

Village of Victory

Housing Rehabilitation and Manufactured Home Replacement Program Accessibility Policy Statement

The Village of Victory, as recipient of a Community Development Block Grant award, shall take affirmative steps to ensure that qualified persons with disabilities are informed of the availability of program services and activities, and the activities and services associated with the Housing Rehabilitation Program are readily accessible to, and usable by, individuals with disabilities. The Village shall provide handicapped persons with benefits and services that are as effective as those provided to non-handicapped individuals.

The Village will ensure that the NYS CDBG funded Housing Rehabilitation and Manufactured Home Replacement Program is accessible, both structurally and administratively, to handicapped and disabled persons. The Village shall be responsible for providing access to handicapped/disabled persons in four areas: communications, employment opportunities, program benefits, and physically accessible housing.

1. **Accessible Communications:** In order to ensure accessibility of program services and activities to persons with disabilities, the Village shall be prepared for the possibility that individuals may need to use alternative forms of communication.

2. **Access to Employment:** The Village shall make reasonable accommodation to known physical or mental limitations of an otherwise qualified individual, unless to do so would impose an undue hardship. Cost alone shall not necessarily constitute undue hardship. A person with a disability is otherwise qualified if they can satisfy the requisite skill, experience and education requirements for the position and can perform the essential functions of the job with or without reasonable accommodations.

3. **Program Accessibility:** All services, programs and activities shall be accessible to everyone, including people with disabilities, regardless of the accessibility of the Village's facilities. The Village shall not provide services or benefits to disabled persons through programs that are separate or different, unless the separate programs are necessary to ensure that the benefits or services are equally effective. Even when separate programs are permitted, an individual with a disability must still have the right to choose to participate in the regular program, and the Village will not require an individual with a disability to accept a special accommodation or benefit if the person chooses not to accept it.

4. **Physical Accessibility to Programs:** The Village shall identify the primary access point to their office building, and ensure that parking spaces are designated for people with disabilities displaying special permits on their vehicles. In addition, the Village shall ensure that the accessible entrance to the building is kept accessible (i.e., free of snow and other blockage, with unauthorized persons not allowed to park in the handicap designated areas).

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Housing Rehabilitation Program Affirmative Action Policy Statement

The Village of Victory, as recipient of a Community Development Block Grant award, shall ensure that contractors take affirmative steps to ensure fair treatment in employment upgrading, transfer, recruitment, layoffs, rate of pay and selection for training. Recipients should encourage the prime contractors on their projects to utilize M/WBE firms to the maximum extent possible.

The Village shall establish and oversee a minority and women business outreach program for the purpose of making all qualified MWBE contracting firms in the Capital District aware of bidding opportunities that will arise from the Village's CDBG Housing Rehabilitation grant award. Outreach efforts are designed to be:

- In good faith, comprehensive and continuing;
- Supported by a statement of public policy and commitment published in the electronic and print media of widest local circulation;
- Supported by the Village Mayor and Board of Trustees; and
- Designed to utilize all available appropriate public and private sector local resources.

Under the terms of Executive Order 11246, the Village shall:

- Include the equal opportunity clause in all non-exempt federally assisted contracts for more than \$10,000, as set forth in 202 of Executive Order 11246; and
- Ensure that all federally assisted construction contractors and subcontractors on a NYS CDBG assisted construction project take affirmative actions to ensure that employees and applicants for employment are not discriminated against because of race, color, religion, sex, or national origin.

Furthermore, the Village shall utilize the directory of minority and women owned businesses maintained by the Empire State Development Corporation, and shall update this listing annually. All qualified Capital District contractors listed on the directory will be notified of the opportunity to apply for inclusion on the Participating Contractors List to receive bid packets for the Village of Victory Housing Rehabilitation Program.

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Conflict of Interest

Policy Statement

Employees of the Village of Victory are expected to conduct themselves with personal integrity, ethics, honesty and diligence in performing their duties for the organization. Employees are required to support and advance the interests of the organization and avoid placing themselves in situations where their personal interests actually or potentially conflict with the interests of the Village of Victory.

Application

This policy applies to all Municipal employees, which includes all unpaid personnel, including but not limited to the Board of Trustees and active members of established Committees. The standards outlined in this policy are particularly relevant to employees who are in a position to make or influence decisions of the organization.

Definition

A conflict of interest refers to a situation in which private interests or personal considerations may affect an employee's judgment in acting in the best interest of the Municipality. It includes using an employee's position, confidential information or corporate time, material or facilities for private gain or advancement or the expectation of private gain or advancement. A conflict may occur when an interest benefits any member of the employee's family, friends or business associates.

Conditions

The rules and examples that follow do not exhaust the possibilities for conflict of interest, but they identify obvious situations covered by the policy.

Special Treatment

Employees are not allowed to use their positions to give anyone special treatment that would advance their own interests or that of any member of the employee's family, their friends or business associates.

Receiving Fees or Gifts

Employees may not accept gifts, money, discounts or favors including a benefit to family members, friends or business associates for doing work that the Municipality pays them to do. The exceptions to this are promotional gifts or those of nominal value e.g., coffee mug or letter opener with the company's logo or the occasional lunch.

Outside Work or Business Activities

Employees may not engage in any outside work or business activity:

- (a) that conflict with their duties as Village employees;
- (b) which use their knowledge of confidential plans, projects or information about holdings of the corporation; and
- (c) that will, or is likely to, negatively influence or affect them in carrying out their duties as Village employees.

Using Municipal Property

Employees may not use, or permit the use of, items of Municipal property, facilities, equipment, supplies or other resources for activities not associated with their work. Any exceptions to this must be expressly approved by either the Board of Trustees or the head of the affected department.

Confidential Information

Employees may not disclose confidential or privileged information about the property, or affairs of the organization, or use confidential information to advance personal or others' interests. Employees cannot divulge confidential or privileged information about the Municipality's employees without those employees' written authorization.

Note on confidential information: The rule against giving out confidential information does not apply to an employee who alleges wrongdoing on the part of the Municipality or its Board of Trustees or Committee members, officers, employees, agents or contractors – as long as the disclosure of such information is not frivolous, vexatious or slanderous – and making the disclosure serves the public interest and is made in accordance with the provisions of this policy. This reporting of wrongdoing is known as whistle-blowing.

Financial Interest

Employees who knowingly have financial interests in a Village contract, sale or other business transaction, or have family members, friends or business associates with such interests, must not represent or advise the organization in such transactions.

Guidelines for Management and Professional Staff

Some positions in the organization are more susceptible than others to conflicts of interest. The following two sections are specifically for executives, managers and employees who give professional advice or assistance, or who work on program policies or budgets. These sections also refer to employees in confidential positions working with the above mentioned staff.

Representing Others

Staff described in the paragraph above may not appear before Board or a Village committee on behalf of a private citizen other than himself/herself, his/her spouse, his/her parents, or his/her minor children, where the employee is either paid, or is involved in any way in the issue/policy.

Appointments

Staff who hold positions described above may not seek or accept appointment to a Municipal committee or board (except in the capacity of a Municipal employee) and require permission from their executive directors/general managers or designates before accepting appointments to other municipal, provincial or federal commissions boards and committees. Staff who hold positions as board members on community agencies that deal with issues related to their work at the Municipality should inform their executive directors/general managers or designates of their appointments. When agency issues arise that place them in actual or potential conflict with Town policy or procedures, they should declare a conflict of interest.

Requirement to Report Conflict of Interest

If employees or their family members, friends or business associates have a personal or financial interest that might present a conflict or bias in connection with their duties as Village employees, they must report this conflict to the Board of Trustees in writing.

Reporting a Conflict of Interest

When an employee reports a conflict of interest to the Board in writing, it will be addressed at the next monthly Village meeting. All conflict of interest disclosures, as well as any decisions made by the Board of Trustees, shall be recorded in the Village Meeting Minutes and available to the public. If an employee alleges wrongdoing on the part of the Village or its Board members, he/she should report this in writing directly to the appropriate New York State office, as applicable (i.e., Comptroller, Attorney General, etc.).

Failure to Comply With the Policy

Employees who fail to comply with this policy are subject to disciplinary action up to and including dismissal and removal from all Committees.

Implementation

Managers and supervisors must make the policy available to all employees and must discuss the entire policy with their employees and highlight any of the rules that have particular relevance, given the nature of the employees' work. Managers and supervisors who need assistance interpreting rules and how they apply to specific situations must talk to the Board of Trustees. Serious consequences may result from the contravention of this policy. Employees should check with management if they need assistance in interpreting whether a situation they have experienced or are confronting puts them in a conflict of interest situation.

Addendum Conflict of Interest CDBG Program

The conflict of interest provisions applicable to the CDBG program are found in regulations located at 24 CFR 84.42 and 85.36 and 24 CFR 570.611(a)(2). The Village of Victory will maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts.

1. The Village of Victory requires that no employee, officer, or agent may participate in the selection, award, or administration of contract if a real or apparent conflict would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for an award:
 - An employee, officer, or agent of the sub-recipient;
 - Any member of an employee's, officer's, or agent's immediate family;
 - An employee's, agent's, or officer's partner; or
 - An organization which employs or is about to employ any of the mentioned in the preceding section.
2. Village employees, agents, and officers of the sub-recipient may neither solicit nor accept gratuities, favors, or anything of value from contractors, or parties to sub-agreements.
3. Disciplinary actions to be applied for any violations of such standards by employees, agents, or officers of the Village.

For all other CDBG assisted activities, the standard for the Village of Victory is that no employee, agent, or officer who exercises decision making responsibility with respect to CDBG funds and activities, is allowed to obtain financial interest in or benefit from CDBG activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds of the activities. Specific provisions include:

- This applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee, a designated public agency, or a sub-recipient, and to their immediate family member, and business partner(s).
- Applies for such persons during their tenure and for a period of 1 year after leaving the grantee or sub-recipient organization.
- Upon written request, exceptions may be granted by HUD on a case-by-case basis, after consideration of the cumulative effect of various factors listed at 24 CFR 570.611(d), and only with: (a) full disclosure of the potential conflict, and (b) a legal opinion of the grantee's attorney that there would be no violation of state or local laws in granting the exception.

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Housing Rehabilitation Program Section 3 Policy Statement

(Section 3 of The Housing and Community Development Act of 1968, as amended, 24CFR Part 135)

The Village of Victory, as recipient of a Community Development Block Grant award (CDBG), shall provide to the greatest extent feasible, economic opportunities such as job training and employment that arises through the Housing Rehabilitation Program toward Section 3 residents. Section 3 residents are defined as low and very low-income residents living in the project area. Preference shall be given first to the resident inside the area covered by the project and second to the resident in the non-metropolitan county in which the project is located. Section 3 contracts awarded in connection with NYS CDBG projects are defined as contracts to:

- 1) Businesses owned by 51 percent or more Section 3 residents;
- 2) Businesses employing Section 3 residents in full-time positions;
- 3) Businesses who subcontract with other businesses which provided opportunity to Section 3 residents.

In order to comply with the greatest extent feasible, the Village will develop a list of Section 3 businesses and residents to be advised of opportunities for participation in project contracts or job opportunities. The Schuylerville Chamber of Commerce shall be made aware of all such opportunities and has agreed to assist the Village in identifying and marketing employment opportunities to Section 3 businesses and residents.

The Village shall demonstrate compliance with Section 3 requirements by publishing a notice in the area newspaper before advertising for construction bids in excess of \$100,000. Such notices will be placed in publications having a circulation in the immediate area of the project. All publications and legal notices associated with the Housing Rehabilitation Program shall include a notation of "An Equal Opportunity Employer", as well as a statement encouraging Minority and Woman Owned Business Enterprises and Section 3 eligible contractors to participate in all procurement opportunities associated with the Housing Rehabilitation Program.

The Village shall include the following language in all requests for proposals, bid documents, and contracts:

"The contractor will ensure that to the greatest extent feasible opportunities for training and employment arising in connection with this NYS CDBG-assisted project will be extended to lower-income project area residents. Further, the contractor will, to the greatest extent feasible, utilize business concerns located in or substantially owned by residents of the project area, in the award of contracts and purchase of services and supplies."

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FAIR HOUSING AND SECTION 504 POLICY

The Village of Victory complies with the letter and spirit of the Fair Housing Act that prohibits housing discrimination against persons based upon race, color, religion, national origin, sex, familial status, and disability. No otherwise qualified person will be denied housing or otherwise discouraged from obtaining housing within the Village because of his/her race, color, religion, national origin, sex, familial status, or disability.

Pursuant to Section 504 of the Rehabilitation Act, no qualified individual with disabilities will be excluded, solely on the basis of disability from participation in or the benefits of the program or activities administered by the Village. The Village will provide reasonable accommodations to all applicants, residents, and employees, who need such accommodations to be able to enjoy the benefits of the housing and employment provided by the Village.

In addition, reasonable modifications will be provided to the structures and features owned or operated by the Village and public and common use areas of the Village should such modifications be necessary to provide full enjoyment to the premises if such modifications do not result in an administrative and financial burden to the Village.

The Village of Victory will take care to ensure that the selection of sites for improvements and participant evaluation and section criteria do not have an exclusionary or discriminatory effect.

The Village of Victory's Fair housing policy is prominently displayed where applications for assistance are being taken.

For more information please contact the Village of Victory Fair Housing Officer:

Village of Victory
Code Enforcement Officer
23 Pine Street
Victory Mills, NY 12884
Phone/Facsimile: (518) 695-3808