

Resolution of the Town Board
TOWN OF ULSTER
Resolution Adopting the ADA Grievance Procedure

Date: July 15, 2021

WHEREAS, pursuant to Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Ulster cannot discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities; and

WHEREAS, in compliance with Title II of the ADA, the Town of Ulster shall name an ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA, the Town of Ulster shall adopt a grievance procedure for resolving complaints alleging violations of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA, the Town of Ulster shall adopt and publish notice to the public regarding the Town's ADA Policy; and

WHEREAS, in compliance with Title II of the ADA, the Town of Ulster shall post the ADA coordinator's name, office address and telephone number along with the ADA Policy Statement and ADA Grievance Procedure on its website.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulster hereby designates Suzanne Reavy as the ADA Coordinator for the Town; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Ulster hereby adopts the ADA Grievance Procedures, a copy of which is attached hereto; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Ulster hereby adopts and shall publish notice to the public regarding the Town's ADA Policy, a copy of which is attached hereto; and

BE IT FURTHER RESOLVED, in compliance with Title II of the ADA, the Town of Ulster shall post the ADA coordinator's name, office address and telephone number along with the ADA Policy Statement and ADA Grievance Procedure on the Town website and at such other locations as may be determined appropriate.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor James E. Quigley 3rd: Yes

Councilman Eric Kitchen: Yes

Councilman John Morrow: Excused

Councilman Rocco Secreto: Yes

Councilman Clayton Van Kleeck: Yes

CARRIED

**Town of Ulster
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 Ulster. The Town's Personnel Policy governs employment-related complaints of disability discrimination.

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:

**Suzanne Reavy
ADA Coordinator / Town Clerk
Town of Ulster Town Hall
1 Town Hall Drive
Lake Katrine, NY 12448**

Within 15 calendar days after receipt of the complaint, Suzanne Reavy or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Suzanne Reavy or her 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 Ulster and offer options for substantive resolution of the complaint.

If the response by Suzanne Reavy or her 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 Supervisor or his/her designee.

Within 15 calendar days after receipt of the appeal, the Town Supervisor or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Supervisor or his/her 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 Suzanne Reavy or her designee, appeals to the Town Supervisor or his/her designee, and responses from these two offices will be retained by the Town of Ulster for at least three years.

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 Ulster will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Ulster 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: The Town of Ulster will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Ulster'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: The Town of Ulster 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 the Town of Ulster 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 the Town of Ulster, should contact the office of **Suzanne Reavy, ADA Coordinator, (845) 382-2765** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Ulster 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 the Town of Ulster is not accessible to persons with disabilities should be directed to **Suzanne Reavy, ADA Coordinator, (845) 382-2765**. The Town of Ulster 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.