



Town of Big Flats

Physical Accessibility to Programs and Services

S9-24-37 | February 2025

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Report Highlights

Town of Big Flats

Audit Objective

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

Key Findings

Of the 541 applicable physical accessibility components (components) we reviewed, we identified 100 components (18 percent) where Town officials could consider taking additional steps to increase physical accessibility at selected facilities. Specifically:

- 37 at the Community Center, such as doors with slower closing speeds.
- 33 at the Courthouse, such as accessible entrances to restrooms and wheelchair accessible lavatories.
- 30 at the Town Hall, such as signs with raised lettering and Braille at interior offices.

Recommendations

Town officials should assess the feasibility of taking additional steps to increase physical accessibility for the 100 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 Chemung County and is governed by an elected five-member Town Board (Board) composed of a Town Supervisor and four Board members. The Supervisor is responsible for the overall administration of the Town's 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 Town Assessor's Office (update changes to tax roll including adding or removing exemptions),
- The Parks Department (park use passes and facility reservations)
- Public meetings of the Board and other Committees and Commissions.

The Courthouse and Community Center are also accessible to the public.

Quick Facts	
Town	
Population	7,791
2023 General Fund Expenditures	\$2.6 Million
Number of Employees	62

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, Courthouse, and Community Center, including access to Town department offices, public meetings 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 of 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

We reviewed 541 applicable physical accessibility components at the selected facilities and identified 100 components (18 percent) where Town officials could consider taking additional steps to increase physical accessibility, including 37 at the Community Center, 33 at the Courthouse and 30 at the Town Hall (Figure 1).

FIGURE 1

Potential Physical Accessibility Improvements Identified at Selected Town Facilities



Community Center: 37 potential improvements, such as interior doors that have a closing speed of at least five seconds and require no more than five pounds of force to open; space for a wheelchair and proper clearance on the pull side of the door in the conference room.



Courthouse: 33 potential improvements, such as restroom entrances that have sufficient clearance on the pull side of the door to accommodate a wheelchair and doors that require no more than five pounds of force to open and have closing speeds of at least five seconds.



Town Hall: 30 potential improvements, such as mats with secured edges at the main entrance; interior office signs that have raised lettering and Braille and mounted at the proper height; service counters at an accessible height; accessible parking spaces with signs at the proper height and at least one space designated van accessible.

What Do We Recommend?

1. Town officials should assess the feasibility of taking additional steps to increase physical accessibility for the 100 components identified in this report.

Appendix A: Response From Town Officials



TOWN OF BIG FLATS
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TDD-711

To Whom it may concern,

1/30/25

The Town of Big Flats generally accepts the ADA Audit S9-24-37. We are currently working on the recommendations.

Sincerely,

Lee Giammichele
Big Flats Town Supervisor

Appendix B: Potential Physical Accessibility Improvements

FIGURE 2

Potential Physical Accessibility Improvement Examples^a



None of the accessible parking spaces at the Town Hall have a sign indicating they are van accessible.



Pipes under the restroom lavatory in Town Hall are not covered or insulated to prevent injury from contact with hot or cold pipes, as well as sharp or abrasive surfaces.



Distance from toilet paper dispenser to front of toilet in Community Center women's restroom is more than ADA guidelines stipulate.



Edges of mats are not secure to the floor at the Town Hall entrance.

^a Photos taken by OSC auditors in October 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	40	0	0%
Controls	12	6	50%
Curb Ramps	19	1	5%
Drinking Fountains	19	2	11%
Elevators	7	2	29%
Entrance	72	14	19%
Interior Doors	63	11	17%
Lavatories	42	8	19%
Parking	23	4	17%
Ramps	10	0	0%
Rooms and Spaces	18	1	6%
Sales and Service Counters	15	4	27%
Seating	37	2	5%
Signs	21	17	81%
Soap Dispensers and Hand Dryers	12	4	33%
Toilet Compartments (Stalls)	34	4	12%
Toilet Rooms (Bathrooms)	31	5	16%
Water Closets (Toilets)	66	15	23%
Totals	541	100	18%

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 officials and staff and reviewed Board 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 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 Board 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 Board 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

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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

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