

APPENDIX A

Town of Heath

ADA Self Evaluation Report

TOWN OF HEATH ADA INVENTORY

SELF-EVALUATION OF TOWN RECREATIONAL PROGRAMS AND PARKS

INTRODUCTION

The Town of Heath has undertaken a Self Evaluation of its recreational programs, practices, and recreation facilities in order to assess their compliance with Title II of the Americans with Disabilities Act (ADA) regulations. The objective of the Self Evaluation is to identify and bring into reasonable compliance programs and practices that do not currently meet the requirements of the Act. The three major elements outlined below have been assessed for this evaluation. By evaluating these three elements, Heath will work to comply with ADA Self Evaluation regulations.

- 1) Site Accessibility: is the site accessible to persons with disabilities?
- 2) Program and Service Accessibility: are the programs and services offered available to all persons, regardless of their disability?
- 3) Employment Practices: Are employment decisions made without discrimination on the basis of disability? Are reasonable accommodations made for employees who may require them? Are employment notices in formats accessible to people with sight or hearing disabilities?

ADA COORDINATOR

The ADA requires public entities with 50 or more employees to designate at least one employee to coordinate its efforts to comply with Title II and investigate any complaints of ADA-related discrimination. The Board of Selectmen has designated Maya Jalbert to act in this capacity.

PUBLIC NOTIFICATION

A public entity is required to inform applicants, participants, beneficiaries and other interested parties of their rights and protections afforded by the ADA. A copy of the Public Notice of the Town of Heath's Policy of Non Discrimination on the Basis of Disability is placed at the back of this document.

GRIEVANCE PROCEDURE

Also required by ADA regulations is a formal grievance procedure by which complaints of ADA violations may be resolved. The Town of Heath's ADA Grievance Procedure is placed at the back of this document.

EMPLOYMENT PRACTICES

The Town of Heath's employment practices are in compliance with the ADA regulations, especially regarding: recruitment, personnel actions, leave administration, training, tests, medical exams/questionnaires, social and recreational programs, fringe benefits, collective bargaining agreements, and wage and salary administration. A statement from the Town's ADA Coordinator attesting to this can be found at the back of this document.

SITE ACCESSIBILITY

The following inventory describes the parks, playgrounds, and historic sites in the Town of Heath that are under the jurisdiction of either the Town Parks and Recreation Committee or Historic Commission. The inventory includes a description of the facilities, accessibility needs, and recommendations for modifications, which would help to provide people with disabilities equal access to these resources. The specific recommendations for each site are summarized in a table, the ADA Transition Plan, at the end of this document. The standards by which the park facilities are judged are from the Massachusetts Division of Conservation Services and are based on state and federal guidelines.

School Playground

Description: The playground is located at the Heath Elementary School on Jacobs Road. This site contains the following: baseball and soccer fields, basketball court, a playground area, bicycle parking, bleachers, and benches. The Elementary School is currently closed and not operating as a school.

Access: The parking lot is smoothly paved and the access between the field and the parking lot is flat. The parking lot has 3 designated accessible parking spaces out of a total of 60 spaces. All of the facilities except the playing fields can be accessed by a paved and flat sidewalk. The playing fields can be accessed via flat grassy areas. There are no hindrances such as curbs or uneven pavement on the parking lot. The benches all have backs to them for support. The playground equipment is composed of swings, slides, and climbing structures. The ground surface under the play structures is composed of wood chips, which does not allow for easy mobility. The woodchips could be replaced with an alternate material allowing for greater mobility, but still maintaining safety.



Playground at Heath Elementary School

Heath Center Playground and Basketball Court

Description: These facilities are located next to the Community Hall in Heath on South Road. It is a small playground with a few play structures including a swing set and a climbing structure. There are also picnic tables and a basketball court.

Access: The play structures have grass underneath. Woodchips or an alternate material could be placed below the structures for increased safety, while allowing mobility. All of the items in the playground are accessed over flat grassy areas. There is a short, steep hill on one side of the playground from South Road, but the rest of the park is accessible from flat areas on West Main Street. There are no accessible paths that lead to any of the items and structures in the park. The basketball court is accessed from South Road via an uneven grassy/gravel surface. There is no formal parking lot for this park and, as a result, there are no designated accessible spaces. However, the streets surrounding the park have very little traffic and vehicles are allowed to park on-street directly adjacent to the park.



Basketball Court in Heath Center



Playground in Heath Center

Fort Shirley

Description: Fort Shirley is the site of a former fort constructed during the French and Indian War. It contains a walking path to the site and an informational kiosk.

Access: The site and informational kiosk are accessed by an approximately 400 foot long grassy path from Hosmer Road that is relatively flat. There is a small grassy area for parking along the road to accommodate one, possibly two, vehicles. There are no designated handicapped accessible spaces, but there is also plenty of on-street parking if necessary. Hosmer Road has very little traffic.



Path to Fort Shirley



Informational Kiosk at Fort Shirley

PROGRAM AND SERVICE ACCESSIBILITY

The Town of Heath currently provides recreational programs and community activities for Town residents through the Library and Senior Center. These programs are held at the Heath Free Public Library and Community Hall, both of which are accessible for persons with disabilities. The suggested changes to the facilities in the above Site Accessibility section to make those sites more accessible will also make these programs accessible for persons with disabilities.

ADA Transition Plan - Town of Heath

Heath ADA Transition Plan for the Heath Open Space & Recreation Plan

School Playground

Physical Obstacles	Type of Action to be Taken	Implementation Schedule	Responsible Party
Wood chips under play structures do not allow easy mobility.	Replace wood chips with an organic material called "fibar," or comparable material, that allows for more mobility.	Long term	Parks and Recreation Committee / Select Board

Heath Center Playground

Physical Obstacles	Type of Action to be Taken	Implementation Schedule	Responsible Party
There are no paths from the street to park facilities	Install an accessible path to each of these items from the street.	Short term	Parks and Recreation Committee
Grassy surface under play structures do not allow easy mobility.	Replace grass with an organic material called "fibar," or comparable material, that allows for increased safety and mobility.	Medium term	Parks and Recreation Committee

Fort Shirley

Physical Obstacles	Type of Action to be Taken	Implementation Schedule	Responsible Party
The path leading to and around the fort site from the parking area can be uneven.	Regrade and maintain the path so that it is more even.	Medium term	Parks and Recreation Committee/ Historic Commission

* Due to the current fiscal situation within the State and local governments, it has become increasingly difficult to fund the improvements that are necessary to comply with the ADA requirements. However, the Town of Heath will move towards correcting these issues as funding becomes available. In the meantime, municipal staff will make accommodations upon request in order to facilitate services and programs to ensure accessibility to all citizens.

APPENDIX A-1: PUBLIC NOTIFICATION

Town of Heath ADA Statement from Personnel Policy of January 31, 2017

5.2 *Non-Discrimination*

The Town recognizes the right of individuals to work and advance on the basis of merit, ability, and potential without regard to age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, or sexual orientation. Non-discrimination and equal opportunity are the policy of the Town in all of its employment programs and activities.

The Town is also committed to taking affirmative measures to ensure equal opportunity in the areas of recruitment, hiring, promotion, demotion or transfer, layoff or termination, rates of compensation, in-service training programs, and all other terms and conditions of employment. The town is committed to fostering and encouraging a workplace comprised of individuals of diverse backgrounds, age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, and sexual orientation.

Based on this understanding, the Town shall:

Recruit, hire and promote in all job classifications without regard to age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, or sexual orientation.

Make decisions about employment so as to encourage the development of a diverse workforce.

Ensure that employment and promotion decisions are made in accordance with the principles of equal opportunity but imposing only valid, job-related requirements for employment and promotional opportunities.

Ensure that all other personnel actions such as compensation, benefits, transfers, layoff, recall, training, and social and recreational programs will be administered without regard to age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, or sexual orientation.

Prohibit any kind of harassment based on age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, or sexual orientation.

No retaliatory action against those persons who file complaints of discrimination or against individuals who cooperate in such investigations will be tolerated. Violation of this policy will lead to appropriate disciplinary action up to and including termination from Town service.

Anyone who feels that he or she has been discriminated against by the Town on the basis of age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, or sexual orientation in employment practices may file a grievance in accordance with the procedures described in Section 5.4 of this Policy.

5.4 *Americans with Disabilities Act*

All Town employees shall comply with requirements of the regulations contained in the Americans with Disabilities Act of 1990.

The Town will not discriminate against people with disabilities in any employment practices or in terms, conditions or privileges of employment, including, but not limited to: application, testing, hiring, assignment, evaluation, disciplinary action, training, promotion, medical examination, layoff/recall, termination, compensation, leaves or benefits.

The Town has and will continue to establish occupational qualifications for each position, including the education, skills, and work experience required, and the physical, mental and environmental standards necessary for job performance, health, and safety. Such standards are job-related and consistent with business necessity.

The Town will provide reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee unless such accommodation will impose undue hardship on the Town.

APPENDIX A-2: GREVIANCE PROCEDURE

Town of Heath Discrimination Grievance Procedure from Personnel Policy January 31, 2017

5.5 *Discrimination Grievance Procedure*

The purpose of this procedure is to encourage local resolution of grievances concerning employment. It is important to note that grievants are not required to exhaust the Town's procedures prior to filing a state or federal complaint or taking court action.

Anyone who feels that he or she has been discriminated against by the Town on the basis of age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, or sexual orientation in employment practices may file a grievance.

Grievances must be in writing and should include information about the alleged discrimination such as name, address, phone number of grievant and location, date and description of the problem and what resolution is sought. Reasonable accommodations, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities who are unable to submit a written complaint. The following steps shall be used in resolving the grievance:

STEP 1 Within five (5) working days of an event giving rise to a grievance, an employee should discuss the grievance with his/her supervisor/Department Head in a mutual effort to resolve the grievance. In the absence of a supervisor, the employee should informally discuss the grievance with the Board of Selectmen.

STEP 2 If, within five (5) working days after such conference, a satisfactory understanding and/or solution of the grievance has not been reached, then either the Department Head or the employee may refer the grievance in writing to the Selectmen. The Selectmen shall conduct a hearing and render a written decision within ten (10) working days of such hearing. The decision rendered by the Board of Selectmen shall be final and binding on all parties.

All grievances received by the Board of Selectmen and responses from same, will be kept by the Town in accordance with applicable public records statutes. Such documents will remain strictly confidential.

No retaliatory action will be taken against those persons who file complaints of discrimination on the basis of age, sex, marital status, race, color, creed, national origin, disability, veteran status, military status, or sexual orientation or against individuals who cooperate in such investigations.

APPENDIX A-3: EMPLOYMENT PRACTICES

TOWN OF HEATH

MASSACHUSETTS



August 11, 2020

RE: ADA Compliance Statement for 2018 Open Space and Recreation Plan

The Town of Heath's employment practices are in compliance with the American with Disabilities Act. Issues regarding recruitment, personnel action, leave administration, training, testing, medical exams or questionnaires, social and recreational programs, fringe benefits, and wage and salary administration are covered under one or more the following administration methods:

- Town of Heath Personnel Policies
- Town of Heath Board of Selectmen
- Contracts and/or Memorandums of Understanding
- All town employees who work 20+ hours are enrolled in the Employee Assistance Program

Sincerely,

Maya Jalbert

Maya Jalbert
ADA Coordinator for the Town of Heath

APPENDIX B

2019 Heath Open Space Survey and Results

HEATH OPEN SPACE AND RECREATION SURVEY

Heath is currently updating its Open Space and Recreation Plan. This Plan establishes goals and priorities regarding the Town's open space and recreational needs and activities. The Plan will help Heath qualify for grants from the federal and state governments as the Town works towards achieving the goals that have been identified with your input. Your answers will remain anonymous and will be used for planning purposes only.

1. Which of the following recreational & open space resources in Heath do you or your family use? (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> My own land | <input type="checkbox"/> Benson Trail (Blueberry Farm) |
| <input type="checkbox"/> Town Center Playground | <input type="checkbox"/> Heath North, Center, and South Cemeteries |
| <input type="checkbox"/> Town Center Basketball Court | <input type="checkbox"/> Shapiro Land (380 acres) |
| <input type="checkbox"/> Veteran's Memorial | <input type="checkbox"/> Fairgrounds |
| <input type="checkbox"/> Maitland Forest | <input type="checkbox"/> Library Programming |
| <input type="checkbox"/> H.O. Cook State Forest | <input type="checkbox"/> Senior Center Programming |
| <input type="checkbox"/> Crowningshield Conservation Area | <input type="checkbox"/> Community Events |
| <input type="checkbox"/> Fort Shirley | <input type="checkbox"/> Other _____ |

2. Were you aware that all of these open space/recreational resources existed in Heath?

- Yes No

3. Do you feel that the existing recreational facilities are in good condition?

- Yes Not sure, do not use the facilities
 No, they need improvement. If so, please describe how:

4. Which of the following outdoor recreation activities do you or your family participate in Heath:

- | | | |
|---|--|--|
| <input type="checkbox"/> Biking | <input type="checkbox"/> Hunting | <input type="checkbox"/> Cross Country Skiing |
| <input type="checkbox"/> Hiking | <input type="checkbox"/> Fishing | <input type="checkbox"/> Snowmobiling |
| <input type="checkbox"/> Camping | <input type="checkbox"/> Nature/Birdwatching | <input type="checkbox"/> Off-Road Vehicles |
| <input type="checkbox"/> Swimming | <input type="checkbox"/> Walking | <input type="checkbox"/> Snowshoeing |
| <input type="checkbox"/> Horseback Riding | <input type="checkbox"/> Running | <input type="checkbox"/> Youth Sports Programs |

Other _____

5. Are there any outdoor recreational activities that you enjoy outside of Town and want Heath to provide?

Please return this survey by mailing it using the self-addressed envelope or returning it to Town Hall. It can also be filled out online at <https://www.surveymonkey.com/r/HeathOSRP>. Thank you for your help!

6. Which of the following should be the Town's HIGHEST recreation priorities? (choose up to THREE)

- | | |
|---|---|
| <input type="checkbox"/> Recreation programs for youth | <input type="checkbox"/> Develop walking/horseback/multi-use trails |
| <input type="checkbox"/> Recreation programs for adults | <input type="checkbox"/> Create bird viewing stations |
| <input type="checkbox"/> Recreation programs for adults (60+ years) | <input type="checkbox"/> Improve handicapped accessibility to facilities & programs |
| <input type="checkbox"/> Maintain existing recreational facilities | <input type="checkbox"/> Develop other outdoor recreation facility: _____ |
| <input type="checkbox"/> Add recreational facilities/programs | |
| <input type="checkbox"/> Protect & promote historical resources | |

7. Which of the following should be the Town's HIGHEST open space protection priorities? (choose up to THREE)

- | | |
|--|--|
| <input type="checkbox"/> Encourage agriculture/ protect farmland | <input type="checkbox"/> Protect land along rivers and streams |
| <input type="checkbox"/> Protect forest land | <input type="checkbox"/> Protect land for wildlife habitat/corridors |
| <input type="checkbox"/> Protect drinking water resources | <input type="checkbox"/> Protect other natural resources: _____ |
| <input type="checkbox"/> Protect scenic views | |
| <input type="checkbox"/> Enhance scenic views | <input type="checkbox"/> I think Heath has enough protected land |

8. To enhance park and recreational activities in Town, I would be willing to consider the following actions: (check all that apply)

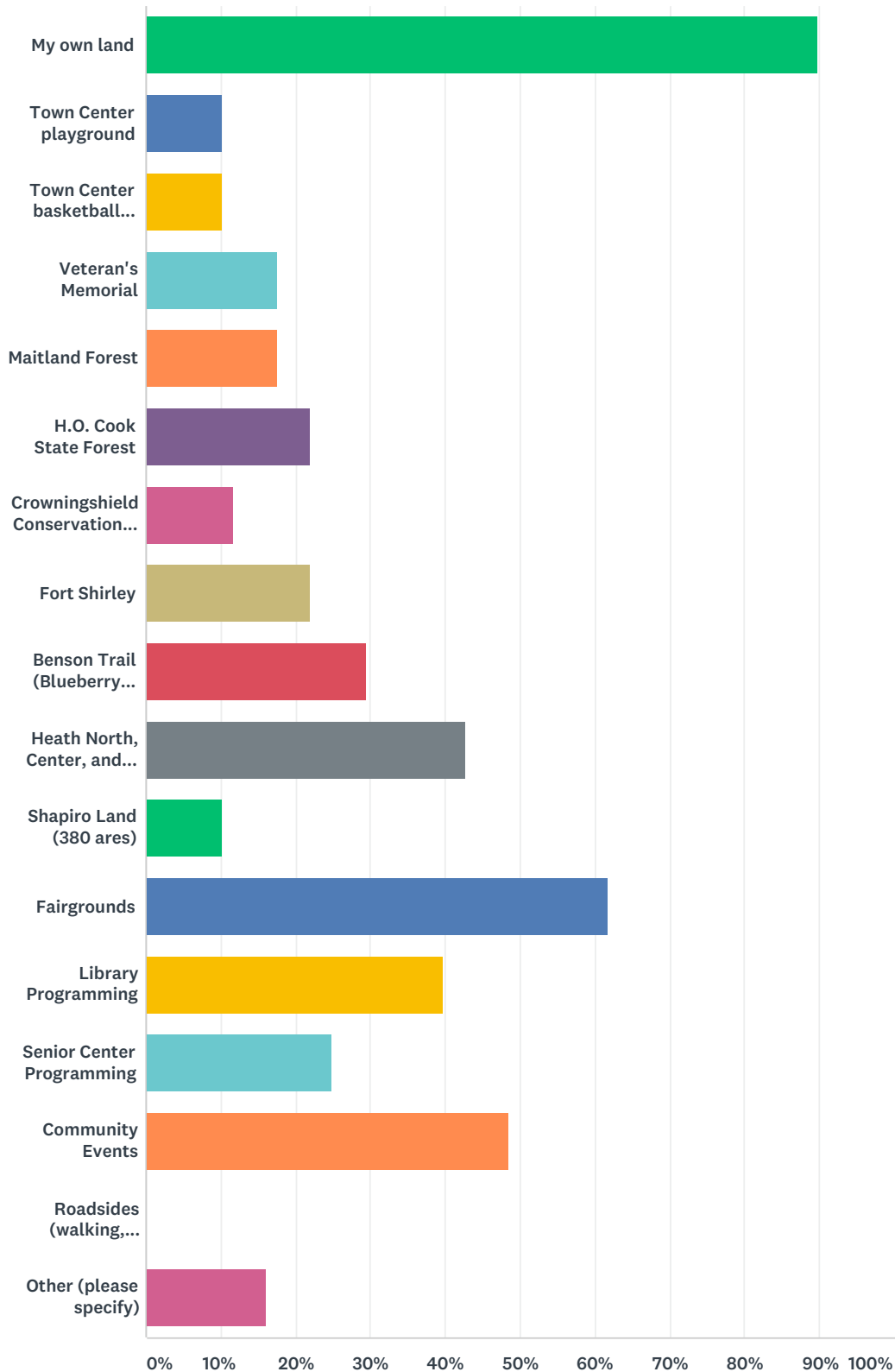
- Donate money to Town's Park and Recreation Committee
- Support increased Town appropriations for recreational activities in annual budget
- Other _____

9. Please provide any additional comments on open space and recreation in Heath:

Please return this survey by mailing it using the self-addressed envelope or returning it to Town Hall. It can also be filled out online at <https://www.surveymonkey.com/r/HeathOSRP>. Thank you for your help!

Q1 Which of the following open space & recreational resources in Heath do you or your family use (check all that apply)?

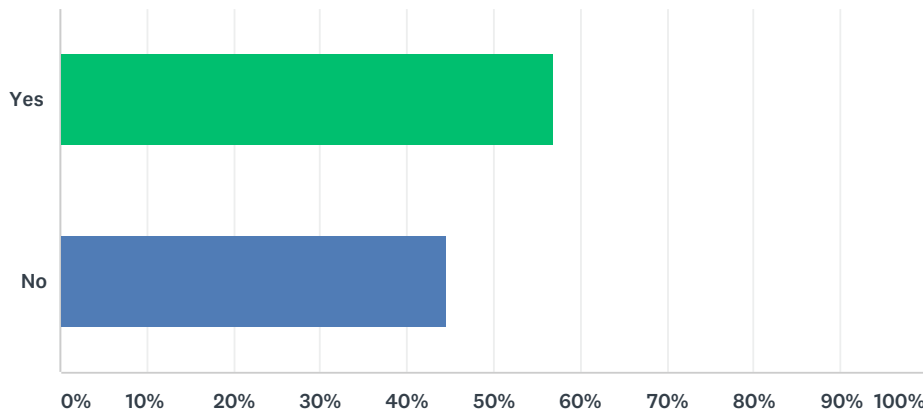
Answered: 68 Skipped: 0



ANSWER CHOICES	RESPONSES	
My own land	89.71%	61
Town Center playground	10.29%	7
Town Center basketball court	10.29%	7
Veteran's Memorial	17.65%	12
Maitland Forest	17.65%	12
H.O. Cook State Forest	22.06%	15
Crowningshield Conservation Area	11.76%	8
Fort Shirley	22.06%	15
Benson Trail (Blueberry Farm)	29.41%	20
Heath North, Center, and South Cemeteries	42.65%	29
Shapiro Land (380 ares)	10.29%	7
Fairgrounds	61.76%	42
Library Programming	39.71%	27
Senior Center Programming	25.00%	17
Community Events	48.53%	33
Roadsides (walking, bicycling, running)	0.00%	0
Other (please specify)	16.18%	11
Total Respondents: 68		

Q2 Were you aware that all of these open space/recreational resources existed in Heath?

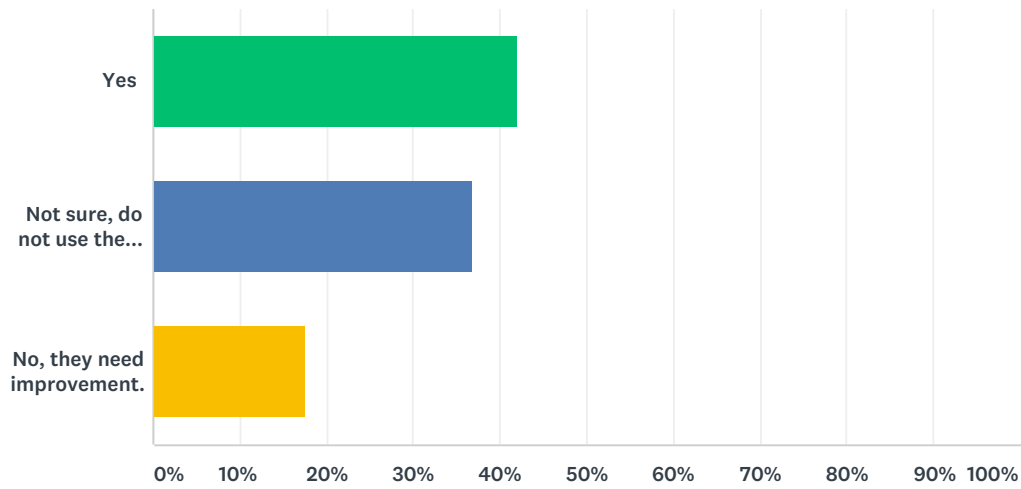
Answered: 65 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	56.92%	37
No	44.62%	29
Total Respondents: 65		

Q3 Do you feel that the existing recreational facilities are in good condition?

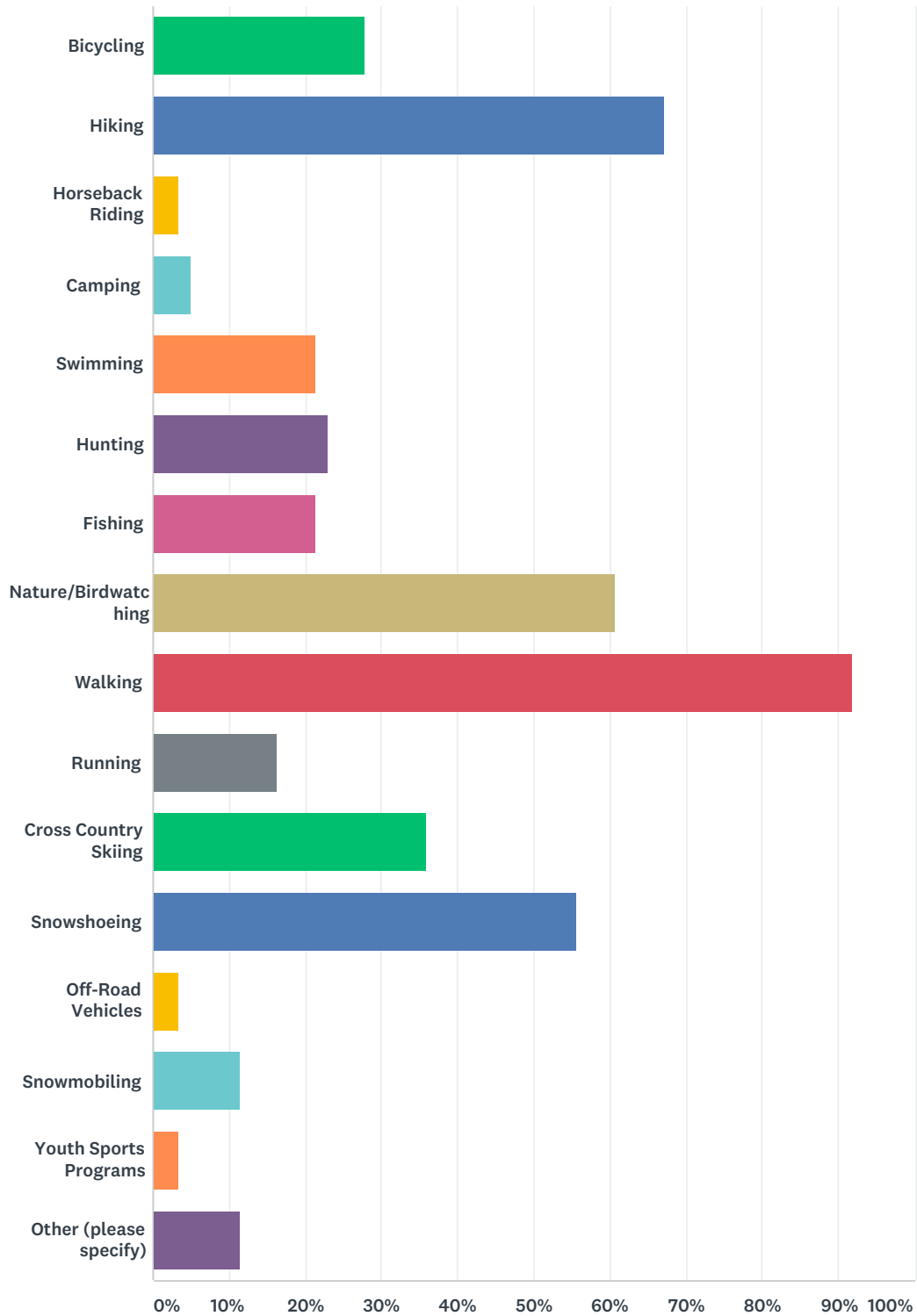
Answered: 57 Skipped: 11



ANSWER CHOICES	RESPONSES	
Yes	42.11%	24
Not sure, do not use the facilities	36.84%	21
No, they need improvement.	17.54%	10
TOTAL		57

Q4 My family and I participate in the following outdoor recreational activities in Town (check all that apply):

Answered: 61 Skipped: 7



ANSWER CHOICES

RESPONSES

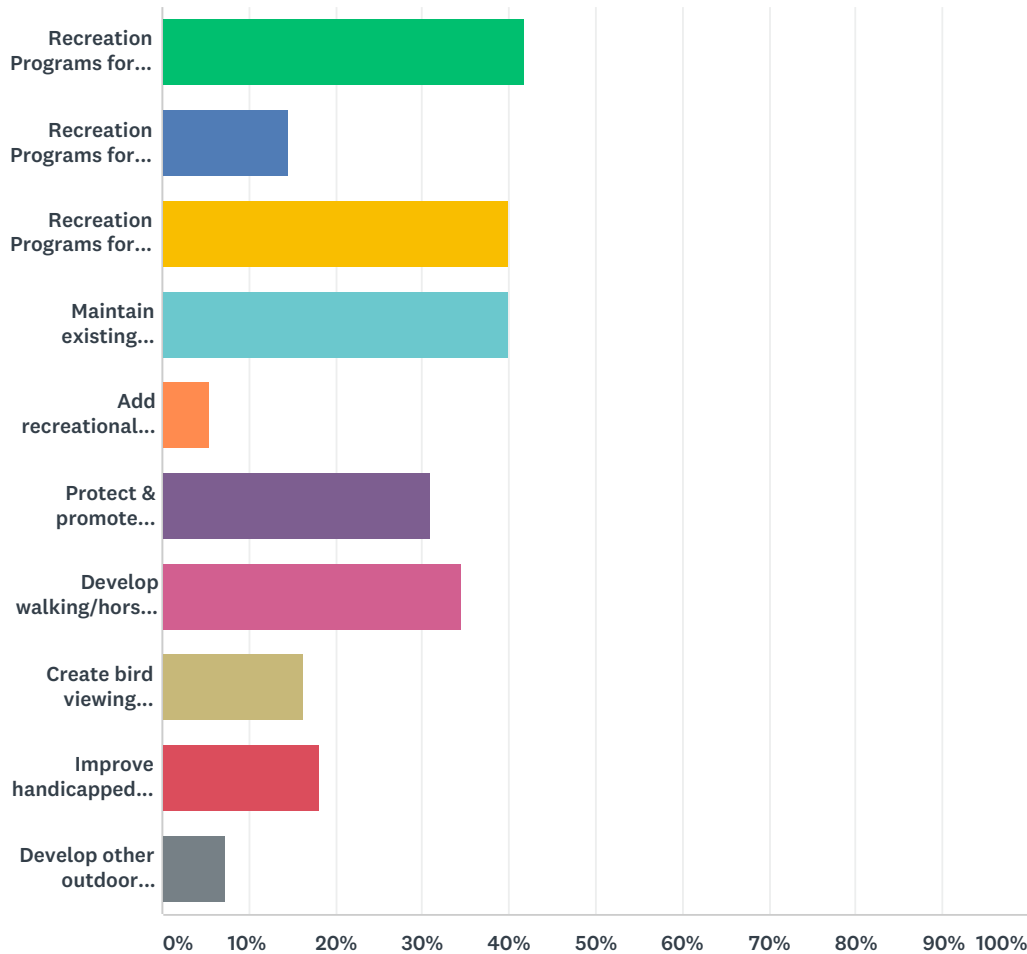
Bicycling	27.87%	17
Hiking	67.21%	41
Horseback Riding	3.28%	2
Camping	4.92%	3
Swimming	21.31%	13
Hunting	22.95%	14
Fishing	21.31%	13
Nature/Birdwatching	60.66%	37
Walking	91.80%	56
Running	16.39%	10
Cross Country Skiing	36.07%	22
Snowshoeing	55.74%	34
Off-Road Vehicles	3.28%	2
Snowmobiling	11.48%	7
Youth Sports Programs	3.28%	2
Other (please specify)	11.48%	7
Total Respondents: 61		

Q5 Are there any outdoor recreational activities that you enjoy outside of Town and want Heath to provide?

Answered: 14 Skipped: 54

Q6 Which of the following should be the Town's HIGHEST recreation priorities? (Choose up to THREE)

Answered: 55 Skipped: 13

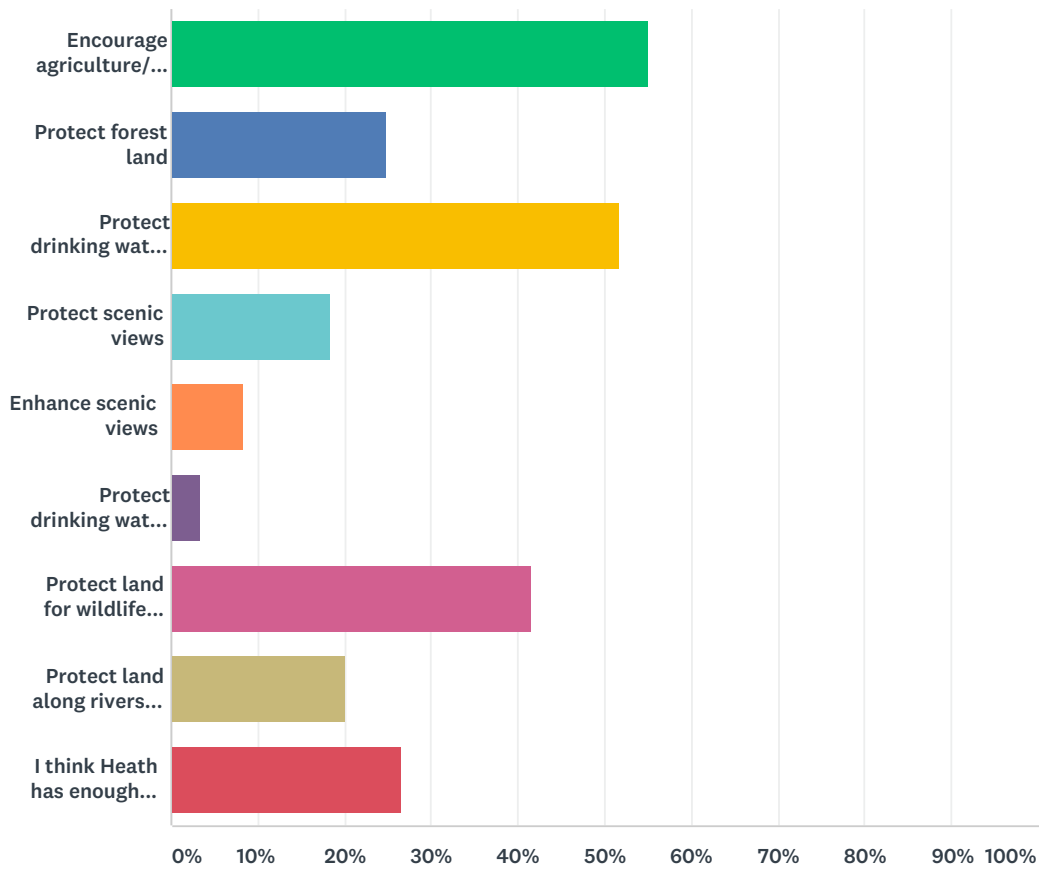


ANSWER CHOICES	RESPONSES	
Recreation Programs for youth	41.82%	23
Recreation Programs for adults	14.55%	8
Recreation Programs for adults (60+ years)	40.00%	22
Maintain existing recreational facilities	40.00%	22
Add recreational facilities/programs	5.45%	3
Protect & promote historical resources	30.91%	17
Develop walking/horseback/multi-use trails	34.55%	19
Create bird viewing stations	16.36%	9
Improve handicapped accessibility for facilities, trails, & programs	18.18%	10
Develop other outdoor recreation facility:	7.27%	4

Total Respondents: 55

Q7 Which of the following should be the Town's HIGHEST open space protection priorities? (choose up to THREE)

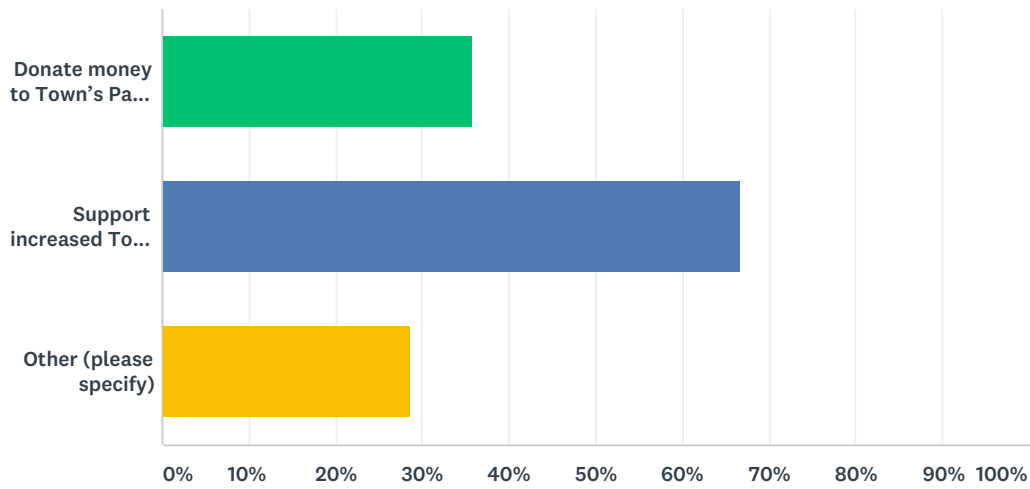
Answered: 60 Skipped: 8



ANSWER CHOICES	RESPONSES	
Encourage agriculture/protect farmland	55.00%	33
Protect forest land	25.00%	15
Protect drinking water resources	51.67%	31
Protect scenic views	18.33%	11
Enhance scenic views	8.33%	5
Protect drinking water resources	3.33%	2
Protect land for wildlife habitat/corridors	41.67%	25
Protect land along rivers and streams	20.00%	12
I think Heath has enough protected land	26.67%	16
Total Respondents: 60		

Q8 To enhance park and recreational activities in Town, I would be willing to consider the following actions: (check all that apply)

Answered: 42 Skipped: 26



ANSWER CHOICES	RESPONSES	
Donate money to Town's Park and Recreation Committee	35.71%	15
Support increased Town appropriations for recreational activities in annual budget	66.67%	28
Other (please specify)	28.57%	12
Total Respondents: 42		

Q9 Please provide any additional comments on open space and recreation in Heath:

Answered: 11 Skipped: 57