

# Village of Lyons

76 William Street, Lyons, NY 14489

Phone: 315-946-4531, Fax 315-946-6206

Website: [www.lyonsny.com](http://www.lyonsny.com)

**August 15, 2013**

## Americans with Disabilities Act Transition Plan: Pedestrian Facilities in the Public Right-of-Way



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## INTRODUCTION

The purpose of this plan is to ensure that the Village of Lyons creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. The Village of Lyons has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The Transition Plan identifies physical barriers and prioritizes improvements that should be made throughout the Village of Lyons. This Transition Plan describes the existing policies and programs to enhance the overall pedestrian accessibility.

## LEGAL REQUIREMENTS

The federal legislation known as the American with Disabilities Act (ADA), enacted on July 26, 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

Title II specifically applies to “public entities” (state and local governments) and the programs, services, and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The plan shall, at a minimum includes:

1. A list of the physical barriers 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 these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan’s implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets and sidewalks. Before a transition plan can be developed, an inventory of the current curb ramps and sidewalks must be developed.

## OBSTACLES TO THE PUBLIC RIGHT-OF-WAY

The Village of Lyons has identified and assessed obstacles in the public right of way through the use of an Inventory Tool.

In order to remove these identified barriers to accessibility, the Village of Lyons utilizes many different approaches in removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public complaints, and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.

## BARRIER REMOVAL PRIORITIES

The Village of Lyons bases barrier removal priorities on two factors: location and the accessibility condition of the intersection.

### Location Priority

The Village has identified its location priority as follows:

1. Intersections serving government facilities,
2. Intersections serving commercial and employment centers, and
3. Intersections serving other areas.

### Accessibility Condition

Using the data collected from the Inventory Tool, an accessibility condition can be determined.

### Priority Rank

In order to determine the overall priority of an intersection, the following matrix was used.

	Location Priority		
	1	2	3
Access Condition	Locations serving Government Facilities	Locations serving Commercial & Employment Centers	Locations serving Other Areas
Red	1	2	3
Yellow	1	2	3
Green	1	2	3

The priority of improvements is based on identifying which of the intersections based on are high, medium, or low priority location and amount of barriers for removal found (red, yellow, and green).

## PUBLIC COMPLAINT PROCESS

The public complaint process is an integral part of the Transition Plan. Public complaints or requests may often drive the prioritization of improvements. To file a complaint or a request regarding accessibility of a sidewalk or curb ramp, contact the ADA Coordinator in writing and describe the issue in detail, including the location. The ADA Coordinator will route this information to the appropriate village department for inspection and possible action. That department will then respond to the ADA Coordinator with its findings, and the ADA Coordinator will record the formal response and reply to the complainant/requestor. All complaints or requests will be kept on file and will include the response. Attachment B is a copy of the Village of Lyons' public Grievance Procedure for Pedestrian Facilities in the Public Right-of-Way.

## NEW CONSTRUCTION & ALTERATIONS

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations, the Village of Lyons follows NYSDOT design specifications (see Attachment A). Whenever there is an intersection improvement project or new construction project, any affected curb ramps, sidewalks, and crosswalks will be rebuilt to these ADA design guidelines, where feasible and reasonable.

## SCHEDULE

As opportunity allows, the Village of Lyons will make efforts to improve the ADA Accessibility of pedestrian facilities in the public right-of-way. At this time, the Village of Lyons has allocated \$3,000 annually for sidewalk improvements. There is a five year plan for streets to be scheduled for ADA compliance. Queen Street, Jackson Street, Catherine Street, Shuler Street, Franklin Street, Elmer Street, Maple Street. Note that this schedule is flexible, as changes may occur such as additional funding, storms, improvements due to power and electric companies, etc. There will be times when it is technically infeasible to provide technical compliance: for example, if clear space at the top of the ramp is obstructed by a building or the slope of a hill is so extreme as to prevent a reasonable slope for a ramp in both directions. The inventory process may not account for such situations and could show a high-priority rating when all feasible actions have been taken.

Additionally, given a program as broad and comprehensive as the Village's pedestrian network, the Village will follow the concept of Program Access under Title II of the ADA. Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. Under this concept, the Village may choose not to install a sidewalk at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available even without the sidewalk.

## Responsible Individual

The official responsible for the implementation of the Village of Lyons' ADA Transition Plan for the pedestrian facilities in the public right-of-way is:

Dennis Alvaro  
ADA Coordinator  
Phone Number: 315-946-4531  
Fax Number 315-946-6206

## PUBLIC INPUT

The Village of Lyons provided opportunities for individuals to comment on this Transition Plan, which included:

- Document copies available and notices sent to local public libraries
- Document made available on the village's website
- Open house and presentation at a public meeting the second Tuesday of each month and is scheduled for September 10, 2013

The Village of Lyons published legal notices in the major newspaper(s), Times of Wayne starting on April 14, 2013. The legal notices announced the availability of the Transition Plan draft at the Village Hall with easy public access. Hardcopies of the finalized plan will be available at the Village Hall and the Lyons Public Library. These notices also provided instructions regarding the timetable for comments and where to send them. Public comments were accepted for a period of no less than 30 days, and still being accepted today. Public comment form is available on Attachment C.

Formal adoption of the Transition Plan will take place on September 10, 2013. It will be available on the web and by written formal request to the ADA Coordinator.

# ATTACHMENTS

**A - Current List of Barriers for Removal in Priority Schedule Order**

**B- ADA Complaints Procedure**

**C- Public Comment and Response Form**

**D – ADA Policy Statement**

Attachment A - Current List of Barriers for Removal in Priority Schedule Order

8/15/2013

1 - Government Facility

2 - Commercial & Employment

3 - Other Area

GREEN - Compliant

YELLOW - Some Barriers

RED - Many Deficiencies

LOCATION	STREET ADDRESS	CURB CUT	NO CURB CUT	SIDEWALK
3	Phelps (Route 14) & Culver	Curb cuts, ADA inserts		
3	Phelps (Route 14) & Foster	Curb cuts, ADA inserts		
3	Phelps (Route 14) & Sisson	Curb cuts, ADA inserts		
3	Phelps (Route 14) & Jackson	Curb cuts, ADA inserts		
3	Phelps (Route 14) & Ditton	Curb cuts, ADA inserts		
3	Phelps (Route 14) & Holley	Curb cuts, ADA inserts		
3	Phelps (Route 14) & Lawrence	Curb cuts, ADA inserts		
3	Catherine & Lawrence	Curb cuts		
3	Spencer & Canal	Curb cuts		
3	Spencer & Lawrence	South side done	No Curb cuts	
3	Canal & Holley	2 ADA inserts		
3	Canal & Manhattan			No sidewalks on Manhattan
3	Summit & Hill			No sidewalks
3	Canal & Moran	Curb cuts		No sidewalks on Moran
3	Lawrence & Geneva (Route 14)	Curb cuts on East side	No curb cuts on West side	
2	Geneva (Route 14) & Canal	Curb cuts, 8 ADA inserts		
2	Geneva (Route 14) & Montezuma	Curb cuts, 4 ADA inserts		
2	Geneva (Route 14) & Clyde Rd.	Curb cuts, 4 ADA inserts		
2	Geneva (Route 14) & Water	Curb cuts, 4 ADA inserts		
3	Paliotti Parkway			No sidewalks
3	South Geneva Street			No sidewalks
2	Baltzel & Shuler		No curb cuts	No sidewalks on Baltzel
3	Elmer Street			No sidewalk on South side
2	Forgham (Rt. 31) & Geneva (Rt. 14)	Curb cuts, NYS		Sidewalk on North side
2	Forgham (Rt. 31) & Leach	NYS	No curb cuts	
1	Leach & Water	Curb cuts, ADA inserts		
3	Water & Layton		No curb cuts	No sidewalk East side, 28 Layton to Vlg. Line
1	Water & Congress	Curb cuts		No sidewalk West side, 101 Layton to Vlg. Line

Attachment A - Current List of Barriers for Removal in Priority Schedule Order

1	Water & William	Curb cuts, ADA inserts		
1	William & Pearl	Curb cuts, ADA inserts		
2	William & Montezuma	Curb cuts, ADA inserts		
2	William & Church	Curb cuts, ADA inserts		
2	William & Canal	Curb cuts, ADA inserts		
2	William & Lawrence	Curb cuts		
1	William & Queen	Curb cuts, ADA inserts		
3	William & Broad	Curb cuts		
3	Hilcrest			No sidewalks
3	Sunset & Locust			No sidewalks
3	Dickerson		No curb cuts required	Sidewalk on East side
3	Butternut		No curb cuts	Sidewalk on East side: no sidewalk on West side
3	Montezuma & Scott		No curb cuts	No sidewalk on Scott
3	Montezuma & Clyde Rd.			No sidewalks
2	Clyde Rd.			No sidewalk - south side
3	Dunn Rd.			No sidewalks- north & south side

3	Maple & Jackson	Curb cuts		
2	Phelps (Rt. 14) & Canal	Curb cut NW corner	No curb cut NE corner	
3	Catherine & Canal		No curb cut	
3	Catherine & Holley		No curb cut	
3	Catherine & Jackson	1 NE corner, ADA inserts	No curb cut	
3	Catherine & Ditton	Curb cut SW corner	No curb cut NW corner	
3	Catherine & Lawrence	Curb cuts		
3	Spencer & Holley	Curb cuts SE & SW corner	No curb cuts NE & NW corner	
3	Spencer & Jackson	Curb cuts NE & NW corner	No curb cuts SE & SW corner	
3	Spencer & Lawrence	North side needs to be done		
3	Canal & Jackson	Curb cuts		
3	Mirick Place		No curb cuts	Sidewalk on East side: no sidewalk on West side
3	Joy St.		No curb cuts	Sidewalk on West & North sides
2	Geneva (Route 14) & Elm	Curb cuts, NYS		
2	Geneva (Rt. 14) & Forgham (Rt. 31)	Curb cuts, NYS		
3	Franklin Street		No curb cuts	Sidewalk on South side
3	Shuler & Cross	Curb cuts		

Attachment A - Current List of Barriers for Removal in Priority Schedule Order

3	Elmer & Cross	Curb cuts on West side	No curb cuts on East side	
3	Elmer & Geneva	Curb cuts		
3	DePew & Geneva	Curb cuts		
2	Water & Broad	Curb cuts, 1 in, 3 needed		
3	Bear		No curb cuts	Sidewalk on East side
3	Cherry		No curb cuts	Sidewalk on East Side
3	Butternut & Queen	Curb cuts		
3	Butternut & Church		No curb cuts	
3	Butternut & Pearl		No curb cuts	
3	Butternut & Water		No curb cuts	
2	Broad & Pearl	Curb cuts, 2 ADA, 2 needed		
2	Broad & Church	Curb cuts, 1 ADA		
3	Broad & Queen	Curb cuts, ADA inserts, 3 needed		
3	High		No curb cuts	
3	High & Church	Curb cuts		
1	Clyde & Manhattan	Curb cuts		Sidewalk on East side
1	Congress & Pearl	Curb cuts		
3	Maple/Broad & Rice	Curb cuts		
3	Jackson & N. Joy		No curb cuts	

3	Maple & VanMarter		No curb cuts	Sidewalk on South side; slate in poor condition
3	Maple & Culver	Curb cuts		
3	Maple & Foster	Curb cuts		
3	Shaw Street			No sidewalks
3	Maple & Sisson	Curb cuts		
3	Summit & Culver	Curb cut NE corner		
3	Canal & Joy		No curb cuts	
3	Geneva & Shuler		No curb cuts	

## Attachment B-ADA Complaints Procedure

### PUBLIC NOTICE

### VILLAGE OF LYONS

Please take notice that the Village of Lyons is in the process of compiling an ADA (American with Disabilities Act) Transition Plan. The Village of Lyons invites the public to become involved in this process through written comments or attendance at Village Board meetings, held the second Tuesday of each month at 6:00 P.M. at the Village Hall, 76 William Street, Lyons, N.Y. (315-946-4531). The Mayor has appointed Deputy Mayor, Trustee Dennis Alvaro as Coordinator of the Village of Lyons ADA Transition Plan for pedestrian facilities in the public right-of-way. He can be reached at 315-946-4531 or by fax 315-946-6206 or filing a form to be provided at the Village Hall, 76 William St., Lyons, N.Y. 14489.

To file a complaint, request or offer suggestion regarding accessibility of a sidewalk or curb ramp, contact the ADA Coordinator who will route this information to the appropriate village department for inspection and possible action. The Coordinator will respond to the complainant/requestor.

BY ORDER OF THE VILLAGE BOARD  
LYONS, NEW YORK.

Dated at Lyons, New York  
April 11, 2013

**Attachment C - PUBLIC COMMENT AND RESPONSE FORM**

**Date of Comment:** \_\_\_\_\_

**Name of Person:** \_\_\_\_\_

**Comment:** \_\_\_\_\_

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**Response:** \_\_\_\_\_

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## Attachment D-ADA Policy Statement

**VILLAGE OF LYONS  
76 William Street  
Lyons, New York 14489**

Americans with Disabilities Act Transition Plan (ADA): Pedestrian Facilities in the Public Right-of-Way

### Introduction:

The purpose of this plan is to ensure that the Village of Lyons creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. The Village of Lyons has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The Transition Plan will identify physical barriers and prioritize improvements that should be made throughout the Village of Lyons. This Transition Plan will describe the existing policies and programs to enhance the overall pedestrian accessibility.

### Legal Requirements:

The federal legislation known as the American with Disabilities Act (ADA) enacted on July 26, 1990 provides comprehensive civil rights protections to persons with disabilities in area of employment, state and local government services, and access to public accommodations, transportation and telecommunications. NYS Standards are followed.

Title II specifically applies to “public entities” (state and local governments) and the programs, services and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The Village plan will, at a minimum include:

1. A list of the physical barriers 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 these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan’s implementation

The Village is in the process of identifying and assessing obstacles in the public right of way through the use of an Inventory Tool. Barrier Removal Priorities based on location priority and accessibility conditions will be a part of the inventory process. **It is very important that the public be aware that their involvement in this plan is a valuable component to the Village in compiling a workable plan of compliance. Your involvement is solicited in developing the ADA Transition Plan.**

### PUBLIC COMPLAINT:

Public Complaint, Suggestions and Comments can also be an integral part of the Transition Plan. Public comments may often drive the prioritization of improvements. To file a comment or request please contact **Dennis Alvaro, ADA Coordinator** for the Village of Lyons at Village of Lyons, 76 William Street, Lyons, N.Y. 14489, (315-946-4531).

### Public Input:

Public Comment and Response Forms are available on this website under ADA category. The Village of Lyons welcomes your participation and unique outlook as to how the Village can meet and exceed ADA

requirements and recommendations. Public involvement in the Village ADA plan has been a valuable component to the Village in compiling a workable plan of compliance. We continue to solicit your additions to the ADA Transition Plan.

An inventory of the Village of Lyons streets is included with this Transition Plan. The inventory is color coded to status of the ADA.

The plan to complete the ADA requirements is through an annual appropriations for materials to bring the sidewalk intersections into compliance. Plans are to complete the requirements as the Village authorizes paving projects and the barriers as designated and appropriate intersection corrections will be made.

The Village will complete sidewalk handicapped access at locations on Broad and Water Street this 2013-2014 fiscal year. In addition Queen Street from the intersection of Route 14 (Geneva Street to Butternut and Dickerson Streets) will be brought into compliance as needed per the attached inventory list. For the most part sidewalks left that need to be brought into compliance are residential locations within the Village. As stated above the Village will annually include ADA compliance with our paving projects. Our Downtown Historic Village, County of Wayne Campus and NYS Highways 14 and 31 have been completed.

Corrine Kleisle, Mayor  
Lyons Village Board  
8/15/13