. An entity is not required to perform an action that poses an undue financial or administrative burden or constitutes a fundamental alteration. The threshold for an action constituting an undue burden is a high one for state and local government entities.

**In determining undue hardship, factors to be considered include the:**

- nature and cost of the accommodation;
- overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation;
- number of persons employed at the facility and the effect on expenses and resources;
- overall financial resources of the covered entity;
- overall size of the covered entity with respect to the number of its employees;
- number, type, and location of its facilities;
- type of operation or operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; and
- geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity.

## Physical Access

Department of Justice regulations set minimal requirements for local government facilities and public accommodations to be readily accessible and usable by individuals with disabilities under the 2010 ADA Standards for Accessible Design. These require that:

***“Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by individuals with disabilities, if the construction was commenced after January 26, 1992.”***

In addition to those standards, which are found in the Appendix of this Report, there are four federal and state requirements for architectural barrier removal from existing buildings and in alterations to existing buildings. These are:

- **PL101-336:** 1990 Americans with Disabilities Act (ADA).
  - This is the federal civil rights statute whose first purpose is, “...To provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.” (42 USC 12101. Sec.2(b))
- **28 CFR Part 35:** Department of Justice.
  - Non-discrimination on the Basis of Disability in State and Local Government Services (as amended by the final rule published on September 15, 2010). These are the U.S. Department of Justice's regulations implementing the ADA, as

required in 42 USC 12101, Sec.204(a))

- **29 USC 794:** Section 504 of the 1973 *Rehabilitation Act* (504)
- **521 CMR:** The Rules and Regulations of the Massachusetts Architectural Access Board. (1977, 1987, 1990, 1992, 1996, 1998, 2006)

## Transition Plan

Public entities under the ADA must conduct an evaluation of current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements for non-discrimination, and identify modifications necessary for compliance. Interested persons, including individuals with disabilities or organizations representing individuals with disabilities must be provided an opportunity to participate in the self-evaluation process by submitting comments. (ADA Title II, 28 CFR 35.105)

Where the Town's Self Evaluations determine that structural changes are required to provide program access, the ADA requires that a Transition Plan be developed that establishes the planned barrier removal. The plan is required to:

- Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- Describe in detail the methods that will be used to make the facilities accessible;
- Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- Indicate the official responsible for implementation of the plan.

A copy of the transition plan is required to be made available for public inspection. Public entities must establish a system for periodic evaluation and to continually update their self-evaluations to reflect completed work or to detail remediation efforts.

If the Town receives federal funds, it was required in 1980 to develop a similar transition plan to achieve program accessibility under Section 504 of the Rehabilitation Act. Under 504, structural or architectural barriers to program access identified in the 504 Transition Plan were to be removed by 1983.

The ADA Transition Plan requirement was intended as an update of the 504 Plan to cover any new programs and services not covered and made accessible under the Section 504 Barrier Removal Program. The ADA requires public entities either to supplement their 504 Transition Plans or replace them with ADA Transition by July, 1992.

## Schedule for Program Access Compliance

28 CFR 35.150 sets a time period for ADA compliance stating:

*Where structural changes in facilities are undertaken to comply with the obligations established under this section, such changes shall be made within three years*



*of January 26, 1992, but in any event as expeditiously as possible.*

Both 504 and Title II of the ADA presume that people with disabilities will be using the programs and services of public entities. In anticipation, they both mandate proactive steps to prevent discrimination by removing existing barriers. Public entities are not permitted to wait until a person with a disability arrives to begin to make accommodations. Section 504 and Title II mandate proactive barrier removal so that when a student with a disability arrives at school, the programs and services are substantially accessible. Minor accommodations may be needed, but the significant assessment and barrier removal should be complete.

## SECTION 2: REGULATORY CONTEXT

While Title II of the ADA protects persons with disabilities from discrimination in nearly all municipal jurisdictions, this section is intended to give an overview of the regulatory context in which Section 504 of the Rehabilitation Act and the Americans with Disabilities Act expand rights vested in several key pieces of civil rights legislation:

- **Civil Rights Act of 1964**

The Act outlawed discrimination based on race in federal employment, federally funded programs, and in public accommodations and provided the model for future legislation protecting persons with disabilities.

- **Architectural Barriers Act of 1968**

The Act required that federal buildings and buildings constructed with federal funding be accessible to people with disabilities. The law established the Uniform Federal Accessibility Standards (UFAS), which set the standards for barrier removal.

- **Rehabilitation Act of 1973**

This law required that federally funded programs be accessible to people with disabilities and that federal employers provide **reasonable accommodations** for their employees with disabilities.

- **Individuals with Disabilities Education Act (IDEA) of 1975**

This law established the rights of students with disabilities to a public education in as integrated of a setting as possible, for free. It established the process to create Individualized Education Plans (IEPs) for students with disabilities.

- **Voting Accessibility for the Elderly and Handicapped Act of 1984**

This Act required that polling places across the United States to be physically accessible to people with disabilities for federal elections. Where no accessible location is available to serve as a polling place, a political subdivision must provide an alternate means of casting a ballot on the day of the election. This law also requires states to make available registration and voting aids for disabled and elderly voters, including information provided by TTYs or similar devices.

- **Air Carrier Access Act (ACAA) of 1986**

The ACAA was passed in response to a Supreme Court decision that found that the Rehabilitation Act did not apply to air travel, and requires that air travel be accessible to persons with disabilities.

- **Fair Housing Act of 1968, as amended in 1988**

The Fair Housing Act is Title II of the Civil Rights Act of 1968. This law was amended in 1988 to include persons with disabilities, making it illegal to discriminate in any aspect of housing because of disability. The Act requires owners of housing facilities to make reasonable exceptions in their policies and operations to afford people with disabilities equal housing opportunities, and to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces. The Act further requires that new multifamily housing with 4+ housing units be designed and built to allow access for persons with disabilities.

- **Section 508 of the Rehabilitation Act**

In 1998, eight years after the ADA was passed by Congress, an amendment was passed that required increased access to electronic and information technology for people with

disabilities. This law provided for changes in Federal purchasing of information technology and increased access to Federal Internet sites.

## Non-Discrimination Requirements

The general principle underlying non-discrimination is providing equal opportunity and protecting the civil rights of people with disabilities so they may benefit from employment, services, programs and activities provided to all people by state and local governments. There are 8 primary non-discrimination requirements:

- **Equal Opportunity**

People with disabilities must have an equal opportunity to participate in the programs, services and activities offered by the Town. This means that any barriers to their opportunity to participate must be removed to the maximum extent possible. This requirement extends beyond assuring physical access to the facility itself and includes such things as **effective communications** or making physical modifications to the facility.

This obligation extends to all programs, services, activities and goods offered, but not every facility operated by a public entity needs to be fully accessible if the programs, services and activities offered in the inaccessible facility are also offered, equally conveniently, in other facilities that are accessible.

- **Integrated Settings**

Programs, services and activities must be provided to people with disabilities in the **most integrated setting** to the **maximum extent feasible**. The “integration mandate” of the Americans with Disabilities Act (ADA) provides that segregation and isolation are forms of discrimination and should be avoided to achieve equal opportunity. Therefore, individuals with disabilities must be integrated to the maximum extent possible. Furthermore, persons with disabilities cannot be required to participate in a separate program or accept separate benefits, however, separate programs are permitted when necessary to ensure equal opportunity.

- **Reasonable Modifications to Policies, Practices or Procedures**

Reasonable modification to policies, practices or procedures must be made when necessary to ensure equal opportunity, unless to do so would fundamentally alter the nature of the program, service or activity. The Town must ensure that there are provisions for alternative access and/or reasonable modifications for individuals with disabilities.

- **Surcharges and Additional Requirements**

Additional charges may not be imposed on people with disabilities to cover the costs of providing them with ADA-mandated access to goods and services. **Surcharges for the provision of auxiliary aids and services, barrier removal, alternatives to barrier removal and/or other modifications to provide an equal opportunity to people with disabilities are prohibited.**

- **Eligibility Criteria**

Eligibility criteria that tend to screen out people with disabilities may not be used unless necessary for the provision of services or activities. Some eligibility criteria are obviously and inherently discriminatory.

- **Contracting and Licensing**

The Town may not discriminate on the basis of disability in procurement contracts. Title II also requires public entities to ensure that contractors operating services and programs on their behalf meet the same level of compliance that would be required of the public entity if they were operating the services and programs directly themselves.

The Town may not establish requirements for the programs or activities of licensees that would result in discrimination against qualified individuals with disabilities. A **qualified individual with a disability**, with respect to licensing or certification, is one who meets the essential eligibility requirements for receiving the license or certification. The Town is not required to eliminate or lower licensing standards that are essential in order to accommodate a person with a disability.

- **Methods of Administration**

The Town may not use official written policies that are discriminatory or engage in actual practices that are discriminatory. This prohibition includes direct actions by the entity, actions undertaken on behalf of the entity under a contractual relationship and actions that perpetuate discrimination by another Title II entity.

- **Equally Effective Communication**

The Town must ensure that communications with people with disabilities are as effective as communications with others. This means, among other things, providing auxiliary aids and services such as qualified interpreters, assistive listening devices, closed and open captioning on videos, telecommunications devices for customers with hearing and speech disabilities, computers that offer voice input and output, and materials in alternate formats such as Braille, large print, diskette and tape.

## Ensuring Equal Opportunity and Non-discrimination in Employment

In addition to its general non-discrimination requirements for services, and facilities, Title II of the Americans with Disabilities Act (ADA) requires the Town not to discriminate in its employment and personnel practices. A general overview of the regulatory requirements for employment are as follows:

- **Employment activities** are defined to include the application process, testing, interviewing, hiring, job assignment, evaluation, discipline, medical examinations, compensation, promotion, on-the-job training, layoff/recall, termination, leave and benefits such as health insurance.
- The Town must provide an equal opportunity for an individual with a disability to participate in the **job application process** and to be considered for a job.
- **Interviews** must be conducted in accessible locations, and **requests for reasonable accommodations**, such as interpreter services or materials in alternate formats, must be honored unless an undue hardship would result.
- Staff responsible for conducting interviews must be aware of the non-discrimination requirements under Title I, such as **what types of questions are impermissible**, how to provide reasonable accommodations for the job interview process, and the requirement that **medical exams** may not be conducted until after a conditional offer of employment has been made.
- **Employment manuals** should be reviewed to ensure that they are consistent with the ADA, **employment policies and practices** should be examined to ensure that they do not inadvertently discriminate against employees with disabilities, and **policies and practices for providing reasonable accommodations** should be established, if they do not already exist.

## ESSENTIAL JOB FUNCTIONS

The ability to discern between essential and nonessential job functions, and to provide reasonable accommodations is a critical component of non-discrimination in local government and ensuring persons with disabilities have equal access to employment opportunities in the

Town of Westminster. An **essential job function** is one that the person holding the job must be able to perform with or without **reasonable accommodation**, whereas non-essential job functions are those that do not affect the essence of the job and could be reassigned to other employees.

The ADA establishes a process in determining essential job functions:

1. Are other employees in the position actually required to perform the function?
2. Would removing that function fundamentally change the job?
3. Does the position exist to perform the function?
4. What is the number of other employees available to perform the function, or among whom can the function be distributed?
5. What is the degree of expertise or skill required to perform the function?

## REASONABLE ACCOMMODATIONS

In some cases, an employee may require a reasonable modification when applying for a job, in the work environment, or in employee benefits. A **reasonable accommodation** is assistance or changes to a position or workplace that will enable an employee with a disability to perform their essential job functions. Under the ADA, the Town, as an employer, is required to provide **reasonable accommodations** to qualified employees with disabilities, unless doing so would pose an undue hardship. Examples of reasonable accommodations include making existing facilities accessible; job restructuring; part-time or modified work schedules; acquiring or modifying equipment; changing tests, training materials, or policies; and providing qualified readers or interpreters.

*What types of accommodations are generally considered reasonable?*

- Change job tasks.
- Provide reserved parking.
- Improve accessibility in a work area.
- Change the presentation of tests and training materials.
- Provide or adjust a product, equipment, or software.
- Allow a flexible work schedule.
- Provide an aid or a service to increase access.
- Reassign to a vacant position.

## Effective Communications

The Americans with Disabilities Act (ADA), requires the Town to ensure **effective communication** with individuals with disabilities and the Town is required to provide appropriate **auxiliary aids and services**, where necessary, to ensure that communications with individuals with disabilities are as effective as communications with others. In addition, telephone emergency services, including 911 services, must provide **direct access** to individuals with speech or hearing impairments. The Town is not required to provide the requested aid or service if there is another equally effective means of communication available; however, it must give primary consideration to the aid or service preferred by the individual. Auxiliary aids that would result in a fundamental alteration in the nature of a service, program, or activity or result in undue financial and administrative burdens are not required. The Town is required to provide information



about its ADA-related responsibilities to the public, and provide notice to individuals with disabilities about the ADA's prohibition against discrimination and their rights under the law, which includes access to effective communications.

*Examples of auxiliary aids and services:*

- Alternate formats for printed materials (large print, CD, Braille)
- Assistive listening systems
- Sign language interpreters
- Text telephones (TTYs) and relay services
- Accessible websites
- Captioning of audiovisual materials

## Grievance Procedures

Should the Town fail to meet its non-discrimination obligations, a complaint may be filed in accordance with Westminster's grievance procedures (in the Appendix of this report). For those complaints that are not resolved locally or at the statutory level, the remedy will be found at a Federal Agency.

## FEDERAL AGENCY COMPLAINTS

An administrative complaint may be filed with one of eight designated Federal agencies, or with the Department of Justice, which will refer the complaint to the appropriate agency. An appropriate Federal agency may be any Federal agency that is providing funding to the public entity. It may also be one of the eight Federal agencies designated to investigate complaints as described below:

- Department of Agriculture Investigates complaints about government programs, services, or activities related to farming, raising of livestock, extension services, 4-H programs, food stamps, or the U.S. Forest Service.
- Department of Education Investigates complaints about government programs, services, or activities related to public elementary and secondary education, higher education, vocational education, or libraries (other than schools of medicine, dentistry, nursing, and other health-related fields.)
- Department of Health and Human Services Investigates complaints about government programs, services, or activities related to child care, elder care, preschool, social services, or health care programs including schools of medicine, dentistry, nursing and other health-related fields.
- Department of Housing and Urban Development Investigates complaints about government programs, services, or activities related to public housing, housing assistance and referral programs and community development.
- Department of the Interior Investigates complaints about government programs, services, or activities related to public lands and natural resources, parks, recreation, water and waste management, environmental protection, energy, historic and cultural preservation, museums, or the U.S. Park Service.
- Department of Justice Investigates complaints about programs, services, or activities related to law enforcement or public safety; administration of justice, including courts and correctional institutions; commerce and industry, including general economic development, banking, finance, consumer protection, insurance, and small business; State and local government support services (e.g., audit, personnel, comptroller,

administrative services); and all other government functions not assigned to other designated agencies.

- Department of Labor Investigates complaints about government programs, services, or activities related to labor and the workforce, including employment services, job training, Job Corps, unemployment insurance, Worker's Compensation, or occupational safety and health.
- Department of Transportation Investigates complaints about programs, services, or activities related to highways, traffic management, automobile licensing and inspection, driver licensing, or public transportation systems.

## SECTION 3: TRANSITION PLAN PROCESS

The Town retained the services of Community Opportunities Group (COG), in a joint venture with Kessler McGuinness & Associates, LLC (KMA) to perform an assessment of Westminster's programs, services and facilities. To develop Westminster's Self-Assessment and Transition Plan, COG and KMA have performed the following tasks:

1. COG and KMA performed a kick-off meeting and ADA staff training.
2. Two questionnaires were distributed; one addressing the central policies and procedures of the Town, and a second questionnaire for each Town Department. The questionnaires were administered online and provided training to staff on Town policies and procedures.
3. The Town's policies and procedures were audited and reviewed.
4. Architectural access audits of Town buildings and facilities where programs or services are provided to the public and submitted a Draft ADA Existing Conditions Report.
5. Developed and submitted an ADA Self-Evaluation and Transition Report.
6. Following internal review and prioritization, a list of priorities for barrier removal was developed.

The following is a representative list of municipal programs and services provided by the Town of Westminster through a combination of staff and volunteer boards and committees:

Advisory Committee	Agricultural Commission
Board of Assessors	Board of Health
Board of Selectmen	Cable Advisory Committee
Capital Planning Committee	Conservation Commission
Council on Aging	Crocker Pond Rec. Area Committee
Cultural Council	Economic Development Commission
Emergency Home Heating Committee	Hager Park Committee
Historical Commission	Liquor Commission
Open Space Committee	Parks and Recreation Committee
Planning Board	Public Safety Commission
Public Works Commission	Zoning Board of Appeals

The public buildings municipal activities, services, meetings, and other activities primarily occur within include:

DPW Highway Garage	Public Safety Building	Forbush Memorial Library
Senior Center	Hager Park Pump Station	Town Hall
Meetinghouse School	Westminster Elementary School	

## Summary Responses by Program Area

Two questionnaires were distributed; one addressing the Town's central policies/procedures and a second questionnaire for each Town department. Both questionnaires are included in the Appendix of this report. Following is a narrative summary of the self-assessment by principal location and department or function.

### Town Hall

The Town Hall is located at 11 South Street. The two-story building, constructed in 2006, is just under 20,000 square feet, with elevator service connecting both floors. The building contains various Town offices including the Town Administrator, Building Department, Planning Department, Human Resources, Assessor, and Town Clerk. There is also a conference room, the Selectmen's Hearing Room, an employee break room, toilet rooms on each floor, and drinking fountains. A surface parking lot for the public is provided in front of the building with designated accessible parking spaces. A surface parking lot for employees is provided behind the building, which has some accessibility challenges that are further detailed in Section 4 of this Report.

Most Board and Committee meetings, hearings, conferences, or similar activities are held in either in the Town Hall or in other accessible Town facilities, including the Senior Center and Forbush Memorial Library. Where meetings are currently being conducted in inaccessible locations, such as the Public Safety Building conference room on the second floor, which is inaccessible due to an undersized elevator, and in the Department of Public Works (DPW) facility, the Town has agreed to relocate those meetings to Town Hall while the Public Safety building is replaced and improvements are made to the DPW facility. Meeting notices and other informational materials should contain information about non-discrimination and disability accommodations, but the Town does not consistently advertise the accessibility of events and services for all departments.

### Town Administrator/Board of Selectmen

The Town Administrator manages communication, staff, and constituent services for the Town, and provides administration for some of the Town's boards and commissions. All services and programs are funded through local and state revenues, including local fees. The Town Administrator is designated as the ADA coordinator, and is the employee responsible for receiving and processing discrimination complaints. Officials and staff in the Town Administrator's office have a general awareness of ADA and Section 504, but do not have specific training.

Requests for accommodations, such as requests for auxiliary aids and services for persons with speech, vision, or hearing impairments, would go through the Town Administrator's office. Sign language interpreters, large print materials, or other alternative forms of assistance are provided on a case by case basis. The Town Administrator also has responsibility for receiving and processing discrimination complaints, and will provide assistance in preparing grievance documentation as needed to any person presenting a complaint. A Grievance Policy and Procedure was prepared in advance of this Transition Plan. The Town's employment practices have been reviewed to ensure that they do not discriminate against individuals with disabilities in

recruitment and job applications, leaves of absence, requirements for medical examinations, training programs, and performance evaluations.

Public notice of ADA compliance is not currently posted on community bulletin boards or on the Town's website, but it is in employee handbooks and manuals. Alternative means of communication, such as TDD/TTY number are not provided on the Town's website or in notices, but email contact pages are provided in addition to the phone numbers. The Town utilizes CodeRED to issue emergency reports and communications in addition to the Reverse 911 system the Town has been using for a number of years. CodeRED allows Town Officials to send voice, email, or text notifications to residents who have signed up for the free service. Emergency evacuation procedures from public buildings do not sufficiently address the needs of individuals with disabilities, and COVID-related "safe routes" through buildings, such as the DPW facility, are not fully accessible. The advertisement of ADA compliance on program announcements varies by department.

Public documents have been reviewed and some issues persist with problematic language or narrow definitions with respect to disability. Town employees are provided with information about the Town's non-discrimination policy through the employee handbook, but are not offered ADA training. Staff familiarity with requirements and procedures for providing equally effective access to services and employment varies by department.

### **Municipal Administration and Finance**

Several municipal offices located in Town Hall provide administrative and financial services to the Town. Some of these services entail frequent interaction with the public, such as the Assessor, while others, such as the Town Accountant and Human Resources, interact mostly with municipal employees and departments and/or prepare documents for audiences within the Town government, public, or other agency.

Human Resources provides human resources, payroll, insurance, and purchasing, in addition to administration and finance. The department administers retirement plans for municipal employees, including active employees, retirees, and various members of the public. Employees have familiarity with ADA or Section 504, and are aware that any requests for providing accommodations to persons with disabilities, or for response to requests to modify policies or procedures, should be made through the Town Administrator's office.

The Assessor's office is responsible for administering Massachusetts property tax laws effectively and equitably, and for producing accurate and fair assessments of all taxable property. Taxable property includes real estate, personal property, motor vehicles, and boats. The Assessor's office also assists people in applying for exemptions and deferrals, typically including the elderly, blind, and qualifying veterans. The Assessing staff answers questions and provides assistance in filling out forms during regular office hours. The office staff has familiarity with ADA and Section 504, and is aware of their responsibilities not to discriminate. While employees do not have procedures for providing accommodations to persons with disabilities, or for responding



to requests to modify policies or procedures, they are aware that they have the responsibility to do so and know to contact the Town Administrator should any requests be made.

The Town Accountant's office accepts payments from residents for tax bills, motor vehicle excise taxes, etc. People can also purchase bulk stickers and get information on properties. Employees are generally aware of ADA and Section 504. The office is located in the front section of the first floor of Town Hall, which requires stairs to enter either from the front or back of the building. If a resident comes in who cannot use the stairs, an employee will meet them in the auditorium. Employees rely on the City website to provide information about how residents can request modifications to policies and procedures to accommodate a disability.

### **Town Clerk**

The Town Clerk has numerous functions relating to the management of public information, which entails intensive public interaction and communication. The Clerk maintains vital records, issues business certificates, licenses dogs, performs notary services, conducts the annual census, and conducts all state and local elections. The Clerk's office is responsible for maintaining access to all meeting notices and agendas for boards and commissions. The official bulletin board is located outside the Town Clerk's office in the Town Hall. All meeting notices and agendas are posted in compliance with the State Open Meeting Law and can be found on the Town's website. Some fees apply for services, but the Town Clerk's office is primarily funded through the municipal budget.

The Clerk's Office is located in the front portion of the first floor of Town Hall. Staff is generally aware of ADA, but does not have specific training. Employees do what they can to make accommodations for anyone with impairments (i.e., writing to communicate with someone hearing impaired, reading for someone visually impaired.) People with disabilities can receive services through the Clerk's Office, but no information is provided on the Town's website or on posted meeting agendas about the accessibility of locations where meetings are to be held, or how to request accommodations or modifications in order to access services or participate in public meetings.

The Town Clerk is responsible for registering voters, conducting federal, state and local elections, and compiling the annual street list. The office does not have procedures in writing for responding to requests, but employees do provide accommodations at elections for anyone requesting assistance and there is a policy to ensure impartiality. Public information is available on the Town website and the state distributes booklets through the mail regarding state elections.

- Elections and Town Meeting take place in the Westminster Elementary School, which is accessible. There is a machine to help individuals with sight or physical impairment to mark their own ballot.
- The Clerk's office is where residents go to register to vote. A staff member is typically available to offer assistance, but they are not able to provide many accommodations for someone who has a visual, audio, or speech impairment without advance warning.

### **Planning and Building Departments**

The Planning Department is located on the second floor of Town Hall. The department provides

services to developers and abutters to development proposals, to the real estate community, organizations and others funded by planning programs, and the general public for planning and other projects. The Town Planner is aware of Section 504 and ADA regulations, and is developing the transition plan, and previously prepared the Town's Open Space Plan and zoning updates. The department utilizes funds from numerous sources, including the Commonwealth of MA, Montachusett Regional Planning Commission, Montachusett Regional Transit Authority, U.S. EPA, and other sources. The department also receives some permitting fees. If requested with sufficient notice, staff would make arrangements for persons with disabilities for pending meetings and have done so in the past. Notice about non-discrimination and disability accommodations are not currently provided on hearing notices, but they are included for programs and services that the Department uses for hiring outside contractors.

The Planning Board and Zoning Board of Appeals are the permit granting authorities for the Westminster Zoning Bylaw and Subdivision Rules and Regulations. The Conservation Commission is the permit granting authority for the Department of Environmental Protection through the Westminster Wetlands Bylaw. Some Board members and staff are familiar with ADA and Section 504. Meetings are held in an accessible location such as the Town Hall. If other accommodations were needed, such as TTY/TTD phone lines, interpretive materials, etc., a request would be made through the Town Administrator's Office. The department does not include notice about non-discrimination and disability accommodations in public material, and does not advertise that the location of events and services are accessible.

The Historical Commission conducts research of historical sites in the community and makes recommendations to the Planning Board. Historical Commission members may be less familiar with accessibility regulations. Historical Commission meetings and activities take place in the Town Hall, which is an accessible building.

The Building Department and Zoning Enforcement Department is responsible for administering the Massachusetts' State Building Code, Electrical Code, Plumbing/Gas Code and the Town of Westminster's Zoning By-Law. The Building Department issues permits, inspects property, and enforces building and zoning regulations. The department is highly interactive with the public and is working to continue to improve customer service, streamline permitting and enhance technology throughout all operations. Forms are available online for download online, and questions may be submitted via email or by telephone. Officials affiliated with this department are aware of Section 504 and ADA, but to date, they have never received any requests for accommodations for employees or members of the public; however, they would make resources available if special needs are identified or requested. Department officials are aware of Section 504 and ADA. They have access to TTY or TTD phone lines. A person with a disability can access the Building Department office, but there are potential issues with access to inspect construction sites. The department does not conduct outreach and does not advertise that the facility is accessible.

### **Health Department**

The Health Department administers health programs, including permitting and inspecting food establishments and septic system installations and repairs, and investigating housing, general nuisance and food complaints. The Health Department also serves as a bridge to the Community Health Connection, which has facilities in Fitchburg, Gardner and Leominster. Health Department officials are not aware of accessibility regulations. The department does not include

notice about non-discrimination and disability accommodations in public material, and does not advertise that the location of events and services are accessible.

## Parks and Recreation

The Parks and Recreation Commission is responsible for providing recommendations concerning recreational policies, facilities, finances, programs for its citizens, and acquisition of land for such. Some of these include the various youth sports leagues, and the Summer Recreational Program, offered to the children of Westminster residents. They also maintain the baseball fields, parks, and playgrounds. The Parks and Recreation Commission did not respond to the Self-Evaluation Questionnaire. Presumably, Parks and Recreation officials are not fully aware of their ADA obligations to provide accessible facilities and programs, which should be rectified immediately given their charge. The Commission does not include notice about non-discrimination and disability accommodations in public material, and does not advertise that the location of events and services are accessible.

## Veteran Services

The Veteran's Service agent administers and makes claims for veterans with service-connected disabilities. They have procedures in place for responding to requests by persons with disabilities to modify policies and procedures, but they do not have auxiliary aids and services or materials available in alternate formats for people with impaired hearing or vision, and they do not advertise the accessibility of the facility and services or accommodations for persons with disabilities.

## Public Safety Building

The Public Safety Building is located at 7 South Street. The building, originally constructed in 1956, with major renovations in 1996, is just under 15,000 square feet and consists of a two-story structure that houses the Town's Police and Fire Stations. The ground floor includes public bathrooms, employee bathrooms, a police reception area, an inaccessible jail cell, and fire engine bays. The second floor includes staff offices and a meeting room. There is an elevator that connects the two floors, but it is undersized and inaccessible for persons using wheelchairs. Surface parking for the public is provided in front of the building with one designated accessible space. The Town is currently in the planning process to replace the Public Safety Building with a new, fully accessible public safety complex and completed a feasibility study in 2019.

## Fire Department

The Westminster Fire Department is a combination department with 10 Full Time Firefighters including the Chief and Captain and 23 On Call Firefighters. The fire station is staffed by at least two Firefighter/EMTs providing coverage at all times. On-Call Firefighters respond to calls when needed. The department also provides a paramedic level ambulance service to the town offering the highest level of pre-hospital care. The Department is broken into four service divisions; department members can elect to participate in one or more divisions. The divisions are:

- **Fire Services:** Responsible for all planning and delivery of Fire Suppression, Fire Prevention, Fire Investigation, Public Fire Education, and non-EMS emergency situations, such as Hazardous Material responses.
- **EMS Services:** Responsible for all planning and delivery of Emergency Medical services.
- **Support Services:** Responsible for supplying support to both the Fire and EMS Services Divisions, as well as delivering technical specialties. Specific responsibilities include

planning and management of the lighting trailer and boat, and delivering specialties such as warm and cold-water rescue, high and low angle rescue, and confined space rescue.

- **Emergency Management:** Headed up by the Chief, who is also the Town's Emergency Management Director. The Director and other positions are appointed by the Board of Selectmen and are responsible for creating and maintaining the Emergency Management Plan for the Town and providing for collaboration among responding agencies in resolving disaster emergencies.

Department activities are designed to prevent fires from occurring through strong, proactive fire prevention efforts and, on occasion, public education programs. On an annual basis the department responds to approximately 1,500 calls and performs an additional 1,100 inspections. The department averages 4.3 calls per day and the demographics of the calls have remained consistent. A little over 60% of the calls are Rescue calls that include accidents, medicals and technical rescue incidents. Fire Department Services include fire, rescue, EMS, SAFE, and Fire Prevention, serving the entire community. In addition, the Westminster Fire Department is a member of the Mid-State Fire Mutual Aid Network.

The Town's Comprehensive Emergency Plan is an all-hazards plan maintained by Emergency Management. The Plan is designed to guide resources in their response to various types of emergencies throughout the Town. These include floods, hazardous materials release, blizzards, and ice storms for example. It is unclear if the plan addresses issues specific to persons with disabilities as it is not publicly available. Emergency procedures should be readily available to all residents prior to an emergency occurring.

The 911 service has TTY/TTD phone lines, and the Town uses Reverse 911 as well as CodeRED. The Fire Department is aware of its ADA obligations, but does not regularly include notice about non-discrimination and disability accommodations in publications and program announcements, and for those events held on the second floor, the location of events and services is not accessible. Meetings, trainings, and the like should be relocated to Town Hall until the building is replaced.

## Police Department

The Westminster Police Department currently has 13 sworn full-time Police Officers and six Reserve Police Officers, four full-time civilian Dispatchers, four part-time Dispatchers, an Executive Assistant and one civilian Clerk. This department is also responsible for the oversight of the Town's Animal Control which is currently contracted to the City of Gardner Animal Control.

The mission statement of the Westminster Police Department is: "[that] it will commit its resources in partnership with the community to:

- Promote a safe and secure environment, free of crime and the fear of crime
- Maintain order and provide for the safe and expeditious flow of traffic
- Practice our core values of integrity, respect, service, and fairness
- Preserve life, maintain human rights, protect property and promote individual responsibility and community commitment."<sup>2</sup>

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<sup>2</sup>[Westminster Police Department Website](#)

The Police Department provides a wide range of activities and services, including a School Resource Officer, community safety trainings (bicycle, helmet, and child passenger seat inspection, Kid Care ID program, RAD classes, and house checks), community policing, firearms licensing and safety, a Detective's Bureau, and traffic enforcement. In addition to these efforts, the Westminster Police Department began a pilot Comfort Dog Program in 2019, and the department's Comfort Dog, Merle, an English Labrador, is trained to help in traumatic events to comfort victims, in schools with School Resource Officers to help calm students in crises, or in any situation where calming is needed.

Employee training is conducted in all areas required by the department's governing agency, the Massachusetts Police Training Committee (MPTC) as well as extensive training beyond those requirements in use of force, domestic violence, criminal law, traffic law, handling juveniles, handling situations involving mental illness, and substance abuse.. The Police Department serves the entire community and receives some funding through federal grants.

Programs and activities are usually held in the Community Room in the public safety building. Unfortunately, the public safety building is not accessible to people with impaired mobility, vision, hearing or other disabilities. The Police Department regularly includes notice about non-discrimination and disability accommodations in hiring, but not in publications and program announcements, and cannot advertise that the location of events and services are accessible due to the physical barriers associated with the facility.

## Senior Center

The Westminster Senior Center is located at 69 West Main Street. The building was constructed in 2013 and measures just under 9,000 square feet. The building is a single-story with a cafeteria, art room, game room, reading room, toilet rooms, and offices. A surface parking lot with designated accessible parking spaces is provided, as well a passenger drop-off area. Although the facility was recently constructed, the driveway apron was not sufficiently designed to accommodate pick-up and drop-off in an accessible manner. In addition, the facility included a bathing room that was initially constructed for emergency use only, however, the bathing room has never actually been used by the public and at this point, is no longer considered for public use. Much of the facility is fully accessible with features designed for people with low vision, however there are areas of the building that have problematic thresholds and protruding objects that will need to be addressed. An emergency preparedness plan for the facility also addresses the needs of individuals with disabilities.

## Council on Aging

The Council on Aging offers a variety of programming and services to people over the age of 60, anyone who has a disability, or people with low income. More than 2,200 residents are eligible. The Council offers health, fitness, and nutrition programs (both congregate meals and Meals on Wheels), referral services, support groups, lectures and entertainment, social gathering space and time, SHINE counselors, home health care to support independent living, and also transportation. The Council on Aging works in conjunction with state and local organizations to enhance the quality of life of Westminster's seniors through available resources. User fees are



charged for some programming such as exercise classes. Other funding comes from the Town, state, and charitable sources, and a formula grant from the federal government.

The **Council on Aging** has procedures in place for providing accommodations to persons with disabilities, and has access to resources to help navigate requests they are not equipped to provide. If needed, they would reach out to local agencies with expertise to assist in responding to requests by residents, visitors or employees to modify policies and procedures. For example, employees would seek outside support to provide auxiliary aids and services for people with impaired hearing, and could use help with creating print materials or audio-visual materials in alternate formats. They sometimes includes notices about **non-discrimination** and advertises the accessibility of its facilities and accommodations for persons with disabilities, but could do so with greater consistency.

### Forbush Memorial Library

The mission of the Forbush Memorial Library is, “[to] serve the Town of Westminster as a center for education, culture, recreation and information provided through its collection of materials and by making available technological resources both at the library and by remote access. The library also provides access to programming and serves as a community gathering space for people of all ages.”

The Forbush Memorial Library is located at 118 E. Main Street. Originally constructed in 1902, the building contained a central hall, with a reading room on one side with a fireplace, and a reference room on the other side, with a receiving desk to the back of the hall on the first floor, and a museum on the second floor for the display historical artifacts, items of local interest and natural history specimens. An 11,000 square foot addition was completed and dedicated in 1997, with extensive repairs in 2006. The Forbush Library, now a 16,000 square foot facility, consisting of a three-story building with library collections and public meeting spaces (including the Eloranta Room), as well as a museum, is served by surface parking with designated accessible spaces located at the back of the building. The front of the building, which is no longer the main entrance, is not accessible. The grounds are extensively landscaped and include a children’s garden, for which the Town was the recipient of a grant from the Massachusetts Board of Library Commissioners and the Institute of Museum and Library Services.

The library’s collection consists of nearly 133,000 items that are available for borrowing and includes almost 94,000 in adult holdings, over 30,000 items in the children’s room and another 9,000 for young adults. The library is served by 5 full-time and 6 part-time staff members, and is overseen by a board of six trustees. The library offers extensive programming to the public including the following services:

- Summer Reading Program and Literacy Program
- Children’s clubs, reading times, and story-times,
- 20 Young Adult programs
- Art & Artifact Collection
- Circulating Collections

- Adult Clubs & Activities

All clubs and activities are open to participants with disabilities, and the library offers a number of services to ensure participation options. The Eloranta Room, which is in common public use, has a sound amplification system along with a digital flat screen, which can be linked to a computer for presentation purposes to provide captioning. In addition, the library has large-print and alternative format materials available, a magnification device for print items, and curbside book delivery available for patrons.

The facility and programs are mostly accessible, and the staff is trained to use all equipment. The library does not include notice about non-discrimination and disability accommodations, but employees do have procedures in place for providing accommodations to persons with disabilities and have access to resources to help navigate requests they are not equipped to provide. If needed, staff would reach out to local agencies with expertise to assist them in responding to any requests to modify policies and procedures made by residents, visitors or employees.

### Department of Public Works Highway Garage

The DPW Highway Garage was constructed in 1991 and is an 8,646 square foot warehouse style building with offices and a meeting room. The Public Works Department provides services to manage and upgrade the Westminister's infrastructure, including buildings, roads, traffic and drainage systems, trees, parks and cemeteries, sewers, and water. The department also provides snow and ice management, solid waste drop-off sticks, recycling collection, and periodic hazardous waste collection events. The DPW issues permits for trench and street opening and curb cuts, and also sell stickers for trash.

The Public Works building is mostly accessible to the public, but has some issues with the parking, employee breakroom and restrooms - all of which DPW staff identified on their Self-Evaluation. For this reason, the monthly Public Works Commission meeting should be relocated to Town Hall until the restrooms are made fully accessible. Public Works officials and staff were not fully aware of non-discrimination regulations, prior to this SE&TP process, but in practice have been making modifications as needed. Department outreach does not include notice about non-discrimination and disability accommodations, and the DPW does not advertise that the facility is accessible.

### Meetinghouse School

Westminster participates in the Westminster-Ashburnham Regional School System. The public schools offer education and student programs for grades K-12, as well as evening programs for students, parents, and community members. The District posts and distributes information about Section 504 and ADA requirements, and employees will provide appropriate accommodations where necessary. Under state guidelines, the District includes a non-discrimination notice on its website and on other published materials. The District does not have published procedures for responding to requests by residents, visitors, or employees with disabilities to modify policies or procedures. The district does not regularly advertise that the facilities are accessible.

School buildings are also used for other purposes, and for the purpose of this report, the Meetinghouse School was reviewed for the accessibility of voting facilities. The Meetinghouse School, fields, and play equipment were constructed in 1995, and the school is the largest public building owned by the Town of Westminster, measuring at approximately 36,000 square feet. While the building itself is fully accessible, the route inside the building and parking is not fully accessible for Town Meeting. However, the Town establishes temporary parking adjacent to the building for the purposes of expanding the offerings of spaces closer to the building located on fully accessible routes.

### Outdoor Recreation Facilities

Hager Park, Crocker Pond, Muddy Pond, Meetinghouse School (fields), Bean Porridge Farm, the Midstate Trail, and the Town Common all offer outdoor recreation to the public, which is overseen by various entities within the Town of Westminster.

Nearly all facilities lack accessible parking, where parking is provided. The Meetinghouse School ball fields lack an accessible route to the fields, seating, pressbox, and snack bar, and the bathrooms are inaccessible. The Town lacks a fully accessible playground, walking trail, ball field, beach, or basketball court in any single location, and the Town's gazebo on the Town Common is also inaccessible. The Town intends to close the gazebo to public access as it seeks to find ways to establish an accessible pathway and ramp, but will need to seek ways to make recreation opportunities accessible to all members of the public.

## SECTION 4: ARCHITECTURAL AUDITS

As part of the SETP Process, Kessler McGuinness & Associates (KMA), architecture and accessibility experts audited the following buildings and facilities:

### Buildings

- DPW Highway Garage
- Senior Center
- Meetinghouse School
- Public Safety Building
- Hager Park Pump Station
- Westminster Elementary School
- Forbush Memorial Library
- Town Hall

### Exterior Areas

- Meetinghouse School Baseball Fields
- Crocker Pond Recreation Area
- Muddy Pond Conservation Area
- Whitmanville Cemetery
- Basketball Court (Town Hall)
- Water Dept. Public Fishing Reservoir
- Hager Park
- Woodside Cemetery
- Bean Porridge Conservation Area
- Town Common/ Academy Hill
- Midstate Trail
- Mt. Pleasant Cemetery





## Interior Audits

### DPW HIGHWAY GARAGE

*AUDITED ON: MARCH 4, 2020*



The DPW Garage is located at 2 Oakmont Ave. The site consists of a public office, an employee break room, and toilet rooms. There is a surface parking lot in front of the building with contains one designated accessible parking space.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b> The accessible parking space lacks the required signage at the head of the space. The designated accessible parking space has slopes >2% at the storm drain.		Regrade and restripe the existing parking space as well as the associated access aisle. Unit Cost: \$1,500 per space or aisle Est. Quantity: 2 (1 space + 1 aisle) Add a new van accessible sign to the existing designated accessible parking spaces. Unit Cost: \$100 per sign Quantity: 1	\$3,100
2.	<b>Entry</b> The shelf obstructs the required minimum 18" of maneuvering clearance on the latch pull side of the entry door.		Remove the shelf. Unit Cost: \$50 ea. Quantity: 1	\$50
3.	<b>Employee Breakroom - Ground Floor</b> The sink is >34" AFF, @ 36.5". The breakroom lacks an accessible seating space. <i>Note: There is another employee breakroom in the building that is not on an accessible route.</i>		Lower the sink to 34" AFF max. Unit Cost: \$3,000 ea. Quantity: 1 Provide at least one table, and no less than 5% of the total number of tables, that provides compliant knee and toe clearance. Unit Cost: \$250 ea. Est. Quantity: 1	\$3,250
4.	<b>Employee Single-User Toilet Rooms - Ground Floor (2)</b> Both bathrooms lack the required footprint and accessible elements. <i>Note: There are other employee toilet rooms in the building that are not on an accessible route.</i>		Further design study required. Unit Cost: \$5,000 Quantity: 1	\$5,000



TOTAL FOR DPW HIGHWAY GARAGE:




\$11,400




## FORBUSH MEMORIAL LIBRARY


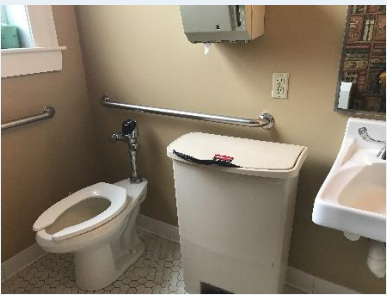
*AUDITED ON: MARCH 4, 2020*







The Forbush Memorial Library is located at 118 E. Main Street. The site consists of a three-story building with several toilet rooms. Surface parking with designated accessible spaces is located at the back of the building.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<p><b>Accessible Parking</b></p> <p>The signage is mounted &lt;60" AFF to the bottom of the sign, @ 52".</p> <p>One of the designated accessible parking spaces is missing a sign at the head of the space.</p> <p>The curb ramp serving the accessible parking spaces lacks a level landing at the top and has cross slopes &gt;2%.</p>		<p>Reinstall the signs at 60" min. AFF, measured to the bottom of the sign, including a van accessible sign.</p> <p>Unit Cost: \$100 ea. Est. Quantity: 2</p> <p>Add a new accessible sign to the existing designated accessible parking space.</p> <p>Unit Cost: \$100 per sign Quantity: 1</p> <p>Rebuild the curb ramp.</p> <p>Unit Cost: \$1,250 ea. Quantity: 1</p>	\$1,550
2.	<p><b>Front Entrance</b></p> <p>The front entrance is not accessible due to the stairs.</p>		<p>Provide directional signage to the accessible entry.</p> <p>Unit Cost: \$100 ea. Est. Quantity: 1</p>	\$100
3.	<p><b>Drinking Fountains</b></p> <p>The lo drinking fountain lacks the required minimum 27" AFF knee clearance below, @ 25".</p> <p>The drinking fountains protrude &gt;4" into the circulation space.</p> <p><i>This condition was observed at the drinking fountains on all floors (3 total).</i></p>		<p>Relocate the drinking fountain to a location where it is not a protruding object and provides the required knee clearance.</p> <p>Unit Cost: \$1,500 ea. Est. Quantity: 3</p>	\$4,500

#	Barrier Statement	Photo	Proposed Mitigation	Cost
4.	<b>Accessible Route to Lower Level Bathrooms</b> The accessible route is <36" wide for a depth >24" at the door to the lower level bathrooms, @ 34.5" wide for a 30" depth.		Modify the entryway to provide the required accessible route. Further design study required. Unit Cost: \$5,000	\$5,000
5.	<b>Children's Room</b> The sink lacks the required knee and toe clearance for a forward approach.  The paper towel dispenser controls are >46" AFF over a reach >10" deep, they are above the counter.  The wall mounted television protrudes >4" into the circulation space.		Modify the apron at the sink to provide the required knee clearance. Unit Cost: \$250 ea. Quantity: 1  Relocate the paper towel dispenser. Unit Cost: \$50 ea. Quantity: 1  Install a cane detectable object below the TV. Unit Cost: \$250 ea. Quantity: 1	\$550
6.	<b>Signage</b> The staff only signage is mounted >60" to the bottom of the highest line of tactile characters.		Lower the tactile/Braille signage. Unit Cost: \$100 per sign Est. Quantity: 2	\$200

#	Barrier Statement	Photo	Proposed Mitigation	Cost
7.	<p><b>Single-User Toilet Rooms - Ground Floor (2)</b></p> <p>The toilet is missing the required rear wall grab bar.</p> <p>There is &gt;1.5" between the wall and the grab bar at the sidewall, @ 2.25".</p> <p>The mirrors are mounted &gt;40" to the bottom of the reflective surface, @ 41".</p> <p>The changing table controls are mounted &gt;48" AFF.</p> <p>In one of the bathrooms, the entry door lacks the required minimum 12" of maneuvering clearance on the latch push side for a forward approach, due to the location of the sink.</p> <p>The threshold is &gt;0.5" AFF and lacks the required maximum 1:2 bevel, @ 0.625".</p>		<p>Install a 42" min. rear grab bar, located 6" from the interior corner of the wall. Unit Cost: \$50 ea. Quantity: 2</p> <p>Install a 42" min. side grab bar, located 12" from the interior corner of the wall. Unit Cost: \$50 ea. Quantity: 2</p> <p>Lower the mirror. Unit Cost: \$50 ea. Quantity: 2</p> <p>Install a lower control maximum 48" AFF on the baby changing stations. Unit Cost: \$50 ea. Quantity: 2</p> <p>Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 1</p> <p>Replace the thresholds. Unit Cost: \$250 ea. Quantity: 2</p>	\$3,400
8.	<p><b>Single-User Toilet Rooms - 2<sup>nd</sup> Floor (2)</b></p> <p>The paper towel dispenser controls are mounted &gt;48" AFF.</p> <p>The sink pipes in the women's room are not insulated.</p> <p>The entry doors lack the required minimum 12" of maneuvering clearance on the latch push side for a forward approach, due to the location of the sink.</p> <p>The trash can obstruct the required 60" of clearance at the toilet. There is no other</p>		<p>Relocate the paper towel dispenser. Unit Cost: \$50 ea. Quantity: 2</p> <p>Insulate the pipes. Unit Cost: \$50 ea. Quantity: 1</p> <p>Install an automatic door opener. Unit Cost: \$2,500 Quantity: 2</p> <p>Replace the trash can with one that is recessed into the wall.</p>	\$6,750



#	Barrier Statement	Photo	Proposed Mitigation	Cost
	<p>location within the bathroom to place the trash can without it becoming an obstruction.</p> <p>The coat hook in the accessible stall is mounted &gt;48" AFF.</p> <p>The threshold is not beveled at maximum 1:2.</p>		<p>Unit Cost: \$500 Quantity: 2</p> <p>Install a coat hook mounted no higher than 48" AFF. Unit Cost: \$50 ea. Quantity: 2</p> <p>Replace the thresholds. Unit Cost: \$250 ea. Quantity: 2</p>	
9.	<p><b>Single-User Toilet Room - 3<sup>rd</sup> Floor</b></p> <p>The headroom is &lt;80" AFF, due to the angled ceiling.</p> <p>The paper towel dispenser controls are mounted &gt;48" AFF.</p> <p>The entry door lacks the required minimum 18" of maneuvering clearance on the latch pull side for a forward approach.</p> <p>The changing table controls are mounted &gt;48" AFF.</p> <p>The threshold is not beveled at maximum 1:2.</p>	 	<p>Install a cane detectable object below the angled wall. Unit Cost: \$250 ea. Quantity: 1</p> <p>Relocate the paper towel dispenser. Unit Cost: \$50 ea. Quantity: 1</p> <p>Install an automatic door opener. Unit Cost: \$2,500 Quantity: 1</p> <p>Install a lower control maximum 48" AFF on the baby changing stations. Unit Cost: \$50 ea. Quantity: 1</p> <p>Replace the thresholds. Unit Cost: \$250 ea. Quantity: 1</p>	\$3,100
10.	<p><b>Employee Breakroom - 3<sup>rd</sup> Floor</b></p> <p>The break room door lacks the required minimum 18" of maneuvering clearance on the latch pull side for a forward approach, @ 9".</p> <p>The paper towel dispenser controls are &gt;46" AFF over a reach &gt;10" deep, they are above the counter.</p>		<p>Install an automatic door opener. Unit Cost: \$2,500 Quantity: 1</p> <p>Relocate the paper towel dispenser. Unit Cost: \$50 ea. Quantity: 1</p>	\$2,550

#	Barrier Statement	Photo	Proposed Mitigation	Cost
TOTAL FOR FORBUSH MEMORIAL LIBRARY:				\$27,700






## HAGER PARK PUMP STATION

*AUDITED ON: APRIL 16, 2020*

NO IMAGE

The Hager Park Pump Station is located off Hager Park Road. The site consists of a single building with a single-user employee toilet room. Surface parking is provided on site, but there are no designated accessible spaces.





#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Employee Parking</b> There are no designated accessible employee parking spaces provided.		Restripe a portion of the parking lot to add the required accessible spaces, as well as their associated signs and access aisles. Unit Cost: \$300 per space or aisle Est. Quantity: 2 (1 space + 1 aisle)	\$600
1.	<b>Accessible Route</b> The walkway has a gap >0.5" wide at the change in surface material.		Resurface the walkway. Unit Cost: \$25/SF Est. Quantity: 6 SF	\$150
2.	<b>Employee Toilet Room</b> The bathroom lacks the required footprint and accessible elements.  <i>Note: This is the only employee toilet room in the building.</i>		Further design study required. Unit Cost: \$5,000 Quantity: 1	\$5,000
<b>TOTAL FOR HAGER PARK PUMP STATION:</b>				<b>\$5,750</b>


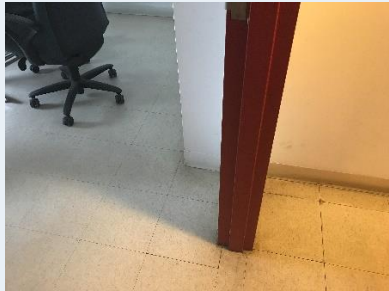
## PUBLIC SAFETY BUILDING

*AUDITED ON: MARCH 4, 2020*







The Public Safety Building is located at 7 South Street. The site consists of a two-story structure that houses the Town's Police and Fire Stations. The ground floor includes public bathrooms, employee bathrooms, a police reception area, a jail cell, and fire engine bays. The second floor includes staff offices and a meeting room. There is an elevator that connects the two floors. Surface parking for the public is provided in front of the building with one designated accessible space.




#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Employee Parking</b> There are no designated accessible employee parking spaces provided.		Restripe a portion of the parking lot to add the required accessible spaces, as well as their associated signs and access aisles. Unit Cost: \$300 per space or aisle Est. Quantity: 2 (1 space + 1 aisle)	\$600
2.	<b>Accessible Parking</b> The accessible parking sign is mounted <60" AFF to the bottom of the sign.		Reinstall the sign at 60" min. AFF, measured to the bottom of the sign. Unit Cost: \$100 ea. Quantity: 1	\$100
3.	<b>Entry Door</b> A bench obstructs the required minimum 18" of maneuvering clearance on the latch pull side for a forward approach at the entry door.  The threshold is not beveled at max. 1:2; it is made up of two vertical changes in level.		Remove the bench. Unit Cost: \$100 Quantity: 1  Replace the thresholds. Unit Cost: \$250 ea. Quantity: 1	\$350
4.	<b>Signage</b> Tactile/braille signage is not mounted on the latch side of the door.		Install tactile/Braille signage on the latch side of the door. Coordinate with location and height requirements. Unit Cost: \$100 ea. Est. Quantity: 10	\$1,000

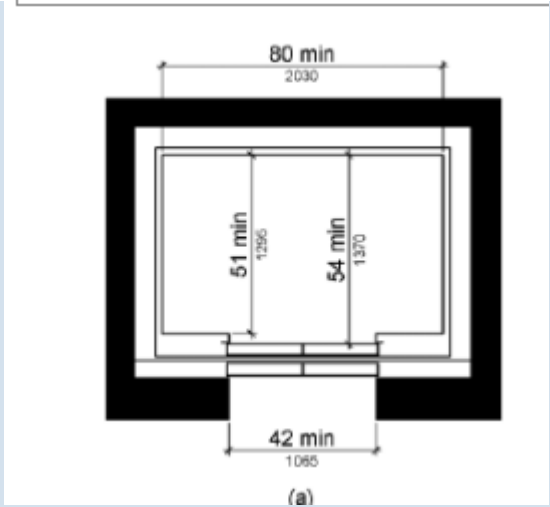


#	Barrier Statement	Photo	Proposed Mitigation	Cost
5.	<p><b>Public Single-User Toilet Rooms (2)</b></p> <p>The entry doors lack the required minimum 18" of maneuvering clearance on the latch pull side for a forward approach, due to the location of the sink.</p> <p>The paper towel dispenser controls are mounted &gt;48" AFF.</p> <p>The grab bars are mounted &gt;36" AFF to the top of the gripping surface, @ 37".</p>		<p>Install an automatic door opener. Unit Cost: \$2,500 Quantity: 2</p> <p>Relocate the paper towel dispenser. Unit Cost: \$50 ea. Quantity: 2</p> <p>Lower the grab bars. Unit Cost: \$50 ea. Quantity: 4</p>	\$2,800
6.	<p><b>Ground Floor Conference Room</b></p> <p>The coat hooks are mounted &gt;48" AFF.</p> <p>The door lacks the required minimum 18" of maneuvering clearance on the latch pull side for a forward approach, @ 17.5".</p> <p>The table lacks an accessible seating space, due to the pedestal feet below.</p>		<p>Install a coat hook mounted no higher than 48" AFF. Unit Cost: \$50 ea. Quantity: 1</p> <p>Install an automatic door opener. Unit Cost: \$2,500 Quantity: 1</p> <p>Provide at least one table, and no less than 5% of the total number of tables, that provides compliant knee and toe clearance. Unit Cost: \$250 ea. Quantity: 1</p>	\$2,800



#	Barrier Statement	Photo	Proposed Mitigation	Cost
7.	<b>Fire Department Offices</b> The office doors lack the required door maneuvering clearances. The inbox receptacles are mounted >48" AFF.		Install an automatic door opener. Unit Cost: \$2,500 ea. Est. Quantity: 3  Lower the inbox receptacles. Unit Cost: \$50 ea. Est. Quantity: 2	\$7,600
8.	<b>Fire Department Bay Doors</b> There is a vertical change in level >0.25" at the fire bay doors, @ 1.25". <i>KMA was informed on site that the public uses these doors.</i>		Raise the exterior concrete so there are no changes in level >0.25" at the fire bay door. Unit Cost: \$1,000 Quantity: 1	\$1,000
9.	<b>Fire Department Employee Kitchen</b> The sink is mounted >34" AFF, @ 36".		Lower the sink to 34" AFF max. Unit Cost: \$3,000 ea. Quantity: 1	\$3,000
10.	<b>Fire Department Employee Bathrooms</b> The bathrooms lack the required footprint and accessible elements.		Further design study required. Unit Cost: \$5,000 Quantity: 2	\$10,000



#	Barrier Statement	Photo	Proposed Mitigation	Cost
11.	<b>Police Garage Door</b> The door from the garage lacks the required minimum 18" of maneuvering clearance on the latch pull side for a forward approach, @ 13" to the bench.		Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 1	\$2,500
12.	<b>Jail Cell</b> The sink lacks the required knee and toe clearance below for a forward approach, due to the location of the toilet. The toilet lacks the required grab bars. The toilet CL is >18" from the sidewall, @ 24".		Replace the combined toilet/sink fixture with two separate fixtures. Unit Cost: \$1,000 Quantity: 2 Install rear and sidewall grab bars. Unit Cost: \$150 ea. Quantity: 2 Reposition the toilet. Unit Cost: \$1,500 ea. Quantity: 1	\$3,800
13.	<b>Elevator</b> The elevator is too small. The interior measured 57"x42" with a 36" wide door opening.		Replace the elevator car with a larger one. Unit Cost: \$50,000 ea. Quantity: 1	\$50,000

#	Barrier Statement	Photo	Proposed Mitigation	Cost
	 <p>(a)</p>			
14.	<b>Conference Room - 2<sup>nd</sup> Floor</b> The threshold has a change in level >0.5" AFF, @ 1" at the sloped transition.		Modify the flooring so there are no changes in level >0.5" or slopes >2%. Typically, this involves feathering out the underlayment. Unit Cost: \$1,000 Quantity: 1	\$1,000
15.	<b>Drinking Fountain - 2<sup>nd</sup> Floor</b> The lo drinking fountain lacks the required minimum 27" AFF knee clearance below for a forward approach, @ 26.5".		Raise the drinking fountain. Unit Cost: \$750 ea. Quantity: 1	\$750




#	Barrier Statement	Photo	Proposed Mitigation	Cost
16.	<b>Police Station Women's Employee Bathroom - 2<sup>nd</sup> Floor</b> The bathroom lacks accessible elements.		Further design study required. Unit Cost: \$5,000	\$5,000
<b>TOTAL FOR PUBLIC SAFETY BUILDING:</b>				<b>\$92,300</b>

## SENIOR CENTER


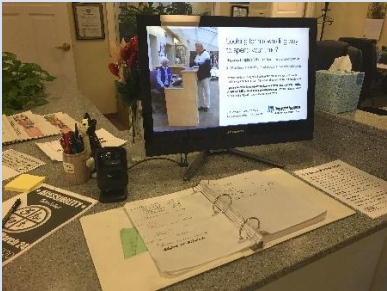


*AUDITED ON: MARCH 4, 2020*






The Westminster Senior Center is located at 69 West Main Street. The site is a single-story building with a cafeteria, art room, game room, reading room, toilet rooms, offices, and a bathing room. A surface parking lot with designated accessible parking spaces is provided.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<p><b>Accessible Parking Spaces</b></p> <p>Six of the accessible parking spaces have slopes &gt;2%, @ up to 5%.</p> <p>The accessible parking signs are mounted &lt;60" AFF to the bottom of the sign.</p>		<p>Regrade and re-stripe the existing designated accessible parking space and its' associated access aisle.</p> <p>Unit Cost: \$1,500 per space or aisle</p> <p>Est. Quantity: 2 (1 space + 1 aisle)</p> <p>Remove the accessible parking designations at the additional parking spaces, as more than the minimum number of accessible parking spaces have been provided.</p> <p>Unit Cost: \$150 ea.</p> <p>Quantity: 5</p>	\$3,750
2.	<p><b>Curb Ramp</b></p> <p>The curb ramp has a running slope &gt;8.3%, @ 9.3%.</p>		<p>Rebuild the curb ramp.</p> <p>Unit Cost: \$1,250 ea.</p> <p>Quantity: 1</p>	\$1,250
3.	<p><b>Drop Off</b></p> <p>An accessible loading zone is not included where there is a drop-off area.</p>		<p>Install an accessible vehicular drop-off at sidewalk.</p> <p>Unit Cost: \$12,000 ea.</p> <p>Quantity: 1</p>	\$12,000



#	Barrier Statement	Photo	Proposed Mitigation	Cost
4.	<b>Entry Doors</b> The exterior entry door has a threshold >0.5" AFF, @ 0.75".		Replace the threshold. Unit Cost: \$250 ea. Quantity: 1	\$250
5.	<b>Reception Area</b> The entry touch screen controls are >48" AFF.		Lower the touchscreen controls Unit Cost: \$250 ea. Quantity: 1	\$250
6.	<b>Cafeteria</b> The marble threshold to the kitchen area is not beveled at maximum 1:2, @ 0.5" vertical. The coat rod is >48" AFF, @ 60".		Replace the thresholds. Unit Cost: \$250 ea. Quantity: 2  Lower the coat rod. Unit Cost: \$50 Quantity: 1	\$550
7.	<b>Bathing Room</b> <i>KMA has been informed that the bathing room is not intended to be used by the public or employees. The items below are issues for the Town to make note of in case there is a change of use in the future.</i>  The bathroom door lacks the required minimum 18" of maneuvering clearance on the latch pull side for a forward approach.		N/A	N/A



#	Barrier Statement	Photo	Proposed Mitigation	Cost
	<p>The marble threshold is not beveled at maximum 1:2, @ 0.5" vertical.</p> <p>The toilet grab bars are mounted &gt;36" AFF to the top of the gripping surface, @ 37".</p> <p>The rear wall grab bar is mounted &lt;6" from the interior corner, @ 4".</p> <p>The mirror is mounted &gt;40" AFF to the bottom of the reflective surface, @ 41".</p> <p>The lavatory is mounted &gt;34" AFF, @ 34.25".</p> <p>The toilet lacks the required minimum 60" clearance, @ 48" to the lavatory.</p> <p>The transfer shower controls are not offset between the CL of the fixture and the open side.</p> <p>The threshold lacks a maximum 1:2 bevel.</p> <p>The coat hooks are mounted &gt;48" AFF.</p>	 		
8.	<p><b>Multi-User Toilet Rooms (2)</b></p> <p>The marble threshold is not beveled at maximum 1:2, @ 0.5" vertical.</p> <p>The toilet grab bars are mounted &gt;36" AFF to the top of the gripping surface, @ 37".</p> <p>The coat hooks are mounted &gt;48" AFF.</p>		<p>Replace the thresholds. Unit Cost: \$250 ea. Quantity: 2</p> <p>Lower the grab bars. Unit Cost: \$50 ea. Quantity: 4 (2 per bathroom)</p> <p>Install a coat hook mounted no higher than 48" AFF. Unit Cost: \$50 ea. Quantity: 4 (2 per bathroom)</p>	\$900





#	Barrier Statement	Photo	Proposed Mitigation	Cost
9.	<b>Game Room</b> The wall mounted television protrudes >4" into the circulation space.		Install a cane detectable object below the TV. Unit Cost: \$250 ea. Quantity: 1	\$250
10.	<b>Patio</b> The patio door threshold is >0.5" AFF, @ 0.75".	No Image	Replace the threshold. Unit Cost: \$250 ea. Quantity: 1	\$250
<b>TOTAL FOR THE SENIOR CENTER:</b>				<b>\$19,450</b>





## TOWN HALL

*AUDITED ON: MARCH 4, 2020*






The Town Hall is located at 11 South Street. The site consists of a two-story building with elevator service connecting both floors. The building contains various Town offices including the Town Administrator, Inspectional Services, Assessor, and Town Clerk. There is also a conference room, an employee break room, toilet rooms, and drinking fountains. A surface parking lot for the public is provided in front of the building with designated accessible parking spaces. A surface parking lot for employees is provided behind the building.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b> The designated accessible parking spaces have slopes >2%, @ up to 3.8%.		Regrade and restripe the existing parking space as well as the associated access aisle. Unit Cost: \$1,500 per space or aisle Est. Quantity: 3 (2 spaces + 1 aisle)	\$4,500
2.	<b>Employee Parking</b> There are no designated accessible parking spaces in the employee parking area. There is no accessible route from the employee parking area to the building, due to the change in level to the walkway.		Restripe a portion of the parking lot to add the required accessible spaces, as well as their associated signs and access aisles. Unit Cost: \$300 per space or aisle Est. Quantity: 2 (1 space + 1 aisle) Install a curb ramp at the top of the access aisle. Unit Cost: \$2,500 ea. Quantity: 1	\$3,100
3.	<b>Curb Ramp</b> The curb ramp has a cross slope >2%, @ up to 3.7%.		Rebuild the curb ramp. Unit Cost: \$1,250 ea. Quantity: 1	\$1,250
4.	<b>Entry</b> The clear floor space at the push button controls has slopes >2%, @ 4%. The defibrillators are mounted >48" AFF.		Regrade the clear floor space adjacent to the control. Unit Cost: \$1,000 Quantity: 1 Lower the defibrillator controls. Unit Cost: \$100 ea. Quantity: 1	\$1,100

#	Barrier Statement	Photo	Proposed Mitigation	Cost
5.	<b>Thermostats</b> The thermostat controls are mounted >48" AFF.		Lower the thermostats. Unit Cost: \$100 ea. Est. Quantity: 4	\$400
6.	<b>Information Holders</b> The information holders are mounted >48" AFF.		Lower the receptacles. Unit Cost: \$50 ea. Est. Quantity: 5	\$250
7.	<b>Multi-User Toilet Rooms - Ground &amp; Second Floors</b> The changing table surface is >34" AFF when in the down position, @ 36". The coat hooks are mounted >48" AFF, @ 54". The sidewall grab bar in the men's room does not extend 54" from the rear wall, @ 53". The sidewall grab bar in the women's room is not a continuous surface. The ground floor urinal rim is mounted >17" AFF, @ 18". The marble threshold at the entry door is >0.5" AFF, @ 0.625".	 	Lower the changing table. Unit Cost: \$500 Quantity: 2  Install a coat hook mounted no higher than 48" AFF. Unit Cost: \$50 ea. Quantity: 2  Install a 42" min. side grab bar, located 12" from the interior corner of the wall. Unit Cost: \$50 ea. Quantity: 2  Lower the urinal. Unit Cost: \$750 ea. Quantity: 1  Replace the thresholds. Unit Cost: \$250 ea. Quantity: 2	\$3,450



#	Barrier Statement	Photo	Proposed Mitigation	Cost
8.	<b>Drinking Fountains</b> Only one accessible drinking fountain is provided per floor, there are no drinking fountains for standing users.		Provide a 'hi' drinking fountain per ADA-602 on each floor. Unit Cost: \$1,000 ea. Quantity: 2	\$2,000
9.	<b>Employee Breakroom</b> The sink and the cooktop lack knee and toe clearance for a forward approach. The microwave and paper towel controls are mounted >48" AFF.		Modify the apron at the sink and cooktop to provide the required knee clearance. Unit Cost: \$250 ea. Quantity: 2  Lower the microwave controls to maximum 48" AFF. Unit Cost: \$500 Quantity: 1	\$1,000
10.	<b>Select Board Meeting Room</b> Chairs obstruct the required minimum 12" of maneuvering clearance on the latch push side for a forward approach at the entry doors.		Relocate the movable furniture so it does not obstruct the required door maneuvering clearance. Unit Cost: \$50 Quantity: 1	\$50
<b>TOTAL FOR TOWN HALL:</b>				<b>\$17,100</b>







# WESTMINSTER ELEMENTARY SCHOOL

*AUDITED ON: APRIL 16, 2020*



Westminster Elementary School is located at 9 Academy Hill Road. The site consists of an elementary school with surface parking, including four designated accessible parking spaces. The school is used occasionally by the public for town voting and meetings. KMA was informed on site that bathrooms are not available to the public for Town functions held at the school.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<p><b>Accessible Parking</b></p> <p>The designated accessible parking space lacks a sign at the head of the space.</p> <p>The designated accessible parking space has slope &gt;2%, @ up to 2.4%.</p> <p>The designated accessible spaces have areas with changes in level &gt;0.25" due to surface deterioration.</p>		<p>Add a new accessible sign to the existing designated accessible parking space. Unit Cost: \$100 per sign Quantity: 2</p> <p>Regrade and re-stripe the existing designated accessible parking space and its' associated access aisle. Unit Cost: \$1,500 per space or aisle Quantity: 3 (2 spaces + 1 aisle)</p>	\$4,700
2.	<p><b>Accessible Route</b></p> <p>The handrails protrude &gt;4" into the circulation route.</p> <p>The walkway has changes in level &gt;0.25" due to surface deterioration.</p> <p>The cross slope is &gt;2% at the drain.</p>	 	<p>Modify the base of the handrail so it does not protrude into the circulation route. Unit Cost: \$50 ea. Quantity: 2</p> <p>Resurface the walkway. Unit Cost: \$25/SF Est. Quantity: 10 SF</p> <p>Regrade the walkway by the drain. Unit Cost: \$25/SF Est. Quantity: 3 SF</p>	\$425
3.	<p><b>Children's Multiuser Toilet Rooms (2)</b></p> <p>The paper towel dispensers protrude &gt;4" from the wall, @ 9.5".</p> <p>The side grab bars extend &lt;54" from the rear wall, @ 48".</p>		<p>Relocate the dispensers. Unit Cost: \$250 Quantity: 2</p> <p>Install 42" minimum side grab bars, located 12" from the interior corner of the wall. Unit Cost: \$50 ea. Quantity: 2</p>	\$600

#	Barrier Statement	Photo	Proposed Mitigation	Cost
TOTAL FOR WESTMINSTER ELEMENTARY SCHOOL:				\$5,725
TOTAL FOR WESTMINSTER BUILDINGS:				\$179,425

## Exterior Audits


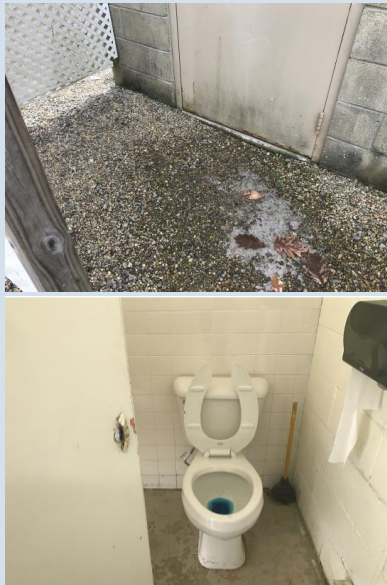
### BASEBALL FIELDS BY MEETINGHOUSE SCHOOL



*AUDITED ON: MARCH 4, 2020 & MARCH 24, 2020*



The Meetinghouse School Fields are located off South Street. The site consists of three baseball fields adjacent to the Meetinghouse School, bleacher seating, with accessible parking provided at the adjacent school. Facilities include a concession stand and multi-user toilet rooms serving the fields.



#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b> KMA has been informed that parking for the athletic facility is at the adjacent Town Hall.	No Image	Mitigate the accessible parking at Town Hall, as noted in the "Buildings" section of this report.	N/A
2.	<b>Accessible Routes</b> No accessible route is provided to the ball fields, the bathrooms, the concession stand, or the bleachers, due to the grass and gravel surfaces. A wheelchair space is not provided at the bleachers.		Provide an accessible route to the ball fields, the bathrooms, the concession stand, and the bleachers. Additional study required. Unit Cost: \$10,000 Quantity: 1  Provide an accessible space on an accessible route next to the bleachers. Unit Cost: \$25/SF Est. Quantity: 80 SF (20 SF x 4 bleachers)	\$12,000
3.	<b>Multi-User Toilet Rooms</b> The door hardware requires tight grasping, pinching, or twisting of the wrist to operate. There is a vertical rise >0.25" at the entry doors, @ approximately 1". Both bathrooms lack the required footprint and accessible elements.		Replace the door hardware with lever type. Unit Cost: \$300 ea. Quantity: 2  Modify the door landings. Unit Cost: \$1,000 Quantity: 2  Further design study required. Unit Cost: \$5,000 Quantity: 1	\$7,600

#	Barrier Statement	Photo	Proposed Mitigation	Cost
4.	<p><b>Concession Stand</b></p> <p>There is no level 30"x48" clear floor space adjacent to the concession windows.</p> <p>There is a vertical rise &gt;0.25" at the concrete pad serving the concession counter.</p> <p>The windows are &gt;36" AFF, @ 37" and 41".</p>		<p>Regrade the clear floor space adjacent to the windows.</p> <p>Unit Cost: \$1,000</p> <p>Quantity: 2</p> <p>Lower a 36" portion of the windows to 36" AFF max.</p> <p>Unit Cost: \$3,000 ea.</p> <p>Quantity: 1</p>	\$5,000
5.	<p><b>Press Box</b></p> <p>The press box is not located on an accessible route, due to the stairs and change in surface material.</p>		<p>Further design study required.</p> <p>Unit Cost: \$5,000</p>	\$5,000
<b>TOTAL FOR BASEBALL FIELDS BY MEETINGHOUSE SCHOOL:</b>				<b>\$26,600</b>







## BASKETBALL COURT BY TOWN HALL

*AUDITED ON: FEBRUARY 21, 2020 & MARCH 24, 2020*



The court is located off South Street adjacent to Westminster Town Hall. The site consists of one basketball court enclosed by a fence and bleacher seating. Accessible parking is provided at Town Hall. The accessible route to the site includes a L-shape ramp leading from the public sidewalk to the court entrance.


#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<p><b>Accessible Route</b></p> <p>The ramp has running slopes &gt;8.3%, @ up to 10.4%.</p> <p>The ramp lacks level landings.</p> <p>The ramp handrails do not run vertically above the walking surface, they are angled back.</p> <p>The ramp lacks the required handrail extensions.</p> <p>The basketball court is not located on a minimum 36" wide accessible route, @ 26" between the raised concrete at the entry gate.</p>	 	<p>Rebuild the ramp.</p> <p>Unit Cost: \$15,000 ea.</p> <p>Quantity: 1</p> <p>Modify the concrete to provide a minimum 36" wide accessible route.</p> <p>Unit Cost: \$1,000 ea.</p> <p>Quantity: 1</p>	\$16,000
2.	<p><b>Entry Gate</b></p> <p>The entry gate lacks the required minimum 10" of smooth surface along the bottom of the push side.</p>		<p>Install a kick plate that is minimum 10" tall on the bottom of the push side of the gate.</p> <p>Unit Cost: \$250 ea.</p> <p>Quantity: 1</p>	\$250
3.	<p><b>Bleacher Seating</b></p> <p>No accessible route is provided to the bleachers, due to the grass surface.</p> <p>A wheelchair space is not provided at the bleachers.</p>		<p>Provide an accessible route to the bleachers. Further design study required.</p> <p>Cost: \$1,000</p> <p>Provide an accessible space on an accessible route next to the bleachers.</p> <p>Unit Cost: \$25/SF</p> <p>Est. Quantity: 20 SF</p>	\$1,500
<b>TOTAL FOR BASKETBALL COURT BY TOWN HALL:</b>				<b>\$17,750</b>

## BEAN PORRIDGE CONSERVATION AREA

*AUDITED ON: APRIL 14, 2020*



The Bean Porridge Conservation Area is located along Bean Porridge Hill Road. The site consists of a wooded area and a swamp. No designated accessible parking is provided.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b>  The parking surface is not stable, firm, and slip resistant.  No designated accessible parking is provided.		Pave a portion of the parking lot to add accessible parking spaces (including at least one van space), as well as the associated signs and access aisle. Unit Cost: \$1,500 per space or aisle Est. Quantity: 2 (1 space + 1 aisle)	\$3,000
<b>TOTAL FOR BEAN PORRIDGE CONSERVATION AREA:</b>				<b>\$3,000</b>





## CROCKER POND RECREATION AREA





*AUDITED ON: FEBRUARY 21, 2020*






The Crocker Pond Recreation Area is located off S. Ashburnham Road. The site and facilities are open to Westminster town residents for recreational use. The site consists of an unpaved parking lot, a paved walkway, an outdoor basketball court, playground equipment, a gazebo, picnic table seating, and a water-front beach area. Facilities include a single-story building with toilet rooms and a stand-alone employee space

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<p><b>Accessible Parking</b></p> <p>The designated accessible parking provided lacks striping, and a stable, firm and slip resistant surface.</p> <p>The signs are mounted &lt;60" AFF to the bottom of the sign.</p>		<p>Pave a portion of the parking lot to add accessible parking spaces (including at least one van space), as well as the associated access aisles.</p> <p>Unit Cost: \$1,500 per space or aisle</p> <p>Est. Quantity: 5 (3 spaces + 2 aisles)</p> <p>Reinstall the signs at 60" min. AFF, measured to the bottom of the sign, including a van accessible sign.</p> <p>Unit Cost: \$100 ea.</p> <p>Quantity: 3</p>	\$7,800
2.	<p><b>Basketball Court &amp; Playground</b></p> <p>No accessible route is provided to the basketball court or the playground.</p> <p>The playground lacks ground level play components and accessible route between elements.</p>		<p>Provide an accessible route to the basketball court and the playground. Additional study required.</p> <p>Unit Cost: \$1,000</p> <p>Est. Quantity: 1</p> <p>Provide ground-level play components at the playground. Additional study required.</p> <p>Unit Cost: \$1,000</p> <p>Quantity: 1</p>	\$2,000



#	Barrier Statement	Photo	Proposed Mitigation	Cost
3.	<p><b>Multiuser Toilet Rooms (2)</b></p> <p>Tactile/braille signage is not mounted on the latch side of the doors.</p> <p>The doors lack a level landing.</p> <p>The mirrors are &lt;40" AFF to the bottom of the reflective surface, 53".</p> <p>The hand dryers protrude &gt;4" into the circulation space, @ 8.5".</p> <p>The toilet centerline in one of the toilet rooms is &gt;18" from the side wall, @ 18.5".</p> <p>The side grab bars extend &lt;54" from the rear wall, @ 52-53".</p> <p>The toilet paper dispensers are mounted &gt;9" from the front edge of the toilet, @ 15".</p> <p>The coat hooks are mounted &gt;48" AFF, @ 62".</p>	   	<p>Install tactile/Braille signage on the latch side of the door. Coordinate with location and height requirements. Unit Cost: \$100 ea. Est. Quantity: 2</p> <p>Regrade the door landing. Unit Cost: \$1,000 Quantity: 2</p> <p>Lower the mirror. Unit Cost: \$50 ea. Quantity: 2</p> <p>Relocate the hand dryer so it does not protrude into the circulation. Unit Cost: \$250 ea. Quantity: 2</p> <p>Reposition the toilet. Unit Cost: \$1,500 ea. Quantity: 1</p> <p>Install a 42" min. side grab bar, located 12" from the interior corner of the wall. Unit Cost: \$50 ea. Quantity: 2</p> <p>Relocate the toilet paper dispensers. Unit Cost: \$50 ea. Quantity: 2</p> <p>Install a coat hook mounted no higher than 48" AFF. Unit Cost: \$50 ea. Quantity: 2</p>	\$4,500



#	Barrier Statement	Photo	Proposed Mitigation	Cost
4.	<b>Employee Room</b> <p>The employee room is not located on an accessible route, due to the ground surface and the step.</p> <p>No tactile/Braille signage is mounted on the latch side of the door.</p>		<p>Provide an accessible route to the employee room. Further design study required.</p> <p>Unit Cost: \$5,000</p> <p>Install tactile/Braille signage on the latch side of the door. Coordinate with location and height requirements.</p> <p>Unit Cost: \$100 ea.</p> <p>Est. Quantity: 1</p>	\$5,100
5.	<b>Gazebo &amp; Seating Area</b> <p>No accessible route is provided to the gazebo or seating area, due to the ground surface.</p> <p>An accessible route is not provided into the gazebo, due to the stairs.</p> <p>The picnic tables lack accessible seating spaces.</p>		<p>Provide an accessible route to the gazebo and at least one picnic table. Additional study required.</p> <p>Unit Cost: \$1,000</p> <p>Est. Quantity: 1</p> <p>Build a ramp into the gazebo.</p> <p>Unit Cost: \$5,000 ea.</p> <p>Quantity: 1</p> <p>Provide at least one table, and no less than 5% of the total number of tables, that provides compliant knee and toe clearance.</p> <p>Unit Cost: \$250 ea.</p> <p>Quantity: 1</p>	\$6,250
6.	<b>Beach</b> <p>There is no accessible route to the beach.</p>		<p>Provide an accessible route to the beach. Additional study required.</p> <p>Unit Cost: \$1,000</p> <p>Est. Quantity: 1</p>	\$1,000
<b>TOTAL FOR CROCKER POND RECREATION AREA:</b>				<b>\$26,650</b>

## HAGER PARK

*AUDITED ON: FEBRUARY 21, 2020*



Hager Park is a conservation area open to the public located along Hager Park Road. The site consists of an unpaved parking lot with adjacent trailheads. No designated accessible parking or accessible routes from the parking to the trailheads are provided.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b> No designated accessible parking is provided. The parking surface is not stable, firm, and slip resistant.		Pave a portion of the parking lot to add accessible parking spaces (including at least one van space), as well as the associated signs and access aisle. Unit Cost: \$1,500 per space or aisle Quantity: 2 (1 space + 1 aisle)	\$3,000
2.	<b>Accessible Route</b> No accessible route is provided to the trailhead.		Provide an accessible route to the trailhead. Additional study required. Unit Cost: \$1,000 Quantity: 1	\$1,000
<b>TOTAL FOR HAGER PARK:</b>				<b>\$4,000</b>





## MIDSTATE TRAIL

*AUDITED ON: APRIL 14, 2020*



The Midstate Trail access is located along Bathrick Road. The site consists of an unpaved parking area and an adjacent trailhead. No accessible parking or routes are provided.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b> The parking surface is not stable, firm, and slip resistant. No designated accessible parking is provided.		Pave a portion of the parking lot to add accessible parking spaces (including at least one van space), as well as the associated signs and access aisle. Unit Cost: \$1,500 per space or aisle Est. Quantity: 2 (1 space + 1 aisle)	\$3,000
2.	<b>Accessible Route</b> No accessible route is provided to the trail.		Provide an accessible route to the trail. Additional study required. Unit Cost: \$1,000	\$1,000
<b>TOTAL FOR MIDSTATE TRAIL:</b>				<b>\$4,000</b>



## MOUNT PLEASANT CEMETERY

AUDITED ON: FEBRUARY 21, 2020



Mount Pleasant Cemetery is located at the intersection of Ellis Road, Knowler Road, and Nichols Street. The site consists of a single vehicular lane that runs through the site. There is no parking provided on site and there are no pedestrian routes provided on site.



#	Barrier Statement	Photo	Proposed Mitigation	Cost
3.	No barriers identified. KMA has confirmed with the town there are no public elements.	N/A	N/A	N/A
TOTAL FOR MOUNT PLEASANT CEMETERY:				\$0

## MUDDY POND CONSERVATION AREA

*AUDITED ON: APRIL 14, 2020*



The Muddy Pond Conservation Area is located off Bragg Hill Road. The site consists of conservation land open to the public with an unpaved parking area and an adjacent trailhead. No designated accessible parking or accessible routes are provided.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b> No designated accessible parking is provided. The parking surface is not stable, firm, and slip resistant.		Pave a portion of the parking lot to add accessible parking spaces (including at least one van space), as well as the associated signs and access aisle. Unit Cost: \$1,500 per space or aisle Quantity: 2 (1 space + 1 aisle)	\$3,000
2.	<b>Accessible Route</b> No accessible route is provided to the trail, the picnic area, and the overnight shelter. <i>Note: KMA did not review the picnic area or the overnight shelter as they required hiking far distances along an inaccessible trail.</i>		Provide an accessible route to the trail, the overnight shelter, and the picnic area. Additional study required. Unit Cost: \$3,000	\$3,000
<b>TOTAL FOR MUDDY POND CONSERVATION AREA:</b>				<b>\$6,000</b>

## TOWN COMMON / ACADEMY HILL

AUDITED ON: FEBRUARY 21, 2020



Town Common / Academy Hill is located at the intersection of Academy Hill Road and Dawley Road. The site consists of an open green space, a gazebo, a flagpole, and a memorial. The only available parking is along the public streets. There is no accessible route from the public right-of-way to site elements.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Routes</b> No accessible route is provided to the gazebo or the memorial, due to the grass surface. An accessible route is not provided into the gazebo, due to the stairs.		Provide an accessible route that is stable, firm, and slip resistant to the gazebo and the memorial. Further design study required. Unit Cost: \$5,000  Build a ramp into the gazebo. Unit Cost: \$10,000 ea. Quantity: 1	\$15,000
TOTAL FOR TOWN COMMON / ACADEMY HILL:				\$15,000



# WESTMINSTER WATER DEPT. PUBLIC FISHING (MARE MEADOWS RESERVOIR)

AUDITED ON: APRIL 14, 2020



The Westminster Water Department Public Fishing Access is located along South Street. The site consists of an unpaved parking area. No designated parking is provided.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b>  The parking surface is not stable, firm, and slip resistant.  No designated accessible parking is provided.		Pave a portion of the parking lot to add accessible parking spaces (including at least one van space), as well as the associated signs and access aisle. Unit Cost: \$1,500 per space or aisle Est. Quantity: 2 (1 space + 1 aisle)	\$3,000
<b>TOTAL FOR WESTMINSTER WATER DEPT. PUBLIC FISHING (MARE MEADOWS)</b>				<b>\$3,000</b>




# WHITMANVILLE CEMETERY

AUDITED ON: APRIL 14, 2020



The Whitmanville Cemetery is located along S. Ashburnham Road. The site consists of a single vehicular route that runs through the cemetery. No designated accessible parking is provided

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Accessible Parking</b> No designated accessible parking is provided.		Stripe a portion of the parking area to add an accessible parking space (including at least one van space), as well as the associated access aisles. Unit Cost: \$1,500 per space or aisle Quantity: 2 (1 space + 1 aisle)	\$3,000
TOTAL FOR WHITMANVILLE CEMETERY:				\$3,000


## WOODSIDE CEMETERY

*AUDITED ON: FEBRUARY 21, 2020*



The Woodside Cemetery is located along Narrows Road. The site consists of a single vehicular route that runs through the cemetery. Facilities include one building used by town staff, which includes an employee toilet room. The building is served by an unpaved parking lot with no accessible parking provided.

#	Barrier Statement	Photo	Proposed Mitigation	Cost
1.	<b>Employee Parking</b> The parking surface is not stable, firm, and slip resistant. No designated accessible parking is provided.		Pave a portion of the parking lot to add accessible parking spaces (including at least one van space), as well as the associated signs and access aisle. Unit Cost: \$1,500 per space or aisle Est. Quantity: 2 (1 space + 1 aisle)	\$3,000
2.	<b>Entry Door</b> The threshold is >0.5" AFF, @ 1".		Replace the threshold. Unit Cost: \$250 ea. Quantity: 1	\$250

#	Barrier Statement	Photo	Proposed Mitigation	Cost
3.	<p><b>Employee Toilet Room</b></p> <p>The sink is &gt;34" AFF, @ 34.5".</p> <p>The toilet lacks the required 60" of clearance to the lavatory. <i>Note: this is a requirement of the 2010 ADA Standards. The clearance is compliant with the 1991 ADAAG.</i></p> <p>The mirror is &gt;40" AFF to the bottom of the reflective surface.</p> <p>The toilet CL is &gt;18" from the side wall, @ 18.75".</p> <p>The side grab bar extends &lt;54" from the rear wall.</p> <p>The door maneuvering clearance is &lt;18" on the latch pull-side for a forward approach, @ 14" due to the cabinet.</p>		<p>Lower the sink to ≤34" AFF. Unit Cost: \$750 ea. Quantity: 1</p> <p>Reposition the lavatory so the required 60" of clearance is provided at the toilet. Unit Cost: \$750 ea. Quantity: 1</p> <p>Lower the mirror. Unit Cost: \$50 ea. Quantity: 1</p> <p>Reposition the toilet. Unit Cost: \$1,500 ea. Quantity: 1</p> <p>Install a 42" min. side grab bar, located 12" from the interior corner of the wall. Unit Cost: \$50 ea. Quantity: 1</p> <p>Remove the cabinet. Unit Cost: \$250 ea. Quantity: 1</p>	\$3,350
TOTAL FOR WOODSIDE CEMETERY:				\$8,350
GRAND TOTAL FOR EXTERIOR AREAS:				\$117,350

## SECTION 5: OVERVIEW OF FINDINGS AND RECOMMENDATIONS

Westminster has made significant progress in its ADA obligations not to discriminate against any persons on the basis of disability. The following findings and recommendations are based on the Town of Westminster's written policies and procedures, architectural audits, information on the Town's website including prior planning reports and budgetary/capital planning documents, completed Self-Evaluation Questionnaires and trainings, interviews, and discussions with staff that were completed throughout the course of early 2020.

### General Policies and Procedures

The goal of the Americans with Disabilities Act (ADA) is to provide equal opportunity for people with disabilities. The general principle underlying equal opportunity is protecting the civil rights of people with disabilities so they may enjoy and benefit from the services, programs and activities provided to all people by State and local governments.

Findings	Recommendations	Schedule
<p><b>1</b></p> <p>The Town has made progress fulfilling its Title II administrative requirements of the ADA. The Town Administrator, Mark Hawke, fulfills the responsibility of an ADA Coordinator.</p> <p><b>The following policies and procedures have been developed:</b></p> <p>ADA Grievance Policy</p> <p>Equal Employment Opportunity Policy</p>	<p>1. In order to fully ensure compliance, the Town should adopt the following additional written policies:</p> <ul style="list-style-type: none"> <li>i. Procedures to ensure meetings, hearings, and other events are held in accessible locations.</li> <li>ii. Establish a formal policy or process for responding to request for modifications.</li> </ul> <p>2. Provide public notice of ADA compliance at building entrances, on the Town's website, within employee handbooks and manuals, meeting/hearing notices, and other announcements.</p>	<p>Now</p> <p>Now</p>
<p><b>2</b></p> <p>Responses to the department Self-Evaluation Questionnaires indicate that all personnel do not have a clear understanding regarding the extent of the Town's program access obligations and ADA requirements.</p>	<p>1. The Town's ADA Coordinator should obtain additional ADA training to ensure compliance with Title II.</p> <ul style="list-style-type: none"> <li>i. Additional training opportunities for ADA Coordinators are offered through the ADA National Network <a href="http://wwwadata.org/adatraining">www.adata.org/adatraining</a></li> <li>ii. Develop and provide ADA training for all staff and new</li> </ul>	<p>1 Year</p>



	Findings	Recommendations	Schedule
	Town employees have received training as part of the SETP Planning Process to increase their awareness of the Town's obligations to provide accessible programs, services, facilities, and employment opportunities.	hires on an ongoing basis to ensure that everyone is aware of their role in meeting the Town's responsibilities.	
3	The Town does not have an Effective Communications Policy to ensure equal access for people with disabilities to participate in local government.	1. The Town should develop an Effective Communications policy including alternative format policy and procedures; website accessibility policy; interpreter services policy; assistive listening device policy; and television captioning policy.	1 Year
4	<b>Emergency Preparedness.</b> The Town does not appear to have a coordinated plan to ensure equal access to safe egress or evacuation.	<p>1. The Town should review their emergency preparedness plan to ensure that it provides equal access to safe egress for any visitor, member of the community or employee, including additional assistance if required to effectively alter, evacuate, and/or shelter them during an emergency. To ensure equal access to safe egress for individuals with disabilities, develop protocols and signage for such issues as:</p> <ul style="list-style-type: none"> <li>• Fire Exits signage and maneuvering space</li> <li>• Safe Wait Areas</li> <li>• Evacuation Maps</li> <li>• Information should be developed and disseminated regarding the locations of fire exits and safe wait areas serving each municipal space.</li> <li>• Public and Employee Orientation to the Town's Emergency Evacuation Procedures</li> </ul>	2 Years

## Effective Communications

Under the Americans with Disabilities Act (ADA), State and local governments must ensure **effective communication** with individuals with disabilities. Public entities are required to provide appropriate **auxiliary aids and services**, where necessary, to ensure that communications with individuals with disabilities are as effective as communications with others. In addition, telephone emergency services, including 9-1-1 services, must provide **direct access** to individuals with speech or hearing impairments.

Findings	Recommendations	Schedule
5	<p>The Town's Website, while a key method of communication, is not optimized for use by people with disabilities.</p> <p>The website lacks information regarding access to programs and services for people with disabilities.</p>	6 Months
	<ol style="list-style-type: none"> <li>The website needs to include more information regarding access to programs, services, and employment for people with disabilities and should be brought into compliance with Web Content Accessibility Guidelines (WCAG) 2.0.               <ol style="list-style-type: none"> <li>The website should be reviewed utilizing WebAim's WAVE toolbar or similar tool to identify recurring accessibility and usability problems.</li> </ol> </li> </ol>	1 Year
	<ol style="list-style-type: none"> <li>The Town should establish a policy to ensure its web pages will be accessible and create a process for implementation.</li> <li>Ensure the accessibility of all new and modified web pages and content:               <ol style="list-style-type: none"> <li>Check that the code of all new or modified web pages is valid and fix any broken links.</li> <li>If images are used, make sure each image has alternative-text (alt-text) and/or a long description.</li> <li>If a web page has an online form or contains tables, ensure that all the form fields and the information in the table are accessible.</li> <li>When posting documents to a website for download, especially if providing a document in the Portable Document Format (PDF), provide the document as an accessible web page and/or in</li> </ol> </li> </ol>	1 Year

	Findings	Recommendations	Schedule
		<p>a text-based format such as Word (.doc extension) or plain Text (.txt extension).</p> <p>4. Develop a plan for making your existing web content more accessible:</p> <ul style="list-style-type: none"> <li>i. Consider making the more popular web pages a priority.</li> <li>ii. Describe your plan on an accessible web page and encourage public input on improvements.</li> <li>iii. Include information about the web accessibility standards or guidelines that are being used.</li> <li>iv. Ensure that in-house staff and contractors responsible for web page and content development are properly trained and familiar with web accessibility.</li> <li>v. Provide a way for visitors to request accessible information or services by posting a telephone number or email address on your home page.</li> <li>vi. Establish procedures to assure a quick response to users with disabilities who are trying to obtain information or services in this way.</li> <li>vii. Periodically enlist disability groups to test your pages for ease of use; use this information to increase accessibility.</li> </ul>	1 Year
6	<p>The Town is currently providing communications in alternative formats on a limited basis, typically as requested. The most common request is for electronic format materials, and secondarily, large format print materials. The Town also provides TTY/TTT telephone relay access, and utilizes the CodeRED emergency notification system,</p>	<p>1. The Town should develop an Effective Communications policy including alternative format policy and procedures; website accessibility policy; interpreter services policy; assistive listening device policy; and television captioning policy.</p> <ul style="list-style-type: none"> <li>i. A method for securing assistive devices or services should be developed and distributed to</li> </ul>	1 Year

	Findings	Recommendations	Schedule
	which allows Town Officials to send voice notifications, emails or text messages to residents and businesses who have signed up for the service.	<p>Town Staff, including guidance on when and where these services will be provided.</p> <ul style="list-style-type: none"> <li>ii. Policies should also ensure how any equipment that is used is maintained in operable working order, may be used effectively by people with disabilities, and staff is trained in its use.</li> <li>iii. The Town should ensure that key public meetings that are broadcast on public tv are available with closed captioning to satisfy effective communications requirements.</li> <li>iv. In addition, telephone emergency services, including 9-1-1 services, must provide direct access to individuals with speech or hearing impairments</li> </ul>	
7	Responses to the questionnaire indicate that personnel do not advertise about the accessibility of their respective department services and/or availability of accommodations – particularly on key documents, such as hearing notices.	1. Notices for Town services, events, and programs should contain language that informs people with disabilities how to request accommodations and the notices should be posted in prominent physical locations as well as to the Town's website.	Now
8	Responses to the questionnaires indicate the need to establish the capacity across most Town departments to provide auxiliary aids and services and then to disseminate information about their availability. As part of the training administered with the questionnaire, staff were instructed to contact Mark Hawke, the Town's ADA coordinator if they receive requests for auxiliary aids.	1. Resources for alternate formats for printed materials (large print, CD, Braille), assistive listening systems, sign language interpreters, text telephones (TTYs) and relay services, accessible websites, captioning of audiovisual materials can be found in the Appendix of this plan. These resources should be incorporated into the Town's effective communications policy.	1 Year
9	Questionnaires and interviews indicate that Town Staff has not received training on interacting effectively with people with disabilities or been provided with guidelines on basic disability	<ul style="list-style-type: none"> <li>1. Resources on etiquette, person-first language, and non-discriminatory interactions can be found in the Appendix of this report and distributed to Town staff.</li> <li>2. Training opportunities on effective</li> </ul>	Now

Findings	Recommendations	Schedule
etiquette.	communication should be marketed to Town Staff on a routine basis to increase and promote ongoing awareness of the Town's responsibilities not to discriminate.	Ongoing

## Employment

Title II of the Americans with Disabilities Act (ADA) requires that public entities include an **examination of their employment policies, practices and activities as part of their self-evaluation**. Employment activities include the application process, testing, interviewing, hiring, job assignment, evaluation, discipline, medical examinations, compensation, promotion, on-the-job training, layoff/recall, termination, leave and benefits such as health insurance.

Findings	Recommendations	Schedule
<p><b>10</b> Responses to questionnaires and interviews indicate that not all staff has been not received training on the Town's responsibilities to discriminate in the employment process for both new and existing hires.</p> <p>Although the Town has adopted an ADA Grievance Policy and an Equal Employment Opportunity Policy, many employees were not aware the Town had done so prior to the training that occurred as part of the questionnaire process.</p>	<p>1. The Town should distribute its recently adopted ADA Grievance Policy and Equal Employment Opportunity Policies to employees on an annual basis to ensure ongoing awareness of these policies and procedures.</p>	Now
<p><b>11</b> New job postings contain clear language indicating that Westminster is an Equal Opportunity Employer.</p> <p>However, responses during interviews indicated that some department heads were not aware of the Town's responsibility not to discriminate in employment and have not been given clear guidance on the provision of reasonable accommodations to employees, job applicants, and contractors. Moreover, there was a limited awareness of what a reasonable</p>	<p>1. Review existing and new job descriptions to ensure that they meet non-discrimination requirements.</p> <p>2. Ensure that interviews are be conducted in accessible locations, and requests for reasonable accommodations, such as interpreter services or materials in alternate formats, are made unless undue hardship would result.</p> <p>3. Staff responsible for conducting interviews should receive training so they are aware of the non-discrimination requirements (e.g. what types of questions are impermissible, how to provide</p>	<p>Now</p> <p>Now</p> <p>1 Year</p>



	Findings	Recommendations	Schedule
	accommodation in employment entails, particularly for short-term disabilities, such as those caused by injuries on the job.	<p>reasonable accommodations for the job interview process, and medical examination requirements).</p> <p>4. Employment manuals should be reviewed on an ongoing basis to ensure that they are consistent with the ADA. The existing disability accommodation section narrowly defines "disability", does not discuss essential job functions, reasonable modifications for applications, work environments, or in employee benefits, and should be reviewed by legal counsel and modernized.</p> <p>5. Employment policies and practices should be examined an ongoing basis to ensure that they do not inadvertently discriminate against employees with disabilities. More training is needed for Department Heads who oversee staff or interview processes on the topic of reasonable accommodations.</p> <p>6. Policies and practices for providing reasonable accommodations should be established, where they do not already exist.</p>	<p>6 Months</p> <p>Ongoing</p>
12	Responses to the questionnaire indicate that personnel do not advertise about the accessibility of their respective department services and/or availability of accommodations – particularly on key documents, such as hearing notices.	<p>1. Notices for Town services, events, and programs should contain language that informs people with disabilities how to request accommodations and the notices should be posted in prominent physical locations as well as to the Town's website.</p>	Now

## Structural

Title II of the Americans with Disabilities Act of 1990 (ADA) included the ADA Standards for Accessible Design (1991 Standards), which were revised and updated in 2010 (2010 Standards) and allowed for the 1991 Standards to be used until March 14, 2012. The 2010 Standards set minimum requirements - both scoping and technical - for newly designed and constructed or altered State and local government facilities to be readily accessible to and usable by individuals with disabilities.

## Indoor Facilities

Findings	Recommendation(s)	Schedule
<b>Town Hall</b>		
<b>13</b>	<p>The accessible parking spaces have slopes &gt;2%.</p> <p>The curb ramp at the building entry has cross slopes &gt;2%.</p> <p>The entry door push button control clear floor space has slopes &gt;2% and the defibrillator controls are mounted too high.</p> <p>There are no accessible employee parking spaces and the employee parking lot is not on an accessible route.</p>	<p>Ensure the Town's plans to repave the parking areas and curb ramps this summer (2020) are ADA compliant.</p> <p>Install door push button controls and address entry sequence requirements.</p> <p>Now</p> <p>2 Years</p>
<b>14</b>	<p>The multiuser toilet room thresholds are too tall and some elements are not mounted in the correct locations.</p>	<p>In the more immediate future, designating the toilet rooms as unisex and modify at least one per floor to be fully accessible.</p> <p>1 Year</p>
<b>15</b>	<p>There are no drinking fountains for standing users.</p>	<p>Provide paper cups adjacent to the drinking fountains so that they can be utilized by standing users.</p> <p>Now</p>
<b>Senior Center</b>		
<b>16</b>	<p>The Senior Center parking lot has some issues with the configuration of some of its accessible parking spaces, but it also has more accessible parking than is required.</p> <p>Some of the accessible parking spaces have slopes &gt;2% and the signage is mounted too low.</p> <p>The curb ramp from the accessible parking is too steep.</p> <p>The drop off area lacks an accessible loading zone.</p>	<p>Due to the high traffic of the Senior Center and the fact that it was recently built, mitigating all the barriers identified in the architectural audits (Section 4) is recommended.</p> <p>Prioritizing the exterior parking and drop off areas due to their high visibility. Due to design challenges associated with widening the drop off apron, further study is recommended.</p> <p>1 Year</p>

Findings	Recommendation(s)	Schedule
17	<p>The bathing room lacks door maneuvering clearance; however, the shower is not used by the public or employees. Some elements are not mounted in the correct locations.</p> <p>The multiuser toilet room coat hooks and grab bars are too high.</p>	1 Year
18	<p>Several thresholds are too tall.</p>	6 Months
19	<p>The reception area touch screen is too high.</p>	Now
<b>Forbush Memorial Library</b>		
20	<p>Bathrooms lack door maneuvering clearance, the thresholds are too tall, and some elements are not mounted in the correct locations.</p> <p>The lower level bathrooms are not on an accessible route, due to the pinch point at the framed opening.</p>	1 Year
21	<p>The front entrance of the building is not accessible.</p>	Now
22	<p>The drinking fountains are too low and protrude into the circulation space.</p>	Now
23	<p>The accessible parking signage is too low or missing.</p> <p>The curb ramp at the accessible parking is too steep.</p>	1 Year

Findings	Recommendation(s)	Schedule
24	<p>The children's room sink lacks knee clearance for a forward approach and the TV protrudes too far from the wall.</p>	<p>1. Replace the sink with an accessible sink, and install cane detectable strips below the tv.</p> <p>3 Years</p>
<b>Westminster Elementary School</b>		
25	<p>Areas of Westminster Elementary School used for Town Events such as voting and Town Meeting were audited as part of this process. The primary issues were with the parking area. The areas were audited as currently configured, however, during Town Meeting and other Town Events, the Town provides temporary parking closer to the building.</p> <p>As configured, the accessible parking lacks signage, has slopes &gt;2%, and has surface deterioration.</p> <p>The accessible route from the parking has handrails that protrude into it, cross slopes &gt;2%, and surface deterioration.</p>	<p>1. Install accessible parking signage and regrade and repave the accessible parking.</p> <p>2. Replace handrails with compliant handrails and regrade accessible route into the building.</p> <p>3 Years</p>
<b>Public Safety Building</b>		
26	<p>The Public Safety Building has significant accessibility issues and will need to be substantially renovate in order to meet ADA design requirements.</p> <p>The Town is currently exploring options to replace the Public Safety Building with a new facility that will be ADA compliant.</p>	<p>1. While the Town explores its options to replace the Public Safety Building, providing an alternative accessible meeting location since some of the offices/ conference rooms identified are not located on an accessible route and/ or lack door maneuvering clearances is recommended. If an alternative location is used, such as the Town Hall, information on its location and the process for requesting its use must be disseminated.</p> <p>2. The Town has the capability of providing an accessible jail cell in an alternate location. Information on its location and the process for requesting its use must be</p> <p>Now</p>

Findings		Recommendation(s)	Schedule
		disseminated.	
<b>DPW Highway Garage</b>			
<b>28</b>	The Highway Garage gets relatively little public use, with exception to one public meeting of the Highway Commission.	The meeting should be relocated to the Town Hall to ensure that it is accessible.	Now
<b>29</b>	The accessible parking has slopes and lacks signage.	Install signage and regrade as part of next routine maintenance.	6 Months
<b>30</b>	The public entry door is obstructed by a shelf.	Remove the shelf.	Now
<b>31</b>	The employee breakroom has a sink that is too high and lacks accessible seating.	Lower the sink and install accessible seating as part of routine maintenance, planned alterations, or in response to a specific request.	2 Years
<b>32</b>	There are no accessible employee toilet rooms.	Repair as part of routine maintenance, planned alterations or in response to a specific request and as Town budget permits or provide reasonable accommodation.	5 Years
<b>Hager Park Pump Station</b>			
<b>33</b>	The pump station lacks accessible employee parking.	Due to the relatively low traffic of this building and no public access, mitigating barriers identified in the audit report as part of routine maintenance, planned alterations or in response to a specific request and as Town budget permits is recommended.	5 Years
<b>34</b>	There are no accessible employee toilet rooms.	See above.	5 Years



## Outdoor Facilities

Findings	Recommendations	Schedule
<b>Athletic Facilities</b>		
<b>35</b> Fully accessible athletic facilities in the Town of Westminster were not observed as part of this audit. The baseball fields by Meetinghouse School, the basketball courts at Town Hall, and the basketball court at Crocker Pond were reviewed. Athletic facilities lacked accessible routes, accessible parking, and accessible seating.	1. Due to the high traffic of the Westminster athletic facilities, providing accessible athletic facilities within the next 5 years is recommended. At least one of each type of athletic facility (e.g. baseball field, softball field, basketball court, etc.) should be made accessible, with priority going to those with the highest use. Associated press boxes and/ or concession stands, should also be modified either through physical architectural barrier removal or by implementing a policy change.	5 Years
	2. Prior to the next season opening, at least one bathroom serving each athletic facility should be designated as unisex and made fully accessible. This can be achieved by providing an accessible portable toilet at each location where bathrooms are provided. Ensure the accessible portable toilet is located on an accessible route.	1 Year
<b>Town Common</b>		
<b>36</b> The Town Common is not accessible. The area lacked an accessible route to the gazebo and memorial. Additionally, the gazebo requires the use of stairs to access.	1. Since the Town Common is a highly visible area and used for Town events, providing the required accessible routes is recommended. This can be achieved through architectural barrier removal or by implementing policy changes to the events that occur on Town Common. For example, providing temporary locations for accessible seating to view the summer concert series or drive up service for the farmers market at resident request. Ensure that the information on the policy and the process for implementation is disseminated.	2 Years

Findings	Recommendations	Schedule	
	2. In the more immediate future, implement a policy to close the gazebo to the public for Town events. Also have a policy in place for an alternative equivalent accessible location for those who use the gazebo should it be requested. Provide an accessible route into the gazebo within the next 5 years.	Now	
Play/Recreation Areas			
37	<p>There were no fully accessible play areas in the Town of Westminster observed as part of this audit. The recreation area at Crocker Pond was reviewed. The area lacked an accessible route, an accessible play surface, accessible play features, accessible bathrooms, and accessible parking spaces.</p> <p>While Crocker Pond lacks a fully accessible playground, the Town is in the process of designing and constructing a new playground at the Westminster Elementary School that will be fully ADA compliant and accessible for public use.</p>	<div><div>1. Since this is the only public beach, the Town should provide and advertise the availability of an accessible beach chair or mat available for use by residents/visitors.</div><div>2. Provide at least 1 fully accessible toilet room within the next 3 years.</div><div>3. The Town should proceed would its plans to create and accessible playground at the Elementary School. Ensure any modifications to an existing play area is done in compliance with the 2010 ADA Standards. Information regarding the accessible playgrounds should be disseminated to residents and available on the Town website.</div><div>4. Provide at least 1 fully accessible gazebo. Ensure any modifications to the existing structures are completed in compliance with the 2010 ADA Standards.</div></div>	<div><div>Now</div><div>3 Years</div><div>1 Year</div><div>5 Years</div></div>
Conservation Trails/Areas			
38	<p>There are no fully accessible conservation areas in the Town of Westminster. The Bean Porridge Conservation Area, Hager Park, the Midstate Trail, Muddy Pond Conservation Area, and the Water Department Public Fishing Area at Mare Meadows Reservoir were reviewed. The conservation</p>	<div><div>1. Provide accessible parking and a route to the trailhead at one of the conservation areas, with priority going to the trailhead that has the highest use.</div></div>	<div><div>5 Years</div></div>

	Findings	Recommendations	Schedule
	areas lacked accessible parking spaces and accessible routes to the trailheads (where provided).		
<b>Cemeteries</b>			
<b>39</b>	There are three cemeteries in the Town of Westminster, Mount Pleasant Cemetery, Whitmanville Cemetery, and Woodside Cemetery. Generally, the cemeteries were accessible as the only access is for vehicular travel. However, the Whitmanville Cemetery did appear to have a parking area that was not designated as accessible and the Woodside Cemetery had employee spaces that were inaccessible.	1. Provide signage at the parking area specifying its intended use. If it is intended to be used by the public, ensure a van accessible space will be striped.	4 Years
		2. Due to the relatively low traffic of the employee building at Woodside Cemetery and no public access, mitigating barriers identified in Section 4 as part of routine maintenance, planned alterations or in response to a specific request and as Town budget permits is recommended.	5 Years

## SECTION 6: PRIORTIZATION PLAN

### Immediate Priority

1. Update the Town's website, hearing, and event notices to include language regarding non-discrimination. Sample language is as follows:

*The Town of Westminster does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services, or activities. Individuals, whom are in need of auxiliary aids for effective communication in Town programs and services, may make their needs known by contacting the Town's ADA Compliance Officer, Mark Hawke.*

2. Distribute the Town's Grievance Policy and Equal Employment Opportunity Policy's as well as this plan to provide resources on effective communication, disability etiquette, hiring practices, etc. to provide employees with a greater level of awareness of the Town's responsibilities not to discriminate.
3. Install/relocate accessibility signage as identified and recommended in Section 4 of this plan. Raise/lower grab bars in bathrooms in high traffic facilities (Town Hall, Library, Senior Center) first.
4. Remove any obstructive barriers (furniture, shelves, etc.) identified in Section 4 of this plan.
5. Provide paper cups at inaccessible drinking foundations.
6. Relocate public meetings currently held in the Public Safety Building and DPW Highway Garage to the Town Hall to ensure that the meetings are held in an accessible location.
7. Ensure that the repaving down at the Town Hall parking lot this Summer is ADA compliant.
8. Procure beach chair or ADA compliant beach mats.

### High Priority: Six Months to 1 Year

1. Review employment manuals and job descriptions and provide training to employees who participate in hiring to ensure non-discrimination in Westminster's employment practices.
2. Ensure that employees are aware of how to access assistive equipment, devices, and alternative formats.
3. Replace non-compliant thresholds and install cane detectable strips as identified in Section 4 of this plan.
4. Study the Senior Center's parking lot and drop off area to create an accessible loading zone and compliant parking.
5. Continue to make progress on the planning and construction of a replacement Public Safety Building to address widespread noncompliance with ADA requirements.
6. Ensure the equipment and design of the new playground at the Westminster Elementary School is ADA compliant.

### Medium Priority: 1 Year to 3 Years

1. Provide additional ADA training to the Town's ADA Coordinator/Compliance Officer and disseminate training opportunities to staff on an ongoing basis.

2. Adopt an Effective Communications Policy
3. Obtain assistance to modify the Town's website and website content to be fully ADA compliant. The Town's existing website vendor may be able to ensure compliance as part of their services.
4. Install automatic door openers where recommended in Section 4 of this Plan.
5. Reassign gendered single-user bathrooms to general use, and make at least one restroom in each pair fully ADA compliant as identified in Section 4 of this plan.
6. Replace or raise sinks lacking knee clearance or installed at the incorrect height.

### **Long-Term Priority: 3 to 5 Years**

1. Address employee accessibility parking, toilet, and breakroom facilities at the DPW Highway Garage and Hager Park Pump Station.
2. Address employee bathrooms/break areas in the Senior Center and Town Hall.
3. Obtain assistance to identify mechanisms to achieve at least one of the following fully compliant type of facility owned by the Town of Westminster, ideally those facilities receiving the highest usage will be prioritized first: ball fields, including dug out, press box, and bleachers; accessible parking and trailhead, accessible basketball court, and an accessible Town Common and gazebo.



## SECTION 7: RESOURCES

There are a number of resources available to assist the Town with the implementation of their Transition Plan and to ensure it meets its obligations to its residents.

### Grant Funding

#### Massachusetts Community Development Block Grant Program (CDBG)

CDBG is a federally funded, competitive grant program designed to help small cities and towns meet a broad range of community development needs. Eligible projects include but are not limited to housing rehabilitation or development, micro-enterprise or other business assistance, infrastructure, community/public facilities, public social services, planning, removal of architectural barriers to allow access by persons with disabilities, and downtown or area revitalization. More information about the program can be found here:

<https://www.mass.gov/service-details/community-development-block-grant-cdbg>

#### Massachusetts Municipal ADA Improvement Grant Program

The Massachusetts Office on Disability (MOD) administers the Municipal ADA Improvement Grant program. This funding is aimed at supporting capital improvements to improve programmatic access and/or removing barriers encountered by people with disabilities. Project grants of up to \$250,000 are available. There are also planning grants to assist communities in creating or updating a Self-Evaluation and/or Transition Plan. More information about the program can be found here:

<https://www.mass.gov/municipal-americans-with-disabilities-act-grant>

#### Massachusetts Cultural Facilities Fund

The Massachusetts Cultural Council and MassDevelopment provides cultural organizations, including Municipalities that own cultural facilities that are at least 50,000 square feet, with grant funding to support three project types: Feasibility and Technical Assistance grants; Systems Replacement Plan Grants; and Capital grants. Feasibility and Technical Assistance grants of up to \$50,000 are available for costs and expenses related to overall planning and feasibility for a project. Systems replacement plan grants of up to \$7,000 are available to support the development of a capital needs assessment of a building and its mechanical system. Capital grants ranging from \$250,000-\$675,000 are available for acquisition, design, construction, repair, renovation, rehabilitation or other capital improvements. In order for a municipality to be eligible to apply for this funding, it must demonstrate that 50% or more of the facility is used for arts, humanities, or interpretative science programming. All grant programs require a 1-1 match. More information about the program can be found here:

<http://www.massculturalcouncil.org/facilities/facilities.htm>

#### Complete Street Funding Program

A Complete Street is one that provides safe and accessible options for all travel modes - walking, biking, transit and vehicles - for people of all ages and abilities. MassDOT provides funding to municipalities for technical assistance to analyze their community needs and develop a Complete Streets Prioritization Plan, and funding for construction of Complete Streets infrastructure projects. Also inherent in the development of a Complete Street is meeting the

most current accessibility guidelines outlined by the Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (AAB), which are upheld by Code of Massachusetts Regulations 521 (521 CMR). MassDOT has allocated \$12.5 million for the first two years, 2016 and 2017. Future funding will be based on the availability of funds and the interest and success of the program. More information about the program can be found here:

<http://www.massdot.state.ma.us/highway/DoingBusinessWithUs/LocalAidPrograms/CompleteStreets.aspx>

### **Community Transit Grant Program**

MassDOT administers the Community Transit Grant Program which is the annual competitive grant program to distribute Federal Transit Administration Section 5310: Enhanced Mobility of Seniors & Individuals with Disabilities funds, and State Mobility Assistance Program funds. This grant program provides funding to assist with mobility management activities, the purchase of capital equipment, and operational costs to meet the mobility needs of seniors, defined as those 65 and older and individuals with disabilities of any age.

State Mobility Assistance Program (MAP) funds are to assist in the provision of transportation services to seniors and persons with disabilities. MAP funding is exclusively used for the purchase of eligible vehicles, and most often as a State financial match to federally funded capital vehicle purchases. More information about the program can be found here:

<http://www.massdot.state.ma.us/transit/CommunityTransitGrantProgram/ProgramInformation.aspx>

## **Services**

### **MassRelay Service**

The Massachusetts Department of Mental Health operates the MassRelay service. This service is provided 24 hours, seven days a week, 365 days a year and enables people who are deaf, hard of hearing, late deafening, or speech disabled to communicate with hearing people over regular phone lines. A Relay Operator will complete your call, dialing the party you wish to contact and then stay on the line to relay messages electronically via a TTY or verbally to people who can hear. Dial 711 in Massachusetts or 1-800-439-0183 from anywhere else.

### **Massachusetts Commission for the Deaf & Hard of Hearing (MCDHH) Statewide Interpreter/CART Referral Service**

The MCDHH provides statewide interpreter and Communication Access Realtime Translation (CART) referral services. It provides referral services for sign language, spoken English, oral, tactile and close vision interpreting for Deaf and Deaf-Blind individuals, as well as making referral to freelance CART providers for services. They also provide an After-hours Emergency Interpreter Service, an Interpreter Screening service, Interpreter and CART provider trainings, case management, and technical assistance. More information can be found here:

<http://www.mass.gov/eohhs/gov/departments/mcdhh/programs/cart/>

## **Training and Technical Assistance**

### **Massachusetts Commission for the Deaf & Hard of Hearing (MCDHH)**

MCDHH, through the Communication Access, Training, and Technology Services Department (CATTS) provides information and training to the public on issues of deafness and hearing loss. Free In-service or educational services/presentations can be provided for any organization or business seeking to improve their effectiveness in interacting with people who are deaf and hard of hearing. They also provide technical assistance on assistive technology to public and private agencies, professional organizations, businesses and individuals related to all aspects of technology for the deaf and hard of hearing individuals. In addition, they also create a number of publications with a wide range of topics related to deafness and hard of hearing. For more information visit their website at:

<http://www.mass.gov/eohhs/gov/departments/mcdhh/programs/communicate-train/>

### **Massachusetts Commission Against Discrimination (MCAD)**

MCAD provides discrimination prevention training to the public and for workplaces. Training sessions range from two hours to four days in length, depending on the topics covered. They also offer Equal Employment Opportunity Certifications for individuals who currently provide, or seek to provide, employment discrimination prevention training, conduct internal discrimination complaint investigations and/or respond to accommodation requests. For more information visit their website at:

<https://www.mass.gov/training-and-outreach>

### **Massachusetts Office on Disability (MOD)**

MOD's mission is to "bring about full and equal participation of people with disabilities in all aspects of life...in a manner that fosters dignity and self-determination. They have four areas of focus: 1) Providing Training; 2) Advocacy; 3) Monitoring; and 4) Resources. MOD provides training to various entities in a variety of formats on all topics related to the state and federal civil rights laws that govern disability discrimination. Topics may include but are not limited to: ADA, Fair Housing Act, Section 504 of the Rehabilitation Act, M.G.L. Chs. 151b and 272, Service Animals, Vocational Rehabilitation and Independent Living Services and Programs, and Architectural Access Regulations. MOD also provides architectural review/site visits, either through plan review or on-site visits to ensure compliance with the various building requirements specific to persons with disabilities. Training and Architectural Review/Site Visits can be requested at:

<http://www.mass.gov/anf/employment-equal-access-disability/disability-info-and-resources/education-and-training/customized-trainings.html>

### **ADA Coordinator Certification Program**

The ADA Coordinator Training Certification Program is offered by the University of Missouri and the Great Plain ADA Center Classes are offered online and through trainings offered at various conferences the University hosts. Following the successful completion of the program, the participant will have the knowledge base essential to performing the role of an ADA Coordinator. Course and certification requirements can be found on their website:

<http://www.adacoordinator.org/?page=About>

## National ADA Symposium

This premier, national four-day event includes more than eighty breakout sessions on every aspect of ADA. It is a project of the ADA National Network and is organized and run by the Great Plains ADA Center. For more information about the Symposium visit:

<http://www.adasymposium.org/>

## New England ADA Center

New England ADA Center is one of 10 regional ADA Centers comprising the ADA National Network. They provide information, guidance and training on ADA tailored to meet the needs of business, government and individuals at local, regional and national levels. Their website has a clearing house of ADA training topics that are no cost web-based courses in addition to publications and best practices resources. Their website can be found at:

<https://www.newenglandada.org/>

## Interacting Effectively with Individuals with Disabilities

### TIPS FOR INTERACTING EFFECTIVELY WITH PEOPLE WHO HAVE DISABILITIES:

- **Don't make assumptions about the person or the disability.** Let the individual's actions and reactions guide your responses. If someone who is hard-of-hearing needs you to speak more loudly, wait until you are asked before raising your voice.
- Always **speak directly to the person with a disability**, not to a companion, assistant or sign language interpreter.
- **If the person does not understand you, try again.** You may want to rephrase what you are saying in shorter sentences or use less complex language. Similarly, if you don't understand what someone is saying, ask them to repeat what they just said. Don't become anxious if you have to make repeated attempts at listening or speaking to ensure effective communication.
- **Do not assume that a person with a disability needs help.** If someone looks in need of help, it is always appropriate to offer assistance, with the understanding that the individual may not need any help and so will decline your offer. If your offer to assist is accepted, listen or ask for instructions before you act.
- Become **familiar with the Town's accessibility features**, so that you can direct individuals to accessible rest rooms, ramps or elevators, and accessible entrances and exits.
- Become **familiar with Westminster's accommodation procedures.** When people with disabilities ask for accommodations, they are not complaining. Rather, they are asking for what they need in order to participate fully and equally in a particular activity, service or program.
- **Respond courteously to all requests for accommodation.** If you cannot provide or authorize an accommodation, promptly relay the request to appropriate personnel who do have authority.

### TIPS ON USING PERSON-FIRST LANGUAGE

1. **Do not refer to a person's disability unless it is relevant.**
2. **Use "disability" rather than "handicap" to refer to a person's disability.**

It is okay to say that a person is handicapped by obstacles, such as architectural barriers or the attitudes of ignorant or insensitive people. Never use "cripple/crippled" in any reference to disability.

3. **When referring to a person's disability, use "person first" language.**  
In other words, when necessary, it is better to say "a person with a disability" rather than "a disabled person." Since "disabled" is an adjective, it is important to avoid ridiculous - and improper - constructions such as "disabled group" or "disabled transportation." Instead, build phrases using the word "disability."
4. **Avoid referring to people with disabilities as "the disabled, the blind, the epileptics, the retarded, a quadriplegic," etc.**  
Descriptive terms should not be used as nouns. Instead, when referring to someone's disability is essential to the conversation, use descriptive phrases.
5. **Avoid negative or sensational descriptions of a person's disability.**  
Don't say "suffers from," "a victim of," or "afflicted with." Don't refer to people with disabilities as "patients" unless they are receiving treatment in a medical facility. Never say "invalid." These portrayals elicit unwanted sympathy, or worse, pity toward individuals with disabilities. Respect and acceptance is what people with disabilities would rather have.
6. **Don't portray people with disabilities as overly courageous, brave, special, or superhuman.**  
This implies that it is unusual for people with disabilities to have talents or skills.
7. **Don't use "normal" to describe people who don't have disabilities.**  
It is better to say "people without disabilities" or "typical," if necessary, to make comparisons.
8. **Never say "wheelchair-bound" or "confined to a wheelchair."**  
People who use mobility or adaptive equipment are, if anything, afforded freedom and access that otherwise would be denied them.
9. It is, however, okay to use common expressions like "see you soon" or "I'd better be running along."
10. Relax. Anyone can make mistakes. Offer an apology if you forget some courtesy.



## DISABILITY-SPECIFIC COMMUNICATION TIPS

### *When meeting a person with a disability that affects learning, intelligence, or brain function:*

- Keep your communication simple. Rephrase comments or questions for better clarity.
- Stay focused on the person as he or she responds to you.
- Allow the person time to tell or show you what he or she wants.

### *When meeting a person with a disability that affects speech:*

- Pay attention, be patient, and wait for the person to complete a word or thought. Do not finish it for the person.
- Ask the person to repeat what is said, if you do not understand. Tell the person what you heard and see if it is close to what he or she is saying.
- Be prepared for various devices or techniques used to enhance or augment speech. Don't be afraid to communicate with someone who uses an alphabet board or a computer with synthesized speech.

### *When you are with a person who uses a wheelchair:*

- Do not push, lean on, or hold onto a person's wheelchair unless the person asks you to. The wheelchair is part of his or her personal space.
- Try to put yourself at eye level when talking with someone in a wheelchair. Sit or kneel in front of the person.
- Rearrange furniture or objects to accommodate a wheelchair before the person arrives.
- Offer to tell where accessible rest rooms, telephones, and water fountains are located.
- When giving directions to a person in a wheelchair, consider distance, weather conditions, and physical obstacles (curbs, stairs, steep hills, etc.)

### *Talking with a person who is deaf or uses a hearing aid:*

- Let the person take the lead in establishing the communication mode, such as lip-reading, sign language, or writing notes.
- Talk directly to the person, even when a sign language interpreter is present.
- If the person lip-reads, face him or her directly, speak clearly and with a moderate pace.
- With some people, it may help to simplify your sentences and use more facial expressions and body language.

### *Interacting with a person who is blind or has a disability that affects sight or vision:*

- When greeting the person, identify yourself and introduce others who may be present.
- Do not leave the person without excusing yourself first.
- When asked to guide someone with a sight disability, never push or pull the person. Allow him or her to take your arm, then walk slightly ahead. Point out doors, stairs, or curbs, as you approach them.
- As you enter a room with the person, describe the layout and location of furniture, etc.
- Be specific when describing the location of objects. (Example: "There is a chair three feet from you at eleven o'clock.")
- Do not pet or distract a guide dog. The dog is responsible for its owner's safety and is working. It is not a pet.

## SECTION 8: APPENDIX

### GLOSSARY OF TERMS

**Notice** - Public entities must adopt and distribute a public Notice of the provisions of the ADA to members of the public who may participate in its programs, services, and activities. The notice should state the entity's obligations under the ADA and include the complete contact information of the ADA coordinator. (28 CFR Part 35.106)

**Designation of a Responsible Employee** - Public entities must designate an employee to coordinate compliance with ADA in order to ensure that the public can identify an individual who is knowledgeable with the requirements of ADA. (28 CFR Part 35.107)

**Grievance Procedures** - Public entities must develop and distribute grievance procedures for the prompt resolution of any complaint alleging disability discrimination. (28 CFR Part 35.107)

**Modification of Policies, Practices and Procedures** - Modification is mandated when necessary to avoid discrimination. (28 (CFR Part 35.130)

**Maintenance of Accessible Features** - ADA requires that accessible elements and features such as electronic equipment and physical accessibility features (including snow removal and temporary routes during construction) be maintained. (28 CFR Part 35.133)

**Reasonable Accommodation** - Reasonable accommodations must be provided to qualified employees with disabilities. This may include modifying work schedules, job restructuring, and making facilities readily accessible for use by an employee with a disability. (28 CFR Part 35.140)



## ADA REGULATIONS

### ADA Standards for Accessible Design

Department of Justice regulations set minimal requirements for local government facilities and public accommodations to be readily accessible and useable by individuals with disabilities under the 2010 ADA Standards for accessible Design. According to Section 35.151 of 28 CFR, the following standards apply to:

#### *New Constructions and Alterations*

1. Design and Construction
  - a. Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and useable by individuals with disabilities, if the construction was commenced after January 26, 1992.
  - b. Exception for structural impracticability.
    - i. Full compliance with the requirements of this section is not required where a public entity can demonstrate that it is structurally impracticable to meet the requirements. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features.
    - ii. If full compliance with this section would be structurally impracticable, compliance with this section is required to the extent that it is not structurally impracticable. In that case, any portion of the facility that can be made accessible shall be made accessible to the extent that it is not structurally impracticable.
    - iii. If providing accessibility in conformance with this section to individuals with certain disabilities (e.g., those who use wheelchairs) would be structurally impracticable, accessibility shall nonetheless be ensured to persons with other types of disabilities, (e.g., those who use crutches or who have sight, hearing, or mental impairments) in accordance with this section.
2. Alterations
  - a. Each facility or part of a facility altered by, on behalf of, or for the use of a public entity in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the portion of the facility is readily accessible to and usable by individuals with disabilities, if the alteration was commenced after January 26, 1992.
  - b. The path of travel requirements of 35.151(b)(4) shall apply only to alterations undertaken solely for purposes other than to meet the program accessibility requirements of 35.150.

#### *Accessible Routes*

ADA standards for Transportation Facilities 2006 dictate, among other things, that public entities provide accessible routes. These U.S. Department of Transportation ADA Standards 2006 are consistent with the MAAB's updated disability guidelines, but they outline the following additional requirements:

- Location of accessible routes

- Detectable Warnings on curb ramps
- Bus boarding and alighting areas

### *Auxiliary Aids and Services*

This provision requires ADA Title II entities to take steps to ensure that communication with members of the public and employees with disabilities is as effective as communication with others. To ensure effective communication with people with disabilities, auxiliary aids and services must be provided upon request. This requirement may include providing sign language interpreters, written materials for persons who are deaf or hard of hearing, Braille or information in digital format for people who are blind or have difficulty seeing. (See ADA Title II - 28 CFR Part 35.160).

**Discrimination Prohibited:** CFR, 27.7 prohibits discrimination in programs receiving federal financial assistance and states the following:

1. **General.** No qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance.
2. **Discriminatory actions prohibited.**
  - a. a recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of disability:
    - i. Deny a qualified disabled person the opportunity to participate in or benefit from the aid, benefit, or service;
    - ii. Afford a qualified disabled person an opportunity to participate in or benefit from the aid, benefit, or service that is not substantially equal to that afforded persons who are not disabled;
    - iii. Provide a qualified disabled person with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as persons who are not disabled;
    - iv. Provide different or separate aid, benefits, or services to disabled persons or to any class of disabled persons unless such action is necessary to provide qualified disabled persons with aid, benefits or services that are as effective as those provided to persons who are not disabled;
    - v. Aid or perpetuate discrimination against a qualified disabled person by providing financial or other assistance to an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit, or service to beneficiaries of the recipient's program or activity;
    - vi. Deny a qualified disabled person the opportunity to participate in conferences, in planning or advising recipients, applicants or would-be applicants, or
    - vii. Otherwise limit a qualified disabled person in the enjoyment of right,



privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

- b. For purposes of this part, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for disabled and non-disabled persons, but must afford disabled persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting that is reasonably achievable.
  - c. Even if separate or different aid, benefits, or services are available to disabled persons, a recipient may not deny a qualified disabled person the opportunity to participate in the programs or activities that are not separate or different.
  - d. A recipient may not, directly or through contractual or other arrangements, utilize criteria or methods of administration:
    - i. That have the effect of subjecting qualified disabled persons to discrimination on the basis of disability,
    - ii. That have the purpose or effect of defeating or substantially reducing the likelihood that disabled persons can benefit by the objectives of the recipient's program or activity, or
    - iii. That yield or perpetuate discrimination against another recipient if both recipients are subject to common administrative control or are agencies of the same State.
  - e. In determining the site or location of a facility, an applicant or a recipient may not make selections:
    - i. That have the effect of excluding disabled persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity that receives Federal financial assistance, or
    - ii. That have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity with respect to disabled persons.
  - f. As used in this section, the aid, benefit, or service provided under a program or activity receiving Federal financial assistance includes any aid, benefit, or service provided in or through a facility that has been constructed, expanded, altered, leased or rented, or otherwise acquired, in whole or in part, with Federal financial assistance.
3. **Communications.** Recipients shall take appropriate steps to ensure that communications with their applicants, employees, and beneficiaries are available to persons with impaired vision and hearing.
  4. **Aid, benefits, or services limited by Federal law.** For aid, benefits, or services authorized by Federal statute or executive order that are designed especially for the disabled, or for a particular class of disabled persons, the exclusion of non-disabled or other classes of disabled persons is not prohibited by this part.

## ADA Title II Requirements

A thorough understanding of the requirements of Title II of the ADA is essential for public entities and the following are some of the relevant obligations:

**Application:** Requirements apply to areas used by both employees and the public.

**Alterations:** Each part of a facility altered that affects usability must, to the maximum extent feasible, be altered to be accessible. The standard for new construction must be applied to each element being altered

**Technical Infeasibility:** Application of the ADA standards is not required where it would be “technically infeasible.” Technical infeasibility is defined as having “little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member which is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features which are in full or strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.” If compliance is technically infeasible, the alteration must provide accessibility to the maximum extent feasible.

**Additional Alteration Requirements:** Under the ADA Standards, alterations to primary function areas (areas where major activities take place) trigger a “path of travel” requirement - that is, a requirement to make accessible the path of travel from the entrance to the altered area plus the telephones, restrooms, and drinking fountains serving the altered area. A public entity is not required to spend more than twenty percent of the cost of the alteration on making the path of travel accessible.

**Variances:** There is no procedure for seeking variances under the ADA. However, Title II has some exemptions for inaccessible buildings constructed before the law went into effect.

**Enforcement:** Any individual may report complaints regarding any alleged discrimination through the public entity’s established grievance procedure, or he or she may file complaints with any appropriate federal or state agency. The DOJ is the agency responsible for the overall enforcement of Title II, but it may delegate enforcement for specific program areas to other federal agencies. These agencies may then try to negotiate for voluntary compliance, may act to withhold federal funds, or may send these cases to the DOJ for possible legal action which may result in an injunctive order to provide access, pay damages, litigation expenses, and/or any other relief ordered by the court.

Individuals who feel aggrieved also have the option of bypassing all of the above stated grievance and complaint processes and take their cases directly to court by filing a private suit. However, alternative means of dispute resolution, such as settlement negotiations, conciliation, mediation, and arbitration are always encouraged.

SELF-EVALUATION QUESTIONNAIRE (General + Department)

## POLICIES AND PROCEDURES