



Town of Babylon

Physical Accessibility to Programs and Services

S9-24-30 | January 2025

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Report Highlights

Town of Babylon

Audit Objective

Assess whether Town of Babylon (Town) officials could take additional steps to increase physical accessibility to programs and services provided at selected Town facilities.

Key Findings

Of the 1,290 applicable physical accessibility components (components) we reviewed, we identified 139 components (11 percent) where Town officials could consider taking additional steps to increase physical accessibility at selected Town facilities. Specifically:

- 67 components at the Town Hall, such as signs with raised lettering and Braille.
- 26 components at the Town Hall Annex (Annex), such as van accessible parking spaces.
- 25 components at the Senior Center, such as accessible parking spaces with access aisles.
- Seven components at the Parks and Recreation Administration building (Parks building), such as accessible restrooms.
- Six components at the Animal Shelter, such as doors that can be opened with five pounds of force.
- Five components at the Municipal Building, such as secured mats at accessible entrances.
- Three components at the Recycling Center, such as adequate clearance on the latch side of doors to accommodate a wheelchair.

Recommendation

Town officials should assess the feasibility of taking additional steps to increase physical accessibility for the 139 components identified in this report. Town officials agreed with our findings and indicated they plan to initiate corrective action.

Audit Period

January 1, 2023 - June 30, 2024

Background

The Town is located in Suffolk County and is governed by an elected five-member Town Council (Council) composed of the Town Supervisor (Supervisor) and four Council members. The Supervisor is responsible for the overall administration of the Town government.

The Town provides programs and services at the Town Hall, such as:

- The Town Clerk’s Office (various licenses and permits, freedom of information act requests, etc.),
- The Receiver of Taxes’ Office (collection of taxes and related inquiries),
- The Buildings Department (building permits, code complaints, etc.) and
- Public meetings of the Council and Planning Board, among others.

The Annex, Municipal Building, Parks Department, Animal Shelter, Recycling Center, and Senior Centers are also accessible to the public.

Quick Facts	
Town	
Population	218,233
2023 General Fund Expenditures	\$77.2 million
Number of Employees	393

Physical Accessibility to Programs and Services

According to the Center for Disease Control and Prevention, more than one in four adults in the United States have some type of disability and more than one in 10 have a mobility disability with serious difficulty walking or climbing stairs.¹ It is important that someone with a disability can participate in their local government's decision-making process and be provided the same services and program opportunities as everyone else.

Title II of the 1990 Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability by state and local governments. Generally, under the ADA's implementing regulations, a public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. While not required to make each existing facility accessible, public entities must operate each service, program, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities.

The 2010 ADA Standard for Accessible Design (Standards) set minimum scoping and technical requirements for newly designed and constructed or altered state and local government facilities, public accommodations and commercial facilities. For any new construction or alteration that began on or after March 15, 2012, the project must comply with the Standards. An alteration is defined as a change to a building or facility that affects or could affect the usability of the entire building or facility or a portion thereof.

Although the Standards apply to new construction and alterations that began on or after March 15, 2012, we used the Standards as a tool to help identify where Town officials could consider taking additional steps to increase physical accessibility to programs and services at selected existing structures within the Town, whether built before or after March 2012. The potential improvements to physical accessibility identified in this report, however, are intended for informational purposes only and should not be construed as the Office of the State Comptroller (OSC) opining as to the legality of the Town's compliance with ADA requirements.

Steps Identified to Potentially Increase Physical Accessibility to Programs and Services at Selected Town Facilities

We reviewed physical accessibility to programs and services provided at the Town Hall, Annex, Municipal Building, Parks Department, Animal Shelter, Recycling Center and one of four senior centers (Senior Center), including access to Town department officials and services, public meeting spaces, and restrooms located within these buildings.

We performed site visits at each of these buildings and their respective parking lots (together "facilities") and used the ADA Checklist for Existing Facilities² (ADA Checklist), which incorporates the Standards, as a tool to assess the accessibility at the sampled facilities.

1 https://www.cdc.gov/disability-and-health/articles-documents/disability-impacts-all-of-us-infographic.html?CDC_AAref_Val=https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html

2 Produced by the New England ADA Center, the checklist was created to review existing facilities using the 2010 Standards for Accessible Design: <https://www.adachecklist.org/checklist.html>. Similar to the use of the Standards, the checklist was used as a tool to identify potential improvements to physical accessibility. The use of the checklist, however, is for informational purposes only and should not be construed as OSC opining on the legality of the Town's compliance with ADA requirements.

We reviewed 1,290 applicable physical accessibility components at the selected facilities and identified 139 components (11 percent) where Town officials could consider taking additional steps to increase physical accessibility, including 67 components at Town Hall, 26 components at the Annex, 25 components at the Senior Center, seven components at Parks, six components at the Animal Shelter, five components at the Municipal Building, and three components at the Recycling Center (Figure 1).

FIGURE 1

Potential Physical Accessibility Improvements Identified at Select Town Facilities



Town Hall: 67 potential improvements, such as signs identifying accessible parking spaces, properly sloped curb ramps and interior signs with raised lettering and Braille.



Annex: 26 potential improvements, such as van accessible parking spaces, mats at the main entrance that are secured and interior doors that can be closed with no more than five pounds of force.



Senior Center: 25 potential improvements, such as accessible parking spaces with access aisles, access ramps with railings on both sides and elevator control buttons designated with raised lettering and Braille.



Parks Department: Seven potential improvements, such as accessible hardware on the main entrance door and an accessible public restroom.



Animal Shelter: Six potential improvements, such as accessible parking signs at least 60 inches high, and the main entrance door adjusted to close in no less than five seconds.



Municipal Building: Five potential improvements, such as secured mats at accessible entrances and interior signs with raised lettering and Braille.



Recycling Center: Three potential improvements, such as at least one van accessible parking space and at least 18 inches of maneuvering space on the latch side of the entrance door.

Examples of the potential improvements we identified and photographed at the facilities, along with a complete table of potential accessibility improvements, are included in Appendix B.

What Do We Recommend?

1. Town officials should assess the feasibility of taking additional steps to increase physical accessibility for the 139 components identified in this report.

Appendix A: Response From Town Officials

Town of Babylon

200 E. Sunrise Highway
Lindenhurst, New York, 11757
(631) 957-3000



RICH SCHAFFER
SUPERVISOR

January 7, 2025

██████████
██████████
Division of Local Government and School Accountability
Office of the New York State Comptroller
110 State Street
Albany, NY 12236

Dear ██████████,

The Town of Babylon is in receipt of your preliminary draft audit findings of the Town's Physical Accessibility to Programs and Services. As Town Supervisor, I acknowledge and accept this report as presented to us via email on December 20, 2024. Both ██████████ and yourself were extremely thorough in your explanation of the audit process and procedures. You took time to explain to both me and my staff how the process would work and answered any and all questions along the way. I have already instructed my staff to review each of the 139 components where you recommend additional steps to be taken. We acknowledge these components and find no fault with the recommendations made. In fact, we have already made corrections based on your initial comments when you were on site back in October 2024. Our goal is to have many of these components completed prior to the release of the final audit report. Our Corrective Action Plan will reflect that as well as our plans moving forward. The Town strives to provide services to all residents of the Town of Babylon. Your recommendations will help us realize that goal.

Thank you for allowing us to respond to your report, and please do not hesitate to contact us if you require any further information.

Sincerely,

Rich Schaffer
Supervisor

Antonio A. Martinez
Councilman
Deputy Supervisor

DuWayne Gregory
Councilman

Terence F. McSweeney
Councilman

Anthony N. Manetta
Councilman

Jennifer C. Montiglio
Receiver of Taxes

Geraldine Compitello
Town Clerk

An Equal Opportunity / Affirmative Action Employer

Appendix B: Potential Physical Accessibility Improvements

FIGURE 2

Potential Physical Accessibility Improvement Examples^a



Access ramp with no railings at the approach to the Parks Department.



Not enough clearance on the latch side of the door to accommodate a wheelchair at the Recycling Center.



Parking spaces marked accessible but with no access aisles at the Senior Center.



Office doors at the Town Hall have doorknobs, and not accessible handles such as latches or levers that can be operated without grasping or twisting.

a) Photos taken by OSC auditors in September 2024 with permission from local officials.

Figure 3: Potential Physical Accessibility Improvements by Component

Accessibility Checklist Component Category	Applicable Checklist Components Reviewed	Potential Improvements Identified	Percentage With Potential Improvements Identified
Accessible Route	108	0	0%
Curb Ramps	61	7	0%
Drinking Fountains	23	0	0%
Elevators	20	5	25%
Entrance	172	21	12%
Interior Doors	207	30	14%
Lavatories	91	8	9%
Parking	83	10	12%
Ramps	93	16	17%
Rooms and Spaces	71	0	0%
Seating	11	0	0%
Signs	37	21	57%
Soap Dispensers and Hand Dryers	26	6	23%
Toilet Compartments (Stalls)	88	2	2%
Toilet Rooms (Bathrooms)	58	5	9%
Water Closets (Toilets)	141	8	6%
Totals	1,290	139	11%

Appendix C: Audit Methodology and Standards

We conducted this audit pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law. We obtained an understanding of internal controls that we deemed significant within the context of the audit objective and assessed those controls. Information related to the scope of our work on internal controls, as well as the work performed in our audit procedures to achieve the audit objective and obtain valid audit evidence, included the following:

- We selected the Town from a list of all cities, towns and villages (excluding NYC) not currently in the OSC's audit process at the time of selection. We divided the list into seven regions and used expenditure data reported in the 2023 fiscal year to judgmentally select cities, towns and villages from these regions for an even representation across the State for this multi-unit audit.
- We reviewed applicable laws and regulations, as well as any policies and procedures the Town had regarding accessibility. The potential improvements to physical accessibility identified in the report, however, are intended for informational purposes only and should not be construed as OSC opining as to the legality of the Town's compliance with ADA requirements.
- We interviewed Town staff and reviewed Council meeting minutes to gain an understanding of accessibility for the Town's programs and services.
- We reviewed accessibility to programs and services provided at Town facilities, excluding recreational programs and services provided by third parties. We used the ADA Checklist for Existing Facilities, which uses the 2010 ADA Standards, as a tool to review accessibility at the sampled facilities. We reviewed the accessibility components applicable at each sampled facility including accessible parking, approaches to buildings, building entrances, accessibility within buildings including to meeting rooms, offices providing programs and services, restrooms, and water fountains.

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

Unless otherwise indicated in this report, samples for testing were selected based on professional judgment, as it was not the intent to project the results onto the entire population. Where applicable, information is presented concerning the value and/or size of the relevant population and the sample selected for examination.

The Council has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report should be prepared and provided to our office within 90 days, pursuant to Section 35 of General Municipal Law. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. We encourage the Council to make the CAP available for public review in the Town Clerk's office.

Appendix D: Resources and Services

Regional Office Directory

www.osc.ny.gov/files/local-government/pdf/regional-directory.pdf

Cost-Saving Ideas – Resources, advice and assistance on cost-saving ideas

www.osc.ny.gov/local-government/publications

Fiscal Stress Monitoring – Resources for local government officials experiencing fiscal problems

www.osc.ny.gov/local-government/fiscal-monitoring

Local Government Management Guides – Series of publications that include technical information and suggested practices for local government management

www.osc.ny.gov/local-government/publications

Planning and Budgeting Guides – Resources for developing multiyear financial, capital, strategic and other plans

www.osc.ny.gov/local-government/resources/planning-resources

Protecting Sensitive Data and Other Local Government Assets – A non-technical cybersecurity guide for local government leaders

www.osc.ny.gov/files/local-government/publications/pdf/cyber-security-guide.pdf

Required Reporting – Information and resources for reports and forms that are filed with the Office of the State Comptroller

www.osc.ny.gov/local-government/required-reporting

Research Reports/Publications – Reports on major policy issues facing local governments and State policy-makers

www.osc.ny.gov/local-government/publications

Training – Resources for local government officials on in-person and online training opportunities on a wide range of topics

www.osc.ny.gov/local-government/academy

Contact

Office of the New York State Comptroller
Division of Local Government and School Accountability
110 State Street, 12th Floor, Albany, New York 12236

Tel: (518) 474-4037 • Fax: (518) 486-6479 • Email: localgov@osc.ny.gov

<https://www.osc.ny.gov/local-government>

Local Government and School Accountability Help Line: (866) 321-8503

STATEWIDE AUDITS – Dina M.L. Thompson, Chief of Municipal Audits

State Office Building, Suite 1702 • 44 Hawley Street • Binghamton, New York 13901-4417

Tel (607) 721-8306 • Fax (607) 721-8313 • Email: Muni-Statewide@osc.ny.gov

[osc.ny.gov](https://www.osc.ny.gov)

