



## **Borough of Neptune City Grievance Procedure Under the Americans with Disabilities Act**

The Borough of Neptune City has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act ("ADA"). 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:

Bryan A. Russell, RPPS, QPA, Borough Administrator

Borough of Neptune City  
106 West Sylvania Avenue  
Neptune City, NJ 07753  
732-776-7224

who has been designated to coordinate the Borough's ADA compliance efforts.

The Borough of Neptune City's ADA grievance procedure shall be as follows:

1. A Complaint should be filed in writing and contain the name and address of the person filing it and briefly describe the alleged violation of the regulations. Alternative means of filing Complaints, such as personal interviews or a tape recording of the Complaint, will be made available for persons with disabilities upon request.
2. A Complaint should be filed within twenty (20) calendar days, but in no event later than sixty (60) calendar days, after the Complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, shall follow the filing of a Complaint

within twenty (20) calendar days after receipt of same. The ADA Coordinator, or designee, shall conduct the investigation and meet with the Complainant to discuss the Complaint and the possible resolutions. These rules contemplate informal but thorough investigations, affording all interested persons and their representative(s), if any, an opportunity to submit evidence relevant to a Complaint.

4. Within fifteen (15) calendar days of the meeting, the ADA Coordinator or designee shall respond, with a written determination, as to the validity of the Complaint and a description of option(s) for substantive resolution of the Complaint, if any, with a copy of same being forwarded to the Complainant, in a format accessible to the Complainant.
5. The Complainant may request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration shall be made within fifteen (15) calendar days of the date of issuance of the written determination to the Borough of Neptune City ADA Committee, c/o Administrator of the Borough of Neptune City, 106 West Sylvania Avenue, Neptune City, NJ 07753. The ADA Committee shall consist of two (2) members of the Neptune City Borough Council, appointed annually by the Borough Committee.
6. Within twenty (20) calendar days of receipt of the request for reconsideration of the matter, the ADA Committee shall meet with the Complainant to discuss the Complaint and possible resolutions. Within twenty (20) calendar days after the occurrence of the meeting, the ADA Committee shall respond in writing and, where appropriate, in a format accessible to the Complainant, with a final resolution of the Complaint.
7. The ADA Coordinator shall retain the files and records of the Borough of Neptune City relating to complaints, requests for reconsideration, and any responses thereto filed for at least three (3) years after the date of the initial Complaint.
8. The right of a person to a 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.
9. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the Borough of Neptune City complies with the ADA and its implementing regulations