

TOWN OF NEW WINDSOR Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the **Town of New Windsor**.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**GEORGE J. MEYERS
ADA Coordinator and Town Supervisor
555 Union Avenue, New Windsor, NY 12553**

Within 15 calendar days after receipt of the complaint, **GEORGE J. MEYERS** or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **GEORGE J. MEYERS** or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **TOWN OF NEW WINDSOR** and offer options for substantive resolution of the complaint.

If the response by **GEORGE J. MEYERS, SUPERVISOR** or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **Town Attorney, or his designee, 555 Union Avenue, New Windsor, NY 12553**.

Within 15 calendar days after receipt of the appeal, the **Town Attorney** or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Town Attorney** or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **GEORGE J. MEYERS** or his designee, appeals to the **Town Attorney** or his designee, and responses from these two offices will be retained by **Town of New Windsor** for at least three years.



EXHIBIT A

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of New Windsor will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Town of New Windsor does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: Town of New Windsor will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Town of New Windsor's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Town of New Windsor will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town of New Windsor's offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of New Windsor should contact the office of GEORGE J. MEYERS, SUPERVISOR, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of New Windsor to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Town of New Windsor is not accessible to persons with disabilities should be directed to GEORGE J. MEYERS, SUPERVISOR. Town of New Windsor will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



TOWN OF NEW WINDSOR TOWN CLERK'S OFFICE

555 UNION AVENUE NEW WINDSOR, NEW YORK 12553
(845) 563-4611 FAX: (845) 563-4670
NEWWINDSOR-NY.GOV

KELLY ALLEGRA, TOWN CLERK

MOTION – ADOPT GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT.

Motion by Councilman Moreau, seconded by Councilman Bedetti, That the Town Board of the Town of New Windsor, pursuant to the attached Resolution, hereby adopt the annexed Grievance Procedure under the Americans with Disabilities Act, which outlines the process which may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the Town of New Windsor.

ROLL CALL:

Councilman Moreau – Aye
Councilman Bedetti – Aye
Councilwoman Santiago – Abstain
Councilwoman Lincoln – Aye
Supervisor Meyers- Aye

MOTION CARRIED: 4-0

MOTION – RESOLUTION - ADOPT GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT.

Motion by Councilman Moreau, seconded by Councilman Bedetti,

WHEREAS, the United States Congress enacted the Americans with Disabilities Act of 1990 (the ADA) which makes it unlawful for a public agency to discriminate in its facilities, services, programs, policies, procedures and practices against individuals with disabilities; and

WHEREAS, in compliance with Title II of the ADA, the Town of New Windsor is required to name an ADA Coordinator, adopt a grievance procedure to resolve complaints alleging violations of Title II of the ADA, and post a notice reflecting this information, and

WHEREAS, the Town of New Windsor endorses and promotes the rights and privileges of persons with disabilities and wishes to actively remove barriers which prevent their assimilation into society and access to jobs, programs and services, which the Town makes available to the general public; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of New Windsor that:

1. it hereby adopts the attached procedure for addressing grievances under the ADA; and
2. the Town Clerk is hereby directed to post the Town of New Windsor Grievance Procedure under the ADA on the Town's website; and
3. the Town Clerk is hereby directed to post the attached Exhibit A, Notice Under the ADA, on the Town's official bulletin board and Facebook page.

ROLL CALL:

MOTION CARRIED: 4-0

Councilman Moreau – Aye
Councilman Bedetti – Aye
Councilwoman Santiago – Abstain
Councilwoman Lincoln – Aye
Supervisor Meyers- Aye

I, **KELLY ALLEGRA**, Town Clerk of the Town of New Windsor in the County of Orange, State of New York, **HEREBY CERTIFY** that the attached extract of the Minutes has been compared by me with the Minutes of the Town Board Meeting of the Town of New Windsor in the County of Orange, State of New York, held on the 5th day of October 2022, and the same is a true and correct transcript therefrom and of the whole thereof so far as the same relates to the subject matter referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 6th day October 2022.

Town Seal



Kelly Allegra, Town Clerk
Town of New Windsor