



A Joint Statement from Council Members Nancy Bellamy, Mario Fantini and Zabed Manir

The Clifton Park Town Board authorized an independent review following public statements that two sexual harassment complaints had been made against Town Attorney Kevin Dailey. The purpose of the review was to determine the existence and actual nature of the complaints that had been publicly described that way.

As part of its review of the workplace complaints, **the independent review determined that one complaint did not identify sexual harassment despite having been publicly described as such. The review of the second complaint remains ongoing.** Allegations of sexual harassment are serious and can have significant professional and personal consequences for the employee involved. Their nature should be established before they are publicly described in a way that may be inaccurate or misleading.

In this case, allegations involving an identifiable Town employee were publicly described as sexual harassment complaints before an independent review had determined what those complaints actually involved. **The independent review has now provided that answer as to one of those complaints; it did not identify sexual harassment. The review of the second complaint remains ongoing.**

The Town Board also authorized Capital Investigations Group to investigate the circumstances surrounding the public disclosure of this information. Anthony Morelli, a former Town Councilman and current candidate for Town Supervisor, publicly stated that he learned through conversations at Town Hall that two sexual harassment complaints had been made against Mr. Dailey.

The investigation could not conclusively determine the source of the information Mr. Morelli discussed publicly. The investigator identified limitations that prevented a final determination on that question.

The inability to conclusively determine the source of the information does not change the findings of the independent review. **The independent review determined that the complaint reviewed to date did not identify sexual harassment; no determination has yet been made regarding the second complaint.**

We are concerned that serious allegations involving an identifiable Town employee were publicly presented as sexual harassment complaints before the facts had been established. The Board is also concerned when an authorized investigation is unable to obtain the information necessary to fully answer the questions it was asked to examine.

Workplace complaints and personnel matters must be handled carefully, fairly and in accordance with established policies and procedures. Employees are entitled to be notified of allegations involving them, an opportunity to respond, and a fair review of the facts.

These protections are especially important when allegations involving Town employees become part of public discussion or a political campaign. Personnel matters should be handled through established procedures, and serious allegations should not be presented publicly before the facts have been established.

The Town Board authorized these independent inquiries so that the facts could be established by outside professionals rather than through rumor, speculation or political debate. The Board accepts the findings of the independent review and recognizes the limitations identified by the investigator.

The independent review has determined that the complaint reviewed to date did not identify sexual harassment, while review of the second complaint remains ongoing. The investigation into the disclosure of information was unable to conclusively determine its source.

The Town Board remains committed to fair treatment of Town employees, appropriate procedures for handling workplace complaints, cooperation with authorized investigations, and accountability in Town government.