

**TOWN OF DRYDEN
TOWN BOARD MEETING
October 17, 2019**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Linda Lavine,
Cl Kathrin Servoss, Cl Alice Green

Elected Officials: Bambi L. Avery, Town Clerk
Rick Young, Highway Superintendent

Other Town Staff: Ray Burger, Planning Director
Jennifer Case, Bookkeeper
Khandi Sokoni, Town Attorney

Supv Leifer opened the meeting at 6:05 p.m. Board members and audience recited the pledge of allegiance.

TOWN CLERK

RESOLUTION #138 (2019) – APPROVE MINUTES

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby approves the meeting minutes of September 12 and September 19, 2019.
2nd Cl Green

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|----------------|-------------|-----|
| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

GAME FARM ROAD SPEED LIMIT

Cl Green explained the board had passed a resolution requesting a speed limit reduction on Game Farm Road to 45 mph because of the new rail trail crossing. There was not enough detail in that resolution, and she has prepared another resolution for consideration tonight.

RESOLUTION #139 (2019) – REQUEST SPEED LIMIT REDUCTION – GAME FARM ROAD

Cl Green offered the following resolution and asked for its adoption:

WHEREAS, the Town of Dryden places a high priority on completion of the Dryden Rail Trail, which will connect with the East Ithaca Recreation Way at Game Farm Rd, and

WHEREAS, completion of the 10.5 mile Rail Trail is a priority action in the 2014 Tompkins County Priority Trail Strategy, and

WHEREAS in 2017 the Town of Dryden was awarded a \$182,000 grant from NYS Parks, Recreation and Historic Preservation’s Environmental Protection Fund (EPF) to build the trail from Pinckney Rd. to Game Farm Rd., and

WHEREAS in 2019 the Rail Trail was awarded a \$1.5 million Transportation Alternatives Program (TAP) Grant from the NYS Department of Transportation to build a pedestrian bridge across Route 13 and to complete trail surfacing on sections adjacent to that bridge, and

WHEREAS, the Town is slated to substantially complete and open the section of the Rail Trail from Route 13 to Game Farm Road by 2020, and

WHEREAS, due to the high volume of users on the East Ithaca Recreation Way, and the likely high volume on the newly opened Dryden Rail Trail, it is anticipated that Game Farm Road will have a dramatically higher number of pedestrians and bicyclists crossing at the connection of the two trails, and

WHEREAS, a parking lot adjacent to the East Ithaca Recreation Way on Game Farm Road has increased the number of vehicles pulling in and backing out at the crossing, and

WHEREAS, the impaired sight lines north of the trail make it difficult for drivers travelling 55 miles per hour to see and stop in time for crossing trail users and cars entering and exiting the parking lot, and

WHEREAS, the East Ithaca Recreation Way by Game Farm Road is situated within a designated Tompkins County Unique Natural Area Inventory Site (Cascadilla Woods and Fish Ponds #128), and therefore is a valued riparian corridor that should be protected from adverse alteration, and

WHEREAS, the Towns of Dryden and Ithaca each own the crossing to the center line of Game Farm Rd., and

WHEREAS, representatives of the two Towns met in June 2019 with officials from Tompkins County Highway, Planning and Board of Representatives, Cornell Transportation, and Cornell Botanic Gardens, to discuss the safest, most environmentally appropriate and most cost-effective way of allowing trail users to cross Game Farm Road, and

WHEREAS, it was the consensus of that group that, following an appropriate traffic study, an at-grade crossing should be installed between the two trails, and that a request be made to reduce the speed limit on Game Farm Road from 55 MPH to 45 MPH, now

THEREFORE, BE IT RESOLVED that this Town Board sends a request to the County Highway and State Department of Transportation to do a traffic study for a speed limit reduction on Game Farm Road from 55 MPH to 45 MPH.

2nd Cl Lavine

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|----------------|-------------|-----|
| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

Cl Green will share this resolution with the Town of Ithaca.

**PUBLIC HEARING
LOCAL LAW TO OVERRIDE THE TAX LEVY CAP**

Supv Leifer opened the public hearing at 6:15 p.m. One typo was corrected: the word adjusted was changed to adjudged. There was no public comment and the hearing was left open.

WATER/SEWER CONSOLIDATION

Supv Leifer said the Apple Orchard PRV will be voted on by the Town of Ithaca on Monday. The value for that has been included in the consolidation agreement. The plan will not change, but the asset will be added.

RESOLUTION #140 (2019) – ADOPT CONSOLIDATION PLANS FOR WATER AND SEWER DISTRICTS

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby approves the consolidation plans for water and sewer districts and sets the public hearing for November 7, 2019, at 6:00 p.m.
2nd Cl Green

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|----------------|-------------|-----|
| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

ANTI-DISCRIMINATION POLICY

The board has been previously provided with and reviewed the proposed policy.

RESOLUTION #141 (2019) – ADOPT POLICY AGAINST DISCRIMINATION & HARASSMENT

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby adopts the attached Policy Against Discrimination and Harassment.
2nd Cl Lamb

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|----------------|-------------|-----|
| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

CITIZENS PRIVILEGE

David Weinstein, 51 Freese Road, said no amount of money from Trinitas would be worth the destruction of community, which is exactly what that project would do.

Laurie Snyder, 36 Freese Road, said she understands there are red flags on the Freese Road bridge and it will be closed for a few days next week for repairs of those elements. She asked that the board ask the engineers to research what it would cost to repair and rehabilitate the bridge. She fervently believes that is still the best option for Freese Road. Game Farm Road is a good example of how traffic flies through when you have a two-lane bridge.

BROADBAND STUDY

Supv Leifer said there is a second draft of the broadband study and there are still some numbers to be added. Survey data shows 96% of responses were from residences. Most people receive a 0-10 mbps speed. There is 96.8% interest in the town being able to provide 100 mbps speed at or below market cost. There was about a 15% response rate to the survey, which is really good.

Cl Green said she appreciates the initiative and the study, and the detail is helpful. There are still decisions that need to be made and she asked if there was a plan for next steps and the procedure for the board. Supv Leifer said the town would need to pick a business model, choose a funding source or combination of sources, and that will be driven by how it is rolled out.

Cl Lamb said if the town could come up with the initial \$200,000 or so through grants or loans, and then if you look at the projections, funds start coming in at year 5 in excess of a million dollars. There will be a cash flow issue initially. If projections are correct, it will pay for itself and be a revenue source for the town in the future. Supv Leifer suggested having a meeting after budget time to just focus on this. The board could set up a subcommittee or advisory board, including experts, to work on this project, probably at the December meeting.

Supv Leifer stated he has still been unable to get a response from Spectrum about the increased franchise fee charges on customer bills.

FREESE ROAD BRIDGE

Cl Servoss said a letter was received from State Historic Preservation Office that basically says that the portions of the bridge that are historic are the top and bottom chords, the end posts, the post diagonals and the substructure. SHPO found that the town's preferred alternative (alternative 9) will have an adverse effect on the resource. They also stated the rehabilitation of the existing bridge (alternatives 2, 3 and 4) may also have an adverse effect on the historic structure. They say significant intervention is needed to meet the minimum safety requirements if the town went with rehabilitation. Because there are no additional historic resources near the bridge, it does not serve as a historic setting for another eligible or listed resource. The only alternatives that SHPO say may not have any adverse effect are alternatives 7 (single-lane conventional bridge using existing truss as separate pedestrian bridge), 10 (two-lane conventional bridge, existing truss to be used as a separate pedestrian bridge), and 13a (new offline conventional bridge with existing truss to remain in place as a pedestrian bridge). SHPO's preferred options all involve using the existing bridge as a pedestrian bridge (twinning).

Since receipt of SHPO's letter NYS DOT has inspected the Freese Road bridge and it has received one yellow flag and two red flags. This means there needs to be a plan to mitigate the issues within six weeks. The county will close the bridge for a few days next week, evaluate and likely make a few repairs.

Cl Servoss said the reasons for the flags may have an impact on the board's decision and reviewed the details of the flags (posted on the town's website). The most significant item may be that the inspectors could not locate the foundation of the pier in the middle of the bridge.

The town's consultant does not believe that the town will not be able to move forward with its chosen alternative. The board reviewed the cost of alternatives 9, 10, 12, 13a and

13b. Only alternatives 9 (\$2.4 million) & 13b (\$2.4 million) would fall within the BridgeNY funding.

Comments:

- TAP funding could be available to do help rehab pedestrian bridge.
- Twinning options would mean a bigger footprint.
- The County will not cover the expense maintaining a pedestrian or using elements of the old bridge on the new bridge.
- Should the town move forward with its preferred alternative or choose from SHPO's recommendations?
- The existing bridge is longer than the new bridge; how would you accommodate the old trusses?
- Can we get a figure to rehabilitate the existing bridge?
- If rehabilitated, a lot of the historic portions would have to be replaced because of deterioration and it would not have as long a life span as a new bridge.
- The town made a statement with its findings statement and the engineers will help the town work toward that.
- SHPO will respect what the town ultimately decides; an adverse impact does not mean that the project can't go forward.
- One of the least costly alternatives is #11 – need an updated estimate.
- Storing and protecting the old bridge for future use would preserve much of the historic value.
- A new bridge could have an unlimited weight limit.
- The weight limit for the *road* is 5 ton.
- There is concern about speed on a two-lane bridge.
- Perhaps the width of the pedestrian corridors could be reduced, and the old bridge rehabbed and moved downstream for a pedestrian bridge.
- The board has voted on a findings document and made its views clear.

Cl Lamb proposed that the town respond that since the town's efforts to appeal to SHPO with the truss style façade on #9 were not seen as significant, the town would rather go with its true preferred option, #11, which would be less costly and less maintenance. He said that is what the town needs and that neither the town board nor the residents are in favor of a twinning option.

There is concern about pedestrian corridors on #11. Would it be possible to remove the corridors to reduce the width and preserve the existing bridge and move it to the downstream side? There are no designated pedestrian paths leading up to the bridge.

Cl Lamb will draft a letter that the town prefers to go with option #11. L Snyder suggested using the truss as decoration and having signage that it is the site of a former Groton bridge.

HIGHWAY/DPW DEPT

R Young reported they are finishing up summer work. He has finished the grant applications for street lights and the charging station. He has received an email that the grant for \$155,000 for next year is ready to go and he should have an answer soon. They are preparing the trucks for winter and snow removal.

COUNTY BRIEFING

Mike Lane reported that at the facilities meeting Jeff Smith talked about the flags on the bridge. The decking is badly deteriorating, and they plan to work on that. Another problem is the center pier, and they are trying to find the foundation. There are different kinds of flags and County has 8 weeks to respond on how they intend to remedy the flagged problem. They are trying to come up with a way to have the pier repaired, and the state will have to approve that. They are moving along on the project and trying to keep the bridge open. It will be closed days to repair the steel.

Etna Lane bridge replacement schedule – they are looking now at design and field work is in progress with a goal of construction between May and November of 2022.

There is concern with the state bridge on Route 34 in Lansing. The Ludlowville Road bridge will be vital as a detour when they close the big bridge. They will move that Ludlowville bridge ahead for sooner construction.

The County is planning to complete paving on Ellis Hollow Road before the end of the year.

The airport project continues, and 80 people were working on that today. They have now installed one jet bridge and are working on the second of four. They are hoping to have a grand opening between Thanksgiving and Hanukah.

On the DOT site at the airport area, the initial bidding failed because the bid came in so high. The state re-bid it and got an acceptable bid. It will go to the comptroller for approval of the contract and they should hear any day that it has been approved. The contractor will begin site preparation as soon as it is approved. There will be joint fuel farm on the airport property for state and municipalities. When the former DOT site in Ithaca is cleared there will be some remediation measures necessary.

2020 Census – There are positions available for part time work. There will be up to 200 positions in the Ithaca area. Tompkins County Workforce Development is holding a session on Thursday 11-2 for this.

The county has adopted their tentative budget with amendments. There is a proposed levy increase of 2.75%. The tax rate will go down slightly on the value of median house. They will hold a public hearing on a capital improvement tax reduction for residential properties that a property owner can apply for when they do an addition on their property.

Housing continues to be more expensive. The population in the jungle has increased. Eighteen people died of overdoses in Tompkins County last year. CARS has announced they will do a methadone clinic which has not been done in Tompkins County before.

Cl Lamb said TCAT has received a NYSEDA grant for doing a first mile last mile study to bring bus service to rural areas. They are looking at ways to reduce barriers to rural folks to getting on the existing bus lines.

Community Housing Development Fund – The town was asked to pledge \$50,000 toward this fund. Supv Leifer said the town can affirm its participation, but not necessarily budget it for 2020. Cl Green will bring a resolution to the board next month.

There were no further comments on the proposed local law to override the tax levy cap and Supv Leifer closed the public hearing at 7:48 p.m.

RESOLUTION #142 (2019) – ADOPT LOCAL LAW TO OVERRIDE THE TAX LEVY CAP

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby adopts the following local law and directs the Town Clerk to file the same with the Secretary of State:

LOCAL LAW # OF 2019 – A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

Be it enacted by the Town Board of the Town of Dryden as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Dryden, County of Tompkins pursuant to General Municipal Law §3-c, and to allow the Town of Dryden, County of Tompkins to adopt a town budget for (a) town purposes, (b) fire protection districts, and (c) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2020 and ending December 31, 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Dryden, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

2nd Cl Green

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| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

Water/Sewer Consolidation

Proposed resolutions for consolidating the water and sewer districts were distributed and reviewed by the board.

RESOLUTION #143 (2019) – RESCIND RESOLUTION #140

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby rescinds Resolution #140 adopted earlier in this meeting.
2nd Cl Green

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|----------------|-------------|-----|
| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

Atty Sokoni explained that the procedure in this matter is to adopt the plans for consolidation of the water and sewer districts and then set a public hearing for each matter. The plan is then published and open to public comment. Supv Leifer read the resolutions aloud prior to adoption.

RESOLUTION #144 (2019) - CALLING PUBLIC HEARING REGARDING THE PROPOSED CONSOLIDATION OF SEWER DISTRICTS NOS. SS2, SS4, SS5, SS6 and SS7 TO BE DESIGNATED AS CONSOLIDATED SEWER DISTRICT NO. 1 IN THE TOWN OF DRYDEN PURSUANT TO SECTIONS 206 AND 206-a OF THE TOWN LAW OF THE STATE OF NEW YORK

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS, Town of Dryden Sewer Benefit Districts SS2, SS4, SS5, SS6 and SS7 are separate and distinct special improvement districts of the Town of Dryden (“Town”), established at different times pursuant to Article 12 and/or Article 12-A of the New York State Town Law (Individually “District” and collectively “Districts”); and

WHEREAS, the Districts currently serve separate areas within the Town but are contiguous, and their systems are interconnected; and

WHEREAS, each of the Districts has separate debt service obligations and separate sewer rate structures; and

WHEREAS, management of each District has three separate components, to wit: administrative, financial and operational, which are handled respectively by the Town Clerk; Town Supervisor and Town Bookkeeper; and

WHEREAS, all present indebtedness of said districts and extensions will be paid in full during the current calendar year, and

WHEREAS, presently the cost of the proposed extensions is often extremely high relative to the available assessment base so that the cost constitutes an undue burden on the property therein.

WHEREAS, it appears that certain benefits would accrue if all of said districts and extensions were consolidated, namely:

- a. Bookkeeping and budgeting would be facilitated without the necessity of inter district transfers and adjustments.

- b. The costs of future repairs for emergencies will be spread over the entire consolidated district and not borne only by the area involved.
- c. The costs of future expansion of sewer service will be spread over the entire consolidated district and not just the new area involved.
- d. Revenues produced by water production would be shared by the entire consolidated district.
- e. All future expenses of maintenance, operation and improvements of the consolidated district would be raised and paid for by all properties within the consolidated district.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Dryden in regular session duly convened as follows:

a. The plan for consolidation of Sewer Districts Nos. SS2, SS4, SS5, SS6 and SS7 of the Town of Dryden is hereby adopted.

b. A public hearing be and the same hereby is called on November 7, 2019, at 6:00 p.m. at the Dryden Town Hall, at 93 East Main Street, Dryden, New York to consider the proposed consolidation of Sewer Districts Nos. SS2, SS4, SS5, SS6 and SS7 of the Town of Dryden pursuant to sections 206 and 206-a of the Town Law of the State of New York.

c. The Town Clerk shall give notice of said hearing, by publication of a notice in the Ithaca Journal, the official newspaper of the Town, at least ten (10) days prior to the time fixed for such public hearing and shall post one copy of said notice on the Town Clerk’s signboard at least ten (10) days prior to the time fixed for such public hearing.

2nd Cl Servoss

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|----------------|-------------|-----|
| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

RESOLUTION #145 (2019) - CALLING PUBLIC HEARING REGARDING THE PROPOSED CONSOLIDATION OF WATER DISTRICTS SW1, SW2, SW3, SW4 SW5 and SW6 TO BE DESIGNATED AS CONSOLIDATED WATER DISTRICT NO. 1 IN THE TOWN OF DRYDEN PURSUANT TO SECTIONS 206 AND 206-a OF THE TOWN LAW OF THE STATE OF NEW YORK

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS, Town of Dryden Water Districts SW1, SW2, SW3, SW4 SW5 and SW6 are separate and distinct special improvement districts of the Town of Dryden (“Town”), established at different times pursuant to Article 12 and/or Article 12-A of the and

WHEREAS, the Districts currently serve separate areas within the Town but are contiguous, and their systems are interconnected; and

WHEREAS, each of the Districts has separate debt service obligations and separate water rate structures; and

WHEREAS, management of each District has three separate components, to wit: administrative, financial and operational, which are handled respectively by the Town Clerk; Town Supervisor and Town Bookkeeper; and

WHEREAS, all present indebtedness of said districts and extensions will be paid in full during the current calendar year, and

WHEREAS, presently the cost of the proposed extensions is often extremely high relative to the available assessment base so that the cost constitutes an undue burden on the property therein.

WHEREAS, it appears that certain benefits would accrue if all of said districts and extensions were consolidated, namely:

- a. Bookkeeping and budgeting would be facilitated without the necessity of inter district transfers and adjustments.
- b. The costs of future repairs for emergencies will be spread over the entire consolidated district and not borne only by the area involved.
- c. The costs of future expansion of sewer service will be spread over the entire consolidated district and not just the new area involved.
- d. Revenues produced by water production would be shared by the entire consolidated district.
- e. All future expenses of maintenance, operation and improvements of the consolidated district would be raised and paid for by all properties within the consolidated district.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Dryden in regular session duly convened as follows:

a. The plan for consolidation of Water District Numbers SW1, SW2, SW3, SW4 SW5 and SW6 of the Town of Dryden is hereby adopted.

b. A public hearing be and the same hereby is called on November 7, 2019, at 6:00 at the Dryden Town Hall, at 93 East Main Street, Dryden, New York to consider the proposed consolidation of Water District Numbers SW1, SW2, SW3, SW4 SW5 and SW6 of the Town of Dryden pursuant to sections 206 and 206-a of the Town Law of the State of New York.

c. The Town Clerk shall give notice of said hearing, by publication of a notice in the Ithaca Journal, the official newspaper of the Town, at least ten (10) days prior to the time fixed for such public hearing and shall post one copy of said notice on the Town Clerk's signboard at least ten (10) days prior to the time fixed for such public hearing.

2nd Cl Green

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|----------------|-------------|-----|
| Roll Call Vote | Cl Lavine | Yes |
| | Cl Green | Yes |
| | Cl Servoss | Yes |
| | Cl Lamb | Yes |
| | Supv Leifer | Yes |

PLANNING DEPARTMENT

Trinitas Update - R Burger reported the application is still under review. There are some issues to resolve before it can be called complete. It will continue to be evaluated over the coming weeks and he will advise as soon as it has been declared complete. The town can then declare lead agency. Issues include the consolidation of lots and the two lots on the Fall Creek side of Route 366 and whether they are to be a park feature or for single family homes. There may be an issue with respect to green space. One of the conditions of sketch plan

approval was to make a proposal concerning housing on those two lots. They were responsive to that and now there is a question of green space that would have been provided by those properties had they been parkland instead. It was clarified that when the application is deemed complete, the 62-day clock starts. Declaration of lead agency status must take place within that 62-day period.

Special use permit applications expected for future hearing:

- Kennel/doggy daycare next to the old Book Barn where a veterinary practice is going in. They are working out an issue with DOT and R Burger said they may be ready for site plan/special use permit on November 21.
- I-Deal Storage expansion – this application will probably be in order for November 21.

Mill Creek Subdivision – R Burger reported the 40 residential lots went on the market and the majority of lots are already sold.

ADVISORY BOARD UPDATES

Safety & Preparedness – J Bretscher reported they held a citizens preparedness training last month and had 50 people in attendance. It was very well done, and everyone went home with a backpack full of supplies should they need to shelter in place or shelter elsewhere. They are grateful that the Rotary Club of Ithaca awarded them \$1,000 and that will pay for uniforms for 6 CERT members. They have applied for another grant. Dana Magnuson has opened a bank account for them at AFCU and they have a bookkeeper to do their accounting. Basic CERT training is in progress with ten participants. Katie Quinn-Jacobs would like one of their group to be involved in the comprehensive plan update. D Weinstein will bring this up at the next meeting on the consultants.

Planning Board – has formed a subcommittee to try and reconcile zoning with the Varna Plan. They discussed short-term rentals.

Conservation Board – discussed the possibility of a deer control program for the town and how to improve ditch management practices. Could we implement a test program as described by Rebecca Schneider? They also discussed a system for monitoring conservation easements; a report should go to the town board.

Recreation & Youth Commission – There was a preliminary discussion about a proposal from the Village of Freeville to take over their summer camp. DRYC requested additional information and after receiving that, it looks like the Rec Dept will take over that camp. There was talk of a DRYC group travelling to take a look at the 3.5 acres given to the town in the Mill Creek subdivision. They also discussed town participation in the holiday celebration in the Village of Dryden on December 6.

Ag Committee – is reviewing ag district maps with Monika Roth of Cooperative Extension. They will be also be involved with the comp plan review.

Rail Trail Task Force – They have requested expressions of interest from firms that would potentially be involved in the TAP grant work. They had a great conversation with someone from the City of Ithaca who advised them that they could use the consultations with applicants who express interest to help define the scope of the work on the TAP grant. Those expressions of interest are due November 1 and a subcommittee of the task force will meet to review those. CI Green had a discussion with Jeff Smith of Tompkins County Highway about the Memorandum of Understanding discussed last month. He indicates that he originally wrote that memorandum to go to both the Town of Dryden and the Town of Ithaca. He was

advised that the county would prefer a memorandum of understanding with only one party. Cl Green said the town feels strongly that both Dryden and Ithaca both benefit from a good agreement at the crosswalk. He said it would be acceptable for the two towns to do their own memorandum regarding responsibility for the crosswalk. She also asked him about the requirements for the study of alternatives at the crossing and the requirement in the MOU that required someone with a pretty high level of highway engineering to conduct that study. He was quite insistent that we do need to have a firm rather than a pro bono highway engineer be responsible for the oversight of that. She is suggesting that we do the same thing with the crossing as with the bridge and ask for expressions of interest or do an RFP for firms that might help us design what needs to be in the crossing study. She recommends that we get expressions of interest and talk with potential firms about what the cost of that study will be before approaching the Town of Ithaca to discuss a cost-sharing memorandum of understanding.

BUDGET

After discussion about where to cut another \$80,000 to \$90,000 from the preliminary budget, it was decided Supv Leifer will email R Young requesting that he find another \$80,000 to \$90,000 reduction in his budget.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk

TOWN OF DRYDEN
POLICY AGAINST DISCRIMINATION AND HARASSMENT

SECTION 1: PURPOSE

- A. Scope of Policy
- B. Policy Objectives

SECTION 2: DEFINITIONS

SECTION 3: POLICY

SECTION 4: POLICY ENFORCEMENT

- A. Complaint Procedure for Employees
 - 1. Notification Procedure
 - 2. Making a Complaint
 - 3. Supervisory Responsibilities
- B. Time for Reporting a Complaint
- C. Confidentiality and Privacy
- D. Acknowledgment of Complaint

SECTION 5: INVESTIGATION PROCEDURES

- A. Timing of Investigations
- B. Method of Investigation
- C. Notification to Complaining Party and the Accused Party
- D. Remedial Measures

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

SECTION 7: APPEALS

SECTION 8: RECORD KEEPING

SECTION 9: LEGAL PROTECTIONS AND EXTERNAL REMEDIES

SECTION 10: QUESTIONS

SECTION 11: COMPLIANCE OFFICERS

SECTION 12: EFFECTIVE DATE AND POLICY DISSEMINATION

SECTION 1: PURPOSE

The Town of Dryden believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, the Town of Dryden, (hereinafter “Municipality”), is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subject to harassment or discrimination in the workplace. It is our Municipality’s policy to provide an employment environment free from harassment and discrimination based on race, color, gender, religion, religious creed, sex, familial or marital status, age, national origin or ancestry, physical or mental disability, genetic information/predisposition or carrier status, military or veteran status, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, pregnancy (including childbirth and related medical conditions, and including medical conditions related to lactation), citizenship, domestic violence victim status or any other characteristic protected by applicable federal, state or local law.

A. Scope of Policy This Policy applies to all Municipality employees and all personnel in a contractual or other business relationship with the Municipality including, for example, applicants, temporary or leased employees, interns (whether paid or unpaid), independent contractors, vendors, consultants, volunteers or visitors. In the remainder of this Policy, the term “employees” refers to this collective group. This Policy applies with equal force on Municipality property as well as Municipality-sponsored events, programs, and activities that take place off Municipality premises.

B. Policy Objectives By adopting and publishing this Policy, it is the intention of the Municipality’s governing body to:

- (1) Notify employees about the types of conduct that constitute harassment and discrimination prohibited by this Policy;
- (2) Inform employees about the complaint procedures established by the Municipality that enable any employee who believes they are the victim of harassment or discrimination to submit a complaint which will be investigated by the Municipality;
- (3) Clearly advise all supervisory staff, managers, and employees that harassment and discrimination is strictly prohibited; and
- (4) Notify all employees that the Municipality has appointed Compliance Officers who are specifically designated to receive complaints and ensure compliance with this Policy.

NOTE: The names and office location of each Compliance Officer designated to receive and investigate complaints are listed below in Section 11 of this Policy. Any change in the designated Compliance Officers shall be distributed in writing to all current employees and shall be posted.

SECTION 2: DEFINITIONS

“Prohibited Discrimination of Employees”

Prohibited discrimination of employees can take the form of any adverse employment action against an employee, by either a Municipality employee or official or a third party engaged in activities sponsored by the Municipality which is based upon the employee’s protected characteristic. Prohibited discrimination of employees also includes harassment based on a protected characteristic even where there is no tangible impact upon the employee’s employment opportunities and/or employment benefits. The phrase “prohibited discrimination” as used in this Policy includes all forms of prohibited discrimination and harassment based on a protected characteristic, including “Sexual Harassment” as defined below.

“Harassment”

Harassment is strictly prohibited and includes, but is not limited to, conduct that is unwelcome and has the purpose or effect of unreasonably interfering with a person’s work performance, or creating an intimidating, hostile or offensive working environment. Such harassment of employees is prohibited by this Policy if it is based on a protected characteristic or directed at an individual because of a protected characteristic. In this regard, individuals subject to this Policy should be mindful that conduct or behavior that is acceptable, amusing or inoffensive to some individuals may be viewed as unwelcome, abusive or offensive to others.

“Sexual Harassment”

Sexual harassment is strictly prohibited. It is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- (2) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., promotion, transfer, demotion, termination); or
- (3) Such gender-based conduct has the purpose or effect of unreasonably interfering with an individual’s work performance, or of creating an intimidating, hostile or offensive working environment, even if the reporting individual is not the intended target of the sexual harassment.

The foregoing includes offensive comments, jokes, innuendoes or other statements of a sexual or gender-based nature as well as favoritism between a supervisor and subordinate based on an intimate/sexual relationship or desire for the same.

Who can be the target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment even if they occur away from the workplace premises, on personal devices or during non-work hours.

“Prohibited Behavior and Examples of Harassment, including Sexual Harassment”

Specific forms of behavior the Municipality considers harassment or sexual harassment are set forth below. Every conceivable example cannot be delineated herein, and thus the descriptions below should not be interpreted in any way as being all-inclusive.

- **Verbal:** Abusive verbal language including jokes, comments, teasing or threats related to an employee’s protected characteristic, sexual activity and/or body parts whether or not said in that person’s presence including, but not limited to: sexual innuendos; slurs; suggestive, derogatory, or insulting comments or sounds; whistling; jokes; propositions; threats; comments on a person’s appearance that make the person feel uncomfortable because of his or her protected characteristic; sex stereotyping, continuing to ask someone for dates or to meet after work after the person has made it clear that he or she does not want to go; comments about an employee’s anatomy or protected characteristic that are unwelcome, unreasonably interfere with an employee’s work performance, or create an intimidating, hostile or offensive work environment; or unwelcome advances or demands based on someone’s protected characteristic.
- **Nonverbal:** Abusive written language showing or displaying pornographic or sexually explicit objects or pictures; graphic commentaries based on a protected characteristic; derogatory cartoons or caricatures; luring or obscene gestures; staring at a person’s body in a sexually suggestive manner; gestures or motions based on a protected characteristic; sending material through the Municipality e-mail system or other electronic communication devices (e.g. voice mail) or using the Municipality’s mail, computers or cell phones to view material that is demeaning or derogatory based on one’s protected characteristic.
- **Physical:** Unwelcome physical conduct, including but not limited to hitting, pushing, shoving, slapping, petting, pinching, grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, coerced sexual intercourse, rape or assault or attempts to commit these assaults, persistent brushing up against a person’s body,

unnecessary touching and flashing or other unwelcome physical conduct.

- **Other:** Hostile actions taken against an individual because of an individual's sex, sexual orientation, gender identity and the status of being transgender or because of any other protected characteristic, such as: interfering with, destroying or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job; sabotaging an individual's work; bullying; yelling; or name-calling.

Any employee who feels discriminated against or harassed should report that conduct so that any violation of this Policy can be corrected promptly. Any harassing conduct, even if a single incident, can be addressed under this Policy.

SECTION 3: POLICY

The Municipality prohibits harassment and discrimination based on any characteristic protected by applicable law and will not tolerate any form of unlawful discrimination or harassment. The Municipality will take all steps necessary to prevent and stop the occurrence of unlawful discrimination and/or harassment, including sexual harassment, in the workplace.

All employees, including but not limited to, Municipality officials and supervisory personnel, are responsible for ensuring a work environment free from prohibited harassment and discrimination. All employees will be held responsible and accountable for avoiding or eliminating inappropriate conduct that may give rise to a claim of harassment or discrimination. Employees are encouraged to report violations to a supervisor, manager, or one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy. Officials, managers and supervisors must take immediate and appropriate corrective action when suspected instances of prohibited harassment and/or discrimination come to their attention to assure compliance with this Policy as well as report the suspected misconduct to the Municipality's designated Compliance Officers. Furthermore, if any employee believes that any member of management has violated this policy or has not properly responded to and/or handled a report or concerns about discrimination or harassment, the employee should immediately contact one of the Municipality's designated Compliance Officers.

Each employee is assured pursuant to *Section 6* of this Policy, that retaliation against an individual who makes a complaint or report under this Policy is absolutely prohibited and constitutes, in and of itself, a violation of this Policy. Employees who engage in retaliation against any employee for making a good faith complaint of harassment or discrimination, or for opposing in good faith any practices forbidden by applicable anti-discrimination laws or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws, shall be subject to discipline, up to and including termination of employment. Any employee who believes he/she has been retaliated against in violation of this policy should report violations to one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy.

Any questions regarding the scope or application of this Policy should be directed to one of the Compliance Officers listed in *Section 11* of this Policy.

SECTION 4: POLICY ENFORCEMENT

A. Complaint Procedure for Employees

1. Notification Procedure

Prompt reporting of complaints or concerns is encouraged so that timely and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of prohibited discrimination and/or harassment is encouraged and essential, regardless of the offender's identity or position. An employee or other individual who feels aggrieved because of harassment or discrimination shall contact his or her supervisor or a Compliance Officer listed in *Section 11* of this Policy, or another administrator. Likewise, anyone who witnesses or becomes aware of instances of harassment or discrimination should report such behavior to his or her supervisor or a Compliance Officer listed in *Section 11* of this Policy, or another administrator.

2. Making a Complaint

Complaints are accepted orally and in writing. All employees are encouraged to use the Municipality's "Complaint of Alleged Discrimination" form. A copy of this form is attached to this Policy. Additional complaint forms can be obtained from a Compliance Officer, with no questions asked, or from the Municipality's website. Because an accurate record of the allegedly objectionable behavior is necessary to resolve a complaint of prohibited discrimination or harassment, the Municipality encourages employees to place complaints in writing, even if originally made orally. If an employee has any questions or difficulty filling out the complaint form, she/he can obtain assistance from any one of the Compliance Officers or the supervisor to which he/she complained. All complaints should include: the name of the complaining party, the name of the alleged offender(s), date(s) of the incident(s), description of the incident(s), names of witnesses to the incident(s) and the signature of the complaining party.

Once the complaining party has completed and dated a complaint, with or without the assistance of one of the Municipality's Compliance Officers or a supervisor, the written complaint, or oral complaint as the case may be, should be promptly forwarded to one of the Municipality's Compliance Officers.

Complainants are expected to cooperate with the Municipality's investigation procedures by providing all relevant information relating to the complaint, as are other supervisory and non-supervisory employees

having relevant or related knowledge or information.

3. **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected harassment or discrimination, observe what may be harassing behavior, or have any reason to suspect that harassment is occurring, are required to report such suspected harassment or discrimination to one of the Municipality's Compliance Officers.

In addition to being subject to discipline if they engaged in harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected harassment or otherwise knowingly allowing harassment to continue.

Supervisors and managers will also be subjected to discipline for engaging in any retaliation.

B. Time for Reporting a Complaint

Prompt reporting of all complaints is strongly encouraged. All employees should be aware that appropriate resolution of complaints and effective remedial action oftentimes is possible only when complaints are promptly filed.

C. Confidentiality and Privacy

The Municipality shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees. To the extent complaints made under this Policy implicate criminal conduct, the Municipality may be required by law to contact and cooperate with the appropriate law enforcement authorities.

D. Acknowledgement of Complaint

Upon receipt of an oral or written complaint, the Compliance Officer should endeavor to contact promptly the complainant to confirm that the complaint has been received. If the complainant does not receive such confirmation promptly, she/he is encouraged to contact a Compliance Officer or his/her supervisor or the supervisor to whom the complaint was made to ensure its receipt. The purpose of this acknowledgment procedure is to ensure that all complaints are received by authorized individuals, carefully processed and promptly investigated.

SECTION 5: INVESTIGATION PROCEDURES

A. Timing of Investigations

The Municipality will promptly investigate all allegations of discrimination and harassment prohibited by this Policy. The Municipality will also attempt to complete investigations under this Policy promptly. The length of the investigation will depend upon the complexity and particular circumstances of each complaint.

B. Method of Investigation

Investigations will provide all parties due process, and reach reasonable conclusions based on the evidence collected. Investigations will be conducted by Municipality Compliance Officers, Municipality's legal counsel, and/or other impartial persons designated by the Municipality. The primary purposes of all investigations under this Policy will be to determine:

- Did the conduct complained of occur;
- Did the conduct complained of violate this Policy; and
- What remedial measures or preventative steps, if any, shall be taken.

Investigations will necessarily vary from case to case and may typically include the following: fact-finding interviews, including of the accuser and the accused; document request, review and preservation; depositions; and observations or other reasonable methods. Municipality investigators should pursue reasonable steps to investigate each complaint in a thorough and comprehensive manner. Any notes, memoranda, or other records created by Municipality employee or agent conducting an investigation under this Policy shall be deemed confidential and privileged to the extent allowed by law.

Investigators will typically create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents;
- A list of names of those interviewed, along with a detailed summary of their statements;
- A timeline of events;
- A summary of prior relevant incidents, reported or unreported; and
- The basis for the decision and final resolution of the complaint, together with any remedial actions.

C. Notification to Complaining Party and the Accused Party

The results of the investigation shall be communicated in writing to both the person filing the complaint and the accused party.

D. Remedial Measures

This Policy is intended to prevent all forms of unlawful discrimination and harassment and put an end to any prohibited discrimination that is found to have occurred. While disciplinary action may be appropriate in certain instances, punitive measures are not the exclusive means for responding to prohibited discrimination or harassment. During the pendency of any investigation being conducted pursuant to this Policy, remedial measures may be taken if appropriate and necessary.

Any individual who is found to have engaged in prohibited discrimination or harassment or conduct which may be prohibited by this Policy may receive education, training, counseling, warnings, discipline, or other measures designed to prevent future violations of this Policy. Disciplinary action may include: warnings, suspension, or discharge from employment or such disciplinary action as may be permitted by applicable collective bargaining agreements and law. Any third party found to have engaged in discrimination or harassment of an employee may be barred from Municipality property.

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

Unlawful retaliation can be any action that could discourage an employee from coming forward to make a complaint or support a discrimination or harassment claim. Adverse action need not be job-related or occur in the workplace to constitute retaliation (e.g., threats of physical violence outside of work hours).

Retaliation against anyone for making a good faith complaint of harassment or discrimination, for opposing in good faith any practices forbidden by applicable anti-discrimination laws or for filing a good faith complaint with, or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws is strictly prohibited by this Policy and by law.

Even if the alleged harassment or discrimination does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if he/she had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment or discrimination.

Complaints of retaliation should be brought directly to a Compliance Officer. Such complaints will be promptly investigated. If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including termination of the business relationship.

SECTION 7: APPEALS [OPTIONAL]

Any complainant or accused party who wishes to appeal the conclusion which the Municipality reached in investigating a complaint filed under this Policy, may do so within ten (10) calendar days of receipt of the appealing party's notification of the investigation outcome. Untimely submissions shall not receive consideration. Such appeal must be made in writing to the Municipality's governing body. The appealing party shall be entitled to present evidence in writing as to why the conclusion was flawed, improper, or otherwise not supported by the evidence. The Municipality's consideration and review of any such appeal shall be conducted confidentially in executive session. Following a review of that evidence, as well as the

information obtained in the investigation process and conclusions derived therefrom, the Municipality's governing body, or its designee, shall render a decision. That decision shall be final. The appealing party shall be notified of the decision in writing.

Nothing set forth in the Appeal Process above shall be construed to, in any way, confer upon either the complainant(s) or the person(s) accused of violating this Policy any right to appeal the Municipality's determination as to appropriate disciplinary and/or corrective action to be taken on meritorious complaints. In this regard, the Municipality at all times retains sole discretion to determine the appropriate disciplinary and/or corrective action to be taken with regard to a meritorious complaint.

SECTION 8: RECORD KEEPING

The Municipality shall maintain a written record of all complaints of discrimination and/or harassment for a period of at least three years. The Municipality shall also document the steps taken with regard to investigations, as well as conclusions reached and remedial action taken, if any. The Municipality shall also maintain these documents for, at a minimum, three years.

The Municipality's records regarding alleged discrimination and harassment shall be maintained separate and apart from personnel records in a secure and confidential location.

SECTION 9: LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Discrimination and harassment based on protected characteristics, including sexual harassment, are not only prohibited by the Municipality but are also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Municipality, employees may also choose to pursue legal remedies with the governmental entities referenced in the following laws. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment and harassment based on other protected characteristics set forth in this Policy, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged harassment, including sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Municipality does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual or other illegal harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual or other illegal harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees (in sex discrimination and sexual harassment cases only) and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the discrimination or harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by

calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact your local police department.

SECTION 10: QUESTIONS

Any questions by employees of the Municipality about this Policy or potential harassment or discrimination should be brought to the attention of one of the Municipality's Compliance Officers. The names, locations, and telephone numbers of the Municipality's Compliance Officers are listed in *Section 11* of this Policy.

SECTION 11: COMPLIANCE OFFICERS

| | | |
|---|--------------------------------|------------------------------------|
| 1. Town Supervisor (Position) | Town Hall (Office Location) | 607-844-8888 (Telephone Number) |
| 2. Bookkeeper/Personnel Officer (Position) | Town Hall (Office Location) | 607-844-8888 (Telephone Number) |

SECTION 12: EFFECTIVE DATE AND POLICY DISSEMINATION

The effective date of this Policy shall be October 17, 2019. The Municipality's Bookkeeper/Personnel Officer shall ensure that this Policy is adequately disseminated and made available to all employees of the Municipality. In addition, copies of this Policy and Complaint Form shall be maintained in the office of each Compliance Officer as well as the Municipality's Personnel Manual.

Upon the effective date of this Policy, the provisions of this Policy shall supersede and replace all prior Municipality policies and regulations regarding employee discrimination and harassment including: **Personnel Manual, Section I – Employment Policies Section, #4 – Sexual Harassment and #5 – Anti-Harassment Policy.**

**ACKNOWLEDGEMENT OF RECEIPT OF MUNICIPALITY’S POLICY AGAINST
DISCRIMINATION AND HARASSMENT**

From:
To:
Subject:

The Municipality is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subjected to harassment or discrimination in the workplace. It is the Municipality’s policy to provide a workplace environment free from harassment and discriminatory practices.

The Municipality has adopted and disseminated a revised Policy Against Discrimination and Harassment. Please sign the attached acknowledgement that you have received a copy of the revised Policy, have reviewed it, and have been afforded an opportunity to ask a Municipality Compliance Officer any questions you may have regarding the Policy. Return the signed acknowledgement to the Bookkeeper/Personnel Officer.

Thank you for your assistance in this matter. If you have any further questions regarding this Policy, feel free to contact either Compliance Officer.

**ACKNOWLEDGEMENT OF RECEIPT OF MUNICIPALITY’S POLICY AGAINST
DISCRIMINATION AND HARASSMENT**

**I, _____, have received the Municipality’s Policy Against
Discrimination and Harassment. I have reviewed this Policy, and I have had the
opportunity to ask questions regarding the Policy.**

Signature of Employee

Date

Town of Dryden
COMPLAINT FORM

In order to assist the Town of Dryden in investigating your allegations of harassment, discrimination or retaliation in a prompt and thorough fashion, please complete this form to the best of your abilities and with as much detail as you are able. Once completed, please submit this form to a Municipal Compliance Officer identified in Section 11 of the Municipal Policy Against Discrimination and Harassment. If additional space is needed in order to respond to any question below, please attach additional pages as necessary and identify which question corresponds to the information set forth in the additional pages. Any questions regarding this form may be directed to a Municipal Compliance Officer. No individual will be retaliated against for filing a complaint.

Name of Complainant: _____ Date Submitted: _____

Job Title: _____

Address: _____

Home phone: _____ Cell: _____ Work: _____
(Please circle the number you'd prefer us to call)

Email: _____

Name of Victim (if different than Complainant): _____

Basis of this complaint (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Race/color | <input type="checkbox"/> Gender expression |
| <input type="checkbox"/> Age | <input type="checkbox"/> Gender identity |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Transgender status |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Genetic predisposition |
| <input type="checkbox"/> Sex/gender | <input type="checkbox"/> Military/veteran status |
| <input type="checkbox"/> Sexual harassment | <input type="checkbox"/> Citizenship |
| <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Religion/Religious creed |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Domestic violence victim status |
| <input type="checkbox"/> Familial Status | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Other/Not Sure |

If checked "Other/Not Sure," please briefly explain:

Time(s) and date(s) the incident(s) took place:

Name(s) and office address of the individual who allegedly engaged in the harassment, discrimination or retaliation. If more than one, list all.

Name: _____

Location: _____

Describe the incident(s) which occurred with as much detail as you are able, including why you believe the incident(s) constitutes harassment, discrimination or retaliation (please attach any documentation or evidence you believe is relevant to the incident):

Describe briefly what you would consider to be appropriate resolution of the conduct described above: (Please note that the Town of Dryden retains the sole discretion and authority to determine the appropriate disciplinary and/or corrective action to be taken with regard to meritorious complaints. This question should not be construed in any way to constitute a forfeiture of that discretion or authority.)

Identify all persons who witnessed the incident(s) described above:

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Please identify any other persons you believe have knowledge important to the incident(s) in question, including his/her contact information and a brief description of the knowledge held by each person:

Have you filed a complaint or charge with a Federal, State, or Local Government agency related to the incident(s) identified above?

Yes _____ No _____
Has this incident or occurrence been previously reported to the Town of Dryden?
[] Y [] N. If yes, when and to whom?

If the incident or occurrence has been previously reported, please describe the remedy, outcome or resolution:

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

Complainant's Signature

Date

Received by:

Signature
Print Name:

Date

For Employer Use Only – To be Completed Upon Receipt

Recipient of Complaint (print): _____

Date, Time and Manner (e.g. personal delivery, mailbox, etc.) of Receipt: _____

Notes: _____
