

City of Gloversville, Transit System



CIVIL RIGHTS & TITLE VI PLAN

June 2022

* Adopted by the City of Gloversville Common Council by Resolution #55-2022 on June 14, 2022

Table of Contents

Civil Rights Policy Statement	3
Civil Rights Authoritative Sources	4
Title VI Policy Statement	6
Title VI Authority	7
Title VI Assurances	7
Title VI Coordinator	7
Organizational Chart	8
Civil Rights/Title VI Complaint Procedures	9
Civil Rights/Title VI Investigations, Complaints, and Lawsuits	10
Title VI Public Notice	10
ADA Coordinator & Responsibilities	11
Environmental Justice (EJ) Plan	11
Limited English Proficiency (LEP) Plan	11
Public Participation Plan	12
Contract Compliance	12
Notification to Beneficiaries	12
Monitoring/Reporting	12
Data Collection	12
Training	13
Additional Requirements for the City of Gloversville’s Transit System	13
System-Wide Service Standards and Policies	14
ATTACHEMENTS	
ATTACHMENT A - Standard DOT Assurances	15
- <i>Includes Appendices A, B, C, D and E</i>	
ATTACHMENT B – Civil Rights/Title VI Complaint Form	25
ATTACHMENT C - Civil Rights/Title VI Complaint Log	27
ATTACHMENT D - Americans with Disabilities Transition Plan	28
ATTACHMENT E - Environmental Justice (EJ) Plan	32
ATTACHMENT F - Limited English Proficiency (LEP) Plan	34
ATTACHMENT G - Title VI Public Participation Plan	38
ATTACHMENT H - Title VI Public Notice	41

CITY OF GLOVERSVILLE'S TRANSIT SYSTEM

Civil Rights Nondiscrimination Policy Statement

It is the policy of the **City of Gloversville Transit System** to prevent and eliminate discrimination in all its operations and services as well as all aspects of employment. All Department, Divisions, Offices, and Bureaus will plan, develop and implement their programs and activities so that no person is subjected to unlawful discrimination based on race, creed, color, gender, age, national origin, religion, disability, sexual orientation, marital status, or Vietnam era veteran status.

This policy fully incorporates throughout all the **City of Gloversville Transit Systems** operations the requirements of applicable State and Federal laws and executive orders to prohibit any discriminatory practices, procedures and policies. All administrators, managers, supervisors and employees are directed to comply with these laws and orders.

The City of Gloversville Transit System is committed to maintaining an agency which recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding, and mutual respect among its members; and encourages everyone to strive to reach their own potential.

This policy will be placed on all **City of Gloversville Transit System** bulletin boards and made available to all organizations and entities doing business with the **City of Gloversville Transit System**. Any complaints involving allegations of discrimination should be sent to:

Gloversville Transit Manager
3 Frontage Road
Gloversville, NY 12078
(518) 773-4522
BWarren@cityofgloversville.com

RELATED POLICY AND AUTHORITATIVE SOURCES

New York State Laws

New York State Human Rights Law Article 15 (1945) – Guarantees nondiscrimination in the State of New York on the basis of race, creed, color, national origin, sex, marital status, age, disability and or sexual orientation.

New York State Law Article 15-A (1988) - An act to amend the executive law and the state Finance law, in relation to participation by minority group members and women with respect to state contracts.

New York State Law Article 17-B (2014) – An Act to amend the executive law, in relation to expanding opportunities for service-disabled veteran-owned business enterprises.

Sexual Orientation Non-Discrimination Act (2003) – This Act amends the Executive Law to include sexual orientation.

New York State Executive Orders

On January 1, 2011, Governor Cuomo issued Executive Order 2 that authorized the continuation of certain prior Executive Orders related to equal opportunity and nondiscrimination in all State programs.

Executive Order No. 6 (Governor Cuomo, 1983) – Insures equal employment opportunities for minorities, women, disabled persons and Vietnam era Veterans in State government. The order clarifies and expands the power of the President of the Civil Service Commission and the Governor’s Executive Committee for Affirmative Action to ensure that agencies develop and implement effective affirmative action plans.

Federal Laws and Executive Orders

Civil Rights Act of 1964 – Prevents discrimination in federally assisted programs; provides relief against discrimination in public accommodations; protects constitutional rights in public facilities and public education; enforces the constitutional right to vote. Title VI – Prohibits discrimination on the grounds of race, color or national origin in programs and activities receiving federal financial assistance. Title VII as amended by the Equal Employment Opportunity Act of 1972 – Makes it unlawful to discriminate in employment practices on the basis of race, color, religion, sex, or national origin.

Section 503 of the Rehabilitation Act of 1973 – Prohibits discrimination on the basis of physical or mental disability in every federally assisted program or activity in the country.

Age Discrimination Act of 1975 – Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Civil Rights Restoration Act of 1988 – Specifies that recipients of federal funds must comply with civil rights laws in all areas, not just in a particular program or activity that receives federal funding. It applies to all federal laws.

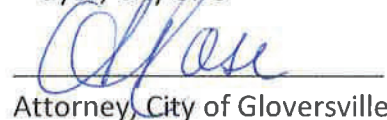
Americans with Disabilities Act (ADA) of 1990 – Federal Law prohibiting discrimination against people with disabilities in employment, public access to services, transportation, public accommodations, and telecommunications services.

Civil Rights Act of 1991 – Provides appropriate remedies for intentional discrimination and unlawful harassment in the workplace; codifies the concepts of “business necessity” and “job related”, confirms statutory authority and provide statutory guidelines for the adjudication of disparate impact suits under Title VII of the Civil Rights Act of 1964; expands the scope of relevant civil rights statutes in order to provide adequate protection to victims of discrimination. The Act provides for compensatory and punitive damages and jury trials in cases of sex, religious, and disability bias.

Executive Order No. 11246 – Prohibits employers doing business with the Federal Government from discriminating in employment because of race, color, religion, sex or national origin. Employers are required to take affirmative action in employment activities including hiring, promotion, transfers, training and minorities and women.



Mayor, City of Gloversville



Attorney, City of Gloversville

6/15/22

Date

6/20/22

Date

CITY OF GLOVERSVILLE'S TRANSIT SYSTEM

TITLE VI POLICY STATEMENT

As a recipient of federal and state funds, the City of Gloversville's Transit System is subject to the requirements and provisions of Title VI of the Civil rights Act of 1964, as amended. The provisions include, prohibiting discrimination on the grounds of race, color or national origin. Specifically, Title VI provides that "No person in the United States shall, on the ground 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 financial assistance." (42 U.S.C. 2000d).

The following Federal Laws and Executive Orders expand the Title VI nondiscrimination mandate: The Civil Rights Restoration Act of 1988 clarified the definition of "programs and activities" covered by the nondiscrimination provisions of civil rights statutes. The revised definition states that discrimination is prohibited throughout an entire agency or institution, if any part of that agency receives Federal financial assistance.

The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, school, transportation, and all public and private places that are open to the general public. The purpose of this law is to make sure people with disabilities have the same rights and opportunities as everyone else. The ADA has five titles that relate to different areas of public life.

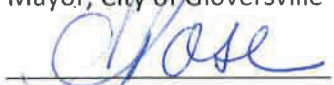
Executive Order 12898 (Environmental Justice or "EJ") seeks to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations, and to ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

Executive Order 13166 (Limited English Proficiency or "LEP") ensures individuals whose first language is not English and have a limited capacity to read, write or understand English have meaningful access to programs, information and services by any entity receiving Federal funding.

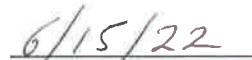
The City of Gloversville's Transit System assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded. The City of Gloversville's Transit System's Title VI Coordinator or their designee is responsible for monitoring the Title VI and related activities for the City of Gloversville's Transit System.



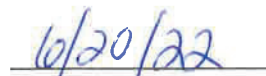
Mayor, City of Gloversville



Attorney, City of Gloversville



Date



Date

Authority

Title VI of the Civil Rights Act of 1964 is the Federal Law that protects individuals from discrimination based on their race, color or national origin in programs that receive Federal financial assistance.

The Civil Rights Restoration Act of 1988 clarified the institution-wide application of Title VI.

- a. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
- b. Federal Transit Laws, Title 49, United States Code, Chapter 53
- c. 49 CFR § 1.51
- d. 49 CFR part 21
- e. 28 CFR § 42.401 et seq.
- f. 28 CFR § 50.3
- g. 70 FR 74087, December 14, 2005

Additional Information

If you who would like more information concerning the City of Gloversville's Transit System nondiscrimination obligations under Title VI contact:

Gloversville Transit Manager
3 Frontage Road
Gloversville, NY 12078
(518) 773-4522
BWarren@cityofgloversville.com

Title VI Assurances

A copy of the United States Department of Transportation (USDOT) FWHHA Standard Title VI/Non-Discrimination Assurances is provided as **Attachment A**. The Assurances include Appendices A, B, C, D, and E. The Assurances Statement reflects the City Transit's commitment to comply with Title VI of the Civil Rights Act of 1964, as amended, and the City's policy to ensure equal opportunity and to prevent and eliminate discrimination. The City of Gloversville's Transit System's Transit System shall submit its Title VI Certification and Assurances whenever it accepts funding from the Federal government.

Title VI Coordinator

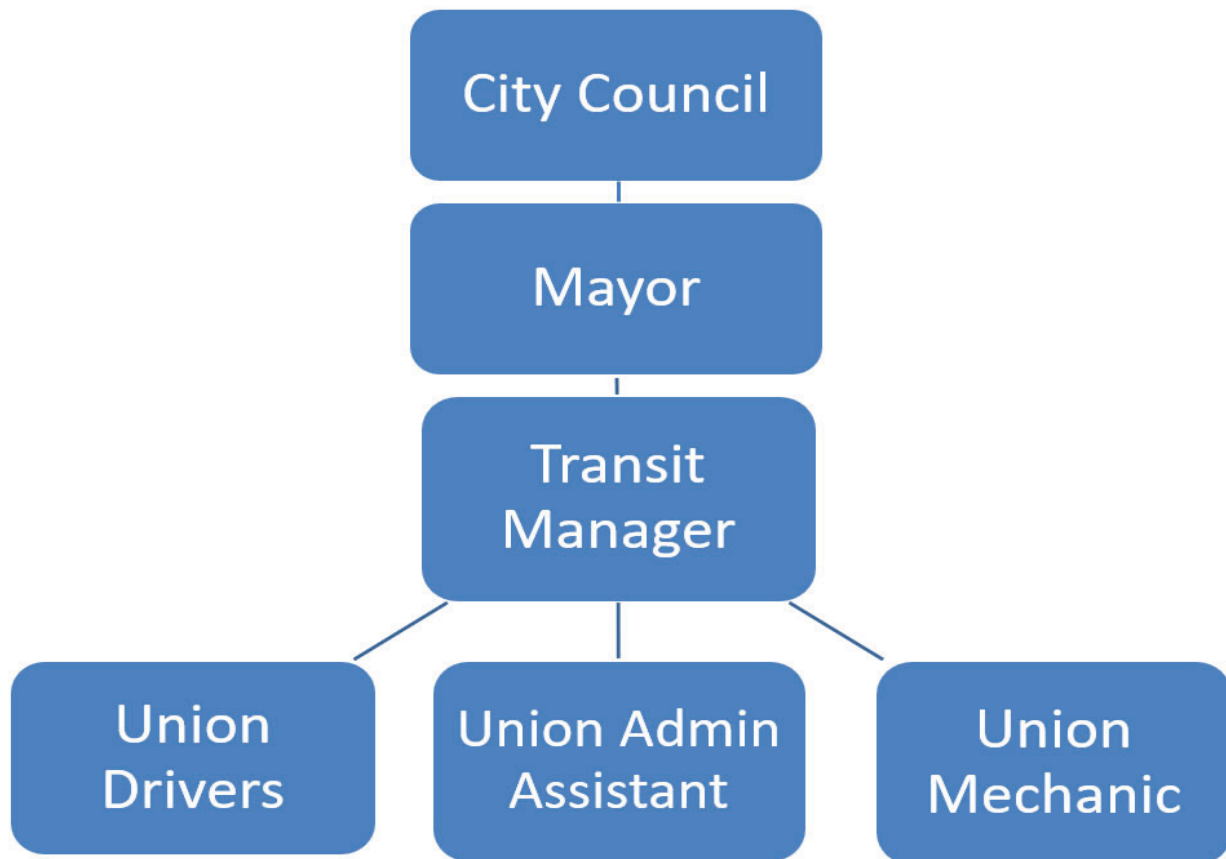
The City of Gloversville Common Council has designated the City of Gloversville Transit Manager as the Title VI Coordinator for Gloversville Transit by Resolution #56-2018 dated July 10, 2018. The Title VI Coordinator is responsible for initiating, monitoring, and ensuring Gloversville Transit's compliance with Title VI requirements as follows:

1. Ensure that the City of Gloversville's Transit System Title VI Policy is posted according to the procedures outlined in this Program so that appropriate notice is provided to the general public.

2. To review the City of Groversville’s Transit System Title VI Program annually to determine that it is up to date, and to make any recommendations for changes to the document to the City of Groversville Common Council to ensure that it remains up to date.
3. To keep such records and timely file such reports as required to comply with Title VI requirements.
4. To process, review and investigate Title VI complaints received by the City of Groversville’s Transit System in accordance with the Complaint Procedures established in this document.
5. To collect statistical data necessary to comply with Title VI requirements.
6. To conduct Title VI reviews when necessary of contractors and other recipients of federal aid from City of Groversville’s Transit System.
7. To serve as a resource for technical assistance to other City Departments and employees for guidance on complying with Title VI.
8. To respond to inquiries of the City of Groversville’s Transit System Title VI Program, and to any notices of deficiency that might be received with regard to Title VI, in order to resolve issues of non-compliance.

Organizational Chart

Below is an Organizational Chart depicting the hierarchy of employees and reporting protocols involving the Transit Manager (Title VI Coordinator.)



Civil Rights/Title VI Complaint Procedures

Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, or national origin can file an administrative complaint with the City of Gloversville's Transit System under Title VI of the Civil Rights Act of 1964 and send to the above address. If desired, individuals and/or organizations may file a complaint by completing the Title VI Complaint Form provided as **Attachment B**. Complaints should be signed and include contact information. Reasonable accommodations shall be provided to any person when necessary to properly access and file a complaint with the City of Gloversville's Transit System under Title VI.

To comply with Title VI and all pertinent laws and regulations associated with Title VI, the City of Gloversville's Transit System provides the following complaint procedures for anyone believing they have been subjected to discrimination under any program or activity provided by the City of Gloversville's Transit System. These procedures do not deny the right of the complainant to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination.

1. Complete and Submit Complaint Form

- To allow Gloversville Transit to investigate an incident of alleged discrimination under Title VI, the individual who believes they may have been subjected to discrimination must complete and file a Complaint Form. A copy of the Title VI Complaint Form can also be found on the City of Gloversville's Transit System website at www.ride-gts.com. The Complaint Form must be completed fully, and mailed or delivered to: City of Gloversville, Attention: Title VI Coordinator, 3 Frontage Road, Gloversville 12078. Only complaints of incidents that allegedly occurred within 180 days from the receipt of the complaint form will be reviewed. If assistance is needed to complete the Complaint Form, please contact the Title VI Coordinator (Gloversville Transit Manager at 518-773-4522.)

2. Review of Complaint Form

- Upon receipt, the Complaint Form will be reviewed to determine if the City has jurisdiction to review the alleged act of discrimination. The Complainant shall receive an acknowledgment letter informing him/her whether the complaint will be investigated by our office.

3. Investigation

- Gloversville Transit shall endeavor to investigate complaints within 60 calendar days from the receipt of a complaint form. If more information is needed to resolve the case, the City may contact the complainant. The complainant has 30 calendar days from the date of the letter from the City requesting additional information to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the requested information within the 30-day timeframe, the City can administratively close the case. A case can also be administratively closed if the complainant informs the City that he/she no longer wishes to pursue their case.
 - a. **Informing Complainant of the results of the Investigation.** After the investigator reviews the complaint, he/she will issue one of two letters to the complainant: A Closure Letter or a Letter of Finding. A Closure Letter summarizes the allegations

and states that there was not a Title VI violation and that the case will be closed. A Letter of Finding summarizes the allegations and the results of the investigation, and explains whether any disciplinary action, additional training of a staff member or other action will occur.

- b. **Appeal of the Decision.** If the complainant wishes to appeal the decision, he/she has 30 days after the date of the Investigation Letter to file an appeal. The appeal is filed to the attention of the Gloversville Mayor, 3 Frontage Road, Gloversville, NY 12078.

If the complaint pertains to a transit or transportation related matter, a person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590, and/or the Federal Highway Administration (FHWA), New York Division Office, Leo W. O'Brien Federal Building, Room 719, 11A Clinton Ave., Albany, NY 12207.

Civil Rights/Title VI Investigations, Complaints, and Lawsuits

The City of Gloversville's Transit System shall keep a log of all Investigations, Complaints and Lawsuits under Title VI, including the date that the investigation, complaint or lawsuit was filed, a summary of the allegation(s); the status of the investigation, complaint or lawsuit; and actions taken by the City in response, or final findings related to the investigation, complaint or lawsuit. A copy of the City of Gloversville's Transit System Complaint Log is provided as **Attachment C**.

The complaint log shall be included in a report submitted to New York State Department of Transportation or the Federal Transit Administration as required.

Title VI Public Notice

Policy Statement

The City of Gloversville's Transit System assures that no person shall on the grounds of race, color, national origin as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The City of Gloversville's Transit System further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that The City of Gloversville's Transit System distributes federal aid funds to another government entity, it will include Title VI language in all written agreements and will monitor for compliance.

This notice shall be posted in the lobby of Gloversville Transit, 109 W. Fulton Street, Gloversville, NY 12078. To see more about Public Notice information, see **Attachment H**.

ADA Coordinator

The City of Gloversville Common Council has designated the Gloversville Transit Manager as the City of Gloversville's Transit System's ADA Coordinator. ADA requires all state or local government entities with 50 or more employees to appoint a responsible person to coordinate the administrative requirements of ADA compliance and to respond to complaints filed by the public. The name and contact information for the responsible person is required to be publicly advertised. The City of Gloversville's Transit System ADA Plan is provided as **Attachment D**.

The drafters of the ADA modeled this position after the 504 Coordinator that had been required under the Rehabilitation Act. Title II of the ADA stipulates five major administrative duties:

1. Publicize the name and contact information of the designated ADA Coordinator responsible to oversee compliance;
2. Administer and write self-evaluation of the programmatic barriers in services offered by the local government;
3. Establish a complaint or grievance procedure to respond to complaints of noncompliance from the public;
4. Develop a transition plan if structural changes are necessary for achieving program accessibility and;
5. Retain the self-evaluation for three years.

Environmental Justice (EJ) Plan

It is the policy of the City of Gloversville's Transit System to ensure that all of its programs, policies, and other activities do not have disproportionate adverse effects on minority and low-income populations. The City of Gloversville's Transit System identifies minority communities through the use of Census data. Low-income communities are identified with data from Fulton County Planning Department. The City of Gloversville's Transit System takes a proactive approach to engage these communities and ensures their full and fair participation in the transportation decision-making process. The City of Gloversville's Transit System Environmental Justice Plan is provided as **Attachment E**.

Limited English Proficiency (LEP) Plan

Title VI and its implementing regulations require FTA subrecipients take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP by developing a LEP Plan. City of Gloversville's Transit System LEP Plan is provided as **Attachment F**.

LEP populations are people for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. LEP populations include both people who report to the U.S. Bureau of Census that they do not speak English well and people who report that they do not speak English at all.

Public Participation Plan

All applicants for Federal Transit Administration (FTA) financial assistance are required to ensure that their programs, policies, and activities comply with U.S. Department of Transportation (USDOT) Title VI of the Civil Rights Act of 1964. In order to comply with Title VI, the City of Gloversville's Transit System must develop and submit to New York State Department of Transportation (NYSDOT) a Public Participation Plan which includes information about outreach efforts to engage minority and Limited English Proficient Populations (LEP).

The goal of the Public Participation Plan is to offer early, often, and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. A copy of the City of Gloversville's Transit System Public Participation Plan is provided as **Attachment G**.

Contract Compliance

Contractors and subcontractors for City of Gloversville's Transit System are responsible for complying with the Title VI Program of the City of Gloversville's Transit System. City of Gloversville's Transit System shall be responsible for ensuring that contractors are aware of and comply with Title VI requirements. Appropriate language requiring compliance shall be included in each contract with the City.

Notification to Beneficiaries

Under Title VI, City of Gloversville's Transit System is required provide information to the public regarding the City's obligations under Title VI regulations and apprise the general public of the protections against discrimination afforded to them by Title VI. Gloversville Transit shall disseminate this information to the general public by posting the Title VI policy notice on the City of Gloversville's Transit System website and in public areas of the City of Gloversville's Transit System offices, including the public meeting room, bulletin boards, transit buses, and the City Hall. A copy of the Public Notice is attached as Appendix F.

Monitoring/Reporting

Gloversville Transit is responsible for complying with Title VI regulations and ensuring that any Transit contractors are in compliance. Accordingly, the City of Gloversville's Transit System shall regularly monitor contractors for compliance and shall prepare annually a Title VI Program outlining the efforts of Gloversville Transit to comply with Title VI.

Data Collection

The City of Gloversville's Transit System will collect Data to ensure impacted communities and interested persons are provided equal access to public involvement. The City will develop procedures for the collection of statistical data of participants in and beneficiaries of City transportation programs, impacted citizens and affected communities.

The data collected will be used to demonstrate that those who are affected by a project or have an interest in the project have an opportunity to provide input throughout the planning process.

The City of Gloversville's Transit System will take into consideration the following technical assistance provided by the New York State Department of Transportation's Office of Civil Rights;

- a. Assign an individual to take responsibility for the collection of data.
- b. Set up protocol for who has access to the data.
- c. As data is received, check for thoroughness.
- d. Pilot test selected survey questions.
- e. Develop a tracking system (spreadsheet)
- f. Store collected data electronically or in filing cabinets
- g. Frequently monitor the data collection process.
- h. Prepare for errors in your samplings.

Training

The City of Gloversville's Transit System's Title VI Coordinator will ensure training for all City of Gloversville's Transit System employees and management is scheduled and conducted every 2-3 years. The training will be included as part of new employee orientation. The City of Gloversville's Transit System will consider conducting roundtable discussions with specific program areas (Planning, Environment, Design, Right of Way, Construction, Maintenance and Safety) about how Title VI impacts their program area. The City of Gloversville's Transit System will maintain records of attendance and training materials as well as meeting agendas where Title VI was discussed. The City of Gloversville's Transit System will retain training records for three (3) years.

Requirement:

- The City of Gloversville's Transit System ensures the Title VI Coordinator has received Title VI Training.
- The City of Gloversville's Transit System will provide staff training to ensure Title VI has been integrated into the agency.
- The City of Gloversville's Transit System will retain records of agendas, training materials, attendees, and dates of training.

Additional Requirements for the City of Gloversville's Transit System

Gloversville Transit operates a fixed route bus service with four fixed route vehicles at peak service. As such, Gloversville Transit is required to set "System-Wide Service Standards and Policies" to ensure that Gloversville Transit does not discriminate on the grounds of race, color, or national origin.

Service Standards

- 1) Vehicle Load: Gloversville Transit establishes a vehicle load (ratio of passengers to the number of seats on a vehicle) of 1.0 for all vehicles and bus routes at all times.
- 2) Vehicle Headway: For the more densely populated areas in and around the City of Gloversville, the maximum vehicle headway (amount of time between two vehicles travelling in the same direction on a given line or combination of lines) shall be established at one hour. For the more rural areas outside the City of Gloversville, the maximum vehicle headway shall be established at three hours.
- 3) On-time performance: (a measure of runs completed as scheduled.) Gloversville transit considers “on time” to be any run that is completed within zero and five minutes late in comparison to the established schedule. The Gloversville Transit establishes a rate of 90% of all runs system-wide be completed within the on-time window. The most likely reason for late run is expected to be runs that involve deployment of the wheelchair lift to aid a disabled passenger.
- 4) Service availability: (a general measure of distribution of routes within a transit provider’s service area.) In the City of Gloversville, Gloversville Transit shall provide routes such that 100% of the population lives within a quarter mile walk of an established route. In the rural areas of the City, Gloversville Transit shall provide routes that service the extreme north, south, east and western portions of the City, including the Town of Johnstown, with the maximum distance from routes to unserved areas being five miles.

Service Policies:

- 1) Distribution of transit amenities for each route: Gloversville Transit deploys bus shelters at City bus stops that serve the greatest number of passengers and strives to establish rural stops at locations where passengers have an opportunity to wait indoors (typically grocery stores.)
- 2) Vehicle assignment: (the process for which transit vehicles are placed into service in depots and on routes throughout the transit provider’s system.) Gloversville Transit only has one depot and strives to rotate vehicles among the routes unless a particular route demands a vehicle with a greater seating capacity.

ATTACHMENT A

The United States Department of Transportation (USDOT) FHWA Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

SUBRECIPIENT TITLE VI ASSURANCES AND NON-DISCRIMINATION PROVISIONS

The City of Gloversville's Transit System (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.P.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs of The Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964*);
- 28 C.P.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted programs.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a facility) operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all **Federal Highway programs** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of Gloversville's Transit System, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of **Appendix A and E** of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of **Appendix B** of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in **Appendix C and Appendix D** of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

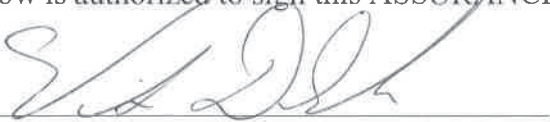
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the City of Gloversville's Transit System also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the New York State Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the New York State Department of Transportation. You must keep records, reports, and submit the material for review upon request to New York State Department of Transportation, or its designee in a timely, complete, and accurate way.

Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The City of Gloversville's Transit System gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation. This ASSURANCE is binding on the State of New York, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.



Mayor, City of Gloversville

6/15/22

Date

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, New York State Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any Activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the New York State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the New York State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the New York State Department of Transportation may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the New York State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

GRANTING CLAUSE

NOW, THEREFORE, The City of Gloversville's Transit System , as authorized by law, and upon the condition that the State of New York will accept title to the lands and maintains the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252:42 USC 2000d to 2000d--4) does hereby remise, release, quitclaim, and convey unto The City of Gloversville's Transit System all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

Pursuant to the provisions of Title VI Assurances: The purchaser, for itself, himself or herself, its, his or her heirs, personal representatives, successors in interest and assigns does hereby covenant and agree that in the event facilities are constructed, maintained or otherwise operated on the property being purchased, for a purpose for which a United States Department of Transportation (USDOT) program or activity is extended or for another purpose involving the provision of similar services or benefits, the purchaser shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, USDOT Subtitle A, office of the Secretary, part 21, Non-discrimination in federally assisted programs of the USDOT-Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

The purchaser, for itself, himself or herself, its, his or her heirs, personal representatives, successors in interest and assigns does hereby covenant and agree that (1) no person, on the grounds of race, color, sex or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishings of services thereon, no person, on the grounds or race, color, sex or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the purchaser shall use the premises in compliance with all requirements imposed by, or pursuant to Title 49, Code of Federal Regulations, USDOT Subtitle A, office of the Secretary, part 21, Non-discrimination in federally assisted programs of the USDOT-Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the City of Groversville's Transit System pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, City of Groversville's Transit System will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the City of Groversville's Transit System will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the City of Groversville's Transit System and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the City of Groversville's Transit System pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that

(1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the City of Groversville's Transit System will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the City of Groversville's Transit System will there upon revert to and vest in and become the absolute property of the City of Groversville's Transit System and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

ATTACHMENT B

City of Gloversville's Transit System
Civil Rights/Title VI Complaint Form

Name _____

Address _____ City _____ Zip _____

Telephone: Home _____ Work _____ Cell _____

Basis of Complaint

- | | | | |
|------------|--------------------------|-----------------------------|--------------------------|
| Race | <input type="checkbox"/> | Color | <input type="checkbox"/> |
| Sex | <input type="checkbox"/> | National Origin | <input type="checkbox"/> |
| Age | <input type="checkbox"/> | Disability (ADA) | <input type="checkbox"/> |
| Low-Income | <input type="checkbox"/> | Limited English Proficiency | <input type="checkbox"/> |

Who allegedly discriminated against you?

Name _____

Address _____ City _____ Zip _____

Telephone _____

If an organization, what is its name?

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

Name of Contact _____

How were you discriminated against? _____

Where did the alleged discrimination occur? _____

Date(s) and time(s) alleged discrimination occurred?

First Occurrence: _____

Second Occurrence: _____

Third Occurrence: _____

Any other occurrences:

Were there any other witnesses to the discrimination?

Name	Title	Work Telephone	Home Telephone

What can the City do to help resolve the complaint?

Have you filed your complaint with anyone else?

Who: _____ When: _____

Complaint number, if known: _____

Do you have an Attorney in this matter?

Name _____

Address _____ City _____ Zip _____

When did you acquire legal representation? _____

Signed _____ Date _____

Mail to: Title VI Coordinator
Gloversville Transit System
3 Frontage Road
Gloversville, New York 12078

Or Email: bwarren@cityofgloversville.com

ATTACHMENT C

**City of Gloversville’s Transit System
Civil Rights/Title VI Complaint Log**

<p>The City of Gloversville’s Transit System Title VI INVESTIGATIONS, COMPLAINTS & LAWSUITS LOG</p>
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In order to comply with 49 CFR Section 21.9(b), The City of Gloversville’s Transit System shall prepare and maintain a list of any active investigations conducted by entities other than FTA, including lawsuits, or complaints naming The City of Gloversville’s Transit System and/or subrecipient that allege discrimination on the basis of race, color, or national origin.

The City of Gloversville’s Transit System shall complete this log at the end of each Calendar Year, providing the requested information.

AGENCY: _____

TITLE VI OFFICER: _____

E-MAIL: _____ **CONTACT:** _____

Calendar Year: 20____

1. Were any investigations, lawsuits or complaints filed during this time period? ____
2. If YES, please provide the following information for each investigation, lawsuit or Complaint received during this time period:
 - a. Date the investigation, lawsuit or complaint was filed, and;
 - b. Summary of the allegation(s) and status if resolved.
3. Based on the investigations, lawsuits or complaints filed during the stated Year, please provide a Status of each allegation. (Report on separate paper at the end of the year).
4. Please indicate if or what actions were taken by The City of Gloversville’s Transit System in the response to the Investigation, lawsuit or complaint. (Report on separate paper at the end of the year).

ATTACHMENT D

AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN

This ADA Transition Plan reflects City of Gloversville's Transit System commitment to ADA compliance, and details the stages of City of Gloversville's Transit System plan and timeline for:

- 1) Evaluating accessibility by identifying any structural barriers associated with public facilities.
- 2) Identifying accommodations and/or modifications that can be provided to make programs and services accessible.
- 3) Prioritizing the remediation of any deficiencies and formulating a budget and schedule for those improvements.

This Draft ADA Transition Plan will be revised and updated as the steps of the Plan are completed.

INTRODUCTION

ADA regulations prohibit discrimination against individuals based on disability and require state and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities.

As detailed below, City of Gloversville's Transit System has made a significant and long-term commitment to improving the accessibility of its public facilities. The purpose of this Plan is to ensure that City of Gloversville's Transit System identifies prohibited structural barriers to its public facilities, and, where structurally feasible, schedules and implements ADA required improvements to remove those barriers.

The ADA requires that the Transition Plan include the following components:

- 1) Identification of physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
- 2) Identification of the methods to be used to remove any barriers limiting accessibility.
- 3) A schedule for completion of the necessary steps to achieve accessibility in public facilities.
- 4) The name of the public entity's ADA Coordinator.

STEP 1: IDENTIFICATION OF PHYSICAL BARRIERS IN GLOVERSVILLE TRANSIT'S FACILITIES

The first phase of the ADA Transition Plan is to evaluate the Gloversville Transit Systems public facilities for accessibility. Officials from Public Works and Transit departments will coordinate to conduct accessibility evaluations of the following facilities:

- Sidewalks, crosswalks, and curb ramps
- Publicly accessible buildings
- Parking lots serving publicly accessible buildings

For each facility evaluated, a Survey of Gloversville Transit System Public Facilities (“the Survey”) will be completed. Any deficiencies, suggested improvements, and observations relating to structural feasibility of improvements will be noted and recorded on the Survey.

An Inventory of Public Facilities (“the Inventory”) will also be created and will serve as the central database for identified structural barriers, suggested improvements, and comments relating to structural feasibility of improvements.

Evaluation of Sidewalks, Crosswalks, and Curb Ramps

The Survey will contain the following ratings to assess the condition of each Gloversville Transit System sidewalk, crosswalk, and curb ramp:

Rating 1 – Not Applicable: A facility not considered to require accessibility, for example, limited-access highways.

Rating 2 – Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.

Rating 3 – Partially Accessible: Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.

Rating 4 – Accessible: May need additional improvements, for example circuitous routes, insufficient width, etc.

Rating 5 – Fully Accessible: Designed to current standards, but reasonable accommodations may still be required for individual cases.

Evaluation of Parking Lots and Publicly Accessible Buildings

For the evaluation of publicly accessible buildings and the parking lots serving those buildings, the Survey will incorporate relevant portions of the ADA Checklist for Existing Facilities (based on the 2010 ADA Standards for Accessible Design), produced by the Institute for Human Centered Design.

Schedule for Completion

The City of Gloversville’s Transit System and officials from the department of Public Works continually evaluate public buildings, parking lots, sidewalks, crosswalks, and curb ramps. Numerous facilities are subject to these ongoing evaluations.

STEP 2: IDENTIFICATION OF METHODS TO REMOVE BARRIERS

The second phase of the City of Groversville’s Transit System ADA Transition Plan is to develop a method to remove barriers. This includes identification of the nature of needed improvements and a determination regarding structural feasibility of improvements under the ADA standards, and prioritization of necessary improvements.

Once the necessary improvements have been identified and prioritized, this information, along with a list of any improvements determined to be physically unfeasible, will be presented at a public meeting of the City of Groversville’s Transit System Compliance Committee. It is the Groversville Transit Systems practice to provide public notice of the dates and agendas of Compliance Committee meetings on the City of Groversville’s Transit System’s website. This will provide the public with an opportunity to participate in the formulation of the ADA Transition Plan.

A. Nature of Improvements and Structural Feasibility

The nature of necessary improvements will be determined during Step 1 – the accessibility evaluation of Groversville Transit System facilities – and will be incorporated into the ADA Transition Plan after completion of Step 1. Any improvements that Groversville Transit System officials determine are not structurally feasible, based on ADA regulations, will also be incorporated into the Plan.

B. Priority of Improvements

Sidewalks; Crosswalks; Curb Ramps

With respect to sidewalks, crosswalks and curb ramps, the primary focus of this ADA Transition Plan is to address all ADA noncompliant facilities, defined as those locations that have a rating of “2” and “3” on the scale discussed above. The priority of improvements to these facilities will be as follows:

- 1) Those serving publicly accessible Groversville Transit System facilities.
- 2) Those serving commercial and employment centers.
- 3) Those serving other areas.

Parking Lots and Publicly Accessible Buildings

The priority of improvements to parking lots and publicly accessible spaces in Groversville Transit System buildings will be based on the severity of the accessibility barrier and the frequency of public presence at the facility. Notably, the general assessment of the City of Groversville’s Code Enforcement Officer is that Groversville Transit System facilities where public meetings take place are in substantial compliance with the ADA. All new construction or renovations to existing facilities have complied with ADA standards. As such, the Groversville Transit System does not expect that its publicly accessible buildings and parking lots will require major structural improvements.

STEP 3: SCHEDULE FOR COMPLETION OF NECESSARY IMPROVEMENTS

Once the Inventory of Public Facilities has been completed, and necessary improvements have been prioritized as provided above, the Gloversville Transit System will formulate an estimated budget for the improvements. The schedule for improvements will depend heavily upon the number and severity of the deficiencies identified during the accessibility evaluation, and the costs associated with the improvements. The Gloversville Transit System however, reiterates its commitment to making its public facilities accessible to all persons, regardless of disability. The Gloversville Transit Systems ADA Transition Plan will outline a specific schedule for improvements after Completion of Step 2, and this schedule will reflect the Gloversville Transit Systems commitment to ADA compliance.

ADA COORDINATOR

The Gloversville Transit Systems ADA Coordinator is:

Gloversville Transit Director/Mobility Manager Contact information:

Gloversville Transit Manager
3 Frontage Rd
Gloversville, NY 12078
Telephone Number: 518-773-4528
Email Address: bwarren@cityofgloversville.com

The ADA Coordinator duties are as follows:

Coordination and development of ongoing efforts for full ADA compliance including consultative services to management.

- Arranging for and/or conducting training on the ADA;
- Coordinating and monitoring architectural barrier surveys;
- Developing processes for prompt fulfillment of requests for alternative formats, interpreting services and other communication access needs;
- Development of the required Transition Plan to remove access barriers;
- Facilitate policy formation and to review existing policies such as reasonable accommodation.

ATTACHMENT E

Environmental Justice (EJ) Plan

It is the policy of the City of Groversville's Transit System to ensure that all its programs, policies, and other activities do not have disproportionate adverse effects on minority and low-income populations. The City of Groversville's Transit System identifies minority communities through the use of Census data. Low-income communities are identified with data from the Fulton County Planning Department. The City of Groversville's Transit System takes a proactive approach to engage these communities and ensures their full and fair participation in the transportation decision-making process.

Executive Order 12898

The City of Groversville's Transit System follows Executive Order (EO) 12898 which outlines; *Each Federal agency must make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health, environmental, economic and social effects of its programs, policies, and activities on minority and low-income populations, particularly when such analysis is required by the National Environmental Policy Act (NEPA). The EO emphasizes the importance of NEPA's public participation process, directing that each Federal agency shall provide opportunities for community input in the NEPA process. Agencies are further directed to identify potential effects and mitigation measures in consultation with affected communities.*

The EO requires agencies to work to ensure effective public participation and access to information. The NEPA process and through other appropriate mechanisms, each federal agency should translate crucial public documents, notices and hearings, relating to human health or the environment for limited English-speaking populations when it is practical and appropriate.

Goals and Objectives

The City of Groversville's Transit System is committed to the following goals and objectives for achieving environmental justice:

- Protect environmental quality and human health in all conditions.
- Avoid disproportionate adverse impacts on minority and low-income populations.
- Enhance the public involvement process and strengthen relationships with community organizations.
- Provide minority and low-income populations with the opportunity to learn more about the transportation planning process.
- Improve the quality of transportation in their lives.

- Make sure all projects go through an Environmental and Title VI checklist to ensure environmental issues are considered and appropriate actions are followed.
- Promote and protect community members' rights to participate meaningfully in decisions that may affect them.
- Make the process of filing environmental justice complaints easy through readily available forms on the City of Gloversville's Transit System website and in the City of Gloversville's Transit System 's Transit Department and by designating an identified staff member as the Title VI Coordinator that citizens can contact.



Mayor, City of Gloversville

6/15/22

Date

ATTACHMENT F

Limited English Proficiency (LEP) Plan

INTRODUCTION

Consistent with the Civil Rights Act of 1964, U.S. Department of Transportation's implementing regulations, and Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), The City of Groversville's Transit System is required to take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP). The City of Groversville's Transit System has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance for persons with limited English proficiency who wish to access services provided. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan identifies how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and notification to LEP persons regarding the availability of assistance.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

In order to prepare this plan, The City of Groversville's Transit System used the Federal Highway Administration *Four-Factor LEP Analysis*:

- 1) The number or proportion of LEP persons in the service area who may be served or are likely to require services by The City of Groversville's Transit System.
- 2) The frequency with which LEP persons come into contact with The City of Groversville's Transit System services.
- 3) The nature and importance of services provided by The City of Groversville's Transit System to the LEP population.
- 4) The interpretation services available to The City of Groversville's Transit System and overall cost to provide LEP assistance.

A summary of the results of the Four-Factor LEP Analysis is found below.

1. The number or proportion of LEP persons in the service area who may be served or are likely to require services by The City of Groversville's Transit System.

The City of Groversville's Transit System staff reviewed the American Community Survey 5-Year Estimates (2015 – 2020) for The City of Groversville's Transit System and determined that:

- 330 of a total population of 13,331 persons five years and over in The City of Groversville's Transit System service area, comprising 2.5% of the population, speak a language other than English.
- Of those, approximately 153 individuals have limited English proficiency; that is, they speak English less than "very well" or "not at all." This is only 1.14% of the overall population in the service area.

The City of Gloversville's Transit System staff also reviewed the same Survey for the entirety of Fulton County and determined that:

- 1264 of a total population of 50,702 persons five years and over in Gloversville Transits service area, comprising 2.5% of the population, speak a language other than English
- Of those, approximately 342 individuals have limited English proficiency; that is, they speak English less than "very well" or "not at all." This is only .67% of the overall population in the service area.

2. Frequency with which LEP persons come in contact with City of Gloversville's Transit System services.

The City of Gloversville's Transit System reviewed the frequency with which their staff have, or potentially have, contact with LEP persons. This includes documenting phone inquiries and office visits.

- a. The City of Gloversville's Transit System has never had a request for interpreters or translated program documents. Department of Social Services, which typically has the greatest number of interactions with the general public each year, averages approximately 8-10 interactions with LEP individuals on a yearly basis, with those individuals' needing assistance in Spanish and French.
- b. The other staff of The City of Gloversville's Transit System has had very little contact with LEP persons.

3. The nature and importance of services provided by The City of Gloversville's Transit System to the LEP population.

There is no large geographic concentration of any type of LEP individuals in the service area for The City of Gloversville's Transit System. The overwhelming majority of the population (98.8% - 99.3%) speaks only English, or at least speaks English "very well." As a result, there are few social, service, or professional and leadership organizations with the City of Gloversville's Transit System service area that focuses on outreach to LEP individuals.

4. The interpretation services available to The City of Gloversville's Transit System and overall cost to provide LEP assistance.

The City of Gloversville's Transit System has reviewed its available resources that could be used to provide LEP assistance and inventoried its documents to determine which are suitable for translation if the need arises. Other language translation options could be provided from a professional interpretation service for which the City would pay a fee.

LANGUAGE ASSISTANCE

Language assistance to LEP individuals can include interpretation (oral transfer of a message from one language into another language) and translation (the written transfer of a message from one language to another.)

The City of Groversville's Transit System shall use the following measures to identify an LEP person in need of language assistance:

1. Post notices of the availability of interpretation or translation services free of charge in all LEP languages in which the total LEP population is at least 1% of the total population.
2. Periodically surveying The City of Groversville's Transit System staff regarding their interaction with LEP persons at least annually.
3. Greeting participants at The City of Groversville's Transit System sponsored informational meetings or events to determine the LEP needs for future events.

LANGUAGE ASSISTANCE MEASURES

Although a very low percentage of LEP individuals reside in the City of Groversville's Transit System service area, the City of Groversville's Transit System will take the following reasonable steps to provide the opportunity for meaningful access to LEP individuals who have difficulty in communicating in English:

1. Posting important notices in a language other than English if the total LEP population for a language other than English is at least 1% of the total population; and
2. Language interpretation service for all other languages will be accessed through a professional telephone interpretation service.

STAFF TRAINING

The information below will be disseminated to staff. Training opportunities on these topics will also be provided.

1. Title VI Policy and LEP responsibilities
2. Description of language assistance services available to the public if required
3. Proper use of interpreter service
4. Documentation of language assistance requests
5. Handling of Title VI/LEP complaints
6. Obligation to require contractors to follow Title VI/LEP guidelines

TRANSLATION OF DOCUMENTS

Considering the low population of LEP groups in the City of Groversville's Transit System, the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, the City has determined that it is an unreasonable burden to translate documents at this time.

The City of Groversville's Transit System will continue to monitor the LEP population, and at such time as the population warrants the translation of critical documents, the City will provide these documents (meeting notices, forms, schedules, on-bus notices) in the appropriate non-English language(s).

MONITORING

The City of Gloversville's Transit System will monitor the LEP Plan as required. At a minimum, the plan will be reviewed and updated when more recent data from the U.S. Census Bureau and the American Community Survey is available, or when higher concentrations of LEP individuals are present in the City of Gloversville's Transit System service area. Updates to the LEP Plan will include the following:

- The number of documented LEP contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determination of the effectiveness of language assistance efforts.
- Determination of the City of Gloversville's Transit System financial resources to fund language assistance resources.
- Determination of The City of Gloversville's Transit System full compliance with the goals of the LEP Plan.
- Explanation of The City of Gloversville's Transit System processing of LEP complaints.

DISSEMINATION OF LEP INFORMATION

The City of Gloversville's Transit System will take the following steps to disseminate LEP information to the public:

- Post signs in public areas of the City of Gloversville's Transit System office buildings to inform LEP persons of the LEP Plan and how to access language services.
- Notify LEP persons of the availability, upon request, of documents in other languages.
- This notice would be placed on agendas and public notices.
- Post the LEP Plan on The City of Gloversville's Transit Systems website.

END of LEP Plan

ATTACHMENT G

Title VI Public Participation Plan

INTRODUCTION

This Public Participation Plan is designed to provide an explanation of the steps that The City of Gloversville's Transit System will take in outreach efforts to the general public prior to making decisions on significant issues affecting the City's public transportation system. The goal of this Plan is to offer early, often, and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. The Plan will also be used to provide opportunities to educate the public about major public transportation issues, solicit information, and provide a way for citizens to share their perspectives with City policy makers.

METHODS OF PUBLIC PARTICIPATION

- Public Information Meetings (Held the 3rd Thursday of each month)
 - Provides an opportunity to provide information on a topic or topics, and also provides an opportunity for the general public to ask questions and/or make comments.
 - Provides an opportunity for face-to-face interaction
 - Best forum for presenting information and obtaining immediate feedback
- Public Hearing (held the 2nd Tuesday of each month)
 - A formal proceeding that allows an opportunity for the general public to make comments, but typically no opportunity for answering questions or allowing discussion.
 - Typically included as a requirement for many grant programs
- Opportunity to Provide Written Comments (available at all times)
 - Provides an opportunity for soliciting comments without the member of the general public required to attend a meeting or hearing.
 - Can be accomplished on paper for mailing or delivery, or through electronic submission.
 - Can be used in conjunction with a public meeting or hearing or as a stand-alone method of obtaining public comments.
- Website, Newsletter, Survey, and Social Media (available at all times)
 - Each of these methods provides an opportunity to provide information and solicit input.

PRACTICES TO BE EMPLOYED DURING PUBLIC PARTICIPATION EFFORTS

- Public Meetings and Hearings shall take place at an accessible location that will allow access to the disabled community.
 - The City of Gloversville’s Transit System has a public meeting room that is in an accessible location.
- Utilizing different meeting sizes and formats
 - Meeting sizes will vary depending on the subject matter and meeting objectives.
 - Meeting format can include an open meeting that is open to all, or a committee meeting that includes invited participants to discuss regularly scheduled topics (i.e. transportation coordination, Americans With Disabilities Compliance, etc.). The meeting could also be a combination of the two, such as a committee meeting that is open to the public where only committee members are allowed to speak during the meeting and the general public is allowed to speak at the end of the meeting.
- Advertising should be appropriate to the meeting topic.
 - Advertising of a meeting can take many forms, such as a legal advertisement in a newspaper, posters or written public notices posted in governmental and/or business venues, website advertising, social media advertising, and radio or television advertising.
 - The number of advertisements and length of time advertising is conducted in advance of a meeting should be commensurate to the importance of the topic to be discussed at the meeting.
 - If a reasonable accommodation is necessary by any individual to attend a meeting, the individual may contact the City of Gloversville’s Transit System Title VI Coordinator to discuss the matter and makes such a request.
- Outreach should specifically target low-income, minority and LEP (Low English Proficiency) populations as required.
 - The method of advertising a meeting should consider methods that specifically address the capability of these groups of individuals to gain access to and understand the advertising information (i.e.. alternative language notices, large print, advertisement in areas where these individuals may reside, etc.).
 - The location of a meeting(s) may vary to encourage participation by various groups of individuals.
- A sign-in sheet shall be distributed at the meeting to document those individuals in attendance. If individuals are unwilling to sign-in, a head count shall be performed, and the meeting host shall sign the sign-in sheet confirming attendance.
- Meeting minutes should be kept and made available to the public.
- Concerns or questions raised at the meeting should be addressed, either at the meeting or after the meeting with both questions and answers made available to the public.
- Members of the public should have an opportunity to leave their contact information if they desire to be contacted at the next opportunity for public participation, or to receive follow-up information from the meeting they attended.

- Document meeting discussion content, advertisement methods employed for the meeting, agendas utilized, attendance at the meeting, and meeting location, date and time.

WHEN PUBLIC PARTICIPATION SHALL TAKE PLACE

Prior to Major Public Transportation Decisions

Major Transportation Decisions generally consist of proposed actions that may have profound impact on access to public transportation. Examples include: proposed changes to fixed bus routes, proposed changes to frequency of bus routes, proposed changes to bus stops or placement of bus shelters, and proposed changes to dial-a-ride service or complementary paratransit service. Each of these proposed changes may have a profound impact on access to the transit system for certain individuals or groups of individuals. Unless the urgency of the matter prevents a formal public participation effort, prior to making decisions on major public transportation decisions the City will hold a public information meeting, as well as soliciting input on through other means such as a website link, telephone, or in person.

On a Continuous Basis

Even when major public transportation decisions are not being considered, there should be an opportunity for the general public to contact government officials to ask questions or express concerns or ideas for consideration. Contact information for appropriate government officials should be advertised so that members of the general public can contact an official as necessary.

End of Public Participation Plan

ATTACHMENT H

Title VI Public Notice

Policy Statement

The City of Gloversville's Transit System assures that no person shall on the grounds of race, color, national origin as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The City of Gloversville's Transit System further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that The City of Gloversville's Transit System distributes federal aid funds to another government entity, it will include Title VI language in all written agreements and will monitor for compliance.

Additional Information:

Individuals and/or organizations who would like more information concerning The City of Gloversville's Transit System's non-discrimination obligations under Title VI should contact:

Gloversville Transit Manager
Title VI Coordinator
3 Frontage Road
Gloversville, NY 12078
518-773-4528

Complaint Procedures:

Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, or national origin can file an administrative complaint with The City of Gloversville's Transit System under Title VI of the Civil Rights Act of 1964 and send to the above address. If desired, individuals and/or organizations may file a complaint by completing a Title VI complaint form, which can be obtained at the address listed above. Complaints should be signed and include contact information. Reasonable accommodations shall be provided to any person when necessary to properly access and file a complaint with The City of Gloversville's Transit System under Title VI. If assistance is needed to complete the Title VI Complaint Form, please contact the City's Title VI Coordinator using the contact information listed above.

Posting of this Notice:

This notice shall be posted in the lobby of Gloversville Transit, 109 W. Fulton Street, Gloversville, NY 12078.

The City of Gloversville's Transit System does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.