

# **Commission for Accessibility**

## **Meeting Minutes**

**Monday, September 9, 2024 2024 5:00PM  
Via Zoom**

**In Attendance:** Michael Londrigan, Tony Phillips, Christine Santori, Debbie Prieger, Maureen Culhane, Don Ciota

**Note: This Meeting includes 2 MOTIONS.**

**5:06 PM Call to Order**

**Approval of Minutes**

**MOTION 1: To approve the CfA Meeting Minutes from June 10, 2024**

Motion made by Michael.  
Seconded by Christine.  
**Passed Unanimously.**

**MOTION 2: To authorize the chairman to edit and submit a sample ADA letter of Complaint for Town oversight.**

Motion made by Michael.  
Seconded by Maureen.  
**Passed Unanimously.**

## **Public Comment**

Discussions included an update by Michael regarding his contact with the landlord of 80 Grove Street regarding the absence of a handicap parking space at that location. After initially receiving positive feedback to his letter in May, no further response has been received.

Christine brought up the erroneous response she has heard from Title III entities that have claimed a “grandfather clause” exemption from ADA compliance. There is no such exemption, which is stated explicitly in ADA literature. We discussed concepts contained in Title III as “readily achievable,” and the formula for the percentage of the value of an entire alteration project, 20%, that must be used to achieve ADA compliance or to make the facility “more compliant.” These two facets of Title III written language set a stage for community discussion in how this law is applied. The intent of the Act is to provide access, but not necessarily at the expense of terminating a business or resource that is otherwise complaint or desirable. We discussed the urgent necessity of disseminating such information to the public at large. The solution to such issues can often be arrived at by mutual discussion as encouraged under this law.

## **How to engage ADA**

The Americans with Disabilities Act and other related disability-related laws are deemed *Compliance-Based Laws* and require a complaint to be invoked before enforcement action can be commenced. This Commission considers its position as an informational resource for the town, its residents and its businesses. There are a number of pathways in which such a complaint may be filed. Our long-term goal has been to enable complaints to be handled locally and expeditiously for persons bring such complaints and for businesses to be given information that can afford them the opportunity to issue an informed response.

Compliance-based laws are written in this way because there are numerous nuances in attempting to apply such broad legislation in a way fair to all parties. These are laws that encourage community discussion and local initiative. Although every complaint may not be able to be resolved locally, beginning the process at the local level has many advantages through town resources already in place, such as the ADA Coordinator and this Commission.

Our vision in facilitating this process is to provide a means by which a polite dialog can be established in which a person can describe a circumstance they wish to report directly to a local business. In turn, the business can be given reference to available materials published by the ADA and other government entities. Resolution in such a manner would preclude the far more arduous, prolonged and costly endeavor of filing a complaint with the Department of Justice, the agency who enforces these laws.

In an effort to initiate such a pathway, we have prepared a sample letter which could be available on our webpage. Its tone is meant to be polite and business-like. It prompts the writer to include the time, place and conditions they experienced and how they were affected by them. It asks to be informed of steps to be taken to resolve the issue and requests a response within a given time-frame.

Many persons who have related disappointment in being denied public access ultimately decide for their own reasons not to make a complaint, often saying they will avoid the location or choose not to participate. This is not an optimum choice for them or the town. These laws are meant to provide just the opposite.

Below is the edited version of the ADA sample letter.

**[Your Name]**

[Your Address]

[City, State, ZIP].

[Email Address]

[Phone Number]

*hint: Although an address should be listed, you can, for example, delete your Email or phone number.*

**[Date]**

**[Business Owner/Manager Name/ Landlord]**

[Business Name]

[Business Address]

[City, State, ZIP Code]

Dear [Business Owner/Manager Name/Landlord],

I am writing to formally address a concern regarding a lack of accessibility at [*specific location of the facility*] that has affected my ability, as a person with a disability, to fully participate in [*describe the everyday activity, e.g., dining, shopping, or attending an event*] at your establishment. While I understand the complexities involved in managing a business, I want to emphasize that accessibility is a fundamental right protected under the Americans with Disabilities Act (ADA).

During my recent visit on [date], I encountered [describe the specific barriers, e.g., the absence of a ramp, inaccessible restrooms, lack of accessible seating, etc.]. As a result, {Describe your feelings about being unable to access the site or to participate in an event...} For example: I was unable to fully enjoy the services offered, which left me feeling excluded and unable to engage in what should have been a routine, everyday activity.

I trust that this was not your intention, but I must emphasize that the lack of appropriate accommodations poses a significant barrier to individuals with disabilities. The ADA requires public accommodations to ensure equal access for everyone, and noncompliance not only affects

individuals like myself but also risks further exclusion of a substantial portion of the community.

I respectfully request that you address this issue as soon as possible to ensure your establishment meets ADA standards. By making the necessary changes, you not only comply with the law but also demonstrate a commitment to inclusivity and respect for all members of the community.

Please inform me of the steps you plan to take to resolve this matter. I would be happy to discuss any specific details that might help guide you in addressing this issue. I appreciate your attention to this concern and hope to see the necessary improvements made in the near future.

Thank you for your time and consideration. I look forward to your response. *{A time frame can be added here.}*

Sincerely,  
[Your Full Name]  
[Your Contact Information]

{a cc can be added as an option}

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*This letter communicates your concerns clearly while maintaining professionalism, encouraging the business to take action while referencing their legal responsibilities the under ADA. The written text is meant as an example and can be changed to express you own thoughts or ideas.*

**6:15 PM Adjourn**

**Meeting Dates for 2024:**

October 7

November 18

December 9

Minutes prepared by Don Ciota, Chairman.

