

her as a means of determining her salary. [REDACTED]

[REDACTED]. According to [REDACTED] Mr. Finn does not solicit her input or invite her to meetings about issues that fall under her purview. She stated that the prior City Manager, [REDACTED] would frequently call upon her and include her in things that involved her Department. [REDACTED] stated that she was unsure whether Mr. Finn excluded her on the basis of her gender or if he simply did not understand her role.

When asked how she felt that she had been treated as a female Department Head by Mr. Finn, [REDACTED] stated that Mr. Finn has been dismissive of her ideas in the past. She expressed that she has spent a lot of time recently trying to figure out whether or not Mr. Finn dismisses her ideas because she is a female employee or if it is because she just has bad ideas. When asked if in her experience she has seen Mr. Finn treat female Department Heads differently, [REDACTED] responded that she was unsure. She recalled that she has been told by other female employees that they believe that Mr. Finn acts like a boss from the 1970s. She stated that she has witnessed Mr. Finn telling [REDACTED] to get him a cup of coffee.

[REDACTED] recalled being present for Mr. Finn's initial introduction to the City's Department Heads in July of 2018. According to [REDACTED] when Mr. Finn was introduced to [REDACTED] he commented, [REDACTED]. She recalled that also during the meeting, Mr. Finn commented that [REDACTED] "looked young" to be the [REDACTED]

[REDACTED] also recalled being present for the Department Head meeting that took place on September 11, 2019, where the viewing of the solar eclipse in Thompson Park was discussed. According to [REDACTED] several Department Heads brought up issues and/or objections to Mr. Finn's plan to market the park as a place to view the eclipse, while charging a fee to access the park. [REDACTED] stated that when Ms. Gardner brought up the language in the deed to the park, Mr. Finn became frustrated and told her that he was "tired of hearing no," and asked, "Why can't we do things?" [REDACTED] denied that Mr. Finn raised his voice at Ms. Gardner but described him as very much to the point.

Interview with Erin Gardner on December 3, 2019

Ms. Gardner played an audio recording for the investigator that she had saved on her cell phone. The audio recording was eighty-seven minutes long and was from the October 7, 2019 meeting that she attended along with Mr. Finn, [REDACTED], and [REDACTED]. The audio recording also captured a one-on-one conversation between Ms. Gardner and Mr. Finn following the meeting. Below is a timeline of the events that transpired on Ms. Gardner's audio recording:

- The meeting begins with Mr. Finn telling the meeting attendees that he is looking for an update on the consolidation as they were beginning to shift over to snow removal. Mr. Finn also alludes to the fact that he has previously met with [REDACTED] and [REDACTED] individually prior to the meeting.
- 12:45 into the recording – [REDACTED] begins discussing the fact that he doesn't have a lot of time for analyzing and isn't having an easy time juggling all of his responsibilities. Mr. Finn tells him that he is to work until the job gets done and that all management employees end up working more than forty hours per week.
- 17:50 into the recording – Ms. Gardner asks where the Department of Public Works employees who are part of the consolidated division would be reporting during the winter months. [REDACTED] responds that he was under the impression that they would be reporting to the Department of Public Works, and [REDACTED] responds in a condescending tone, "That's where the plows are." [REDACTED] also comments that due to the consolidation, there is more work and fewer people for his Department.
- 21:08 into the recording – Mr. Finn asks [REDACTED] how much time he spends per day inputting into Cartegraph. [REDACTED] responds that it takes him a half of a day to input three days of his division's work but that he is becoming more efficient as he gains experience. He adds that he has to input the work of eight employees and estimates that it takes him an hour and a half per day to input each of their daily work activities. Ms. Gardner speaks up and says, "That's time that could be spent working," and asks if a part-time employee could be hired to handle the inputs into Cartegraph. [REDACTED] strongly responds, "Bullshit." Mr. Finn then interjects and expands upon Ms. Gardner's idea and says that it could be a good expenditure.

- 25:30 into the recording – ██████ opines that his division needs more employees. He states that it takes three or four employees to take down a tree, and typically the division is tasked with multiple projects on a given day. ██████ says that he would like to have three dedicated employees who were responsible for tree removal and pruning in order to meet the demands of the City's tree program. Mr. Finn agreed that there aren't enough employees in the Department to perform all of the work that needs to get done but adds that the City has to shrink its employee base over the next ten years. ██████ and ██████ begin discussing outsourcing certain Public Works functions such as paving.
- 31:10 into the recording – ██████ asks about snow removal and certain Departments that will perhaps plow their own parking lots. Ms. Gardner says that the Department of Public Works had agreed to plow the Parks and Recreation Department's parking lots as part of the consolidation plan. Mr. Finn tells ██████ that his division will also be responsible for plowing the Water Department's parking lots. Ms. Gardner suggests that ██████ should be provided with a comprehensive list of all of the parking lots and buildings where he is responsible for the snow removal function.
- 36:00 into the recording – ██████ asks ██████ for a detailed list of everything that he needs to do for snow removal (City properties). Ms. Gardner says that the Parks department would have to be included. ██████ says that he doesn't know all of the properties that the Parks Department plows. Ms. Gardner suggests that one of the Department of Public Works' big plows be used in the larger parking lots because it will take less time than using the small plow that the Parks Department normally uses.
- 49:00 into the recording – ██████ asks Ms. Gardner if she is still intent on running the newly consolidated division during the summer months, while he runs it during the winter. Ms. Gardner says that she doesn't think that it is a good idea for ██████ to report to two bosses at the same time. ██████ agrees and tells Ms. Gardner that she has always wanted to be in charge of the division. Ms. Gardner says that she has always disagreed with ██████ job title and ██████ responds, "Are you beyond that?" Ms. Gardner tells ██████ that she doesn't understand the benefit of ██████ being put in charge of her employees who work in Thompson Park (██████████). She states that ██████ predecessor didn't want anything to do with Parks and Recreation

and says that she hasn't had a say in the consolidation process all along. Mr. Finn speaks up and says, "Sounds like you have had a lot to say." Mr. Finn explains that they were forced into using the title of Street and Sewer Maintenance Supervisor by Civil Service and that he plans on changing the title in the future. Mr. Finn tells Ms. Gardner that he has worked in cities where Parks and Recreation are two separate functions and that if she keeps resisting, that could become an option. Mr. Finn states, "We can go down that path if you want. I see nothing but resistance on your part." Mr. Finn tells the group that he wants to work together to make things successful and tells Ms. Gardner that she would not lose her job if he were to separate the Parks Department from the Parks and Recreation Department, but that she would be in the Arena and would be tasked with filling the Arena. Mr. Finn is not yelling but his tone is very matter of fact.

- 58:26 into the recording – Ms. Gardner brings up salary equity. Ms. Gardner then asks [REDACTED] why he is sighing. She states that the Street and Sewer Maintenance Supervisors do not have the same duties but are all paid the same. Mr. Finn observes that [REDACTED] got a nice pay increase and asks him if he is complaining about his compensation. [REDACTED] replies, "Not yet."
- 83:47 into the recording – After Mr. Finn dismisses everyone from the meeting, Ms. Gardner tells Mr. Finn that she has another topic that she needs to speak with him about. Ms. Gardner speaks about a partnership between the City and another entity and then tells Mr. Finn that she is committed to the consolidation and that [REDACTED] doesn't respect her. Mr. Finn responds, "I did not see it in that meeting." Ms. Gardner brings up that [REDACTED] shouted, "Bullshit" at her during the meeting and tells Mr. Finn that she has directed her staff to work together with Public Works. Mr. Finn tells Ms. Gardner that he has full faith in her and that he would speak with [REDACTED] about how he spoke to her. Ms. Gardner and Mr. Finn part ways after Mr. Finn tells Ms. Gardner that he will have a chat with [REDACTED]

According to Ms. Gardner, she has not been communicated with about the consolidation since October 7, 2019, or been included in any meeting or discussion related to the newly consolidated division.

CONCLUSIONS

In her complaint, Ms. Gardner described a series of specific incidents that she believed support her allegations that Mr. Finn has created a hostile work environment and subjected her to discriminatory behavior. This investigation examined each of these specific incidents and spoke with each employee that was present for the alleged conduct. Below is a description of this investigation's findings specific to each incident described in Mr. Gardner's complaint:

1. July 24, 2019 – Through the investigation interviews conducted with Ms. Gardner, Mr. Finn, and [REDACTED] it can be concluded that the meeting held on July 24, 2019, transpired as described by Ms. Gardner in her complaint. Ms. Gardner, Mr. Finn and [REDACTED] all acknowledged that at one point, [REDACTED] was the primary candidate that was being considered for the Street and Sewer Maintenance Supervisor position that would supervise the consolidated division. This plan changed when [REDACTED] withdrew himself from consideration after Civil Service reclassified his position and he received a pay raise. While [REDACTED] was not interviewed as part of this investigation, it seems reasonable that he did not want to accept another position on a provisional basis when he had already received a promotion and pay increase via reclassification of his position. There was no evidence presented that a violation of City policy occurred during the July 24, 2019 meeting.
2. August 5, 2019 – In her complaint and during her investigation interview conducted on November 22, 2019, Ms. Gardner asserted that she had been asked to provide some sort of tangible deliverable specific to a “plan” for the consolidation process on August 5, 2019, the date that she returned from an absence related to a serious family illness. This allegation was refuted by both Mr. Finn and [REDACTED]. In her complaint, Ms. Gardner also alleged that [REDACTED] called for a Civil Service examination to be held for Street and Sewer Maintenance Supervisor and [REDACTED] was not given the opportunity to take the exam. This investigation uncovered no evidence that [REDACTED] or Mr. Finn in any way prevented [REDACTED] from taking the exam for Street and Sewer Maintenance

Supervisor. This investigation uncovered no evidence that a violation of City policy occurred during the meeting that occurred on August 5, 2019.

3. August 8, 2019 – Both Ms. Gardner and Mr. Finn provided copies of the email exchange from August 8, 2019, when Ms. Gardner emailed Mr. Finn a copy of an audit from 2011 that spotlighted issues that occurred related to the Department of Public Works overseeing the Parks and Recreation Department. In his investigation interview, and in his response to Ms. Gardner's email, Mr. Finn explained that the audit wasn't relevant to the consolidation that was being undertaken. Mr. Finn's plan was to consolidate the Parks employees, [REDACTED] who were assigned to Thompson Park, with the seven employees of the Department of Public Works division that was responsible for performing similar work. At no point during this investigation was any evidence uncovered to substantiate a claim that Mr. Finn was planning to absorb the Parks and Recreation Department back into the Department of Public Works. Mr. Finn's response to Ms. Gardner's email was warranted and did not constitute a violation of a City policy.

4. August 26, 2019 – In her complaint, Ms. Gardner alleged that prior to the meeting, [REDACTED] was given a directive by [REDACTED] not to speak during the meeting. Both [REDACTED] and [REDACTED] described this as being "taken out of context" and a mischaracterization of their exchange that occurred prior to the meeting. Ms. Gardner's allegations that [REDACTED] told [REDACTED] "Keep your mouth shut and don't speak unless you are spoken to!" was refuted by this investigation. Ms. Gardner stated that a conversation ensued during the meeting where she raised issues related to pay inequity. Ms. Gardner's suggestions related to addressing the pay inequities were ignored.

5. September 6, 2019 – Allegations that Mr. Finn became upset with Ms. Gardner during a meeting on September 6, 2019 in the Law Library were substantiated by this investigation. [REDACTED] who was present for the incident, recalled Mr. Finn becoming upset, pointing his finger at Ms. Gardner and stating, "Next thing I know you're going to come to me and ask for more money for [REDACTED]" Ms. Gardner's allegation that Mr. Finn pointed his finger in her face appears to be an exaggeration. [REDACTED] denied that Mr. Finn moved toward her, violated her personal space or yelled at Ms. Gardner during the incident. When

asked about the specific allegation, Mr. Finn did not deny Ms. Gardner's allegations, but could not specifically recall what was said. Mr. Finn's actions during the meeting on September 6, 2019, do not rise to the level of a violation of a City policy.

6. September 11, 2019 – Through this investigation, it can be substantiated that Mr. Finn again became upset with Ms. Gardner at a Department Head meeting on September 11, 2019. Both [REDACTED] and [REDACTED] recalled Mr. Finn becoming frustrated or upset with Ms. Gardner during the meeting after she cited a specific provision in the deed to Thompson Park that would prohibit the City from charging a fee to visitors to access the Park. While the exact dialogue could not be confirmed, Ms. Gardner's expression that she felt embarrassed by the exchange appears to be warranted. However, no specific violation of a City policy appears to have occurred.
7. October 7, 2019 – The meeting that occurred on October 7, 2019, was recorded by Ms. Gardner on her cell phone. She re-played the recording for the investigator on December 3, 2019. In the recording, [REDACTED] can clearly be heard responding to one of Ms. Gardner's suggestions by responding, "Bullshit." While [REDACTED] was not yelling or shouting, his voice was elevated, and his reaction was completely inappropriate.

Later in the recording, when the supervisory authority over the newly consolidated division was being discussed, Mr. Finn became frustrated with Ms. Gardner and made a veiled threat to separate Parks from Recreation and task her with "filling the Arena," in response to her resistance to the consolidation process. During his interview on November 22, 2019, Mr. Finn could not recall making a threat to Ms. Gardner to separate Parks from Recreation and tasking her to fill the Arena. Following the meeting, Ms. Gardner and Mr. Finn briefly converse about her commitment to the consolidation effort and Ms. Gardner then clearly raises an objection to the way that [REDACTED] had spoken to her during the meeting, specifically when he responded: "Bullshit," to her suggestion. In his interview, Mr. Finn emphatically denied that Ms. Gardner ever approached him about the way that [REDACTED] had spoken to her and claimed that he did not recall [REDACTED] responding "Bullshit" to Ms. Gardner.

Mr. Finn's denial is contrary to the facts of what had actually transpired, as evidenced by the contemporaneous audio recording of the meeting and Ms. Gardner's follow-up discussion with Mr. Finn. This denial constitutes a falsification of information provided by Mr. Finn during his interview. This falsification also calls into question the credibility of Mr. Finn's responses throughout the interview, as it is suspect that he could not recall so many noteworthy incidents that were included in Ms. Gardner's complaint.

At the end of his interview, Mr. Finn was asked to review his responses to the investigation questions and sign his name attesting to the following: "I attest that the answers I have given to the questions asked by the investigator are true to the best of my knowledge and that I have not withheld or falsified information." It is the conclusion of this investigation that Mr. Finn was not fully honest or forthcoming in his responses to the investigator.

Ms. Gardner's allegation that she has been confronted with a hostile work environment appears to have merit. Throughout the consolidation process, her suggestions were ignored and even met with outright frustration and overt hostility. Examples of this frustration and hostility were displayed by Mr. Finn during meetings on September 6, 2019, September 11, 2019, and October 7, 2019, and by [REDACTED] during the meeting on October 7, 2019, when he made condescending remarks and responded, "Bullshit" to one of her suggestions.

In her complaint, and in her investigation interview, Ms. Gardner provided examples of comments that Mr. Finn had made in July and August of 2018 that she expressed were racist. Similarly, [REDACTED] provided the investigator with notes that she took following a meeting that took place on August 3, 2018, where Mr. Finn allegedly had made comments that she characterized as racist and very inappropriate. While Mr. Finn was not questioned about [REDACTED] allegations because they were not brought to the investigator's attention until after his interview, he did acknowledge that he made a comment to [REDACTED] in July of 2018 that led to a conversation between him, [REDACTED] and [REDACTED] with Mr. Finn subsequently apologizing to [REDACTED]. This investigation has identified a perception on the part of multiple employees of racial insensitivity exhibited by Mr. Finn. Further efforts may be warranted to determine how widespread and valid this perception may be among staff.

Although this investigation was limited in the number of female staff members who were interviewed, it is the conclusion of this investigation that based on the interviews conducted, Mr. Finn treats female staff differently than he does their male counterparts. Ms. Gardner's allegation that Mr. Finn treats male employees better than he treats female employees appears to have merit and was supported by other female employees who were interviewed. Specifically, [REDACTED] provided examples of times where Mr. Finn failed to invite her to meetings that were vital in her role as the designated [REDACTED] and believed the reason for Mr. Finn's behavior was because of her gender. [REDACTED] described Mr. Finn's management style as "old school," and out of the 1960s. [REDACTED] provided examples to substantiate her characterization of Mr. Finn's management style and attributed it to both her gender and her role as [REDACTED]. These examples included Mr. Finn asking her to come into his office to pick something up from his desk and hand it to him. [REDACTED] also recollected that Mr. Finn has directed [REDACTED] to get him a cup of coffee and stated that employees have come to her and commented on Mr. Finn's management style being out of the 1970s. Taken collectively, Mr. Finn's treatment of the female employees interviewed reveals conduct towards female staff that is intimidating and offensive. Mr. Finn's behavior violates the City's policy on Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace, which specifically prohibits conduct by any employee that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment.

Public Sector HR Consultants LLC has engaged in a good faith effort to conduct an independent investigation into the above complaints. This report has been prepared and submitted to convey the results of that investigation, which was based on interviews with the parties involved and the information that was made available during the course of the investigation. Should there be any questions regarding the contents or findings within this report, please contact PSHRC.

EXHIBIT A

**CITY OF WATERTOWN
DISCRIMINATION OR HARASSMENT COMPLAINT FORM**

To protect your rights, it is important that you file your complaint as soon as possible after the alleged discriminatory act took place.

INSTRUCTIONS: If you have a complaint, please fill in this form and hand deliver to your department head, supervisor or the Office of the City Manager.

A. General Information:

Name: Erin Gardner
Address: 8834 US Rte 11
Adams, NY 13605
Telephone #: (Work) 315-785-7777
(Home) 315-955-5635
Department: Parks + Recreation
Department Head: Erin Gardner

NATURE OF DISCRIMINATION OR HARASSMENT:

B. Incident

1. Please describe the incident (if necessary, attached additional sheets to this form): Please see attached form.

2. Specifically:

- a. Name(s) of the party responsible for the alleged incident: Richard Finn - City Manager.
- b. Date & Time: Please see attached.
- c. Describe your reaction(s) the alleged incident(s): Please see attached.
- d. List any witness(es) to the alleged incident(s): Please see attached.

If not first incident, please list date, time and place of previous incident(s): please see attached

I, Erin Gardner, affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

Erin Gardner
Signature

Date 11/6/19

Attachment #1

11/6/2019

[REDACTED]
245 Washington Street

Watertown NY, 13601

[REDACTED]

Please consider this as my official complaint on City Manager, Richard Finn for creating a hostile work environment as well as his discriminatory behavior toward me. I do feel that if I was a male department head, I would not be treated in the manner I have been treated.

In the spring of 2019 Mr. Finn indicated that he was going to put a consolidation effort in the 2019/2020 budget but he realized that there was not time to get anything in place by July 1st, so this wasn't a top priority. This is the only thing that I had heard about the consolidation effort until he scheduled a meeting for 7/24/2019, the day before I took leave for a family illness. He called a meeting with [REDACTED] and I and asked what the plan was. It had been discussed that [REDACTED] would be given the opportunity to be put in the position provisionally pending a civil service test. [REDACTED] also had a PDQ in with Civil Service on his current position. [REDACTED] chose to stick with his current position and await the results from the Civil Service Commission as he knows he is not a good test taker. At this meeting I was informed that the position that was going to be leading this consolidation effort that would encompass my employees from Thompson Park was a Street and Sewer Maintenance Supervisor. I adamantly disagreed with this. I explained that I was not going to be at work for the next few weeks and that I didn't have immediate time to work on this. Also at this meeting, it was agreed that Parks and Recreation would be responsible for managing the mowing operations and DPW would supervise the snow removal operations. On 8/5/19, the day I returned from my leave, Mr. Finn and [REDACTED] scheduled another meeting with me to get an update. Obviously, I hadn't had time to work on it. I again voiced my opposition to the title of the position. I also was informed that instead that Parks and Recreation would no longer be responsible for managing the mowing operations and DPW would no longer supervise the snow removal operations, but [REDACTED] and I would supervise both operations. I also disagreed with this, but my opposition to this also failed. I also found out that [REDACTED] called for the Street and Sewer Maintenance Supervisor test and he knew that the position would be the lead person at Thompson Park. I was not made aware of this nor was the current [REDACTED] at Thompson Park. [REDACTED] has been [REDACTED] at the Park for several years and should have been given the opportunity to take this exam.

On 8/24/19, I emailed Mr. Finn to give him the history as well as the audit from 2011, as to what happened to the Parks and Recreation Department while under the direction of DPW. Under DPW's direction the City of Watertown was in the media spotlight for several months. He minimized that email, like he has minimized every suggestion I have made in regards to this consolidation process.

On 8/25/19, at 1:00pm a meeting was scheduled with [REDACTED] and Mr. Finn to discuss the position [REDACTED] and I were in the law library where [REDACTED] proceeded to ask me if he was permitted to ask questions. I responded that he absolutely was. He indicated that [REDACTED] had stopped by his office a bit earlier and said to [REDACTED] "keep your mouth shut and don't speak unless you are spoken to!" I assured [REDACTED] that he could ask whatever questions he needed to ask to determine whether or not he was going to accept the job. Mr. Finn and [REDACTED] entered the room and Mr. Finn excused [REDACTED] for a few moments. I took this opportunity to give examples of how we can make this consolidation effort more cost effective. I voiced that the Parks and Recreation Maintenance Supervisor should be the person in charge at Thompson Park as well as the mowing operations, as this is what this person has done for 20+ years for the City. The salary for this would be around \$52,000.00 instead of almost \$70,000.00 that we are paying the Street and Sewer Maintenance Supervisor. I also brought up the fact that this "Street and Sewer Maintenance Supervisor" would be making more than my [REDACTED]. Mr. Finn indicated in that meeting that he would not be raising [REDACTED]'s salary. I asked how this is fair when they just increased other supervisor/management salaries because their subordinates were making more. Mr. Finn made it clear he was not raising [REDACTED]'s salary. Bottom line, this is not ethical. There was one point during the meeting where Mr. Finn and [REDACTED] were rolling their eyes, making eye contact and "nutting and puffing" at my suggestions. I pointed this out to both of them letting them know that this behavior was obvious. I became frustrated and made it clear that my opinions had not been valued since the start of this process and requested that they should let me know what they wanted me to do and I will do it. [REDACTED] and [REDACTED] were witnesses. [REDACTED] didn't witness the portion of the conversation when he was asked to step out.

At our meeting to discuss the Street and Sewer Maintenance Supervisor position on 8/26/19 in the Law Library with [REDACTED] and [REDACTED] present, Mr. Finn got angry and began to yell. His anger had nothing to do with me or my department yet, once again he singled me out with pointing his finger in my face while making a false accusation to me that I would be asking him for an increase [REDACTED]. I don't know where this came from, but this is not only unprofessional, but also extremely disrespectful. Witnesses were [REDACTED] and [REDACTED].

In our department head meeting on 8/27/19 he once again got angry with me and indicated that I was putting hurdles up instead of trying to make the solar eclipse viewing possible. This was not the case as I was only repeating what was in the deed when Thompson Park was given to the City. His behavior

toward me is getting increasingly uncomfortable to work with. The Department Heads present witnessed this.

On 10/7/2019 a meeting was called to discuss the consolidation process. [REDACTED], [REDACTED], Rick Finn and myself. At this meeting, after being told numerous times by [REDACTED] and Rick Finn that my suggestion of having me supervise the summer operations and [REDACTED] operate the winter operations was not going to be approved, [REDACTED] brought it up again and asked if I was still in favor of this plan. I responded by telling him that I thought that it was off the table. Mr. Finn began to reprimand me again, telling me that I was being resistant to the consolidation. One again he pointed his finger directly at me telling me that "if he has to he would separate the parks operation from the recreation operation and he would "stick" me in the arena and give all the parks to maintenance (DPW)". There was also a point in time where I made a suggestion and the [REDACTED] yelled "bull shit" at me and it was permitted. After the meeting I asked to speak with Mr. Finn alone. I told him that I was not pleased that [REDACTED] was able to yell "bull shit" at me during the meeting and nothing was done. I also told him that I do not feel respected in this consolidation process. His response was, "I'll talk to [REDACTED]". After the meeting I walked out of City Hall with [REDACTED] and he said that that was very uncomfortable and that "it sounded like you were being reprimanded by your father". As of 11/6/19, I have not been communicated to that communication has happened. [REDACTED] and [REDACTED] were witnesses.

Lastly, on 11/6/19, a response from Mr. Finn to one of my emails was extremely offensive. The email is also attached and titled as Attachment #2. It's this constant negativity and condescending tone has created a hostile work environment.

I also want to make note of a comment he made to [REDACTED] on either 11/13/2019. I can't remember the exact day but it was one of the two above dates. When he was officially introduced to Department Heads, when Mr. Finn was told that [REDACTED] was our [REDACTED], he made the comment "You look like you'd be an [REDACTED]". It was quite obvious to everyone in the room that this comment was made by Mr. Finn because [REDACTED]. All of the Department Heads witnessed this.

While in a meeting with Rick Finn in his office on 8/13/18 Mr. Finn made a comment about his former job in Peekskill and commented that "it was low to moderate income, ya know, the African Americans and Hispanics". I was in shock and didn't respond. There were no witnesses.

It is also important to know that there are several other employees, mostly women, who feel discriminated against, but are too scared to report it because of the retribution and the fear of losing their jobs. My primary goal is to do what's best for the tax payers. With the morale the way it is now, the City tax payers are not getting the most out of our employees, who are extremely capable and bright. The constant condescending tone and being talked down to on a regular basis have left many employees, including department heads with extremely low morale.

I am available to explain any of the situations or answer questions at your convenience.



Erin E. Gardner

Superintendent of Parks and Recreation

Attachment #2

Gardner, Erin

From: Gardner, Erin
Sent: Wednesday, November 6, 2019 10:27 AM
To: Richard M. Finn
Cc: [REDACTED]
Subject: RE: Safety Status Meetings

My comments were in regards to [REDACTED], not [REDACTED]. [REDACTED] is the person who sent the original email. This is what I am hearing from my employees and wanted to share with you and [REDACTED]. It was asked how we could make our safety program better and my opinion is [REDACTED] could change his approach. I would never communicate about another department head in this type of manner. I am offended that you think that I would. If there is anyone in this City who wants us to work as a team, it's me. This has been a goal since day one when I started working with the City.

Sincerely,
Erin E. Gardner
Superintendent of Parks and Recreation
600 William T. Field Drive
Watertown, NY 13601
egardner@watertown-ny.gov
Office: (315)785-7777
Fax: (315)785-7776

From: Richard M. Finn
Sent: Wednesday, November 6, 2019 10:10 AM
To: Gardner, Erin
Cc: [REDACTED]
Subject: RE: Safety Status Meetings

Erin:

The two hour meeting is the maximum amount of time that might be needed. In reality we will need somewhere between 1 and 2 hours to hold these sessions with the respective departments. I am in full agreement with your observation that, "... Department heads can plan for and be ready for the meeting so that it does not have to take two hours". The purpose of these meetings is to sit down with each respective Department Head and their primary Supervisory staff and to discuss how the safety program is going and how we might improve it. As you saw from the safety data shared during yesterdays Staff meeting the City's safety program, which started out so well, is now struggling. Our goal for these upcoming Safety meetings with all of the City Departments is to engage in a thorough discussion to determine what is working and what is not working. This will help guide us into making some adjustments to our Safety program which we hope will get us back on track.

As far as your comments about [REDACTED] I find them extremely inappropriate and out of place. I do not understand why you would bring this topic up when you are responding to a request to schedule a safety meeting. If you want to share your thoughts about Public Works and your perception of the problems in that operation I am always open to sitting down with you and [REDACTED] to discuss your concerns. However, your personal attack on another Department Head

in the manner you did it below is inappropriate and could potentially damage our interdepartmental relationship in the City organization. Again, if you wish to share your concerns please contact me directly and I will schedule a meeting for you, [REDACTED] and me to meet and discuss your concerns.

From: Gardner, Erin
Sent: Wednesday, November 6, 2019 8:33 AM
To: Richard M. Finn; [REDACTED]
Subject: FW: Safety Status Meetings

Good morning,

Two hour meetings seem a little excessive. There is no way I can take my employees away from their responsibilities for two hours. With all due respect, our meeting requirements have more than doubled. I think that department heads can plan for, and be ready for the meeting so that it doesn't have to take 2 hours.

Also, personally I get along with [REDACTED], but his approach and his preconception of who people are and what their thought process is on safety is wrong. People are generally scared to even report an injury.

We have made leaps and bounds of improvements when it comes to safety in Parks and Recreation. [REDACTED] butts heads with a few people in my department, therefore loses respect.

There needs to be a way to, positively, get everyone on board. I am doing everything in my power from my seat and we are continuing to make positive changes.

Erin

Sincerely,
Erin E. Gardner
Superintendent of Parks and Recreation
600 William T. Field Drive
Watertown, NY 13601
egardner@watertown-ny.gov
Office: (315)785-7777
Fax: (315)785-7776

From: [REDACTED]
Sent: Wednesday, November 6, 2019 6:53 AM
To: [REDACTED]; Gardner, Erin, [REDACTED]
Cc: Richard M. Finn; [REDACTED]
Subject: Safety Status Meetings

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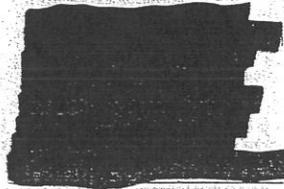
Good Morning,

As a result of recent discussions regarding our underperforming safety management system we believe that it is appropriate to obtain feedback from employees on what is working, what isn't working, and to obtain ideas on how we can improve.

In the coming days [REDACTED] will be scheduling 2-hour meetings with each department to discuss our safety program. An agenda will be developed soon. The meeting participants will include department heads, supervisors, foreman, and field employees.

Please touch base if you have any questions or would like to discuss the status of our safety program prior to the scheduled meetings.

Thanks.



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EXHIBIT B

[REDACTED]

[REDACTED]

[REDACTED]

Thank you,

Erin

Sincerely,

Erin E. Gardner

Superintendent of Parks and Recreation

600 William T. Field Drive

Watertown, NY 13601

egardner@watertown-ny.gov

Office: (315)785-7777

Fax: (315)785-7776

[REDACTED]

EXHIBIT C

Budget Highlights

The following budget highlights are provided for your review:

1. The proposed budget does NOT include any new full time positions. Rather, the Management Team has worked very hard to identify methods to provide City services using technology and improved time management techniques. As a result, the proposed budget includes reducing our staffing for the following three positions: Deputy City Comptroller, Refuse Worker, and Maintenance Worker. These three positions are presently vacant, and they will not be filled.
2. Included in the proposed budget is funding to replace the City's existing website with a new up-to-date website that will serve as the City's central communication link with our residents and other external customers. The website redevelopment was a major objective defined in the Strategic Plan.
3. The City's Self-Funded Health Insurance Fund experienced a very good year with a projected decrease in medical claims of \$1,262,000. This represents a decrease in medical claims by 17.5%, which for this one year represents a reversal of the trend that developed during the previous years. Although this reduction may only be an exception, it has allowed the City to reinforce its medical stability fund and reduce next year's allocation. This will reduce the General Fund budget by \$1,097,996, and it will also reduce the amount that employees are required to pay towards their medical coverage.
4. The City's Public Works Department and our Parks and Recreation Department have worked together to redefine how the City provides summer outdoor maintenance of City facilities and City property/grounds. Both departments will jointly create a single workforce that will perform all grass cutting and outdoor maintenance, including building and grounds, during the spring/summer and fall months. This same combined crew during the winter months will jointly work to perform snow removal operations for all City streets, parking areas, and City buildings and structures. Currently, Public Works covers streets and parking lots, while Parks and Recreation covers all Park buildings, structures and the Arena. Under this new approach, there will be one combined workforce and one combined truck and equipment center. This new reorganized approach will begin this summer, and as a result, we are able to reduce one Maintenance Worker position (through attrition) with a potential for further reductions based on the success of this new approach. In addition, it is anticipated that we will eliminate duplication in equipment thereby saving money.
5. Funds have been included to hire a part-time Parking Enforcement Officer (17.5 hours per week). The cost of this new part-time position will be revenue neutral since the fines collected should more than offset the expected cost. Additional parking enforcement is required since the City combined the previous Parking Enforcement

EXHIBIT D

From: Gardner, Erin
Sent: Thursday, August 8, 2019 2:59 PM
To: Richard M. Finn
Subject: RE: Consolidation of Services

Mr. Finn,

The below audit happened prior to being hired and during a time when the DPW and Parks and Recreation Department was consolidated, under the direction of DPW.

<https://www.watertown-ny.gov/DocumentView.asp?DID=581>

Erin

Sincerely,
Erin E. Gardner
Superintendent of Parks and Recreation
600 William T. Field Drive
Watertown, NY 13601
egardner@watertown-ny.gov
Office: (315)785-7777
Fax: (315)785-7776

From: Richard M. Finn
Sent: Thursday, August 8, 2019 4:18 PM
To: Gardner, Erin
Subject: RE: Consolidation of Services

I have read the report and I wish to point out that we are not consolidating Public Works and Recreation. We are consolidating two operational functions that reach across the two respective departments. Over 95% of the report you provided to me specifically pertained to accounting and billing issues contained in the Recreation department. The consolidation plan that we are currently designing for implementing pertains exclusively to the allocation of personnel from Public Works and Parks. The Recreational programs including the Arena, Pools and programming remain under the Park and Recreation department. After reading the report you provided to me I see very little that the proposed Consolidation plan would adversely be effected. Please explain to me where the conflict is? Again, we are not consolidating the two departments. Rather, we are consolidating some of each departments respective workforce to more effectively provide services. We are in effect attempting to eliminate duplication of services and of equipment. I am doing my best to work with you and I value your input and your participation. I want you to be part of designing this consolidation but we need to move forward. (To be honest with you after reading the report that you provided to me I came to the conclusion that the failures that occurred were caused primarily due to an incompetent former Superintendent of Parks and Recreation as well as a failure by the former Superintendent of Public Works to confront the problem in a timely way).