

Town of Freetown

Part A – Executive Summary

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Introduction

The Institute for Human Centered Design (IHCD) has prepared this report on behalf of the Town of Freetown as part of the Town's ongoing effort to assess the current level of Americans with Disabilities Act (ADA) compliance in programs, services and activities and Town-owned facilities. The ADA is the most important single piece of civil rights legislation related to the equal treatment of people with disabilities.

In preparing for this report, an IHCD team surveyed the Town's portfolio of municipal buildings and outdoor areas that were included in the Request for Proposal and discussed with the Town. The facility survey set includes eight (8) Town-owned buildings, six (6) parks and beaches, and one (1) recreational space. Fire Stations 1 and 2 and the Old School House were removed from the list as no public programs are offered at these facilities. At each of the municipal buildings and outdoor areas, the accessibility survey includes all the spaces where the Town offers programs, services, and activities to members of the public. Municipal buildings and outdoor areas surveyed include the following:

Town-Owned Buildings

Town Hall
Council on Aging Building
Fire Station 3
Police Station
Hathaway Library
Old Police Station
Highway Barn
Transfer Station

Parks and Beaches

Town Beach
Bandstand
Hathaway Park
K.R. Rezendes Baseball Complex
Veterans Memorial Park

Recreational Spaces

Porter Pasture

Regarding the facility set, IHCD has submitted separate narrative reports for each building and each outdoor area that was surveyed. To assist in prioritizing accessibility improvements necessary to ensure compliance with Title II of the ADA, each of the narrative reports includes an overview that identifies the most substantial accessibility issues. Additionally, a detailed survey catalog that supplements the ADA Self-Evaluation narrative overview is also included. The survey catalog provides element-by-element photos of compliance issues, location information, and measurements (when applicable) at each assessed location accompanied by recommendations.

In addition, a set of spreadsheets detailing priorities for corrective action organized by survey location was provided to the Town. Once fully updated, these spreadsheets are a capital planning and budgeting resource – the “ADA Transition Plan” – and are intended as a long-term tool that should be updated as work is completed. The Town should make a good faith effort to complete the work in a reasonable time (IHCD recommends a three to five-year period). The ADA regulations do not set out precise timeframes to complete the work; IHCD bases the recommended timeframes on conversations with the Department of Justice (DOJ) and their Project Civic Access settlement agreements with municipalities. The ADA Transition Plan is a living document that requires regular updates to keep it current. As barriers are removed it is important to update the plan to reflect current barrier removal progress. IHCD also recommends notifying members of the Town as accessibility issues are resolved, such as by posting that information on the Town’s website so citizens of Freetown are aware of accessibility improvements.

Together, the ADA Self-Evaluation and ADA Transition Plan will enable the Town to make substantial progress in meeting its ADA responsibilities. The recommendations for corrective action that apply to policies, practices, and procedures of the Town as detailed in the ADA Self-Evaluation are not included in the ADA Transition Plan since the Transition Plan spreadsheet is limited to capital expense accessibility issues. Policy, practices, and procedure recommendations are a blueprint for meeting compliance responsibilities other than capital expenses.

With the *Part B – Evaluation of Nondiscriminatory Policies and Practices in Programs, Services and Activities* report, IHCD has provided a complete accessibility assessment of Freetown’s policies, practices, and procedures. The ADA administrative requirements help ensure that the needs of people with disabilities are addressed in all programs, services, and activities that the Town operates.

Most of the Town-owned facilities that have been recently altered or renovated are substantially accessible and meet the majority of the applicable architectural requirements. Continued facility alterations and/or renovations will significantly reduce barriers and help realize the Town's commitment to inclusion and equal rights. In the meantime, the greatest problems posed by existing barriers can be ameliorated by establishing policies and procedures to accommodate members of the community with disabilities. It is worth noting that the Town has taken several significant steps in this direction including:

- The Town of Freetown has hired a consultant (IHCD) to undertake its ADA self-evaluation (as the basis for the Town's Transition Plan).
- The Town of Freetown has a Notice of Nondiscrimination which is accessed from the home page.
- The Town of Freetown has met its obligation to designate a responsible employee by naming the Building Commissioner, Carl Bizarro, as the Town's ADA Coordinator.

IHCD's review and recommendations for Town-owned facilities is based on compliance with the 2010 ADA Standards for Accessible Design if an element or elements are not compliant with the 1991 ADA Standards and/or 521 CMR, the Regulations of the Massachusetts Architectural Access Board (MAAB). Best practice and inclusive design recommendations are also provided for most properties. Best practice and inclusive design recommendations include elements that are *not* required in the accessibility standards but may create enhanced experiences for all users.

Some key facilities are generally usable by people with disabilities but are not in full compliance with current accessibility requirements. Freetown Council on Aging/Senior Center, for instance, provides access to many programs and can be accessed by most people because the building features a largely accessible entrance and has accessible routes throughout most of the building. Yet there is no accessible route between the two (2) floors and some of the key areas, such as one (1) sign in screen, picnic areas, and toilet rooms that are not compliant. Additionally, an assistive listening system is not provided in the hall for night bingo and events.

The Freetown Police Station is another example of a facility that provides access to many programs. It has a largely accessible entrance and accessible parking spaces. Issues at this facility include lack of compliant egress signage, doors that require a greater amount of opening force than is allowed, and lack of an assistive listening system in the Community Room/Emergency Operations Center.

The Town may comply with the requirements of Title II of the ADA through means such as reassignment of programs or services to accessible buildings or delivery of services at alternate accessible sites. The Town may also comply with the requirements by renovation or alteration of existing facilities and/or construction of new facilities, or any other methods that result in making the Town's programs, services, or activities readily accessible to and usable by individuals with disabilities. Note that a public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with its ADA Title II obligations.

In choosing among available methods for meeting the requirements of the ADA, the Town of Freetown should give priority to those methods that offer programs, services, and activities to qualified individuals with disabilities in the most integrated setting appropriate.

In order to comply with ADA Title II program accessibility obligations, the Town of Freetown should consider:

1. Relocation of programs, services, and activities to an accessible location within a current facility.

Often the simplest solution is for the Town to use what it already has in place. IHCD strongly recommends the relocation of programs, services, and activities to accessible locations within current facilities when possible.

2. Relocation of programs, services, and activities to an accessible location in another facility.

When it is not possible to relocate them to an accessible location within the current facility, programs, services, and activities should be relocated to an accessible facility.

3. Renovation/alteration of existing Town facilities or the provision of new accessible facilities to ensure access to programs, services, and activities.

The Town may consider the renovation of its existing facilities or the provision of new accessible facilities to ensure that programs, services, and activities are offered in the most integrated setting appropriate.

Note that any corrective actions needed to ensure program accessibility must comply with the most current requirements of the ADA Standards and/or 521 CMR, the Regulations of the Massachusetts Architectural Access Board (MAAB) at the time when the corrective actions

take place.

Furthermore, when completing alterations/renovations, keep in mind that an alteration that decreases the accessibility of a building below the requirements for new construction at the time of the alteration is prohibited.

To determine which buildings must be made accessible, the Town should consider:

- How to provide the program in the most integrated setting appropriate;
- The locations where the activities are offered;
- Which facilities are accessible and to what extent.

Key Recommendations for Municipal Buildings:

- Ensure there is an accessible route from all site arrival points to areas in the building where public programs, services, and activities are provided. For example, Freetown Town Hall and the Council on Aging/Senior Center lack an accessible means of vertical circulation between each floor.
- If parking is provided, ensure fully accessible parking spaces are provided in the correct manner, number and location. At Freetown Fire Station Number 3, there is a lack of a compliant van accessible parking space.
- Ensure that fully accessible toilet rooms are provided in each building that has a toilet room or toilet rooms available for use by members of the public. Where it is technically infeasible to provide accessible multi-user toilet rooms, provide an accessible single-user toilet room usable by all genders in the same area as the existing multi-user toilet rooms. The Transfer Station lacks an accessible single-user toilet room. Multi-user men's and women's toilet rooms in Freetown Town Hall lack compliant accessible toilet compartments and lack knee and toe clearance at one (1) lavatory in each toilet room.
- Ensure that where programs, services, or activities are offered that there is a sufficient number of accessible features (accessible counters, accessible work surfaces, etc.). For example, nine (9) service counters in Freetown Town Hall are located higher than allowed.

Note: Particular attention should be given to facilities where key services are being offered to many members of the community like the Freetown Town Hall or Hathaway Library.

- Ensure that accurate designation signs with raised characters and braille are provided at all permanent rooms and spaces. In Freetown Town Hall, many locations lack designation signs with raised characters and braille. Ensure that maintenance staff are aware that designation and egress signs containing tactile characters should be located so that a clear floor space of 18" min. by 18" min. centered on the tactile characters, is provided beyond the arc of any door swing between the closed position and 45-degree open position. No items should be stored or mounted under or above these signs.
- If audible communication is integral to the use of a space, a compliant assistive listening system should be provided. An assistive listening system is not provided in the Community Room/Emergency Operations Center at the Freetown Police Station.
- Ensure that those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities are maintained in operable working condition (e.g., elevators or automatic door openers, assistive listening systems). For instance, the automatic door opener at the main entrance to the Freetown Police Station was not operable.
- Ensure that door opening pressure is monitored at all facilities and kept in compliance at all doors by maintenance staff every six (6) months. Ensure that maintenance staff is aware that the maneuvering clearance at doors should be kept clear at all times.

Key Recommendations for Outdoor Areas:

- Ensure there is an accessible route to all elements in the parks/outdoor areas (baseball fields, basketball courts, playgrounds, picnic areas, memorials, etc.). At the Freetown Service Memorial Park, there is lack of an exterior route to six (6) memorials. At K.R. Rezendes Baseball Complex, there are no accessible route to sports fields, team seating areas, a batting cage, and sideline seating areas. At the Freetown Bandstand, there is lack of an accessible route to the gazebo and bike racks.
- Ensure that accessible routes are provided to and around playgrounds; in addition, ensure that an impact-attenuating accessible route is provided in the play area to each unique play component. At the playground at Central Park, there is lack of an accessible route to and around the playground and lack of a compliant impact-attenuating surface under and around the play components.

Note that the Massachusetts Architectural Access Board (MAAB) does not consider

engineered wood fiber (EWF) to comply with its regulation requiring an accessible route to and around playground equipment.

- Provide an accessible route to at least one (1) bench in each distinct area of each park where benches are provided, such as at Hathaway Park and Freetown Bandstand.
- Ensure that at least one (1) picnic table, grill, and trash container in each area of a park (where these amenities are provided) is accessible and is located on an accessible route. Central Park lacks accessible picnic tables.