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Complaint Resolution Plan

**RIPLEY - WESTFIELD
COMMUNICATION & COMPLAINT RESOLUTION PROCEDURES**

A. Community Relations

Complaints about the Project can be minimized or avoided entirely by early and widespread communication with the community and particularly with those landowners in close proximity to or within the project site. During construction, complaints can be minimized if the community is aware of Project activities in advance so that plans can be made to avoid or minimize most disruptions. Complaints received during and after construction, will be addressed in accordance with this procedure.

1. Application and Development Phase:

During the development process, the Applicant will communicate with the community at large through the following methods:

- Establish a Project Web site and post regular updates to the Project Web site;
- Give presentations to the participating Town Boards;
- Send regular press releases to or hold interviews with the local media, particularly to the *Jamestown Post-Journal*, *Dunkirk Observer*, and *Westfield Republican*.

2. Construction Phase:

During construction process, the Applicant will communicate with the community at large through the following methods:

- Use reasonable efforts to establish a community mailing list (the “Mailing List”) for residences located within one mile of the Project Site. Mail a newsletter to all individuals on the Mailing List, at least once per month, with a copy to Town Supervisor and the *Jamestown Post-Journal*, *Dunkirk Observer*, and *Westfield Republican*;
- Issue regular press releases to or conduct interviews with the *Jamestown Post-Journal*, *Dunkirk Observer*, and *Westfield Republican* that alert local residents to construction activities having a potential for disruption;
- Post to the Project Web site the newsletter, press releases described above, other “late-breaking” information, and articles pertaining to the Project which have been issued by the *Jamestown Post-Journal*, *Dunkirk Observer*, and *Westfield Republican*. The Project Web site shall be maintained for the life of the Project;
- Designate an employee to manage community relations who is available by phone to the public at the Project office during weekday business hours. Applicant will meet with the Town Highway Superintendents at least once per week, to discuss details about transportation plans, and the construction schedule including the transportation of components and other activities with the potential to disrupt the flow of traffic. The Highway Superintendents may invite other Town officials to such meeting. The newsletter shall contain anticipated transportation plans and a high-level construction schedule.

The Applicant will designate an employee who is familiar with the locality to manage community relations, issue the newsletter, and communicate through the media as described above.

B. Complaint Resolution during Construction and Operation

Any person wishing to register a complaint with the Applicant must do so by providing the following information in writing or, in the event of a complaint made verbally, within two weeks of making such verbal complaint:

- The name, address, and phone number of the complainant,
- The date the complaint was registered or the date on which a verbal complaint (in person or by phone) was communicated to the Applicant, and
- A reasonable description of the complaint.

The Applicant will consider verbally communicated complaints to be resolved if such complaint is not subsequently documented by the complainant in writing within two weeks. The Applicant shall maintain a log of all written or otherwise documented complainants and the actions taken to resolve the complaint. This log will be made available to the Town Board for inspection upon request.

During construction and operation of the Project, the employee responsible for community relations will receive complaints by the following means:

1. Through a local or toll-free telephone number for the on-site construction or operations office which will be capable of recording the date and time of messages received after business hours. The name of the employee responsible for community relations, the phone number, and address of the construction or operations office will, at a minimum, be included in the newsletter, posted on the website, and displayed at the gate to the site where the construction or operations office is located.
2. Through correspondence addressed to the Applicant at its on-site construction or operations office which contains the complainant documentation presented above.
3. Through a complaint made in person at the Applicant's construction or operations office provided such complainant has requested a meeting and has been invited to the Applicant's office for such meeting by the construction or operations manager and is escorted by an employee of the Applicant after being informed of safety procedures. The construction and operations managers will make reasonable efforts to accommodate requests for such on-site meeting.

When the Applicant receives a complaint the following procedure will be followed:

1. The Applicant will promptly investigate the complaint.
2. If the investigation determines that the complaint has identified a problem attributable to the construction, operation, or maintenance of the Project, the Applicant will work with the complainant to develop and propose actions to resolve the problem and promptly implement the agreed-upon actions.
3. If the complaint is not resolved to the satisfaction of the complainant, or if the agreed-upon actions are not implemented within 45 days of the Applicant's receipt of the complaint in writing, the complainant may refer the matter to the Town Board in writing for consideration. Upon consideration of a complaint, if the Town Board determines that there is merit to the complaint and that the Applicant's proposed action is not sufficient to resolve the complaint, it may undertake further investigation of the complaint by hiring a qualified individual mutually acceptable to the Town Board and the Applicant to investigate the complaint and the Applicant's proposed action. The reasonable cost and fees incurred by the Town in retaining said qualified

individual shall be reimbursed by the Applicant. After the investigation, if the Town Board concludes that the action proposed by the Applicant is sufficient, the Applicant will promptly implement the proposed action and the complaint will be considered resolved.

4. If, after the investigation, the Town Board concludes that the action proposed by the Applicant is not sufficient, the Town Board or the complainant may refer the complaint and the proposed action to a mutually acceptable mediator at the Applicant's expense.

5. The Applicant shall maintain a log containing the name and contact details of all complainants and the actions taken to resolve the complaint. This log will be made available to the Town Board for inspection upon request.

6. In the event of a major complaint, the Applicant will inform the Town Clerk and Town Supervisor within 48 hours of the nature of the complaint and the actions planned to resolve it.

7. Nothing in this procedure shall prohibit the Town Board or any citizen with proper standing from pursuing any remedy or action otherwise provided by any applicable law.