

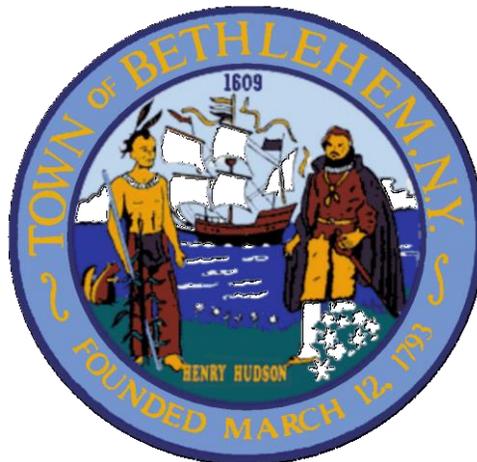
FINAL MAY 2018

Town of Bethlehem ADA Transition Plan for Pedestrian Facilities within the Public Right-of-Way: Amendment to the 1993 Self Evaluation Plan



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Town of Bethlehem Highway Department, Public Works Department-Engineering
Division and Planning Department Staff

For the Town of Bethlehem



May 23, 2018

Approved by Town Board

The views expressed herein are solely those of the Town of Bethlehem, and do not represent an official position of the Federal Transit Administration or Federal Highway Administration.

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1.0 Introduction

The ADA Transition Plan for pedestrian facilities (sidewalks and curb ramps) within the Town public right-of-way serves as an amendment to the [Self Evaluation Plan](#) completed by the Town in 1993 for compliance with the American with Disabilities Act. The focus of the 1993 Self Evaluation Plan was an assessment of the Town's employment practices, programs and services, facilities, and communication methods. Section II of the 1993 plan identified structural changes or other modifications to existing Town facilities, including Town Hall, parks, parking lots, highway garage, sewer and water garages and treatment plants, and justice offices/courtroom. Section II did not include an assessment of pedestrian facilities.

The purpose of this ADA Transition Plan amendment is to ensure that the Town of Bethlehem creates and maintains reasonable, accessible paths of travel on sidewalks and curb ramps within the Town public right-of-way for everyone, regardless of age or ability. Specifically, the plan will address sidewalks and curb ramps as they relate to ADA standards.

The ADA Transition Plan amendment identifies barriers of accessibility and prioritizes improvements that are to be made throughout the Town to increase ADA compliance of the Town's sidewalk and curb ramp infrastructure. This plan also outlines the plans, policies, and programs necessary to enhance overall pedestrian accessibility.

The Town of Bethlehem has already taken substantive steps to improve the accessibility of its sidewalks, curb ramps, and crossings. This plan will allow the Town to advance its long-term commitment to improving the accessibility of pedestrian facilities.

2.0 Legal Requirements

The federal 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. 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.

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 requires public entities to take several steps designed to achieve compliance.

One such step is the development of an ADA Transition Plan related to pedestrian facilities, which at a minimum must include:

- A list of the physical barriers in a public entity's sidewalk and curb ramp facilities within the public right-of-way, which may limit the accessibility to individuals with disabilities.
- A detailed outline of the methods to be utilized to remove these barriers and make the sidewalk and curb ramp facilities within the public right-of-way accessible.
- The schedule for taking the necessary steps to achieve compliance with Title II.
- The name of the official responsible for the plan's implementation.

A Transition Plan provides a method for a public entity to schedule and implement ADA required improvements to existing streets and sidewalks within the public right-of-way. Before a Transition Plan can be developed, an inventory of the current locations and conditions of curb ramps and sidewalks must be developed. The purpose of this amendment is to ensure the Town of Bethlehem creates reasonable, accessible paths of travel within Town roadway rights-of-way for everyone, including people with disabilities.

3.0 Identifying Barriers to Accessibility

There are many different obstacles that impact the accessibility of paths of travel throughout the Town. Each of these obstacles makes it more challenging for people with disabilities to navigate sidewalks or cross streets. The first step to remediating these inaccessible facilities is to identify the specific barriers of accessibility.

This transition plan considers sidewalks and curb ramps in poor condition as barriers to accessibility. When constructed or installed correctly, this infrastructure is not a barrier at all. In fact, it is the means through which great accessibility is provided. The images below show local examples of how these infrastructure act as a barrier to accessibility.

There are very specific guidelines set forth by the ADA for sidewalks and curb ramps. For example, generally sidewalks should be at least five feet wide, while shared-use sidewalks should be at least 10 feet wide. Walkways should also be even and easy to traverse, without large heaves or gaps. It is easy to see how these aspects of a sidewalk impact ADA accessibility. Furthermore, a very narrow sidewalk might require someone to exit the walkway if two-way traffic occurs.

Curb ramps have more specific conditions which must be met to comply with ADA standards. Curb ramps should be provided where an accessible route crosses a curb. The slope of the ramp should not exceed a certain grade to ensure it is a gentle slope. The ramp should be a certain width, and should have truncated domes to provide a detectable warning to users. These are



Example 1: Sidewalks and curb ramps are uneven and crumbling.



Example 2: Truncated domes are present on the curb ramps, but they are deteriorated.



Example 3: No truncated domes or curb ramps are present; sidewalk is crumbling.

only a few of the characteristics which make a curb ramp accessible if met, or inaccessible if not.

3.1 Inventory and Rating – Sidewalks

In 2014, the Town Highway Department completed an inventory and assessment of existing sidewalk conditions. The sidewalk condition map can be viewed in Appendix B. A GIS data layer of the Town sidewalks with 2014 existing conditions is now included in the Town’s infrastructure GIS database.

A sidewalk assessment form was prepared and includes a table describing defects accompanied by photographs, each with a ranking between values 1 and 9. A value of “1” indicates the sidewalk has a “failed” condition while a value of “9” indicates a sidewalk is in “excellent” condition. Figure 1 provides an example of the evaluation data fields.

3.2 Inventory and Rating – Curb Ramps

In 2016, the Town Highway Department completed the curb ramp inventory and assessment. Guidance from the Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities evaluation form produced by the New York State Department of Transportation (NYSDOT), located in Chapter 18 – Pedestrian Facility Design of the NYSDOT Highway Design Manual, was utilized to develop the Town’s curb ramp assessment form. A GIS data layer of the Town curb ramps with 2016 existing conditions is now included in the Town’s infrastructure GIS database.

A copy of the curb ramp assessment results can be viewed in Appendix B.

Figure 1: Sidewalk Assessment Rating

Rating	Total Length (ft)	Total Length (mi)	Total Length (mi)	Total Length (%)
2 - Poor	5,373	1.02	2.79	5.1%
3 - Poor	9,287	1.76		
4 - Fair	27,364	5.18	14.22	25.8%
5 - Fair	47,741	9.04		
6 - Good	68,736	13.02	21.29	38.6%
7 - Good	43,642	8.27		
8 - Excellent	48,657	9.22	16.01	29.0%
9 - Excellent	35,877	6.79		
(blank)*	4,451	0.84	.84	1.5%
Grand Total	291,129	55.14	55.14	100%

*(blank) to be rated with next inventory.

3.3 Inventory Summary

Overall, the majority of sidewalks in the Town of Bethlehem are rated “good” or “excellent”. Meanwhile, less than three miles of sidewalk were rated as “poor”. The map of sidewalk ratings shown in Appendix B shows in detail the ratings of each sidewalk.

Overall, the majority of curb ramps can also be said to be accessible and ADA compliant.

When looking at the maps and tables included in this plan, it can be seen that the Town of Bethlehem's commitment to providing accessible paths of travel in the public right-of-way has resulted in most of the Town's pedestrian facilities being accessible. However, a small portion of pedestrian facilities that are not accessible are still present in the Town. Thus, the Town will continue its progress towards improving accessibility through the methods described in this plan.

The results of the sidewalk and curb ramp evaluations, as well as a preliminary assessment of annual funding needed over a 20-year period to bring the Town into compliance with the accessibility requirements was presented to the Town Board at its September 14, 2016 meeting. The preliminary assessment concluded the Town should allocate \$52,750 annually for sidewalk and curb ramp improvements. The Town Board voted to include \$50,000 in the 2018 operating budget. Town Board also identified an annual need of \$50,000 as part of the 2018-2022 Capital Plan.

4.0 Bus Stops and Pedestrian Signals

Note that public transportation in the Town of Bethlehem is serviced by the Capital District Transportation Authority. The Capital District Transportation Authority's ADA Transition Plan addresses fixed route transit services, para-transit services, signing and bus stops and shelters. Further, all pedestrian signals are located on roadways owned and/or maintained by New York State (NYSDOT). NYSDOT is the responsible entity for the evaluation of pedestrian signal compliance with ADA standards.

5.0 Removing Barriers to Accessibility

The Town of Bethlehem identifies and eliminates barriers to accessibility as soon as possible in the most effective way permitted. To guide this process, the Town has developed a schedule for remediating inaccessible infrastructure as well as established design standards.

5.1 Schedule of Improving ADA Accessibility

The Town of Bethlehem makes efforts to improve ADA accessibility of pedestrian facilities in the public-right-of-way as opportunities allow. 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. For this reason, projects for improving accessibility are typically rolled into the Town's general street reconstruction and maintenance schedule.

5.2 Cost Estimates

The Town Highway Department has developed an efficient and cost-effective program for replacing deficient sidewalks and applies the cost of \$253,400/mile or \$48/linear foot (includes in-house administrative, design, engineering, labor, etc.) as a planning cost figure. Of course, costs vary depending on a variety of factors. The Town Highway Department has a limited capacity for doing such work as currently structured and estimates that they can complete about 3,000 to 4,000 linear feet of sidewalk per year based on current staffing and budget.

If the project is done by private contractor, the cost is significantly higher at \$455,500/mile or \$86/linear foot, and this cost only includes the construction cost. It does not include the costs associated with engineering, drainage inspections, etc.

5.3 Prioritization and Schedule

The Town has developed a method for prioritizing sidewalk/curb ramp maintenance and applies such factors as: (1) sidewalk/curb ramp rating; (2) location on Town's Bicycle and Pedestrian Priority Network; (3) location along a County/State roadway; and (4) Town Highway Department annual highway repaving program. For example, a review of the sidewalk condition map identified sections of New Scotland Road and Kenwood Avenue as poor condition. In 2017 and 2018 these sections of sidewalks and related curb ramps were replaced with new 5-foot sidewalk and ADA compliant curb ramps.

Based on current sidewalk and curb ramp conditions and annual dedicated maintenance funding the Town's plan to address all deficiencies applies to a 20-year period. The Town will also make accessibility improvements to sidewalks and curb ramps through locally administered federal aid projects with the assistance of the NYSDOT. For example, the Delaware Avenue Streetscape Enhancement Project (in 2017) included replacement of sidewalks and curb ramps at all intersections in the project area. The upcoming Route 9W/Feura Bush Road roundabout will also include sidewalk/curb ramp replacement and new pedestrian facilities where needed. A majority of roadways in the Town are owned and maintained by the NYSDOT. As such, at the time of roadway resurfacing of State roads, the NYSDOT will also replace non-compliant curb ramps.

5.4 New Construction and Alterations

When there is to be new construction or alterations/maintenance involving sidewalks and curb ramps, it is important that correct design standards are met. To ensure this, the Town of Bethlehem uses the [Americans with Disabilities Act Accessibility Guidelines](#) and the [Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way \(PROWAG\)](#) published by the U.S. Access Board to guide all project design. Pedestrian facilities on State roadways comply with the NYSDOT Standards for the installation of new curb ramps and sidewalks.

Whenever new construction or alterations are initiated, compliance is required to the extent practicable within the scope of the project. However, there may be circumstances when it is technically impractical to provide full compliance with guidelines. Whenever pedestrian facilities cannot fully meet the guidelines outlined in the PROWAG, a determination of the reasons will be documented pursuant to 28 CFR 35.150. It is important to note that this plan's

inventory and rating process may not account for such impracticalities and could still show a low rating for a facility even when all practical solutions have already been sought.

6.0 ADA Coordinator

The official responsible for the implementation of the ADA Transition Plan is the ADA Coordinator. The Town of Bethlehem ADA Coordinator for pedestrian facilities within the Town public right-of-way is:

Name, Title: John Anastasi, Highway Superintendent
Phone: 518-439-4955 x1598
Email: janastasi@townofbethlehem.org
Address: Bethlehem Highway Garage, 74 Elm Ave. East, Selkirk, NY 12158

The ADA Coordinator for pedestrian facilities within the Town public right-of-way may change throughout the life of this transition plan as the individual acting as the Highway Superintendent changes.

7.0 Public Input

The ADA requires that there is an opportunity for the public to provide input on the Transition Plan. To meet this requirement, the Town of Bethlehem completed the following public participation process elements:

- At the September 14, 2016 Town Board meeting a presentation was made to the Town Board with a proposed amendment to the Town's 1993 ADA Self-Evaluation Plan to include pedestrian improvements in the public right-of-way (sidewalks and curb ramps), results of the Town's sidewalk and curb ramp self-evaluation and annual cost to bring non-compliant sidewalks and curb ramps into ADA compliance over a 20 year timeframe. A copy of the presentation can be viewed at http://bethlehemtownny.ig2.com/Citizens/Detail_Meeting.aspx?ID=1483.
- Information was posted on the Town website with progress in completing the ADA Transition Plan Amendment within the public right-of-way. The information can be viewed at <http://www.townofbethlehem.org/799/ADA-Transition-Plan>.
- Public comment periods are held during each Town Board meeting. The ADA Transition Plan was placed on the May 23, 2018 Town Board meeting agenda for discussion and approval. The Town Board agenda is posted to the Town website and available to the public for review prior to the meeting.

8.0 Public Complaint/Grievance Process

The public complaint process is an integral part of the transition plan, as it helps drive more specific prioritization of ADA complaint improvements. Formal complaints or grievances regarding the ADA compliance of public facilities in the Town's right-of-way can be made directly to the Town of Bethlehem's ADA Coordinator using the grievance form in Appendix E. This form can also be found on the Town of Bethlehem's Highway Department website. The

form may be filled out and mailed to the ADA Coordinator or brought to the Bethlehem Town Hall (445 Delaware Ave, Delmar, NY) in person. The ADA Coordinator will follow-up with the complainant with a formal response of the department's findings. All complaints or requests will be kept on file, along with any response or action taken.

APPENDICES

Appendix A

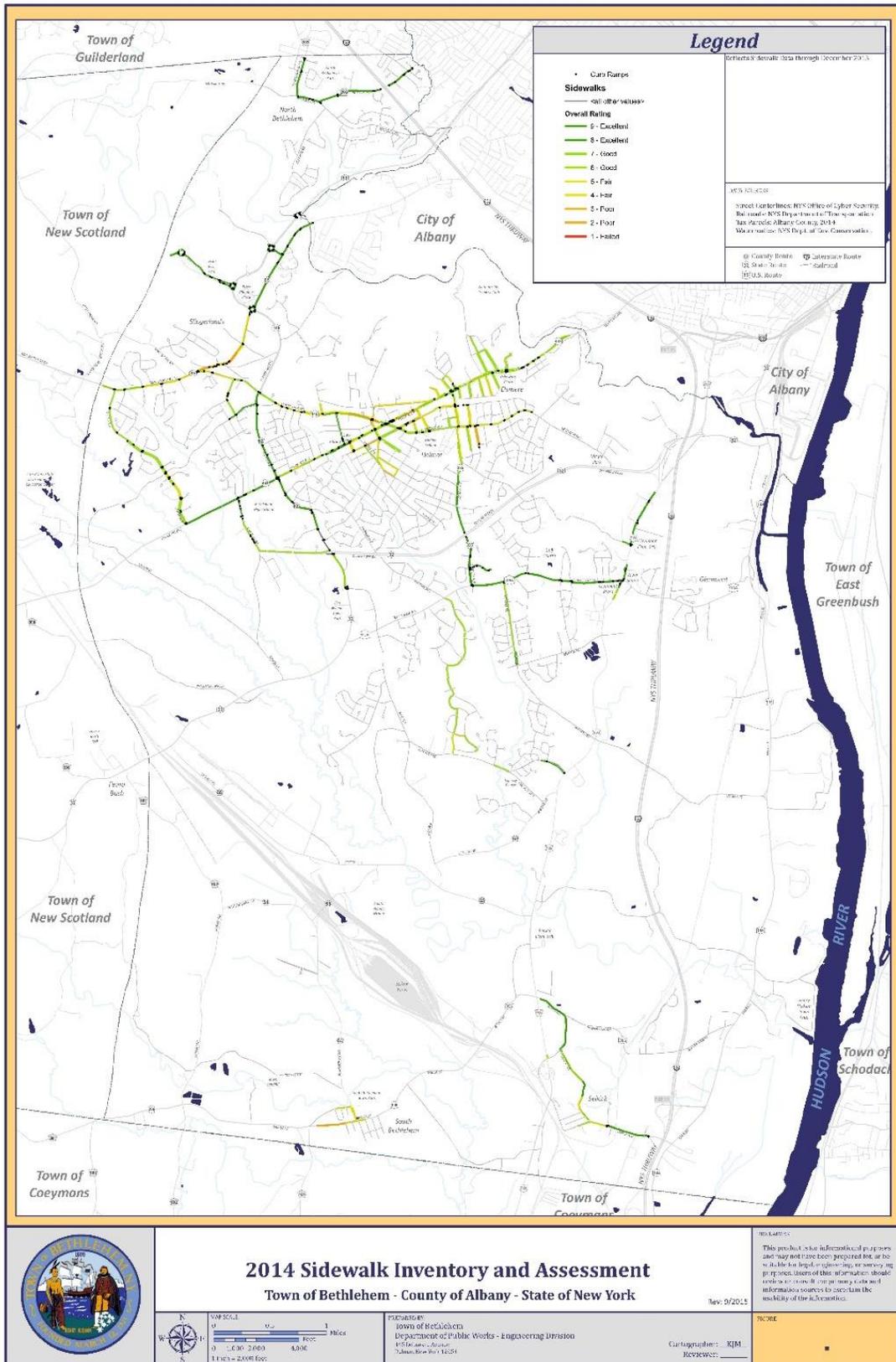
ADA Transition Plan Rating System - Sidewalks

Surface rating	Visible distress	Examples
9 Excellent	Pavement is new. Does not require maintenance	
8 Excellent	Less than 1/8" vertical edge; little or no depressed or raised areas, for cement concrete cracked squares (no more than 2 pieces), no spalling of concrete surface or raveling of bituminous surface, no horizontal separation, or debris/vegetation	
7 Good	Same as 6, but in slightly better condition. Needs routine maintenance – spot patch repairs/crack filling.	
6 Good	Vertical edge between 1/8" and 1/4"; 0-1" raised/depressed; no more 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	
5 Fair	Same as 4, but in slightly better condition. Needs preservative fractural sealcoat/joint grinding.	
4 Fair	Vertical edge between 1/4" and 1/2" 1-2" raised/depressed; no more than 4 cracked squares of cement concrete; 25-50% spalled concrete surface or raveled bituminous surface; less 1-1 1/2" of horizontal separation; 25-50% covered by debris/vegetation	
3 Poor	Same as 2, but in slightly better condition. Needs milling and/or structural overlay/patching or replacement of sections full width	
2 Poor	Significant aging. Vertical edge between 1/2" and 3/4"; 2-3" raised/depressed; no more than 5 cracked squares of cement concrete; 50-75% spalled concrete surface or bituminous surface; less 1 1/2-2" of horizontal separation; 50-75% covered by debris/vegetation	
1 Failed	Vertical edge between 3/4" and 1"; greater than 3" raised/depressed; more than 5 cracked squares of cement concrete; more than 75% spalled concrete surface or bituminous surface; more than 2" of horizontal separation; more than 75% covered by debris/vegetation	

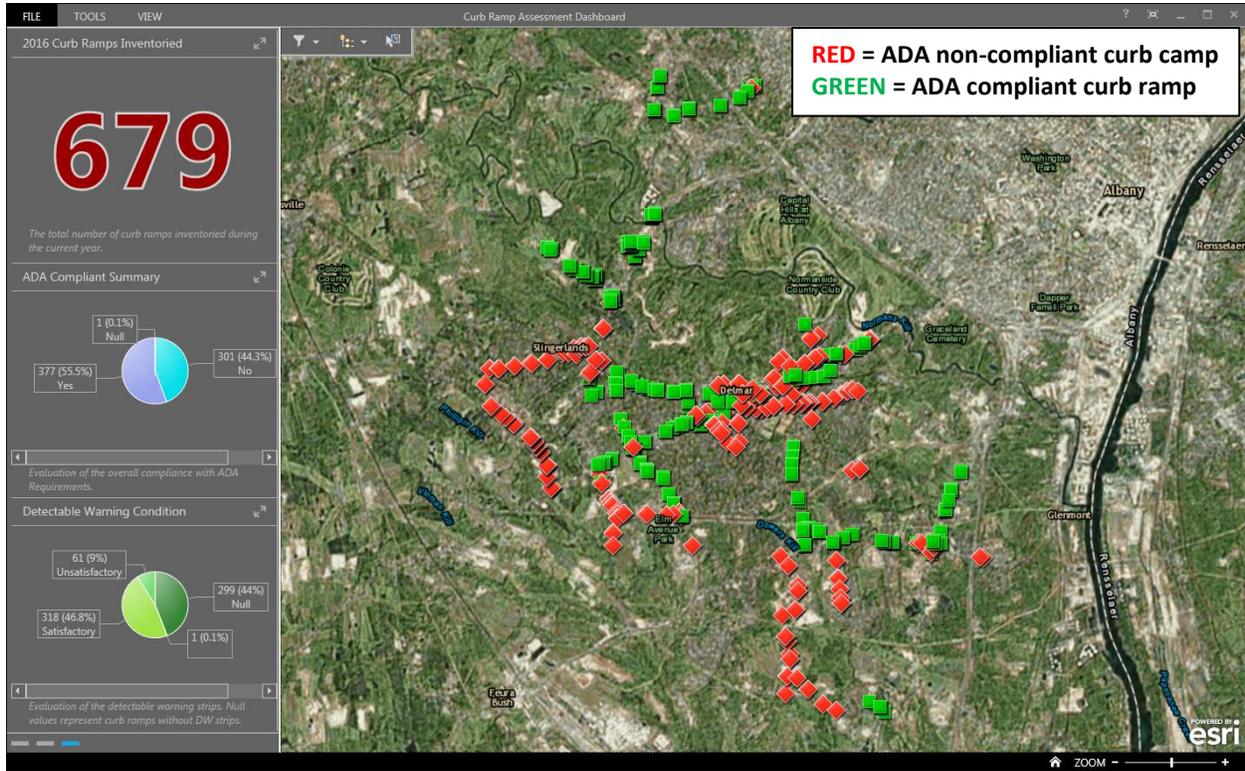
Appendix B

Maps of Rating of Sidewalks and Curb Ramps

Map #1. Map of all sidewalks with condition ratings



Map #2. Curb ramps in the north and central portions of town.



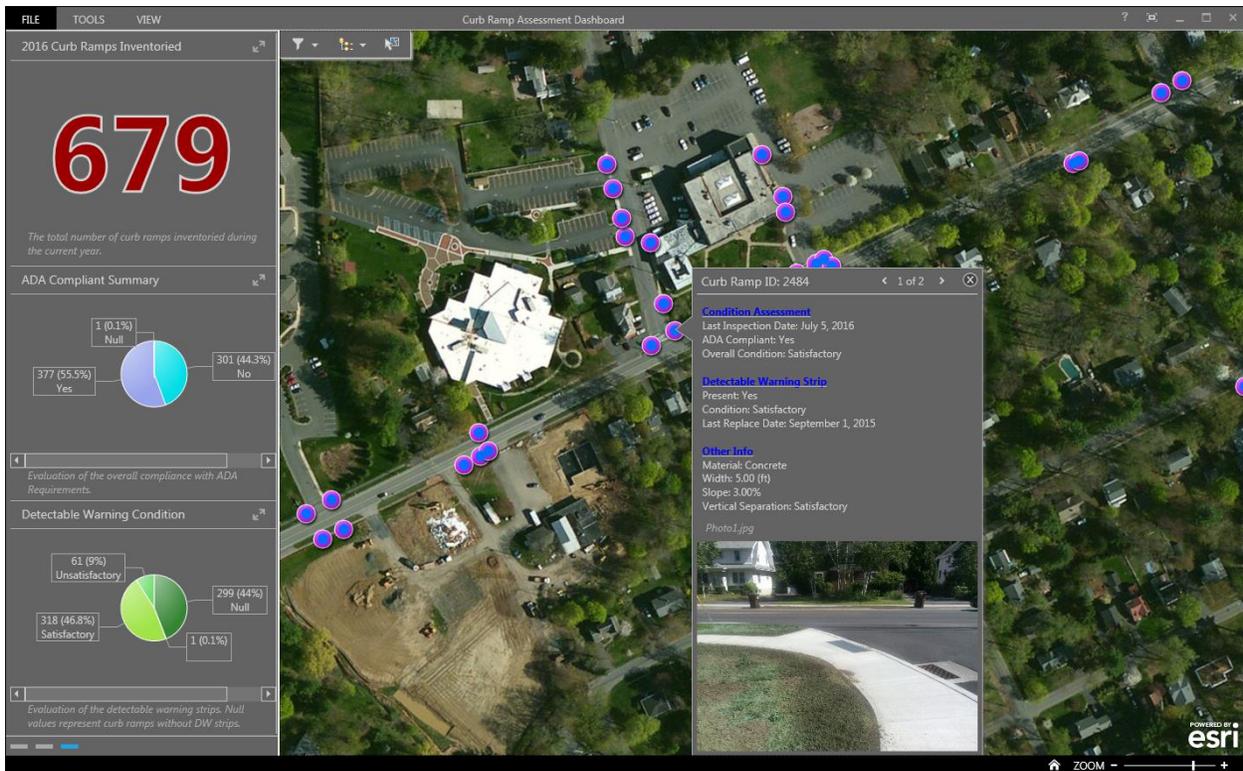
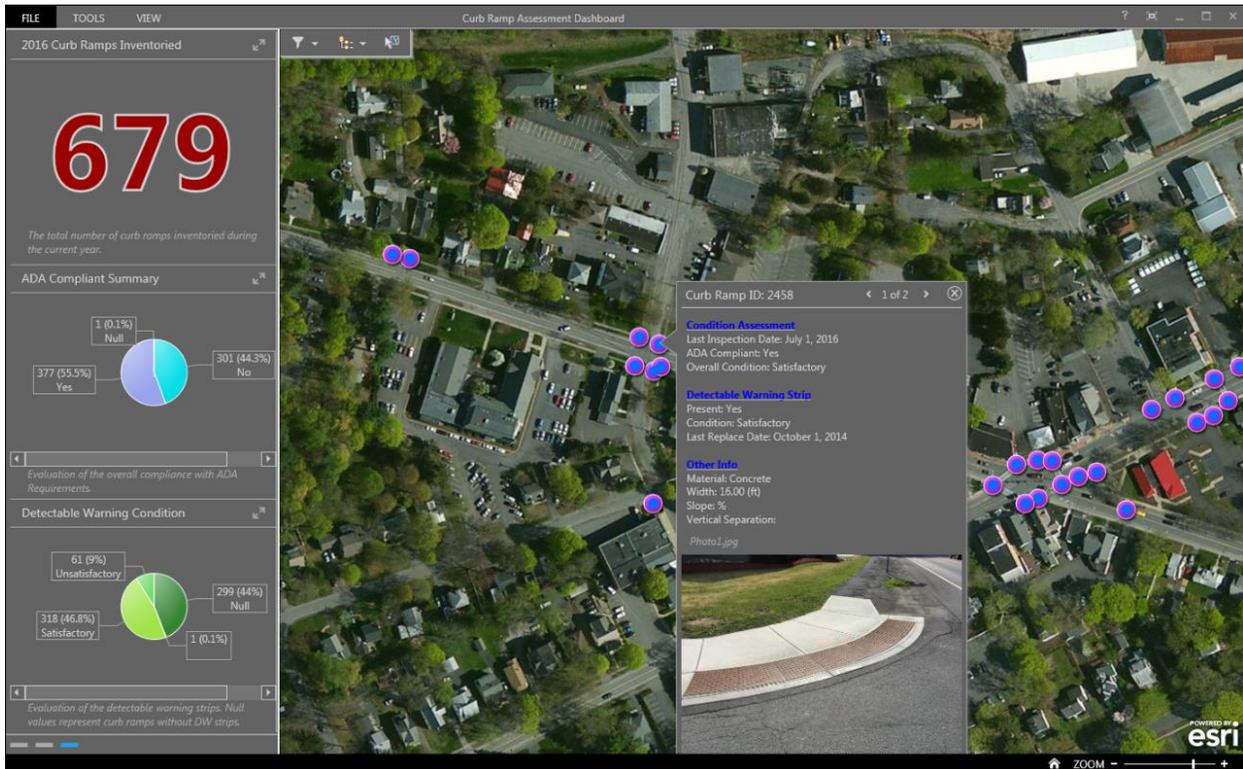
Appendix C

Sidewalk Ratings and Evaluation Notes for the Four Corners Area in Delmar



Appendix D

Example Curb Ramp Assessment Forms for Two Areas in Delmar



Appendix E: Public Complaint/Grievance Form
TOWN OF BETHLEHEM ADA GRIEVANCE FORM
FOR PEDESTRIAN FACILITIES WITHIN THE TOWN PUBLIC RIGHT-OF-WAY

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

Contact Information:

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Location and description of ADA grievance (please be as detailed as possible):

Suggested solution:

The Town of Bethlehem’s ADA Coordinator for pedestrian facilities within the Town public right-of-way is John Anastasi, Highway Superintendent. If you have a complaint under Title II of the ADA about pedestrian facilities you are encouraged to file your complaint with John Anastasi, Highway Superintendent:

John Anastasi, Highway Superintendent
Town of Bethlehem Highway Department
74 Elm Ave. East
Selkirk, NY 12158
518-439-4955 x1598
janastasi@townofbethlehem.org.

The Town follows the Complaint/Grievance procedure found in Section VI of the [Town’s Self Evaluation Plan For Compliance with the Americans with Disabilities Act](#).

For Office Use Only

Date of Response: _____ Action Taken: _____