



VILLAGE OF NEW PALTZ BOARD OF TRUSTEES  
Resolution No. 32 of 2019

The following was presented by Mayor Rogers; Sec'd by Trustee Wheeler-Murray; Date of Adoption 5-22-2019

Names	Ayes	Noes	Abstain	Absent
Mayor Rogers	X			
Deputy Mayor Tobin	X			
Trustee Kerr	X			
Trustee Wheeler-Murray	X			
Trustee Young	X			
Totals	5			

**A RESOLUTION ADOPTING THE FOLLOWING SECTION 504 POLICIES  
AND GRIEVANCE PROCEDURES FOR THE VILLAGE OF NEW PALTZ**

**WHEREAS**, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

**WHEREAS**, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

**WHEREAS**, it is the policy of the *Village of New Paltz* not to discriminate against any individual, person, or group on the basis of disability and the intent of the *Village of New Paltz* to address any complaints that may arise pursuant to Section 504,

**NOW, THEREFORE, BE IT RESOLVED** that the *Village of New Paltz* does hereby adopt by resolution internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

**BE IT FURTHER RESOLVED**, that the *Village of New Paltz* does hereby designate the **Building Inspector** as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and



## VILLAGE OF NEW PALTZ BOARD OF TRUSTEES

### Resolution No. 32 of 2019

**BE IT FINALLY RESOLVED**, that the *Village of New Paltz* will place its employee, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the *Village of New Paltz* official newspaper, posting of notices in the *Village of New Paltz* offices and facilities, placing notices in *Village of New Paltz* publications, and/or distribution of memoranda or other written communications subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the *Clerk's Office* for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the *Village of New Paltz* adopted grievance procedures.

**BACKGROUND:** Section 504 of the Rehabilitation Act of 1973 (the "Act") as amended prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funded by HUD, administered by the Governor's Office of Storm Recovery (GOSR), and under which the *Village of New Paltz* has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) established provisions for assuring equality of opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

**SECTION 504 POLICY/COMPLIANCE:** Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of the *Village of New Paltz* not to discriminate on the basis of disability. Towards that end, the *Village of New Paltz* has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined in the *Village Hall, Clerk's Office, 25 Plattekill Avenue, New Paltz, NY 12561*. The **Building Inspector** for the *Village of New Paltz* has been designated to coordinate the efforts of the *Village of New Paltz* with respect to Section 504 compliance. This information can also be accessed on the Internet at the following address:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/disabilities/sect504](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504).

The **Building Department** is located at *25 Plattekill Avenue, New Paltz, NY 12561, Village of New Paltz, New York*. The Section 504 Coordinator can be reached at (845) 255-3055).



VILLAGE OF NEW PALTZ BOARD OF TRUSTEES

Resolution No. 32 of 2019

**GRIEVANCE PROCEDURE:** Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the *Village of New Paltz* outlined below.

- Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the *Village of New Paltz* relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the *Village of New Paltz, Board of Trustees* within 15 days of receiving the Section 504 Coordinator's decision. The *Village of New Paltz Board of Trustees* shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

The *Village of New Paltz* will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for the *Village of New Paltz* to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

The Resolution was thereupon adopted.

Ariana Basco, Deputy Clerk

Date

