

## Village responds to handicapped complaint

Written by MARK JAEGER

Wednesday, 20 March 2013 18:03

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### Compliance committee formed following protest of ice-covered parking lot

In response to a complaint about handicapped access during the February primary election, the Village of Fredonia has created a committee responsible for overseeing such issues.

Two weeks after resident Nathan Short protested that the parking lot space reserved for handicapped residents at the Fredonia Government Center was covered with ice and snow during the Feb. 12 polling, the Village Board approved the creation of the Americans with Disabilities Act Compliance Committee.

The committee includes village trustees Jill Bertram and Fritz Buchholtz, village resident Ron Schmit and Town Chairman Richard Mueller.

Mueller will only be allowed to vote on matters that involve the center, which is jointly owned by the village and town.

Village Clerk Jo Ann Wagner was also named the village ADA coordinator. By village ordinance, the clerk has the designation of compliance officer, but no formal appointment had previously been made.

Concerns about handicapped access are to be brought to the attention of the ADA coordinator, who reviews the intended course of action with the village attorney. If the complaining party is unhappy with the resolution of the matter, it can be brought before the compliance committee.

Before trustees got a chance to act on the appointments, Short used the public comment portion of the board agenda to take village officials to task.

He said the village was negligent in failing to keep the parking lot clear of snow and ice on election day and for failing to follow the federal Americans with Disabilities Act. That law was enacted in 1990, ensuring that people with disabilities be given equal access to all public facilities.

"Mister president, does the Village Board get to decide which ordinances it will follow and which ones it will ignore?" Short asked.

He continued to critique the job village officials have been doing, until Village President Chuck Lapicola cut off the discussion when it went past the allocated five-minute time limit.

"I don't think we need any more rhetoric," Lapicola said.

He noted that several handicapped-accessible parking spaces were clear during the election and that in the past the village staff has taken ballots to the cars of voters who do not want to leave their vehicle.

Lapicola asked Short if he would be willing to serve on the compliance committee, but Short left

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the meeting before the committee was named.

Several trustees noted that the village did not have a compliance committee while Short's father, Joe Short, served as village president.

"Since we have received a complaint, we need to form a committee which addresses these issues. If it costs us \$100 a pop to hold a meeting, so be it," Lapicola said.