



# Town of Chili

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## Physical Accessibility to Programs and Services

S9-24-33 | February 2025

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# Report Highlights

## Town of Chili

### Audit Objective

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

### Key Findings

Of the 781 applicable physical accessibility components (components) we reviewed, we identified 24 components (3 percent) where Town officials could consider taking additional steps to increase physical accessibility at selected Town facilities. Specifically:

- Nine components at the Town Hall, such as service counters with a portion at an accessible height and signs at interior offices with raised lettering and Braille.
- Seven components at the Community Center, such as signs identifying accessible parking spaces and stall doors in restrooms with automatic closers.
- Four components at the Town Court, such as signs identifying accessible parking mounted at the proper height.
- Four components at the Department of Public Works (DPW) building, such as securely-attached mats at the accessible entrance.

### Recommendation

Town officials should assess the feasibility of taking additional steps to increase physical accessibility for the 24 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 Monroe County and is governed by an elected five-member Town Board (Board) composed of a Town Supervisor (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 building, such as:

- The Town Clerk's Office (various licenses and permits, collection of fees, freedom of information act requests, etc.),
- The Assessor's Office (property assessments, administration of property exemptions, etc.),
- The Building and Code Enforcement Department (building permits, enforcing State and local building codes, etc.),
- Public meetings of the Board, Planning Board and Zoning Board, among others.

The Town Court, Community Center, and DPW building are also accessible to the public.

### Quick Facts

Town	
Population	29,123
2023 General Fund Expenditures	\$11.8 million
Number of Employees	70

# Physical Accessibility to Programs and Services

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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.<sup>1</sup> 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, Town Court, Community Center (specifically the Library and Senior Center within the Community Center) and DPW building, including access to Town department offices, public meetings spaces and restrooms located within these buildings.

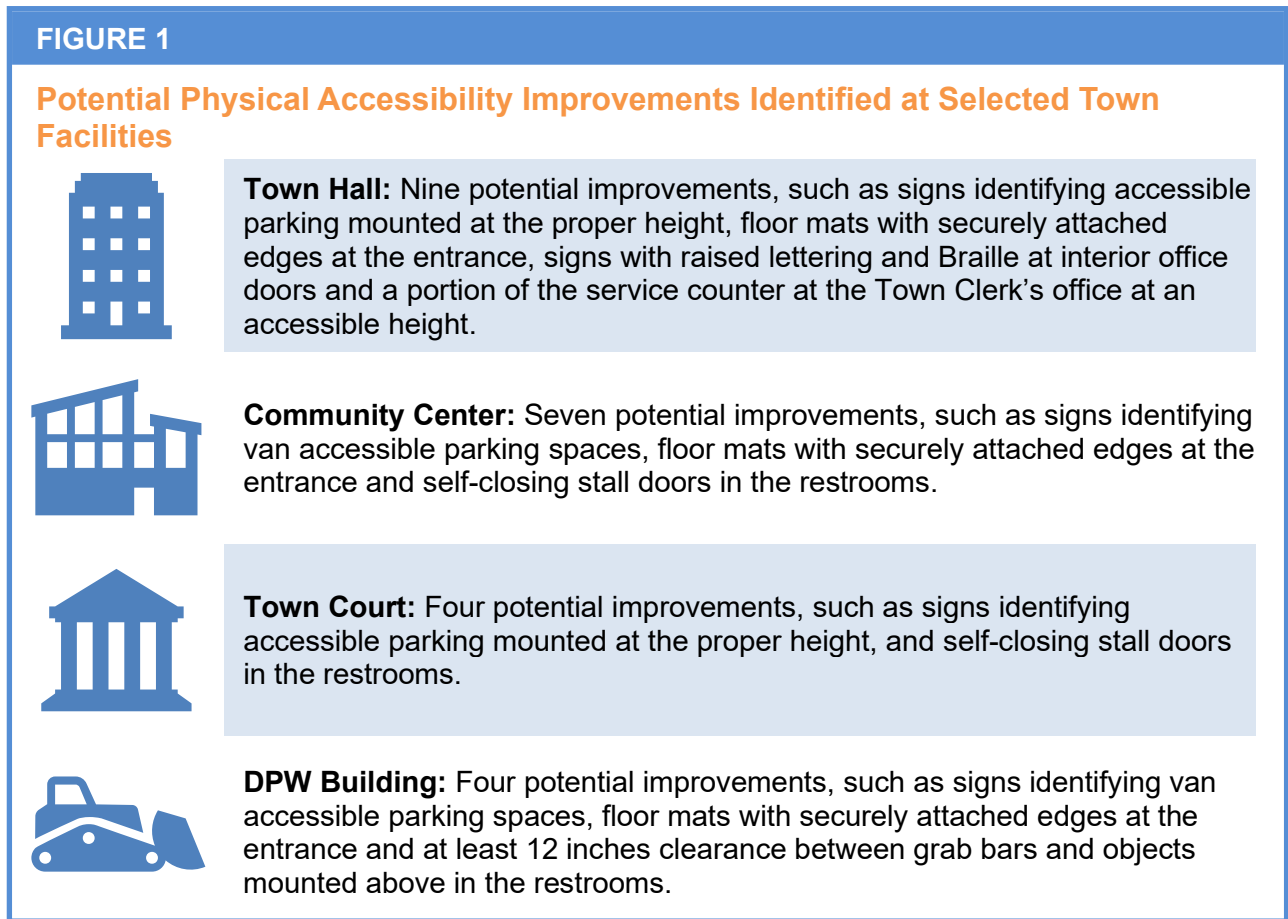
We performed site visits at each of these buildings and their respective parking lots (together "facilities") and used the ADA Checklist for Existing Facilities<sup>2</sup> (ADA Checklist), which incorporates the Standards, as a tool to assess the accessibility of the sampled facilities.

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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](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 781 applicable physical accessibility components at the selected facilities and identified 24 components (3 percent) where Town officials could consider taking additional steps to increase physical accessibility, including nine components at the Town Hall, seven components at the Community Center, four components at the Town Court and four components at the DPW building (Figure 1)



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 24 components identified in this report.

# Appendix A: Response From Town Officials

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## TOWN OF CHILI

STATE OF NEW YORK \* COUNTY OF MONROE  
ESTABLISHED IN 1822



**David J. Dunning**  
Supervisor

**Virginia L. Ignatowski**  
Town Clerk

**David Lindsay, P.E.**  
Commissioner of Public Works

**Mark L. DeCory**  
**Michael S. Slattery**  
**Mary C. Sperr**  
**James V. Valerio**  
Town Council Members

February 3, 2025

Division of Local Government Accountability  
110 State Street – 12<sup>th</sup> Floor  
Albany, NY 12236

Dear Audit Staff:

The Town of Chili Town Board has received and reviewed the Office of State Comptroller's (OSC) final report S9-24-33 titled "Physical Accessibility to Programs and Services", which was conducted to assess whether Town of Chili officials could take additional steps to increase physical accessibility to programs and services provided at selected Town facilities. We would like to thank the OSC auditors for their hard work, professionalism, and time spent at the Town of Chili.

Over the next several weeks, the Town of Chili will be addressing each of the recommendations, their feasibility, and developing a Corrective Action Plan (CAP). This CAP will be provided as a separate document.

Regards,

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David J. Dunning, Town Supervisor

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<http://www.townofchili.org>

# Appendix B: Potential Physical Accessibility Improvements

FIGURE 2

## Potential Physical Accessibility Improvement Examples<sup>a</sup>



Sign for the Building Department at the Town Hall was not mounted on the latch side of the door with raised letters or Braille.



The flush control in the men's restroom at the Town Court was not located on the open side of the water closet.



Doors to accessible stalls in restrooms at the Town Hall did not have automatic door closers.



Mat at the DPW building entrance was not securely attached.

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	73	0	0%
Curb Ramps	24	0	0%
Drinking Fountains	14	0	0%
Elevators	0	0	0%
Entrance	130	2	2%
Interior Doors	109	0	0%
Lavatories	77	0	0%
Parking	55	5	9%
Sales and Service Counters	24	1	4%
Seating	5	0	0%
Signs	30	2	7%
Soap Dispensers and Hand Dryers	22	0	0%
Toilet Compartments (Stalls)	64	8	13%
Toilet Rooms (Bathrooms)	48	1	2%
Water Closets (Toilets)	106	5	5%
<b>Totals</b>	<b>781</b>	<b>24</b>	<b>3%</b>



## Appendix C: Audit Methodology and Standards

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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 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 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 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 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

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### **Regional Office Directory**

[www.osc.ny.gov/files/local-government/pdf/regional-directory.pdf](http://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](http://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](http://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](http://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](http://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](http://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](http://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](http://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](http://www.osc.ny.gov/local-government/academy)

## Contact

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

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