



CIVIL RIGHTS

TITLE VI

PROGRAM UPDATE



Huntington Area Rapid Transit
FIXED-ROUTE & PARATRANSIT BUS SERVICE

Huntington Town Board

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Dictionary-*Diccionario*

Limited English Proficiency
Dominio Limitado del Inglés

Complaint: A vocal or written statement expressing dissatisfaction with a situation.

Dolencia: *Una declaración vocal o escrita que exprese insatisfacción con una situación.*

Complainant: The person who files a formal charge; the person who makes the complaint.

Quejo: *La persona que tiene un cargo formal; la persona que hace la queja.*

Discrimination: To make distinctions on the basis of preference or prejudice.

Distinción: *Hacer distinciones sobre la base de la preferencia o el prejuicio.*

Recipient: Person who receives something.

Receptora: *Persona que recibe algo.*

Resolution: The action of solving a problem, dispute or contentious matter.

Solución: *La acción de resolver un problema, disputa o materia contenciosa.*

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INTRODUCTION

Civil Rights Act of 1964



“No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.”

Title VI Program Overview

The Town of Huntington drafted and adopted its Civil Rights **Title VI Program** to ensure that its Huntington Area Rapid Transit (HART) bus system offers the highest level of quality service in a non-discriminatory manner on both its fixed-route and paratransit on-demand services.

As set forth in the:

- Civil Rights Act of 1964.
- Executive Order 13116 (access to services for persons with Limited English Proficiency).
- Subsequent Federal, State and local law, regulation and executive orders.

This body of law and regulation, collectively called the “**Title VI Legal Safeguards**” requires public services, programs and activities are provided in a non-discriminatory manner (a full list of legal authorities is set forth in **Section V, Attachment A, page 26**).

INTRODUCTION

Executive Order 13166

In accord with **Title VI Legal Safeguards**, no person may be denied the benefits or be subjected to discrimination with respect to services, programs and activities in the Town of Huntington on the grounds of race, color, national origin or their Limited English Proficiency (LEP) status.

The **Title VI Program** contains all of the elements required of a transit provider operating in a urbanized area of a population of two hundred thousand or more, operating less than fifty (50) vehicles in peak service.

The Town of Huntington provides one mode of transportation, bus service: fixed-route and paratransit. The Town is fully compliant with FTA Circular 4702.1B Chapter IV.

The Town of Huntington has no transit related sub-recipients.

As a recipient of federal funding, the Town of Huntington's Department of Transportation and Traffic Safety is committed to ensuring that the benefits of its bus services are shared equitably throughout the service area; equal access is provided to all riders; no one is precluded from the planning and development of services and a complaint procedure is in place to protect the public against discrimination.

Executive Order 13166

“Federal agencies are to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.”

SECTION I

GENERAL REQUIREMENTS

Public Notice of Non-Discrimination Under Title VI

The Huntington Transportation and Traffic Safety (TTS) Department, overseer of the HART Bus Division and operator of the HART Bus system takes a variety of steps to make riders aware that the Town's transit system fully complies with the requirements of the Title VI of the Civil Rights Act.

TTS advises the public and gives notice of the protections against discrimination afforded them under the law and how to file a Civil Rights complaint. A notice is published in both English and Spanish (Español) and appears on:

- ▶ Huntington's website: www.huntingtonny.gov
- ▶ TV public access channels -Cablevision (18) and Verizon (38)
- ▶ Town of Huntington — Reception Desk and Public Areas
- ▶ Interior of Transit Vehicles
- ▶ Bus Schedules



NOTICE OF NONDISCRIMINATION UNDER TITLE VI

The Town of Huntington is committed to providing public transportation services in a non-discriminatory manner without regard to race, color, and national origin.

If you believe that you have been discriminated against by HART or any member of its staff and wish to file a complaint, please call the Department of Transportation and Traffic Safety at (631) 271-3035, or write to Department of Transportation and Traffic Safety, 100 Main Street, Huntington, NY 11743.

For more information on the Town of Huntington's nondiscrimination obligations as a grantee of the Federal Transit Administration under Title VI of the Civil Rights Act of 1964, go to: <http://HuntingtonNY.gov/hart>.

AVISO DE NO DISCRIMINACIÓN BAJO TÍTULO VI

La Ciudad de Huntington se compromete a proporcionar servicios de transporte público de una manera no discriminatoria, sin distinción de raza, color y origen nacional.

Si usted cree que ha sido discriminado por HART o cualquier miembro de su personal y desea presentar una queja, por favor llame al Departamento de Transportación y Seguridad en el Tránsito a (631) 271-3035, o escribir al Departamento de Transportación y Seguridad en el Tránsito, 100 Main Street, Huntington, NY 11743.

Para obtener más información acerca de la Ciudad de Huntington obligaciones de no discriminación como un concesionario de la Administración Federal de Tránsito bajo Título VI en el Ley de Derechos Civiles de 1964, vaya a: <http://HuntingtonNY.gov/hart>.

SECTION I



For Official use only

Complaint #: _____

TITLE VI CIVIL RIGHTS COMPLAINT FORM

Laurie Gatto-Argiriou, Esq

Town of Huntington, Title VI Coordinator
100 Main Street (Room 203)
Huntington NY 11743



For Official use only

Complaint #: _____

Formulario de Queja Título VI

Laurie Gatto-Argiriou, Esq

Town of Huntington, Title VI Coordinator
100 Main Street (Room 203)
Huntington NY 11743

Filing a Title VI Complaint

TTS has established a process for HART Bus riders to file Title VI Civil Rights complaints with Huntington.

Any person who believes that she or he has been discriminated against on the basis of the equal rights protections in Title VI is encouraged to fill out and submit a **Title VI Complaint Form** (See pages 28 thru 32 of this booklet) or pick-up the printed complaint form (available in English and Spanish) from the department's administrative office:

- ▶ **Huntington Town Hall, Room 109, 100 Main Street, Huntington, NY 11743**
- ▶ **Download the Complaint Form from the Town's website: www.huntingtonny.gov**
- ▶ **Title VI complaints** should be made in writing and filed with Transportation & Traffic Safety or with the Town Board's official designated Title VI Coordinator:

Laurie Gatto-Argiriou, Esq.
Title VI Coordinator
Huntington Town Hall, Room 203
100 Main Street
Huntington, NY 11743
Phone: (631) 351-3178 • Fax: (631) 351-3032
LArgiriou@huntingtonny.gov

SECTION I

Title VI Complaint Form

Using the downloadable Title VI Complaint form or using plain paper, your complaint should address the following **FIVE (5) important points** to help HART Bus respond to the complaint promptly:

1. **Full Name** of the person's complaint.
2. **Home Address** (and Mailing Address if not the same).
3. **Phone Number**
4. Your **Complaint** should be a short, clear **Statement of the Facts**.

NOW!

Title VI Complaint must be filed within **180-days (6 months)** from the date of the incident that caused the complaint. Failure to file within 180-days may result



► **Delivery:** A complaint may be delivered in person to the Town Hall during normal business hours or via the United States Postal Service (USPS) as regular, registered or certified mail. Complaints may be addressed to either **Laurie Argiriou, Esq.**, Town Title VI Coordinator or **Scott Spittal**, Director of the Department of Transportation & Traffic Safety.

► **Jurisdiction:** In the case, a Title VI Complaint is filed with the Town of Huntington and a complaint is also filed with an outside Federal, State, or local agency — the Federal, State and/or local complaint is decided **FIRST** — **BEFORE** the Town complaint is heard and resolved.

SECTION I

In the case when a Complainant has filed a complaint with a Federal, State or local agency and you try to file the same Complaint with the Town, the process for review and disposition of the Town complaint will be decided by the Town Attorney.

In either instance, the outcome of a complaint acted on by an outside agency may bar redress under this Policy. A complaint filed with and only with the Town of Huntington will proceed in accordance with the resolution procedure set-forth in the following **Complaint Resolution — Section V, Attachment E, page 35.**

Complaint Resolution Procedure

In order to ensure a quick resolution of Title VI complaints, the Town asks complainants to familiarize themselves with the resolution process.

Preliminary Interview with Title VI Coordinator (optional)

A Complainant has the option of requesting a **Preliminary Interview**. The interview is a private, informal discussion between the person making the complaint and the Title VI Coordinator. A successful interview may mutually determine:

1. The matter fails to rise to the level of an equal rights violation, in which case the matter will be considered closed.
2. The matter rises to the level of a violation and a satisfactory solution is reached. In this case, the Title VI Coordinator will memorialize the determination in writing and start the resolution within fourteen (14) days.

If the optional interview is unsuccessful, the Complaint proceeds to the **Formal Hearing** process. In this case, the **Preliminary Interview** will have no bearing on further proceedings and neither party will be allowed to use the Preliminary Interview or any part of the preliminary interview to advance or defend the Title VI Complaint.

SECTION I

Scheduling Hearings and Fact Finding



The Title VI Coordinator will act as quickly as possible — and within no longer than sixty (60) days — establish a date, time and place for a Title VI Complaint Hearing, for which the Complainant receives at least ten (10) days advance notice.

In addition, the Town Attorney, Personnel Officer and director of any Town department involved will also receive notice. The Title VI Coordinator may schedule as many follow-up meetings as necessary to complete the complaint process. In such cases, the ten (10) day notice requirement may be waived upon written consent of the Complainant.

- ▶ **Adjournments:** The Title VI Coordinator will give consideration to any reasonable written request for the adjournment and rescheduling of a Title VI hearing OR follow-up hearing.
- ▶ **Records:** The purpose of Title VI hearings is to get the facts and proper info in a useful and constructive manner. The Title VI Coordinator (or designee) will take non-verbatim minutes. Other parties present are allowed to take written notes. No other recording methods will be permitted.
- ▶ **Involved Parties:** In addition to those persons required to receive notice, the Title VI Coordinator may request other people with direct knowledge of the matter to be present and/or give information related to the Complaint. Any information found important AND used (as a finding) by the Coordinator will be available to the Complainant.
- ▶ **Legal Representation:** None of the parties (persons) present at the hearing will be represented by a lawyer, employment advisor, union representative or other advocate.

SECTION I

Professional information and advice may be solicited by any involved party prior to or after the Hearing, but counsel will not be allowed to attend the Hearing or any follow-up hearings. The Town Attorney and Personnel Officer may, if the Title VI Coordinator identifies them as an involved department, attend a hearing in their official capacity as acting department directors.

► **Additional Information and Documentation:** A Hearing or follow-up hearing may show the existence or potential existence of other important sources of information. At the end of a Hearing or follow-up hearing, the Title VI Coordinator may request more information and/or documentation to help make a decision.

Any party (person) present at a hearing can submit to the Title VI Coordinator more information and/or documentation (if they think the factual information is important to the case) by sending the information within ten (10) days of the hearing. Copies of relevant submissions used by the Title VI Coordinator as a finding must be made available to the Complainant.

► **Open Meetings Law:** Hearings pursuant to this policy will be considered and treated as personnel matters and will **not** be subject to FOIL or the New York State Open Meetings Law.

Determination and Complaint Resolution

Following the hearing, information gathering and findings, the Title VI Coordinator has forty-five (45) days to issue to the Complainant a written letter of: ***Determination and Recommendation for Resolution (DRR)***, stating a conclusion of determination either of “**No Violation**” in which case no further action is required or a determination of “**Violation**” of the Title VI policy. If a Violation is found, the ***DRR*** will set forth recommended corrective actions. Copies of the ***DRR*** will be furnished to the Town Supervisor, the Town Attorney, the Town Personnel Officer and the directors of all involved or affected departments.

► **Findings and Recommendations:** While the findings and recommendations of the Title VI Coordinator cannot bind an involved department, the director of any Town department refusing to accept and act on a ***DRR*** by the Title VI Coordinator will do so in writing and explain the basis of such refusal.

SECTION I

In addition to the Title VI Coordinator the director will forward copies to the Town Supervisor, Town Attorney and Town Personnel Officer. A department director who fails to accept and act on a **DRR** without following the refusal protocol is subject to disciplinary action.

- ▶ **Confidentiality:** All Complaint claims will be treated as confidential to the full extent permitted by law.
- ▶ **Non-Retaliation:** The Town of Huntington prohibits retaliation against any employee or individual who reports, testifies in a case or otherwise opposes unlawful discriminatory practices which violate Title VI Legal Safeguards within the Civil Rights Acts of 1964 and subsequent laws, regulations and executive orders.
- ▶ **Violations:** Employees found to have violated the Town's Title VI Policy are subject to disciplinary action, up to and including termination of Town employment.

Transit Related Title VI Investigations, Complaints and Lawsuits

The Department of Transportation & Traffic Safety (TTS) maintains a list of active investigations conducted by Federal Transit Administration (FTA) and entities other than FTA, including lawsuits and complaints naming the Department of Transportation & Traffic Safety that allege discrimination on the basis of race, color or national origin.

The List Includes:

1. Date of the transit-related Title VI investigation.
2. Date the lawsuit or complaint was filed.
3. Summary of allegations.
4. Status of the investigation, lawsuit or complaint.
5. Findings or response actions taken by Transportation & Traffic Safety.

As of the writing for the 2022 Civil Rights Title VI Program Update, there was no complaints filed.

SECTION II

PUBLIC PARTICIPATION PLAN (PPP)

Public Participation Plan Overview

HART Bus is a municipal public transportation system operated by Huntington's Department of Transportation & Traffic Safety's HART Bus Division. As such the department is the lead agency for matters involving the FTA and FTA grant management. TTS is responsible for implementing the Public Participation Plan (PPP), which is a key part of transit-related decision making. This includes decisions related to all FTA-assisted public transportation projects, those related to HART Bus and those dealing with public transportation generally.

TTS and HART Bus Division will use the PPP when formulating Programs of Projects for capital planning and grant development purposes and additionally when considering major service changes or fare increases, as follows:

1. A service change with expected duration in excess of three (3) months is proposed that would affect more than 25% of the route-miles on any particular route or would affect the frequency of service by 50% or more on any route.
2. A public hearing and comment period is necessary for paratransit development and planning purposes.
3. A fare increase with expected duration in excess of three (3) months is proposed.

In satisfaction of the Federal Transit Administration's specified public participation requirements for the Program of Projects, TTS and the HART Bus Division among its other methods, joins in the New York Metropolitan Transportation Council's public participation process.



SECTION II

PPP Key Principals

The purpose of the PPP is to assure that all residents have the opportunity to participate in HART Bus transportation service and capital planning processes with a special emphasis to welcome and encourage the participation of the Town's diverse minority, low-income and LEP populations.

This plan describes the overall goals, guiding principles and outreach methods that Huntington and the HART Bus Division use to reach riders and other community stakeholders.

The plan's intent is to provide a meaningful basis on which to judge the potential social, economic and environmental impacts of proposed transportation decisions.

Finally, the plan is fluid and seeks to develop and improve — as the diverse elements that make-up this community becomes comfortable with expressing opinions and sharing ideas related to public transportation:

1. The Town will seek out and help those persons who may be potentially affected by proposed service changes and capital investments.
2. Community members/residents who may be potentially affected by proposed transit changes will have appropriate and meaningful opportunities to learn about and provide input on transit proposals.
3. The concerns of all participants involved will be fully considered. Public contribution can and will influence HART's final decision.



Got an idea? Tell us what you think.

SECTION II

PPP Goals

- ▶ **Clear Pathway for Influence:** Clearly identify and communicate where and how participants can have influence and direct impact on decision making.
- ▶ **Consistent Commitment:** Communicate regularly to develop trust with the ridership and community at large.
- ▶ **Diversity:** Engage a full range of socioeconomic, ethnic and cultural perspectives with special emphasis on engagement of historically under represented (low-income, minority and LEP) populations.
- ▶ **Accessibility:** Take steps to ensure opportunities to participate are physically, geographically, temporally, linguistically and culturally accessible.
- ▶ **Relevance:** Frame issues in such a way that the significance and potential impacts of decisions are transparent and understood by all segments of the community.
- ▶ **Satisfaction:** Meaningful participation initiates a positive feedback loop that will encourage more meaningful discussion and better decision making.
- ▶ **Partnerships:** Strive to develop, build and maintain partnerships with community members and groups that can channel input both formally and informally into the decision making process.
- ▶ **Quality Input:** Reinforce the usefulness, relevance and benefits that constructive community input lends to developing better plans, project, strategies and decisions in the public sector.



SECTION II



PPP Objectives

- ▶ **Flexibility:** Accommodate participation in a variety of ways and adjust as needed.
- ▶ **Inclusiveness:** Be proactive and reach out to and engage low-income, minority LEP populations.
- ▶ **Respect:** Treat all feedback with care and give respectful consideration.

PPP Outreach Activities

To alert ridership and encourage engagement, TTS and HART Bus perform outreach based on a variety of factors including: statutory requirements, the nature and importance of the message or pending decision and the resources available and cost to distribute the message. Outreach channels available include both traditional and digital media outlets.

It should be noted that despite the challenges posed in conducting public outreach due to the ongoing health crisis posed by the COVID-19 pandemic, the Town of Huntington, engaged the public as detailed below:

▶ *June 9, 2021*- virtual meeting with Kevin Thorbourne, the Town of Huntington's Director of Minority Affairs. We discussed the challenges of conducting outreach during the pandemic; Thorbourne advised that he corresponds regularly with minority communities, many who are LEP, in the area and ensured he would provide those community members with information relevant to the Town's Title VI policy and procedures.

▶ *June 16, 2021* – conference call with Carmen Kasper, the Town's Director of Human Services, to discuss how to reach out to the bilingual community.

▶ *June 16, 2021* – email sent to Kevin Thorbourne, the Town's Director of Minority

Affairs, requesting assistance in disbursing the notices of publication in both Spanish and English, as well as the goal and methodology, to minority business owners so that DBEs in the area are apprised of the opportunity to comment/participate.

SECTION II

- ▶ *June 22, 2021*- The Title VI coordinator virtually attended a local Hispanic Task Force Meeting; a group which could be expected to have information concerning the availability of minority owned businesses. The attendees were provided with information concerning the Town’s compliance with the Title VI mandate of non-discrimination in the award and administration of contracts, programs or activities.
- ▶ *July 12, 2021*- The Title VI coordinator virtually attended a local African-American Task Force Meeting; a group which could be expected to have information concerning the availability of minority owned businesses. The attendees were provided with information concerning the Town’s compliance with the Title VI mandate of non-discrimination in the award and administration of contracts, programs or activities. Many in attendance were registered minority business owners; appreciation was expressed for being afforded the opportunity to engage with the Town about matters deemed important by the Task Force.
- ▶ *October 2021-present*- The Town of Huntington made the Title VI Program available on the Town’s web page at www.HuntingtonNY.gov/Title-VI-Statement
- ▶ *October 13, 2021*- The Huntington Town Board adopted Resolution No. 2021-544, at a meeting open to the public, authorizing the Triennial Update to the Town’s Title VI Rights Program.

In addition to the foregoing, the Town of Huntington, in furtherance of keeping the public informed has also engaged the public as follows:

Traditional Information Outlets	Digital Media Outlets
<ul style="list-style-type: none"> ■ Legal Notices and Public Hearings ■ News/Press Releases and Ads ■ Newspaper Articles ■ Public Information Sessions ■ Direct Mail ■ In-Bus Posters/Bus Shelter Ads 	<ul style="list-style-type: none"> ■ Website—www.huntingtonny.gov ■ Government Access TV ■ Cable TV Press Conferences ■ Social Media: Facebook, Twitter ■ Streaming Video: YouTube

SECTION II

The general steps for engaging riders in the decision making process using a change in Schedules or Fares as an example:

- Develop proposal based on internal demands and/or external public input.
- Conduct Title VI review of proposal implications.
- Enact Town Board resolution authorizing the scheduling of a public hearing, if required, and/or establish a public comment period according to FTA guidelines.
- Set times, dates and venues for Public outreach events with consideration of the proposed changes and their impact on specific locations/populations within the HART Bus service area.
- Develop appropriate bilingual (English-Spanish) explanatory and public outreach materials.
- Publicize public engagement opportunities through information outlets.
- Hold scheduled public hearings and/or information sessions and continue to collect comments until the end of comment period.
- Compile and summarize public comments based upon which a service/fare change is finalized.
- Conduct further public outreach, engagement and information distribution prior to the implementation of any service or fare change as proposed (or as may have been amended as a result of the public comment process).

PPP Selection of Meeting Locations

- Set times and locations convenient for minority and LEP communities and accessible to the handicapped.
- Provide additional transportation to and from the public meetings as resources permit based on nature and relative importance of subject.
- Employ different meeting sizes and formats to best suit the subject at hand.

SECTION II



- Provide opportunities for public participation through means other than writing, such as one-to-one interviews and audio/video recordings.
- Have interpreters present to facilitate participation of the LEP community.

Incorporating Public Comments into PPP Decisions

All public comments are given careful thought and consideration. Public comments come in many forms (e.g.: USPS mail, email, social media, public meetings). These must all be summarized for presentation to decision making staff or the Town Board as appropriate.

Identification of Stakeholders and Community Partners into PPP Agenda

Stakeholders are those people who are either directly or indirectly affected by a plan or an alternative plan recommendations. Specific stakeholders need to be identified as to any adverse effects a change would cause and also who may be denied access to ridership benefits due to an alternative plan's recommendations.

SECTION III

LIMITED ENGLISH PROFICIENCY (LEP)

Limited English Proficient Language Assistance Planning

The Department of Transportation & Traffic Safety's (TTS) plan for LEP assistance provides help for people who have limited ability to read, speak, write or understand English and ensures that these people have access to Huntington's services, programs and activities.

As required for an LEP plan, TTS conducted a Four-Factor Analysis, taking into account:

1. The number or proportion of LEP persons in the service area who are likely to use fixed-route transit services.
2. The frequency with which LEP persons come in contact with fixed-route transit services.
3. The nature and importance of the services provided in people's lives.
4. The resources available for LEP outreach and overall cost to provide LEP assistance.

Limited English Proficiency (LEP)

LEP refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

SECTION III

Four-Factor Analysis

FACTOR

1

The first factor in the analysis is the number (or proportion) of the LEP population living in the service area who may or are likely to need transit services. In reviewing pertinent U.S. Census Bureau data, Transportation & Traffic Safety determined the Town of Huntington’s total serviceable population — approximately 95% are the age five and older.

Of that number, thirty-five thousand (38,283) persons or 18% of the population are non-native English speakers. Of that number, three thousand (3,063) have limited English proficiency. According to the 2020 U.S. Census Bureau, this group speaks English less than “well” or “not at all”. Based on this, TTS calculates that 19.7% of the serviceable population qualifies as LEP as follows:

Language Group	Speakers	Percent of Total
Spanish	17,684	9.1%
Indo-European	13,992	7.2%
Asian / Pacific Islander	5,247	2.7%
Other	1,360	0.7%
Total	38,283	19.7%

FACTOR

2

The second factor is the frequency with which the LEP population comes into contact with the HART Bus system.

The 2020 U.S. Census has determined the Town of Huntington has 10.6% public transportation users. A review of the frequency of use based on U.S. Census Bureau data has determined of the more than 1,400 Spanish speaking public transportation users, only five hundred ninety-seven (597) would be considered LEP because of limited ability to understand or speak English.

SECTION III

HART Public Transportation Users	20,599	100%
English Speakers	16,479	80.0%
Spanish Speakers	1,875	9.1%
English Proficient Spanish Speakers	1,648	8.0%
LEP Spanish Speakers	597	2.9%

FACTOR

3

The third factor is the nature and importance of program, activity or service provided by the transit system.

TTS operates a transit system and provides services that are vital to the lives and livelihoods of the residents of the town, particularly those without access to personal vehicles and those with disabilities that prevent them from operating personal vehicles safely.

HART Bus is used for transportation to job sites, shopping centers and downtown business districts in Huntington, Northport, Greenlawn and East Northport, and to community services locations such as the Northport Veterans Hospital, Huntington Hospital and other community medical facilities.

Riders eligible for service under the American's with Disabilities Act (ADA) are eligible for complementary paratransit service. TTS goes to considerable lengths to ensure that the people who depend on transit services participate in the transit capital planning process and learn of any changes in schedules and pricing related to services.

TTS assesses and reassesses the "criticality" of its various communications and documents to identify those for which language assistance would be appropriate.

SECTION III

These communications include:

- ▶ Route Timetable
- ▶ Paratransit Brochure
- ▶ Paratransit Application
- ▶ POP Publications
- ▶ Job Application



- ▶ Transit Rider Information
- ▶ Paratransit User's Guide
- ▶ Passenger Inquiries
- ▶ DBE Publications
- ▶ Title VI Complaint Form

FACTOR

4

The final factor for consideration is resources available and overall cost to provide LEP assistance.

TTS canvassed the resources available within its department and in other Town departments, including bilingual staff members, translation services, web translation support and telephone interpretation service. The costs to provide language support for critical communications were determined to be acceptable and have been made available as part of the HART Bus plan for LEP customers.

The Department has and will continue to provide language assistance for critical communication. A list of critical documents for LEP translation includes:

- ▶ Complaint Form
- ▶ POP Public Notices
- ▶ POP Detailed Project Descriptions
- ▶ Notifications regarding service changes
- ▶ Notifications regarding fare increases
- ▶ Service Advisories

SECTION III

HART Bus System LEP Guidelines

Staff Training Practices led by Title VI Coordinator

- ▶ Information on the Title VI Policy and LEP responsibilities.
- ▶ How to handle a Title VI and LEP related complaints.
- ▶ Description of language assistance services available to the public.
- ▶ Proper use of language identification cards.
- ▶ Proper documentation of all language assistance requests.

Notification of Availability of LEP Assistance

- ▶ Post signs in Town Hall and major facilities explaining steps to access free language and translation services.
- ▶ Publish agendas and notices in languages identified in 4 Factor Analysis.
- ▶ Post the LEP plan and steps for accessing language services on Town website.
- ▶ Issue press releases and similar advisories about the LEP plan and email the LEP plan and press releases to advocacy groups and agencies serving LEP populations.

Interpretation and Translation Service Updates and Outreach

- ▶ HART Bus will translate documents for LEP populations as often as necessary weighing the cost and benefits and determining the likelihood of frequent revision and other relevant factors.
- ▶ HART Bus will assess all requests for Interpretation and Translation services on the basis of impacts to known LEP populations.
- ▶ HART Bus will prepare appropriate translations of documents, schedules and agendas for meetings where LEP target audiences are expected to attend and publicize such availability to LEP populations.

SECTION IV

Additional Program Considerations

Minority Representation on Planning and Advisory Panels

The Department of Transportation & Traffic Safety (TTS) does not have a transit related, non-elected planning board or advisory panels at this time.

Assistance to Sub-Recipients

TTS does not have any sub-recipients at this time.

Equity Analysis to Determine Site or Location of Facilities

TTS has not experienced a change in services or engaged in projects requiring land acquisition.

System-Wide, Fixed-Route Service Standards, Policies and Definitions

- **Vehicle Load:** This is the ratio of the number of passengers on a vehicle to the number of seats. Vehicle load is monitored regularly to determine compliance with the standard load as follows: 1.25 passengers/seat during peak periods and 1.00 during off peak periods.
- **Vehicle Headway:** This is calculated as the time difference between two vehicles traveling in the same direction on the same route (or how often the vehicle travels the route.) The standard is a maximum of 60-minutes between trips during peak periods and 120-minutes during off-peak periods.
- **On-Time Performance:** This is calculated as a percentage of randomly sampled bus runs that pass predetermined time points along a route that occur no more than 2-minutes earlier or more than 6-minutes later than the time published in the transit system timetables. The standard minimum is an on-time rate of 75%.
- **Service Availability:** This is the percentage of the Town's population within one-half (1/2) mile of a HART Bus route. The standard is 50%.

NOTE: The Town operated HART Bus network of fixed-route buses are scheduled in cooperation with routes operated by Suffolk County Transit. This significantly increases the usefulness of the system to riders and the number of destinations accessed by HART Bus riders.

SECTION IV

- **Vehicle Assignment Policy:** This is the process by which vehicles are placed in service on routes throughout the system. HART Bus is careful to offer the same level of amenities to all riders. HART applies strict maintenance standards to all buses in service regardless of age. HART has undertaken a critical fleet replacement regimen to ensure all riders have access to the newest possible equipment. In addition, buses are assigned based on needs of the route, not the location of the route. For example, HART assigns its largest buses to the H10 Route because it is the most heavily used by those needing transit services (**See Section V, Attachment B, page 27**).
- **Transit Amenity Distribution Policy:** This is calculated based on the number of passenger boarding and transfers at stops along the routes. It is HART Bus policy to provide bus shelters at locations having significantly higher than average passenger boarding or that serve concentrations of elderly or persons with disabilities.



Pictured in front of the maintenance bays at HART’s garage and repair facility, located in Huntington Station, is each type of vehicle that makes up the HART Bus Fleet. From left to right is a 29-foot hybrid heavy-duty, low-floor bus (the largest in the HART fleet), a 26-foot medium-duty bus, and in the foreground is the nimble 20-foot Paratransit bus. The paratransit bus can negotiate narrow streets for pick-ups in residential neighborhoods due to its smaller body size.

SECTION V

Attachment A: Non-Discrimination Authorities

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin. Related statutes which prohibit discrimination based on sex, disability and age are also covered in the HART Bus title VI Program, services and activities in accordance with the following list of related statutes and executive orders:

- Title VI of the Civil rights Act of 1964 (42 USC § 2000d et. seq.).
- Section 162 (a) of the Federal Aid Highway Act of 1973 (23 USD § 324).
- Age Discrimination Act of 1975.
- Section 504 of the Rehabilitation Act of 1973.
- Americans with Disabilities Act of 1990.
- Civil Rights Restoration Act of 1987.
- 49 CFR Part 21.
- 23 CFR Part 200.
- USDOT Order 1050.2.
- Executive Order #12898 (Environmental Justice) Executive Order #13166. (Limited English Proficiency — LEP) Civil Rights Act of 1991.
- Section 503 of the Rehabilitation Act of 1973.
- Age Discrimination in Employment act of 1967 (as amended).
- Section 402 of of the Vietnam Era Veterans Readjustment Assistance act of 1964.
- Articles 15 and 15-a of the New York State Executive Law Genetic Information Nondiscrimination Act of 2008.

SECTION V

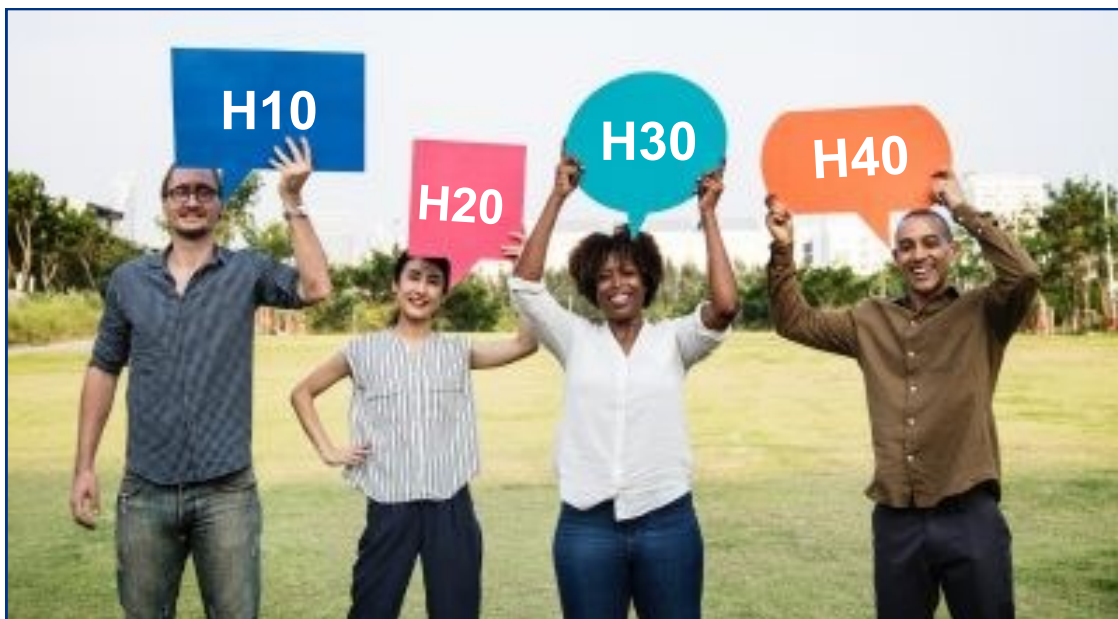
Attachment B: Bus Fleet

HART Bus maintains a fleet of 28 transit vehicles, including three large, 29-passenger hybrid buses, seven medium size 20-passenger buses and the remainder light-duty paratransit vehicles for up to twelve passengers.

The fleet is housed and maintained at its garage, fueling and repair facility located at East 2nd Street in Huntington Station, NY, about a block away from the LIRR terminal, for which HART provides multi-modal connecting service.

HART Bus has adopted a vigorous replacement schedule to ensure that all riders have access to modern, efficient buses and equipment:

HART Bus Fleet Replacement	September 24, 2021
Fixed-Route Service	
▶ Average age of Fleet (years)	6.1
▶ Vehicles 1-year (or newer)	None
Paratransit Fleet	
▶ Average age of Fleet (years)	3.6
▶ Vehicles 1-year (or newer)	Two



SECTION V

Attachment C Title VI Civil Rights Complaint Form

For Official use only.

Complaint #: _____

The Town of Huntington is committed to a policy of non-discrimination to ensure compliance with Title VI of the Civil Rights Act of 1964 and subsequent laws and executive orders that hold no person shall be excluded from participating in, be denied the benefits of or be subjected to unlawful discrimination under any program or activity receiving federal financial assistance. The Town has developed this form to facilitate processing of Title VI complaints. If you require assistance completing this form or have questions, please contact Huntington's Title VI Coordinator, Brooke Lupinacci at (631) 351-2817 or at LArgiriou@HuntingtonNY.gov. Completed, signed and dated forms should be sent to:

Laurie Gatto-Argiriou, Esq.
Town of Huntington,
Title VI Coordinator
Huntington Town Hall, Room 203
100 Main Street
Huntington, NY 11743

Note: To protect your rights, your complaint must be filed within 180 days following the date of the alleged discrimination. Failure to file within 180 days may result in dismissal of the complaint.

Section I:	Complainant Information (Please Print)	
Name:		Gender & Race:
Address:		Accessibility Requirements
Home Phone:		<input type="checkbox"/> Large Print
Work Phone:		<input type="checkbox"/> Audio Tape
Mobile Phone:		<input type="checkbox"/> TDD
E-mail:		<input type="checkbox"/> Other (<i>Explain</i>)

Section II:	Person Discriminated Against (Please Print)	
1.	Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, go to Section III)
2.	Name of the person for whom the complaint is being filed:	
3.	Your relationship to the person named:	
4.	Have you obtained the person's permission to file this form?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.	Explain why you are filing on behalf of the person named:	

SECTION V

For Official use only.
Complaint #: -

Section III	Incident Information (Please Print)	
1. Basis:	This discrimination complaint is based on (<i>check all that apply</i>): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin	
2. Date & Time:	Month: _____ Day: ____ Year: 20____ Time of Day: _____	
3. Location:		
<p>4. Please explain as clearly as possible what happened and why you believe discrimination under Title VI of the Civil Rights Act of 1964 occurred. Describe the involvement of all persons who you believe were involved in the discrimination, including any names and contact information you may have. Also include the names and contact information for any individuals who may have witnessed the event. (<i>Attach additional sheets if necessary and copies of any other documentation relevant to your complaint.</i>)</p>		
<p>5. Is this your first Title VI complaint with the Town of Huntington? <input type="checkbox"/> Yes <input type="checkbox"/> No (If No, please explain)</p>		
<p>6a. Have you filed this complaint with another Federal, State or Local agency or court? <input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, complete 7a-9a and 10-11 below)</p>	<p>6b. Do you intend to file this complaint with another Federal, State or Local agency or court? <input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, complete 7b-9b below)</p>	
7a. Agency or Court:	7b. Agency or Court:	
8a. Address:	8b. Address:	
9a. Filing Date:	9b. Projected Filing Date:	
10. Agency/Court Contact:	11. Contact Phone:	
<p>Note: Filing this complaint with another court or administrative agency may impact the ability of the Town of Huntington to provide administrative relief and require the complaint to be referred to the Town Attorney for disposition.</p>		
<p>Section IV: Affirmation I affirm that I have carefully read the above complaint and that to the best of my knowledge, information, and belief the information contained herein is true.</p>		
Complainant's Signature:		Date:

SECTION V

FORMULARIO DE QUERRELLA DE DERECHOS CIVILES TÍTULO VI (ESPAÑOL)

For Official use only.
Complaint #: _____

El Municipio de Huntington está comprometido a una póliza de no-discriminación para asegurar cumplimiento con el Título VI del Acto de Derechos Civiles de 1964 y leyes subsecuentes y órdenes ejecutivas que dictan que ninguna persona debe ser excluida de participar en, negada los beneficios de, o ser sometido a discriminación ilegal bajo cualquier programa o actividad recibiendo asistencia federal de financia. El Municipio ha desarrollado este formulario para facilitar el proceso de quejas del Título VI. Si usted requiere asistencia llenando este formulario o si tiene preguntas, por favor contactar a la Coordinadora del Título VI de Huntington, Brook Lupinacci al 631-351-2817 o en BLupinacci@huntingtonny.gov. Formularios completos, firmados, y fechados deben ser mandados a:

Laurie Gatto-Argiriou, Esq.
Town of Huntington,
Title VI Coordinator
Huntington Town Hall, Room 203
100 Main Street
Huntington, NY 11743

Nota: para proteger sus derechos, su querella debe ser presentada dentro de 180 días siguiendo la fecha de la discriminación alegada. Falta de presentar la queja dentro de 180 días puede resultar en desestimación de la queja.

Sección 1:	Información de la Persona que Registra la Querella (por favor escriba con letra de molde)	
Nombre:		Sexo y Raza:
Dirección:		Requisitos de Accesibilidad <input type="checkbox"/> Letras Grandes <input type="checkbox"/> Cinta de Audio <input type="checkbox"/> TDD <input type="checkbox"/> Otro (<i>Explique</i>)
Teléfono de Su Casa:		
Teléfono de Trabajo:		
Teléfono de Movil		
Dirección de correo electrónico:		

Sección 2:	Persona Discriminada	
1.	Está llenando este formulario para usted mismo?	<input type="checkbox"/> Si <input type="checkbox"/> No (Si es así, proceda a la
2.	Nombre de la persona para cual esta llenando esta queja:	
3.	Su relación a la persona nombrada:	
4.	Ha obtenido permiso de esta persona para llenar esta queja?	<input type="checkbox"/> Si <input type="checkbox"/> No
5.	Explique porque está presentando esta queja en parte de la persona nombrada.	

SECTION V

For Official use only.
Complaint #: -

Sección III: Información de la Querella

1. Esta queja de discriminación está basada en (*Marque todas la que apliquen*):
 Raza Color Nacionalidad

2. Fecha de incidente: Mes _____ Día _____ Año 20_____ Hora del Día _____

3. Lugar de incidente:

4. Por favor explique lo más claro posible lo que paso y porque usted cree que ocurrió discriminación bajo el título VI del acto de derechos civiles de 1964. Describa el involucramiento de todas las personas cuales usted cree que fuero involucradas en la discriminación, incluyendo los nombres y la información de contacto de cualquier individual que pudo haber sido testigo de este evento (*Siéntase libre de adjuntar paginas adicionales y copias de cualquier otra documentación pertinente a su queja.*)

5. Es esta su primera queja de Título VI con el Municipio de Huntington? Si No (*si no, por favor explique*)

6a. Ha presentado esta querella con otra agencia Federal, Estatal, o Local, o una Corte? Si No (*si la respuesta es sí, llena 7a -9a, 10-11*)

6b. Tiene intención de presentar esta querella con otra agencia Federal, Estatal, o Local, o una Corte? Si No (*si la respuesta es sí, llena 7b-9b*)

7a. Agencia o Corte:

7b. Agencia o Corte:

8a. Dirección:

8b. Dirección:

9a. Fecha de presentación:

9b. Fecha anticipada de presentación:

10. Contacto de agencia/tribunal:

11. Teléfono de contacto:

Nota: presentar esta querella con otra corte o agencia administrativa puede impactar la habilidad de Pueblo de Huntington para proveer asistencia administrativa y puede requerir que la querella sea referida a Abogado de Pueblo para disposición.

Sección IV: Afirmación Afirmo que he leído cuidadosamente la querella y a lo mejor de mi conocimiento, información, y creencia, la información contenida dentro de la misma es verdad.

Firma de la persona haciendo la queja:

Fecha

SECTION V

Attachment D: Title VI Complaint History

List of Transit-Related Title VI Investigations, Complaints and Lawsuits:

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by FTA and entities other than FTA, lawsuits, and complaints naming the recipient.

This list will include the date of the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation or allegations; the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint.

This list shall be included in the Title VI Program submitted to FTA every three (3) years.

Town of Huntington Three Year Complaint Allegation Record

June 2019 thru September 2021

Number of Investigations	Zero (0) Investigations
Date Complaint Filed	N/A
Summary of Allegations	N/A
Status of Investigation	N/A
Conclusion of Investigation	N/A
Actions Taken in Response	N/A

SECTION V

Attachment E: Huntington Town Board Enabling Resolution

2021-544

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A STATEMENT OF ASSURANCE OF COMPLIANCE WITH TITLE VI OF CIVIL RIGHTS ACT OF 1964 FOR FEDERAL FISCAL YEARS 2022-2024 AND ISSUE THE COMPULSORY TRIENNIAL UPDATE TO THE TOWN'S "TITLE VI CIVIL RIGHTS PROGRAM", NUNC PRO TUNC

Resolution for Town Board Meeting Dated: October 13, 2021

The following resolution was offered by: **COUNCILMAN COOK**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town of Huntington receives financial assistance from the Federal Transit Administration (FTA) for its HART Bus and public transit system operations; and

WHEREAS, it is a condition of Federal assistance that the Town provide written assurance of compliance with the Title VI mandate of non-discrimination in the award and administration of contracts, programs or activities undertaken with federal financial assistance, without regard to the specific projects or service allocation of such funds, and that the Town maintain and periodically update its HART Bus Title VI Civil Rights compliance program; and

WHEREAS, pursuant to SEQRA 6 N.Y.C.R.R. §617.5(c)(26), the actions herein involve routine agency administration, which are Type II actions and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor, or his designee, to execute a statement of Assurance of Compliance with Title VI of Civil Rights Act of 1964 and issue the compulsory triennial update to the Town's "Title VI Civil Rights Program", for Federal Fiscal Years 2022-2024, nunc pro tunc, and sign any additional documents in connection therewith, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Chad A. Lupinacci **AYE**
Councilwoman Joan A. Cergol **AYE**
Councilman Eugene Cook **AYE**
Councilman Mark A. Cuthbertson **AYE**
Councilman Edmund J. Smyth **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

SECTION V

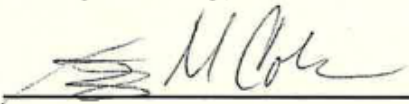
Huntington Town Board Enabling Resolution Certification

STATE OF NEW YORK)
COUNTY OF SUFFOLK)
TOWN OF HUNTINGTON)

I, Stacy H. Colamussi, Deputy Town Clerk of the Town of Huntington, acting in the stead of Town Clerk Andrew P. Raia, who is the custodian of the Records of said Town, **DO HEREBY CERTIFY** that I have compared the annexed with the original thereof and that the same is a true and correct copy of **Resolution 2021-544 AUTHORIZING THE SUPERVISOR TO EXECUTE A STATEMENT OF ASSURANCE OF COMPLAINEE WITH TITLE VI OF CIVIL RIGHTS ACT OF 1964 FOR FEDERAL FISCAL YEARS 2022-2024 AND ISSUE COMPULSORY TRIENNIAL UPDATE TO THE TOWN'S "TITLE VI CIVIL RIGHTS PROGRAM", NUNC PRO TUNC** filed in the Town Clerk's Office and the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto signed my name and affixed the seal of the Town of Huntington this 28th day of January, 2022.





Deputy Town Clerk