

**Town of**  
**Ashby**

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**Self-Evaluation  
and  
Transition Plan**

**In Compliance with Title II of  
The Americans with Disabilities Act**

**Revision 1 2000  
Revision 2 2003**



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## **EXECUTIVE SUMMARY**

The Town of Ashby has been recovering from eighteen years<sup>1</sup> of economic austerity<sup>2</sup> and major disruption in its tax collection records and revenues. The first year the Town realized a positive certified free cash amount at the end of a fiscal year<sup>3</sup> was in 1996. Since then the Finance Committee and the Board of Selectmen have been making difficult budget decisions, particularly in trading off between long overdue universal accessibility badly needed building maintenance and capital improvements with fire and highway trucks and police cruisers for public safety<sup>4</sup>.

On May 3, 1997 the Selectmen and Finance Committee put a warrant article before the Town Meeting to appropriate \$10,000 for the purpose of making the Lyman Building Town Hall accessible<sup>5</sup>. This article was approved by the voters and requests for proposals were dispatched. This first attempt to fix the architectural barrier problem resulted in 5 bids between \$11,250 and \$34,370. The May 1, 1999 Town Meeting warrant included another article to increase the appropriation to \$25,000 (by appropriating an additional \$15,000) and was again approved by the Ashby voters. This bidding cycle resulted in 6 bids between \$27,600 and \$48,000, still more than the appropriated funding level.

It was at this point that the Town Administrator reported that the CDBG grant eligibility had changed to include town hall accessibility. At the December 4, 1999 Special Town Meeting, a warrant article was passed that asked the voters to raise the total appropriation to \$50,000 by adding another \$25,000 and at the May 6, 2000 Town Meeting to see if they would like to apply for grant funding to address the accessibility problem correctly and fully, once and for all. This, too, was passed.

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### **Self-Evaluation Results**

The findings of the Town's Self-Evaluation are summarized as follows:

<b>Area</b>	<b>Findings</b>
Government Practices	Common lack of awareness and sensitivity to potential disabled citizens
Services and Programs	Public safety services are in relatively good positions to serve disabled
Employment Practices	Job descriptions and procedures not well documented with staffing constraints
Communications	Dispatch Center is the only place with TDD/TTY capabilities. An area that much could be done without a lot of funding, but nothing in place to accommodate

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<sup>1</sup> Since 1982

<sup>2</sup> As recently as 1992 the entire Highway Department was laid off and when they were returned to work it was at a reduced staff level of four. All Town employees' salaries and wages were frozen for six years between 1988 and 1994.

<sup>3</sup> In March, 1993 there was a deficit of \$720,000

<sup>4</sup> This is after mandatory expenditures are allocated such as large education assessments.

<sup>5</sup> This amount was a result of estimates from local contractors.

	access by communications
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Area	Findings
Municipal Buildings	School is fine; Police Station and American Legion Hall have volunteer-made ramps and no other ADA compliant features; Fire Station, Historical Society Building and Highway Barns at ground level; Grange Hall could accommodate entrance but no bathrooms easily; Lyman Building Town Hall was made accessible in 2001, but no TDD/TTY as yet; Library needs everything and will cost the most
Public Works	Sidewalks are relatively new with curb cuts. Public parking is currently casual and unmarked with no handicap parking except at the Lyman Building
Parks and Recreation	All four park areas are slightly accessible, but need work with hard pack grading, parking and bathrooms

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### Transition Plan Highlights

Ashby's Transition Plan covers four areas:

1. Government Policies and Practices (including Employment Practices)
2. Services and Programs
3. Communications
4. Municipal Buildings

As mentioned above, the Town is just recently in a position to address its obligations to bring its services and facilities into compliance with building codes and ADA. The commitment is present and funding sources are being investigated rigorously. The Town realizes that this is an ongoing commitment and process and intends to use this Transition Plan to move toward full accessibility.

The Transition Plan is summarized in the following four tables.

Government Policies and Practices:

Description	Plan	Schedule	Estimated Costs
Government Practices	Notice of alternate formats in Town Reports & Town Warrants	May, 2001	Insignificant
	Notify all contractors on Town's nondiscrimination policy	August, 2000	Insignificant
	Include notices in all RFPs & Bid Specifications	August, 2000	Insignificant

<b>Description</b>	<b>Plan</b>	<b>Schedule</b>	<b>Estimated Costs</b>
Town Employment Practices	Provide ADA requirements training to Dept. Heads	October, 2000	\$2,500
	Review & revise job descriptions, as necessary	January, 2001	\$1,200
	Document policy concerning Reasonable Accommodations	September, 2000	Insignificant

Services and Programs:

<b>Description</b>	<b>Plan</b>	<b>Schedule</b>	<b>Estimated Costs</b>
Public Safety Services	Publish special mailing to all residents concerning how to use public safety services & special accommodations	April, 2004	\$250
Veterans' & Senior Services	Publish special mailing to all residents concerning how to obtain Veterans' & Senior services & special accommodations	April, 2004	\$250
Public Health	Identify & publish info on special programs available through Nurse & health programs	February, 2004	\$250
Building Safety	Refine permitting processes & ensure non-discrimination	Completed	\$860
Road Safety Maintenance	Enhance special snow/ice removal for disabled and seniors	Completed	\$900
Educational, Cultural & Recreational	Enhance Library services to accommodate disabled and shut-ins	Partial Completed	\$3,000
	Investigate CoA programs for disabled seniors	Completed	\$500



Access by Communications must be implemented or installed as follows:

<b>Description</b>	<b>Place</b>	<b>Schedule</b>	<b>Estimated Costs</b>
Visual Materials	1. Police, Fire & EMS 2. Town Hall 3. Library	Completed Completed In Process	\$625
Aural Equipment	1. Town Hall 2. Library	July, 2005	\$7,000
Telecommunications	1. Town Hall 2. Library	In Renovation Schedules	\$12,000
Emergency Warnings & Evacuations	All municipal buildings	In Renovation Schedules	\$18,600

**Municipal Buildings:**

The Ashby Elementary School and the Lyman Building Town Hall are the only ADA-compliant town buildings in Ashby to date. The Ashby Free Public Library is the next highest priority building for renovations to, not only make the building accessible, but also to bring it into compliance with building codes.

The Grange Hall, American Legion Hall and Historical Society Building are all currently leased to local nonprofit organizations for long terms. The Town is in the process of working with these building occupants to plan their renovation projects.

Because the Police Station does have accessibility, although not fully ADA-compliant, its priority level is lower than those municipal buildings that are not accessible at all.

The Fire Station and Highway Barns are the lowest priority for renovation projects because they are not typically open to the public.

<b>Description</b>	<b>Plan and Dates</b>	<b>Estimated Costs</b>
Ashby Elementary School	Leased to School District: Project Completed	District Paid: included In School Assessment
Lyman Building	Accessibility project. - Completed	Town: \$315,000
Library	MBLC Grant Extended CDBG App: 1/13/04 Fundraising in Process	Town: \$1,500,000

<b>Description</b>	<b>Plan and Dates</b>	<b>Estimated Costs</b>
Grange Hall	Leased to Grange & Masons: will address after Lyman Building & Library	Negotiating with Tenants
American Legion Hall	Leased to American Legion: will address after Lyman Building & Library	Negotiating with Tenant
Historical Society Building	Leased to Historical Society, currently unused: will address after all other buildings comply	Will negotiate with Tenant
Police	Modify volunteer-built ramp to comply with ADA. Also, bathrooms, doors, thresholds, alarms, counter/help window level & signage	\$55,000
Fire	Modify bathrooms & signage	Will solicit volunteers
Highway	Modify bathroom & signage	Will solicit volunteers

Public Works:

There is very little town parking in Ashby (that is not directly attached to a particular building) and very few sidewalks.

<b>Description</b>	<b>Plan and Dates</b>	<b>Estimated Costs</b>
Town Parking	Identify public parking areas and include handicap parking with appropriate markings & signs	Dependent on results
Sidewalks	Ensure no new paving that is not in full compliance with ADA	Insignificant

Parks:

Ashby's four parks each need the following:

- Designate Handicap Parking in FY2001
- Designate 1 Accessible Portable Toilet at Town Common in FY2001
- Seek Funding to Upgrade Bathrooms at Allen Field in FY2002
- Install Access Enabling Devices at Bandstands at Town Common & Allen Field in FY2003
- Construct Accommodation at Grandstand at Allen Field in FY2003
- Install ADA compliant pathways, lawn grading & signage in FY2002

The Town of Ashby is involved in an ongoing effort to ensure non-discrimination and inclusion of people with disabilities as required by the Americans with Disabilities Act of 1990 (ADA). The Self-Evaluation process assesses services, programs, activities and employment practices for state and local governments (and other public entities with 50 or more employees). This report will be kept on public file for at least three (3) years.

The 504 Plan Coordinator is the Town Administrator, Linda Sanders. Ms. Sanders coordinated the Self-Evaluation process and published a notice of non-discrimination and the complaint procedures established by the Board of Selectmen, which are included in this section of the report. She can be reached in her office at the Town Hall and can be reached at (978) 386-2501.

The designated employee assigned to ensure compliance with the ADA is the ADA Coordinator, Tony Ammendolia. Mr. Ammendolia is the Building Inspector and Zoning Enforcement Officer for Ashby and can be reached at the Town Hall (978) 386-2424 on the first, third and fourth Wednesdays after 7:30 p.m.

### **1.1 Legal Requirements**

The Americans with Disabilities Act (ADA) of 1990 requires a wider array of organizations to comply with essentially the same regulations that were required of Federal programs in the Rehabilitation Act of 1973. Section 504, as the Rehabilitation Act is known, and the ADA require public entities to examine their policies, practices and procedures to identify potentially discriminatory practices and barriers to people with disabilities. Cities and towns have obligations under the ADA's Title II Public Entities and, if they receive Federal funds, also under Section 504.

Municipalities must eliminate potentially discriminatory policies, modify practices and ensure full and equal participation of people with disabilities in local government activities and programs. Public notices must be published and effective communication aids and services made available upon request.

The requirements mentioned thus far are not related to structure of buildings. That is because the emphasis of the ADA Title II is on programmatic access. The program must be accessible. There are many instances when a program may be accessible even though the building associated with it is not.

This Self-Evaluation and Transition Plan does include, however, a preliminary evaluation of facilities to determine the physical modifications that should be made in order to eliminate barriers to people with disabilities. The structural survey information is located in Chapter 6.

### **1.2 This Report**

The Self-Evaluation summarizes the requirements and needed work in the areas of non-discriminatory policies and procedures, communication of written and oral information, employment practices and removal of architectural barriers to municipal services.

This working document will be reviewed and updated regularly. The Town of Ashby has an ADA Coordinator and a 504 Plan Coordinator who are involved in that process. Although making all town services useable by people with disabilities is rarely over, this report will serve to organize some of the current achievements and areas that will be improved now and in the future.

**1.3 Ashby's Standing**

Ashby is among a minority (33%) of municipalities in the Commonwealth who only recently responded to a Massachusetts Office on Disability (MOD) survey because, until now, the Town did not perform a Self-Evaluation process. All cities and towns with 50 or more employees were to have completed a Self-Evaluation by January 1993. The Town of Ashby currently has only 16 full time employees in July, 2000, making the Town's participation optional at that time. Early in 1995 MOD included survey questions on 29 aspects of compliance with ADA's Title II. Of the 351 municipalities in Massachusetts, 231 responded to the survey in some way. None of the responses were verified. Therefore the percentage of municipalities, which have substantially complied with the Title II provisions, is probably more likely to be around 30 to 40%. In which case Ashby stands below 20 to 30% of the Commonwealth's municipalities with regard to ADA compliance. As of the year 2000 only 14% of the town halls in Massachusetts remain inaccessible – Ashby stands among them.

**Minutes of Public Meeting for People with Disabilities to Comment on Town of Ashby Services**

On Wednesday, August 16, 2000 a public meeting was held in the Ashby Elementary School to discuss and take comments on Ashby's American With Disabilities Act (ADA) Self-Evaluation process. Linda Sanders, Town Administrator, explained the purpose of the meeting, the background of efforts made in Ashby, the Self-Evaluation process and introduced Ms. Myra Berloff.

Seven people attended the forum, including Myra Berloff of the Massachusetts Office on Disability. Ms. Berloff spoke briefly about the intent of the Americans with Disabilities Act (ADA) and that Ashby was an ideal municipal candidate for a Community Development Block Grant because the Town had obviously been trying very hard to address its barrier problems without sufficient funds. This meeting was intended to get input from citizens with disabilities on barriers of which they are aware.

The following is a list of the comments, complaints and suggestions from individuals who attended:

Issue/Element	Problem	Comments
Town Offices	1. No physical access into the building 2. Need for hallway railings & threshold removal now	1. Highest priority building in Ashby 2. Several seniors & one employee would benefit
Police Station	Ramp may not comply with code	Will have to be redone
Ashby Elementary School	No problems were	Works well

	experienced by citizens	
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<b>Issue/Element</b>	<b>Problem</b>	<b>Comments</b>
Library	1. No physical access into the building 2. No remote services	1. People are patient with library, seldom used 2. Could use books delivered
Grange Hall	Needs physical access and bathrooms upstairs	Not a high priority
Other Town Buildings	American Legion Hall could use TDD/TTY device	Senior Citizens meet there and could use device
The Town Common	Steps down to Main Street need a second railing	Will be included in Town Common Restoration Plan
Parking	Some handicap parking needs to be designated	Not a big problem in rural Ashby

Chapter 2	SELF-EVALUATION of GENERAL GOVERNMENT PRACTICES
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Public entities are required to review both written policies and the actual operating practices used in programs and activities, to ensure that people with disabilities are not discriminated against. Title II contains broad prohibitions against discrimination, addressing issues of equal opportunity, integration eligibility, methods of administration, relationships with contractors, locations of facilities, licensing, and others.

The responses given throughout this report are representative of all of the programs unless specified otherwise. The word Town is often used to encompass all the services and departments other than the one being singled out.

<b>2.1</b>	<b>General Policies and Practices Review</b>
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In order to facilitate the gathering of information and the communication of these complex legal requirements to the municipal staff, this section groups the majority of the prohibitions into four sets of questions addressing internal program operations and two sets of questions addressing external relationships. The topics covered are:

**Internal Program Operations:**

- Equal opportunity to benefit
- Reasonable program modifications
- Surcharges and additional requirements
- Integrated settings and separate programs

**External Relationships:**

- Contracting with external organizations
- Licensing and certification

This section reviews the written policies and actual operating procedures of each program and activity to identify potentially discriminatory practices. Interviews were conducted with staff or Department Heads of the Public Safety Departments, the Elementary School, the Ashby Free Public Library and General Government departments regarding their services and programs. The information from all the departments listed in Chapter 2 has been synthesized into four Self-Evaluation Reports:

1. Public Safety departments
2. Ashby Elementary School
3. Ashby Free Public Library
4. General Government departments

All of the following facilities are occupied by Town government staff and are located in Ashby, Massachusetts with the exception of the Veterans Agent who sometimes works with Ashby's veterans at the City Hall in Fitchburg as well as in Ashby.

Facility	Use	Address
Police Station	Police and Communications	893 Main Street

Fire Station	Fire and EMS Departments	1093 Main Street
Highway Barns and Salt Shed	Highway Department	92 Breed Road
Ashby Free Public Library	Library	812 Main Street
Facility	Use	Address
Lyman Building	Town Offices	895 Main Street
Veterans Agent's Office, City Hall	Veterans' Services	718 Main St., Fitchburg

Ashby has four public parks, two of which are recently acquired: Lyman Fields and the Morrison Preserve. Although, there are plans for their use by the public, they are not currently fully assimilated by the Parks Department and Conservation Commission.

Park	Use	Location
Town Common	Summer Band Concerts, Weddings and other Services, Memorial Days and Christmas Tree Lighting Ceremonies, Picnics, Pumpkin Festival, Library Book Sales	Main Street
Allen Field	July 4 <sup>th</sup> Celebration, Little League Baseball, Horseback Riding, Fairs	West Road
Lyman Fields	Open Space and Wildlife Watching, Walking	South Street
Morrison Preserve	Conservation Hiking Trails	Route 119

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### Description of Town Services and Programs

All departments are designed to serve the citizens of Ashby, Massachusetts by providing the services, programs and activities described here and further identified in section 2.2.

The Town of Ashby provides the following services:

- Public Safety: Police and Fire protection and Emergency Medical, including ambulance service
- Veterans' and Senior Citizen services: Veterans Agent and Council on Aging
- Public Health: Board of Health regulatory protection
- Building Safety: Building, Electrical, Plumbing and Gas inspections. Also, furnace and smoke detector inspections by the Fire Chief
- Road Safety Maintenance: Highway department road repair and maintenance, including snow removal, sanding and object removal



- Educational, Cultural and Recreational: Schools<sup>6</sup>, public library services, local cultural events through the Cultural Council and recreational events at its parks

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### Equal Opportunity to Participate and Benefit

A public entity may not deny a qualified individual with a disability an opportunity to participate in and benefit from any program. (Example: A public library may not refuse to allow a person with a cognitive disability the use of library facilities.)

A public entity may not afford an opportunity that is not equal to or not as effective as that provided others. (Example: A public recreation facility may not restrict the hours during which people with limited vision may use the facility to be less than the hours open to the general public.)

A public entity may not impose eligibility criteria for participation in programs that screen out people with disabilities either directly or indirectly, unless such criteria are necessary for the provision of the program activities. (Example: A scuba diving class cannot exclude people who use wheelchairs based on the assumption that people who use wheelchairs cannot swim well enough. However, the scuba class may require that all participants pass a swimming test if swimming is needed for safe participation in the class.)

Are there any circumstances in which the participation of a person with a disability in the program would be restricted or excluded?  Yes  No

If so, please describe.

*Ashby's municipal buildings have suffered from deferred maintenance. Consequently, all services and programs that are facility-dependent restrict participation to those individuals who can physically access them. The exception to this is the Ashby Elementary School that has access to all areas but two unused classrooms on its lower level.*

*In the library there is program access by telephone and Internet only. In the town hall there is program access to all regular selectmen's meeting by cable television and telephone.*

Are there any of these exclusions or restrictions necessary to the operation of the program or to the safety of the participants who do not have disabilities?  Yes  No  N/A

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### Reasonable Program Modifications

Public entities are required to make reasonable modifications to policies or practices in order to avoid discrimination towards people with disabilities. A modification is not required, however, if it would fundamentally alter the nature of the program or activity.

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<sup>6</sup> Ashby is a member of the North Middlesex Regional School District and the Montachusett Vocational Technical School District

Is staff aware that it may be necessary to modify program policies or practices to enable people with disabilities to participate in and benefit from Town programs?

All Town Departments:  Yes  No

*Information and guidance will be developed and made available to all staff with general information and a list of resources to call for assistance in accommodating citizens with disabilities. RDF staff is trained to assist people with disabilities.*

Is the public informed that the program is prepared to make reasonable modifications?

Library:  Yes  No

All other Town Departments:  Yes  No

*In the future there will be a notice that the Town's Annual Report is available in alternate formats. This will be in each Annual Report. The Town Warrant will include an invitation to request reasonable accommodation and will include the statement that materials are available in alternate formats with advanced notice.*

*All notices for public meetings, events and activities will state that reasonable accommodations are available by request, in advance.*

Does the program have a formal or informal process for responding to requests for modifications?

Public Safety Departments:  Yes  No

All other Town Departments:  Yes  No  N/A

*Informally, modification may be made, however a written procedure is being established by the Town for all Town services and departments.*

Does the program have a process for determining whether a policy or practice modification would fundamentally alter the nature of the program?

All Town Departments:  Yes  No

*Although there is no need anticipated in this area, it should be addressed in the aforementioned procedure, which is being developed.*

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### **Surcharges and Additional Requirements**

Public entities may not impose extra charges upon people with disabilities to cover the costs of effective communication, program modifications, or access features, and may not impose any additional requirements or burdens on people with disabilities that they do not require of all other participants in the program. (Example: A public park may not require that a person with a disability bring a personal assistant in order to participate in a recreational program.)

Are there any circumstances in which a person with a disability would be asked to pay a fee or meet any other requirements not imposed on other program participant?

All Town Departments:       Yes       No

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### Integrated Settings and Separate Programs

Promoting integration is a fundamental principle of the ADA and public entities are required to provide programs and activities in the most integrated settings appropriate to the needs of people with disabilities.

Separate programs or activities are permitted only when necessary to ensure equal opportunity. When separate programs are provided, qualified people with disabilities still cannot be excluded from participating in regular programs if they choose to do so. (Example: A town recreation program offers a swimming session once a week in which volunteer instructors provide individualized assistance to people with physical disabilities. People with physical disabilities may choose to participate in the assisted program or in the regular swim session where no individual assistance is provided.)

Does the program provide any separate activities for people with disabilities?

All Town Departments:  Yes  No

Are there any circumstances in which a person with a disability would be prohibited from participating in regular (non-separate) activities because of the provisions of separate activities?

All Town Departments:  Yes  No  N/A

*There are no separate activities for people with disabilities.*

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### Contracting with External Organizations

When a public entity contracts with another organization to provide programs and services to the entity's constituents the public entity retains responsibility for ensuring that the contractor provides the services and activities in a nondiscriminatory manner consistent with the requirements of Title II.

Some of the contractors are listed below. Other vendors who provide services, benefits or activities over \$5000 are also listed here.

Facility	Use
Administrative	Breezeway Farm Consultants
	Rutherford Consulting
Custodial	McNamara Dial-A-Maid Cleaning Service
Board of Health	Associated Nashoba Boards of Health
Architects and Engineers	Haynes, Lieneck and Smith, Inc.
	Paul Bergquist, CPE
	Galante Architecture Studio



Facility	Use
Trade Contractors	Design & Build Construction, Inc.
	Robert Bedard Contracting
Transportation	Montachusett Area Region Transit Corp.
	(MART)
Computer	Beverly J. Bowman
	Pointe Software Company

Has the Program notified each contractor of its responsibilities for providing contracted services in a nondiscriminatory manner and has the program required assurances from contractors of their fulfillment of Title II nondiscrimination and access requirements?

All Town Departments:  Yes  No

*The Town will notify contractors that the Town of Ashby requires that its contractors not discriminate on the basis of disability. Future contracts will contain additional language regarding an agreement by the parties not to discriminate on the basis of disability. The Town also has the option to ask contractors to sign and return a separate statement for Town records*

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### Procurement Contracts

In selecting procurement contractors, a public entity may not discriminate on the basis of disability. (Example: A food supplier could not be denied a contract to supply the entity's cafeteria because a delivery person had AIDS.)

Are there any circumstances in which a consideration related to disability would influence the choice of a procurement contractor?

All Town Departments:  Yes  No

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### Licenses and Certification

Public entities may not deny a license or certification to any person with a disability who meets the essential eligibility requirements for that license or certification. Eligibility requirements cannot include criteria that directly or indirectly screen out people with disabilities unless the criteria are necessary to the performance of the activity which is the object of the license or certificate.

What are the licenses or certifications that the programs issue?

*The Town issues all motor vehicle Class II and Class III licenses, and liquor licenses, common victuallers licenses, special one-day liquor licenses and general licenses for games and entertainment.*

List any eligibility criteria that may tend to screen out people with disabilities – for example, criteria related to physical or mental fitness or performance, safety standards, or insurability requirements.

*There are no criteria that would tend to screen out people with disabilities. See below.*

For each potentially exclusionary criterion, identify how the criterion is necessary to the performance of the activity to which the license or certificate applies.

*There are no exclusionary criteria, which are not related to the performance of the licensed activity, which tend to screen out people with disabilities. For example, health requirements for a restaurant license would apply regardless of whether the applicant had a disability.*

## **2.2 Primary Services, Programs and Activities by Department**

### *Section 1 Department or Program Listing*

<b>Department</b>	<b>Contact Person</b>	<b>Primary Programs/Functions</b>	<b>Employment Nondiscrimination Communication</b>
1. Police Department	Steven McLatchy, Acting Police Chief	Cruiser Patrols DARE Security Checks Accident & criminal investigations	√
2. Fire Department	William Seymour Jr., Fire Chief	Elderly Fire Safety Community CPR Smoke Detector Inspections Building Plan Review	√
3. Emergency Medical Services	Sue Cudmore, Director	Ambulance Services First Responder, EMT and Paramedic onsite and during transport	√
4. Veterans' Services	T.J. Blausen, Agent	State & Federal Veterans' Benefits Veterans' Ceremonies Memorial Care taking Veterans' Records	n/a

5. Council on Aging	Edna Jamnback, Chair	Information & Referral Social/Recreational Activities Educational Seminars Transportation Services Advocacy Services	n/a
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<b>Department</b>	<b>Contact Person</b>	<b>Primary Programs/Functions</b>	<b>Employment Nondiscrimination Communication</b>
6. Board of Health	Mary Krapf, Chair	Communicable Diseases Control Environmental Hazard Control Recycling & Disposal	n/a
7. Building Inspector	Anthony Ammendolia	Building Permits Zoning Enforcement ADA Coordinator	n/a
8. Highway Department	William Davis, Superintendent	Highway Repairs & Maintenance Snow, Ice and Objects Removal	√
9. Library	Maureen Davi, Chair	Provide Library Services to Town residents	√
10. Cultural Council	Nancy Lippincott, Chair	Grant Funds for Local Cultural Events	√
11. Historical Commission	Claire Lavin, Chair	Classification and Preservation of Local Historic Sites	√
12. Collector	Lee Mikkola	Tax Billings & Collection of Revenues	√
13. Town Clerk	Lorraine Pease	Dog Licensing Bylaw preparation Voting/Residency Records	√
14. Assessors	Oliver Mutch, Chair	Property Valuation Abatements Statutory Exemptions	√
15. Town Administrator	Linda Sanders	General Government Operations Financial Management Legal Liaison Personnel Administration	√
16. Planning Department	Jim Hargraves, Chair	Land Subdivision Zoning Bylaw Fair Housing Design Review	n/a
17. Conservation Commission	George Bauman, Chair	Enforcement of Wetlands Protection Act	n/a
18. Zoning Board of Appeals	Fred Stacy, Chair	Special Permits Zoning Variances	n/a



19. Finance Committee	Deb Vogt, Chair	Town Budget Preparation Reserve Fund	n/a
20. Treasurer	G. Lillian Whitney	Receive Town Funds Cash Management	n/a
21. Accountant	Nancy Haines	Financial Records State and Federal Reporting	n/a

The following individuals were originally involved in the self-evaluation process for the Town of Ashby General Government:

Name	Affiliation
Linda Sanders	504 Plan Coordinator
Tony Ammendolia	ADA Coordinator, Building Inspector
John Ryan	Grant Consultant
Ted Galante	Architect
Mary Krapf	Board of Health
Paul Lessard	Electrical Inspector
Don Cote	Plumbing & Gas Inspector
Edna Jamnback	Council on Aging
Carolyn Damon	Historical Commission

The participation of people with disabilities in this Self-Evaluation is described here. Linda Sanders the Town Administrator, conducted the Self-Evaluation, including interviews with Department Heads, a tour of parks and a public round-table discussion with Ashby residents with disabilities.

List of each Ashby disabled persons who were invited to participate in the program:

Name	Address	Telephone
Orville Anttila	27 Allen Road	386-5534
Larry Awtry	90 Pillsbury Road	386-7925
Tracey Bennett	55 Whitney Road	386-7939
Paul Benoit	538 Fitchburg State Road	386-5682
Nancy Bisbee	119 County Road	not listed
Kris Braneff	277 Foster Road	not listed
Richard Charron	1140 New Ipswich Road	386-5580
Ronald Clark	71 Elliot Road	not listed
Nancy Clay	110 Piper Road	386-5321
Susanna Corse	624 Richardson Road	386-7906
Martin Curran	930 Turnpike Road	not listed
Carolyn Damon	510 New Ipswich Road	386-7064
Glenn Davis	175 Nourse Road	386-5649
Robert Debettencourt	1193 West Road	not listed
Frank Delph	50 Stone Brook Lane	386-2308

Marion Elliot	220 Erickson Road	386-5620
Glen Evans	81 Watatic Mountain Road	386-7709
James Falter	54 Wheeler Road	386-5894
Paul Fors	28 Damon Road	386-7745
Louella Gooley	327 Erickson Road	386-5669
Milton Green	1341 Richardson Road	386-5607
Fanny Hardy	P.O. Box 122	not listed
Rauni Honkala	125 Greenville Road	386-5508
Keith Irish	89 Jewett Hill Road	not listed
Edward Kaarala	411 West Road	not listed
Dondi LaRue	650 Main Street	386-0066
Lorraine Lill	52 Fitchburg State Road	not listed
Name	Address	Telephone
Ray Makela	128 Deer Bay Road	386-5343
Bella Mason	991 Main Street	386-5881
Walfred Moisio	951 Erickson Road	386-5642
Daniel Moriarty	261 Wheeler Road	not listed
Paula Mullamphy	500 Jewett Hill Road	not listed
Adeline Mutch	732 Pillsbury Road	386-5318
Hope Navin	805 Fitchburg State Road	not listed
Annie Nord	969 West Road	386-5360
David Ojala	170 Richardson Road	386-7276
Ronald Olausen	770 Rindge Road	not listed
Grace Ouellette	210 Turnpike Road	386-5589
Julia Ouellette	107 Piper Road	386-5872
Bruce Paradis	288 Greenville Road	386-7283
Colleen Shay	3 Park Road	not listed
Brian Stanwood	149 New Ipswich Road	386-7387
Loretta Svedberg	266 Pillsbury Road	386-0136
Larry Swope	419 Wares Road	386-7518
Louise Thibault	61 Brooks Road	386-7768
Michael Trump	1535 Greenville Road	not listed
Ray Wayrynen	490 Turnpike Road	386-7732
Adell Wiita	67 Luke Road	386-5606
Dorothy Yancy	266 Pillsbury Road	not listed

Town Department Heads or their designees were the primary source for the information contained in this report.

Facilities were only superficially evaluated regarding structural barriers as part of this study. The preliminary findings are included in Chapter 6 of this report. It is expected that an in-depth analysis will be performed as part of a Municipal Buildings Needs Assessment study.

**Chapter 3 SELF-EVALUATION of DEPARTMENT SERVICES and PROGRAMS**

This section highlights key services and programs provided by Town departments. The summaries here are not comprehensive, but are intended to convey the general nature of services in order to evaluate all citizens' degree of access to them.

**3.1 Police Department**

The Police Department provides crime protection to the residents of Ashby. In addition, it assists community members in emergencies and preventions. Some of its specific services include arrest and/or detain persons with and without warrants, administer and arrange for chemical, drug and alcohol tests, patrol highways and streets, transport prisoners, property and/or evidence and persons.

The location of the police station is in two joined old portable classrooms behind the Lyman Building Town Offices.

**3.2 Fire Department**

The Fire Department answers all fire calls in Town. At the Fire Station training for firefighters takes place. Inspection of furnaces and smoke detectors are typically done by the Fire Chief at the residence being inspected. Ashby's Fire Department is an on-call squad with the exception of the Fire Chief who is a part time employee. The Fire Department extinguishes fires and protects life and property in case of fire.

The Fire Station is located on Main Street one mile west of the Lyman Building Town Offices.

**3.3 Emergency Medical Services**

Emergency Medical Services provides first responder, emergency medical technician (EMT) and paramedic help to Ashby residents and visitors at the site of the medical emergency, as well as ambulance transportation to the nearest appropriate health care facility. Ashby's EMS Department is on-call to address medical emergencies to all Ashby residents 24 hours a day.

The ambulance is garaged in the Fire Station on Main Street.

**3.4 Dispatchers**

The Dispatchers serve Ashby residents by taking all emergency calls and dispatching the appropriate emergency services, whether police, fire or ambulance. Twenty-four hours a day and seven days a week the dispatchers are covering the telephones, computers and pagers to all public safety personnel.

The dispatch center is in the Police Station.

**3.5 Veterans' Services**

Veterans' services are provided to all Ashby's veterans in the form of counseling and coordination by the Veteran's Agent. These services include assistance with: Veteran's Administration (VA) compensation and pension matters; discharge difficulties; educational and vocational benefits; employment; hospitalization and domiciliary care; housing and homelessness; industrial accident cases; insurance matters; loans and financing; medical problems; prisoners of war and missing in action cases; service records; retirement matters; tax benefits and difficulties; and reference materials.

The Veteran's Agent has offices both in Ashby's Town Hall and Fitchburg's City Hall because he serves both communities.

### **3.6 Council on Aging**

Ashby's Council on Aging provides services and programs to the Town's senior citizens. The Council is a 5-person committee that is responsible for coordinating or implementing programs designed to meet the needs and challenges of the aging.

The Council on Aging meets in the Lyman Building.

### **3.7 Board of Health**

The Board of Health provides public health services such as setting regulations in conjunction with the State Sanitary Code, and administering the laws relative to health and sanitation. The Board governs permits relating to septic systems, animal kennels and stables and the Town's landfill.

The Board of Health meets in the Lyman Building.

### **3.8 Building Inspectors**

The building inspectors provide public safety in the form of permits and inspections of buildings to ensure compliance with state laws. Ashby has building inspectors, electrical inspectors and plumbing and gas inspectors who have offices in the Lyman Building when they are not performing onsite inspections.

### **3.9 Highway Department**

The Highway Department is responsible to maintain Ashby's roads which includes repair work, appropriate drainage, removal of snow, ice and other objects that would hinder safe passage.

The Highway Barns and Salt Shed is located on Breed Road near the west border of Ashby.

### **3.10 Ashby Free Public Library**

The Ashby Free Public Library provides a number of customary library services such as book (tapes and other library materials) lending and special story telling programs.

There are a number of services for patrons with disabilities, including an expanding collection of books on tape, a selection of descriptive videos for blind and visually impaired patrons.

There is a delivery service staffed by volunteers that will provide books to patrons unable to leave their homes or access the library building until renovations are completed.

Arrangements for receiving a talking book machine can be made through the librarian and assistance is given to anyone who requests help in reaching books or reading the card catalog.

### **3.11 Cultural Council**

The Cultural Council is concerned with the availability of various cultural events in Ashby and awards grant funding for local cultural events and activities.

This committee does not have a regular meeting schedule, but sometimes meets at the Lyman Building Town Hall.

### **3.12 Historical Commission**

The Historical Commission is responsible for the preservation, protection and development of the Historical assets of the Town. It conducts researches for places of historic value and applies for certifications of such places as historical landmarks. The Commission also acquires and manages real or personal property of historical value for the Town.

The Historical Commission meets in the Lyman Building Town Hall.

### **3.13 Town (Tax) Collector**

The Town Collector who serves the Town by collecting most of its revenues, such as taxes, excises, betterments and special assessments. The Collector's primary function entails the collection of taxes in accordance with the commitment list and warrant proposed by the Assessors.

The Collector has his office at the Lyman Building Town Hall.

### **3.14 Town Clerk**

The Town Clerk maintains the official records of the Town of Ashby. In addition to recording town meeting votes, administering oaths of office, keeping an index of instruments entered in the Clerk's office which are required by law to be recorded (i.e., records of births and deaths, business names, certain contracts and security agreements), the Town Clerk also notifies the Secretary of State for the Commonwealth of local acceptance of statutes, supervises the state census and regulates Town elections and handles the ballot boxes, including the counting and returning of votes.

The Town Clerk's office is in the Lyman Building.

### **3.15 Board of Assessors**

The Assessors determine the assessed value of each parcel of property in Town and the amount of tax to be paid annually by each taxpayer. They also serve by reviewing and responding to taxpayer's abatement and exemption applications. The Board of Assessors office is in the Lyman Building.

### **3.16 Board of Selectmen and Town Administrator**

The Board of Selectmen provides general management and sets policy for Ashby's Town government. They sign warrants for payment of all Town bills, appoint Police Officers, various board and committee members, hire professional administrative help and town counsel, enter into necessary contracts, prepare Town Meeting warrants and are the licensing authority for the Town.

The Town Administrator administers Town government operations and finances, provides support and direction for Town employees, performs studies, ensures compliance with all applicable laws and regulations, handles bid specifications and processes, IS coordination, purchasing, assists legal counsel with litigation, and prepares budgets and warrant articles for Town meetings.

The Board of Selectmen and Town Administrator meet and have offices in the Lyman Building.

### **3.17 Land Use: Planning, Conservation and ZBA**

The Planning Board handles the Town's growth plans and zoning bylaws. It proposes regulations and specifications for residential and commercial properties, town roads and other municipal land planning.

The Conservation Commission is responsible for the promotion and development of natural resources and for the protection of water shed resources in Ashby. The Commission conducts researches into land areas and has accepted a gift of land on behalf of the residents of Town and developed the Morrison Preserve into Wetlands educational hiking trails.

The Zoning Board of Appeals grants special permits and variances to residents who apply for them.

All land use boards meet at the Lyman Building Town Hall.

### **3.18 Finance Committee, Treasurer, and Accountant**

The Finance Committee is essentially the budgeting agent that serves in an advisory capacity to the Town Meeting. Its primary function is the preparation of the town budget by evaluating estimates requested by department heads and formulating them into spending recommendations for inclusion in the Town Meeting warrant. The Finance Committee also administers the Reserve Fund.

The Town Treasurer receives all money belonging to the Town and accounts for it. She is custodian of all other funds of the Town, including the stabilization funds, pension funds, trust funds and tax titles. The Treasurer ensures that provisions are made for adequate funds to cover

current obligations and manages the funds of the Town so that all obligations such as payroll, bills, and payment on bonds or notes can be paid in a timely manner. In order to fulfill these responsibilities the Treasurer must know and keep a record of the Town's cash position daily.

The Town Accountant keeps the complete set of books for the Town that include the amount of each specific appropriation, the amounts and purposes of expenditures made, the receipts from each source of income, the amount of each assessment levied and abatements made. She examines all bills, drafts, orders and payrolls and prepares warrants for payments.

The Finance Committee, Treasurer and Accountant meet or have offices at the Lyman Building.

Chapter 4	SELF-EVALUATION of EMPLOYMENT PRACTICES
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Title II entities are subject to all the employment provisions in Title I of the ADA. This chapter facilitates review of policies and practices related to all aspects of employment.

**Selection**

- Recruitment
- Advertising
- Interviewing
- Job Application Procedures
- Hiring
- Upgrading
- Promotion
- Demotion
- Award of Tenure
- Transfer
- Layoff
- Termination
- Right of Return from Layoff
- Rehiring

**Compensation**

- Rates of Pay
- Other Compensation
- Changes in Compensation  
Privileges of
- Fringe Benefits by virtue of employment  
whether or not administered by the entity

**Job Assignment**

- o Job Assignments
- o Job Classifications
- o Organizational Structures
- o Position Descriptions
- o Lines of Progression
- o Seniority Lists

**Training Opportunities**

Selection and Financial Support for training, including professional meetings, apprenticeships, conferences, other related activities and selection for leaves of absences to pursue training

**Activities**

- o Activities sponsored by the entity
- o Social or recreational programs
- o Other Conditions, Terms, or

Employment

**Special Note**

Regarding employment practices, there are some inconsistencies among the different Town services and departments. It is clear that additional training is needed on the requirements of the ADA Employment provision in order to avoid unintentional discrimination on the basis of disability.

Each department has responsibility for many of its own recruitment and hiring functions. The individual departments screen applications, conduct interviews and make final hiring decisions. Therefore all personnel with supervisory responsibility will be trained in the legal requirements of the ADA employment (Title I) provisions. As is stated elsewhere in this report there are several policies and procedures that need to be developed by the Town and understood by all employees. Especially pertinent is the procedure for handling requests for reasonable job accommodations. Another high priority is to review job descriptions and identify essential and marginal job functions. See "Guidelines for Identifying Essential Functions" at the end of this chapter.



The answers to the Evaluation Questions below are based on the self-report of the Personnel Administrator, who is the Town Administrator unless otherwise noted.

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### Evaluation Questions

1. Have all employment policies been reviewed to ensure non-discriminatory treatment of all applicants and employees who have disabilities?

Yes  No

2. Have all employment practices been reviewed to ensure they do not restrict, segregate or classify job applicants or employees in ways that adversely affect their employment opportunities?

Yes  No

3. Have employment contracts and other relationships or arrangements been reviewed to ensure that those agreements do not subject applicants or employees with disabilities to discrimination? (This includes relationships with employment agencies, referral agencies, and labor unions, organizations that provide fringe benefits, training, or apprenticeship programs.)

Yes  No

4. Have employment practices been reviewed to ensure standards, criteria or methods of administration are not used which would have the effect of discrimination on the basis of disability?

Yes  No

5. Have employment practices been reviewed to ensure that applicants and employees who have an association with a person with a disability are not being discriminated against because of that relationship? (This includes the partner or roommate of someone who has HIV or AIDS and parents of children with disabilities.)

Yes  No

What is the process used to decide at which point a request for reasonable accommodation would be denied because it would create an undue hardship?

*There is an informal process, if an hours of work reduction or job task trading would be impossible or cost-prohibitive. To date there has not been a situation where a requested accommodation was denied because it would have created an undue hardship.*

7. What is the policy concerning reasonable accommodation which specifies the decision making process for identifying, arranging and/or paying for accommodations, and determining undue hardship?

*The Town Administrator and Department Heads authorize expenditures for employee accommodations. There have been none to date that have required asking the Finance Committee for a special reserve fund transfer.*

*It is planned that a policy outlining a process for decision-making regarding reasonable accommodation requests will be developed to include in the Personnel Handbook.*

8. How is a decision not to promote or hire because of undue hardship documented?

*All Departments would seek the assistance of the Personnel Administrator (Town Administrator) and it would maintain confidential interview notes and be posted as a memorandum to the applicant/employee file.*

9. Have job requirements been reviewed (job descriptions, employment tests, other selection criteria) to be sure no criteria would discriminate against an individual with a disability— unless such criteria is job-related and consistent with business necessity?

Yes  No

10. Do job descriptions spell out “essential” and “marginal” functions?

Yes  No

*The Personnel Administrator (Town Administrator) is collecting and re-writing job descriptions as necessary to include essential and marginal functions.*

11. Have interviewing techniques been reviewed to be certain interviewers concentrate on how essential functions would be performed and do not elicit information about the applicant’s physical or mental condition?

Yes  No

12. How have you evaluated workplace accessibility?

*The Town is in the process of applying for grant funding for a municipal buildings needs assessment which would include a full access survey completed by an architecture and engineering (A&E) firm. However, workplace barriers were not a focus of that report and are included only superficially in Chapter 6. In the meantime they will have to be addressed on an individual basis. This is because each person, disability and job will present different considerations.*

13. Have you considered barriers to advancement for people with disabilities?

Yes  No

14. Are fringe benefits and leave policies giving non-discriminatory treatment to people with disabilities? Policies include medical, accident, life insurance, retirement; fringe benefits include transportation and day care, etc.

Yes  No

*Town policy or the collective bargaining agreement is followed. All employees are offered the same benefits based on their job and union.*

15. Are social and recreational activities accessible to employees with disabilities?

Yes  No

*There are very few social and recreational activities. The annual holiday gathering has moved from the Lyman Building Town Hall to the Police Station because there is a ramp to that facility.*

16. Application forms do not include any questions as to whether an applicant is an individual with a disability.

Yes  No

17. If medical or other kinds of pre-employment inquiries are made that could elicit information about an applicant's disability, do those inquiries and tests occur after a conditional job offer?

Yes  No

*There are no medical or other pre-employment inquiries, which elicit information about disability.*

18. Employees are not asked if they are a person with a disability nor about the nature of severity of a disability.

Yes  No

19. If the job requires a medical examination, only job-related questions that may elicit information about the nature and severity of a disability may be asked and the information obtained must be kept in separate and confidential files. Supervisors, managers, first aid and safety personnel and government officials may be informed, if appropriate, only on a need-to-know basis. How is compliance with these requirements ensured?

*The Personnel Administrator and Department Heads maintain separate, confidential files, and training is available to Department Heads. All Highway Department and Police Department employees are required to have standard medical exams, which are done by a vendor. The specific test results remain at the health center. However, it is recommended that the medical exam be based on the job for which the person has been conditionally hired.*

### **Guideline for Identifying Essential Functions**

The following are some questions to consider when identifying the essential function of a job.

#### Are employees in the position actually required to perform the function?

If a job announcement or description states that a particular task is a function of the job, when the employer has actually never or seldom required an employee in that position to perform it, this task could not be considered an essential function.

Would removing that function fundamentally change the job? Removing a function would fundamentally change a job if:

- The position exists to perform the function.
- There are a limited number of other employees available to perform the function, or among whom the function can be distributed.
- A function is highly specialized, and the person in the position is hired for special expertise or ability to perform it.

<b>Position</b>	<b>Job Description or Announcement</b>	<b>Essential Function</b>
Proofreader	Proofreading	Proofread accurately
Floating Supervisor	Substitute for absent supervisors on all three shifts	Be available to work 24 hours a day
File Clerk	Perform clerical duties for three-person office	Answer telephones when needed
Cashier in college bookstore	Run cash register and stock shelves when needed	Lift boxes of books during first weeks of school year, when students are buying books

Sales person	Expand sales to Japan	Speak Japanese fluently
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## Other Evidence of Essential Function:

- The Employer's Judgment
- Job Description
- Purpose and Result

An employer's judgment is a factor to be considered along with other relevant evidence. It is not the only evidence, or the prevailing evidence. However, an employer will not be second-guessed on quality or production standards.

In the following cases, the employer would not be required to justify these functions as "essential". However, if a person with a disability were disqualified by such a standard, the employer should be prepared to show that it does in fact require employees to perform at this level, that these are not merely paper requirements and that the standard was not established for a discriminatory reason.

Position	Job Description	Essential Function
Typist	Type correspondence and reports to meet deadlines	Accurately type 75 words per minute
Housekeeper	Clean hotel rooms	Clean 16 rooms/day

The ADA does not require an employer to develop or maintain job descriptions. A written job description will be considered as evidence along with other relevant factors, provided the description is prepared before advertising or interviewing applicants for a job. A job description prepared after an alleged discriminatory action will not be considered as evidence. If the job description is considered as evidence, it will not be the only, or the prevailing evidence.

Review of actual work performed: A job description identifying a particular function as essential will be evidence that the function is essential, but if individuals currently performing the job do not in fact perform this function, or perform it very infrequently, a review of the actual work performed will be more relevant evidence than the job description. Written job descriptions should be reviewed to be sure that they accurately reflect the actual functions of the current job, and are not in fact outdated.

Position	Essential Function	Outdated Function	Updated Function
Word Processor	Type documents on word processor; manage computer files.	Be proficient in word Perfect Use DOS to manage files	Be able to learn, or proficient in other software owned by the company Use/learn to use a file management software package
Machine Operator	Operate and monitor machines	Monitor temperature gauges	Check new computer monitoring system periodically

Content of job description: The ADA does not require that written job descriptions being used as evidence be limited to a description of essential functions, or that "essential functions" be identified. However, if an employer wishes to use a job description as evidence of essential functions, it should in some way identify those functions that the employer believes to be important in accomplishing the purpose of the job.

### Purpose and Result

The employer should focus on the purpose of the function and the result to be accomplished, rather than the manner in which the function presently is performed. An individual with a disability may be qualified to perform the function if an accommodation would enable this person to perform the job in a different way, and the accommodation does not impose an undue hardship. Although it may be essential that function be performed, frequently it is not essential that it be performed in a particular way.

Position	Essential Function	Alternative ways of performing the essential function
Data Entry Clerk	Access, input, and retrieve information from computer database.	Work on a home computer Use software that enlarges print screen Use keyboard with levers or extension
Shipping/Receiving Clerk	Receive and ship out heavy boxes of materials	Use a wheeled dolly or cart to move boxes

### Other Relevant Factors:

- Time spent performing the function
- Consequences of not requiring a function
- Collective bargaining agreement
- Current and past work experience
- Work operation and organizational structure
- Changing essential job functions

A determination that an employee spends most of the time or a majority of the time performing a particular function would be evidence of essential function. Examples of these kinds of functions are operating a jackhammer, answering telephones, or driving.

It is considered evidence of essential function if not performing a task that is required infrequently would have serious consequences.

Position	Job Description or Announcement	Essential Function
Airline Pilot	Fly big planes full of people	Land a plane
Lifeguard	Watch swimmers in a defined area, and protect them from drowning and other accidents	Swim through deep water while pulling another person Perform first-aid and CPR
Firefighter	Fight fires and get people out	Carry an adult down a ladder

	of burning buildings	
Clerical worker in a social service agency	Perform various clerical duties as required in a busy office	Answer phones while other people are not available to do so

Where a collective bargaining agreement lists duties to be performed in particular jobs, the terms of the agreement may provide evidence of essential functions. The agreement would be considered along with other evidence, such as the actual duties performed by people in these jobs.

The work experience of previous employees in a job and the experience of current employees in similar jobs provide pragmatic evidence of actual duties performed. The employer should consult such employees and observe their work operations to identify essential job functions, since the tasks actually performed provide significant evidence of these functions.

The nature of the work operation and the employer’s organizational structure

The way in which an employer structures production and operations and organizes work will have an impact on which functions are considered essential to a particular job.

Operation/Organization Structure	Job Description or Announcement	Essential Function
Textbook warehouse/store on a large college campus receive large orders for books at the beginning of each semester	Production worker to help fill orders	Process orders and billing, enter orders on computer, unload boxes of books, stack shelves, help students find books
A team of production workers in a printing company perform a number of functions on a rotating basis to produce printed copy	Production team worker for small, busy printing business	Operation of printers, typesetting, quality control, maintenance and cleaning of printer, delivery
Assembly line for a car manufacturer	Door installer	Install doors on cars

The ADA does not limit an employer’s ability to establish or change the content, nature, or functions of a job. It is the employer’s province to establish what a job is and what functions are required to perform it. The ADA simply requires that an individual with a disability’s qualifications for a job be evaluated in relation to its essential function.

There may be some aspect of each function that is not “essential” to the job, or some possible modification in the way these functions are performed, that would enable a person employed as a “checker” whose disability prevented performance of all the bagging operations to do the new job.

Employer	Old Position(s) and Essential Functions	Changed Position	Possible Modifications to Changed Essential Functions
Supermarket	1. Cashier: run cash	Cashier/bagger: run	Person cannot lift

	register 2. Bagger: bag groceries	computer scanner, bag groceries, place full bags in grocery cart	more than twenty pounds. Fill bags to not more than 20 lbs Have another employee fill bags
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### Job Analysis and Essential Functions

#### Types, Uses, and Drawbacks Guidelines

The ADA does not require that an employer conduct a job analysis or any particular form of job analysis to identify the essential functions of a job. A job analysis is a formal process in which information about a specific job or occupation is collected and analyzed.

Here are some types of formal job analysis, and the uses and drawbacks of each one:

What is Analyzed	Uses	Drawbacks
How specific tasks deal with data, people, and objects	Setting wage rates	May not be adequate in identifying essential functions of a particular job as required by ADA
Knowledge, skills, and abilities necessary to perform a job	Development of selection criteria for various jobs. Can help to measure the importance of certain skills, knowledge and abilities.	Does not take into account the fact that people with disabilities often can perform essential functions using other skills and abilities.
Survey of current employers and their supervisor, in which they rate the importance of general characteristics (i.e. "strength," "endurance," "intelligence") necessary to perform a job	Defines the actual requirements of a job, as opposed to what is written in a job description or understood by a supervisor	Does not link these characteristics to specific job functions or tasks (i.e. upper or lower body strength; cardiovascular endurance).

A job analysis should focus on the results or outcome of a function, not solely on the way it customarily is performed. Some thing to consider are:

1. The purpose of the job and the importance of actual job functions in achieving this purpose, including frequency with which a function is performed; amount of time spent on the function; and consequences if the function is not performed.
2. Observations of and consultations with several workers under a range of conditions, to get a better idea of all job functions and the different ways they may be performed.
3. Production records and workloads, if relevant.
4. If relevant, information on the work environment (such as unusual heat, cold, humidity, dust, toxic substances or stress factors).



5. Manner in which a job currently is performed.
6. An analysis should not conclude that ability to perform the job in a particular manner is an essential function, unless there is no other way to perform the function without causing undue hardship.

Chapter 5	SELF-EVALUATION of COMMUNICATIONS ACCESS
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This section assesses the current ability of the Town of Ashby to provide effective communication to people with disabilities and to document other communication issues.

The first part of this section shows charts corresponding to two major categories of communication barriers:

1. Visual. Print materials, visual displays, and signage may present barriers to people with limited vision or cognitive impairments.
2. Aural/oral. "Aural" refers to information that is heard; "oral" refers to spoken communication. These types communication may be barriers for people who have hearing or speech disabilities.

On the left-hand side of each chart, in each communication category, list all types of information that are involved in the operation of the program listed. All aspects of the program have been considered, including outreach, advertising, application processes, daily operation, public meetings, and special events. The columns with the names of common auxiliary aids and services have check marks to indicate auxiliary aids or services that are currently provided or available. An X in a box indicates additional aids or services that may be necessary to ensure effective communication.

The second part of this chapter contains an assessment of:

- Primary consideration (responding to requests for aids and services)
- Telephone communications and the use of TDD/TTY's
- Access information
- Emergency warnings and evacuation procedures

This is a summary of communication occurring in each of the departments, which have substantial public contact. Solutions to the problems identified are recorded also in this section.

### 5.1 Visual Communication

Information that is communicated visually – such as through printed materials or visual displays – must be made accessible to people with visual and cognitive disabilities through auxiliary aids and services.

Do the programs involve information that is communicated visually?

Yes       No

In the chart below, each type of information that is communicated visually is listed. All aspects of Town Services were considered, including Town activities, outreach advertising, public meetings, or hearings, and communication with the general public, applicants, and participants.

For each type of information, a check mark (✓) indicates the auxiliary aid or service is currently available to people with visual disabilities. An "X" indicates additional aids or services that may be

necessary to provide effective communication of the information. (More than one auxiliary aid or service may be needed for each.)

General Government:

Types of information	Large Print	Braille	Audio tape	Reader	Verbal descriptions	Computer diskette	Graphic signage	other
1) Town Meeting					√			
2) Town Report					√	√		
3) Warrant					√	√		
4) Finance Committee's Report to Town Meeting					√	√		
5) License Applications					√			
6) Meeting Handouts for Board & Committee Meetings					√	√		
7) Applications					√	√		
8) Information Handouts					√	√		
9) Maps (Land Use Depts.)								
10) Public Hearings					√	√		
11) Legal Notices					√	√		
12) Decisions					√	√		
13) Emergency Evacuation					√			
14) Directions					√			

Board of Health:

Types of information	Large Print	Braille	Audio tape	Reader	Verbal descriptions	Computer diskette	Graphic signage	other
1) Newspaper Notices					√			
2) Engineering maps & plans								
3) Consumer conservation & recycling information					√	√		
4) Meeting Minutes					√	√		

Library:

Types of information	Large Print	Braille	Audio tape	Reader	Verbal descriptions	Computer diskette	Graphic signage	other
1) Books	√		√		√			
2) Videos & Films			√					
3) Remote Data Bases								
4) Public Access Computers	√							



<b>5.2 Aural Communication</b>
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Programs that communicate information aurally to applicants or participants or that require an applicant or participant to use oral communication must make that information accessible to people who have hearing or speech disabilities by providing auxiliary aids and services.

Do the programs involve information that is communicated verbally?

Yes     No

In the chart below, each type of information that is communicated aurally/orally is listed. All communication involved in all aspects were considered, including Town activities, outreach, advertising, public meetings or hearings, television programs or videotapes, and communication with the general public, applicants, and participants.

For each type of information, a check mark (√) indicates an auxiliary aid or service currently available to people with hearing or speech disabilities. An "X" indicates which additional aids or services may be necessary to provide effective communication of the information. (More than one auxiliary aid or service may be needed for each.)

General Government:

Types of info	Sign-Language Interpreters	Bell Atlantic Telerelay Service	Paper & Pen	CART (real-time)	Caption Decoder	Personal Amplifier	Assistive Listening System
1) Town Meetings						√	
2) Selectmen's Meetings							
3) Public Hearings							
4) Committee/Councils & Board Meetings							
5) Phone Contact		√					√

Library:

Types of info	Sign-Language Interpreters	NYNEX Telerelay Service	Paper & Pen	CART (real-time)	Caption Decoder	Personal Amplifier	Assistive Listening System
1) Story-telling							
2) Audio Tapes							
3) Videos							
4) Public Information			√				

**Text Telephone for the Deaf (TTD):** a device which has a typewriter-like keyboard so one can type instead of talking and one can read instead of listening in a phone conversation. The handset is placed in a coupler, which is able to translate and transmit the audio signals, which are converted to text.

**Computer-aided Real Time Transcription (CART):** a transcriptionist projects a verbatim account of the verbal proceedings onto a projection screen using a portable computer. People with hearing impairments and Deaf people who read English read what is said.

**Caption decoders:** TV's 19" and larger made since 1993 have the decoding computer chip built-in. The decoder chip allows one the option of viewing written dialogue for pre-captioned programming. It looks like subtitles in a foreign language film.

**Personal Amplifiers (i.e. Pocketalker®):** allow an individual to increase the volume of what is being listened to – usually used for listening to TV or another person. The microphone can be up to 12" away while the person uses a "pocket" sized receiver and headphones, ear bud or neck loop.

**Assistive Listening Device (ALD):** Used in group situations in auditoriums and meeting rooms: by people who are hard of hearing; for simultaneous language translation; for audio description for people who are visually impaired; and for people with psychiatric disabilities who may experience sensory overload. There are 3 types: FM, infrared and loop, each has different applications. See Product information and Resource Section for descriptions of ALD's and dealers

### Primary Consideration

Title II's regulations require that public entities provide people with disabilities an opportunity to request the type of communications technology and assistance they prefer to use. In the ADA regulations, communications technology and assistance are called auxiliary aids and services.

An entity must give primary consideration to an individual's preference for an auxiliary aid or service and must honor it unless the entity can provide another effective means of communication.

A public entity is not required to provide an auxiliary aid or service if it would result in a fundamental alteration to the program, and undue financial hardship or an administrative burden.

Does the Town inform the people with disabilities that communication aids or services are provided upon request?

Library:  Yes  No

*Equipment used by patrons with visual impairments, such as the Opt-Lex® and magnifiers are on display.*

All Other Town Departments:  Yes  No

*It is recommended that all notices state that reasonable accommodations will be made upon request in advance and that materials are available in alternate formats. When an assistive listening system is available, a decal or notice in programs would let participants know to ask for a receiver, etc.*

Does the program have a procedure for deciding which auxiliary aid or service to provide?

Library:  Yes  No  
 All Other Town Departments:  Yes  No See Below

Does the procedure provide for consideration of an individual's preferred aid or service?

Library:  Yes  No  
 All Other Town Departments:  Yes  No  N/A See Below

Does the procedure include a mechanism for determining that an aid or service provided other than the requested aid or service is an effective means of communication?

Library:  Yes  No

*In the Library, an employee is designated to provide resource and referral information to patrons with disabilities.*

All Other Town Departments:  Yes  No  N/A See Below

*It is recommended that the Town of Ashby have a procedure, which emphasizes that the person's preference for a communication aid, or service will be given primary consideration. The exception would be if the Town could provide an equally effective alternative, which was substantially less costly or burdensome. In which case the Town would check with the person using the communication aid/service on it's effectiveness and make any necessary adjustments.*

## TELECOMMUNICATIONS

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### Telephone Communication

When a public entity communicates with the public by telephone, Title II requires that TDD/TTY's or equally effective means be used to communicate with people who have hearing or speech disabilities. Title IV of the ADA mandates that telephone companies develop telephone relay systems, which may be effective for short, uncomplicated communications. Public entities should use TDD/TTY's wherever telephone communication is a substantial part of a program's operation. This section will help you determine whether a TDD/TTY may be essential for your program.

Does the Town communicate with the public over the telephone?

All Town Departments:  Yes  No

What kind of information is communicated by phone?

Parking tickets, vendor questions, bidding contract inquiries and hours of operation  
 Police and Fire Departments emergency information and calls  
 The Library provides telephone reference service to the public  
 Water, sewer, trash, infrastructure, zoning, assessment

Personnel, public housing, inspection, health, senior services, and many other related matters

Are telephone communications ever lengthy, complex, or technical?

Yes  No

Does the program have a TDD/TTY?

Library:  Yes  No

Fire Dept:  Yes  No

Police Dept:  Yes  No

All Other Town Departments:  Yes  No

*All the Fire Department personnel received TDD training from state certified instructor. Weekly, the Fire Department's TDD is tested with this agency also.*

### Telephone Emergency Situations

If the Town provides telephone access to emergency services, the regulations require that direct access (to the same number(s)) be provided to individuals who use TDD/TTY's; relying on a relay service is not acceptable.

Do any departments provide telephone access to emergency services?

Police and Fire Departments:  Yes  No

All Other Town Departments:  Yes  No

If so, does the program provide direct TDD/TTY access to the emergency telephone number(s)?

Police and Fire Departments:  Yes  No

All Other Town Departments:  Yes  No  N/A

## 5.3 Other Communication

### Emergency Warning and Evacuation

Emergency evacuation procedures for the department, service or activity must ensure that people with disabilities are made aware of emergencies and are aware of exit procedures.

Is there a means of assuring that people who are hard-of-hearing or deaf are made aware of an activated alarm?

Fire Dept. & DPW:  Yes  No

All Other Town Departments:  Yes  No

*There are no audio-visual alarms throughout the Ashby Town Hall. In the Library, the staff evacuates the patrons.*



Is there an established emergency evacuation procedure that addresses the needs of individuals with disabilities?

All Town Departments:  Yes  No

*Public access in the Fire Dept. is restricted to the first floor. The library plans to consult the Fire Department on improving the existing plan, which includes staff sweeping the library to get everyone out. It may be appropriate to also have areas designated for rescue assistance. See Section 4 for recommendations.*

Do all staff members receive training in emergency evacuation procedures?

All Town Departments:  Yes  No

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### **Access Information**

The Title II regulations require that public entities ensure that people with disabilities can obtain information about the availability and location of accessible programs, services, activities and facilities. Information regarding the location of accessible entrances, program sites, TDD/TTY's, and other access features can be provided in a number of ways, such as in handbooks and listings.

Explain how the department, service or activity will provide access information to program applicants, participants, and the general public.

*Newspapers, cable channel and contact with relevant community organizations are the methods used most to communicate offerings, public events and public meetings. It is recommended that these notices be forwarded to the local radio-reading service in addition to using print media. Notices should include the statement about reasonable accommodations discussed previously. The use of graphic symbols strengthens the message and is more accessible to people who do not read. See Section 4 for additional recommendations.*

### **5.4 Communication Summary**

The overall summary should provide a fairly comprehensive picture of the entity's communication resources and needs. This information can then be analyzed to guide the development of system wide effective communication resources.

The analysis can target three general types of communications resource development strategies:

Local. Establish procedures for optimum sharing of existing or new communications resources at the program or department level, such as copying machines that can enlarge documents to produce large print or personal computers that can generate diskettes in ASCII format.

Central. Distribute centrally located resources throughout the entity. For example, provide access service for all departments and programs.

External. Establish standards and procedures for contracting for communications services from sources outside the entity, such as for sign language interpretation.

This section also documents those situations in which the provision of effective communication would result in a fundamental alteration for the program or in undue financial or administrative burdens.

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### External Auxiliary Aids and Services

Summarize currently available auxiliary aids and services, and indicate where these are now available.

Currently available auxiliary aids and services	Within program	Where	
		Central location	Outside sources
<b>Visual and Cognitive:</b>			
Large print	√	√	
Audio tape and Braille Transcription Services			Mass. Assn. For the Blind and other services, See Product & Resource Information
Readers	√	√	
Currently available auxiliary aids and services	Within program	Central location	Outside sources
Verbal description	√	√	
Computers, Opti-Lex, Magnifiers	√ Library		
<b>Hearing and Speech:</b>			
TDD/TTY	√ (Police, Fire & Ambulance)		Verizon 24 hr. Telerelay Service
ASL Interpreters	√	√	
Pen & paper	√	√	
<b>Mobility</b>			
Some accessible architectural features	√		

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### Needed Auxiliary Aids and Services

Summarize needed auxiliary aids and services to be purchased or contracted upon the request of a qualified participant with a disability.

Library:

Needed auxiliary aids and services	Within program	Where	
		Central location	Outside sources
Voice Synthesizer for Computer Network	√		
Software for Large Print	√		
Reachers	√		

Highway Department:

Needed auxiliary aids and services	Within program	Where	
		Central location	Outside sources
Assistive Listening Device (i.e. FM, loop & Infrared systems)	√		
Curb cut to box for utility bill payment outside	√		

All Other Town Departments:

Needed auxiliary aids and services	Within program	Where	
		Central location	Outside sources
Personal amplifier (Pocket-talker®)		√	
Sign Language Interpreter			MCDHH (800) 882-1155
Needed auxiliary aids and services	Within program	Where	Outside sources
Assistive Listening Device (i.e. FM, loop & Infrared systems)		√	

All departments, which use brochures or materials from external sources (i.e. the State, Federal Government or publishers) may request some in alternate formats.

Chapter 6	SELF-EVALUATION of PHYSICAL ACCESS
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The Town of Ashby is currently applying for grant funding in order to contract with an architecture and engineering firm to perform a municipal building needs assessment, which will include a full accessibility study. In the meantime, the Town Administrator, a Planning Board member, Alan Pease, and a disabled Ashby resident, David Ojala, have done a superficial assessment of the physical barriers to access.

<b>6.1 Municipal Buildings</b>
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The following chart highlights the results of the buildings assessment.

Building	Description	Findings
Police Station	Holds both the police department and dispatchers. It is a one story wood frame that was originally constructed with factory assembled modular components.	The building entrance is 4 steps above the grade. There is a ramp to the building entrance built by volunteers with one railing that probably does not meet code requirements for accessibility. 27 foot 8 inch ramp that is 4 foot 1/2 inch wide. The 4 steps are 7 inches high each deck level to a single door that is 45 inches wide with a knob opening toward. Entrance room is 5x5. There are two toilet rooms, neither ADA compliant. Thresholds, hardware & signage needed.
Fire Station	Not used by the public. However it houses the fire trucks and ambulance for the town. There are no employees stationed there.	Side door and all 4 bay garage doors at pavement level. Two bathrooms are not handicap accessible.
Lyman Building Town Offices	Four-story wood frame construction that is used for Town Offices.	From the pavement to the entrance level of the building are 2 steps totaling 14½ inches. The ground floor, which is used for community, maintenance and storage and is 8 steps below the building entrance. From the entry to the first floor are 10 steps at 6 3/4 each and a 52-inch width between the railings. The double doors at the entrance of the building, into the entry

Lyman Building (continued)		<p>stairway and to the main floor hallway are all 65 inches wide (each door for passage is 33 inches). The exterior door has a round knob handle and both interior doors push away. Relationship of the paved surface to the access points of building: 2 steps from paved surface to building entrance. The main door width &amp; side clearance (32" clear for compliance). The doors generally have raised thresholds, the door operating hardware are cylindrical knobs, not levers. There is no signage in Braille or other. On the 1<sup>st</sup> floor there are 2 toilet rooms that have been designed to be accessible but they have not been full appointed. The fire alarm system was installed in 1989 and is not ADA compliant. One drinking fountain that is compliant. Light switches and thermostats, electrical outlets not at compliant heights. No counter or public telephones.</p>
Highway Barns and Salt Shed	Not used by the public.	Operate heavy equipment with no handicapped employees. One toilet room, repair bays, not accessible.
Library	Two-story masonry building.	<p>Lower level is a story below a lower level entrance. The lower entrance is accessed by a paved drive that is not necessarily ADA compliant. The main level entrance is 9 steps above the public sidewalk at 8 inches each. There is 80 inches width between the two side railings at the narrowest point. The main door is a pair of doors, at 29 inches wide each, and open away with a knob door handle</p>

Library (continued)		in addition there are wooden screen exterior doors that open toward.
Grange Hall	Four-story wood frame construction, leased to Grange and Masons.	There are 2 steps to entrance, one old one is 1½ inches and new one is 6 inches. Double doors are 72 inches wide with thumb press handle. There are 2 bathrooms in the basement, none on the main floor.
Historical Society Building Historical Society Building (continued)	Two-story wood frame construction, leased to Historical Society	One front door with knob and 32 inches wide raised 6 inches from the pavement. Right garage door is level with pavement and 118 inches wide. The left garage door is level with the pavement and 192 inches wide (not used).
American Legion Hall	Two-story frame construction, leased by the American Legion	Volunteer built ramp to entry deck is 15 ½ feet long and 36 inches wide. There also 3 steps to entry deck at 7 ½ inches each.

**Note: Ramp compliance:** 48" clear min, 2 sets of railings (1 at 21" and 1 at 33"). Slope at 1-12. Landing every 30' of ramp. Level landing at top and bottom. All landing must be at least 5'.

**Note: Door compliance:** width of opening = 32" clear; on push side of door, need 12" clear at latch jam. On pull side, need 18".

## **6.2 Ashby Elementary School**

The Ashby Elementary School is owned by the Town and leased to the North Middlesex Regional School District which is comprised of the three abutting towns of Ashby, Townsend and Pepperell. The school is used for Ashby students in grades kindergarten through six. Through the school district's efforts and the Town's sizeable school assessments, the building is accessible.

## **6.3 Sidewalks, Parking, and other Public Works**

Being a rural community, Ashby has very few sidewalks and allocated parking.

**6.4 Parks and Recreation**

Ashby has four parks that are available to its residents and visitors.

1. **The Town Common** is located in the heart of Ashby and accommodates summer band concerts, autumn pumpkin festivals, spring Memorial Day services, weddings, animal services, picnics and a pretty and historic resting place for passers by. The area is somewhat accessible on the north side, however, the south side of the Common has a sizable slope to Main Street.

The Town common is a grassy area on a gently sloping hill in the center of town. The only structure on it is the bandstand. There are several monuments to the soldiers of various wars around the common. The only practical access for the disabled is from the north side of the common in front of the church. There is no designated parking in the common area. The common has one paved path about 48" wide that ends in a series of steps descending to the state highway. The bandstand is only used in the summer for band concerts. Again, the elevation of the floor above the ground would make ramping impractical. A lift would be the only feasible way to access this structure. Various fairs are held throughout the year on the common. Mr. Ojala felt the lawn was generally adequate for wheelchair access to these events. He did note that parking was an issue. Popular events attract large numbers of people and the closest parking area can be several hundred feet away. Benches are located around the bandstand though none is adjacent to the paved path.

2. **Allen Field** is Ashby's sports field for baseball, horseback riding and other outdoor games. It is the location of the Town's annual July 3<sup>rd</sup> celebration that includes games, a band concert, chicken barbeque and other food and a huge bonfire managed by the Fire Department. The area is hard packed and accessible to people with disabilities.

Allen Field consists of three baseball fields, one of which has grandstand seating, several small storage and concession buildings, a bandstand and restrooms. The field is level with gravel drives and parking. Mr. Ojala believes the gravel drives and paths are sufficiently firm and level for use by the disabled. He noted that the grandstand did not provide ramp access and there was no area for wheel chairs except the aisle. He noted there was no designated parking near the ball fields and that at popular events cars park along the roadway for some distance. Although the restrooms were locked at the time of the inspection it was our belief that they are not accessible. The storage and concession buildings are built near ground level and Mr. Ojala felt a small ramp over the sill would be adequate for access. He did note that some of the doors might be too narrow for a wheelchair. These are not "public" areas and he felt the effort should be put into providing access to the most used areas of the site. Picnic tables and trash receptacles are portable and are placed according to the needs of the particular event. Those under the shelter are accessible. The bandstand is not accessible and because of the floor height above the ground would require an extensive ramping system. A lift would be necessary for this facility.

3. **The Lyman Fields** is a recently acquired open space parcel in the center of town that, not only helps to preserve Ashby's rural character, but also affords the community a convenient place for picnicking and bird watching. This area is not currently accessible.

4. **The Morrison Preserve and Wetlands Education Trail** is an interpretive hiking trail, not currently wheelchair accessible – no hard packed surface. However, it was laid out on gentle slopes with intention of making accessible. No signage yet - signs will have pictures. Plans for reasonable accommodation for blind with sighted guide.



**Chapter 7**                      **Revision of Government Policies and Practices**

The Board of Selectmen has established a nondiscrimination policy that is published and posted. There are also policies and notices included in the Personnel Handbook and the Police Union Contract, however there are some gaps that require filling. A policy concerning an accommodation process for employees as well as the public will be developed in September, 2000. More work is required, however, in the Town's practices.

**7.1**      **Government Practices**

There will be notices published in all Town reports and warrants as well as separate postings that describes the availability of information in alternate formats. There will be notices included in all Town contracts with vendors and in RFPs and bid specifications, explaining Ashby's nondiscrimination policy and practices.

Further study will be done as time allows to identify and modify practices that may be less than universally inclusive.

**7.2**      **Town Employment Practices**

The Department Heads, Committee and Board Chairpeople and all Town employees need to be trained on ADA requirements as well as other types of nondiscriminatory conduct and practices. These training sessions will be arranged to FY2002 and given as often as necessary in order to educate everyone involved.

Job descriptions will be reviewed and revised as necessary attain full nondiscrimination and fairness across departments. This will be initiated in FY2002.

A reasonable accommodations policy will be documented in FY2001.

**Chapter 8 Action Plan for Services and Programs**

The following sections describes some of the actions that will be taken concerning universal accessibility in Ashby's services and programs.

**8.1 Public Safety Services**

Special mailings will be sent to all residents concerning how to use public safety services and how to request reasonable accommodations when required. The target date for this is February, 2001.

**8.2 Veteran and Senior Services**

Special mailings will be sent to all residents concerning how to obtain Veteran and Senior services and how to request reasonable accommodations when required. The target date for this is February, 2001.

**8.3 Public Health**

Information and special programs available in the area and through the Associated Nashoba Boards of Health visiting nurses will be identified and published for all Ashby citizens. Target date is September, 2000.

**8.4 Building Safety**

The building, electrical, plumbing and gas permitting processes will be refined, streamlined and reviewed to ensure nondiscriminatory requirements and practices. Target date is November, 2000.

**8.5 Road Safety and Maintenance**

The current support program for Ashby residents that require special assistance in which snow and ice are removed will be enhanced. Target date is December, 2000.

**8.6 Educational, Cultural and Recreational**

Library services will be enhanced to accommodate disabled residents and shut ins by delivering books when necessary. Target date is March, 2001.

Special Council on Aging programs for disabled seniors will be investigated to be made available to Ashby residents. Target date is April, 2001.

## Chapter 9

## Communications Action Plan

**Primary Consideration**

The Town will give each individual with a communications impairment an opportunity to request the auxiliary aid or service of his or her choice. That choice will be given primary consideration and will be honored unless the Town finds that another equally effective means of communication is significantly less expensive or burdensome.

A procedure will be developed to address reasonable accommodation requests made by job applicants, residents, program participants and employees. To identify the specific requests and explore equally effective alternatives, if any, to enable participation in the application process and/or performance of the essential functions of the job. The procedure will include:

- How requests are made, arranged and paid for
- How accommodations are identified
- How to determine if a request would create an undue burden, a fundamental alteration of a program or a direct threat to safety
- How the process and decisions are to be documented

**TDD/TTY Communications**

Ashby has one department that currently has TDD/TTYs. This is a recorded voice/TTY line and it is covered 24x7 in Communications by a dispatcher. The dispatcher can then accept the message and route it to the appropriate town department. If needed, it is arranged so that the responding town department can communicate back to the TTY caller through this equipment (with some lead time). The Dispatch Center, as the front end to the Police, Fire and Emergency Medical Services and all dispatchers are trained to use it and it is tested daily. Additional TDD/TTYs will be implemented by the following programs:

The Library could use one at the main desk and library personnel will be trained to use it.

The Town Hall could use one at its main number/Town Clerk's number. Town Hall staff will be trained on it.

*Some resources for training are: Mass. Office On Disability, the Mass. Commission for the Deaf & Hard of Hearing; the local independent Living Center, and consultants.*

**Emergency Warning Systems**

There are Audio-visual alarms in the hallways of the Lyman Building. The Library, Grange, American Legion and Historical Society Building need to have them installed. In buildings used by the public, like the Library, the rest rooms are the place a person who is Deaf is most likely to be alone and therefore are the highest priority areas in which to install audio-visual alarms.

---

**Access Information**

The following list highlights how the Town gets access information to the public and employees:

- Add a statement to all printed hand-outs, job notices, applications program registrations and newspaper ads notifying people that reasonable accommodations will be made upon request (in advance) and that written materials are available in alternate formats.
- Use symbols on notices to strengthen the message that reasonable accommodations may be requested.
- When a TDD/TTY is purchased for the Town Hall, future letterhead, business cards and phone listings include "(V/TTY)" after the main number. Plug the TDD/TTY in at the switchboard. The handset can be put into the coupler to connect the TDD/TTY caller as needed.
- Post notices regarding reasonable accommodations for applicants and employees with disabilities on bulletin boards in each division and department.
- Enhance the ability of people with disabilities to use the Town facilities and services by installing directional signage to accessible entrances, parking rest rooms and other facilities.
- Publish the grievance procedure to be used if a resident has a complaint related to disability. Activate the Ashby ADA Advisory group and get other suggestions for increasing awareness of necessary access information.

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**Fundamental Alteration and Undue Burdens**

At this time, there are no auxiliary aids or services for effective communications that would be denied on the basis of undue financial or administrative burden.

Schedule

FY 2001

- Identify communications devices and materials to be installed or implemented
- Determine optimal services and facilities for use
- Obtain price estimates and include in budget requests

FY 2002

- Publish use of communications materials
- Install all devices that are not part of large renovation projects

FY 2003

- Ensure installation of all communications devices in renovation projects

**Chapter 10**      **Transition Plan for Municipal Buildings and Parks**

Ashby has a great deal of work to do to its buildings and parks to bring them into compliance with ADA.

**10.1 Police Station**

The police station and dispatch center are housed in two old mobile classrooms that have been joined together to make a small facility.

---

**Parking**

There is no marked parking in front of the Police Station. Any parking is casual at the front of the building and rear of the Lyman Building behind which it sits. Parking for the police station will be addressed at the same time that parking for the Lyman Building is addressed which will be during its renovation project.

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**Entrance**

The Police Station is moderately accessible to individuals in wheelchairs because a wooden ramp has been built by volunteer carpenters. Unfortunately, the ramp is not in code compliance and will have to be replaced at some time in the future.

---

**Building Facilities**

The interior of the police station is somewhat cramped for space by virtue of the fact that a police department and dispatch center are housed in a small area. The Town will not be investing large amounts of funds into this makeshift building because it is a temporary situation. At such time a new police station is located or constructed it will be ADA compliant.

---

**Visual Fire Alarms**

There are no visual fire alarms in the hallways or bathrooms in the Police Station.

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**Schedule**

FY 2002

- Include the police station in a comprehensive municipal buildings needs assessment

- Once space needs are specified, identify potential existing facilities or sites for new construction

FY 2003

- Include in Municipal Buildings Plan for construction or relocation

### **10.2 Fire Station**

The fire station is a concrete block garage building with large bays for the fire trucks and ambulance.

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#### **Parking**

There is parking available at the fire station, however no spaces are designated and marked for handicap access. This needs to be done.

---

#### **Entrance**

The fire station is accessible to individuals in wheelchairs because it is a grade level.

---

#### **Building and Facilities**

The bay areas of the fire station are easily accessible. The work and office area in the back is also accessible. There are no handicap bathrooms.

---

#### **Schedule**

There is no transition plan for the fire station at this time.

### **10.3 Lyman Building**

#### **Parking**

Parking at the Lyman Building is casual, on the sides of the front arc drive. There are two handicap parking signs to direct people to the rear of the building where there are two designated handicap parking spaces adjacent to the elevator lobby entrance.

---

#### **Entrance**

The Lyman Building has two front entrances, neither is accessible. The accessible entrance is at the rear of the building that leads to a lobby and elevator access at parking ground level.

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**Building and Facilities**

Inside the Lyman Building, several modifications have been made, including the addition of grab bars in the first floor bathrooms, height-appropriate counters and ample meeting areas.

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**Visual Fire Alarms**

Visual fire alarms have been installed in the Lyman Building.

---

**Schedule**

FY 2003

- Completed renovations

**10.4 Highway Barns and Salt Shed**

The Highway Barns and Salt Shed are not used by the general public, but only by Highway Department employees who have had to pass physical examinations to demonstrate fitness to perform the work required.

**10.5 Ashby Free Public Library****Parking**

There is curbside parking in front of the Library for approximately ten cars. There is no handicap parking, nor any markings for any cars. There is a Library Renovations plan that specifies a parking lot with handicap parking adjacent to the Library once the plans are approved and expansion is complete.

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**Entrance**

The Ashby Free Public Library is not accessible at this time. The building does not comply with several other building codes and requires major renovations.

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**Building and Facilities**

As mentioned above, the Library Building Committee has defined a Library Expansion and Renovations Plan in order to address the many deficiencies in the old building. They are in the process of applying for Library grant funding to do so.

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**Visual Fire Alarms**

There will be visual fire alarms in the renovated library building.

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**Schedule**

FY 2003

- Submit Letter of Intent to apply for CDBG grant funding
- Operate fund raising and make budget requests for Town funds

FY 2004

- Apply for grant funding

FY 2004

- Initiate Library Renovations

**10.6 Grange Hall****Parking**

There is a parking lot in front of the Grange Hall with no markings of any kind. Handicap parking will be designated and marked appropriately.

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**Building and Facilities**

The Grange Hall is moderately accessible to individuals in some wheelchairs, but requires major renovations to comply with several building codes.

---

**Visual Fire Alarms**

Visual Fire Alarms will be included in renovation plan.

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**Schedule**

FY 2002

- Work with tenants to develop a renovations plan
- Identify potential funding sources

FY 2003

- Seek funding to renovate

- Initiate funded project

**10.7 Historical Society Building****Parking**

There is casual parking in front of the Historical Society Building, but no markings.

---

**Entrance**

The Historical Society Building is moderately accessible to individuals in wheelchairs because it has a right garage door that is that same grade level as the pavement.

---

**Building and Facilities**

The Historical Society Building is basically one large room that is open and accessible. The Historical Society intends to have a small museum in the space, the building is not currently open to the public.

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**Visual Fire Alarms**

Visual fire alarms will be included in the renovations plan for this building.

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**Schedule**

FY 2003

- Develop a renovations plan for the Historical Society Building
- Seek potential funding sources

FY 2004

- Initiate funded project

**10.8 American Legion Hall****Parking**

The American Legion Hall is situated next to the Grange Hall on the northeast side of the Town Common and uses the same parking lot.

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**Entrance**

The American Legion Hall is accessible to individuals in wheelchairs by a wooden ramp and deck to the door level. The door hardware needs upgrading.

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### **Building and Facilities**

The main floor of the American Legion Hall is accessible, but needs some upgrades to become fully compliant.

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### **Visual Fire Alarms**

Visual fire alarms need to be installed in the American Legion Building.

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### **Schedule**

FY 2001

- Designated upgrades needed
- Work with tenant to plan upgrades project

FY 2002

- Initiate funded upgrades

## **10.9 The Town Common**

### **Parking**

The practical parking is on a public road. Further study should be given to the various alternatives in the immediate area including designated on street parking and off street alternatives. The Town Common Advisory committee, Parks Department and Highway Department should make this a priority.

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### **Pathways & Trails**

At least one bench should be provided adjacent to the path.

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### **Buildings and Structures**

#### Bandstand

The bandstand is the only building on the Common. It is the focal point of the Common and at the center of the Historic District. As such visual impact should be considered when addressing accessibility to the bandstand. A lift is the only device that will address the visual impact issues. The Parks Department should study the feasibility of providing a lift for the bandstand.

## Schedule

### FY 2001

- Determine best parking solution at Town Common and determine what funding is needed. (Common Advisory, Parks & Highway)
- When portable toilets are used at events require one to be accessible. (Parks Dept.)
- Seek funding for high priority projects. (Parks Dept.)

### FY 2002

- Initiate funded projects (Parks Dept.)
- Research the best way to access bandstands at both sites. (Parks Dept.)

### FY 2003

- Install access-enabling devices at bandstands. (Parks Dept.)

## 10.10 Allen Field

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### Parking

Immediate steps should be taken to designate disabled parking in the area adjacent to the grandstand. The cost is small and the benefit is great.

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### Pathways & Trails

The pathways appear adequate. Sponsors of events should be made aware of the fact they must provide viewing areas for the disabled. Some fields can be adequately viewed from an automobile.

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### Buildings and Structures

#### Grandstand

The grandstand floor is about 24" above the ground. No ramp is provided. There is no area for wheelchairs in the seating section. There is adequate room for a ramp at entrances to the grandstand. The Parks Department is responsible for the building and must address the need. Removal of some benches would provide a wheelchair area.

#### Restrooms

The Restrooms are a freestanding building that is built at ground level. Equipping the restrooms with adequate fixtures would bring this into compliance. Parks Department should begin budgeting for this improvement

#### Bandstand

The floor of the bandstand is about 36" above the ground. An extensive ramp would need to be built to reach this height. A lift may be a more feasible solution. The Parks Department needs to study the cost and effectiveness of the various options and begin implementing a solution.

Storage and Concession Buildings

Mr. Ojala felt these were the least important buildings on the site. Minimal ramping and perhaps door widening would make these accessible. The Parks Department might include these with one of the larger projects.

**Schedule**

FY 2001

- Designated parking at Allen Field. (Parks Dept.)
- Get cost estimates for addressing building accessibility at Allen Field and prioritize projects. (Parks Dept.)
- Seek funding for high priority projects. (Parks Dept.)

FY 2002

- Initiate funded projects (Parks Dept.)
- Seek funding to upgrade restrooms at Allen Field. (Parks Dept.)
- Research the best way to access bandstands at both sites. (Parks Dept.)

FY 2003

- Install access-enabling devices at bandstands. (Parks Dept.)
- Upgrade restrooms at Allen Field. (Parks Dept.)

**10.11 Lyman Fields**

**Parking**

There are no plans for parking near the Lyman Fields.

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**Pathways & Trails**

There are no pathways or trails in the Lyman Fields

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**Buildings and Structures**

There are no buildings or structures in the Lyman Fields.

**10.12 Morrison Preserve**

**Parking**

The Conservation commission is studying the possibility of a nature path on its parcel. They should be made aware of the need to make this path accessible to all.

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**Pathways & Trails**

The wetlands educational hiking trails are being developed by the Conservation Commission with accessibility in mind. Grades and hard packing of the trails are a key consideration, as well as signage with picture symbols.

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**Buildings and Structures**

There are no buildings or structures on the Morrison Preserve.