

TOWN OF PERINTON

TITLE II AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

The Town of Perinton has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the US Department of Justice regulations implementing Title II of the Americans With Disabilities Act.

Title II states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity.

Complaints should be addressed to Joseph LaFay, Town Attorney, Town of Perinton, 1350 Turk Hill Road, Fairport, NY 14450, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations. Complainants who require an alternative means of communication because of their disability may personally contact Joseph LaFay, at 1350 Turk Hill Road, Fairport, NY 14450 or call him at (585) 223-0770.
2. A complaint should be filed within 10 days after the complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, shall follow a filing complaint. The investigation shall be conducted by Joseph LaFay. These rules contemplate informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by Joseph LaFay and a copy forwarded to the complainant no later than 30 days after its filing.
5. The Town Clerk shall maintain the files and records of the Town of Perinton relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for a reconsideration should be made within 10 days to the Perinton Town Board.
7. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person’s pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the Town of Perinton complies with the ADA and implementing regulations.