

BOLTON, MA

ADA/504 SELF-EVALUATION & TRANSITION PLAN



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SECTION 1: INTRODUCTION

The Town of Bolton is located at the eastern edge of Worcester county, 12 miles northeast of Worcester. The Nashua River forms part of the Town's western boundary, and its territory is traversed by four regional transportation routes: Route 117 (Main Street/Great Road) passes east/west through the center of the Town, Route 110 (Still River Road) is oriented north/south at the northwest edge, Route 85 (Hudson Road) leads southeast to Marlborough through Hudson at the southeast quadrant, and Interstate Route 495, with one interchange at Route 117, slices north-south just east of Bolton center. The town remains fairly rural, with an estimated population of 5,113.¹

Like all municipalities, the Town has a regulatory obligation to ensure that they do 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 Town is required to perform a Self-Evaluation to determine what barriers exist to their programs and services and to develop and implement a plan to remove the barriers.

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. 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*.

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.

¹ U.S. Census Bureau. "2012-2016 American Community Survey 5-Year Estimates."

Regulatory Context

There are four federal and state requirements for architectural barrier removal from existing buildings and in alterations to existing buildings. These are:

1. **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))
2. **28 CFR Part 35, Title II: Nondiscrimination 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))
3. **29 USC 794: Section 504 of the 1973 Rehabilitation Act (504)**
4. **521 CMR: The Rules and Regulations of the Massachusetts Architectural Access Board.** (1977, 1987, 1990, 1992, 1996, 1998, 2006)

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:

- **Program Accessibility** requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs 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 and will effect 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. Discrimination 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 by 26 July 1991, one year after enactment of the legislation. These regulations are 28 CFR 28, published on July 26, 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. 28 CFR 35.150 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. 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.

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. 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 obligation to provide 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 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. The threshold for an action constituting an undue burden is a high one for state and local government entities.

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. 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."

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 nondiscrimination, 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, they were 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 504 barrier removal program. The ADA requires public entities either to supplement their 504 Transition Plans or replace them with ADA Transition Plans. The Town should have developed an ADA Transition Plan 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. They do not permit public entities to wait until a person with a disability arrives before beginning to make accommodations. 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: TRANSITION PLAN PROCESS

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

1. Two questionnaires were distributed; one addressing the central policies and procedures of the Town and a second questionnaire for each Town Department.
2. A focus group was conducted with Town residents and Council on Aging board/staff to solicit input about their experiences accessing facilities and services and to identify challenges and priorities.
3. Access audits of Town building and facilities where programs or services are provided to the public were completed, as well as a report on the accessibility of programs and services.
4. The consultant worked with the Town Administrator to develop a list of priorities and a timeline for barrier removal.
5. A complete draft of the Self-Evaluation and Transition Plan was posted on the Town's website and circulated among Town Departments, boards, and committees for public comment.

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

Town Administrator	Town Treasurer
Human Resources	Tax Collector
Building Department	Town Accountant
Inspection Services	Assessors
Conservation Department	Fire Department
Planning Department	Police Department
Emergency Management	Public Works
Town Clerk	Library
Parks & Recreation	Veteran's Agent
Council on Aging	Planning Board
Town Nurse	Advisory Committee
Agricultural Commission	Board of Appeals
Board of Assessors	Conservation Commission
Affordable Housing Partnership Trust Fund	Cultural Council
Board of Appeals	Economic Development Committee
Board of Assessors	Energy Committee
Board of Health	Historical Commission
Board of Selectmen	Housing Authority
Cable Advisory Committee	Human Services and Safety
Capital Planning Committee	Insurance Advisory Committee
Cemetery Commission	Law Committee
Committee of Constables	Library Trustees
Planning Board	Parks & Recreation Commission

Public Safety Building Task Force
Public Ways Safety Committee
Tri-Town Committee

Route 117 Prioritization Committee
Town Roads Strategic Planning Committee

Municipal activities and services, including staff offices, board and committee meetings, hearings, conferences, and other activities primarily occur in within the following buildings, including:

- Bolton Town Hall
- Houghton Building
- Public Safety Center (Police and Fire Department)
- Public Library
- Department of Public Works (DPW) Building
- Nashoba Regional High School
- Country Manor (Senior Housing Complex and Council on Aging office)

SUMMARY OF RESPONSES BY PROGRAM AREA

Following is a narrative summary of the self-evaluation by principal location and department or function.

Town Hall (663 Main Street)

Bolton's Town hall is a historic building constructed in 1853, which contains municipal offices, as well as meeting spaces which are used by several boards and committees for public meetings, hearings, and other public activities.

The building has two main floors and a raised portion of the second floor, requiring stairs between each level as the building has no elevator. Situated on a hill, the upper and lower levels can each be accessed from the outside with a long, steep driveway in between. The front of the building is at grade level on the first floor, while the second floor (raised section) is nearly level with the main Town Hall parking lot located in the rear of the building. Restrooms are located on the same level as the entrance on each floor. There is a motorized chair lift between the upper and lower sections of the second floor that is not accessible to people in wheelchairs, but is helpful for some who have mobility challenges. Residents and staff report that the electric mobility chair is rarely used. Staff typically assists people who cannot use the stairs by meeting with them on the entrance level and bringing materials to them as needed from elsewhere in the building.

A downward-sloping wooden bridge connects the rear parking lot to the second floor entrance, which serves as the main entrance. There is room for a limited number of cars to park in the loop in front of the building with stairs leading up to the side entrance door on the lower level, which is typically locked when not in use. There is one handicapped parking space on the side of the building near a level walkway that leads to the first floor side entrance. The original wooden door on the front of the building is used only as an emergency exit. A portico with columns was added to the front of the building in about 1910, which is currently in need of substantial repair.

Offices located on the level of the second floor entrance include the Town Administrator and the Conservation Commission, along with a restroom and a kitchenette. There are five steps leading to the rest of the second floor. On the lower section of the second floor are located the Assessor, Town Secretaries,

Tax Collector, and Town Clerk. There are two sets of stairs leading to the first floor in the front of the building, and a third set of stairs (marked “Employees only”) in the rear of the building. There is also an emergency egress on the lower level of the second floor to an exterior stairway. Offices located on the first floor include the IT manager, Building Inspector, Human Resources, Town Accountant, Treasurer Collector, and Town Planner.

The Board of Selectmen’s meeting room on the first floor is used for public meetings by several boards and committees, having a conference table, audience seating, and recording equipment for Cable TV. An open area with a conference table on the lower level of the second floor is also used as a public meeting space for some Town committees.

Administration

The Town Administrator’s Office provides administrative oversight for the town. All services and programs are funded through local and state revenues. The office is located on the upper level of the second floor of Town Hall, and can be accessed directly from the main entrance of Town Hall. The Town Administrator is designated as the ADA coordinator, who would be the employee responsible for receiving and processing discrimination complaints. Officials and staff have a general awareness of ADA and Section 504. The ADA Policy and Grievance Procedure is posted on the Town’s website.

With assistance from the Town Secretary, the Town Administrator’s office communicates with the public, Town employees and board members, and civic and professional groups. The Town Secretary provides administrative support to Town boards, provides public information, and directs inquiries to the appropriate office or group.

Materials and literature providing public information include notice about non-discrimination and disability accommodations. Public documents have been reviewed to eliminate patronizing or stigmatizing language and images. Contact information is provided via telephone numbers, with email as the alternative means of communication. The Town does not have TTY service. For emergency messages Bolton uses Code Red which allows recipients who subscribe to receive alerts and emergency warnings in various formats including TTY. Municipal alerts and warnings are also posted on Bolton’s website.

Requests for accommodations, such as auxiliary aids and services for persons with speech, vision, or hearing impairments, would go through the Town Administrator’s office. The Town Hall does not currently have a sound amplification system, portable assistive listening systems, or sign language interpreters, but certain auxiliary aids could be provided if the request is made sufficiently in advance to allow the Town time to purchase, rent, or borrow equipment.² Large print materials can also be provided if requested. 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.

The Town’s employment practices have been reviewed to ensure that they do not discriminate against individuals with disabilities, such as recruitment and job applications, leaves of absence, requirements for medical examinations, training programs, or performance evaluation. The Town follows ADA Guidelines

² The Library has obtained a sign language interpreter upon request for some Library programs, and could provide a resource should these services be required for other Town departments.

with respect to employment practices, policies and procedures. Bolton can modify the printable format of its Personnel Bylaw and make modifications to its office equipment, such as the purchase of screen readers for computer monitors if needed. Town employees are provided with instruction 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.

The Human Resources department provides services for more than 75 Town employees. Not all officials are aware of ADA and Section 504, but the Town would make accommodations necessary to enable qualified persons with disabilities to work for the municipality or participate in programs. They do not have specific procedures or equipment at this time, but would put these in place if needed. Outreach to the public about employment opportunities is conducted via the newspaper. They make sure that meetings take place in accessible facilities, and have not had to relocate programs.

Municipal Finance and Information

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

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 office maintains an extensive collection of copies of property deeds, plot plans, and other documents. The Assessor's office also assists people in applying for personal and charitable exemptions and vehicle excise tax abatements, typically including elderly, blind, and/or qualifying veterans. The Assessing staff answers questions and provides assistance in filling out forms during regular office hours. Staff can come to the top of the stairs to assist customers who are unable to reach the assessor's office. Information and forms are also available online for the public to review without coming into the office. Documents can be provided in different formats so that they are accessible to people with sensory impairment. The office staff is generally aware of ADA and Section 504 but will defer to the Town administration if customers require further accommodations. The Assessor has at times relocated programs to an accessible conference room at the Library.

The Tax Collector accepts payments from residents for tax bills, motor vehicle excise taxes, etc. Many residents pay taxes in person. Along with the Assessor, the Tax Collector's office is located in the lower section of the second floor of Town Hall, which requires stairs to enter. Employees are not generally aware of ADA and Section 504. They are able to serve residents with impaired mobility in the Town Hall office, but are not prepared to accommodate people requiring other types of assistance.

The Town Accountant is responsible for financial reporting, communicating primarily internally with other Town staff and officials. The office is located on the first floor of Town Hall. The office does not have familiarity with ADA or Section 504, but information can be provided via phone, email, or in different printable formats.

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 Town records, resident vital records, issues business certificates, and issues licenses for dogs, fishing, and hunting. The Town Clerk is also responsible for posting of all public meetings for boards and commissions in adherence to Massachusetts Open Meeting Law. Some fees apply for services, but the Clerk's Office is primarily funded through the municipal budget. The Town Clerk's office is the Public Information Center; the Clerk responds to inquiries from the general public, frequently serving as facilitator with departments, providing knowledge and assistance in a fair and impartial manner to all.

The Clerk's Office is located in the lower section of the second floor of Town Hall, which requires stairs to enter. Staff is aware of ADA and Section 504. They provide assistance to people near the entrance of the building if they are unable to use the stairs or mobility chair.

The Clerk supervises voter registration and absentee balloting, oversees polling places, election officers, and the conduct of elections. Elections take place in Nashoba Regional High School auditorium, which is accessible. They offer the use of the AutoMark – a 'printer' for ballots which can be used by people with sensory impairment. Absentee ballots are available for people who cannot go to the polling place because of a disability. Applications may be submitted in person, by mail, or by a family member. COA staff may also provide assistance for those who cannot get to Town Hall to request absentee ballots.

The Board of Selectmen is the Town's legislative body, and also grants certain licenses. Monthly meetings are open to the public and take place in the Selectmen's Meeting Room. Board meetings are also recorded and broadcast on local TV for those who cannot physically attend meetings.

Planning, Permitting, Health, & Inspectional Services

Departments that staff permit-granting authorities and boards have offices located throughout each level of Town Hall. Planning is located on the first floor, along with the Building Inspector, while Health and Permitting are on the lower level of the second floor. The Conservation Agent is on the upper level of the second floor of Town Hall, and is one of two staff offices that are accessible from the main entrance. Stairs, crowded spaces, and the need for transportation pose challenges for some people with impaired mobility to access offices and program activities for each of these departments.

The Planning Department staffs the Planning Board and the Zoning Board of Appeals, the permit granting authorities for the Bolton Zoning Bylaw and Subdivision Rules and Regulations, as well as the Economic Development Commission. They administer applications for numerous types of development activities, such as building permits, driveways, subdivisions, Design Review Board, special permits and variances, and Comprehensive Permits. They also issue Business Certificates, respond to property inquiries and affordable housing inquiries, apply for grant opportunities, facilitate Green Community Projects, track the Affordable Housing Inventory, and collect donations for Main Street holiday decorations. Funding for this department comes from Bolton's operating budget and state grants.

The department regularly communicates with the public via the website, local newspapers, and emails, and with Town employees, boards and officials and civic, professional and business groups via email, phone calls, and in person. Board meetings are taped and meeting minutes are generated. Documents can

be provided in larger fonts, if needed. Auxiliary aids for people with impaired hearing are not currently available in the Selectmen's meeting room. The department does not consistently advertise that meetings and services are accessible.

Staff is aware of ADA requirements, but board members may not be. The Planning Department office and board and committee meetings do not offer the most integrated setting for serving persons with disabilities, due to the configuration of Town Hall. A person with impaired mobility may access the Planning Department from the Town Hall entrance at the lower parking area (although the entrance is typically locked), or assistance can be provided on the second floor to prevent a person from having to travel between the first and second floors. Access to the Planning Department office and the Selectmen's meeting room can be improved by rearranging furniture and removing stored documents or other physical barriers that would prevent a person with disability to maneuver safely. They have also relocated meetings to another facility in connection with the Council on Aging to accommodate a person with a wheelchair. Requests for specific accommodations would be coordinated through the Town Manager, Bolton's ADA coordinator.

The Conservation Commission is the permit granting authority for the Wetland Protection Act and the local wetlands bylaw regulations, and they manage conservation land and trails. In addition to staffing the Conservation Commission, the Conservation Agent organizes community activities and education around environmental issues, including guided trail walks, World Water Day & Earth Day events, invasive species education, land management, and birding excursions. Funding for these programs comes through grants and through the General Fund budget. Some of these programs are coordinated in collaboration with the Library and the Council on Aging. They frequently describe the terrain in advertisements about Trail walks, and they are currently working on designing guided trail walks of less stressful terrain and shorter time.

Conservation Commission members and staff are aware of ADA and Section 504. A qualified person with a disability may serve on the Conservation Commission, volunteer, observe, and visit. Public meetings are recorded, advertised in the paper, and minutes are posted online with associated agendas. Meetings are held in the Houghton Building, which is accessible on the first floor. The Commission will address the need for specific accommodations on a case by case basis.

The Building Department provides inspections and permit assistance and review related to building code compliance, buildings, wiring, and gas/plumbing. They issued 764 permits last year, with funding provided by permitting fees and the general fund. Officials and staff are aware of ADA requirements, and a qualified person with disabilities can access services or participate as a volunteer or employee. The office is located on the first floor of Town Hall, which can be accessed without stairs if the entrance is unlocked, and they also accept applications online or by mail. The Building Department communicates with the public primarily by website and with other Town employees and board members through email and hard copy notices. They do not have access to auxiliary aids for people with impaired hearing. The department's emergency preparedness plan addresses the needs of individuals with disabilities.

The Board of Health is responsible for a range of permitting and inspection services related to health and safety, and oversees public health services to Town residents. The Board of Health enforces Title 5 septic regulations of the State Environmental Code, as well as local Board of Health regulations pertaining to garbage, wells, tobacco, and other environmental issues. Bolton is a member of the Nashoba Associated

Boards of Health, which acts as agent for the town, providing environmental enforcement and public health nursing services to 16 member communities. Services include a weekly health clinic at the senior center to provide screenings and referrals, as well as rabies clinic, flu clinic, nursing/home health aid, or rehabilitative services. The Town pays Nashoba Associated Boards of Health an annual assessment for services. There are user fees associated with some of the permitting and nursing services.

The Board of Health frequently communicates with the public and with other Town employees and boards. Employees and board members are aware of ADA requirements. A person with a disability can participate as an employee, volunteer, or client. Nursing services are provided in accessible rented office space at Country Manor, and they will also provide home visits. The local Board of Health meets in the Houghton Building, which is accessible on the first floor where the meeting room is located. There are not procedures in place for providing accommodations for people with disabilities, but will respond as needed to requests.

An emergency preparedness plan includes a section for people with disabilities and a list of strategies including: designating a patient care representative, identifying individuals with cognitive disabilities, providing appropriate means of communication, and providing referrals to agencies with accessible facilities.

Houghton Building (697 Main Street)

Built to serve as Bolton's first high school in 1849, the two story building has been adapted to serve a variety of public functions. Although it has been used for Town offices in the past (most recently the town's Police Station), it now houses Bolton Access TV, the Conservation Trust, and the Friends of the Bolton Library. Public meetings and forums for several Town boards, including the Conservation Trust, Cultural Council, Human Services & Safety committee, Board of Health, ZBA, Agricultural commission, Parks & Recreation commission, and Capital Planning Committee are held on the first floor of the building. The meeting room on the first floor is more accessible than the Board of Selectmen meeting space in Town Hall, as it has wider entrances to the room and more space. The main entrance to the building is via a ramp to the front door, which originally required stairs to enter. There is also a rear entrance with steps. An electric mobility chair built into the stairs connecting the first and second floor is rarely used. Parking at the Houghton building is very limited. Additional parking is available across the street, but it is a busy street and can be dangerous to cross. Adding a pedestrian-activated crossing light at the intersection of Main Street & Mechanic Street has been identified as a safety improvement goal.

Public Safety (6 Wattaquadock Hill Road)

The Police and Fire Departments are located in attached buildings at the Public Safety Center. The Police Department building was constructed in 2010, while the Fire department is an older building built in 1965. The two buildings are connected only through a door on the first floor. The Police Station has a lobby, public restrooms, and training room on the first floor, all of which are used by the public. The remainder of the building is not open to the public, including cell bays, booking area, storage, and dispatch room, as well as administrative offices and locker rooms located on the second floor. The emergency preparedness plan for the police facilities does not take into consideration the needs of individuals with disabilities.

The first floor training room is utilized several times per week for a variety of public uses, such as a High School EMS program and some Council on Aging programs. It is equipped with AV equipment, including an amplification system. Since dispatch services have been regionalized, the first floor is no longer staffed during business hours, so the lobby and public areas are locked at most times. A small waiting room in the front entrance contains a phone to reach the dispatcher, along with seats, an information table, and a bulletin board with public notices. The dispatcher will notify Police staff to assist at the waiting room, or may remotely unlock the lobby door when the training room is in use.

The Fire Station houses the Fire Department and Emergency Medical Services, with apparatus bays, equipment storage, offices, a day room and kitchen area, and a training room which is not accessible and not currently used. As the Fire Department and Ambulance are call services, there is not always staff present.

The Police Department provides a wide range of activities and services, including Citizen Police Academy, Community Emergency Response Team, firearms permitting, fingerprinting, arrests, RAD training, EMT Cadets training, RxMed dropbox, Flu shot location, Rabies Clinics, Sex Offender registrations, records requests, and Toys for Tots. An Autism Alzheimers Cognitive Impairment Wanderer Alert program specifically serves people with disabilities. The Police Department serves the entire community and is funded through the Town budget. They communicate with the public through social media Code Red, and with other Town departments, civic and business groups, as well as individuals through email, phone, and in person. According their mission statement, the Police Department works *“to forge a working partnership with all persons in the Town of Bolton regardless of age, race, sex, religious or ethnic backgrounds. Through mutual respect and understanding we will solve problems in an effort to promote a better standard of living throughout the community. By embracing both the traditional values and innovative spirit that makes Bolton unique, we will reduce fear, control crime, and enhance the quality of life within the community.”*

The Fire Department oversees fire prevention permitting and inspections, as well as emergency response.

The Emergency Management Department is responsible for coordinating the emergency management and homeland security programs for the Town of Bolton. They partner with federal, state, local, volunteer and private resources during emergencies and disasters to protect the lives and safety of persons and property in the town, working in partnership with other public safety departments. Disaster preparedness information is provided to the public through the Town’s website.

Officials and staff affiliated with the public safety departments are aware of ADA requirements. As the building is accessible, qualified persons with disabilities can be employed in the Police Department to carry out civilian administration duties. All activities and services are accessible for people with different kinds of disabilities, although documents and communications from the Police Department may not be. The Police Department’s Self-Assessment Questionnaire indicates that they do not have aids for visually or hearing impaired people, although the Training Room is equipped with an amplification system. They have procedures in place for responding to requests for accommodations and disseminate information about requesting modification as needed.

Public Library (738 Main Street)

The Bolton Public Library building was constructed in 1904, and was expanded in 2010, making the building fully ADA compliant. The main entrance is on the side of the building between the old and new wings. A speed bump across the driveway doubles as an accessibility ramp onto the walkway that leads into the building. The meeting room is equipped with audio-visual equipment, including personal adaptive listening devices. The circulation desk is located just inside the main entrance, with office space behind. The original portion of the library includes the town history room and some circulation stacks, and reading/study space. An upper floor of the original library, accessed by stairs, is unused. The Library addition has large open rooms on two floors (connected by stairs and an elevator), containing book stacks, computer terminals, and study carrels. Located on the second floor, the Children's department, has a circulation desk, book stacks, play area, and a program space/meeting room. The Library addition includes a large Program Room which has a separate direct entrance to the outdoors and an entrance through the Library. This room is used for some public meetings (including the Library Board of Trustees, Trail Committee, and Citizen's Caucus), as well as Library programs and events. The library is funded primarily through the municipal government. They charge materials fees for some services, but no user fees.

Providing information and communication to the public, Town government, and civic and professional organizations is the Library's primary purpose. In addition to its reference and circulating collection, the library offers a wide range of programming for children, teens and adults, as well as a local history collection and other informational resources and support services. Examples of programs include a lap-sit time for babies, story and craft times, "crafternoons" for school-age kids, tech workshops, teen programs including book clubs, a senior book club, local history discussion, adult programs, cooking classes, etc. They served over 5,000 patrons of all ages in 2017. A Strategic Planning Roundtable in 2015 identified goals to improve library service, including better communications and increasing the population served.

The Library is equipped to enable people with various types of disabilities to participate in its programs as employees, volunteers, and patrons. The staff is prepared to offer accommodations upon request. The Library has a sign language interpreting service that they call upon as needed for Library programs. They also have adaptive technology in the Program Room for people with impaired hearing. A "Books to Go" program provides home delivery once per month for people who can't get to the Library which typically serves about 5-7 patrons. The Library is in the process of revising its emergency preparedness plan, which will take into consideration the needs of persons with disabilities.

Public Works (12 Forbush Mill Road)

Department of Public Works Office is located in a freestanding building next to the Public Works Garage. There is one step to enter the office. There is one large open room which contains a service area, administrative work space, and information table, with a restroom to the side. A smaller adjacent room contains the Director's office. The Public Works Department has very little interface with the public, as they do not issue licenses or permits from their office. Transfer Station Stickers are available at the transfer station.

The mission of the Department of Public Works is to enhance Bolton's quality of life by providing services that maintain and improve the town's infrastructure while preserving the natural beauty of the local area.

The department works with the Public Ways Safety Committee and the Parks & Recreation Commission, and acts as Tree Warden.

The Town operates a Transfer station to receive and dispose of refuse delivered by town residents, charging nominal fees for various types of refuse and recyclables. The outdoor facility includes sheds, dumpsters, and trash receptacles arranged around an open lot which requires auto access. It is largely a self-service facility, although there are staff present who are willing to assist those who have difficulty. Some of the receptacles can be difficult to reach, especially for a person with limited mobility.

Council on Aging (600 Main Street)

The Council on Aging (COA) and Bolton's Senior Center is based in leased space at the Country Manor building, which is an affordable senior housing development. This facility is not owned by the Town. Facilities used by the COA include a common room on the first floor and office space on the second floor, accessible via elevator. The building is generally locked, so patrons use a doorbell to signal the COA to unlock the door remotely. The COA is only allotted limited time use of the space each week on Tuesday, Wednesday, and Thursdays. The office space is shared with the Public Health Clinic overseen by the Nashoba Associated Boards of Health. Spaces in other accessible Town facilities are sometimes used for COA programming as well, such as the training room at the Police Department. Last year the COA served approximately 880 unduplicated elders. They are funded primarily through Town funds and state grants, with minimal fees for some services.

The COA offers a variety of programming and services to the senior population of the town, such as trips, transportation, congregate meals, and other types of support. There are no programs specifically for people with disabilities, but they provide for individual needs, including home outreach for people who cannot come to the COA or other Town facilities. People with various types of disabilities can access COA programs as employees, volunteers, or participants, and receive information from the COA. The COA does not have procedures in place for responding to requests for modifications or accommodations, but they can, if needed, pursue a grant from MCOA for an assistive listening device at discounted cost.

MART is a transportation service provided through the Council on Aging. MART has procedures for responding to requests from persons with disabilities to provide information in a timely manner in an accessible form. Employees are provided with training to ensure they are fully qualified to serve passengers with disabilities.

SECTION 3: OVERVIEW OF FINDINGS + RECOMMENDATIONS

Based on the information from the Town's website, completed survey responses, discussions with staff and focus group results, the Town has made progress in meeting its ADA obligations not to discriminate based on disability. Following are specific findings and recommendations.

Policies and Procedures

Finding 1: The Town has made progress fulfilling its Title II administrative requirements. The Town has a staff member who fulfills the responsibility of an ADA Coordinator.

The following policies and procedures have been developed:

- a. ADA Grievance Policy
- b. Equal Employment Opportunity Policy
- c. Public Notice of ADA Compliance
- d. Service Animal Policy

Recommendation 1 a: Develop procedures to ensure meetings, hearings, etc. are held in accessible locations, and identify those meetings locations, including the floor and room where the meeting will be held so they are clearly advertised.

Recommendation 1 b: Adopt effective communications policy and procedures to provide alternative formats, interpreter services, assistive listening devices, website accessibility, and television captioning.

Recommendation 1 c: Identify a process for responding to requests for modifications to policies and procedures.

Finding 2: The Town has developed a Public Notice of ADA Compliance, however there are a few key statements that should be included to make the policy more comprehensive.

Recommendation 2: Add the following language to the Public Notice of ADA, "*The Town of Bolton is committed to the full participation of persons with disabilities in all programs, services, and activities.*" In addition to identifying the ADA Coordinator's name and contact information, include the following language, "*The person named below is responsible for coordinating the Town's compliance with ADA.*"

Finding 3: The Town has developed ADA Grievance Procedures, however there are additional statements that should be included to make the policy more comprehensive.

Recommendation 3: This policy should include the steps that a complainant can pursue if they do not agree with the ADA Coordinator's decision, for instance a statement indicating a person's ability to appeal to the Chairman of the Board of Selectmen.

Finding 4: Response 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.

Recommendation 4: Develop and provide ADA training for all Town departments and new hires to ensure that everyone is aware of their role in meeting the Town's responsibilities.

Finding 5: Response to the department self-evaluation questionnaires indicate that not all personnel are aware of procedures for responding to requests by people with disabilities for reasonable accommodations.

Recommendation 5: Develop and provide ADA training for all Town departments and new hires to ensure that everyone is aware of the Town's procedures for responding to requests.

Finding 6: Emergency Preparedness. The Town does not appear to have a coordinated plan to ensure equal access to safe egress or evacuation.

Recommendation 6 a: 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.

Recommendation 6 b: To ensure equal access to safe egress for individuals with disabilities, develop protocols and signage for such issues as:

- Fire Exits signage and maneuvering space
- Safe Wait Areas
- Evacuation Maps
- Locations of fire exits and safe wait areas serving each municipal space.
- Public and Employee Orientation to the Town's Emergency Evacuation Procedures

Effective Communication

Finding 7: The Town's website is ADA compliant but is not user friendly and can be difficult to navigate and find information about accessibility. There is no information on the Town's website regarding access to programs and services for people with disabilities.

Recommendation 7: The website should include more information regarding access to programs and services for people with disabilities. Adding an accessibility page on the Town's website that is clearly marked on the homepage would be helpful. A description of the accessibility of facilities, communication materials and the process for requesting accommodations could also be included on the page.

Finding 8: Responses to the questionnaire indicate that personnel do not advertise about the accessibility of their respective department services and/or availability of accommodations.

Recommendation 8: Notices that inform people with disabilities should be posted in prominent locations with information on how to request accommodations.

Finding 9: Responses to the questionnaires indicate the need to establish the capacity across all Town departments to provide auxiliary aids and services and then to disseminate information about their availability.

Recommendation 9 a.: Assess the needs of the community for auxiliary aids and services. Based on the assessment, establish the appropriate vendors and contractual agreements so that aids and services can be provided in a timely manner, for example:

- TTY or telephone relay service
- ASL interpreters
- Assistive listening systems
- Taped texts, audio recordings, Braille materials and large print materials

Recommendation 9 b.: Disseminate information about the availability of auxiliary aids and services for communication with the Town.

Finding 10: The availability of print materials in alternative formats is limited.

Recommendation 10 a: Develop the capability for the Town to provide alternate formats upon request, in a timely manner, for all Town departments that provide print materials.

Recommendation 10 b: Appropriate responses to requests for alternative forms of communication should be included in the general ADA training.

Finding 11: Phone numbers are provided as a means of contacting the Town, email as an alternative means of communication is also provided. However, TTY or telephone relay numbers are not included.

Recommendation 11 a: Include TTY numbers of telephone relay numbers on all directories, pamphlets, brochures etc.

Recommendation 11 b: Ensure that the appropriate staff is familiar with the operation of TTYs and other effective means of communication over the telephone with persons with deafness or hearing or speech impairments.

Structural

Accessibility audits were conducted on all Town buildings, facilities, recreation, open space areas, and parks. Each audit report identifies typical and/or significant unique elements that may represent a barrier to program access. The reports also include cost estimates for budget planning purposes only and do not represent actual construction costs. The following findings are based on the self-evaluation questionnaire responses, observations during site visits and focus group results. The Town should review and use the following findings and recommendations in conjunction with the Facility Audits that are included in Section 4 of this report.

Finding 12: The majority of offices in Town Hall are not accessible. There are three levels to Town Hall, with the main entrance in the rear and one entrance on the side of the building that enters to the basement and where the single designated accessible parking space for the lower level is located. There is a ramp located at the main entrance of Town Hall that allows people with mobility issues to enter the building. However, this structure could be improved as it has a downward slope towards the entrance of the building and can be slippery in inclement weather. Once you enter Town Hall from the main entrance, there is a mobility chair located on the wall, but it is not accessible to persons using wheelchairs. Focus group participants noted that the angle of the stairs are steep and there is nothing to hold onto if one should need to use the chairlift, and it is not an ideal method to gain access to the offices in Town hall. The Town Assessor and Clerk's counters, located on the second floor, are high and there are no counter cut-outs for someone who is in a wheelchair and may want to access the counter. Some Town offices are located on the bottom floor where access from the main floor is by stairs only. Board of Selectmen, Planning Board, Zoning Board of Appeals and Economic Development Committee meetings are held in the Board of Selectmen Room, which is not currently configured to allow someone with mobility issues to move easily into or out of the space.

Recommendation 12 a.: The construction of an accessible office space or ADA-compliant welcome counter in Town Hall will allow people to access all services and programming without the numerous barriers that will need to be addressed for individual offices within the facility.

Recommendation 12 b.: Explore the feasibility of installing platform lifts that allow a person with mobility issues to access each floor of Town hall. In the longer-term, having an elevator installed that can serve all three levels would also help mitigate accessibility issues.

Recommendation 12 c.: Ensure that meeting agendas and notices include the location as well as what floor they will be held on, especially if they are in buildings where there is no elevator between floors.

Recommendation 12 d.: For meetings held in the Board of Selectmen room, reconfiguring the room to allow for improved aisle widths and provide space for wheelchairs would improve accessibility.

Recommendation 12 e.: Remove boxes and other items that are stored in the hallways of Town Hall that are physical barriers preventing a person with a disability from maneuvering around safely.

Recommendation 12 f.: Including an amplification system in the meeting room would also assist those with hearing impairment.

Recommendation 12 g.: Improve the signage for the accessible parking spaces so that it is easier to identify the location.

Recommendation 12 h.: Provide a buzzer on the exterior of the basement entrance to Town Hall in the event someone needs assistance entering the building.

Recommendation 12 i/j.: Relocate meetings to more accessible locations such as the Police Station and Library. Both have meeting rooms that are wheelchair accessible, equipped with amplification or assistive listening devices, have more seating capacity, and the buildings have more accessible parking capacity. However, the Town would need to add cable recording equipment to these spaces, so that they can be more widely used as meeting rooms for Town Boards and Committees.

Finding 13: The Library was expanded and made ADA compliant in 2010. However, the main entrance to the Library is very heavy making it difficult to open. There is a buzzer located outside so if someone needed assistance entering the library they could request help. Push button switches have been suggested as an alternative to enable people to enter the library without calling for assistance. However such switches are not required under ADA, and the Library Administration (Board of Trustees and Director) recommend that the current accommodation is preferable due to the cost of installing and maintaining switches as well as the danger of children using the doors without supervision.

Recommendation 13: Continue to evaluate the options for accommodating people who need help with entering the library, and make improvements as identified.

Finding 14: The Houghton Building is frequently utilized for community meetings. There is a ramp that provides access inside the building and town sponsored meetings are hosted on the first floor. However, there is meeting space on the second floor which is not serviced by an elevator and is accessible only by stairs. There is a chairlift, but it is inaccessible to persons using wheelchairs. In addition, there are limited parking options and only one accessible parking spot. Overflow parking is located on the opposite side of Main Street, which would be difficult to navigate for people with disabilities. Focus group participants also indicate that meetings are not amplified and can be difficult to hear.

Recommendation 14 a.: If meetings are scheduled on the second floor, ensure that they can easily be relocated to a more accessible space should someone with mobility needs request it.

Recommendation 14 b.: Add amplification equipment or other assistive devices to make it easier for someone with a hearing impairment to participate in meetings.

Recommendation 14 c.: A more costly, longer term option would be to move the main entrance to the rear of the building and add an elevator.

Finding 15: The Town lacks a sidewalk system that is connected and that would enable pedestrians to access municipal buildings located on Main Street. Streets that do have sidewalks are disconnected from one another, and some have fallen into disrepair. Sidewalks are also absent of any ADA accessible elements such as curb cuts or curb plates. Streets without safe places to walk, cross, or bicycle put people at risk, especially people with disabilities or mobility challenges.

Recommendation 15 a.: The Town should continue working towards implementation of their Complete Streets policy, including the identification and prioritization of projects.

Recommendation 15 b.: Focus group participants cited the need for crosswalks, particularly a pedestrian activated crosswalk at Mechanic Street and Main Street.

Finding 16: The Country Manor facility which houses Bolton's Council on Aging, provides limited usage of space for the Town's seniors, part of which is shared with residents of the complex. There are no sidewalks or designated walkways from the facility to Main Street or connection to any other sidewalk systems in the

community. The Town's ability to address accessibility deficiencies within the Senior Center is also limited because the facility is not owned by the Town.

Recommendation 16 a.: Explore the feasibility of adding sidewalks from Bolton Country Manor to a sidewalk system that allows access to Municipal buildings and services.

Recommendation 16 b.: Explore the feasibility of constructing a Senior Center or purchasing a building and rehabilitating it for the purpose of operating a Senior Center or a Community Center with designated space for Seniors.

Finding 17: The ADA requires property owners to maintain accessible elements. Facility maintenance/housekeeping guidelines can help ensure that the accessibility of compliant spaces is not compromised – for example, furniture is not placed in the required clear maneuvering space at doors or a broken paper towel dispenser is not replaced with one that is outside an accessible reach range.

Recommendation 17: Develop a program and train staff in maintenance/housekeeping protocols to improve maintenance of accessible elements.

Finding 18: The Town's Transfer Station is currently not accessible for people with disabilities, particularly due to the height of the receptacles not being within reach range and the lack of an accessible route to the trash sticker office. The Transfer Station is staffed during business hours; however, residents have indicated that it is difficult to get their trash from their cars into the bins and they are uncertain how to request assistance.

Recommendation 18 a.: A clearly marked accessible route to the trash receptacles and the trash sticker office would improve accessibility.

Recommendation 18 b.: Signage that encourages people to request assistance with getting their trash into receptacles should be added.

Recommendation 18 c.: The Town could purchase at least one trash receptacle that is accessible and includes door hardware that is easy to operate and that has doors that are within reach range of a seated user.

The Town is committed to ensuring that its programs and services are accessible to individuals with disabilities and to the required coordination of the Town's policies, operations and facility planning, design and construction. Implementation of the above recommendations as well as those included in each audit report will proceed as permitted by budget allocations. The Town will perform a yearly assessment of its progress in implementing the above recommendations.

Implementation Matrix

The above recommendations have been organized into the following matrix, with an indication of the timeline for implementation. It is anticipated that items which are no cost or would entail a minimal cost may be completed within the first year. Items which might entail a small to moderate cost and/or further study and coordination may be completed within 1-2 years. Items which would require substantial cost will likely take three years or longer. Some items may be undertaken continuously as the Town carries out long range improvements.

These recommendations are in addition to items identified in the Section 4, Facility Audits. Updates identified in the facility audits may be prioritized based on the cost, opportunity (where improvements are scheduled in these facilities), or the urgency to eliminate specific barriers. State accessibility codes can come into play when doing planned work which may trigger obligations to make improvements to meet state accessibility codes under 521CMR Ch.3.

	0-1 Years	1-2 Years	3+ Years
Recommendation 1 a: Develop procedures to ensure meetings, hearings, etc. are held in accessible locations, and identify the floor and room in notices so they are clearly advertised.	X		
Recommendation 1 b: Adopt communications policy and procedures for alternative formats, interpreter services, assistive listening devices, website accessibility, and television captioning.	X		
Recommendation 1 c: Identify a process for responding to requests for modifications to policies and procedures.	X		
Recommendation 2: Add language to the Public Notice of ADA (as described in the Overview of Findings and Recommendations)	X		
Recommendation 3: Include in the ADA Grievance Procedure steps that a complainant can pursue if they do not agree with the ADA Coordinator's decision.	X		
Recommendation 4: Develop and provide ADA training for all Town departments and new hires to ensure that everyone is aware of their role in meeting the Town's responsibilities.		X	
Recommendation 5: Develop and provide ADA training for all Town departments and new hires to ensure that everyone is aware of procedures for responding to requests.	X		
Recommendation 6 a: Review the Town's emergency preparedness plan to ensure that it provides safe egress for persons with disabilities during an emergency.	X		
Recommendation 6 b: To ensure equal access to safe egress for individuals with disabilities, develop protocols and signage to guide and assist in emergencies.		X	
Recommendation 7: Add an accessibility page on the Town's website that is clearly marked on the homepage with information regarding access to programs and services, a description of the accessibility of facilities, communication materials and the process for requesting accommodations.		X	

Recommendation 8: Post notices in prominent locations with information on how to request accommodations for people with disabilities.	X		
Recommendation 9 a.: Assess the needs of the community for auxiliary aids and services and establish the appropriate vendors and contractual agreements so that aids and services can be provided in a timely manner, for example: <ul style="list-style-type: none"> • TTY or Telephone relay service • ASL interpreters • Assistive listening systems • Taped texts, audio recordings, Braille materials and large print materials 		X	
Recommendation 9 a.: Disseminate information about the availability of auxiliary aids and services	X		
Recommendation 10 a: Develop the capability for the Town to provide alternate formats upon request for all print materials.	X		
Recommendation 10 b: Include appropriate responses to requests for alternative forms of communication in the general ADA training.		X	
Recommendation 11 a: Include TTY numbers of telephone relay numbers on all directories, pamphlets, brochures etc.	X		
Recommendation 11 b: Ensure that the appropriate staff is familiar with the operation of TTYs and other effective means of communication over the telephone with persons with deafness or hearing or speech impairments.		X	
Recommendation 12 a.: Construct an accessible office space or ADA-compliant welcome counter in Town Hall.			X
Recommendation 12 b.: Explore the feasibility of installing platform lifts or an elevator to allow a person with mobility issues to access each floor of Town hall.			X
Recommendation 12 c.: Ensure that meeting agendas and notices include the location as well as what floor they will be held on.	X		
Recommendation 12 d.: Reconfigure the Board of Selectmen's Meeting Room to allow for improved aisle widths and provide space for wheelchairs.	X		
Recommendation 12 e.: Remove boxes and other items that are stored in the hallways of Town Hall that prevent a person with a disability from maneuvering around safely.		X	
Recommendation 12 f.: Include an amplification system in the Selectmen's meeting room to assist those with hearing impairment.		X	
Recommendation 12 g.: Improve the signage for the accessible parking spaces so that it is easier to identify the location.	X		
Recommendation 12 h.: Provide a buzzer on the exterior of the basement entrance to Town Hall in the event someone needs assistance entering the building.	X		

Recommendation 12 i.: Relocate meetings to more accessible locations such as the Police Station and Library.	X		
Recommendation 12 j.: Add cable recording equipment to the Police Station and/or Library meeting spaces so that they can be more widely used as meeting rooms for Town Boards and Committees.		X	
Recommendation 13: Continue to evaluate options for assisting people with entering the library and make improvements as needed.			X
Recommendation 14 a.: If meetings are scheduled on the second floor of the Houghton Building, ensure that they can easily be relocated to a more accessible space upon request.	X		
Recommendation 14 b.: Add amplification equipment or other assistive devices to the Houghton Building meeting room.		X	
Recommendation 15 a.: Continue working towards implementation of the Town's Complete Streets policy.	X	X	X
Recommendation 15 b.: Install crosswalks, particularly a pedestrian activated crosswalk at Mechanic and Main Streets.		X	X
Recommendation 16 a.: Explore the feasibility of adding sidewalks from Bolton Country Manor to a sidewalk system that allows access to Municipal buildings and services.			X
Recommendation 16 b.: Explore the feasibility of constructing a Senior Center or purchasing a building and rehabilitating a building for the purpose of operating a Senior Center or a Community Center with designated space for Seniors.			X
Recommendation 17: Develop a program and train staff in maintenance/housekeeping protocols to improve maintenance of accessible elements.		X	
Recommendation 18 a.: A clearly marked accessible route to the trash receptacles and the trash sticker office would improve accessibility.	X		
Recommendation 18 b.: Signage that encourages people to request assistance with getting their trash into receptacles should be added.	X		
Recommendation 18 c.: Purchase at least one trash receptacle that is accessible and includes door hardware that is easy to operate and that has doors that are within reach range of a seated user.			X

SECTION 4: FACILITY AUDITS



Submitted by:
Kessler McGuinness & Associates, LLC
Josh Safdie, Principal

May 11, 2018

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Public Buildings & Spaces

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Houghton Building
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Public Safety
Town Hall
Transfer Station

Schools*

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Florence Sawyer Elementary

Recreation & Open Space

Bowers Springs
Fyfeshire Dam

* Nashoba Regional High School is included as a polling place, but as a regional school facility is not included in this report which focuses only on Town facilities and services.

PUBLIC BUILDINGS & SPACES

BOLTON, MA

Audit: March 20 & 29, 2018

Report: May 11, 2018

INTRODUCTION

KMA audited the following public buildings and spaces:

- Council on Aging
- DPW
- Polling Area
- Houghton Building
- Public Library
- Public Safety
- Town Hall
- Transfer Station



The purpose of the audit was to identify typical and/or significant unique elements that may represent a barrier to *program access*. The audit upon which this report is based was not comprehensive. This report is not intended to address any current or future renovation plans for the facility, or operational or functional aspects of the building beyond ADA compliance. The construction, renovation, and maintenance of the facility is also subject to the state building code, as well as local codes, regulations, and ordinances (if any).





Cost estimates are provided for budget planning purposes only and do not represent actual construction costs. The audit upon which this report is based did not account for structural and other factors that may have a significant impact on the cost of mitigation(s). It is assumed that further analysis will be performed to determine actual construction costs that address specific conditions and the local market. The cost estimates are time sensitive and may increase over time. Cost estimates are provided for budget planning purposes only and do not represent actual construction costs. The audit upon which this report is based did not account for structural and other factors that may have a significant impact on the cost of mitigation(s). It is assumed that further analysis will be performed to determine actual construction costs that address specific conditions and the local market. The cost estimates are time sensitive and may increase over time. The final prioritization of barrier removal will be the result of the Town's review and based on user input, available budget and planned alterations.

COUNCIL ON AGING

600 MAIN STREET




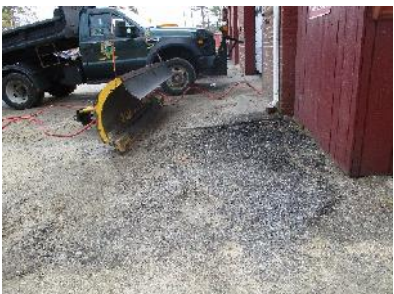

#	Barrier	Photo	Standard Mitigation	Cost
Exterior				
1.	Public Parking <ul style="list-style-type: none"> The van accessible space has a running slope >2%, @ 2.9%. The bottom edge of the parking sign is mounted <60" AFF, @ 36.5" AFF. 		Regrade and restripe the existing designated parking spaces and associated access aisles. Unit Cost: \$1,500 per space or aisle Quantity: 1 (1 van space) Relocate the existing sign to 60" min. AFF, measured to the bottom of the sign. Unit Cost: \$100 ea. Quantity: 4	\$1,900
2.	Curb Ramp The flared sides have a slope >10%, @ 12.3%.		Install a new compliant curb ramp. Unit Cost: \$2,000 ea. Quantity: 1	\$2,000
3.	Library There is no visual/audible alarm.	No Image	Install a visual/audible alarm. Unit Cost: \$500 Quantity: 1	\$500

4.	Board Meeting / Reflexology Room The sink is mounted >34" AFF, @ 36" AFF. There is no knee clearance below for a forward approach.		Modify the cabinetry below the sink to provide required knee clearance. Unit Cost: \$500 ea. Quantity: 1	\$500
5.	Community Room Knee and toe clearance is not provided in at least 5% of the tables.		Provide at least 5%, and no less than one table, that provides compliant knee and toe clearance. Unit Cost: \$250 ea. Quantity: 1	\$250
6.	Community Kitchen <ul style="list-style-type: none"> The sink and work surface are mounted >34" AFF, @ 36" AFF. The coffee maker controls are >34" AFF, @ 52" AFF. 		Lower the sink. Unit Cost: \$500 ea. Quantity: 1 Relocate the coffee maker or provide an additional one within an accessible reach range. Unit Cost: \$100 ea. Quantity: 1	\$600
7.	<ul style="list-style-type: none"> The cabinet doors lack pull devices. 		Install pull devices on at least 50% of the cabinets. Unit Cost: \$50 ea. Est. Quantity: 5	\$250

8.	<ul style="list-style-type: none"> The knee space below the range is <27" AFF, @ 26.5" AFF. 		<p>Replace the apron below the range to provide the required 27" AFF knee clearance.</p> <p>Unit Cost: \$200 Quantity: 1</p>	\$200
9.	<p>Unisex Toilet Rooms</p> <ul style="list-style-type: none"> The emergency pull requires grasping to operate. 		<p>Replace the control.</p> <p>Unit Cost: \$250 ea. Quantity: 2</p>	\$500
10.	<ul style="list-style-type: none"> The toilet centerline is >18" from the side wall, @ 19". 		<p>Reposition the toilet or furr out the wall.</p> <p>Unit Cost: \$500 ea. Quantity: 2</p>	\$1,000
SUBTOTAL FOR COUNCIL ON AGING				\$7,700

12 FORBUSH MILL ROAD






#	Barrier	Photo	Standard Mitigation	Cost
DPW				
11.	Parking <ul style="list-style-type: none"> There are no designated accessible parking spaces. The ground surface is not stable, firm, or slip resistant. 		Regrade and restripe a portion of the parking lot to add 1 van accessible parking spaces as well as its associated sign and access aisle. Unit Cost: \$1,500 per space or aisle Quantity: 2 (1 van space, 1 aisle) Provide compliant van accessible signage posted at the head of the space. Unit Cost: \$100 ea. Quantity: 1	\$3,100
12.	Waste Oil Deposit <ul style="list-style-type: none"> The ground surface along the path of travel is not stable firm or slip resistant. The approach to the deposit shed door has a slope >2%, @ 5.5%. 		Provide operational accommodation to persons using wheelchairs.	N/A
13.	<ul style="list-style-type: none"> The door hardware (lock) requires tight grasping, pinching, and/or twisting of the wrist to operate. The door lock is not within an accessible reach range. 		Lower the lock and install a pull device on the door. Unit Cost: \$250 ea. Quantity: 1	\$250




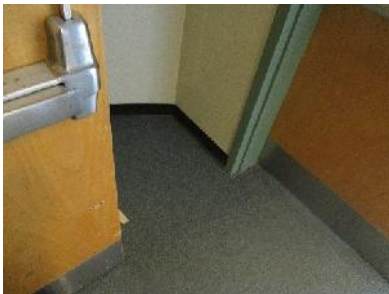
14.	Entrance <ul style="list-style-type: none"> The entrance is not accessible, @ exterior and interior step. The approach to the entry door has a slope >2%, @ 8.4%. 		Install a ramp. Unit Cost: \$15,000 Quantity: 1	\$15,000
15.	<ul style="list-style-type: none"> The exterior and interior door hardware (screen door and knob) require tight grasping, pinching, and/or twisting of the wrist to operate. 		Replace the door hardware with lever type. Unit Cost: \$250 ea. Quantity: 2	\$500
SUBTOTAL FOR BOLTON DPW				\$18,850

HIGH SCHOOL POLLING AREA

12 GREEN ROAD






#	Barrier	Photo	Standard Mitigation	Cost
High School Polling Area				
16.	Polling Area Parking <ul style="list-style-type: none"> The running slopes of the designated accessible parking spaces and their associated access aisle are >2%, @ up to 8.8%. The designated accessible parking spaces and their associated access aisles have a cross-slope >2%, @ 2.3%. The access aisles are <60" wide, @ 58". 		Re-grade and restripe the existing designated parking spaces and their associated access aisles. Unit Cost: \$1,500 per space Quantity: 4 (1 van, 3 standard)	\$6,000
17.	<ul style="list-style-type: none"> The existing parking signage obstructs the access aisles and is not posted at the head of each parking space. 		Remove existing signage and install posted accessible parking signage at 60" minimum AFF, measured to the bottom of the sign. Unit Cost: \$200 ea. Quantity: 4 (1 van, 3 standard)	\$800
18.	Accessible Route to Polling Area Entrance <ul style="list-style-type: none"> The parallel curb ramp has a cross-slope >2%, @ 6.4%. 		Install a new compliant curb ramp. Unit Cost: \$2,000 ea. Quantity: 1	\$2,000




19.	<ul style="list-style-type: none">The deterioration on the sidewalk causes abrupt changes in level.		Regrade the walkway. Unit Cost: \$75/SF Est. Quantity: 5 SF	\$375
20.	<ul style="list-style-type: none">The counter slope of the adjoining road surface adjacent to the curb ramp is >5%, @ 7.4%.		Regrade the path of travel from the parking space to the curb ramp. Unit Cost: \$75/SF Est. Quantity: 30 SF	\$2,250
21.	<ul style="list-style-type: none">The deterioration on the curb cut causes abrupt changes in level.		Patch the existing curb cut. Unit Cost: \$75/SF Est. Quantity: 5 SF	\$375
22.	Doors to Polling Area Doors in a series have <48" between the door swing and the adjacent door face, @ 35".		Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 1	\$2,500
			OR	
			Ensure both sets of doors are propped open during polling events.	\$0
SUBTOTAL FOR HIGH SCHOOL POLLING AREA				\$14,300

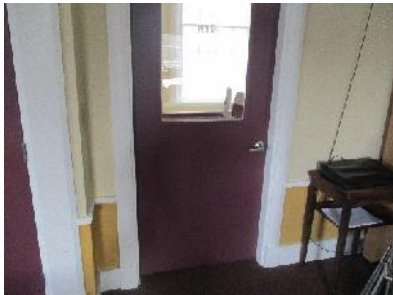

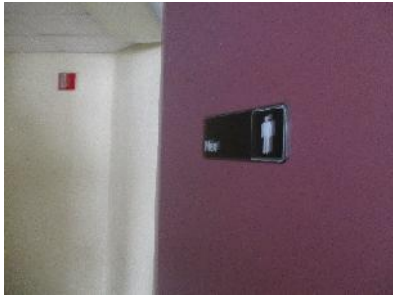
HOUGHTON BUILDING

697 MAIN STREET






#	Barrier	Photo	Standard Mitigation	Cost
Houghton Building				
23.	Ramp <ul style="list-style-type: none"> The slope of the ramp is >8.3%, @ 8.8%. The handrails lack extensions at the top and bottom of the ramp. The ramp lacks a 60" level landing at the bottom, @ 5.3%. 		Install a compliant ramp. Unit Cost: \$15,000 Quantity: 1	\$15,000
24.	Walkway <ul style="list-style-type: none"> The slope of the sidewalk has a running slope >5%, and is not treated as a ramp, @ 10.8%. The deterioration on the asphalt causes abrupt changes in level. 		Resurface/re-grade and install compliant handrails. Unit Cost: \$50/LF Est. Quantity: 30 LF	\$1,500
25.	Book Donation The slot for the book donation bin is not within an accessible reach range.		Lower the slot to no more than 48" above the ground. Unit Cost: \$100 Quantity: 1	\$100

26.	Parking <ul style="list-style-type: none"> The designated accessible parking spaces and their associated access aisles have a cross-slope >2%, @ 5.5%. The bottom edge of the parking sign is mounted <60" AFF. 		<p>Re-grade and re-stripe the existing designated parking spaces and their associated access aisles.</p> <p>Unit Cost: \$1,500 per space Quantity: 1 (1 van space)</p> <p>Install van accessible parking signage at 60" AFF minimum, measured to the bottom of the sign.</p> <p>Unit Cost: \$100 ea. Quantity: 1 (1 van)</p>	\$1,600
27.	Signage <ul style="list-style-type: none"> There is no tactile/Braille signage at the doors to exit passageways, exit discharges, or exit stairways. Existing signage lacks tactile/Braille and are not mounted on the latch side of the door. The accessible toilet room lacks the International Symbol of Accessibility. 		<p>Install tactile/Braille signage on the latch side of the door that includes the International Symbol of Accessibility, where applicable. Coordinate with location and height requirements.</p> <p>Unit Cost: \$50 per sign Est. Quantity: 8</p>	\$400
28.	Bolton Access TV <ul style="list-style-type: none"> Chairlifts, as opposed to platform lifts, are not allowed components of an accessible route because they require a person to transfer from their wheelchair. 		<p>Provide operational protocols for ensuring that individuals unable to climb stairs have access to all programs and services.</p>	N/A

29.	<ul style="list-style-type: none"> The door requires >5lbs of force to open. 		Adjust the door closer. Unit Cost: \$50 Quantity: 1	\$50
30.	<ul style="list-style-type: none"> There is no visual/audible alarm. 	No Image	Install a visual/audible alarm. Unit Cost: \$500 Quantity: 1	\$500
31.	Friends of Bolton Library The path of travel is obstructed by boxes.		Clear obstructions from the path of travel during public book sales.	N/A
32.	Men's & Women's Single-User Toilet Rooms The toilet rooms lack accessible elements.		Provide directional signage to the designated accessible toilet room. Unit Cost: \$50 ea. Quantity: 2	\$100

33.	Unisex Toilet Room <ul style="list-style-type: none"> The toilet centerline is >18" from the side wall, @ 19". The side grab bar is not mounted 33"-36" AFF, @ 30.5" AFF. The toilet paper roll is not located 7"-9" from the toilet rim, @ 10". The flush valve is not mounted on the open side of the stall. 		Reposition the toilet or fur out the wall. Unit Cost: \$500 ea. Quantity: 1 Remount the grab bars between 33"-36" AFF. Unit Cost: \$150 ea. Quantity: 2 Remount the toilet paper dispenser. Unit Cost: \$50 Quantity: 1 Install a compliant lever flush valve or an automatic flush valve. Unit Cost: \$1,500 ea. Quantity: 1	\$2,350
34.	<ul style="list-style-type: none"> The reflective surface of the mirror is >40" AFF, @ 43.5" AFF. The lavatory pipes are not wrapped. 		Lower the mirror. Unit Cost: \$200 ea. Quantity: 1 Insulate the lavatory pipes. Unit Cost: \$50 ea. Quantity: 1	\$250
35.	<ul style="list-style-type: none"> The pull side door maneuvering clearance is <48" for a latch approach, @ 38" to heater and 44" to jutting wall. 		Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 1	\$2,500




36.	Hallway Sink <ul style="list-style-type: none"> The sink near the meeting room protrudes >4" into the circulation space, @ 7" deep at 27.5" AFF. 		Install a wing wall on the side of the sink. Unit Cost: \$200 ea. Quantity: 1	\$200
37.	<ul style="list-style-type: none"> The sink pipes are not wrapped. 		Insulate the lavatory pipes. Unit Cost: \$50 ea. Quantity: 1	\$50
38.	<ul style="list-style-type: none"> The paper towel roll is mounted >48" AFF, @ 50" AFF. 		Lower the paper towel roll. Unit Cost: \$50 ea. Quantity: 1	\$50
SUBTOTAL FOR HOUGHTON BUILDING				\$24,650





Public Library





738 MAIN STREET





#	Barrier	Photo	Standard Mitigation	Cost
Public Library				
39.	Main Entrance The door buzzer control is mounted >48" AFF, @ 50.5" AFF.		Lower the buzzer. Unit Cost: \$100 Quantity: 1	\$100
40.	Parking <ul style="list-style-type: none"> There is no van accessible space. The cross-slope of the existing accessible spaces is >2%, @ 2.9%. The access aisle does not align with the curb cut. 	 	Re-grade the existing designated accessible parking space and its associated access aisle to align with the curb cut. Unit Cost: \$1,500 per space or aisle Quantity: 2 (1 van, 1 aisle)	\$3,000

41.	Door Hardware The door leading to the "Quiet Study Room" has a handle that requires tight grasping and pinching of the wrist.		Replace the door hardware with lever type. Unit Cost: \$300 ea. Quantity: 1	\$300
42.	Room Signage The existing tactile/Braille signage is mounted >60" AFF maximum measured from the baseline of the highest tactile character, @ 62.5" AFF.		Remount the signage to 48" minimum measured from the baseline of the lowest tactile character and 60" AFF maximum measured from the baseline to the highest tactile character. Unit Cost: \$50 ea. Est. Quantity: 10	\$500
43.	Threshold The threshold to the historic reading room is not beveled on both sides.		Replace the threshold. Unit Cost: \$100 ea. Quantity: 1	\$100
44.	Catalog Computer Station – 1st Floor <ul style="list-style-type: none"> The computer station protrudes >4" into the circulation space. The top of the computer work station is >34" AFF, @ 39" AFF. 		Install a cane detectable object beneath the book display stand. Unit Cost: \$750 ea. Quantity: 1 Provide a card catalog station on the nearby accessible computer stations.	\$750

45.	Drinking Fountains The low drinking fountains do not provide the 27" AFF minimum knee clearance, @ 26.5" AFF.		Reposition the drinking fountain to provide the 27" AFF minimum knee clearance. Unit Cost: \$500 ea. Quantity: 2	\$1,000
46.	Book Display Stand The book display stand protrudes >4" into the circulation space.		Install a cane detectable object beneath the book display stand. Unit Cost: \$750 ea. Quantity: 1	\$750
47.	Card Catalog Computer Station – 2nd Floor The computer station protrudes >4" into the circulation space.		Install wing walls on either side of the computer station. Unit Cost: \$200 ea. Quantity: 2	\$400
48.	Family Single User Toilet Room <ul style="list-style-type: none"> The pull side door maneuvering clearance is <54" for a latch approach, @ 45" to the wall. The door requires >5lbs of force to open. 		Modify the door or install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 1	\$2,500


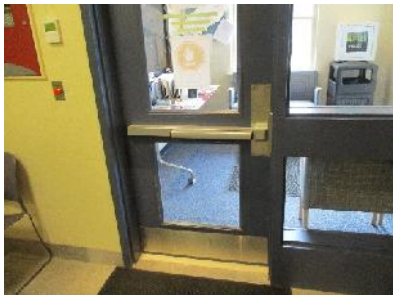
49.	<ul style="list-style-type: none"> The toilet paper dispenser is not located 7"-9" from the toilet rim, @ 12". 		Remount the toilet paper dispenser. Unit Cost: \$50 ea. Quantity: 1	\$50
50.	<ul style="list-style-type: none"> The paper towel dispenser is mounted >48" AFF, @ 54" AFF. 		Lower the paper towel dispenser. Unit Cost: \$100 ea. Quantity: 1	\$100
51.	<ul style="list-style-type: none"> The coat hook is mounted >48" AFF, @ 63" AFF. 		Provide a lowered coat hook mounted 48" AFF maximum. Unit Cost: \$50 ea. Quantity: 1	\$50
52.	Women's & Men's Multiuser Toilet Rooms <ul style="list-style-type: none"> The paper towel dispenser is mounted >48" AFF, @ 55.5" AFF. 		Lower the paper towel dispenser. Unit Cost: \$100 ea. Quantity: 2	\$200


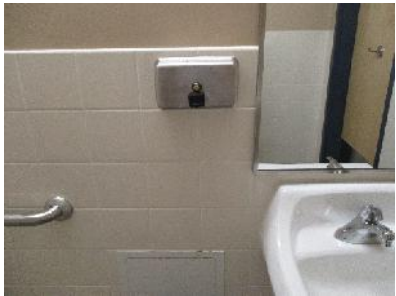
53.	<ul style="list-style-type: none"> The coat hook is mounted >48" AFF, @ 53" AFF. 		<p>Provide a lowered coat hook mounted 48" AFF maximum.</p> <p>Unit Cost: \$50 ea.</p> <p>Quantity: 2</p>	\$100
54.	<ul style="list-style-type: none"> The hand dryer reduces the 30" minimum clear width at the sink, @ 28". 		<p>Relocate the hand dryer.</p> <p>Unit Cost: \$100 ea.</p> <p>Quantity: 2</p>	\$200
SUBTOTAL FOR PUBLIC LIBRARY				\$10,100

Public Safety Center

15 WATTAQUADOCK HILL ROAD



#	Barrier	Photo	Standard Mitigation	Cost
Public Safety Center				
55.	Parking The running slope of the designated van accessible parking space >2%, @ 2.9%.		Re-grade and re-stripe the existing designated parking spaces and their associated access aisles. Unit Cost: \$1,500 per space Quantity: 1 (1 van space)	\$1,500
56.	Public Entrance The door requires >5lbs of force to open.		Adjust the door closer. Unit Cost: \$50 Quantity: 1	\$50
57.	Signage There is no tactile/Braille signage at the doors to exit passageways, exit discharges, or exit stairways.	No Image	Install tactile/Braille signage on the latch side of the door. Coordinate with location and height requirements. Unit Cost: \$50 per sign Est. Quantity: 3	\$150

58.	Lobby Phone The phone is mounted >48" AFF, @ 50" AFF.		Lower the phone. Unit Cost: \$100 ea. Quantity: 1	\$100
59.	Men's, Women's, & Unisex Single User Toilet Rooms <ul style="list-style-type: none"> The vertical grab bar is mounted <12" above the side grab bar, @ 5". 		Remove the vertical grab bar. Unit Cost: \$100 ea. Quantity: 3	\$300
60.	<ul style="list-style-type: none"> The emergency pull requires tight grasping to operate. 		Replace the control. Unit Cost: \$50 ea. Quantity: 3	\$150
61.	<ul style="list-style-type: none"> The soap dispenser is mounted >48" AFF, @ 49" AFF 		Lower the soap dispenser. Unit Cost: \$50 ea. Quantity: 3	\$150




62.	<ul style="list-style-type: none"> The door requires >5lbs of force to open. 		Adjust the door closer. Unit Cost: \$50 Quantity: 3	\$150
63.	Lobby Counter The counter protrudes >4" into the circulation space, @ 13" deep at 29" AFF.		Modify the counter or install a cane detectable object beneath it. Unit Cost: \$750 ea. Quantity: 1	\$750
64.	Training Room The sink lacks the required 27" AFF knee clearance, @ 26" AFF.		Modify or remove the apron. Unit Cost: \$200 ea. Quantity: 1	\$200
65.	Fingerprinting The sink used for detainee fingerprinting lacks the required knee clearance for a forward approach.		Modify the sink base to provide required knee clearance below. Unit Cost: \$500 ea. Quantity: 1	\$500





66.	Temporary Holding Cell The bench seat is >24" deep.		Install a compliant bench. Unit Cost: \$500 ea. Quantity: 1	\$500
67.	Extended Holding Cell The holding cells are inaccessible due to the following: <ul style="list-style-type: none"> Cells lack the required turning space. Toilets lack side grab bars. Bench seats are >24" deep. 		Install a compliant bench. Unit Cost: \$500 ea. Quantity: 1 <u>Note:</u> The 2002 ADA Guidelines (12.5) required back and side grab bars except in cells used solely for suicide prevention. This provision was not adopted as an enforceable standard until 2010. Additional study is required.	\$500
SUBTOTAL FOR PUBLIC SAFETY CENTER				\$5,000




Town Hall





663 MAIN STREET










#	Barrier	Photo	Standard Mitigation	Cost
Town Hall				
68.	Parking Near Basement Entrance <ul style="list-style-type: none"> The designated accessible parking space has a cross-slope >2%, @ 6.8%. The designated accessible parking space lacks an access aisle. 		Regrade and restripe the existing designated parking spaces and their associated access aisles. Unit Cost: \$1,500 per space or aisle Quantity: 2 (1 standard, 1 aisle)	\$3,000
69.	Walkway to Basement Entrance <ul style="list-style-type: none"> The running slope of the walkway is >5%, @ 5.2%. The walkway has a cross-slope >2%, @ 5.5%. 		Regrade the walkway. Unit Cost: \$75/SF Est. Quantity: 80 SF	\$6,000
70.	Basement Entrance The transition from asphalt to concrete creates an abrupt change in level.		Regrade the material transition. Unit Cost: \$30/SF Est. Quantity: 8 SF	\$240




71.	Parking Near Main Entrance <ul style="list-style-type: none"> There is no van accessible parking space. The existing designated accessible parking spaces lack access aisles. 		Re-stripe the parking lot to add 1 van accessible parking space and its associated access aisle. Unit Cost: \$300 per space or aisle Quantity: 2 (1 van, 1 aisle)	\$600
72.	Accessible Route to Main Entrance <ul style="list-style-type: none"> The path of travel to the main entrance is >5%, @ 6.6%. The accessible route to the main entrance coincides with the vehicular way. 		Regrade the accessible route to the main entrance. Unit Cost: \$75/SF Est. Quantity: 100 SF	\$7,500
73.	Ramp at Main Entrance The handrails lack extensions at the top and bottom of the ramp.		Install compliant handrails on both sides of the ramp. Unit Cost: \$50/LF Est. Quantity: 30 LF	\$1,500
74.	Basement Entrance Furniture obstructs the accessible route to the Board Meeting Room.		Relocate the obstructing furniture.	\$0




75.	Main Entrance The push side maneuvering clearance is <12" on the latch side for a forward approach, @ recess.		Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 1	\$2,500
76.	Basement Hallway No visual alarm is provided in the hallway.	No Image	Install a visual alarm. Unit Cost: \$500 ea. Est. Quantity: 2	\$1,000
77.	Hallway Door to Toilet Room <ul style="list-style-type: none"> The push side maneuvering clearance is <12" on the latch side for a front approach, @ recess. The maneuvering clearance on the pull side of the door lacks a level surface. The hardware (knob) requires tight grasping, pinching or twisting of the wrist to operate. 		Remove the door. Unit Cost: \$150 ea. Quantity: 1	\$150
78.	Accessible Route Chairlifts, as opposed to platform lifts, are not allowed components of an accessible route because they require a person to transfer from their wheelchair.		Install a compliant platform lift. Unit Cost: \$15,000 ea. Quantity: 1	\$15,000



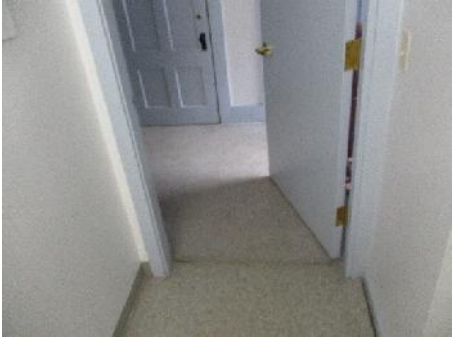
79.	Counters The transaction counters are >36" AFF, @ 42" AFF.		Lower a 36" portion of the counters to maximum 36" AFF or install an auxiliary counter. Unit Cost: \$1,000 ea. Quantity: 4	\$4,000
80.	Hand Sanitizer The hand sanitizer dispenser protrudes >4" into the circulation space.		Remove or relocate the dispenser. Unit Cost: \$50 ea. Quantity: 1	\$50
81.	AED The control is mounted >48" AFF, @ 55" AFF.		Lower the AED. Unit Cost: \$50 ea. Quantity: 1	\$50
82.	Carpeting The carpeting is bunched along the path of travel to the toilet rooms.		Relay the carpeting. Unit Cost: \$75/SF Est. Quantity: 25 SF	\$1,875

83.	Hallway to Toilet Rooms The path of travel to the toilet rooms is obstructed by furniture.		Relocate the obstructing furniture.	\$0
84.	All Single User Toilet Rooms <ul style="list-style-type: none"> The signs lack the International Symbol of Accessibility. The signs lack tactile/Braille elements and are not located on the latch side of the door. 		Install compliant signage that includes the International Symbol of Accessibility mounted on the latch side of the door. Unit Cost: \$50 ea. Quantity: 3	\$150
85.	Men's & Women's Single User Toilet Rooms <ul style="list-style-type: none"> The push side maneuvering clearance is <42" wide for a hinge approach, @ 41". The pull side maneuvering clearance is <18" for a forward approach, @ 10". 		Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 2	\$5,000

86.	<ul style="list-style-type: none"> The toilet centerline is >18" from the side wall, @ 19". 		Reposition the toilet or fur out the wall. Unit Cost: \$500 ea. Quantity: 1	\$1,000
87.	<ul style="list-style-type: none"> The flush valve is not located on the wide side of the toilet. 		Install a compliant lever flush valve or an automatic flush valve. Unit Cost: \$1,500 ea. Quantity: 2	\$3,000
88.	<ul style="list-style-type: none"> The grab bars are not mounted 33"-36" AFF, @ 32" AFF. 		Remount the grab bars between 33"-36" AFF. Unit Cost: \$150 ea. Quantity: 2	\$300
89.	<ul style="list-style-type: none"> The knee clearance beneath the lavatory is <27" AFF, @ 26.75" AFF. 		Raise the lavatory to provide the minimum required knee clearance. Unit Cost: \$2,000 ea. Quantity: 2	\$4,000

90.	<ul style="list-style-type: none"> The reflective surface of the mirror is >40" AFF. 		<p>Lower/replace the existing mirror or install a full-length mirror.</p> <p>Unit Cost: \$50 Quantity: 2</p>	\$100
91.	<p>Men's Single User Toilet Room</p> <p>The furniture obstructs the required clearance around the water closet.</p>		<p>Remove the obstructing furniture.</p>	\$0
92.	<p>Unisex Single User Toilet Room</p> <ul style="list-style-type: none"> The grab bars are not mounted 33"-36" AFF, @ 40" AFF. 		<p>Remount the grab bars between 33"-36" AFF.</p> <p>Unit Cost: \$150 ea. Quantity: 2</p>	\$300


93.	<ul style="list-style-type: none"> The ceiling provides <80" of vertical clearance. 		<p>Install a cane detectable object beneath the slanted ceiling.</p> <p>Unit Cost: \$500 ea.</p> <p>Quantity: 1</p>	\$500
94.	<ul style="list-style-type: none"> The wall obstructs the 60" clearance at the water closet. 		<p>Additional study required.</p>	\$0
95.	<ul style="list-style-type: none"> The flush valve is not located on the wide side of the toilet. 		<p>Reposition the flush valve or install an automatic flush valve.</p> <p>Unit Cost: \$1,500 ea.</p> <p>Quantity: 1</p>	\$1,500

96.	<ul style="list-style-type: none"> The reflective surface of the mirror is >40" AFF. 		<p>Lower/replace the existing mirror or install a full-length mirror.</p> <p>Unit Cost: \$50 Quantity: 1</p>	\$50
97.	<ul style="list-style-type: none"> The toilet paper dispenser is not mounted 7"-9" from the toilet rim. 		<p>Remount the toilet paper dispenser.</p> <p>Unit Cost: \$50 Quantity: 1</p>	\$50
98.	<ul style="list-style-type: none"> The push side maneuvering clearance is <12" on the latch side for a front approach, @ recess. 		<p>Install an automatic door opener.</p> <p>Unit Cost: \$2,500 ea. Quantity: 1</p>	\$2,500
SUBTOTAL FOR TOWN HALL				\$61,915

TRANSFER STATION

95 FORBUSH MILL ROAD



#	Barrier	Photo	Standard Mitigation	Cost
Transfer Station				
99.	Accessible Route The transfer station is not accessible due to the following: <ul style="list-style-type: none"> • The ground surface is not stable, firm, or slip resistant. • Trash receptacles are not within an accessible reach range. • There is no designated accessible parking. • There is no accessible route to the trash sticker office. 		Provide operational accommodation to persons with disabilities for trash removal and sticker transactions.	N/A
SUBTOTAL FOR TRANSFER STATION				\$0
TOTAL FOR PUBLIC BUILDINGS & SPACES				

SCHOOLS

BOLTON, MA



Audit: March 20, 2018

Report: April 6, 2018

INTRODUCTION




KMA audited Emerson Elementary and Florence Sawyer School. The audit upon which this report is based was not comprehensive, and the scope is limited to a broad overview of the basic barriers identified to meet the Americans with Disabilities Act (ADA) requirements. This report is not intended to address any current or future renovation plans for the facility, or operational or functional aspects of the building beyond ADA compliance. The construction, renovation, and maintenance of the facility is also subject to the state building code, as well as local codes, regulations, and ordinances (if any). The Americans with Disabilities Act does not require that existing buildings (constructed prior to 1992) be brought into full compliance but rather requires that barrier removal be performed to insure equal access to programs and services. Because Title II evaluates a public entity's programs, services and activities in their entirety, the Town will have flexibility in addressing accessibility issues.



Cost estimates are provided for budget planning purposes only and do not represent actual construction costs. The audit upon which this report is based did not account for structural and other factors that may have a significant impact on the cost of mitigation(s). It is assumed that further analysis will be performed to determine actual construction costs that address specific conditions and the local market. The cost estimates are time sensitive and may increase over time. The final prioritization of barrier removal will be the result of the Town's review and based on user input, available budget and planned alterations.




EMERSON ELEMENTARY



50 MECHANIC STREET



#	Barrier	Photo	Standard Mitigation	Cost
Emerson Elementary				
100.	Parking <ul style="list-style-type: none"> There is no designated van accessible parking space. The parking spaces are not located on the shortest accessible route to the main entrance. The running slope of the designated accessible parking space is >2%, @ 2.4%. 		Relocate the existing designated parking spaces and their associated access aisles nearest to the main entrance, on a level surface <2%. Provide 1 van and 1 standard accessible space. Unit Cost: \$300 per space or aisle Quantity: 3 (2 spaces, 1 aisle)	\$900
101.	Accessible Route to the Main Entrance <ul style="list-style-type: none"> There is no curb ramp along the path of travel from the accessible parking spaces to the main entrance. There is no curb ramp at the drop-off area adjacent to the main entrance. 		Install compliant curb ramps. Unit Cost: \$2,000 ea. Quantity: 2	\$4,000
102.	<ul style="list-style-type: none"> The deterioration of the sidewalk causes abrupt changes in level. 		Regrade the walkway. Unit Cost: \$75/SF Est. Quantity: 20 SF	\$1,500

103.	Playground The playground: <ul style="list-style-type: none"> Is not located on an accessible route; Lacks accessible routes to each element within the playground; and Lacks a sufficient number of accessible play components. 		Additional study required.	\$50,000
104.	Signage <ul style="list-style-type: none"> There is no tactile/Braille signage at the doors to exit passageways, exit discharges, or exit stairways. Existing signage lacks tactile/Braille and are not mounted on the latch side of the door. 	No Image	Install tactile/Braille signage on the latch side of the door. Coordinate with location and height requirements. Unit Cost: \$50 per sign Est. Quantity: 20	\$1,000
105.	Drinking Fountains Drinking fountains protrude >4" into the circulation space, @ 18" deep at 28" AFF.		Install a compliant "hi-lo" drinking fountain that does not protrude. Unit Cost: \$2,500 ea. Quantity: 3	\$7,500




106.	Desks The classroom desks lack the required minimum 27" AFF knee clearance, @ 25" AFF.		Provide an accessible desk in each classroom. Unit Cost: \$250 ea. Est. Quantity: 10	\$2,500
107.	Girls' Single & Multiuser Toilet Rooms 2 out of 3 girls' toilet rooms lack accessible elements.		Provide signage to the nearest accessible toilet room. Unit Cost: \$50 per sign Quantity: 2	\$100
108.	Boys' Single & Multiuser Toilet Rooms There is no accessible boys' toilet room.		Modify the existing boys' multiuser toilet room to make it accessible. Unit Cost: \$25,000 Quantity: 1	\$25,000




109.	Girls' Multiuser Toilet Room <ul style="list-style-type: none"> The grab bars are not mounted between 33"-36" AFF, @ 30.5" AFF. The rear grab bar is mounted >6" from the side walk, @ 9". The side grab bar is mounted >12" from the rear wall, @ 13". The toilet seat is not mounted between 17"-19" AFF, @ 15.5" AFF. 		Reposition the existing grab bars. Unit Cost: \$150 Quantity: 2 Replace the toilet. Unit Cost: \$500 Quantity: 1	\$800
110.	<ul style="list-style-type: none"> The door requires >5lbs of force to open. 		Adjust the door closer. Unit Cost: \$50 Quantity: 1	\$50
SUBTOTAL FOR EMERSON ELEMENTARY SCHOOL				\$93,350




FLORENCE SAWYER SCHOOL




100 MECHANIC STREET




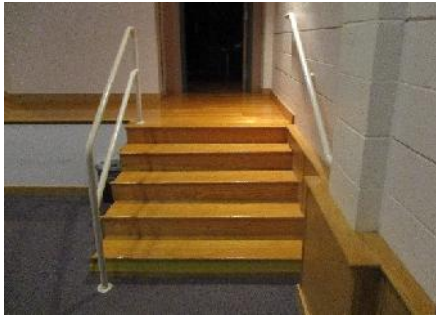






#	Barrier	Photo	Standard Mitigation	Cost
Florence Sawyer School				
111.	Parking <ul style="list-style-type: none"> There are no access aisles provided. There is no designated van accessible parking space. 		Restripe a portion of the parking lot to provide three (3) standard and one (1) van accessible parking space, as well as their associated access aisles. Unit Cost: \$300 per space or aisle Quantity: 7 (3 standard, 1 van, 3 aisles)	\$2,100
112.	Curb Ramp <ul style="list-style-type: none"> The deterioration at the bottom of the curb cut causes abrupt changes in level. The curb cut lacks a 36" wide level landing at the top of the ramp. 		Install a new compliant curb ramp. Unit Cost: \$2,000 ea. Quantity: 1	\$2,000
113.	Playground The playground: <ul style="list-style-type: none"> Is not located on an accessible route; Lacks accessible routes to each element within the playground; and Lacks a sufficient number of accessible play components. 		Additional study required.	\$50,000





114.	Entrance near Playground <ul style="list-style-type: none"> The deterioration of the sidewalk causes abrupt changes in level. The transition from asphalt to concrete creates an abrupt change in level. 		Regrade the walkway. Unit Cost: \$75/SF Est. Quantity: 20 SF	\$1,500
115.	Signage <ul style="list-style-type: none"> There is no tactile/Braille signage at the doors to exit passageways, exit discharges, or exit stairways. The accessible toilet rooms lack the International Symbol of Accessibility. 		Install tactile/Braille signage on the latch side of the door that includes the International Symbol of Accessibility, where applicable. Coordinate with location and height requirements. Unit Cost: \$50 per sign Est. Quantity: 10	\$500
116.	Classrooms <ul style="list-style-type: none"> The sink lacks the required 27" AFF knee clearance, @ 26" AFF. 		Modify or remove the apron. Unit Cost: \$200 ea. Est. Quantity: 30	\$6,000

117.	<ul style="list-style-type: none"> There are no visual/audible alarms provided in the classrooms. 	No Image	<p>Install a visual/audible alarm in each classroom.</p> <p>Unit Cost: \$500 ea. Est. Quantity: 30</p>	\$1,500
118.	<ul style="list-style-type: none"> The desks lack the required minimum 27" AFF knee clearance, @ 25" AFF. 		<p>Provide an accessible desk in each classroom.</p> <p>Unit Cost: \$250 ea. Est. Quantity: 30</p>	\$7,500
119.	<p>Girls' & Boys' Multiuser Toilet Rooms (FL1)</p> <ul style="list-style-type: none"> The toilet paper dispenser is not located 7"-9" from the toilet rim. The side grab bar extends <54" from the rear wall, @ 48". 		<p>Remount the toilet paper dispenser.</p> <p>Unit Cost: \$50 ea. Quantity: 4</p> <p>Remount the grab bar.</p> <p>Unit Cost: \$150 ea. Quantity: 1</p>	\$350
120.	<ul style="list-style-type: none"> The sink lacks the required 27" AFF knee clearance, @ 26" AFF. The reflective surface of the mirror is >40" AFF, @ 43" AFF. 		<p>Modify or remove the apron.</p> <p>Unit Cost: \$200 ea. Quantity: 4</p> <p>Lower the mirror.</p> <p>Unit Cost: \$200 ea. Quantity: 4</p>	\$1,600

121.	<ul style="list-style-type: none"> The door lacks the required 18" pull side maneuvering clearance, @ 9" (boys' only). 		Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 1	\$2,500
122.	Nurse's Office <ul style="list-style-type: none"> There is no visual/audible alarm provided in the nurse's toilet room. 	No Image	Install a visual/audible alarm. Unit Cost: \$500 ea. Quantity: 1	\$500
123.	<ul style="list-style-type: none"> Furniture obstructs the required clearance around the water closet. 		Remove the obstructing furniture.	N/A
124.	<ul style="list-style-type: none"> The toilet paper dispenser is not located 7"-9" from the toilet rim. The grab bars are not mounted between 33"-36" AFF, @ 37" AFF. 		Remount the toilet paper dispenser. Unit Cost: \$50 ea. Quantity: 1 Remount the grab bars between 33"-36" AFF. Unit Cost: \$150 ea. Quantity: 2	\$350

125.	<ul style="list-style-type: none"> The examining table is not adjustable in height from 15" above the floor. 		Provide an accessible exam table. Unit Cost: \$500 Quantity: 1	\$500
126.	Girls' & Boys' Multiuser Toilet Rooms (FL2) <ul style="list-style-type: none"> The sink lacks the required 27" AFF knee clearance, @ 26" AFF. 		Modify or remove the apron. Unit Cost: \$200 ea. Quantity: 2	\$400
127.	<ul style="list-style-type: none"> The toilet centerline is >18" from the side wall, @ 18.5". 		Reposition the toilet or furr out the wall. Unit Cost: \$500 ea. Quantity: 2	\$1,000
128.	Auditorium There is no accessible route directly connecting the assembly seating area with the performance area.		Install a ramp. Unit Cost: \$15,000 ea. Quantity: 1	\$15,000

129.	Bleachers The minimum number of require wheelchair spaces is not provided.		Install compliant spaces for wheelchair seating. Unit Cost: \$500 ea. Est. Quantity: 2	\$1,000
130.	Girls' & Boys' Locker Rooms <ul style="list-style-type: none"> Doors recessed >8" do not provide the required 18" maneuvering clearance, @ 9" deep. The pull side door maneuvering clearance is <54" for a latch approach, @ 46" to the wall. 		Install an automatic door opener. Unit Cost: \$2,500 ea. Quantity: 2	\$5,000
131.	<ul style="list-style-type: none"> The sink lacks the required 27" AFF knee clearance, @ 26" AFF. The lavatory pipes are not wrapped. 		Modify or remove the apron. Unit Cost: \$200 ea. Quantity: 2 Insulate the lavatory pipes. Unit Cost: \$50 ea. Quantity: 2	\$500
132.	<ul style="list-style-type: none"> The grab bars are not mounted between 33"-36" AFF, @ 36.5" AFF. 		Remount the grab bars between 33"-36" AFF. Unit Cost: \$150 ea. Quantity: 4	\$600

133.	<ul style="list-style-type: none"> The toilet paper dispenser is not located 7"-9" from the toilet rim. 		Remount the toilet paper dispenser. Unit Cost: \$50 ea. Quantity: 2	\$100
134.	<ul style="list-style-type: none"> The benches lack back support. 		Provide a compliant bench in each locker room. Unit Cost: \$300 ea. Quantity: 2	\$600
135.	<ul style="list-style-type: none"> The grab bars are not mounted between 33"-36" AFF, @ 37" AFF. 		Remount the grab bars between 33"-36" AFF. Unit Cost: \$150 ea. Quantity: 4	\$600
136.	<ul style="list-style-type: none"> The shower seat is not mounted on the front wall. 		Remount the shower seat on the front wall. Unit Cost: \$150 ea. Quantity: 2	\$300
SUBTOTAL FOR FLORENCE SAWYER SCHOOL				\$102,000
TOTAL FOR SCHOOLS				\$195,350

RECREATION & OPEN SPACE

BOLTON, MA



Audit: March 27, 2018
DRAFT Report: April 6, 2018

INTRODUCTION

Bolton has two conservation areas: Bowers Springs and Fyfeshire Dam. KMA understands that an accessible route is required to be provided under the ADA only if specific common use spaces are provided (i.e. bandstand, toilet, gazebo, etc.).




Where facilities contain elements for which there aren't any applicable accessibility requirements (e.g. trails), KMA recommends providing informational signage at entrances to inform visitors about the level of challenge (e.g. surface, running slope, distance, etc.).

The purpose of the audit was to identify typical and/or significant unique elements that may represent a barrier to *program access*. The audit upon which this report is based was not comprehensive. This report is not intended to address any current or future renovation plans for the facility, or operational or functional aspects of the building beyond ADA compliance.

The construction, renovation, and maintenance of the facility is also subject to the state building code, as well as local codes, regulations, and ordinances (if any).

Cost estimates are provided for budget planning purposes only and do not represent actual construction costs. The audit upon which this report is based did not account for structural and other factors that may have a significant impact on the cost of mitigation(s). It is assumed that further analysis will be performed to determine actual construction costs that address specific conditions and the local market. The cost estimates are time sensitive and may increase over time. The final prioritization of barrier removal will be the result of the Town's review and based on user input, available budget and planned alterations.

The report below lists the barriers found during KMA's audit.

#	Barrier	Photo	Standard Mitigation	Cost
Bowers Springs				
137.	Parking No designated accessible parking spaces are provided.		Restripe a portion of the parking lot to add one (1) van accessible parking space, as well as its associated access aisle. Unit Cost: \$300 per space or aisle Quantity: 2 (1 van, 1 aisle) Install a van accessible parking sign. Unit Cost: \$100 ea. Quantity: 1	\$600 \$100
138.	Accessible Route The walkways are not stable, firm or slip resistant. The surface is grass, dirt, and gravel, and slopes exceed 5%.		Provide information about the conditions (e.g. slope, distance, surface).	\$100
SUBTOTAL FOR BOWERS SPRINGS				\$800
Fyfeshire Dam				
139.	Parking No designated accessible parking spaces are provided.		Provide information about the conditions (e.g. slope, distance, surface).	\$100
SUBTOTAL FOR FYFESHIRE DAM				\$100
TOTAL FOR RECREATION & OPEN SPACE				\$900

SECTION 5: 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 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 Streets 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/>

SECTION 6: APPENDIX

A. GLOSSARY OF TERMS + ADA REGULATIONS

B. SELF-EVALUATION QUESTIONNAIRE (General + Department)

C. POLICIES AND PROCEDURES

Glossary of Terms

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)

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)

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

a) Design and Construction

- (1) 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.
- (2) 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.

b) Alterations

- (1) 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.
- (2) 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:

- a) **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.
- b) **Discriminatory actions prohibited.**
 - 1. 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.
- 2. 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.
- 3. 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.
- 4. 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.
- 5. 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.
- 6. 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.
- c) **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.
- d) **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.

Section 521 of the Code of Massachusetts Regulations (521 CMR)

The Massachusetts Architectural Access Board (MAAB) has issued regulations in order to make public buildings and facilities accessible to, functional for, and safe for use by persons with disabilities. These regulations, which are listed as Section 521 of the Code of Massachusetts Regulations (CMR), apply to all buildings and facilities in the Commonwealth that are open to members of the public including but not limited to, retail establishments, hotels and motels, multiple dwellings, educational facilities, medical facilities, detention facilities, places of

worship, restaurants, and transportation facilities. All new construction of public buildings and facilities are required to comply fully with 521 CMR.

Construction activities such as additions, reconstruction, remodeling, and alterations or repairs on an existing public building and that require a permit, shall be governed by (521 CMR 3.00 JURISDICTION). There are two MAAB “triggers” that would require an existing building to adhere to 521 CMR. The regulation states:

521 CMR 3.3.1 If the work being performed amounts to less than 30% of the *full and fair cash value* of the building and

a. if the work costs less than \$100,000, then only the work being performed is required to comply with 521 CMR

or

b. if the work costs \$100,000 or more, then the work being performed is required to comply with 521 CMR. In addition, an accessible public entrance and an accessible toilet room, telephone, drinking fountain (if toilets, telephones and drinking fountains are provided) shall also be provided in compliance with 521 CMR.

There are exceptions to this including maintenance of underground transit facilities and certain types of alteration projects that do not exceed costs of \$500,000 including curb cuts, work that is limited solely to electrical mechanical, or plumbing systems; abatement of hazardous materials; or retrofit of automatic sprinklers **and** does not involve *alteration* of any *elements* or *spaces* required to be *accessible* under 521 CMR. In addition, roof repair or replacement, window repair or replacement, repointing and masonry repair work and work relating to septic system repairs are not subject to compliance with 521 CMR.

521 CMR 3.3.2 If the work performed, including the exempted work, amounts to 30% or more of the full and fair cash value of the building, the entire building is required to comply with 521 CMR.

a. Where the cost of the constructing an addition to a building amounts to 30% or more of the full and fair cash value of the existing building, both the addition and the existing building must be fully accessible.

In instances where compliance with the Board's regulations appears impracticable, either because it is technically unfeasible or because it would result in excessive and unreasonable costs without any substantial benefit to persons with disabilities, you have the right to apply for variance as laid out in 521 CMR 4.1. The variance process typically takes 3-6 weeks. Information on how to apply for a variance, including a guide that provides an overview of the process and applications and forms can be found here:

<https://www.mass.gov/architectural-access-board-variance>

Administrative Self-Evaluation Questionnaire

Town of Bolton

AMERICANS WITH DISABILITIES ACT

This questionnaire was completed by the following individual:

Name: [Click here to enter text.](#) Position: [Click here to enter text.](#)
 Telephone: [Click here to enter text.](#) Email: [Click here to enter text.](#)

Part 1: General Procedures		
1. A responsible employee has been designated as ADA Coordinator.	Choose an item.	Please provide name and title.
a. ADA Coordinator has received ADA training.	Choose an item.	Please provide date of last training.
2. A Grievance Policy and Procedure has been adopted to resolve complaints related to the non-discrimination requirements of the ADA and distributed to employees and the public.	Choose an item.	Please attach Click here to comment.
a. Bolton has identified the employee who will be responsible for processing discrimination complaints.	Choose an item.	Name and contact info
b. Assistance is provided in preparing grievance documentation as needed to any person presenting a complaint.	Choose an item.	Click here to comment.
3. Surcharges are not imposed to recover the cost of accommodations, communications services or accessibility features	Choose an item.	Click here to comment.
4. Procedures are established to ensure that meetings, hearings, workshops, and conferences, are held in accessible locations.	Choose an item.	Please attach Click here to comment.
5. Bolton has a written policy regarding service animals in municipal facilities.	Choose an item.	Please attach Click here to comment.
List any licenses or certifications issued by Bolton and indicate whether the application process has been reviewed to ensure that qualified persons with disabilities are not screened out:		Click here to comment.
a. Click here to enter text.	Choose an item.	Click here to comment.
b. Click here to enter text.	Choose an item.	Click here to comment.
c. Click here to enter text.	Choose an item.	Click here to comment.

Part 2: Notification		
<p>1. Public notice of ADA compliance has been developed and is visibly posted in public spaces of municipal facilities and in publications and digital media including the following:</p> <ul style="list-style-type: none"> a. Building entrances and lobbies, bulletin boards and gathering places b. Home page of the municipal website and other pages where information about public events, disability services, and facility accessibility is displayed c. Employee handbooks and manuals d. Event posters, flyers, program brochures and announcements e. Program announcements 	<p><i>Choose an item.</i></p> <p><i>Choose an item.</i></p> <p><i>Choose an item.</i></p> <p><i>Choose an item.</i></p> <p><i>Choose an item.</i></p>	<p>Please attach</p> <p><i>Click here to comment.</i></p> <p><i>Click here to comment.</i></p> <p><i>Click here to comment.</i></p> <p><i>Click here to comment.</i></p> <p><i>Click here to comment</i></p>
<p>2. Bolton's nondiscrimination policy has been communicated to all staff and recipients of services.</p>	<p><i>Choose an item.</i></p>	<p><i>Please describe how this is accomplished.</i></p>
<p>3. Bolton has taken steps to ensure that staff fully understands the municipality's policy of nondiscrimination and can take appropriate steps to facilitate the participation of persons with disabilities in Bolton's programs and employment opportunities.</p>	<p><i>Choose an item.</i></p>	<p><i>Please describe how this is accomplished.</i></p>
<p>4. Bolton has a process for responding to requests for modifications to policies or practices.</p> <ul style="list-style-type: none"> a. The process includes criteria for determining whether a modification would fundamentally alter the nature of the program. 	<p><i>Choose an item.</i></p> <p><i>Choose an item.</i></p>	<p><i>Click here to comment.</i></p> <p><i>Click here to comment.</i></p>
Part 3: Use of Contractors		
<p>1. Bolton has taken steps to ensure that appropriate personnel understand the ADA requirements as they apply to contractors.</p>	<p><i>Choose an item.</i></p>	<p><i>Click here to comment.</i></p>
<p>2. Bolton has included language in its contracts to ensure that contractors are aware of their obligations to facilitate the participation of persons with disabilities in programs and activities the contractor operates on behalf of Bolton.</p>	<p><i>Choose an item.</i></p>	<p><i>Click here to comment.</i></p>
<p>3. Bolton has developed a procedure to disseminate information about ADA requirements to contractors.</p>	<p><i>Choose an item.</i></p>	<p><i>Please describe how this is accomplished.</i></p>

Part 4: Transportation		
1. Bolton provides or contracts for transportation services.	<i>Choose an item.</i>	<i>Click here to comment.</i>
2. Bolton or contractor has procedures for responding to requests from persons with disabilities to provide information in a timely manner in an accessible form.	<i>Choose an item.</i>	<i>Click here to comment.</i>
4. Bolton or contractor provides training and testing to assure employees are fully qualified to serve passengers with disabilities.	<i>Choose an item.</i>	<i>Click here to comment.</i>
Part 5: Communications		
1. There are procedures for making Auxiliary Aids and Services available to persons with speech, vision or hearing impairments to ensure effective participation in a program or activity.	<i>Choose an item.</i>	<i>Click here to comment.</i>
a. Sound amplification systems are installed and maintained in assembly and performance halls.	<i>Choose an item.</i>	<i>Click here to comment.</i>
b. Portable assistive listening systems are available for use in other spaces.	<i>Choose an item.</i>	<i>Click here to comment.</i>
c. Qualified sign language interpreters are provided when requested in advance at meetings, interviews, conferences or public appearances by Bolton officials and hearings.	<i>Choose an item.</i>	<i>Click here to comment.</i>
d. Alternatives to traditional print including large print, scanned material for use with screen readers.	<i>Choose an item.</i>	<i>Click here to comment.</i>
e. Staff is trained in their roles and responsibilities in providing auxiliary communication aids and services.	<i>Choose an item.</i>	<i>Please describe how this is accomplished.</i>
2. Personnel receive training on appropriate interaction with people who have different types of disabilities and how to provide assistance appropriately.	<i>Choose an item.</i>	<i>Please describe how this is accomplished.</i>
3. Where phone numbers are provided as a means of contacting the municipality, an alternative means of communication (e.g. TTY number or email) is also provided.	<i>Choose an item.</i>	<i>Click here to comment.</i>
a. TDD numbers or telephone relay numbers have been added to all directories, pamphlets, brochures, etc.	<i>Choose an item.</i>	<i>Click here to comment.</i>
b. Bolton has taken steps to familiarize appropriate staff with the operation of TDDs and other effective means of communicating over the telephone with persons with deafness or hearing or speech impairments.	<i>Choose an item.</i>	<i>Click here to comment.</i>
4. Bolton has reviewed public documents to eliminate patronizing or stigmatizing language and images.	<i>Choose an item.</i>	<i>Click here to comment.</i>

Part 6: Emergency Evacuation		
1. Municipal alerts and emergency warnings are sent in multiple formats that are equally effective.	Choose an item.	Click here to comment.
2. Emergency evacuation procedures from buildings address the needs of individuals with disabilities.	Choose an item.	Please attach a copy of the section of your emergency preparedness plan that addresses individuals with disabilities.
Part 7: Equipment		
1. Bolton has purchased office equipment that can be readily and cost-effectively modified for people with disabilities.	Choose an item.	Click here to comment.
Part 8: Employment		
1. Bolton has reviewed the following areas to ensure that Bolton does not discriminate against persons with disabilities:	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Recruitment advertising (e.g., available in accessible formats) 	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Application forms (e.g., contain nondiscrimination policy notices) 	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Job descriptions distinguish between essential functions and marginal functions 	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Leaves of absence, sick leave, or any other leave 	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Requirement for pre-employment medical examinations 	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Personnel files have to ensure that information identifying disability is contained in a separate file. 	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Training programs, both in-house and outside opportunities 	Choose an item.	Click here to comment.
<ul style="list-style-type: none"> Performance evaluation forms 	Choose an item.	Click here to comment.
2. Staff who conduct interviews receive ADA training.	Choose an item.	Click here to comment.
3. Policies and procedures relative to requests for reasonable accommodations have been developed.	Choose an item.	Click here to comment.

4. Bolton's Personnel Manual is available in alternate formats.	<i>Choose an item.</i>	<i>Click here to comment.</i>
5. Bolton's Personnel Manual contains:	<i>Choose an item.</i>	<i>Click here to comment.</i>
<ul style="list-style-type: none"> • a Statement of Nondiscrimination or Equal Opportunity 	<i>Choose an item.</i>	<i>Click here to comment.</i>
<ul style="list-style-type: none"> • Instructions regarding filing a grievance 	<i>Choose an item.</i>	<i>Click here to comment.</i>
<ul style="list-style-type: none"> • Instructions regarding requesting a reasonable accommodation. 	<i>Choose an item.</i>	<i>Click here to comment.</i>
6. Bolton has a procedure for responding to requests for accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee.	<i>Choose an item.</i>	<i>Please describe/attach.</i>

Departments Self-Evaluation Questionnaire

Town of Bolton

AMERICANS WITH DISABILITIES ACT (ADA)

Department	<i>Click here to enter text.</i>
Dept. Head or Contact:	<i>Click here to enter text.</i>
Phone:	<i>Click here to enter text.</i>
Email:	<i>Click here to enter text.</i>

Part 1: Programs, Services, & Activities		
1. Please identify the programs and services operated by your department (e.g., i.e. youth soccer, DARE, revolving loans, etc.): a) Approximately how many people use your department's services or participate in your programs each year?		<i>Click here to enter text.</i> <i>Click here to enter text.</i>
b) Do you currently sponsor or provide any programs, services or activities specifically for people with disabilities?		
2. What is the source of funding for your programs?		<i>Click here to enter text.</i>
c) Do you charge any user fees?	<i>Choose an item.</i>	<i>Click here to comment.</i>
d) Do you receive any federal grants?	<i>Choose an item.</i>	<i>Click here to comment.</i>
3. Are the elected and/or appointed officials and employees affiliated with your department aware of Section 504 of the Rehabilitation Act (1973) and the Americans with Disabilities Act (1990) and their possible impacts on local government programs, services and activities?	<i>Choose an item.</i>	<i>Click here to comment.</i>
4. Can a qualified person with a disability participate in your programs as an employee, citizen volunteer, participant, observer, visitor, client or student?	<i>Choose an item.</i>	<i>If yes, please describe.</i>
5. Are your department's programs and services presented in the most integrated setting appropriate to the needs of people with disabilities?	<i>Choose an item.</i>	<i>Click here to comment.</i>
6. Do you have procedures for providing reasonable accommodations to employees and/or the public? (i.e. TTY/TTD phone lines, interpretive materials, accessible facilities, etc.)	<i>Choose an item.</i>	<i>If yes, please describe.</i>
7. Do you have procedures for responding to requests by individuals with disabilities to provide reasonable accommodations or to modify policies/procedures? a) How is information about requesting a modification or accommodation disseminated?	<i>Choose an item.</i>	<i>Please give examples.</i>

Consider the following types of disabilities, and whether the programs, services, or communications offered by your department are accessible to each.

	Visual Impairment	Hearing Impairment	Mobility Impairment	Mental Impairment
Can people with this type of disability access this program?	<i>Choose an item.</i>	<i>Choose an item.</i>	<i>Choose an item.</i>	<i>Choose an item.</i>
Are all activities and services accessible for people with this type of disability?	<i>Choose an item.</i>	<i>Choose an item.</i>	<i>Choose an item.</i>	<i>Choose an item.</i>
Are documents or other communications prepared by this program accessible?	<i>Choose an item.</i>	<i>Choose an item.</i>	<i>Choose an item.</i>	<i>Choose an item.</i>

Part 2: Communication

1. Do you ever conduct outreach or provide public information to any of the following?		
a) The public	<i>Choose an item.</i>	<i>Click here to comment.</i>
b) Town employees, officials, or boards	<i>Choose an item.</i>	<i>Click here to comment.</i>
c) Civic, professional, or business groups	<i>Choose an item.</i>	<i>Click here to comment.</i>
d) Other:	<i>Choose an item.</i>	<i>Click here to comment.</i>
2. Are print materials or audio-visual materials available in alternate formats?	<i>Choose an item.</i>	<i>Please give examples.</i>
3. Do you have access to appropriate auxiliary aids and services for people with impaired hearing?	<i>Choose an item.</i>	<i>If yes, please describe.</i>
4. Do your materials or literature about your programs and services include notice about non-discrimination and disability accommodations?	<i>Choose an item.</i>	<i>Click here to comment.</i>

Part 3: Facilities

1. Are there steps or other impediments that prevent people with impaired mobility from accessing your program space?	<i>Choose an item.</i>	<i>Click here to comment.</i>
4. If restrooms are available to the public or to employees, are they ADA accessible?	<i>Choose an item.</i>	<i>Click here to comment.</i>
3. Does your department regularly advertise that the location of events and services are accessible for people with disabilities?	<i>Choose an item.</i>	<i>Click here to comment.</i>
5. Have you ever relocated or rescheduled any programs to an existing accessible facility to make them available to people with disabilities?	<i>Choose an item.</i>	<i>Click here to comment.</i>
6. Does the emergency preparedness plan for your facilities address the needs of individuals with disabilities?	<i>Choose an item.</i>	<i>If yes, please describe.</i>

PROGRAM/ DEPARTMENT	1. Do you sponsor or provide any programs, services, or activities specifically for people with disabilities?	2. Are officials and employees affiliated with your department aware of ADA requirements?	3. Can a qualified person with a disability participate in your program as an employee, citizen volunteer, participant, visitor, client, or student?	4. Are people with disabilities accommodated in the most integrated setting as possible?	5. Do you have procedures for providing reasonable accommodations to employees and/or the public?	6. Are print materials or audio-visual materials available in alternative format?	7. Access to appropriate auxiliary aids + services?
Accountant	No	No	Yes	Yes	No	No	No
Assessors	We have all our information online for people to review without coming into the office.	They are generally aware of the Acts, but not in-depth knowledge.	Yes, if customers need to use the mobility chair instead of the stairs to get to the office, or choose to review the information online without coming to the office. I am not qualified to respond to the situation as to an employee/volunteer, I'll leave that to the town administrator.	If integrated means everything is here in one spot when they visit, then yes, but as to the needs of people with disabilities once they are here that the most integrated setting exists, I don't think so.	A few procedures if they visit the building we can come to them at the top of the stairs and facilitate their business. Or they can use the mobility chair, and come down to office.	No	No
Board of Health	No	Yes	Yes	Yes	Yes	No	No
Bolton Public Library	No	Yes	Yes	Yes. The library was expanded and made fully ADA compliant in 2010.	Yes.	N/A. Unsure about this question.	Yes. Assistive technology in Program Room, and we hire an ASL interpreter upon request.
Building Department	No	Yes	Yes	Yes. Building inspector is on the first floor. We also accept applications for building permits online or by mail.	No. We would accommodate individuals as needed.	No	No
Conservation	Currently working on guided trail walks of less strenuous terrain and shorter time. Working with COA to assess potential trail areas for these walks.	No. Yes, they are aware but have not been reminded regularly.	A qualified person with a disability may choose to serve on the Conservation commission, volunteer, observe and visit.	Yes. The conservation commission's public meetings are recorded, advertised in the paper, and minutes posted online with associated agendas.	Yes. We have a mobile chair which assists individuals between floors. We address concerns on a case by case basis. We would ask that if the individual has a disability they would notify us in order for us to properly accommodate them or collect the necessary documents for their request.	Yes. All meetings are recorded.	No
Council on Aging	No	No	Yes	Yes	No- A grant can be pursued from the MCOA for an assistive listening device at a 75% discount	No	No
Human Resources	No	No	Yes- Town does not discriminate	We would be required to make necessary accommodations	None today, but would do so if needed	Not that I know of	Not that I know of

PROGRAM/ DEPARTMENT	8. Do materials about your program include notice about non-discrimination and disability accommodations?	9. Are there steps or other impediments that prevent people with impaired mobility from accessing your program space?	10. If restrooms are available to the public or to employees, are they ADA accessible?	11. Do you advertise about the accessibility of your services and/or availability of accommodations?	12. Have you ever relocated or rescheduled any programs to an existing accessible facility to make them available to people with disabilities?	13. Emergency preparedness plans for your facility address needs of individuals with disabilities	14. Other comments
Accountant	N/A	Yes	Yes	N/A	N/A	No	
Assessors		Yes	I believe so	No	Yes to handicap accessible conference room at the town library.		
Board of Health	No	No	Yes	No	Yes. Nashoba Nursing provides home visits. Local Board of Health would also accommodate individuals on an as needed basis.	Yes	Nashoba Associated Boards of Health, the agent for the town provides Rabies Clinic, Flu Clinic, Nursing/Home Health Aid or Rehabilitative Services including weekly health clinic at senior center.
Bolton Public Library	No. Suggestion taken.	No. There are curb cuts to make access easier.	Yes	No.	N/A. Possibly this was done before the renovation and expansion project but since 2010 has not been necessary.	Yes. Revision in process 3/2018.	Lapsit time for babies, story and craft times, crafternoons for school-age kids, tech workshops, teen programs including book clubs, senior book club, local history discussion, adult programs, cooking classes, etc.
Building Department	No	No	Yes	No	N/A	Yes	
Conservation	Yes. OSRP includes this information.	Yes. Files in office may minimize space, programs require transportation.	Yes	Yes. I believe it is stated on the webpage along with a review of the terrain on Trail walk advertisements.	No. But we would if we were notified that it would be more appropriate.	Yes. I believe so.	Monthly guided trail walks, World Water Day & Earth Day events with Children's Department at the Bolton Public Library, Invasive Species education, Land management, birding excursions, review applications based on Wetland protection Act and Local Wetland Bylaw regulations.
Council on Aging	No	Yes- There is handicapped access, elevator	Yes	No	N/A	N/A	
Human Resources	N/A	Not that I believe. We can be reached on either floor	Not sure, believe so	Always make sure locations are accessible	No, issue has never occurred	Not sure	

PROGRAM/ DEPARTMENT	1. Do you sponsor or provide any programs, services, or activities specifically for people with disabilities?	2. Are officials and employees affiliated with your department aware of ADA requirements?	3. Can a qualified person with a disability participate in your program as an employee, citizen volunteer, participant, visitor, client, or student?	4. Are people with disabilities accommodated in the most integrated setting as possible?	5. Do you have procedures for providing reasonable accommodations to employees and/or the public?	6. Are print materials or audio-visual materials available in alternative format?	7. Access to appropriate auxiliary aids + services?
Planning	Not at present	N/A. Planning Board, ZBA and EDC members may not be aware of ADA requirements. No other employees work under the Planning Department	Yes. By modifying daily operations. Assistance by the Planning Department can be provided on the main floor preventing a person with a disability having to travel to the bottom floor. A person with a disability could also access the Planning Department from the Town Hall entrance at the lower parking area. Access within the Planning Department office can be improved as needed by removing physical barriers that would prevent a person with a disability to maneuver safely. For example, plans, documents, etc. should be filed away and removed from aisles.	No, the Planning Department office is located on the bottom floor of Town Hall where access from the main floor is by stairs only. Planning Board, ZBA and EDC meetings are held in the Board of Selectmen Room, where the room configuration should be rearranged to allow for improved aisle widths for a person with a disability to maneuver safely. The room should also provide space for wheelchairs.	No. Bolton does not currently have TTY/TTD phone lines or interpretive materials. The accessibility of Town Hall needs to be improved by providing an accessible route to the Planning Department as well as ensuring accessible bathrooms.	Yes. Board meetings are taped and meeting minutes are generated.	No. Auxiliary aids would need to be purchased or rented.
Police	Yes, Autism Alzheimer's Cognitive Impairment Wanderer Alert program	Yes	Yes. Civilian Administration duties and building is accessible.	No. No aids for visually or hearing impaired.	Yes. Accessible facility	No	No
Town Clerk	No	Yes	Yes	Yes. The elections are held in the H.S. auditorium and we offer the use of "AutoMark" and printer for ballots which is for hearing and sight impaired	Yes. In town Hall we assist the public by servicing them near the entrance of the building	Yes. As mentioned above the AutoMark machine	Yes
Town Administrator	N/A	Yes	Yes. The Town Hall can make all services accessible to residents with a disability.	Yes. The Town Hall is not fully ADA compliant but is grandfathered due to its age.	Yes- We have motorized handicap chair rail to transport people to the main floor from the entrance.	Yes	No
Treasurer/ Collector	No	No	Yes	No	Accessible office only	No	No

PROGRAM/ DEPARTMENT	8. Do materials about your program include notice about non-discrimination and disability accommodations?	9. Are there steps or other impediments that prevent people with impaired mobility from accessing your program space?	10. If restrooms are available to the public or to employees, are they ADA accessible?	11. Do you advertise about the accessibility of your services and/or availability of accommodations?	12. Have you ever relocated or rescheduled any programs to an existing accessible facility to make them available to people with disabilities?	13. Emergency preparedness plans for your facility address needs of individuals with disabilities	14. Other comments
Planning	No. Bolton's website does post our ADA policy regarding non-discrimination and disability accommodations.	Yes, Planning Department is located on the on the bottom floor of Town Hall where access to the office is by stairs only. A person with a disability could park in the lower parking area and use the entrance into the bottom floor--however, this door is typically locked so we would need to modify this operation.	Yes. Town Hall has public bathrooms on both floors. I am not sure whether these bathrooms meet ADA requirements.	No. Planning Department could make this an operational change when advertising for meetings and hearings.	Yes. Planning a meeting within an accessible meeting space to accommodate a person with disabilities in a wheelchair. This was in connection with COA using their available space at Bolton County Manor.	N/A. I am not sure--not aware of an emergency preparedness plan for Town Hall.	
Police	No	No	Yes. Building was constructed in 2010.	No	No	No	
Town Clerk	No	Yes. Town Hall, not the High School Auditorium	Yes	No	N/A	No	
Town Administrator	Yes	No	Yes	No	No	No	
Treasurer/ Collector	No	Yes, although a chairlift is available	Unknown	No	No	Unknown	

Town of Bolton ADA

Americans with Disabilities Act

The Town of Bolton does not discriminate on the basis of disability in its programs, services, and activities. The Town of Bolton does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of ADA.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator as soon as possible, preferably 14 days before the activity or event.

The ADA does not require the Town of Bolton to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

A grievance procedure is available to resolve complaints.

Upon request, this notice can be available in alternative formats such as large print.

Donald Lowe
Town Administrator/ADA Coordinator
663 Main Street
Bolton, MA 01740
978-779-3300
townadministrator@townofbolton.com

Grievance Procedures

Americans with Disabilities Act Grievance Procedure

Complaints concerning discrimination on the basis of disability by the Town of Bolton may be sent to Donald Lowe, Town Administrator/ADA Coordinator. Donald Lowe will contact the complainant within 15 calendar days after receipt of the complaint to discuss the complaint and will respond in writing within 15 days of the discussion.

Donald Lowe
Town Administrator/ADA Coordinator
663 Main Street
Bolton, MA 01740
978-779-3300
townadministrator@townofbolton.com

Grievance Procedure Policy - Non union employees

We expect our managers to have an “open door” policy. Freedom to talk openly with your supervisor or Department Head is essential to a productive work environment and to your satisfaction with working in the Town of Bolton. Although, most concerns are solved on an informal basis with your supervisor or Department Head, formal processes are available to resolve difficult problems.

A “**grievance/complaint**” is defined as a request by an individual or group of individuals for personal relief in any matter of concern or dissatisfaction which is subject to the control of Town management. The grievance/complaint procedure is subject to the provisions of the bylaw or federal or state statutes. This section shall not apply to any disciplinary action taken against an employee, nor shall it apply to grievances or complaints that are otherwise governed by an applicable collective bargaining agreement. Procedure is seeking redress as follows:

Step 1:

Any grievance will first be presented to the immediate supervisor, with 15 business days of the occurrence. That supervisor will make whatever investigation they deem necessary to clarify the matter in question and to resolve the problem or misunderstanding if possible. The immediate supervisor will notify the HR Director of the grievance and the steps the immediate supervisor is taking to address the grievance. The HR Director shall advise the immediate supervisor on how to best resolve the grievance. The immediate supervisor’s decision shall be made as soon as practicable after full discussion by the parties concerned but not later than five business days from the date of the presentation of the grievance. Every attempt should be made by both parties to resolve the grievance at this step. If the grievance cannot be resolved at Step 1, the Grievant may proceed to Step 2A (if the grievant’s immediate supervisor is not the Town Administrator) or to Step 2B (if the grievant’s immediate supervisor is the Town Administrator).

Step 2A:

Formal procedure (If the grievant’s immediate supervisor is not the Town Administrator). If the grievant is dissatisfied with the decision at Step 1, they may take up the matter in writing with the Town Administrator within five business days of the decision. Within 14 business days after receipt of the written grievance the Town Administrator will meet with grievant and/or the grievant’s immediate supervisor. An investigation or inquiry into the grievance by the Town Administrator, including discussion with principals concerned may take place. The Town Administrator will render a decision in writing within 30 calendar days from the date of the meeting with the grievant and or the grievant’s immediate supervisor, a copy of which will be provided to the grievant. The Town Administrator shall keep a separate record of their proceedings which shall not be open to public inspection, except as may otherwise be required by law.

Step 2B:

Formal procedure (if the grievants immediate supervisor is the Town Administrator): If the grievant ‘s immediate supervisor is the Town Administrator and the grievant is not satisfied with Step 1 they may then appeal directly to the Board of Selectmen. After review of the decision the Board of Selectmen will issue a decision to the grievant in writing within 20 business days from receipt of the appeal. The Board of Selectmen’s decision is final and binding upon the parties and is not subject to any further review.

Step 3:

If a grievant is not satisfied with the Town Administrator's decision in Step 2A, the grievant may appeal the decision to the Board of Selectmen. The appeal shall be in writing and submitted with five business days after the date on which the grievant received the Step 2A decision. A decision will be issued to the grievant in writing by the Board of Selectmen within 20 business days from the receipt of the appeal. The Board of Selectmen's decision is final and binding upon the parties and is not subject to any further review.

Any grievance which is not taken up with their immediate supervisor at Step 1 within 15 business days after the last occurrence of the action or event out of which the grievance arose shall not be presented or considered at a later date.

All time limits provided herein may be extended by mutual agreement between the grievant and the Town Administrator or the Board of Selectmen.



Town of Bolton

Bolton, Massachusetts

Town Hall, 663 Main Street, Bolton, MA 01740
Phone 978-779-2297 Fax 978-779-5461

SERVICE ANIMAL POLICY

The Town of Bolton complies with the Americans with Disabilities Act and the Rehabilitation Act of 1973, Section 504, which states, "No otherwise qualified person with a disability in the United States...shall, solely on the basis of a disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal assistance." The Town of Bolton intends to provide the broadest possible access to service animals in all of its public areas.

The U.S. Department of Justice has issued regulations effective March 15, 2011 (28 CFR 36.302), limiting the types of animals that qualify as "service animals" for purposes of the Americans with Disabilities Act (ADA). According to these regulations, "Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition." Section 36.302(c)(9) also identifies miniature horses as service animals. Other species of animals, wild or domestic, do not qualify as "service animals". Therapy or emotional support animals are not considered to be service animals.

The Town of Bolton is not responsible for the care or supervision of the service animal.

Below are the policy guidelines for the Town of Bolton:

- A service animal is permitted to accompany the individual with a disability to most areas within Town facilities where members of the public are normally allowed to go. Some areas are not safe for service animals; therefore, these areas may exclude service animals. Water treatment facilities and/or areas that require protective clothing may exclude service animals. This denial or granting of admission to an area will be made based on the nature of the machinery and/or on the nature of the work performed.
- An individual with a service animal may not be segregated from other members of the public.
- A service animal may be removed from a facility if that animal poses a direct threat to the health or safety of others.

- A service animal may be removed from a facility if that animal's behavior is out of control and the handler does not take effective control or, if the service animal is not housebroken.
- If a service animal is removed from a facility, the individual with a disability will be given the option of continued participation, with assistance, within the facility.
- The service animal must be clean, in good health, with current rabies vaccination.
- All service animals must be on a leash at all times.
- All members of the public and Town employees must abide by current town laws pertaining to licensing and vaccination requirements for service animals. It is the responsibility of the owner and/or user of the animal to know about these laws.
- All owners and or users of service animals are responsible to clean up after and properly dispose of their animal's waste while within municipal facilities.

If you have further questions, please contact the Town Administrator, 663 Main Street, Bolton, MA 01740 or call 978-779-3300.

Adopted: September 1, 2011

Public Comments

Submitted on Tuesday, June 5, 2018

Bolton's Draft ADA/Section 504 Self-Evaluation & Transition Plan It is quite comprehensive. I was involved in the focus group at the Senior Center, and all the concerns made at that meeting are addressed in this plan.

Sent: Tuesday, June 05, 2018 12:43 PM

Actually read the ADA plan, and am wondering about the conservation land portion. Doesn't the town own more than just Fyfreshire and Bower Springs? I know some is state land, and the Trust has just under 300 acres, but I thought the town owned more than just those two.

June 5, 2018

Dear Mr. Lowe,

I have just read the Bolton plan for compliance with the Americans with Disabilities Act and would like to bring to your awareness a disability that has been observed in the past and was known as Microwave Illness but is becoming more common and is now known as Electrical Sensitivity (ES). I have struggled many years with this illness which resulted from exposures to a number of chemical toxins combined with high levels of microwaves. I moved from Lexington to Bolton in 2003 to get away from the cell towers, but I am finding it hard to escape it even here, now.

I was on the Agriculture Commission for 6 years (Teresa Sauer briefly introduced me to you at the Houghton Building a few months ago.) I have resigned from the Ag Com because I just don't function well in any of the town buildings, and for 6 years, I wanted to support Ag Com, but dreaded the meetings because of the WIFI and whatever other wireless emissions are being produced. I get so I have trouble following what people are saying and keeping up with what is going on in the meetings. It takes me many hours to feel OK again and limits my ability to attend the next event--such as going to a friend's house or the library.

People with this illness have many challenges, the largest being the huge industries that profit from sales and services of wireless devices and do everything they can to discredit illness from microwaves. They use the same tactics as the tobacco industry did. Thus ES receives enormous discrimination.

I am concerned particularly for children who are growing up being exposed to microwaves even before birth. Cancer rates in children have increased about 1% per year in the last 20 years and cancer is now the leading cause of death by disease in children. As I understand it, wireless is set up in schools based merely on a salesperson's recommendations --this means more emitters regardless of overlap or levels—all without regard for children's health.

Here is a website for more information on school safety.

<https://www.wirelesseducation.org/about-us/>

Another good website is the Bioinitiative Report which was compiled by about

30 doctors with high credentials, who summarized thousands of reports connecting wireless with a wide range of health effects.

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

Here is one more link by a Pediatrician who describes decrease in behavior problems in autistic children when parents turn off the WIFI. This is a BIG factor for our schools.

<https://www.youtube.com/watch?v=D98K2zvJBWU>

I believe that it is time to begin putting in some language in the Bolton ADA Plan for future action to investigate the problems and make considerations, particularly in schools. The first link would be a good resource because they are right here in MA and have helped schools set up policies for safety—simple things like turning off the cell phone or Smartboard when it is not being used.

Please let me know if I can clarify or provide more information.