

**A Report by the Town of  
Poestenkill to the Department of  
Justice Pursuant to  
DJ 204-50-247.  
January 2014**

**Submitted by Poestenkill Town  
Supervisor Dominic J. Jacangelo**

This report is compiled pursuant to a settlement agreement between the United State of America and the Town of Poestenkill, New York under the Americans with Disabilities Act – DJ 204-50-247.

The Town of Poestenkill is a relative small municipality in central Rennselaer County in New York. The population of the Town is approximately 4,500. The Town owns three primary structures two of which are open to the public for public purposes: the Town Hall and the Poestenkill Library. Emergency shelter services and the location of the Town's Summer Camp is at the Poestenkill Fire House owned and operated by the the Poestenkill Fire Company, an independent 501(c)(3).

During the Fall of 2010, the Department of Justice undertook an onsite visit of town facilities pursuant to their Project Civic Access. The visit identified a number of areas where access could be improved and the attached Settlement Agreement was an eventual outcome of that visit. An incident which occurred several years prior appears to be the catalyst for the visit. The incident involved a public meeting where the elevator was not available for use. The Settlement Agreement was executed on July 19, 2013.

The Town of Poestenkill strives to make all its programs and services available to persons with disabilities consistent with the Americans with Disabilities Act. The Town of Poestenkill views the Department of Justice's report and findings as an opportunity to improve services and make the Town's facilities available for access to those with disabilities.

**Required Remedial Actions:**

#6 - The Town has placed the process for requesting services for the hearing impaired at any public meeting on the Towns web site on pages reserved for special information for those with disabilities.

#7 - The Town has implemented an SOP to ensure that the elevator at the Town Hall is operational during all business hours.

#8 - Attachment A has been adopted by the Town as Town Policy and a copy is available on the Town Web Site. Copies can be downloaded from the site or are provided to any person who requests a copy from the Town Clerk.

#9 - All information regarding the procedures for providing information for interested person with disabilities concerning the existence and location of the Town's accessible programs, services and activities is located on the Town's website on pages dedicated to services for the disabled, titled "Disabled Services."

#10 - All employees who deal with the public are comfortable using the New York Relay Service.

#11 - All provisions of #11 have been the practice and the policy of the Town for some time.

#12 and 13 - The Town is in the process of revising its EOP. While the plan is relatively simple and straight forward it does require coordination with other first responder organizations. The plan is not expected to be completed by January 19, 2014 but the Town does believe the current plan is consistent with Chapter 7.

#14 - Most emergency services are provided by the Poestenkill Fire Company. The Town is in the process of drawing a new two year contract with the Fire Company. That draft contract, when completed, will ensure that the Fire Company complies with all the requirements of the ADA for services and programs that require such compliance.

#15 - The written procedure is that such solicitations are ongoing and are published on the Town's website on those pages where appropriate.

#16 - The Town is working with Rensselaer County Emergency Services on a voluntary system of self reporting to identify those persons who may need special assistance during an emergency. Attached is our draft form in this regard. The concept is to have the information within the County 911 system so that it would be immediately available to any first responders. The county is investigating the feasibility of such a system but needs to make certain general changes to ensure that appropriate and correct information is provided to first responders and that such information is kept current. We will continue to work with Rensselaer County in this regard.

#17 - The Town does not utilize any sirens or audible alerts for emergencies. The Town will explore how to expand knowledge of the State's use of text messages to notify individuals of impending emergencies.

#18 - The Poestenkill Fire House acts as the emergency shelter for town residents. Shelter has back up power and ample refrigeration.

#19 As stated, shelter services are provided by the Poestenkill Fire Company. Our new contract when executed, is expected to require compliance with the ADA for all services and programs where such compliance is required. A special note will be included regarding service animals.

#20 - The town does not provide any temporary housing for those impacted by an emergency.

#21 - The town understands that enforcement could be taken against other entities for emergency services.

#22 - The Town will undertake a survey of the Fire House in relation to such access. It has already brought one matter to the Fire Company's attention having to do with signage pointing to accessible bathrooms.

#23 - The above survey will be undertaken and appropriate actions taken to ensure it is fully accessible.

#24 - The Town believes the current emergency shelter fully complies with the ADA.

#25 - The Town has only two sidewalk segments which were constructed relatively recently. Both sidewalks have curb cuts which comply with ADA construction standards.

#26, 27, 28 or 29 - No roads under the control of the Town have sidewalks. See # 25.

#30 - The Town Supervisor, Town Clerk and Assistant to the Town Supervisor are familiar with Attachment H and are responsible for 99% of website content. In addition the website format is provided by Digital Towpath, a not for profit corporation that provides web services for many municipalities on a common template. The format is ADA complaint.

#31 - The Town website has been redeveloped since January 2013 and should be fully accessible. The Town will post an open invitation to any person to make suggestions on how to make the site more accessible as well as the programs offered by the Town.

#32, 33 - All structures and alterations are undertaken pursuant to the State Building and Fire Code. The code ensures compliance for architectural features.

#34, 36, 37 and 38 - The following have been undertaken:

### **Town Hall**

Non-complying door closures have been removed or reset for appropriate pressure to open.

The woman's restroom has been designated unisex for handicapped individuals. Barriers to wheelchair clearance have been removed. Signage with braille lettering has been installed.

The exposed piping under sinks has been insulated.

An automatic door opener has been installed at the front handicap entrance to Town Hall to ensure the appropriate clearance when entering the building.

Signage directing individuals to the handicapped entrance has been repositioned to be in compliance.

A van accessible space has been identified and marked. All handicapped parking and entry signs have been raised to comply with ADA standards.

Ramps and ledges in the board / court room have been reconstructed to comply with slope requirements. A portable ramp will be constructed if access to the stage / court bench is needed. There is no public address system in this room.

## **Library**

The outside entry railing has been refabricated to close gaps at the entrance door end.

Signage as been installed on Plank Road to direct visitors to handicapped parking and entry on Davis Road.

Barrier to clearance in unisex bathroom has been removed.

Exposed pipes have been insulated at sink.

#39 - There are no public facilities which were not surveyed by the Department.

#41 - The Town is committed to making its facilities and programs as accessible as possible.

#42 and 43 - The Town Supervisor and the Assistant to The Town Supervisor attended an all day program called Town Hall Training sponsored by Niagara University. The manual that accompanies such training will be shared with other employees. Based on the content of the program the Town feels the intent of #42 has been accomplished. However, the Town will continue to send employees to any similar training as it becomes available.

Sample photos of implementation projects. Not all changes are shown.



Door closers have been removed.



Bathroom sink pipes have been insulated.



Brochure box has been place to avoid collision with Mail slots.



Signs have been raised to required height.



Accessible signs have been installed and repositioned at required heights.



Automatic door has been installed at handicapped entrance. Door stays open until vestibule is cleared.



Parking spaces have been painted and identified with signs.



Railings at library have been extended to close gaps.



New restroom signs.

**DRAFT FORM:**

**EMERGENCY RESPONSE DATA FORM**

**Completion of this form is voluntary.** The information contained herein to the extent feasible will be shared with emergency response personnel, e.g. police and fire. The person completing the information assumes all responsibility for its accuracy and commits to keeping the information contained herein up to date.

The gathering of this information does not convey onto the Town of Poestenkill or the County of Rensselaer any additional duty or responsibility not already provided by law.

Supervisor Dominic J. Jacangelo

Town Clerk Sue Horton



**Town of Poestenkill Emergency Management**

Everybody has needs....Do the right people know what yours are?

If you or someone in your household has a disability or a special need, the people whose job it is to respond when you call for help in an emergency need to know. Whether it involves your entire community, your street or just your home, seconds can make a life-or-death difference during an emergency. Having specific details about your special situation will significantly help us to help you. **For more information contact – 518-283-5100 ext 101.**

Last Name\_\_\_\_\_FirstName\_\_\_\_\_Date\_\_\_\_\_

Street Address\_\_\_\_\_ Apt. No.\_\_\_\_\_

Town/State/Zip\_\_\_\_\_

Phone# of listed Person( )\_\_\_\_\_

Type of Residence (please check one):

\_\_\_\_\_Single family home

\_\_\_\_\_Assisted living facility

\_\_\_\_\_Multi family home

\_\_\_\_\_Senior housing complex/facility

Age\_\_\_\_ Your Language(if not English including ASL)\_\_\_\_\_

(circle one)

(circle one)

Are you confined to your bed?	Yes	No	Oxygen tanks in the residence	Yes	No
Are you on dialysis?	Yes	No	Are you visually impaired?	Yes	No
Are you hard of hearing or deaf?	Yes	No	Are you on life support?	Yes	No
Do you live alone?	Yes	No	Do you have transportation?	Yes	No
Do you use a wheelchair?	Yes	No	Do you have a service animal?	Yes	No
Can you walk?	Yes	No			

Please describe any special condition first responders should be aware of: \_\_\_\_\_

\_\_\_\_\_

**Emergency contact for the above-listed resident:**

Name \_\_\_\_\_ Relationship: \_\_\_\_\_

Primary phone#( ) \_\_\_\_\_ Secondary#( ) \_\_\_\_\_

Street address: \_\_\_\_\_

City, State \_\_\_\_\_

**Please return this form to:**

**Town of Poestenkill**

**P.O. Box 210**

**Poestenkill, NY 12140**

This form can also be filled out online at **[www.poestenkillny.com](http://www.poestenkillny.com)**