

Town of Niskayuna

ADA Transition Plan for Pedestrian Facilities within the Public Right-of-Way:



Proposed: September 24, 2019

Adopted by Town Board: January 28, 2020

1. Introduction

The purpose of the ADA Transition Plan is to ensure that the Town of Niskayuna creates reasonable, accessible paths of travel on sidewalks, shared use paths, and curb ramps in the public right-of-way for everyone, including individuals with disabilities.

The ADA Transition Plan identifies barriers of accessibility for individuals with disabilities and prioritizes improvements that are to be made throughout the Town of Niskayuna to increase ADA compliance of public facilities. This plan also outlines the plans, policies, and programs necessary to enhance the overall pedestrian accessibility.

2. Legal Requirements

The Americans with Disabilities Act (ADA), enacted in 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. Under the ADA, people with disabilities are entitled to all of the rights, privileges, advantages, and opportunities that others have when participating in civic activities.

ADA regulations prohibit discrimination against individuals on the basis of disability and require state and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities—designing and constructing pedestrian facilities in the public right-of-way that are not usable by people with disabilities may constitute discrimination under the ADA.

Title II of the ADA specifically applies to "public entities," (such as the state and local governments with 50 or more employees) and the programs, services, and activities they deliver. Title II, Article 8 of the ADA requires public entities to take several steps designed to achieve ADA compliance.

One required step is the development of an **ADA Transition Plan**, which at a minimum, must include:

- (1) A list of the physical barriers and their locations in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- (2) A detailed outline of the methods to be utilized to remove the identified barriers and make the facilities accessible;
- (3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- (4) Indicate the official responsible for implementation of the plan.

The ADA Transition Plan provides a method for the Town of Niskayuna to schedule and implement ADA required improvements to existing streets and sidewalks within the public right-of-way.

3. Identifying Barriers to Accessibility

This ADA Transition Plan considers (i) sidewalks, (ii) curb ramps, and (iii) shared use paths as *potential* physical barriers that limit the accessibility of the Town of Niskayuna's programs, activities, or services to individuals with disabilities if they not constructed or maintained in compliance with ADA standards.

Sidewalks are located in a public right-of-way and typically are parallel to a roadway. Sidewalks are designed for pedestrians and are not designed for bicycles or other recreational purposes. Without sidewalks, public rights-of-way are inaccessible to all pedestrians, including people with disabilities.

A **curb ramp** is a sloped or angled section of a curb providing sidewalk access to those with impaired mobility. Installing a curb ramp at every intersection is necessary for the independence and safety of a wheelchair-bound individual. Without a curb ramp, these individuals are unable to cross streets by themselves

Shared use paths are a type of trail designed to be part of a transportation system, providing off-road routes for a variety of users. Shared use paths, unlike most sidewalks, are physically separated from streets by an open space or barrier. While they may coincidentally provide a recreational experience, shared use paths differ from other types of trails because they are designed primarily for transportation purposes.

When constructed or installed correctly, sidewalks, curb ramps, and shared use paths are not a barrier to accessibility at all. In fact, they are the means through which great accessibility is provided to everyone.

3.1. Inventory and Rating

In order to determine whether a sidewalk, curb ramp, or shared use path constitutes a physical barrier to accessibility, the Town of Niskayuna completed a condition inventory and assessment of existing sidewalks, curb ramps, and shared use paths in 2019.¹ The Town prepared and utilized evaluation forms for sidewalks, curb ramps, and shared use paths, attached hereto as **Appendix A**.

Utilizing data from this inventory, a GIS data layer with 2019 conditions is now included in the Town's GIS database. A map of existing sidewalk, curb ramps, and shared use path conditions can be found in **Appendix B**.

3.1.1. Rating of Sidewalks

A tiered rating system from 1-4 provided a methodologically robust inventory of sidewalk conditions within the Town of Niskayuna. The rating system utilized for purpose of the Town's ADA Transition Plan was used as a tool to identify problem areas within the Town, as areas with many low scoring sidewalks are interest areas for the Town to bring up to ADA standards. The table below shows the general guidelines surrounding the rating scale, and the sidewalk condition evaluation form can be viewed in Appendix A (Form 1).

¹ The Mohawk-Hudson Bikeway was not included in the Town's inventory. In the past, the Town has funded improvements of the Mohawk-Hudson Bikeway through grants and intends to do so into the future. This will provide a continuous source of funding for improvements outside the scope of this Plan.

The Town also determined that it was not necessary to conduct a separate crosswalk condition inventory because necessary improvements to crosswalks with respect to ADA compliance will be evaluated and implemented during the construction and alteration phase of each block.

<i>Table 1: Sidewalk Rating Scale</i>	
Rating	Guideline
0	Not rated.
1	Not accessible. Accessibility for persons with disabilities is impossible or very difficult.
2	Partially accessible. Accessibility is possible, but there are problems.
3	Accessible. May need additional improvements.
4	Fully accessible to current standards.

3.2. Rating of Shared Use Paths

The system used to inventory shared use paths in the Town of Niskayuna also includes a tiered rating system from 1-4. The rating system was produced using the U.S. Access Board Proposed Technical Provisions Applicable to Shared Use Paths, which provided the minimum requirements for shared use paths to meet ADA Standards. The tiered rating system was based upon the number of issues for which a block of shared use path did not meet the minimum ADA requirements. This inventory assists the Town in identifying which shared use paths need to be improved to meet ADA Standards. The table below provides information on the tiered rating system, and the shared use path evaluation form can be viewed in Appendix A (Form 2).

<i>Table 2: Shared Use Path Rating Scale</i>	
Rating	Guidelines
0	Not rated.
1	6-7 issues that do not meet minimum ADA requirements.
2	4-5 issues that do not meet minimum ADA requirements.
3	1-3 issues that do not meet minimum ADA requirements.
4	Meets all ADA minimum requirements.

3.3.Rating of Curb Ramps

The system used to inventory existing curb ramp conditions in the Town of Niskayuna uses a points-based system. For each characteristic of a curb ramp that did not meet ADA requirements, a point was given. All points for each curb ramp in an intersection were then totaled. Therefore, intersections with the highest number of points were identified as being the highest priority.

To evaluate curb ramp condition, a form was produced using the U.S. Access Board Technical Guide chapter on Ramps and Curb Ramps and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), ensuring that all curb ramps deemed compliant are aligned with the 2010 ADA Standards of the Department of Justice (DOJ).

This reference form provides information on the minimum requirements for different situations and types of curb ramps to meet ADA Standards, while the evaluation form provided space for data to be recorded. This inventory will assist The Town to identify and prioritize which curb ramps need to be improved to meet ADA Standards. The curb ramp reference form and evaluation form can be both viewed in Appendix A (Forms 3 and 4).

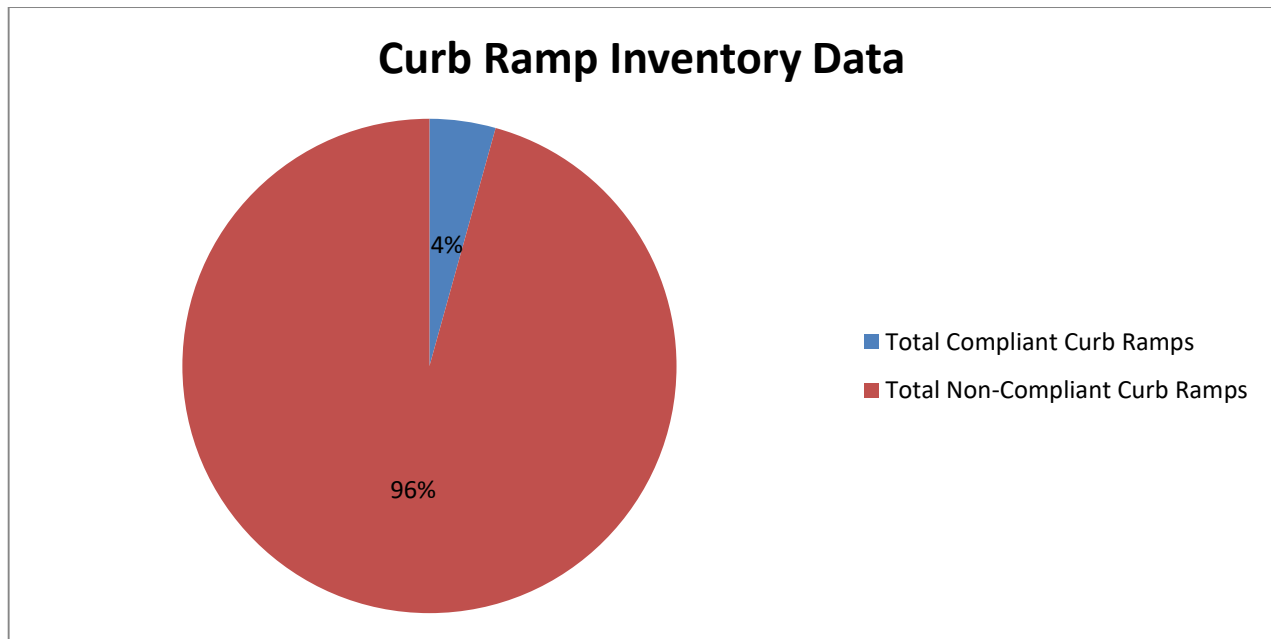
3.4. Summary of Sidewalk, Shared Use Path, and Curb Ramp Ratings

The Town of Niskayuna has 9.66 miles, or 30.6% of sidewalk or shared use path rated a “1” or a “2”. These sidewalks are either not accessible or partially accessible to persons with disabilities and are therefore priorities for improvements.

Rating	Total Length (mi)	Total Length (ft)	Total Length (%)
0	9.65	50,978.29	30.6 ²
1	2.86	15,076.61	9.1
2	6.80	39,900.85	21.5
3	11.62	61,354.27	36.8
4	0.64	3,393.99	2.0
Grand Total	31.57	170,704.01	100

² A large portion of unrated sidewalk and shared use path (9.65 miles) is attributed to the Mohawk-Hudson Bikeway.

The chart below shows the percentage of ADA compliant and non-compliant curb ramps in the Town of Niskayuna. Overall, the vast majority of curb ramps in the Town are **not** ADA compliant. For this reason, the Town used a point-based system to determine which curb ramps are the Town’s highest priority.



4. Removing Barriers to Accessibility

The primary focus of this ADA Transition Plan is to address all the noncompliant ADA facilities in the public right-of-way. On the tiered rating system for sidewalks and shared use paths, this means all sidewalks and shared use paths with a rating of “1” or “2”. With respect to curb ramps, a point-based system was utilized. Curb ramps in the public right-of-way that are not in compliance with the ADA will be given priority. Multiple factors were considered when prioritizing sidewalk, curb ramp, and shared use path improvements, including: (1) sidewalk rating/shared use path rating/curb ramp points; (2) areas in the public right-of-way within one half mile of publicly accessible government facilities (including schools and parks); (3) sidewalk width, grade, and cross slope; and (4) location along a State roadway. The priority list of blocks can be found in **Appendix C**.

The Town's intent is to make all aspects of each block compliant when performing construction and alterations. This includes the sidewalk or shared use path, curb ramps, and crosswalks. Additionally, the Town intends to adopt a policy that when alterations to a roadway are made by the Town, the Town will improve pedestrian facilities within the roadway that are not ADA compliant.

4.1.New Construction and Alteration

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alteration, the Town of Niskayuna, through the adoption of this ADA Transition Plan, will look to the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities* (ADAAG) (www.access-board.gov) as supplemented by the 2011 *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (PROWAG) (collectively, the “ADA Guidelines”).

These sources are the regulatory standards that govern the design and construction of all pedestrian facilities in all Town of Niskayuna projects. It is important to note that in alteration projects, whenever pedestrian facilities cannot fully meet the standards outlines in the ADA Guidelines, a determination of each structural implacability or technical infeasibility must be thoroughly documented in the project record by the Town.

There are three jurisdictional entities with rights-of-way in the Town of Niskayuna. These entities are the State of New York, Schenectady County, and the Town of Niskayuna.

In accordance with the *Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing*

(<https://www.ada.gov/doj-fhwa-ta.htm>) – when pedestrian walkways intersect a curb, but no curb ramp exists the entity facilitating the roadway alteration is responsible for the provision of a curb ramp. The same principle exists if a public entity is undertaking a roadway alteration project that requires the removal of other pedestrian facilities, such as sidewalks. If the facility is removed it must be reinstalled and conform to the most current accessibility standards.

5. Schedule of Completion of Improvements and Cost Estimates

5.1.Schedule of Completion

As opportunity allows, the Town will make efforts to improve the ADA accessibility of pedestrian facilities in the public right-of-way. Compliance is required to the extent practicable within the scope of the project. The Town’s commitment to improving the accessibility of public facilities is demonstrated by the prioritization of areas in the public right-of-way for improvement set forth herein. Based upon current conditions and available funding, the Town intends to address identified deficiencies **within a 35-year period.** The Town recognizing that during this 35-year period, the Town will need to continuously review and update the condition inventory and assessment of existing sidewalks, curb ramps, and shared use paths prepared in 2019.

The Town is responsible for the improvement of the facilities identified in the list found in Appendix C of this Plan. However, as previously discussed in this report, if another jurisdiction is undertaking alterations of a roadway, that agency is responsible for the replacement of removed pedestrian facilities or for the construction of a curb ramp to the adjacent sidewalk if one does not exist.

The Town’s ADA Transition Plan requires continued review and must be revised and/or updated over this 35-year period. The Town will, at a minimum, review and update the ADA

Transition Plan on a seven (7) year cycle. Therefore, the Town has developed a 7-year implementation plan to address deficiencies for the time period 2020 – 2027, which is attached hereto as **Appendix D**.

Nothing contained in this implementation plan would in any way prevent the Town from modifying the implementation schedule, nor prevent the Town from altering the seven-year review cycle. Members of the public that wish to see changes made to the plan are encouraged to submit their comments and concerns, in writing, to the ADA Coordinator to consider including during the next update.

The Town has prepared a list of blocks for improvement of non-compliant facilities. However, the Town should take advantage of regular capital improvement projects or private development to upgrade deficient sidewalks, shared use paths, and curb ramps, if occurring adjacent to those facilities. The Town will also coordinate with New York State Department of Transportation (NYSDOT) capital improvement schedule to replace or upgrade non-compliant curb ramps along State highways.

5.2.Cost Estimates

There is no specific funding mechanism related to the improvement of accessibility deficiencies. Funding might come from many different sources. Schedules and budgets are the tools of implementation. The first step will be ensuring that the Town Board considers adding a line item in the Town of Niskayuna Budget for 2021 for funding of accessibility projects.

The goal of this section is to estimate the costs associated with the 7-year implementation plan (2020 – 2027). As detailed in Appendix D, the estimated cost of the 7-year implementation plan is \$623,000. The Town has identified the Grand Boulevard Corridor as a top priority project for grant funding, the cost estimate of which is \$528,000, and will try to secure funding between 2020 – 2027. The cost estimates were derived from the Capital District Transportation Committee 2018 Unit Costs for Bike-Pedestrian Projects (November 7, 2018, available at <https://www.cdtcmppo.org/images/tip/2019tipupdate/Bike-PedCosts.pdf>). The unit costs included in the aforementioned report are set forth below:

Bicycle & Pedestrian Unit Project Costs 2018

Project Type	Width (ft)	2018 Cost (\$M/mile)
Shoulder	6	0.313
Separate Bikeway	10	0.877
Sidewalks Only	5	0.558
Sidewalks with Amenities	5	1.077
Sidewalks (Partial Amenities)	5	0.818

These cost estimates include expected engineering, supervision, and contingency costs. Unit costs for sidewalks will also require an increase of about 50% if full drainage is required, and another 50% if curbs will be installed for the full length of the sidewalk. This section does not account for year-over-year inflation:³

Cost estimates provided by NYSDOT include increases for inflation as detailed below:

SFY	Simple Year Over Year Inflation
2019-20	0.00%
2020-21	2.00%
2021-22	4.00%
2022-23	6.00%
2023-24	8.00%

Unfortunately, like many municipalities, funding for street projects is limited and often doesn't provide enough money to complete as many projects as desired. This makes it difficult to dedicate significant sums of money solely towards replacing or improving sidewalks and curb ramps. Programs the Town plans to apply to include but are not limited to the Transportation Improvement Program (TIP) through CDTC and Transportation Alternatives funding under the FAST (Fixing America's Surface Transportation) Act.

Furthermore, NYSDOT undertakes on-going road maintenance and alterations and has an ADA Transition Plan. In their plan, NYSDOT identified specific sections of sidewalk and curb ramps not yet improved to fully achieve ADA accessibility. This list can be found here:

³ Capital District Transportation Committee 2019-24 TRANSPORTATION IMPROVEMENT PROGRAM, available at <https://www.cdtcmpt.org/tipdoc19/tip.pdf>.

(<https://www.dot.ny.gov/programs/adamanagement/ada-transition-plan/appendices>). Since NYSDOT completed their inventory in 2008 and used a slightly different rating scale than the Town, there are some differences in the lists of blocks needing to be improved. However, for the purposes of this Plan, the Town assumes that any areas of sidewalk included on the list in Appendix B of the NYSDOT ADA Transition Plan will be improved by NYSDOT. Therefore, the Town has removed those blocks from the sidewalk prioritization list. The list of removed blocks can be found in Appendix C. Should changes be made to the NYSDOT ADA Transition Plan affecting these areas of sidewalk, the Town will make appropriate changes to its Plan. In addition, for the purposes of this ADA Transition Plan, areas lacking the provision of curb ramps in state rights-of-way will be identified in this Plan as being undertaken by NYSDOT. The improvement of these facilities will correspond to the approved NYSDOT capital improvement program.

6. ADA Coordinator

Public entities that have 50 or more employees are required to have a grievance procedure and to designate at least one responsible employee to coordinate ADA compliance. The ADA Coordinator's role is to coordinate the government entity's efforts to comply with the ADA and investigate any complaints that the entity has violated the ADA. The ADA Coordinator serves as the point of contact for individuals with disabilities to request auxiliary aids and services, policy modifications, and other accommodations or to file a complaint with the entity; for the general public to address ADA concerns; and often for other departments and employees of the public entity. The official responsible for the implementation of the Town's ADA Transition Plan for the pedestrian facilities in the public right-of-way is:

Name: Alexis Kim,

Title: Deputy Town Attorney

Phone: 518-386-4516

Email: akim@niskayuna.org

Address: 1 Niskayuna Circle, Niskayuna, NY 12309

7. Public Input

Public entities that employ more than 50 or more persons must provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the process of identifying accessibility barriers in connection with developing the ADA Transition Plan. 28 CFR § 35.105(b). Furthermore, public entities that employ more than 50 or more persons must maintain and make available to the public: (1) A list of the interested persons consulted; (2) A description of areas examined and any problems identified; and (3) A description of any modifications made. 28 CFR § 35.105(c). The Town welcomes public participation and input as to how the Town can meet and exceed ADA requirements and recommendations.. Input from the community has been gathered and used to help define priority areas for improvements within the Town of Niskayuna. Public outreach for preparation of this document is summarized below:

- On February 26, 2019, by Resolution No. 2019 – 42, the Town Board authorized hiring an intern dedicated to working on drafting the ADA Transition Plan
- On March 26, 2019, the Town Board adopted by Resolution No. 2019 – 62, an Interim ADA Transition Plan.
- On September 24, 2019, the Town Board by Resolution No. 2019 – 242, called for a public hearing for public input on the proposed ADA Transition Plan for Pedestrian Facilities within the Public Right-of-Way.
- On October 9, 2020, the proposed ADA Transition Plan was posted under the “News & Announcement” Section on the Town Board’s section of the Town website (<https://www.niskayuna.org/town-board/news/ada-transition-plan-pedestrian-facilities-within-public-right-way>)
- The public hearing was properly noticed in the Town of Niskayuna’s official newspaper (Attached hereto as Appendix E) on October 10, 2019.
- On October 22, 2019 during the regular meeting of the Town Board, the Town Planner and the Deputy Town Attorney presented on the proposed ADA Transition Plan prior to the public hearing.
- On October 22, 2019, during the regular meeting of the Town Board, a public hearing was held on the proposed ADA Transition Plan and one member of the public commented on said plan.

- On November 7, 2019, during an agenda meeting of the Town Board, the Deputy Town Attorney and Town Planner recommended that the Town Board allow additional time for public participation before adopting the ADA Transition Plan.
- On November 22, 2019, during the Economic Development, Historic Preservation & Environmental Conservation Committee regular meeting, the Deputy Town Attorney advised that the Town had only received one comment from the public regarding the ADA Transition Plan and advised that the Town to continue to solicit input on the plan.
- On January 3, 2020, during the Economic Development, Historic Preservation & Environmental Conservation Committee regular meeting, the Town Planner updated the committee on the ADA Transition Plan and recommended final adoption given that the public had been provided over three months to submit comments on said plan.
- Copies of the ADA Transition Plan have been made available upon request at the Town Hall and remains posted on the Town's website.

8. Public Notice and Complaint/Grievance Process

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities with regard to ADA compliance. A draft of this public notice is provided in **Appendix F**.

The public complaint process is an integral part of this ADA Transition Plan. Public complaints or requests may often drive the prioritization of improvements. Those wishing to file a complaint or a request regarding accessibility of public facilities in the Town's right-of-way should contact the ADA Coordinator, in writing, electronically or by another alternative means to accommodate those persons with disabilities. The grievance form can be found in **Appendix G**.

The complaint should be submitted no later than 60 calendar days from the date of the alleged violation. Within 15 calendar days the ADA Coordinator will meet or contact the complainant to discuss possible resolutions. Following this meeting or contact with the ADA Coordinator, the ADA Coordinator will respond, within 15 calendar days, in writing and/or by an alternative means to accommodate the complainant. This response will explain the position of the Town and offer substantive resolutions to the complaint. If within 15 calendar days, the complainant is not satisfied with the determination and resolution by the Town, the complainant may file an appeal with the Town Supervisor or their designee. Within 15 calendar days from the receipt of the appeal, the Town Supervisor will meet or contact the complainant to discuss the complaint and possible resolutions. Within 15 calendar days from the meeting or contact the

Town Supervisor will respond in writing to the complainant with a final resolution on the complaint. All documents related to complaints related to the ADA Transition Plan must be retained by the Town for a period of at least three years.

9. Progress Monitoring and Transition Plan Management

This ADA Transition Plan is considered a living document that will continue to be updated as conditions within the Town evolve. The Town of Niskayuna recognizes that ADA compliance is an ongoing responsibility which requires monitoring to identify future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance due to factors such as damage, disrepair, or changes within public rights-of-way that create new accessibility obstacles. Therefore, the ADA Coordinator will establish an on-going monitoring/inspection program or processes to ensure that facilities continue to comply with ADA requirements and are inventoried accordingly. Town employees will also be encouraged to report any accessibility concerns or deficiencies to the ADA Coordinator.

The Town of Niskayuna is committed to providing accessibility within its public spaces and will use this ADA Transition Plan as a guide to evaluate and update its public spaces with the goal that they should serve everyone equally.

10. Formal Adoption of ADA Transition Plan

This ADA Transition Plan is hereby adopted by the Town Board of the Town of Niskayuna, effective January 29, 2020.

Signed:

ADA Title II Coordinator

Date

Supervisor, Yasmine Syed

Date

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Appendix A – Condition Evaluation Form

Sidewalk Condition Evaluation – Form 1

Surface Rating	Visible Distress	Examples
4 <i>Fully accessible to current standards.</i>	<ul style="list-style-type: none"> Does not require maintenance Less than 1/8" vertical edge Little or no depressed or raised areas No cracked cement concrete squares No spalling of concrete surface or raveling of bituminous surface No horizontal separation No debris/vegetation 	
3 <i>Accessible. May need additional improvements.</i>	<ul style="list-style-type: none"> Generally minor maintenance problems Vertical edge between 1/8" and 1/4" 0-1" raised/depressed No more than 3 cracked squares of cement concrete Less than 25% spalled concrete surface or bituminous surface Less than an inch of horizontal separation Less than 25% covered by debris/vegetation 	
2 <i>Partially accessible. Accessibility is possible, but there are problems.</i>	<ul style="list-style-type: none"> Major maintenance issues Vertical edge between 1/4" and 1/2" 1-2" raised/depressed No more than 4 cracked squares or cement concrete 25-50% spalled concrete surface or raveled bituminous surface Less than 1-1.5" of horizontal separation 25-50% covered by debris/vegetation 	
1 <i>Not accessible. Accessibility for persons with disabilities is impossible or very difficult.</i>	<ul style="list-style-type: none"> Sidewalk may be failing Major maintenance issues Significant aging Vertical edge greater than 1/2" Greater than 2" raised/depressed More than 4 cracked squares of concrete More than 50% spalled concrete surface or raveled bituminous surface More than 1.5" of horizontal separation More than 50% covered by debris/vegetation 	
Minimums for ADA Compliance	<ul style="list-style-type: none"> Width less than 4.0 ft. (or 5.0 ft. without passing areas) Grade more than 5.0% Cross Slope more than 2.0% 	Width: _____ Grade: _____ Cross Slope: _____

Evaluator & Date _____

Road Name & Side of Road _____

Rating _____

Photo Taken? _____

Comments on Condition

Appendix A – Condition Evaluation Form

Shared Use Paths Evaluation - Form 2

Criteria	Minimum Standard
Grade	<ul style="list-style-type: none">• <i>Within Street or Highway Right-of-Way</i> – grade shall not exceed the general grade established for the adjacent street or highway• <i>Not Within Street or Highway Right-of-Way</i> – maximum grade 5.0%
Cross Slope	<ul style="list-style-type: none">• Maximum 2.0%• <i>Pedestrian Street Crossing Without Yield or Stop Control</i> – maximum 5.0%
Surfaces	<ul style="list-style-type: none">• Firm, stable, and slip resistant• Vertical alignment is planar• Grade breaks flush
Vertical Surface Discontinuities	<ul style="list-style-type: none">• Maximum 0.5 inches• If between 0.25 inches and 0.5 inches then leveled with slope not steeper than 50%
Horizontal Openings	<ul style="list-style-type: none">• Shall not permit passage of a sphere more than 0.5 inches in diameter
Flangeway Gaps	<ul style="list-style-type: none">• Maximum 2.5 inches on non-freight rail track• Maximum 3 inches on freight rail track
Objects	<ul style="list-style-type: none">• Objects shall not overhang or protrude into any portion of a shared use path at or below 2.4 meters measures from the finish surface
Curb Ramps and Blended Transitions	<ul style="list-style-type: none">• Shall be equal to the width of the shared used path
Detectable Warning Surfaces	<ul style="list-style-type: none">• Shall extend 2.0 feet minimum in the direction or pedestrian travel• At curb ramps and blended transitions shall extend the full width of the ramp run (excluding side flares)

Evaluator & Date

Shared Use Path Location

Rating

Photo Taken?

Appendix A – Condition Evaluation Form

Curb Ramp – Evaluation Factors and Standards – Form 3

Criteria	Minimum Standard
Top Landing	<ul style="list-style-type: none"> As wide as ramp - 36" minimum
Top Landing Slope – Perpendicular Accessible Route	<ul style="list-style-type: none"> 1:48 maximum slope measured parallel to the running slope
Top Landing Slope – Parallel Accessible Route	<ul style="list-style-type: none"> 1:20 maximum slope
Side Flare Slope	<ul style="list-style-type: none"> Side flare is not required If there is a side flare - 1:10 maximum slope If top landing space is not available, then slope maximum is 1:12
Curb Ramp Slope	<ul style="list-style-type: none"> Running slope – 1:12 maximum If space is limited running slope can be 1:10 maximum (6" rise) or 1:8 maximum (3" rise) Cross Slope – 1:48 maximum
Sides of Curb Ramps	<ul style="list-style-type: none"> Can have returned sides but top landing is required
Built-up Curb Ramps	<ul style="list-style-type: none"> Cannot project in parking spaces, access aisles, or vehicle traffic lanes. Top landing at least 36" deep is required Side flares are recommended (1:10 slope maximum) but not required
Parallel Curb Ramps	<ul style="list-style-type: none"> Level landing 48" long minimum (60" preferred) Slope into landing is 1:12 maximum

Appendix A – Condition Evaluation Form

Criteria	Minimum Standard
Curb Ramps at Intersections	<ul style="list-style-type: none"> • Must be wholly contained within the crosswalk, excluding side flares • Must be oriented so that the grade break is perpendicular to the curb ramp run. • Curb ramp opening can be aligned with the curb line or more directionally oriented to the crosswalk
Diagonal Curb Ramps	<ul style="list-style-type: none"> • Clear space 48” long minimum available at bottom and is outside active vehicle traffic lanes and located within marked crossings • A segment of curb at least 24” long beyond side flares must be provided on both sides of curb ramps with side flares within marked crossings
Raised Crossings	<ul style="list-style-type: none"> • 36” minimum width • If in place, then it is not necessary to have a curb ramp
Islands	<ul style="list-style-type: none"> • 48” minimum long separation between curb ramps • If islands will not accommodate separation, a level cut-through is an alternative (36” minimum width)
Detectable Warnings	<ul style="list-style-type: none"> • Dark/light contrast with adjacent walking surface • Full width of run • 24” minimum from back of curb • See guidelines for dome spacing and dome size

Appendix A – Condition Evaluation Form

Curb Ramp – Evaluation Input Form 4

Curb Ramp 1

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Curb Ramp 2

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Curb Ramp 3

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Appendix A – Condition Evaluation Form

Curb Ramp 4

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Curb Ramp 5

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Curb Ramp 6

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Appendix A – Condition Evaluation Form

Curb Ramp 7

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Curb Ramp 8

Run Slope:	Cross Slope:	Width:	Side Flare Slope:	Top Slope:
Top Width:	Parallel Slope:	Diagonal:	DW:	Intersection:

Island Width: _____

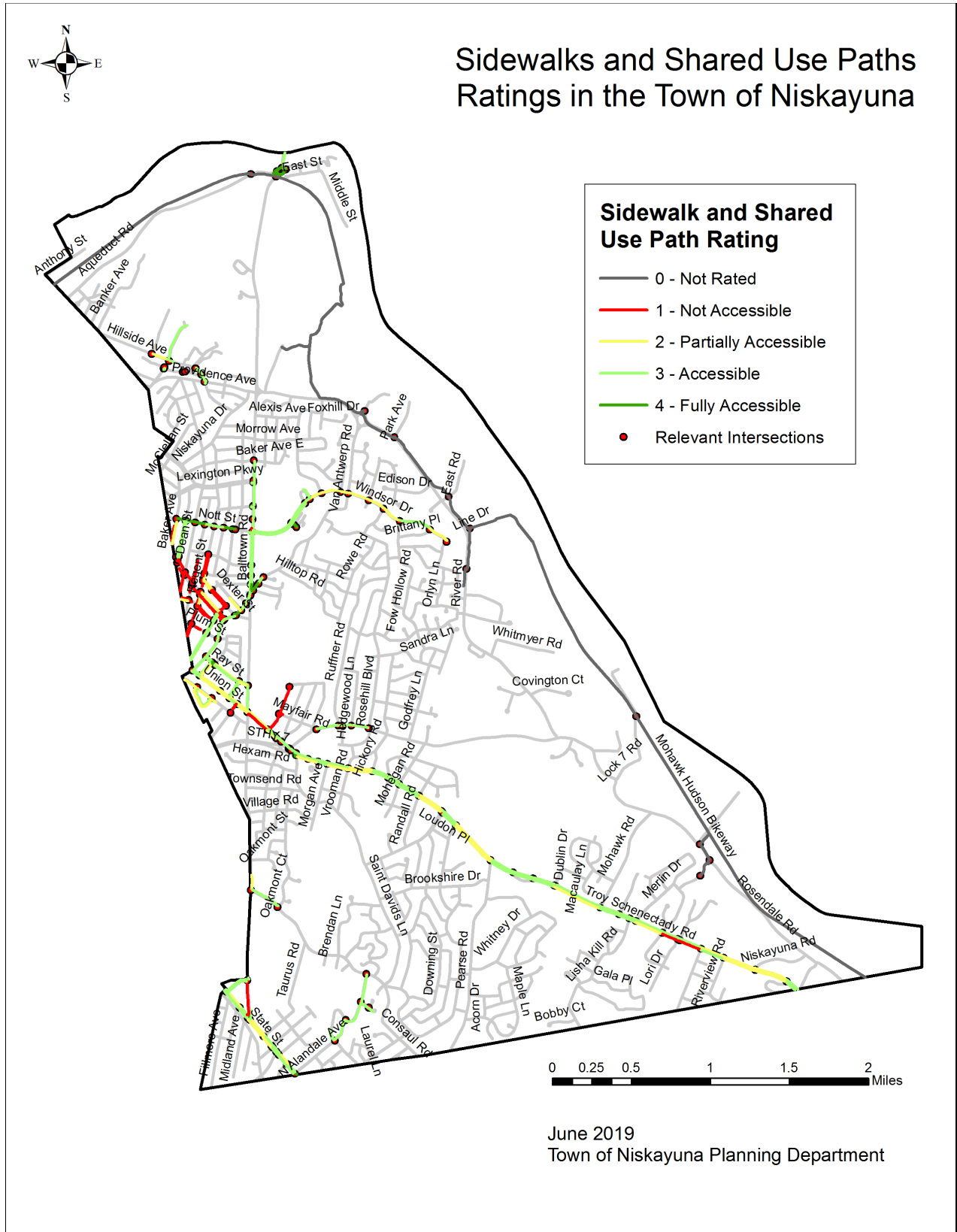
Evaluator & Date _____

Curb Ramp ID _____

ADA Compliant? _____ **Photo Taken?** _____

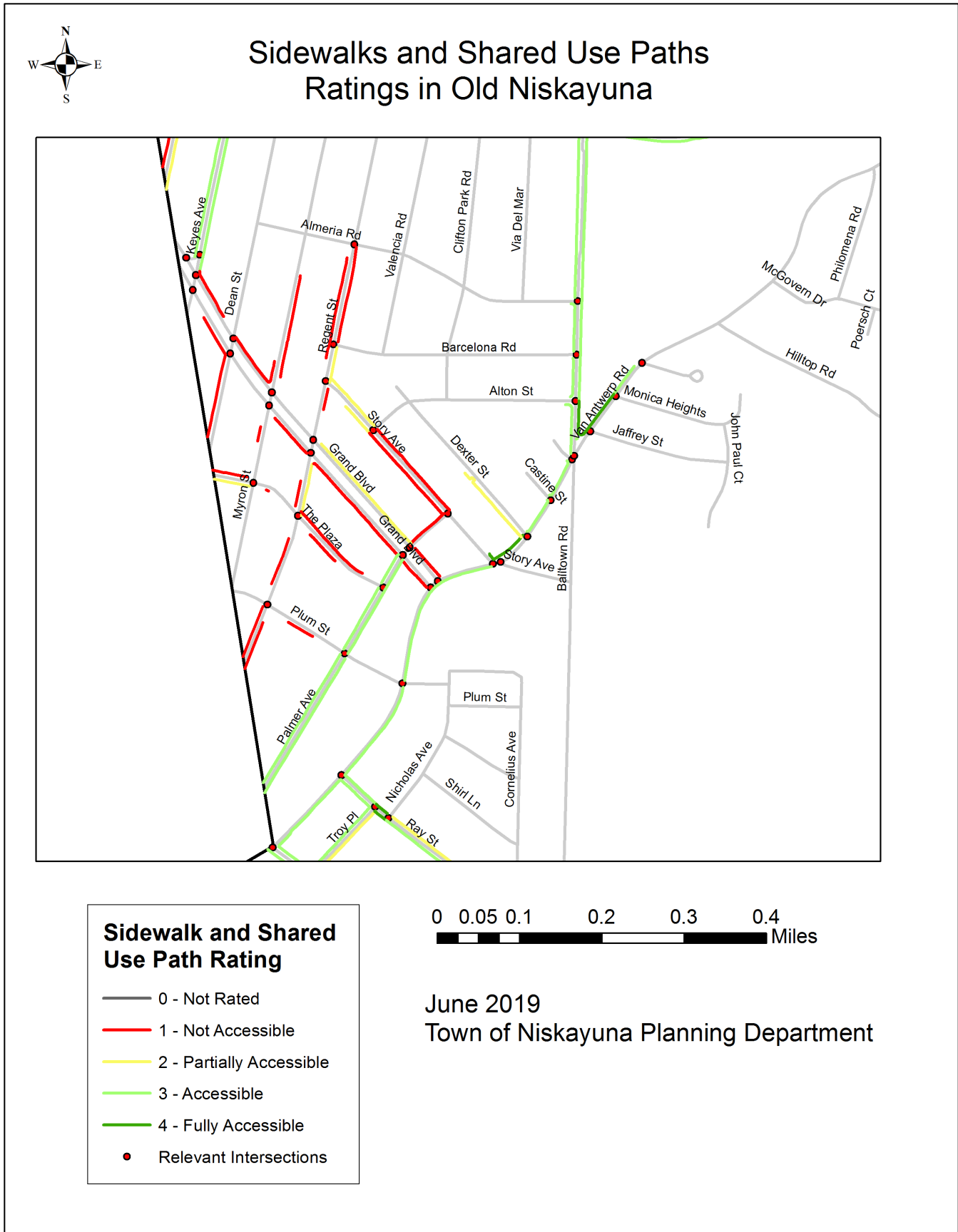
Appendix B – Map of Sidewalk, Curb Ramps and Shared Use Path Conditions as of 2019

Map 1



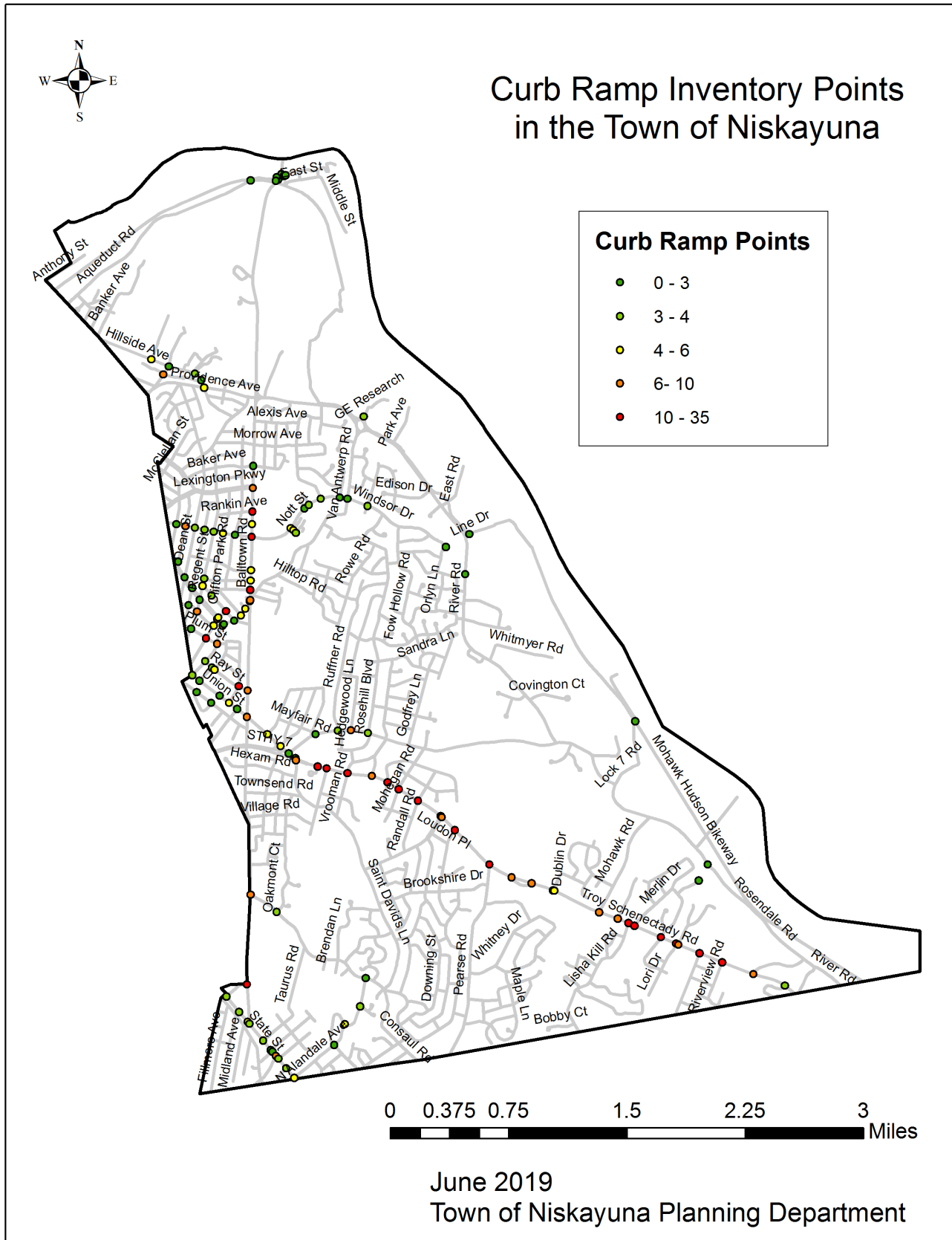
Appendix B – Map of Sidewalk, Curb Ramps and Shared Use Path Conditions as of 2019

Map 2



Appendix B – Map of Sidewalk, Curb Ramps and Shared Use Path Conditions as of 2019

Map 3



Appendix C: Priority List of Blocks

Rating 1: Not accessible; Rating 2: Partially Accessible

Road Name	Side of Road	From	To	Type	Rating
Troy Schenectady Rd	S	Douglas Ct	Lori Dr	Sidewalk	1
Troy Schenectady Rd	S	Lori Dr	Birchwood Ln	Sidewalk	1
Palmer Ave	W	Story Ave	Grand Blvd	Sidewalk	1
Story Ave	S	Alton St	Palmer Ave	Sidewalk	1
Story Ave	N	Alton St	Palmer Ave	Sidewalk	1
The Plaza	S	Regent St	Palmer Ave	Sidewalk	1
The Plaza	N	Regent St	Palmer Ave	Sidewalk	1
Plum St	S	Palmer Ave	Regent St	Sidewalk	1
Regent St	W	The Plaza	Plum St	Sidewalk	1
Grand Blvd	S	Palmer Ave	Van Antwerp Rd	Sidewalk	1
Balltown Rd	W	Nott St	Balltown Rd	Sidewalk	1
Regent St	W	Story Ave	Barcelona Rd	Sidewalk	1
Regent St	W	Grand Blvd	The Plaza	Sidewalk	1
Grand Blvd	S	Palmer Ave	Regent St	Sidewalk	1
Regent St	E	Grand Blvd	Story Ave	Sidewalk	1
Grand Blvd	N	Palmer Ave	Van Antwerp Rd	Sidewalk	1
Regent St	E	Barcelona Rd	Almeria Rd	Sidewalk	1
Regent St	W	Barcelona Rd	Almeria Rd	Sidewalk	1
Grand Blvd	N	Dean St	Myron St	Sidewalk	1
The Plaza	N	Town Border	Myron St	Sidewalk	1
Regent St	W	Plum St	Town Border	Sidewalk	1
Regent St	E	Plum St	Town Border	Sidewalk	1
Oregon Ave	W	Union St	Oregon Ave	Sidewalk	1
Myron St	W	Grand Blvd	Myron St	Sidewalk	1
Myron St	E	Grand Blvd	Almeria Rd	Sidewalk	1
Myron St	W	Grand Blvd	The Plaza	Sidewalk	1
Grand Blvd	S	Myron St	Regent St	Sidewalk	1
Dean St	W	Grand Blvd	Town Border	Sidewalk	1
Grand Blvd	N	Keyes Ave	Dean St	Sidewalk	1
Grand Blvd	S	Keyes Ave	Dean St	Sidewalk	1
The Plaza	S	Myron St	Regent St	Sidewalk	1
Union St	S	Balltown Rd	N Country Club Dr	Sidewalk	1
Balltown Rd	W	State St	Mansion Blvd	Sidewalk	1
N Country Club Dr	E	Union St	Mayfair Rd	Sidewalk	1

Appendix C: Priority List of Blocks

Road Name	Side of Road	From	To	Type	Rating
Baker Ave	W	Nott St	Town Border	Sidewalk	1
N Country Club Dr	E	Mayfair Rd	E Country Club Dr	Sidewalk	1
Troy Schenectady Rd	S	Merlin Dr	Douglas Ct	Sidewalk	2
Ray St	S	Cornelius Ave	Balltown Rd	Sidewalk	2
Ray St	N	Nicholas Ave	Cornelius Ave	Sidewalk	2
Regent St	E	Grand Blvd	The Plaza	Sidewalk	2
Regent St	E	Story Ave	Barcelona Rd	Sidewalk	2
Story Ave	S	Regent St	Alton St	Sidewalk	2
Story Ave	N	Regent St	Alton St	Sidewalk	2
Nott St	N	Niskayuna Cir	Orchard Park Dr	Shared Use Path	2
Union St	S	Cornelius Ave	Troy Pl	Sidewalk	2
Union St	N	Troy Pl	Cornelius Ave	Sidewalk	2
Eastern Pkwy	S	Daisy Ln	Daisy Ln	Sidewalk	2
Grand Blvd	N	Palmer Ave	Regent St	Sidewalk	2
Troy Pl	E	Ray St	Union St	Sidewalk	2
Nott St	N	Orchard Park Dr	Comanche Trail	Shared Use Path	2
Dexter St	S	Van Antwerp Rd	Dexter St	Sidewalk	2
Nott St	N	Comanche Trail	Van Antwerp Rd	Shared Use Path	2
The Plaza	S	Town Border	Myron St	Sidewalk	2
Eastern Pkwy	S	Eastern Pkwy	Daisy Ln	Sidewalk	2
Eastern Pkwy	S	Daisy Ln	Town Border	Sidewalk	2
Windsor Dr	N	Van Antwerp Rd	Menlo Park Rd	Shared Use Path	2
Windsor Dr	N	Brittany Pl	Briar Ridge	Shared Use Path	2
Troy Schenectady Rd	S	Randall Rd	Avon Crest Blvd	Sidewalk	2
Troy Schenectady Rd	N	Onondaga Rd	Avon Crest Blvd	Sidewalk	2
Troy Schenectady Rd	N	Inman Rd	Pearse Rd	Sidewalk	2
Union St	S	St Davids Ln	Primrose Ln	Sidewalk	2
Union St	N	Balltown Rd	N Country Club Dr	Sidewalk	2
Union St	N	Cornelius Ave	Balltown Rd	Sidewalk	2
Union St	S	Balltown Rd	Oregon Ave	Sidewalk	2

Appendix C: Priority List of Blocks

Road Name	Side of Road	From	To	Type	Rating
State St	S	Central Ave	Midland Ave	Sidewalk	2
State St	N	Central Ave	Balltown Rd	Sidewalk	2
Hillside Ave	N	Commerce Park Dr	Alice Wagner Way	Shared Use Path	2
State St	N	S Fagan Ave	N Amherst Ave	Sidewalk	2
Rosa Rd	N/E	Rosa Rd	Hillcrest Apts	Sidewalk	2
State St	S	Fairfax Ave	Central Ave	Sidewalk	2
Daisy Ln	E/W	Eastern Pkwy (closer to Oregon)	Eastern Pkwy	Sidewalk	2
Union St	S	N Country Club Dr	STHY 7	Sidewalk	2
Baker Ave	E	Nott St	Town Border	Sidewalk	2
Windsor Dr	N	Menlo Park Rd	Saint Ann Dr	Shared Use Path	2
Windsor Dr	N	Saint Ann Dr	Fox Hollow Rd	Shared Use Path	2

NYSDOT ADA Transition Plan Sidewalks

Road Name	Side of Road	From	To	Type	Rating
Troy Schenectady Rd	N	Birchwood Ln	Riverview Rd	Sidewalk	2
Union St	S	Morgan Ave	Vrooman Rd	Sidewalk	2
Troy Schenectady Rd	N	Vrooman Rd	Hickory Rd	Sidewalk	2
Troy Schenectady Rd	S	Vrooman Rd	Hickory Rd	Sidewalk	2
Troy Schenectady Rd	S	Shannon Blvd	Mohawk Rd	Sidewalk	2
Troy Schenectady Rd	S	Inman Rd	Pearse Rd	Sidewalk	2
Troy Schenectady Rd	N	Riverview Rd	Niskayuna Rd	Sidewalk	2
Troy Schenectady Rd	S	Riverview Rd	Niskayuna Rd	Sidewalk	2
Troy Schenectady Rd	N	Niskayuna Rd	Vly Pointe Dr	Sidewalk	2
Troy Schenectady Rd	S	Niskayuna Rd	Vly Pointe Dr	Sidewalk	2
State St	N	Stanford Ave	Mansion Blvd	Sidewalk	2

Appendix D - Implementation Plan (2020 – 2027)

7-Year Implementation Plan

1. Address 5/6 Squares on Troy Schenectady Road between Douglas Court and Birchwood (#1 and #2 on priority block list)
2. Reconstruct 1-block of Palmer between Story Ave and Grand Boulevard
(Within ½ mile of school, high pedestrian traffic, poor accessibility rating)
3. Reconstruct all sidewalks/curb ramps on Story Ave
4. (Within ½ mile of school, high pedestrian traffic, poor accessibility rating)
5. Reconstruct all sidewalks/curb ramps on North Country Club
(Poor accessibility rating)

ANTICIPATED COST

Route 7 touch-up	\$10,000
Palmer Block	\$46,000
Story Ave	\$317,000
N Country Club	\$250,000
TOTAL	\$623,000
<i>Per Year</i>	<i>\$89,000</i>

Grant Project: GRAND BOULEVARD

This project has many of the lowest rated sidewalks and curb ramps in Town, and should be holistically addressed to include continuing sidewalks when they dead-end, so there is a complete set of ADA assessable facilities up and down the entire section. It is within ½ mile of a school and a well-traveled pedestrian route.

Cost estimate: \$528,000

ONGOING: Update any sidewalk and curb ramp facilities that can be incorporated into Town repaving projects

Appendix E: Public Hearing Notice

State of New York,
City and County of Schenectady

ss.:

**NOTICE OF
PUBLIC HEARING
TO BE HELD BY THE
TOWN BOARD
OF THE TOWN OF
NISKAYUNA**

NOTICE IS HEREBY GIVEN that pursuant to Title II of the Americans with Disabilities Act (ADA), a public hearing will be held by the Town Board of the Town of Niskayuna in the Town Board Meeting Room at One Niskayuna Circle on the twenty second (22nd) day of October, 2019 at 7:00 p.m. on the Town of Niskayuna's proposed ADA Transition Plan for Pedestrian Facilities within the Public Right-of-Way ("ADA Transition Plan"). A presentation by the Town Planner of the plan will be given at that time.

The primary purpose of the proposed ADA Transition Plan is to identify existing barriers to accessibility within the public right-of-ways (sidewalks, curb ramps, shared use paths), detail how the Town will prioritize and remove barriers to accessibility, and provide a means for addressing complaints of discrimination under the ADA regarding accessibility of public facilities within the public right-of-ways by identifying the Town of Niskayuna's ADA Coordinator.

Comments may be submitted in writing through October 22, 2019, or made in person at the public hearing. Written comments may be emailed to akim@niskayuna.org or addressed to Alexis Kim, Deputy Town Attorney, One Niskayuna Circle, Niskayuna, New York, 12309 (the proposed ADA Coordinator).

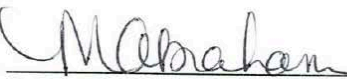
A copy of the proposed ADA Transition Plan will be available for inspection at the Town Clerk's office located at the Town Hall, on the Town's website, and at the public hearing.

All parties in interest and residents will be given an opportunity to be heard by the Town Board at the public hearing to be held as aforementioned. Upon request directed to the Deputy Town Attorney at least 48 hours before the public hearing, the Town of Niskayuna will provide reasonable accommodations to afford those who may have a disability with access and admission to the public hearing.

BY ORDER of the Town Board of the Town of Niskayuna, New York.
Michele M. Martinelli
Town Clerk
Town of Niskayuna
Dated: September 25, 2019
10/10 2386237

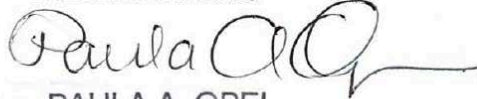
Melanie Abraham of the City of Schenectady, being duly sworn, says that he/she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:

1 insertion October 10, 2019



Sworn to me on this 24th day of October, 2019

NOTARY PUBLIC



PAULA A. OPEL

COMMISSIONER OF DEEDS

MY COMMISSION EXPIRES 07/22/2021

Appendix F – Public Notice

TOWN OF NISKAYUNA NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of the Americans with Disabilities Act of 1990 (ADA), the Town of Niskayuna will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Niskayuna does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under the ADA. Qualified individuals with disabilities employed by the Town of Niskayuna are entitled to equal pay and other forms of compensation (or changes in compensation) along with work assignments, classifications, seniority, leave, and all other forms of employment compensation or advantage.

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

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

Request for Accommodations: Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Niskayuna should contact the Deputy Town Attorney or the Town Comptroller as soon as possible but no later than 48 hours before the scheduled event:

Deputy Town Attorney (Alexis Kim)	Comptroller (Paul Sebesta)
akim@niskayuna.org	psebesta@niskayuna.org
(518) 386-4516	(518) 386-4506

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

Town of Niskayuna's ADA Coordinator for pedestrian facilities within the Town public right-of-way is the Deputy Town Attorney. Complaints that a program, service, or activity of the Town of Niskayuna is not accessible to persons with disabilities should be directed to the ADA Coordinator,

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

Appendix G: Public Complaint/Grievance Form

TOWN OF NISKAYUNA ADA COMPLAINT/GRIEVANCE FORM FOR PEDESTRIAN FACILITIES WITHIN THE TOWN'S PUBLIC RIGHT-OF-WAY

This form is for requesting that the Town of Niskayuna review an existing public pedestrian facility as it relates to ADA compliance or to analyze the need for a new ADA compliant public pedestrian facility within the Town of Niskayuna's public right-of-way.

Contact Information:

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Description of ADA grievance (please be as detailed as possible):

Suggestions: _____

The Town of Niskayuna's ADA Coordinator is the Deputy Town Attorney. She may be contacted at 518-386-4516 or via email: akim@niskayuna.org Please submit this form to the following address or via the Office of the Town Attorney's website

Alexis Kim, ADA Coordinator
One Niskayuna Circle
Niskayuna, NY 12309
akim@niskayuna.org

For Office Use Only

Date of Response: _____ Action Taken: _____