

Minutes of the Village Board Meeting held on April 27, 2023, at 7:30PM

Present: Andrew Giacomazza, Mayor  
Tara Burek, Susan Ciriello, Victor Ferrarelli and Christopher Graziano, Trustees  
Absent: None  
Also Present: Robert Weyant, Village Streets Superintendent; Michael Phillips, Water/Wastewater Administrator; Michael Panella, Building Inspector; Desiree Potvin, Village Clerk; Chris Gerver, Planning Board Chairman; Kelly Naughton, Village Attorney; Rachel Bruce, Zoning Board of Appeals

The Mayor opened the meeting with the Pledge of Allegiance and a moment of silence for James Ward who passed away on Saturday April 23, 2023, at home with his loving family.

**Public Hearing:**

a. Introductory Local Law 7 of 2023 – Off-Street Loading:

A public hearing was held to entertain public comments on Introductory Local Law 7 of 2023 amending Chapter 310 (“Zoning”) of the Village Code to modify the off-street loading requirements for hotels. The public notice was printed in the Times Herald Record on April 20, 2023, and the following comments were received:

With no further comments received, a motion was offered by Trustee Burek, seconded by Trustee Ciriello, to close the public hearing.

**ADOPTED** AYES 5 Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
NOES 0

A motion was offered by Trustee Burek, seconded by Mayor Giacomazza, to declare a negative declaration.

**ADOPTED** AYES 5 Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
NOES 0

Motion was then offered by Trustee Graziano, seconded by Trustee Burek, to adopt Local Law 6 of 2023 entitled “Off-Street Loading” and to direct the Village Clerk to print a copy of the law in these minutes and file with the Secretary of State.

**ADOPTED BY ROLL CALL AS FOLLOWS:**

Mayor Giacomazza	AYE
Trustee Burek	AYE
Trustee Ciriello	AYE
Trustee Ferrarelli	AYE
Trustee Graziano	AYE

b. Introductory Local Law 1 of 2023 – Short Term Rental:

A public hearing was held to entertain public comments on Introductory Local Law 1 of 2023 creating a new Chapter 255 (“Short Term Rentals”) of the Village Code. The public notice was printed in the Times Herald Record on April 20, 2023, and the following comments were received:

Jimmy Ing stated he was not sure what the law actually enforced, since he has had trouble with short term rentals in his development.

Attorney Naughton gave a brief overview of the law and stated the primary purpose is to regulate the safety of short-term rentals. A permit would be needed from the Building Department, a submittal of plot land, septic and water would have to be given to the Building Department, they would

be allowed up to twelve guests. She stated it is a very lengthy law and it is on the Village website if members of the public would like to view it.

Jimmy Ing then stated he understands that the Village is trying to be proactive and put bi-laws in place, but at the end of the day people don't care about paying a fine, people will do what they want anyway and he wants to make sure that it is done right and people will be held accountable if they do something wrong.

Mayor Giacomazza stated initially the Board was going to eliminate all short-term rentals. He stated Woodbury would be one of the first municipalities to do so and it would put the Village in a long-term legal battle, so instead this law was introduced as a way to control them and permit them for the safety of the people renting as well as allowing our first responders to know. Attorney Naughton stated there are very strict provisions in the law if one does not comply. Trustee Graziano stated it does not stop at a fine, if someone does not comply there are legal ways like Justice Court; however, a law must be in place for the Village to act and take legal action.

Mathew Farrow stated this law is a very good start to bringing a balance to the residents of the Village of Woodbury and the tourist economy that brings people to visit Harriman State Park and the Woodbury Commons.

Thomas Powel stated nothing is being done about multiple family homes and commercial properties that have been turned into multifamily homes. He was concerned with how these properties were going to be enforced since most of the usage of a short-term rental would be done on the weekends. He stated he went into a home that was supposed to be a two family and it had been turned into a four family. He expressed concern for the first responders. He also expressed concern over the multiple SRO's (single room occupancy) rentals throughout the Village. Trustee Burek stated that the Village has recently hired a full-time fire inspector and it has been one of the main focus areas to track down SRO's.

Maria Hunter thanked the board for putting the law together, since it something the Village desperately needs. She stated concern over the wording that would allow for a two-year permit, and requested that it be changed to a year, to make sure everything is done properly and then allow a two-year permit. She also expressed concern for the signage and asked why it was needed in a residential neighborhood. She then thanked Building Inspector Panella for addressing one of her concerns.

Rachel Bruce stated she is in favor of the law and thinks it is a great idea. She stated there has been a big change in the hospitality industry and stated over the past year she has spoken to a lot of people who were for and against this law. She stated what it comes down to is that it needs to be regulated to maintain the balance of the character of the neighborhood.

With no further comments received, a motion was offered by Trustee Burek, seconded by Trustee Graziano, to carry over the public hearing to the May 25<sup>th</sup> meeting so the public can view the requested changes of the public and Planning Board.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Mayor Giacomazza stated the Board will hold an attorney/client session at the end of this meeting to discuss the report received from the Planning Board with Attorney Naughton. After which, revisions based on that report will be made and the Board will then discuss adoption at the May 25<sup>th</sup> meeting.

c. Introductory Local Law 6 of 2023 – Farm Distillery:

A public hearing was held to entertain public comments on Introductory Local Law 6 of 2023 amending Chapter 310 ("Zoning") of the Village Code to include provisions for farm distilleries. The public notice was printed in the [Times Herald Record](#) on April 20, 2023, and the following comments were received:

Maria Hunter stated she was involved when the winery first appeared. She stated this would be a great thing to have in Woodbury. Mayor Giacomazza stated the inspiration for this law was Jan Palaia who reached out and informed the Board that she had an interested party who would like to have a distillery on that property. Attorney Naughton stated that this law is not just for this property. Maria Hunter stated the Village has lost its spot to go for live music on a Saturday night and thanked the board for introducing this law.

Attorney Naughton stated there are changes to this law at the request of the Planning Board, and there was a request made to have the Village Traffic Consultant weigh in on parking.

With no further comments received, a motion as offered by Trustee Ciriello, seconded by Trustee Burek, to close the public hearing.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

The Board discussed the report received from the Planning Board's traffic consultant. Attorney Naughton was requested to make revisions based on the comments in the report and the Board will then discuss adoption at the May 11 meeting.

#### **Public Comment on Agenda Items Only**

##### **Administrative Business:**

###### a. Acceptance of Minutes:

Motion was offered by Trustee Ciriello, seconded by Trustee Ferrarelli, to accept receipt of the minutes of the meeting held April 13, 2023.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

###### b. Approval of Abstract:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to approve Abstract 20 containing vouchers 22-2073- 22-2149 and totaling \$ 111,615.93.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

###### c. Fire Department Equipment Request(s):

Motion was offered by Trustee Burek, seconded by Trustee Ciriello, to approve Fire Department Equipment Request 2023-10 totaling approximately \$1500 for give volunteers to attend an UTV Training class; Request 2023-11 totaling approximately \$3576 for the purchase of gloves in various sizes and ProBars for each Chief vehicle; Request 2032-12 totaling approximately \$6050 for the purchase of two foam nozzles and ten foam pails to be used for firefighting foam agent; Request 2023-13 totaling approximately \$900.00 for various driver replacement jackets; Request 2023-14 totaling approximately \$886.00 for a hand held GPS device, training and trail markers.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

###### d. Schedule Special Meeting – Interviews for Various Board Appointments:

Motion was offered by Trustee Graziano, seconded by Mayor Giacomazza, to schedule a special meeting to be held on May 17, 2023, at 7 PM to hold interviews of individuals that submitted letters of interest to serve on the Planning Board and Zoning Board of Appeals. These interviews will be held Virtually.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

e. Approve Slate of Officers – Woodbury Fire Department:

Motion was offered by Trustee Ciriello, seconded by Trustee Burek, to approve the following slate of officers for the Woodbury Fire Department, as voted by their members earlier this month: Car 1 Christopher Burke, Car 2 Scott McClennan, Jr., Car 3 Brian Wallace.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

**Old Business:**

a. Security System Contract Renewal – Stratagem:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to authorize the Mayor to sign the renewal contract with Stratagem for the maintenance of the security system at various Village buildings totaling \$7911.30.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

b. Approval of Proposal for IT Services – Aqua Infotech:

Mayor Giacomazza stated the Village’s long-time IT consultant, Ben Dawson/PC Surgeon, has retired. Clerk Potvin has met with a few companies and based on the recommendation of Mr. Dawson; she suggests signing with Agile Infotech. Motion was offered by Trustee Graziano, seconded by Trustee Ferrarelli, to authorize the Mayor to sign the proposal from Agile Infotech for full-service support at a cost of \$14,394.48 for 2023/2024.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

c. Adoption of Revised Sexual Harassment Policy:

Mayor Giacomazza noted the State made changes to their model Sexual Harassment Policy that went into effect last week and causes the Village to amend their policy. Motion was offered by Trustee Graziano, seconded by Trustee Burek, to approve the amended Sexual Harassment Policy. A copy of the policy will be printed in these minutes and distributed to all employees, as required.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

d. Approval of Auction Results – Surplus Equipment:

Mayor Giacomazza stated auction results were received with seven of the eight pieces of equipment sold. The auction company stated the piece of equipment that did not sell would sell better in the fall. Motion was offered by Trustee Burek, seconded by Trustee Ferrarelli, to accept the results of the auction and save the one piece of equipment that did not sell for the auction in the fall. Results of the Auction are below.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0



**Absolute Auctions & Realty,  
Village of Woodbury Surplus**  
P.O. Box 1739 / 45 South Avenue  
Pleasant Valley, NY 12569  
845 635 3169

**Sales Items**  
**Auction #6107 - 4/6/2023**

Lot #	Type	Qty	LotPrice	Extended	Surcharge Paid	Bidder #	Seller #
<b>Sold (7)</b>				79,600.00			
1	2014 Dodge Durango. VIN: 1C4RDJFG2EC481817. Miles: 31847. Body: Sport Utility 4 DR. AWD/Flex fuel. Engine: 3.6L V6 DOHC 24V. Runs, drives, operates.	One Lot	1	10,800.00	10,800.00		76
2	2008 Sterling Bullet 5500 Dump Truck. VIN: 3F8WK78A08G351461. Miles: 77006. Body: Crew Cab Chassis 4 DR. Engine: Cummins 6.7 Turbo Diesel. Runs,	One Lot	1	12,000.00	12,000.00		15
3	2013 Chevrolet Silverado 1500 Z71 4X4. VIN: 3GCPKSE79DG257718. Miles: 109,200. Body: Crew Cab Pickup 4 DR. Engine: 5.3L V8 OHV 16V FFV. Runs, drives,	One Lot	1	11,600.00	11,600.00		67
4	2003 International 7400 Dump Truck 4x4. VIN: 1HTWEADRX3J052957. Miles: 42,155. Body: Conventional Cab. Engine: 8.7L L6 Diesel DT530. Allison transmission.	One Lot	1	5,400.00	5,400.00		12
6	2013 Dodge Durango AWD. VIN: 1C4RDJAGXDC580049. Miles: 73514. Body: Sport Utility 4 DR. Engine: 3.6L V6 DOHC 24V. 5 speed automatic. 4x4. Runs, drives,	One Lot	1	11,000.00	11,000.00		40
7	2012 Dodge Ram 2500 Utility Truck 4x4. VIN: 3C6LD5AT8CG173652. Miles: 60,471. Body: Regular Cab Pickup 2 DR. Engine: HEMI 5.7L V8 OHV 16V. Reading	One Lot	1	13,800.00	13,800.00		58
8	2014 Dodge Ram 2500 Utility Truck 4X4. VIN: 3C7WR5AT5EG286309. Miles: 85,942. Body: Regular Cab Pickup 2 DR. Engine: 5.7L V8 OHV 16V. Reading utility	One Lot	1	14,200.00	14,200.00		28
<b>Passed (1)</b>				0.00			
5	Fisher Pro-caster Spreader. Serial #: 94717. Does not run.	One Lot	1	0.00	0.00		

**New Business:**

a. Announcement – Draft MS4 Report on Website:

Mayor Giacomazza, as the request of Engineer Barber, announced the State Pollutant Discharge Elimination System (SPDES) permit procedures require the Village, as an operator of a regulated Municipal Separate Storm Sewer System (MS4), file an Annual Report to maintain permit coverage. A Draft of the Annual Report for the period ending 3/9/2023 has been posted to the website for public information and comment. The report complies with the DEC mandatory format. The final report will be filed with the state prior to the June 1, 2023, deadline. The Village Stormwater Management Program plan is available at Village Hall for public information and comment as well.

b. Authorize Mayor to Send Letter – Request “No Passing” Zone on NYS Route 32:

Mayor Giacomazza stated he was contacted by Senator Skoufis office to see if there was any interest in urging the NYSDOT to make Route 32 a “no passing” zone from the Savory Grill into the Town of Cornwall. According to the representative from Senator Skoufis office, there have been residents that have requested this change due to the increase in the number of accidents that occur on this stretch of highway. Motion was offered by Trustee Graziano, seconded by Trustee Burek, to authorize the Mayor to send a letter to the NYSDOT requesting they consider making Route 32 a “no passing” zone where it runs from the Village of Woodbury to the Town of Cornwall.

**ADOPTED**      AYES    5      Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Mayor Giacomazza stated he will be requested Woodbury Supervisor Burke and Cornwall Supervisor Wojehowski to also submit a letter requesting this change.

c. Introductory Local Law 10 of 2023 – Portable Pools:

Motion was offered by Trustee Burek, seconded by Trustee Ciriello, to introduce Introductory Local Law 10 of 2023 entitled “Portable Pools” to amend Chapter 310 (“Zoning”) of the Village Code to include regulations related to storable/portable pools, spas, and hot tubs.

**ADOPTED** AYES 5 Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
NOES 0

Motion was then offered by Trustee Graziano, seconded by Trustee Ferrarelli, to declare the Village of Woodbury Board of Trustees as Lead Agency and type this action as a Type 1 under SEQRA.

**ADOPTED** AYES 5 Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
NOES 0

Motion was then offered by Trustee Ciriello, seconded by Trustee Burek, to refer Introductory Local Law 10 of 2023 to the Village of Woodbury Planning Board and the Orange County Department of Planning for GML 239 review or comment.

**ADOPTED** AYES 5 Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
NOES 0

Motion was then offered by Trustee Graziano, seconded by Trustee Ferrarelli, to schedule a public hearing to entertain public comments on Introductory Local Law 10 of 2023 to be held at 7:30PM on May 25, 2023.

**ADOPTED** AYES 5 Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
NOES 0

**Public Comment**

Maria Hunter stated that the Memorial Day Parade is being held on Sunday, May 28, 2023. It will start at 1PM at Bond Street and will proceed north onto Route 32. She asked for everyone to join by standing along the parade route to honor the men and women who gave their life for our freedoms. She stated there will be stops at Oak Clove and Victory Park and will end the parade with a memorial service at the Cemetery of the Highlands. She stated the Woodbury Community Association will be serving food and refreshments at the end of the parade. She stated she has reached out to multiple organizations; she has multiple bands and is trying to organize a band to play at Victory Park. She stated that Phil Morello has organized the Parade for 38 years as its Chairman and this year he will be its Grand Marshall. She stated it is a great honor to him as well as it is to her since she is now Chairwoman of the Parade.

Rachel Bruce stated she is very happy to hear that Mr. Morello will be the Grand Marshall, for it is very well deserved. She then stated that The Climate Smart Taskforce, along with the Woodbury Public Library, are hosting a tree planting at the Children’s Library on April 29th. This will be followed by the first Green Fair in Woodbury to be held at Perrone Circle. Various vendors will be in attendance to promote green initiatives. It begins at 10am with the tree planting at the Central Valley Library. The Green Fair follows from 11am to 3pm. She also wanted to thank Liza Hintze and the entire committee for putting it together.

Jimmy Ing stated he has concerns over the erratic driving of the school buses and wants to know what can be done for the safety of the children and other residents. Trustee Graziano requested Mr. Ing call him since he had dealt with something similar a few years ago in Highland Lake Estates. Mr. Ing then

Commented [DP1]: Get from the top of the local law when Kelly send it

addressed the crimes that have happened in the Village over the past two years and wants to know how to get back to the Village being the small town with the small-town values he moved to. Mayor Giacomazza stated that the Town of Woodbury Police went door to door and addressed multiple business owners how to handle a robbery situation; he stated he feels like how they handled it, is how a small town would. Trustee Graziano stated that the Village used to have a lot more events, but COVID put a damper on those things. He stated he loved how many people showed up for Woodbury Clean-Up day. He stated that moral must be brought back up, people need to be hand in hand, and showing up to events. He stated that multiple committees including the WCA, and the Knights of Columbus do wonderful things for the community. The St. Patrick's picnic is a terrific way to be a part of the community. He stated that the community needs to rebuild what was lost in the past three years and what a better way than to kickstart it then with the Memorial Day Parade.

Maria Hunter stated she has asked multiple youth groups and young adults to participate in this parade because they need to know what this parade is about. Working with Susan from the MW drama club, the young adults from the Upper Room are helping her with the parade. She then stated the Chamber is looking to meet on May 9<sup>th</sup> at the diner for breakfast. She has Sergeant Hardin coming to speak and if anyone would like to attend it will be \$10.00. She then stated she was upset due to a post that she posted earlier in the day recognizing Liza Hintze for an award she received by Assemblyman Eachus. She stated she posted it stating the Mayor as well as the Supervisor were in attendance to present the award to Lisa, and someone had to post something negative and make it political. Trustee Burek stated it was a nice post. Mayor Giacomazza stated Lisa deserved the recognition for all that she has done for the Vietnam Veterans and the wreaths across America, and the climate smart task force.

#### **Board Member/Department Comment**

Village Clerk Potvin stated that Stuart Turner had passed away last week, he was the Village and Town's previous Planner. She also stated that the Chamber of Commerce is hosting an event at Parm in the Woodbury Commons. It will be a Taste and Paint and will be held on May 23<sup>rd</sup> at 5pm and is \$50.00 per person with a limited amount of seating.

Trustee Graziano thanked everyone for coming out. He stated that the world has gotten into a lot of bad habits over the past 3 years and our tempers have gotten shorter, we have become more brash and bold. He requested people strive to get out and talk to one another. He then stated he foresees a lot more events and activities happening in the months ahead and urged people to come out and be a part of the community. He stated we have the Rez, the Pool and parks that most municipalities do not have and everyone must work together in order to keep it.

Trustee Burek stated Woodbury was chosen for multiple different reasons. She stated whether you were born here or moved here, you choose to live here. Multiple people that have moved here have told her that they moved here to give their children a better life and to be surrounded by the natural beauty of Woodbury. She then quoted herself at her very first meeting when she spoke of the uncontrolled developments and the detrimental impacts on the quality of life. As a community we must understand the delicate balance of the preservation of our natural resources and development. She then stated for many years it was not respected and this Board has inherited many of those problems and what is seen is that this board is trying to counter uncontrolled development. She then stated the Village has a climate smart task force of three members, Lisa, Natasha, and Jennifer who are a force to be reckoned with and she would just like to recognize them for all of their work in the community.

Mayor Giacomazza stated last week Maria Rubio was on Vacation, and anyone that knows her knows that she is the glue that holds the Building Department together. The Building Department is a lot different from other departments, there is a lot of back and forth, up, and down, answering phones and meeting residents at the door. In Maria's absence Jennifer Potter carried the load which is a lot of work

for one person, and she did that while her father was passing away at home, she only missed Friday due to her father being read his last rites. He then stated he mentions this because he, his Board and the Department Heads are truly blessed to have some of the best Administrative Assistants working in Woodbury. The Mayor then stated he would not know what he would do without Desiree, Jessica, and Claudia. He praised Sheila in the Highway Department and Beth in the Water Department. He stated that the Board are the faces of Woodbury, but the administrative assistants are the ones that hold the Village together. He then stated because Wednesday was Administrative Professionals Day on behalf of the Village Board, he would like to thank each and every one of the ladies for everything they do.

**Adjournment:**

With no further comments received, a motion was offered by Trustee Burek, seconded by Mayor Giacomazza, to adjourn the meeting at 8:43 PM.

**ADOPTED**      AYES    5      Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES

Jessica McClennan, Deputy Village Clerk



## LOCAL LAW 6 OF 2023

A LOCAL LAW AMENDING CHAPTER 310 (“ZONING”) OF THE CODE OF THE VILLAGE OF WOODBURY TO MODIFY THE OFF-STREET LOADING REQUIREMENTS FOR HOTELS

BE IT ENACTED by the Board of Trustees of the Village of Woodbury, Orange County, New York, as follows:

### **SECTION 1 PURPOSE**

The purpose of this local law is to amend Chapter 310 (“Zoning”) of the Code of the Village of Woodbury to modify the off-street loading requirements for hotels in the Hotel Overlay (“HO”) district.

### **SECTION 2 CHAPTER 310: ZONING**

Section 310-41 (“Off-street loading berths”), Subsection B(5) is hereby repealed and replaced with the following language:

- (5) For hotels: one berth for each 40,000 square feet of gross floor area. The Planning Board may waive or reduce the requirement for off-street truck loading spaces for hotels where the Applicant establishes to the satisfaction of the Planning Board that deliveries may be accommodated with minimum disruption to surrounding residential neighborhoods or other commercial uses. The Planning Board may condition any approval on reasonable limitations to said deliveries, including, but not limited to, size of truck, hours of delivery, times of delivery, number of deliveries and similar restrictions.

### **SECTION 3 SUPERSEDING PROVISION**

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws, including, but not limited to, Article 7 of the New York State Village Law, including but not limited to, Village Law §§ 7-706 and 7-708, are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

### **SECTION 4 SEVERABILITY**

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

### **SECTION 5 EFFECTIVE DATE**

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.



### **Purpose and Goals**

The Village of Woodbury is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the Village of Woodbury recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the Village of Woodbury's commitment to a discrimination-free work environment.

#### Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the Village of Woodbury. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

## **Sexual Harassment and Discrimination Prevention Policy:**

- 1) The Village of Woodbury 's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the Village of Woodbury. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.
- 2) Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
- 3) Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the Village of Woodbury who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Village Clerk. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
- 4) Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the Village of Woodbury to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
- 5) The Village of Woodbury will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The Village of Woodbury will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the Village of Woodbury will act as required. In addition to any required discipline, the Village of Woodbury will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including

managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

- 6) All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Village Clerk.
- 7) This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

## **What Is Sexual Harassment?**

Sexual harassment is a form of gender-based discrimination that 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 is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty

or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the Village of Woodbury's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

### Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
  - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:

- Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits. This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
- Subtle or obvious pressure for unwelcome sexual activities; or
- Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
  - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
  - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
  - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, 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;
  - Intentional misuse of an individual's preferred pronouns; or
  - Creating different expectations for individuals based on their perceived identities;
  - Dress codes that place more emphasis on women's attire;
  - Leaving parents/caregivers out of meetings.

### **Who Can be a Target of Sexual Harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

### **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 or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

### **Retaliation**

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama";
- Undermining an individual's immigration status; or

- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person 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.

## **Reporting Sexual Harassment**

**Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination.** Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager, or Village Clerk. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or Village Clerk.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

## **Supervisory Responsibilities**

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that



sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to Village Clerk. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

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

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

### **Bystander Intervention**

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

- 1) A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- 2) A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
- 3) A bystander can record or take notes on the harassment incident to benefit a future investigation;
- 4) A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
- 5) If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

## **Complaints and Investigations of Sexual Harassment**

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Village of Woodbury will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

The Village of Woodbury recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the Village Clerk:

- 1) Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, the Village Clerk will prepare a complaint form or equivalent documentation based on the verbal reporting;
- 2) Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The Village Clerk will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
- 3) Will seek to interview all parties involved, including any relevant witnesses;
- 4) Will create a written documentation of the investigation (such as a letter, memo, or email), which contains the following:
  - a) A list of all documents reviewed, along with a detailed summary of relevant documents;
  - b) A list of names of those interviewed, along with a detailed summary of their statements;
  - c) A timeline of events;
  - d) A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
  - e) The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- 5) Will keep the written documentation and associated documents in a secure and confidential location;
- 6) Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and

- 7) Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

### **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by the Village of Woodbury, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

### **New York State Division of Human Rights:**

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Village of Woodbury does not extend your time to file with DHR or in court. The three years are 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 harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, 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](http://www.dhr.ny.gov).

Go to [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a

form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

### **The United States Equal Employment Opportunity Commission:**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of 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. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private 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](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically 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 or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://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. Those wishing to pursue criminal charges are encouraged to contact their local police department.

## **Conclusion**

The policy outlined above is aimed at providing employees at the Village of Woodbury and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.