

Warren County Board of Supervisors

RESOLUTION NO. 486 OF 2024

RESOLUTION INTRODUCED BY SUPERVISORS WILD, DRISCOLL, MERLINO, MADAY, BEAN, ETU AND THOMAS

ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN FOR WARREN COUNTY

WHEREAS, the County Attorney presented to the Personnel, Administration & Higher Education Committee an Americans with Disabilities Act (ADA) Transition Plan for Warren County, and

WHEREAS, the Personnel, Administration & Higher Education Committee reviewed the Plan and recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Americans with Disabilities Act (ADA) Transition Plan for Warren County, annexed hereto as Schedule “A,” be and the same is hereby adopted as the official plan for Warren County, and be it further

RESOLVED, that any and all prior Americans with Disabilities Act (ADA) Plans or Policies, Resolutions or parts thereof inconsistent with the annexed Americans with Disabilities Act (ADA) Transition Plan for Warren County are hereby repealed effective December 20, 2024.

**AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN
FOR WARREN COUNTY**

I. INTRODUCTION

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.

As detailed below, Warren County has made a significant and long-term commitment to improving the accessibility of its public facilities. The purpose of this Plan is to ensure that Warren County identifies prohibited structural barriers to its public facilities, and, where structurally feasible, schedules and implements ADA-required improvements in order to remove those barriers.

II. ADA TRANSITION PLAN

This ADA Transition Plan for Warren County reflects the Warren County Board of Supervisors' long-term commitment to ADA compliance and details the stages of County planning and the associated timeline for: (1) evaluating accessibility by identifying any structural barriers associated with public facilities; (2) identifying accommodations and/or modifications that can be provided to make programs and services accessible; and (3) prioritizing the remediation of any deficiencies and formulating a budget and schedule for those improvements.

The ADA Transition Plan for Warren County (hereafter, "the Plan") will be revised and updated as each of the steps for the Plan are completed. The Warren County Risk and Safety Committee is authorized to approve future revisions and updates to the Plan as deemed appropriate by a majority vote of the committee members.

III. THREE STEPS FOR ADA TRANSITION PLAN

The ADA requires that a Transition Plan include each of the following components:

1. Identification of physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
2. Identification of the methods to be used to remove any barriers limiting accessibility; and
3. A schedule for completion of the necessary steps to achieve accessibility in public facilities.

STEP 1: IDENTIFICATION OF PHYSICAL BARRIERS IN WARREN COUNTY'S FACILITIES

The first phase of the ADA Transition Plan is to evaluate Warren County's public facilities for accessibility. The department head or their designee from the Department of Public Works, Planning Department and the County Attorney's Office, as well as the co-chairs for the Warren County Risk and Safety Committee, will coordinate their experience and their resources to conduct accessibility evaluations of the following types of facilities:

- Sidewalks, crosswalks, and curb ramps;

- Publicly accessible buildings;
- Parking lots serving publicly accessible buildings.

For each facility evaluated, a Survey of Warren County Public Facilities (“the Survey”) will be completed. Any deficiencies, suggested improvements, and observations relating to structural feasibility of improvements will be noted and recorded on the Survey. Any Inventory of Public Facilities (“the Inventory”) will also be created, and will serve as the central database for identified structural barriers, suggested improvements, and comments relating to structural feasibility of improvements.

1. Evaluation of Sidewalks, Crosswalks, and Curb Ramps

The Survey will contain the following ratings to assess the condition of each Warren County sidewalk, crosswalk, and curb ramp:

Rating 1 - Not Applicable: A facility not considered to require accessibility, for example, limited-access highways.

Rating 2 - Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.

Rating 3 - Partially Accessible: Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.

Rating 4 - Accessible: May need additional improvements, for example circuitous routes, insufficient width, etc.

Rating 5 - Fully Accessible: Designed to current standards, but reasonable accommodations may still be required for individual cases.

2. Evaluation of Parking Lots and Publicly Accessible Buildings

For the evaluation of publicly accessible buildings and the parking lots serving those buildings, the Survey will incorporate relevant portions of the ADA Checklist for Existing Facilities (based on the 2010 ADA Standards for Accessible Design), produced by the Institute for Human Centered Design.

3. Schedule for Completion of Step 1

Warren County department head or their designee from the Department of Public Works, Planning Department and County Attorney’s office, as well as the co-chairs for the Warren County Risk and Safety Committee shall coordinate over the next several months to evaluate public buildings, parking lots, sidewalks, crosswalks, and curb ramps. Numerous facilities will be subject to this evaluation, and consequently this will be a substantial undertaking for the reviewing officials. The evaluations will be scheduled so as to evaluate outdoor facilities prior to the winter months (to avoid snow cover that may impede a thorough review), with any remaining evaluations of outdoor facilities to be completed within a five (5) year compliance period. Evaluations of indoor facilities will continue during the winter months. Therefore, it is estimated that Step 1 shall be completed by December 30, 2025.

STEP 2: IDENTIFICATION OF METHODS TO REMOVE BARRIERS

The second phase of the Plan is to develop a method to remove barriers. This includes identification of the nature of needed improvements and a determination regarding structural feasibility of improvements under the ADA standards, and prioritization of necessary improvements.

Once the necessary improvements have been identified and prioritized, this information, along with a list of any improvements determined to be physically unfeasible, will be presented at a public meeting of the Warren County's Risk and Safety Committee for approval and public notice of the dates and agendas for any such meeting shall be posted on Warren County's website. This will provide the general public with an opportunity to participate in the formulation of the Plan.

1. Nature of Improvements and Structural Feasibility

The nature of necessary improvements will be determined during Step 1 - the accessibility evaluation of Warren County facilities - and will be incorporated into the Plan after completion of Step 1. Any improvements that Warren County officials determine are not structurally feasible, based on ADA regulations, will also be incorporated into the Plan.

2. Priority of Improvements

A. Sidewalks; Crosswalks; Curb Ramps:

With respect to sidewalks, crosswalks and curb ramps, the primary focus of the Plan is to address all ADA noncompliant facilities, defined as those locations that have a rating of "2" and "3" on the scale discussed above. The priority of improvements to these facilities will be as follows:

- i. Those serving publicly accessible Warren County facilities;
- ii. Those serving commercial and employment centers; and
- iii. Those serving other areas.

B. Parking lots and Publicly Accessible Buildings:

The priority of improvements to parking lots and publicly accessible spaces in Warren County buildings will be based on the severity of the accessibility barrier and the frequency of public presence at the facility. Notably, the general assessment of the Warren County Building and Code Enforcement Officer is that Warren County facilities where public meetings take place are in substantial compliance with the ADA. All new construction or renovations to existing facilities have complied with ADA standards. As such, Warren County does not expect that its publicly accessible buildings and parking lots will require major structural improvements.

STEP 3. SCHEDULE FOR COMPLETION OF NECESSARY IMPROVEMENTS

Once the Inventory of Public Facilities has been completed and approved by the Risk and Safety Committee, and necessary improvements have been prioritized as provided above, Warren County will formulate an estimated budget for the improvements. The schedule for improvements will depend heavily upon the number and severity of the deficiencies identified during the accessibility evaluation and the costs associated with the improvements. Warren County however, reiterates its commitment to making its public facilities accessible to all persons, regardless of disability. The Plan will outline a specific schedule for improvements

after Completion of Step 2, and this schedule will reflect Warren County's commitment to ADA compliance.

IV. ASSIGNMENT OF WARREN COUNTY ADA COORDINATOR

The Warren County ADA Coordinator shall be the Warren County Attorney:

Lawrence Elmen, Esq.
ADA Coordinator
Warren County Attorney's Office
Warren County Municipal Center
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