

TOWN OF CAMBRIA TOWN BOARD

February 12, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 12th day of February 2026 at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York.

BOARD MEMBERS' PRESENT:

Matthew Foe, Supervisor
Louise Brachmann, Councilwoman-absent
Jeffrey S. Hurtgam, Councilman
Benjamin D. Musall, Councilman
Randy M. Roberts, Councilman

ALSO PRESENT:

Tamara J. Cooper, Town Clerk
Matthew Cooper, Building Inspector
Abe Platt, Attorney
Steve Kroening, Highway Superintendent
Tim Walck, Wendel Engineers
20 Individuals

Following salute to the flag, Supervisor Foe thanked the Highway, Water and Sewer Department, Town Hall employees and all the residents for their patience with all the weather conditions that we have had in the month of January.

Supervisor Foe asked the Clerk to read the following Public Hearing Notice:

**NOTICE OF PUBLIC HEARING
TOWN OF CAMBRIA**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cambria on the 12th day of February, 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York on the adoption of a proposed Local Law entitled, "A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months" an abstract of which is as follows:

Said Local Law would impose a moratorium on the processing, permitting and/or construction of all Utility-Scale Electrical and Battery Energy Storage Systems (whether or not developed in conjunction with a Solar Energy production component) within the Town for a period of nine (9) months.

The complete text of said proposed Local Law is on file at the Office of the Town Clerk, and is available for review by any interested person during business hours.

At such public hearing, all persons interested, who wish to be heard will be heard.

In receipt of a correspondence from RIC ENERGY, LLC and it will be made part of the official record. (see attached)

7:01 PM

Supervisor Foe opened the Public Hearing for comments:

Andy Walsh-RIC ENERGY

Mr. Walsh expressed support for a battery energy storage law but suggested the moratorium time frame be shorter. Comments included: The need for battery energy storage for electric system modernization; a distinction between utility-scale and distributed generation facilities; the safety of battery energy storage facilities.

Water	\$ 14,215.95
Sewer	\$ 248,032.89

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts it was resolved to approve the abstract of audited vouchers dated 2025 Budget, and February 12, 2026, be approved as read by the Town Clerk.

Ayes: Foe, Hurtgam, Musall, Roberts -Motion Carried-

WENDEL Reports

Tim Walck, Wendel reported as follows:

- There will be a Public Information Meeting at the March 12- Meeting at 7:00 pm for the MS4 Stormwater Annual Report.

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to approve the Public Information Meeting for Stormwater Management for March 12, 2026, at 7:00 pm.

Ayes: Foe, Hurtgam, Musall, Roberts -Motion Carried-

- Cambria Rd. Culvert- the Town Board decided to move forward with getting bids through a public bid process to get prices for doing the work.

Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts it was resolved to approve authorization from the Town Board to start the public bidding process on the Cambria Road Culvert; plans and specs will be available for the public starting February 17, 2026, with a Bid Opening on March 9, 2026, at 3:00 pm.

Ayes: Foe, Hurtgam, Musall, Roberts -Motion Carried-

- Baer Rd. Culvert-Wendel will likely be asking the Town Board to authorize bidding for that maybe at the March meeting. This project will not be in 2026 but only to get the concrete boxes fabricated for summer 2027.

REPORTS

SUPERVISOR

Supervisor Foe reported as follows:

- Supervisor Foe appointed Cynthia Curione to the position of Confidential Secretary at a rate of \$23.50 per hour not to exceed 30 hours a week.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve appointment Cynthia Curione to the position of Confidential Secretary at a rate of \$23.50 per hour not to exceed 30 hours a week.

Ayes: Foe, Hurtgam, Musall, Roberts -Motion Carried-

- Cypress Creek -waiting for a draft for road use agreement.

TOWN CLERK REPORTS

Tamara J. Cooper, Town Clerk, reported as follows:

- Town Clerk Report January: Total Receipts: \$ 3,969.68
- Building Inspector Report January: Total fees collected: \$ 888.80
- Estimated value of construction: \$ 75,000.00
- Town Board is in receipt of the Historian’s 2025 report.
- Appointment of Jaime Quarantillo, Ridge Rd. as Deputy Clerk II start date of 2/17/2026. Requesting Town Board Approval for a pay rate of \$23.50 per hour which is currently budgeted for 2026.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts it was resolved to approve pay rate of \$23.50 per hour for Deputy Clerk II.

Ayes: Foe, Hurtgam, Musall, Roberts -Motion Carried-

- Request from Cambria Volunteer Fire Company to add: Gwyndylan Bowker-Old Falls Blvd, NT and Brent Stoltman-Lower Mt. Rd., Sanborn to the active roster. Physical paperwork has been received for both.
- Request from same to remove: Taylor Weeks- S. Transit and Saravanan Lakshanan-Hartford Rd. from the active roster.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts it was resolved to add Gwyndylan Bowker-Old Falls Blvd, NT and Brent Stoltman-Lower Mt. Rd., Sanborn to the active roster for Cambria Vol. Fire Company and remove Taylor Weeks- S. Transit and Saravanan Lakshanan-Hartford Rd.

Ayes: Foe, Hurtgam, Musall, Roberts -Motion Carried-

- In receipt of 2 recommendations from the Comprehensive Plan Committee.

HIGHWAY SUPERINTENDENT REPORTS

Steven Kroening, Highway Superintendent reported as follows:

HIGHWAY:

- Plowing and salting.
- Salt shortage -- mixing grit with salt.
- Please do not deposit snow from driveways on the road, not only is it unethical, it is against the state highway law. Please be courteous.

CEMETERY

- Gail Reinbird (Historian) is working on a Tombstone Trail Project.

PARK

- Plowing.

WATER

- Changing out meters and helping with snow removal.
- Water break on Baer Rd. and 104- it is a slow leak waiting for better weather to fix it.
- Homeowners-please help by clearing the snow around the hydrants near your house.

BUILDING AND GROUNDS

- Plowing and salting lots and firehalls.
- Addressing heating system in the Town Hall Bldg. (currently still running on DOS).
- Quotes for alarm system.
- Cleaning service / person.

ATTORNEY

Abraham Platt, Town Attorney, reported as follows:

- He reiterated what Mr. Kroening stated, the Highway Law and Vehicle Traffic Law read together prohibit cross plowing. If there are repeat offenders, the Town will issue a warning letter and if it happens again the Sheriff's department will be notified.
- The Comprehensive Plan Committee was referred 3 items for consideration, and they took action on 2 of the items.
- In the process of picking a date and time for the Agricultural Committee to have an organizational meeting.
- Request from the Town Assessor to follow the County's lead and adopt an amendment to the Town's Local Law #2 of 1996 pertaining to over 65 Real Property Tax Exemption Schedule.

Town of Cambria

Resolution Amending Local Law No. 2 of 1996

BE IT RESOLVED THAT, Local Law No. 2 of 1996, pertaining to the Over 65 Real Property Tax Exemption Schedule is hereby amended so as to increase the income levels for the real property tax exemption for persons sixty-five years of age or older from a base of \$26,200.00 - \$33,700.00 to \$26,900.00 - \$34,400.00:

Section 1. Real property owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by husband and wife, or by siblings, one of whom is sixty-five years of age or over, shall be exempt from taxation for Town and County purposes to the extent as is provided in the following schedule:

	ANNUAL INCOME	EXEMPTION PERCENT
Less Than		
From:	\$26,900	50%
	\$26,900 TO \$27,899.99	45%
	\$27,900 TO \$28,899.99	40%
	\$28,900 TO \$29,899.99	35%
	\$29,900 TO \$30,799.99	30%
	\$30,800 TO \$31,699.99	25%
	\$31,700 TO \$32,599.99	20%
	\$32,600 TO \$33,499.99	15%
	\$33,500 TO \$34,400.00	10%

This amendment shall become effective March 1, 2026, and this schedule shall be employed in the preparation of any assessment roll prepared subsequent to such date.

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to approve an Amendment to Local Law No. 2 1996 A Local Law pertaining to the Over 65 Real Property

The purpose of this Local Law is to amend the relevant laws and ordinances of the Town of Cambria to impose a moratorium on the processing, permitting and/or construction of all Utility-Scale Electrical and Battery Energy Storage Systems (whether or not developed in conjunction with a Solar Energy production component) within the Town for a period of nine (9) months. "Utility-Scale" being defined as such systems as are designed to store and distribute electricity at a grid level and excluding stand-alone batteries designed to power automobiles, agricultural vehicles and equipment and electric motor vehicles. Recognizing that the Town is to be host to a Solar Energy production operation, and that Electrical and Battery Energy Storage System operations have historically been proposed for placement within localities hosting such Solar Energy production operations, a moratorium will grant the Town Board ample time to examine, draft, review, and adopt an effective updated policy regarding such Electrical and Battery Energy Storage Systems, and ensure adequate restrictions and regulations are put into place as may be necessary to promote and preserve the health, safety and welfare of the Town of Cambria and its citizens.

SECTION 2. AUTHORITY

This moratorium is adopted pursuant to the New York State Constitution, Article IX, § 2(c)(6) and (10); the New York Statute of Local Governments, Article II, § 10, Subdivisions 1 and 7; Town Law §§ 261 through 263; and New York State Municipal Home Rule Law § 10. In particular, this Local Law shall supersede those provisions of the Town Zoning Ordinance, the Town's 2022 Local Law Regulating Battery Energy Storage Systems and New York State Law which require the Town Board, Planning Board, and/or Zoning Board of Appeals to accept, process, and/or approve applications for the development of such Battery Energy Storage Systems defined as "Utility-Scale" herein within specified statutory time periods.

SECTION 3. FINDINGS

The Town Board hereby finds and determines that although such systems are often associated with, or operate in service of, utility scale solar energy systems, these systems themselves are not akin to public utilities and that without a temporary halt on the processing, permitting, and approvals for Utility-Scale Electrical and Battery Energy Storage Systems, there is the potential that such uses could be located in unsuitable areas within the Town or installed in such a manner so as to alter the fabric of the community in contravention of the Town's Comprehensive Plan. Such uses could have materially adverse and irreversible impacts on the Town, and may threaten the health, safety or welfare of the Town's citizens.

The Town Board also finds that it is in need of additional time to perform the necessary analysis of the potential types of Utility-Scale Electrical and Battery Energy Storage Systems that may be appropriate to meet the needs of the community, and the locations and areas where such systems may be properly situated so as to provide for the planned orderly growth and development of the Town.

SECTION 4. MORATORIUM IMPOSED; APPLICABILITY

For the period of nine (9) months, commencing on the effective date of this Local Law, or until such time as the Town of Cambria passes a further Local Law directly addressing Utility-Scale Electrical and Battery Energy Storage Systems, whichever is sooner, there shall be a moratorium on the processing, permitting, and/or construction of all Utility-Scale Electrical Energy Storage Device Systems within the Town of Cambria.

SECTION 5. TERM.

This law shall take effect immediately upon adoption by the Town Board, as provided by the law and shall remain in full force and effect for a period of nine (9) months from its effective date.

SECTION 6. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity or any other part of this Local Law which shall be in effect.

**Town of Cambria
Resolution Adopting Local Law No. 1 of 2026**

WHEREAS, The Town Board of the Town of Cambria having duly called and held a Public Hearing at the Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, on the 12th day of February, 2026, upon the question of the enactment of “A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months”; and

WHEREAS, moratoria are designated as Type II actions under SEQR and consequently require no additional review; and

WHEREAS, the Town of Cambria referred the Local Law to the Niagara County Planning Board in accordance with New York State requirements (GML Section 239-m), and received a positive response from the Niagara County Planning Board at its meeting held on December 15, 2025; and

WHEREAS, the Town of Cambria referred the Local Law to neighboring municipalities in accordance with New York State requirements (GML Section 239-nn), and received no objection from same; and

WHEREAS, the Town of Cambria referred the Local Law to the Town of Cambria’s Comprehensive Plan Committee and received a positive response from the Committee at its meeting held on January 29, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cambria that “A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months” is hereby enacted and effective upon its filing with the New York State Department of State.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve Local Law No. 1 2026 A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months.

The question of the adoption of the forgoing Resolution was put to a roll call vote, which resulted as follows:

MATTHEW P. FOE voting AYE
JEFFREY S. HURTGAM, voting AYE
BENJAMIN D. MUSALL voting AYE
RANDY ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.

2026 FEE SCHEDULE

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to authorize the changes to the 2026 Town of Cambria Fee Schedule. It will be posted on the Town's website.

Ayes: Foe, Hurtgam, Musall, Roberts

-Motion Carried-

BUILDING INSPECTOR REPORTS

Matthew Cooper, Building Inspector, reported as follows:

- Under the 2025 building code of New York State there is an unpopular portion which includes a gas ban on all new buildings. It is still under appeal. You can build and you can still run natural gas, propane, or oil. Hopefully within the next couple months that appeal is heard and determined on and will be able to give people more options.
- New York State Workers Comp. requires a certificate of attestation for any building permit for a homeowner wanting to build on their property. This will be put up on the website with instructions. Mr. Cooper went through the process himself, and it took about five minutes. A receipt of the certificate will be emailed and the Building Office will keep a copy on file.

TOWN COUNCIL LIASON REPORTS

HIGHWAY WATER SEWER:

Councilman Musall reported as follows:

- Please be courteous of the Highway Employees and the work they do.

RECREATION:

Councilman Hurtgam deferred the reports as follows:

- Summer Recreation signs ups will be March 3rd from 11:00 am to 3:00 pm.
- Park-working on the ice rink.
- The Hometown Hero Banner information is up on the Town website for anyone interested.

PLANNING BOARD:

Councilman Roberts reported as follows:

- Approved a minor subdivision.
- Discussion on a rezoning application.
- Planning Board declaring themselves lead agency on properties concerning the battery storage system.

CONCERNS OF THE CITIZENS

Dave Godfrey, Legislator reported as follows:

- Announced electric car charging stations in Olcott-Krull Park; Ravine Park-Royalton and Burmaster Park-Bond Lake; price based on consumption.

- Upcoming paint and e-waste pickup days in March and April-please check the county website.
- Upcoming meetings in Washington.

Karen Kurczynski- Saunders Sttmt. Rd.

Ms. Kurczynski announced that the American Eagles are back. There is a female sitting on the nest and a male in a tree nearby protecting.

Supervisor Foe reported a great meeting with the Fire Companies and Tri Community at the work session on Monday. (recording available on the Town Website) He is also proud to announce that the Town is moving forward with a mutually agreed upon path with the Forsythe Warren Tavern. He thanked the owners and directors of the Tavern, the Building Inspector and legal counsel for their efforts. The Town is excited to see this project moving forward.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilman Hurtgam. Time: 8:01pm.

Ayes: Foe, Hurtgam, Musall, Roberts

-Motion Carried-

Respectfully submitted,

Tamara J. Cooper, Town Clerk

February 4, 2026

Honorable Supervisor and Members of the Town Board
Town of Cambria
4160 Upper Mountain Road
Sanborn, NY 14132

Re: Formal Comments on Proposed Moratorium on Battery Energy Storage System (BESS) Projects

Honorable Members of the Town Board:

RIC Development, LLC ("RIC") appreciates the opportunity to submit these formal comments regarding the Town's proposed moratorium on Battery Energy Storage System (BESS) projects. We support the Town's goal of enabling responsible, well-regulated development and we remain ready to collaborate as you refine Cambria's local law.

Our ongoing engagement with the Town

RIC first approached the Town of Cambria in 2024 to discuss a small-footprint, distributed-scale BESS facility. Since then, we have met with the building department and, as suggested, filed a variance request. In that filing and at a public hearing we shared technical materials, answered questions, and tailored our design to reflect community priorities. We welcome the opportunity to continue providing information and feedback during the Board's legislative process.

The NYSERDA Model Law allows towns to conservatively approach battery energy storage systems in their communities

The NYSERDA Battery Energy Storage System Model Law is now being adopted by many local government officials and AHJs who are looking to responsibly approach battery energy storage systems in their communities. While some AHJs instituted temporary moratoriums, many have found that decision to be taxing and less efficient. Created alongside the Inter-Agency Fire Safety Working Group with collaboration with FDNY and national experts, the model law already contains core provisions on siting, setbacks, emergency response, safety standards, decommissioning, and enforcement. Using that framework, the Town can efficiently enact a robust law without delaying beneficial, low-impact projects. There is free technical assistance available and the latest code updates.

Modern distributed BESS is safe, quiet, and low-impact

The Cambria project is designed around lithium iron phosphate (LFP) technology, which is well known for high thermal stability and non-toxic chemistry. Each enclosure contains many small cells that are continuously monitored by a battery management system (BMS) to detect and isolate faults. Facilities are unmanned during normal operation, remotely monitored 24/7, and can be disconnected by operators or the utility. Emergency Response Plans, hazard mitigation analyses, and code compliance reviews provide additional, layered protections for first responders and the public.



Many members of the public will speak of concern about energy storage after only encountering headlines or sensational online posts, which often emphasize rare incidents without context. In reality, every documented event at a BESS facility is the result of an equipment malfunction being resolved on its own without spreading or causing broader harm. It has been repeatedly shown through local monitoring that there is no need for evacuations or shelter-in-place orders. Across all recorded cases, no event at a BESS facility has resulted in harm to any person in the surrounding community or damage to the environment. These facts demonstrate that while isolated equipment failures can occur—as they do in all engineered systems—modern BESS installations are designed to contain such events internally, ensuring a high degree of safety for surrounding communities.

I have attached a letter from ESRG, a leading expert on such facilities, to provide further background on the safety record.

Why the Cambria site is well-suited for distributed BESS

- **Location:** Approximately 0.2-acre portion of an 18.6-acre property along Lockport Road, proximate to existing utility infrastructure.
- **Scale:** Six Tesla Megapack 2XL units with a 5 MW /20,000 kWh four-hour configuration.
- **Compatibility:** Adjacent to commercial uses and existing electric infrastructure; designed to blend with the setting with minimal visual presence.
- **Screening:** Existing vegetation retained to the greatest extent practical with additional landscaping to further reduce visibility.
- **Setbacks/Neighbors:** The nearest residence is over 600 feet away; operations are quiet and limited to periodic maintenance visits.

Storage is essential infrastructure that supports reliability and New York policy goals

Energy storage is critical to grid reliability and resiliency. The state’s grid manager, NYISO explains that the grid must remain in constant balance—generation must match consumption at every moment. Energy storage absorbs electricity when demand is low and injects it when demand rises, giving operators a flexible tool to maintain system stability and prevent service disruptions. NYSERDA similarly states that energy storage “helps maintain a stable, reliable flow of electricity,” particularly during peak periods, grid disturbances, or outages, ensuring that customers receive dependable service when it matters most. Storage can reduce local congestion and reduce the stress on aging grid infrastructure deferring or avoiding expensive and intrusive upgrades.

Battery storage is highly adaptable and enhances the grid’s ability to respond quickly to unexpected conditions, including weather driven disruptions and equipment failures. It allows the grid to be operated in a more efficient manner and with a lower operating cost. New York is targeting 6 GW of storage by 2030. Local, distributed-scale projects like

Cambria's are a practical, low-impact way to contribute to these goals while strengthening the local grid.

An efficient path forward without a prolonged moratorium

1. Adopt the NYSERDA Model BESS Law as the foundation and tailor only those provisions necessary for Cambria's context.
2. If a pause is retained, shorten its duration and set a clear, near-term schedule for drafting, public review, and adoption.
3. Leverage existing technical materials (Emergency Response Plan outlines, hazard analyses, manufacturer data) to address safety questions.
4. Engage stakeholders—including RIC—as technical resources to ensure the final law is both protective and workable.

RIC supports the Town's goal of responsible BESS development. We respectfully request that the Board either forego the moratorium or shorten its length and proceed expeditiously to adopt a clear, modern BESS law using the NYSERDA model as a template. We remain available to meet with staff and first responders, share detailed technical information, and assist the Town as it updates its regulations.

Respectfully submitted,

Andrew Welch
Director, Development
RIC Development, LLC
awelch@ric.energy | (917) 819-1900



ESRG
ENERGY SAFETY
RESPONSE GROUP

Energy Safety Response Group, LLC
P.O. Box 12639
Columbus, OH 43212
www.energyresponsegroup.com
1-833-SAFE-ESS

**TO: Supervisor Matthew P. Foe and the Town Board – Town of Cambria
4160 Upper Mountain Road, Sanborn, NY 14132**

RE: Cambria Battery Energy Storage System

Submitted by: Energy Safety Response Group (ESRG)

Dear Supervisor Foe and Honorable Members of the Town Board,

My name is Nicholas Petrakis P.E., and I am the Director of Engineering for Energy Safety Response Group (ESRG). I am a licensed Fire Protection/Mechanical Engineer in multiple states. ESRG is a company focused on safety, permitting, and emergency response in the field of alternative energy technologies, with a focus on energy storage systems and has performed nearly three hundred medium and large-scale fire tests on a range of energy storage technologies, primarily lithium-ion batteries, across all common chemistries.

ESRG is in support of the Cambria Battery Energy Storage System (BESS) within the Town of Cambria, NY. This position is grounded in the significant advancements made in New York State's regulatory framework, the demonstrated effectiveness of modern safety codes and standards, and real-world operational experience within New York State and the country. ESRG was engaged by AYPa to support safe permitting, installation and training of fire service.

New York State Has Adopted the Most Robust BESS Safety Code in the Nation

The recently adopted 2025 New York State Fire Code represents the most comprehensive and conservative regulatory framework for energy storage systems currently in effect in the United States. This code directly references and, in many cases, exceeds nationally recognized best practices, including NFPA 855 and applicable UL standards.

The 2025 NYS Fire Code Section 1207 (Electrical Energy Storage Systems) was updated utilizing input from the Governor's Inter-Agency Fire Safety Working Group, incorporating recommendations from fire service leadership, code officials, state agencies, and technical subject matter experts. Lessons learned from prior BESS incidents nationwide were directly incorporated, resulting in a data-driven and firefighter-centric code.

Key Safety Enhancements Required Under the 2025 NYS Fire Code

Under the current code, BESS installations are subject to multiple layers of safety verification, testing, and operational safeguards, including:

Mandatory third-party peer review of system design and safety features.

Destructive testing to UL 9540A to contextualize thermal runaway behavior, fire propagation, and gas generation rates.

System listing to UL 9540, ensuring compatibility of batteries, enclosures, and control systems.

Explosion prevention and mitigation for systems, including outdoor ground-mounted non-enterable systems.

Automatic Fire detection and alarm systems for both indoor and outdoor ground-mounted systems.
Availability of qualified technical support personnel to the Fire Department.
Technology-specific training provided to the Fire Department by knowledgeable personnel.

The Warwick, NY BESS Fire Incident

The recent BESS fire in Warwick, NY provides a relevant and practical example of how energy storage systems perform under failure conditions. From an emergency response perspective, this incident was managed effectively and demonstrated expected system behavior:

No propagation to adjacent or exposed battery cabinets

Defensive fire operations conducted with no water application

Incident stabilized and managed without escalation

Total fire operations lasting approximately four to six hours

Air monitoring indicated no significant off-site hazard, with measured hydrogen cyanide concentrations of approximately 0.5 ppm at 20 feet, well below the Immediately Dangerous to Life and Health (IDLH) levels of 50 ppm.

ESRG recognizes the effective response and coordination of the Warwick Fire Department, Warwick Police Department, Orange County Hazardous Materials Unit, Chief Wayne Melton, and all responding agencies.

While no engineered system is entirely without failure potential, the Warwick incident demonstrated expected system behavior, under failure conditions. where the system behaved as intended under modern codes - containing hazards, protecting responders, and preventing community impact.

Conclusion

ESRG supports the Cambria BESS project, allowing Battery Energy Storage Systems to be deployed responsibly, transparently, and in a manner that prioritizes firefighter safety and community protection. NYS has adopted the most robust BESS safety code in the country, proven testing and review requirements, clearly defined emergency response roles, and demonstrated real-world performance.

Thank you,

Nick Petrakis, FPE

Director of Engineering

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THE GENDER-BASED VIOLENCE AND THE WORKPLACE POLICY OF THE TOWN OF CAMBRIA

Purpose

Gender-based violence occurs within a broad spectrum of relationships; therefore, the TOWN OF CAMBRIA will take appropriate measures to prevent and/or address gender-based violence as it impacts the workplace. The TOWN OF CAMBRIA recognizes the rights of victims to have self-determination and the need to respond in a survivor-centered, trauma-informed, and culturally responsive manner. This policy shall apply to all victims of gender-based violence, regardless of where the incidents took place.

The importance of a responsive gender-based violence workplace policy cannot be overstated. Studies show stable employment increases survivor safety. It can offer survivors a “level of independence that lessens an abuser’s ability to control them as well as increase their ability to escape violence.” The Centers for Disease Control and Prevention estimates intimate partner violence, a form of gender-based violence, has a lifetime cost of \$1.3 trillion in lost productivity for both offenders and victims.

The TOWN OF CAMBRIA to the fullest extent possible, without violating any existing rules, regulations, statutory requirements, contractual obligations, or collective bargaining agreements, designates and directs appropriate management, supervisory, and/or human resources staff to implement the following Gender-Based Violence and the Workplace Policy covering the following areas:

- I. Definitions;
- II. Persons Covered by the Policy;
- III. Statement of Confidentiality;
- IV. Survivor Rights;
- V. Employer Responsibilities;
- VI. Non-Discrimination and Responsive Personnel Policies;
- VII. Non-Retaliation Policy;
- VIII. Workplace Safety Plans;
- IX. Accountability for Employees who Perpetrate Acts of Gender-Based Violence;
- X. Training;
- XI. Firearms (for applicable organizations);
- XII. Violations of Policy.

I. Definitions

Unless otherwise noted, OPDV defines the terms below for the purposes of this policy:

- a. **Gender-Based Violence:** Violence or threats that happen because of someone's sex, gender, sexual orientation, gender identity or expression, or other related characteristics. Gender-based violence is an umbrella term that includes domestic violence, sex-based discrimination, sexual harassment, sexual assault, and sexual violence, and can also include stalking or human trafficking.
- b. **Domestic Violence:** A pattern of coercive behavior, including acts or threatened acts, used by a perpetrator to gain power and control over a victim, as defined in New York State Social Service Law § 459-a, including, but not limited to physical, sexual, psychological, economic, and/or emotional abuse; or the threat of any of the acts as mentioned earlier. Domestic violence includes but is not limited to family violence, intimate partner violence, dating violence, or dating abuse.
- c. **Sexual Violence:** Sexual acts or activities that happen or are attempted without consent, including rape, molestation, groping, harassment, and sexual abuse. These acts may or may not be crimes.
- d. **Stalking:** An unwanted pattern of repeated harassing or threatening behavior, causing fear, substantial emotional distress, or safety concerns for the victim.
- e. **Coercive Control:** An act or pattern of acts, threats, humiliation, and intimidation that is used to harm, punish, or frighten.
- f. **Sexual Harassment:** Sexual Harassment is a type of gender-based violence. New York State law provides special protections against sexual harassment in the workplace. Under New York State Human Rights Law § 296 and Labor Law § 201-g, sexual harassment is defined as unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex, and:
 - i. unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment; or
 - ii. made, explicitly or implicitly, a term or condition of employment; or
 - iii. when submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

Anyone who experiences sexual harassment in the workplace can report it to the New York State Division of Human Rights. If the conduct is covered by the New York State Human Rights Law, a formal complaint can be filed, and the Division of Human Rights will investigate. If violations of the Human Rights Law are found, the Division can order a wide

variety of remedies ranging from financial compensation to changes in an employer's policies.

g. Survivor-Centered: An approach to supporting and assisting survivors focused on meeting their needs as they prioritize and define them. Key elements of a survivor-centered approach include confidentiality, safety, respect, and non-discrimination.

h. Trauma-Informed: An approach to supporting and assisting survivors that realizes trauma is common, recognizes the signs, activators, and symptoms of trauma, and uses this knowledge to inform practices, policies, and procedures.

i. Culturally Responsive: A holistic approach to supporting and assisting survivors that recognizes a person's complex identities and cultural values, by responding to differences in identities to actively meet the needs of all survivors and communities.

j. Victim of Domestic Violence – pursuant to NYS Social Services Law § 459-a (1): Any person over the age of sixteen, any married person, or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of an act which would constitute a violation of the penal law, including, but not limited to, acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted assault, attempted murder, criminal obstruction of breathing or blood circulation, or strangulation, identity theft, grand larceny, or coercion; and

i. Such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and

ii. Such act or acts are or are alleged to have been committed by a family or household member.

k. "Family or household members" means the following individuals pursuant to NYS Social Services Law § 459-a (2):

i. persons related by consanguinity or affinity (blood or a person's relation to blood relatives of their spouse);

ii. persons legally married to one another;

iii. persons formerly married to one another, regardless of whether they still reside in the same household;

iv. persons who have a child in common, regardless of whether such persons are married or have married or have lived together at any time;

- v. unrelated persons who are continually or at regular intervals living in the same household or who in the past continually or at regular intervals lived in the same household;
 - vi. persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an “intimate relationship” include, but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”; or
 - vii. any other category of individuals deemed to be a victim of domestic violence as defined by the Office of Children and Family Services in regulation.
- l. “Parent” pursuant to NYS Social Services Law § 459-a (2): means a natural or adoptive parent or any individual lawfully charged with a minor child’s care or custody.
- m. Victim or Survivor: A person who has experienced or is experiencing any form of gender-based violence. People of all genders, sexual orientations, and gender identities may experience gender-based violence, but women and girls are impacted the most. Some people will have a strong preference for which term to use.
- n. Perpetrator or Abusive Partner or Person who Causes Harm: A person who commits or threatens to commit coercive or violent acts, which may include, but is not limited to, physical, psychological, sexual, economic, and/or emotional abuse against a victim.
- o. Order of Protection (OP) (“Restraining Order” or “Stay-Away Order”): An order issued by any court to limit the behavior of someone who harms or threatens to harm another person. Orders of Protection may direct the offending party not to injure, threaten, or harass the victim, their family, or any other person(s) identified and may include, but are not limited to ordering the person causing harm to stay away from the home, school, business, or place of employment of the victim; vacate a shared residence; abide by any active orders of custody and visitation; and surrender any firearms.
- p. Workplace: For the purposes of this policy, any permanent or temporary location away from an employee’s domicile where an employee performs any work-related duty in the course of employment.
- q. Human Resources: The department of a business or organization responsible for workforce management. If no such department exists, the responsibilities of Human Resources fall on the employer.

r. Gender-Based Violence Liaison (GBVL): Where possible, a designated employee(s) of the business or organization who assists victimized employees with referrals to local service providers. The GBVL may or may not be a Human Resources employee.

s. Local Service Providers: An organization in a given geographical area whose mission is to provide services to victims of gender-based violence. In New York State, each county has a designated service provider(s) for domestic violence and sexual violence. Services can include emergency shelter, advocacy, accompaniment to hospitals and court, safety planning, counseling, etc. Visit opdv.ny.gov for a list of New York State-based domestic and sexual violence service providers.

II. Persons Covered by this Policy

This policy shall extend to all full, part-time, temporary employees, volunteers, and interns working for the TOWN OF CAMBRIA in any official work capacity. Whenever possible, this policy also covers consultants, contractors, and other on-site providers.

III. Statement of Confidentiality

The TOWN OF CAMBRIA recognizes and respects the employee's right to privacy and confidentiality. All information, including details an employee shares about being a victim, shall be kept confidential to the extent permitted by law without the employee's written permission, unless doing so creates a substantial risk of imminent danger to the victimized employee, other employees, or the worksite. If such a situation arises, the TOWN OF CAMBRIA will:

- a. Inform the victimized employee of the actions the TOWN OF CAMBRIA will take.
- b. Share information only with the specific employees who need to know.
- c. Limit the information shared to only what is necessary.
- d. Consider requiring employees who receive this sensitive information to sign a confidentiality agreement, committing to use it only for its intended safety purpose.

IV. Survivor Rights

Victims of domestic violence are a protected class under New York State Human Rights Law § 296, which applies to settings like employment, housing, education, and public accommodations. Every employer in the State of New York is required to follow the New York State Human Rights

Law. This means it is unlawful to discriminate against an employee based on their status as a victim of domestic violence.

- a. Employees have the right to:
 - i. Disclose or not disclose experiences or details of gender-based violence.
 - ii. Ask for reasonable accommodations to address concerns related to gender-based violence.
 - iii. Be free of discrimination and retaliation in seeking such accommodation.
 - iv. Access gender-based violence services.
- b. Employers may require an employee to provide documentation, such as an attestation, to substantiate their need for an accommodation or to use sick or safe leave.

V. Employer Responsibilities

- a. The TOWN OF CAMBRIA shall implement the Gender-Based Violence and the Workplace policy and where possible, designate the Human Resources department or appropriate staff personnel to perform duties associated with implementing the policy. Where possible, the TOWN OF CAMBRIA will designate at least one employee as its Gender-Based Violence Liaison (GBVL).
 - i. The GBVL is a designated employee who assists victimized employees with referrals to local service providers. The GBVL may or may not be a Human Resources employee.
- b. Increase awareness around gender-based violence and create an informed workforce by posting information in such places where employees can utilize the information without having to request it or be seen removing it (i.e. organization intranet, employee newsletters, restrooms, kitchen and lounge, and any other frequently used areas.) The information should include:
 - i. Employee Assistance Program (EAP) information, if applicable;
 - ii. Human resources staff;
 - iii. NYS Domestic and Sexual Violence Hotline Number (1-800-942- 6906), Chat and Text Line (1-844-997-2121); and
 - iv. Contact information for local gender-based violence programs.
- c. Ensure victimized employees know and understand this policy and their rights, including all possible options available to them, and are aware of accommodations outlined

in section VI of this policy, such as the use of alternative scheduling or a change in work location, and assisting the employee in identifying the best use of attendance and leave benefits.

- d. Offer support to those victimized through the following minimum steps:
 - i. Provide information on available sources of services and assistance for victims and survivors, such as the New York State Domestic and Sexual Violence Hotline or local victim services provider.
 - ii. Educate employees on disciplinary practices that may be implemented in the event of retaliation for reporting or used with employees who commit acts of gender-based violence. Assist supervisors to ensure that all employees who knowingly violate this policy are held accountable.
 - iii. Include this policy as part of the written materials provided to all new employees and provide the policy to all employees on an annual basis.
 - iv. Provide a detailed explanation of employees' rights under this policy during new employee orientation, including information about anti-discrimination protections for victims of domestic violence under the New York State Human Rights Law.
 - v. Provide confidential support services, such as safety planning, and refer anyone who discloses they are a victim to the EAP, if applicable, the NYS Domestic and Sexual Violence Hotline (or the statewide hotline for workplace sexual harassment, if appropriate), and any local programs serving victims of domestic and sexual violence. Additional referrals may be made to the appropriate resources to meet the employee's needs best.
 - vi. Consider conducting programs and activities throughout the year to increase awareness about gender-based violence, such as supply drives for local domestic and gender-based violence programs, brown bag lunch discussions, and/or presentations by local gender-based violence programs.
- e. Human Resources (and/or GBVLs): The TOWN OF CAMBRIA must create a safe and supportive workplace culture for anyone who has experienced gender-based violence. They can do this by communicating that information and resources are available to victims and that abusive behavior by any employee will not be tolerated.
- f. Supervisors. The TOWN OF CAMBRIA's supervisors and/or department heads shall ensure that any employee who discloses being a victim of gender-based violence is aware of and understands this policy and their rights, including the right to request accommodations or time off as discussed below. Additionally, supervisors shall refer

employees to the Human Resources department and/or GBVL to receive referrals and resources as outlined above.

VI. Non-Discrimination and Responsive Personnel Policies

All TOWN OF CAMBRIA policies and procedures must not discriminate and should be trauma-informed, survivor-centered, and culturally responsive to victims' needs. Under the New York State Human Rights Law, all persons are protected from discrimination in the workplace on the basis of their status as a victim of domestic violence, and on the basis of sex, sexual orientation, gender identity, and gender expression. If such discrimination occurs, the employee can report it to the New York State Division of Human Rights for potential investigation and remediation. Responsive personnel policies can increase the stability of gender-based violence survivors and help them navigate safety.

- a. Victims of domestic violence are a protected class under New York State Human Rights Law (Executive Law § 296(22)) and as such;
 - i. Employers may not refuse to hire or license and may not terminate someone solely based on their status as a victim of domestic violence.
 - ii. Employers may not discriminate against victims of domestic violence in compensation, terms, conditions, or privileges of employment.
 - iii. Employers may not inquire about an applicant or employee's status as a current or past victim of domestic violence in any way that directly or indirectly expresses discriminatory treatment based on that status.
 - iv. Employers may inquire about status as a victim of domestic violence to provide reasonable accommodations.
 - v. Employers may not refuse to provide certain reasonable accommodations to an employee who is known by the employer to be a victim of domestic violence and who needs such accommodation to seek medical care and/or obtain certain services connected to an incident or incidents of domestic violence.
 - vi. Employers are prohibited from retaliating against an employee for opposing unlawful discrimination and/or filing a formal complaint over alleged discriminatory conduct.
- b. Use of Safe Leave: Under New York State Labor Law, employers in New York must allow any employee who has disclosed their status as a victim of gender-based violence (or disclosed that a family member is a victim of gender-based violence) and must be out of work for a reasonable time to use accrued sick leave, known as safe leave, for the purposes as outlined in Labor Law § 196-b(4).

- c. Leave Options: Employees can choose to use appropriate leave accruals to cover any absences, if available. If the employee does not have adequate leave accruals to cover the absence or chooses not to charge leave accruals, the absence shall be treated as leave without pay.
- d. Continuation of Benefits: Any employee who must be absent from work to utilize accommodations in this section is entitled to the continuation of any health insurance coverage provided by the employer to which the employee is otherwise entitled during any such absence, in accordance with any existing collective bargaining agreements, regulations, and organization policy.
- e. Notice of Absence: Employees who must be absent to utilize accommodations as listed in this section shall provide their employer with reasonable advanced notice of the absence when possible.
- f. Time Off for Legal Proceedings: Employers are also required to grant time off, with prior day notification, and may not penalize any employee who, as a victim or witness of a criminal offense, is appearing as a witness; consulting with a district attorney; or exercising their rights as provided by law.
- g. Privacy and Documentation: There may be occurrences when an employee is absent due to incidents of gender-based violence where they are unable to follow organizational protocol to report the absence. In that situation, the employee may lack documentation, may be unable to obtain documentation, or may not want to share documentation containing confidential information. Under New York State Labor Law, an employer may not require the disclosure of confidential information relating to an absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of providing sick or safe leave.
- h. Changes to Benefits: Employees who are victims of gender-based violence who separate from a covered family member due to incidents of gender-based violence shall be allowed to make reasonable changes in benefits at any time during the calendar year, where possible and in accordance with statute, regulation, contract, and policy.
- i. Work Performance Impact: The TOWN OF CAMBRIA recognizes that victims of domestic and gender-based violence may experience temporary work performance difficulties or be unable to complete certain job aspects because of safety reasons. (Examples include overnight travel, “off” hour shifts, etc.)
 - i. If performance is affected as a result of being a victim of gender-based violence, the TOWN OF CAMBRIA will work with the employee on solutions which may include specific work plans, taking leave, reasonable accommodations, referrals to the GVBVL or HR, EAP, if applicable, and/or the local domestic violence service provider.

1. Employees should be made aware that not all employees' requests for assistance can be accommodated.
 - ii. OPDV is available for case-specific technical assistance as needed.
 - iii. Employees will be given clear information on performance expectations, priorities, and performance evaluations.
 - iv. If disciplinary action is considered, special care should be taken to consider all aspects of the victimized employee's situation, and all available options in trying to resolve the performance problems should be exhausted, including making a referral to HR, EAP, if applicable, domestic violence program, or other relevant services, consistent with existing collective bargaining unit agreements, statute, regulations, and organization policy.
- j. Termination and Unemployment Eligibility: If reasonable measures have been exhausted and the work performance issue remains and the employee is terminated or voluntarily separates from employment, the employee shall be informed of their potential eligibility for unemployment insurance, and the TOWN OF CAMBRIA shall respond promptly to any requests for information that may be needed in the claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits.
- k. Protection Against Sexual Harassment: Sex, sexual orientation, gender identity, gender expression, and status as a victim of domestic violence are all protected classes under the New York State Human Rights Law. Sexual harassment is a form of sex discrimination and is also prohibited under the New York State Human Rights Law § 296 and Title VII, the Federal Civil Rights Act of 1964. Sexual harassment includes harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Gender-based violence may constitute sexual harassment when it subjects an individual to inferior terms, conditions, or privileges of employment.
- i. Every New York State employer must have a policy on sexual harassment prevention, including a procedure for the receipt and investigation of complaints of sexual harassment.
- l. Reporting Discrimination or Harassment: For all forms of discrimination and harassment, if an employee, including an intern or contractor, experiences sexual harassment or discrimination on the basis of their status as a victim of domestic or other gender-based violence, or observes discrimination in the workplace, the employee may file a complaint with the employer.

- i. Any complaint of potential discrimination, whether verbal or written, must be investigated.
- ii. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the TOWN OF CAMBRIA's designated Gender-Based Violence Liaison, _____.
- iii. The TOWN OF CAMBRIA shall maintain the confidentiality of the complainant to the extent practical.
- iv. Any employee in NYS may file a complaint with the New York State Division of Human Rights.

VII. Non-Retaliation Policy

The TOWN OF CAMBRIA shall not engage in any retaliatory practices against employees who disclose they are a victim of gender-based violence, or any employee seeking accommodations or to exercise their rights under this policy.

The TOWN OF CAMBRIA will not retaliate, tolerate retaliation by any superiors, terminate, or discipline any employees for reporting information about alleged incidents of gender-based violence that may have been committed by an employee, including those in management positions. Retaliatory practices may include, but are not limited to:

- a. Commencing discipline against victimized employees for actions taken to promote their safety
- b. Fewer promotions
- c. Inappropriate jokes
- d. Comments that communicate bias or minimization
- e. Excluding the employee from conversations, etc.
- f. Discussing employee's status or experience in open/non-private settings with individuals other than the employee and the related staff (GBVL, HR, etc).

Retaliation may be carried out by anyone, not just the original perpetrator.

Any employee or organization engaging in retaliatory practices may be subject to disciplinary actions. If you believe you have been subject to retaliatory practices, please see Section XIV: Violations of Policy.

Retaliation against any employee who files a complaint of violation of the policy is also prohibited.

VIII. Workplace Safety Plans

Gender-based violence can lead to safety concerns at the workplace. Safety plans are simple but critical steps an employee can take to increase their safety and the safety of coworkers. While not all employee-survivors will need help with safety planning, employers should be prepared to provide referrals to the local service provider and, when feasible, strategize with an employee-survivor if so desired by the victimized employee.

Employers shall have workplace safety response plans in place, including procedures for reporting to supervisors or contacting law enforcement, if necessary, should an event take place in the workplace.

- a. **Orders of Protection:** The TOWN OF CAMBRIA shall comply and assist with the enforcement of all known Orders of Protection (OP).
 - i. If requested by the victim or by law enforcement, the TOWN OF CAMBRIA will provide any relevant information regarding an alleged OP violation.
- b. **Disclosing an Order of Protection:** If an employee has an active OP, they are encouraged to disclose it to the GBVL or designated staff member at their work site. Employees should not be compelled to disclose an OP or provide a copy, but it may assist the employer in implementing a safety plan. Copies of Orders of Protection will be maintained in a locked, confidential location, separately from the employee's personnel file. In the event of an emergency or if the OP needs to be presented to law enforcement, the liaison, other designated staff member, director of Human Resources, or a member of executive staff/management shall retrieve and present the order.
 - i. Employees should notify the liaison in the event of a relevant modification or revocation of the OP.
- c. **Developing a Safety Plan:** When requested by the victim, Human Resources staff will work with the employee to develop a plan on how best to increase safety for the victim, other employees, and the workplace. Options may include, but are not limited to:
 - i. Providing front desk security or reception staff with a copy of the OP and a photo of the perpetrator;
 - ii. Allowing the employee to work staggered hours, an "off shift," or move to a different work location, either temporarily or permanently;
 - iii. Temporary reassignment of certain duties, such as overnight travel;
 - iv. Reassignment of parking space;
 - v. Providing employees with an escort for entry and exit from the worksite.

- d. If the circumstances indicate a need for the TOWN OF CAMBRIA to take steps to increase safety for the victim, other employees, and the workplace, the organization should follow their internal protocols.

IX. Accountability for Employees who Perpetrate Acts of Gender-Based Violence

The TOWN OF CAMBRIA will hold accountable and shall subject to corrective or disciplinary action any employee who violates this policy, in accordance with existing collective bargaining agreements, applicable statutes, and regulations. The following behaviors are prohibited under the policy:

- a. Using the authority of their employment and/or misusing any workplace resources in order to:
 - i. negatively impact any victim of gender-based violence;
 - ii. assist a perpetrator in locating a victim;
 - iii. assist a perpetrator in perpetrating any act of gender-based violence; or
 - iv. protect a perpetrator from receiving appropriate consequences.
- b. Committing acts of gender-based violence from or at the workplace, or from any location conducting official business, except for locations where employees are telecommuting.

Disciplinary actions may include, but are not limited to:

- a. Administrative leave;
- b. Cease and desist memo;
- c. Removing/modifying the chain of supervision pending an official report;
- d. Relocation of the employee alleged to have abused to another work site;
- e. Surrender of work cell phone, laptop, etc.;
- f. Revocation of permanent employment status (reverting to contingent or probationary status);
- g. Termination.

X. Training

Gender-based violence can be complex. To effectively respond to employee survivors' needs in a survivor-centered, trauma-informed, and culturally responsive manner, bidders are encouraged to attend trainings offered by OPDV or local service providers, but are not required to do so.

XI. Firearms (For Applicable Organizations Only)

Pursuant to New York State and Federal law, any person convicted of a domestic violence-related crime, or who is subject to any Order of Protection, forfeits the right to legally possess a firearm or long gun under certain circumstances. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition. In addition to complying with State and Federal law, employees who are authorized to carry a firearm as part of their job-related duties are required to notify the organization if they are arrested for a domestic violence-related offense and/or are served with an Order of Protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the issuing organization or to the appropriate police organization. Should an employee fail to comply with the above-listed requirements of this policy, they would be subject to corrective or disciplinary action, under existing collective bargaining unit agreements, statute, or regulations. In addition, law enforcement may be notified of possible criminal action.

XII. Violations of Policy

Employers must investigate complaints of policy violations. Employers should outline in their policy any applicable steps for filing a grievance or complaint. Section VIII of the policy prohibits retaliation for filing a complaint. Employees may also report alleged violations of the New York State Human Rights Law to the New York State Division of Human Rights (DHR). DHR is the state agency responsible for enforcing the New York State Human Rights Law. DHR reviews every report of discrimination filed with the agency. In every case where the alleged discrimination falls within the agency's jurisdiction, DHR will investigate and seek to hold violators of the law accountable. The discrimination reporting form and all related information can be found on <https://dhr.ny.gov/report>.