

Appendix B: ADA Access Self-Evaluation

Part 1: Administrative Requirements

1. Designation of ADA Coordinator - *Attached*
2. Grievance Procedure - *Attached*
3. Town's Employment Practices - *Attached*

Part 2: Program Accessibility

Facility Inventory

The following facility inventory was completed in 2009 for areas under the jurisdiction of the Recreation Department, Conservation Commission and the Weymouth Braintree Regional Recreation Conservation District.

The facility inventory revealed that the vast majority of town owned open space lacks designated accessible parking and pathways. Most of the parks are grass surface with no pathway.

Pond Meadow Park

The public can access the park by either foot or vehicle. The parking lot has several accessible spaces. A person with disabilities can access the paved trails easily from the parking lot. The trails and paths are paved with asphalt, except in a few areas where the trails are packed gravel and dirt. The picnic area has one table accessible by wheelchair.

Adams St. Park

Public access to the park is available through narrow fence openings or through a larger entrance located on residential streets. There is no designated parking; road shoulder parking is used. There is no hard surface path connecting the entrance of the park with the structures of the park. The playground equipment does not include opportunities for children with disabilities.

Hollis Playground

Hollis Playground was opened in 2006 and includes accessible swings and gliders . There are two accessible parking spaces close to the playground entrance and a stable pathway.

Hollingsworth Playground

The Hollingsworth Playground is being planned at the time of writing. The Challenger Baseball League plays at this park, making it especially important. A ramp from the parking lot to the playground will be incorporated, artificial turf will be used to create a wheelchair accessible surface and most of the play equipment will be accessible.

Dyer Hill Playground

Road shoulder parking is available. A level, packed gravel path leads to the play equipment, which is also on packed gravel. There is room between the play structures for easy movement and access. The picnic tables are located in the grass and do not have a hard surface path leading up to them.

Penniman Park

There is accessible parking located in front of the park and playground area. There is not a hard surface path leading up to the structures of the playground and access is through narrow openings in a wooden railing.

Sunset Lake

Designated handicapped parking is available in the beach parking lot. The recently constructed gazebo is handicapped accessible, with a ramp and handrail leading up into the gazebo. There is a sidewalk leading to the picnic area. The bathrooms are accessible.

Watson Park

The parking lot provides designated, accessible parking spaces. The public can access the park by entering narrow openings in the fence which are not wide enough for a wheelchair to enter. Inside the park there are no hard surfaces for access to the playing fields and bleachers. There is a path accessing the picnic areas of the park.

Conservation Land

The Town's three main areas of conservation land have very limited parking and no designated accessible spots. Terrain is unimproved and uneven dirt trails however there are no barriers to the use of power driven mobility devices should someone wish to access the trails in that manner.

Summary & Recommendations

Parks and Playgrounds

Pond Meadow Park and Sunset Lake provide accessible parking and surfaces. Hollis Playground and Hollingsworth Playground provide for accessible playground experience. As other playgrounds are upgraded over the next several years, efforts to make these playgrounds accessible will be incorporated. Providing accessible parking will be particularly important as most parks currently lack this.

Trail & Forest Areas

Cranberry Pond, Cochato River, Eaton's Pond and Town Forest have unsurfaced trail networks with varying degrees of signage and mapping. These areas have, if any, very limited and unimproved parking. However, accessible nature trails are provided at Pond Meadow Park and parking is accessible.

One of the goals of this plan is to provide better parking opportunities at trailheads. Every effort to incorporate ADA compliant parking spaces will be made over the course of the plan implementation.



Office of the Mayor

One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

September 11, 2014

Melissa Cryan
Grants Manager
Executive Office of Energy and Environmental Affairs
100 Cambridge St., Suite 900
Boston, MA 02114

RE: ADA Coordinator

Dear Ms. Cryan:

Please be advised that Russell Forsberg, Building Inspector is the Town's designated ADA coordinator. His office is located at 1 JFK Memorial Drive, Braintree.

If you need additional information, please do not hesitate to contact either Mr. Forsberg at 781 794-8073, or the Mayor's office at 789 794-8026.

Sincerely,

Joseph C. Sullivan
Mayor



Joseph C. Sullivan
Mayor

Department of Municipal Licenses and Inspections

Mary E. McGrath, R.S., Director

1 JFK Memorial Drive – Braintree, Massachusetts 02184

Building Division Telephone: 781-794-8070

Fax: 781-794-8022

Health Division Telephone: 781-794-8090

Fax: 781-794-8098

TOWN OF BRAINTREE ACCESSIBILITY COMPLAINT PROCEDURE

Authority Having Jurisdiction:

As part of the State Building Code, 521 CMR (Architectural Access Code) is interpreted and enforced by the Inspector of Buildings and or their designee. Appeals of the decision of the Inspector of Buildings regarding interpretation and enforcement of 521 CMR, may be made to the Commonwealth of Massachusetts, Architectural Access Board, One Ashburton Place, 13th Floor, Boston, MA. 02201 in accordance with the provisions of Chapter 4, "Appeal and Variances" by any person aggrieved by such action.

Nature of Violation:

Violations of 521 CMR (Architectural Access Code) can include physical limitation of access to a "Public" building, which is one in which the general public has regular access to. It may also include preclusion from a portion of a public building for purposes of purchasing or receiving goods, services or amenities generally available to the public. Additionally, violations of outdoor spaces such as accessible routes, off street parking and outdoor places of amusement and assembly may also be made. Please note that 521 CMR does not cover employee rights as this is covered under the American's with Disabilities Act (ADA) interpreted and enforced by the United States Department of Justice.

Procedure for Filing a Complaint:

When a violation of 521 CMR is believed to exist, that person(s) alleging such a violation shall reduce their complaint to writing and send by either mail to: **Russell Forsberg, Inspector of Buildings, 1 J.F.K. Memorial Drive, Braintree, MA. 02184** or by email to: rforsberg@braintreema.gov.

The complaint shall include:

- Specific violation believed to exist
- Date such violation was noted
- Property address (Street name & number)
- Contact information of person(s) making complaint including name, phone number, mailing address and email address if available.

Response to Complaint:

Initial investigation will begin within seven (7) days from the date of receipt of the complaint. The person(s) making the complaint will be contact by either, phone, mail or email depending on contact information provided as to the initial findings of the Department. If a violation is found to exist the department will verbally direct those in violation to take immediate corrective action. This direction will be followed up with a written notice. As with enforcement of any violation the length of time it takes to correct will depend on the nature of the violation, cooperation of those found to be in violation and if court action is required.



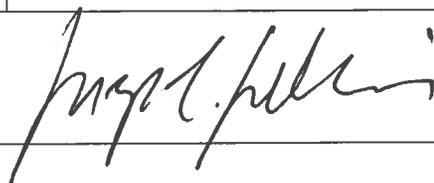
TOWN OF BRAINTREE
 PERSONNEL POLICY & PROCEDURES
EQUAL EMPLOYMENT OPPORTUNITY
AFFIRMATIVE ACTION PLAN

POLICY	The Town of Braintree's policy is to ensure equal employment opportunity for all without regard to race, sex, color, religion, age, national origin, sexual orientation, genetic information, gender identity, veteran's status, disability (where it does not fundamentally alter the job, program, or activity) or on the basis of other non-job related characteristics. In establishing the affirmative action plan, the Town of Braintree has committed to the Massachusetts Commission Against Discrimination goal setting procedure to correct deficiencies over a reasonable period of time.
SCOPE	This policy and procedure is applicable to all Town of Braintree employees and employment applicants.
DEFINITIONS	<p>The Town of Braintree is committed to complying with all applicable Federal and State legislation, executive orders and rules and regulations including the following:</p> <ol style="list-style-type: none"> 1. Title II of the Civil Rights Act of 1964 (42 USC s2000e <u>et seq</u>), which prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin; and 2. The Age Discrimination in Employment Act of 1967 (29 USC s621 <u>et seq.</u>), which prohibits discrimination in employment on the basis of age with regard to those individuals who are at least 40 years of age, but less than 65 years of age; and 3. Section 504 of the Rehabilitation Act of 1973 (29 USC s794), and the regulations promulgated pursuant thereto (45 CFR Part 84), which prohibit discrimination against qualified handicapped individuals on the basis of handicap and requires employers to make reasonable accommodations to known physical or mental limitations of otherwise qualified handicapped applications and employees; and 4. M.G.L. c. 151B s4 (1), as amended by Chapter 533, 1983, which prohibits discrimination in employment on the basis of race, color, sex, religious creed, national origin, ancestry, age or handicap,

	<p>In addition, the Provider agrees to be familiar with and abide by:</p> <ul style="list-style-type: none">• Massachusetts Executive Order 524• Massachusetts Executive Order 526• Equal Pay Act of 1963• Massachusetts Architectural Barriers Board Act• Federal Executive Orders 11246 and 11375 as amended. <p>All employees, unions, sub contractors and vendors must make genuine consistent efforts:</p> <ol style="list-style-type: none">1. To ensure equal employment opportunities for present and future employees, and2. To implement affirmative action, as legally required, to remedy the effects of past employment discrimination and social inequalities. <p>This policy prohibits that any employee, or applicant, be subjected to coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under this program. No portion of this <u>Equal Employment Opportunity/Affirmative Action Policy</u> shall be construed as conflicting with any existing or future judicial or legislative mandate where a constriction consistent with that mandate is reasonable.</p> <p>This policy applies to all employment related functions, including but not limited to recruiting, hiring, training, compensation, promotion, benefits, transfers, layoffs, return from layoffs, and social/recreational programs.</p>
<p>PROCEDURE</p>	<p>The Human Resources Department is responsible for the preparation of a written Equal Employment Opportunity/Affirmative Action Program and for the coordination of efforts to implement this program. Such efforts include:</p> <ul style="list-style-type: none">• Recruitment: all advertisements and job postings will identify the Town as an "Equal Opportunity Employer." Efforts will be made to include help wanted advertisements that serve minority populations and females.• Promotions and Demotion: The Town will work toward providing qualified minorities, persons with disabilities, veterans and females the opportunity for promotion.• Layoffs and terminations: Reduction of force, when necessary, shall be done with an objective criterion and without unlawful discrimination. Layoffs will be conducted according to seniority within the various Town Unions. Bumping rights will apply.

	<ul style="list-style-type: none">• Compensation and Benefits: The town will pay all personnel fairly according to their job classification. Merit increases will be granted according to the individual Union contracts to qualifying employees where a performance evaluation was conducted, in writing.• Facilities and activities: shall be accessible to the disabled to the fullest extent possible and shall be offered on a non-segregated, non discriminatory basis. Reasonable accommodation will be provided.
--	---

Approved:



Date:

12/19/12