



## **Nassau County, New York**

Recipient ID: 1787

### **2022-2025 Program Update Title VI of the Civil Rights Act of 1964**

### **Submission to the Federal Transit Administration**

*in fulfillment of reporting requirements  
outlined in FTA Circular 4702.1B, dated October 1, 2012*

Revised Mar. 16, 2023

TITLE VI 2022 PROGRAM UPDATE

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## **Section I-A: Description of Nassau County & NICE Bus**

Nassau County, as a designated recipient of the Federal Transit Administration (FTA), submits this Title VI Program in compliance with Title VI of the Civil Rights Act of 1964 and the implementing guidelines under FTA Circular 4702.1B, published October 1, 2012.

Nassau County is the designated recipient of FTA funds, for the County's public transit system. Pursuant to New York General Municipal Law Section 119-r and Nassau County Local Law 15-1972, the County is authorized to provide bus transportation services to the public. In 2011 the County determined that the interests of the County and the residents were best served if bus transportation services in the County were provided by private enterprise operating under a contract with the County; and as of January 2012, the County's public transportation system, renamed as "Nassau Inter-County Express" (NICE), has been directly managed, operated, and maintained by Transdev Transportation Services, Inc.

The Nassau Inter-County Express (NICE) fixed-route network has a 36-route network serving Nassau County, eastern Queens, and western Suffolk County; providing fixed-route service within a service area of 1,369,514 residents.

The Plan incorporates Chapters III, IV from the Title VI-Dependent Guidelines for FTA Recipients—Circular 4702.1B.

The purpose of the Plan is to describe how NICE in conjunction with Nassau County will develop and implement the Title VI Program. Its intent is to identify the steps taken and will take to ensure that, for all programs and activities supported by federal financial assistance, NICE provides services without excluding or discriminating on the grounds of race, color or national origin, or creating additional barriers to accessing services and activities.

Consistent with its commitment to meet FTA regulatory requirements, this Plan was prepared in accordance with:

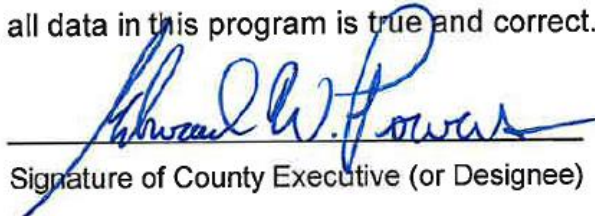
- Title VI of the Civil Rights Act of 1964 and related statutes
- Title 49 of CRT 21 and FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients"
- U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 70 FR 74087 (December 14, 2005)
- DOT Guidance of 2001: To Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries
- Executive Order 13166 of August 11, 2000: Limited English Proficiency (LEP)
- Executive Order 12898 of February 1994: Environmental Justice Executive Order

## Section II-A: Review & Approval of Title VI Plan

Nassau County as a designated recipient of Federal Transit Administration (FTA) funds, submits this Title VI Program in compliance with Title VI of the Civil Rights Act of 1964 and the implementation guidelines under Circular 4702.1B, published October 1, 2012.

To the best of my knowledge and belief, all data in this program is true and correct.

EDWARD W. POWERS  
Name of County Executive (or Designee)

  
Signature of County Executive (or Designee)

DEPUTY COUNTY EXECUTIVE  
Title

05/13/2022  
Date

## Section II-B: Title VI Notice to the Public

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### TITLE VI NOTICE TO THE PUBLIC (ENGLISH)

#### **NICE Respects Civil Rights**

Transdev Services, Inc. operates and maintains the Nassau Inter-County Express (NICE) fixed route and paratransit bus system without regard to race, color, national origin, religion, gender, sexual orientation, marital status, age or disability, and in accordance with applicable law.

#### **Title VI Policy Statement**

*"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 subjected to discrimination under any program or activity receiving Federal financial assistance.*

*All persons within the jurisdiction of this state are entitled to the full and equal accommodations, advantages, facilities and privileges of any place of public accommodation, without any distinction, discrimination or restriction on account of race, color, religion, sex, sexual orientation, national origin, marital status or age. We are committed to complying with the requirements of Title VI in all of its federally funded programs and activities."*

NICE is committed to complying with the requirements of Title VI in all of its federally funded programs and activities. To request additional information on NICE Title VI non-discrimination requirements, contact us at 516-296-4157, TTY relay 7-1-1 or email [latoya.pippins@transdev.com](mailto:latoya.pippins@transdev.com)

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### POSTING LOCATIONS

NICE's Title VI Notice to The Public can be found in the following locations:

- Mitchel Field Main Facility, 700 Commercial Ave, Garden City, NY 11530
- Able-Ride Facility, 947 Stewart Ave, Garden City, NY 11530
- Hempstead Transit Center, West Columbia Street, Hempstead, NY 11550
- Mineola Intermodal Center, 229 Station Rd, Mineola, New York 11501
- All Fixed Route Buses
- All Able-Ride Revenue Vehicles
- Fixed Route Timetables
- NICE Website: <https://www.nicebus.com/About-NICE/Compliance>

## Section II-C: Title VI Complaints

### HOW TO FILE A COMPLAINT

Any person who believes he or she has been unlawfully discriminated against on the basis of race, color or national origin in violation of Title VI as a result of a NICE action may file a complaint with NICE. Any such complaint must be in writing and filed with NICE within 180 days following the date of the alleged discriminatory action. For information on how to file a complaint, to obtain a Title VI Complaint Form, or for additional information regarding the NICE Title VI complaint procedures, contact NICE by any of the following methods:

#### Mail

NICE Bus, 700 Commercial Avenue, Attention: Latoya Pippins, Garden City, NY 11530

#### Phone

516.296-4157 (TTY relay 7-1-1)

#### E-mail

[latoya.pippins@transdev.com](mailto:latoya.pippins@transdev.com)

*A copy of NICE's **Title VI Complaint Form** in English can be found in **Appendix V-1** (p. 85) and in Spanish can be found in **Appendix V-2** (p. 87).*

In addition to your right to file a complaint with Transdev/NICE, you have the right to file a Title VI complaint with the U.S. Department of Transportation Federal Transit Administration (FTA)'s Office of Civil Rights at the following address:

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team East Building, 5th Floor – TCR  
1200 New Jersey Avenue SE  
Washington, DC 20590

For more information on filing a Title VI complaint with FTA, please visit  
<https://www.transit.dot.gov/title6>

## TITLE VI 2022 PROGRAM UPDATE

### TITLE VI COMPLAINT PROCEDURES

Any person who believes he/she has been aggrieved by an unlawful discriminatory practice on the basis of race, color, or national origin by NICE Bus may file a complaint by completing and submitting NICE Bus Title VI Complaint Form. Title VI complaints must be received no more than 180 days after the alleged discriminatory action. NICE will process all completed complaint forms in accordance with the following procedures:

1. A completed complaint will be reviewed by NICE staff trained to recognize, investigate and respond to Title VI complaints. The complaint first will be reviewed to confirm that a discriminatory action in violation of Title VI has been alleged. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by NICE.
2. If applicable, an investigation of the allegations in the complaint will be conducted and generally completed within 90 days of receipt. If more information is needed to resolve the case, NICE may contact the complainant. If further information is requested by NICE from the complainant, the complainant shall respond with the necessary information within ten (10) days with the information to the investigator assigned to the case unless additional time is requested. NICE may administratively close the case if the requested additional information is not timely provided or if the complainant advises that, he or she no longer wishes to pursue the complaint.
3. After an investigation is complete, NICE will issue a letter to the complainant summarizing the results of the investigation, stating the findings and advising of any action to be taken because of the investigation. If a complainant disagrees with this determination, he/she may request reconsideration by submitting a request in writing to the NICE CEO within seven (7) days after the date of the initial NICE determination letter, stating with specificity the basis for the reconsideration. The CEO will notify the complainant of his decision either to accept or reject the request for reconsideration within 10 days. In cases where reconsideration is granted, the CEO will issue a final determination letter to the complainant upon completion of his review of the matter.



## TITLE VI 2022 PROGRAM UPDATE

### TITLE VI INVESTIGATIONS, LAWSUITS & COMPLAINTS

Though Nassau Inter-County Express did not have any formal Title VI complaints filed through any channel from 2019-2021, NICE Bus did have complaints that may be classified as potential issues. Each complaint listed below was handled through NICE Bus Customer Engagement Protocol: Each customer was contacted within 48 hours, the issues were then sent to the appropriate “owners” for immediate action and follow up.

#### EQUITY BENCHMARKS

##### ADA

2021

Date Filed	Last Name	First Name	Case #	Contact	Subject	Action Taken	Closed Date
3.23.2021	Charles	Malik	5268086	Email	Pass up	Interviewed & reinstructed	3.23.2021
4.20.2021	Copeland	Bryanna	5292438	Phone	Stop removal	Stop will not be removed	4.21.2021
8.10.2021	Copeland	Bryanna	5389189	Phone	Lack of Knowledge/WCR	Interviewed & reinstructed	8.10.2021
9.17.2021	Shapira	Danny	5433057	Email	Annuciator wasn't available	Interviewed & reinstructed	9.20.2021
9.18.2021	WB	A	5433572	Email	Pass up	Interviewed	9.18.2021
10.24.2021	Woodward	Joe	5482808	Listen	Pass up	Interviewed & reinstructed	10.27.2021
11.1.2021	Anonymous	Anonymous	5527924	Com Center	B.O refused to deploy ramp	Interviewed & reinstructed	11.1.2021
11.16.2021	Copeland	Bryanna	5527918	Phone	Lack of Knowledge/WCR	Interviewed & reinstructed	11.16.2021
11.30.2021	Copeland	Bryanna	5527917	Email	Lack of Knowledge/WCR	Interviewed & reinstructed	12.2.2021
12.20.2021	Copeland	Bryanna	5549743	Email	Rude B.O.	Interviewed & reinstructed	12.21.2021

2020

Date Filed	Last Name	First Name	Case #	Contact	Subject	Action Taken	Closed Date
1.13.2020	Copeland	Bryanna	4717655	Phone	Capacity	Interviewed & reinstructed	1.13.2020
2.11.2020	Moodie	Peter	4716051	Phone	Capacity	Interviewed & reinstructed	2.11.2020
7.2.2020	Greenstein	Mike	4885550	Email	Capacity	Interviewed & reinstructed	7.2.2020
7.29.2020	Mathews	Ron	4900345	Phone	Ramp not functioning	No Fault	7.29.2020
8.18.2020	Copeland	Bryanna	4926841	Phone/Email	Capacity	Interviewed & reinstructed	8.25.2020

2019

Date Filed	Last Name	First Name	Case #	Contact	Subject	Action Taken	Closed Date
3.7.2019	Moran	Yolanda	4224511	Phone	Ramp not functioning	Interviewed	3.7.2018
3.23.2019	Copeland	Bryanna	4224470	Email	Capacity	Interviewed & reinstructed	3.23.2018
5.10.2019	Quito	Andy	4959258	Social Media	Wheelchair securement	Interviewed & reinstructed	5.10.2019
5.15.2019	Szatinski	Betty	4274919	Email	Capacity	No Fault	5.15.2019
5.24.2019	Copeland	Bryanna	4987850	Phone	Ramp not functioning	Interviewed & reinstructed	5.24.2019
8.12.2019	Copeland	Bryanna	4987858	Phone	Pass up	No Fault	8.13.2019
10.24.2019	Copeland	Bryanna	4987857	Phone	Pass up	Interviewed & reinstructed	11.1.2019

#### TITLE VI

Date Filed	Last Name	First Name	Case #	Contact	Subject	Action Taken	Closed Date
none							

## **Section II-D: Public Participation Plan (PPP)**

### INTRODUCTION

This Public Participation Plan (PPP) was developed to ensure that prior to implementing adjustments to fares, services and routes of the NICE Transit System, appropriate public comment is solicited and considered in accordance with the terms of the Fixed Route Bus and Paratransit Operation, Management and License Agreement (Operating Agreement) and applicable federal, state and local law. This PPP also identifies strategies and processes to ensure effective public and stakeholder notice and participation, as appropriate, in NICE transportation planning activities, and in the authorized functions of the Transit Committee established pursuant to the Operating Agreement and Local Law 10-2011 (Local Law).

Sound policy and service delivery decisions need to take into consideration community sentiment and public opinion based on well-executed outreach efforts. The public outreach strategies described herein are designed to provide the public with effective access to information about NICE fixed-route bus and paratransit service and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to the NICE service.

NICE also recognizes the importance of many types of stakeholders in decision-making processes, including other units of government, other metropolitan area agencies, Community Based Organizations (CBOs), major employers, passengers and the public, including its low income, minority, and Limited English Proficiency (LEP) members.

## TITLE VI 2022 PROGRAM UPDATE

### GUIDING PRINCIPLES

The PPP endeavors to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low income, minority and LEP groups, to comment, as appropriate and as required by the Operating Agreement and applicable law, on proposed adjustments to fares, services, and routes of the NICE Transit System. Guiding principles for this PPP include:

**Inclusion and Diversity** - NICE will proactively reach out and engage low income, minority and LEP populations from the NICE service area so these groups will have an opportunity to participate.

**Accessibility** - All legal requirements for accessibility will be met. Every effort will be made to enhance the accessibility of the public's participation - physically, geographically, temporally, linguistically and culturally.

**Clear, Focused, Understandable & Relevant** - Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions are understood by participants. Proposed adjustments to fares and service will be described in language that is clear and easy to understand.

**Respectful** - All feedback received will be given careful and respectful consideration.

**Responsive** - NICE will strive to respond to, and incorporate where possible, appropriate public comments into transportation decisions.

**Tailored** - Public participation methods will be tailored to match local and cultural preferences as much as possible.

**Trustworthy** - Information will be accurate and trustworthy.

**Transparent** - NICE will communicate on its website, in a clear and transparent way, the information that the public needs to know in order to utilize the bus system (schedules, service alerts, proposed changes, etc.). The site will also inform the public, again in a clear and transparent way, about any proposed changes, and any scheduled Community Meetings or Public Hearings.

**Flexible** - The public participation process will accommodate participation in a variety of ways and are adjusted over time as needed.

## TITLE VI 2022 PROGRAM UPDATE

### PARTICIPATION METHODS & ACTION PLAN

The methods of public participation included in this PPP were developed based on contractual and legal requirements and best practices employed by other leading public transportation systems in the country, and describe the steps NICE takes to achieve public participation and provide notice and general awareness about community meetings and public hearings.

NICE intends to achieve meaningful public participation by a variety of methods with respect to changes to NICE service and, when legally required, will formally solicit and consider public comment following the terms of its agreement with Nassau County. These include Public Hearings, when legally required to be conducted by the Transit Committee, to be established pursuant to the Local Law and Operating Agreement, Community Meetings. Public Hearings are discussed in more detail in the “Public Hearings” section of this document.

While not formally required, NICE has already and will in the future also conduct other types of Community Meetings and Listening Sessions as appropriate with passengers, employers, CBOs, and Advisory Committees (e.g., the Accessibility Advisory Committee and a Customer Advisory Committee) to gather public input and distribute information about service quality, proposed changes or new service options.

In addition, the public will be invited at all times to provide feedback via NICE’s website ([www.nicebus.com](http://www.nicebus.com)) and all feedback collected on the site will be recorded and passed on to the NICE management team and responded to as appropriate. The public will also be able to call the NICE Travel Information Center at 516.336.6600 during its hours of operation and feedback collected at this call center will be shared with and responded to by the NICE management team. Finally, formal customer surveys to measure performance and listening sessions to solicit input will be conducted periodically.

Meeting formats will be tailored to help achieve specific public participation goals that vary by project or the nature of the proposed adjustment to service, routes or fares. Some meetings will be designed to share information and answer questions. Some will be designed to engage the public in providing input, establishing priorities and helping to achieve consensus on a specific recommendation. Others will be conducted to solicit and consider public comment before implementing proposed adjustments to fares, route eliminations and major changes to service. In each case, an agenda for each meeting will be created that works to achieve the stated goals but is relevant to and not overwhelming for the public.

For all public meetings and hearings, the venue will be a facility that is accessible for persons with disabilities and, preferably, are served by public transit. If a series of meetings are scheduled on a topic, different meeting locations may be used, since no one location is usually convenient for all participants.

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For Community Meetings and Public Hearings, NICE uses a variety of means to make riders and citizens aware that the meetings/hearings are taking place, including some or all of the following methods:

- In-bus Advertisements (“Car Cards”) and/or “Take One” Messages
- Posters or flyers at NICE transit centers
- Postings and information on the NICE website ([www.NICEbus.com](http://www.NICEbus.com))
- Postings on NICE’s 3 social media channels: Instagram, Twitter, Facebook (@thenicebus)
- Press releases and briefings to major media outlets
- Flyer Distribution to CBOs, particularly those that target audiences with Limited English Proficiency, in Spanish and English
- Flyers and Information distribution through various libraries, universities and civic organizations that currently help distribute our timetables and information.
- Postings on the County website (required by Local Law 10-2011 for Public Hearings)
- Notices in Long Island Newsday and in Spanish in El Diario (required by Local Law 10-2011 for Public Hearings) as well as notifying local municipal publications and websites.
- Communications to relevant elected officials

All major printed and website information and materials that communicate proposed and actual service adjustments will be provided in both English and Spanish, as Spanish is by far the most predominant non-English language in Nassau County.

## PUBLIC HEARING THRESHOLDS

Under this PPP and as specified in the contract between Transdev Transportation and Nassau County, a formal public hearing will be conducted by the Nassau County Bus Transit Committee in the following circumstances:

- A. When a **fare increase** for NICE Transit System services is proposed.
- B. When the **elimination** of a NICE Transit System route is proposed.
- C. When a reduction in a NICE Transit System route, which reduction constitutes at least a **25% decrease** in the service hours assigned to the route, is proposed.
- D. As otherwise required by the Operating Agreement and applicable law.

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### PUBLIC HEARING PROCEDURES

Such Public Hearings are subject to Local Law 10-2011 and the New York State Open Meetings Law (NYOML) and will be noticed and conducted in accordance with the following procedures and practices:

1. **Notice of Public Hearing** - Public notice of the Hearing date, time and location will be provided at least seven (7) days before the scheduled date for the hearing. A notice shall be advertised using a variety of the methods provided above including, at a minimum, on the County's website and in the official County newspaper including Spanish Language publications. Notice of the proposed agenda for the Hearing and the proposed fare and/or route adjustments shall be given at least three (3) days before the Hearing.
2. **Number and Timing of Public Hearings** - At least two (2) Hearings will be conducted, one during the day between the hours of 8:00 a.m. and 3:00 p.m., and one during the evening between the hours of 3:00 p.m. and 11:00 p.m. Reasonable efforts will be made to hold additional Hearings, as necessary, to accommodate public comment. Meetings will include Spanish language interpreters and material will be available in both English and Spanish. The last Hearing shall be conducted no sooner than 45 days before the proposed fare increase or applicable route adjustment is scheduled to be implemented.
3. **Location of Public Hearings** - Hearings will be conducted in a location that is accessible to persons with disabilities and adequate in size and venue to accommodate the anticipated public attendance. Sign language interpreters will be present and material will be made available in various formats for the disabled. All Information will also be available in Spanish.
4. **Receipt of Public Comments** - Meetings will be formatted to accommodate written and verbal comment by the public with respect to the proposed fare, service, and route adjustments. Specific rules and procedures regarding the timing and manner of providing comments will be as established and noticed by the Transit Committee in advance of each Hearing. Comments provided by the public at the hearing will be recorded. The public will have the opportunity to comment via phone, email or letter, as well as at the hearing. As permitted by time and other considerations, NICE staff members will respond to the questions and comments submitted by the public. Comments will be considered by both Planning and Operating Managers at NICE Bus to assess viability and need.
5. **Minutes** - Minutes of the Public Hearing including public comments received and any other motions, proposals, discussions, and resolutions made by participants at the Hearing will be recorded or transcribed and made available to the public within two (2) weeks of the Hearing date.

## TITLE VI 2022 PROGRAM UPDATE

### TITLE VI STATEMENT

NICE Bus operates without regard to race, color, national origin, religion, sex, sexual orientation, marital status, age or disability in accordance with applicable law. NICE Bus is committed to complying with the requirements of Title VI in all of its federally funded programs and activities. For more information please visit [www.nicebus.com](http://www.nicebus.com) or call 516.336-6600 (TTY relay 7-1-1).

### SUMMARY OF PUBLIC ENGAGEMENT ACTIVITIES

Below is a summary of NICE public outreach and meetings held over the last 3 years:

<b>Year</b>	<b>Outreach Events</b>	<b>Public Meetings</b>
2019	See list of events in <b>Appendix V-3</b> (p.91)	April 4, July 18 & Sept. 26
2020	No public events due to Covid-19	July 30 & Dec. 17 (held virtually)
2021	No public events due to Covid-19	April 15 & Dec. 9 (held virtually)

## Section II-E: Language Assistance Plan



### **NICE Limited English Proficiency (LEP) Analysis & Language Assistance Plan (LAP)**

*In compliance with Federal Transit Administration Circular 4702.1B dated October 1, 2012, which requires that Under Title VI of the Civil Rights Acts of 1964, Nassau Inter-County Express (NICE) is committed to taking reasonable steps to provide meaningful access to its transit services for persons who do not speak English as their primary language and/or who have limited ability to read, speak, write or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons.*



## TITLE VI 2022 PROGRAM UPDATE

### INTRODUCTION

The Nassau Inter-County Express (NICE) fixed-route network has grown to a 40-route network serving Nassau County, eastern Queens, and western Suffolk County. The paratransit service is operated within three-quarters of a mile from a fixed route service running within Nassau County. The NICE system is owned by Nassau County but managed and operated by Transdev.

In providing fixed-route service within a service area of 1,369,514 residents, NICE understandably interacts with individuals with varying degrees of ability to speak and/or understand English. For this reason, NICE has developed this Limited English Proficiency (LEP) plan. Additionally, the LEP plan has been prepared to address Nassau's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills.

Individuals, who have a limited ability to read, write, speak or understand English are Limited English Proficient or "LEP." In the NICE service area, there are roughly 146,513 residents or 11.4% who describe themselves as not able to communicate in English very well (Source: U.S. Census). NICE is federally mandated (executive order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. NICE has utilized the U.S. Department of Transportation's (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LEP plan.

The U.S. Department of Transportation handbook, titled *"Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007)"* (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide 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 that receives Federal financial assistance (*Handbook, page 5*).

The *Handbook* further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (*Handbook, p.5*).

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (*Handbook, page 6*). Additionally, recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP. (*Handbook, page 6*) These provisions are included in *FTA Circular C 4702.1B* in Section 9 of Chapter III (pages III-6 -- III-9).

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For many LEP individuals, public transit is the principal transportation mode used. It is important that NICE be able to communicate effectively with all riders, both LEP and non-LEP individuals alike. When NICE is able to communicate effectively with all of its customers, the service provided is a safer, more reliable, convenient and accessible service for all of the agency's customers. For these reasons, NICE is committed to taking those reasonable steps to ensure meaningful access for LEP individuals to this agency's services.

This Plan will demonstrate the efforts that NICE has undertaken to make its service as accessible as possible to all persons irrespective of their ability to communicate using the English language. More specifically, the plan addresses how services will be provided through general guidelines and procedures:

- **Notification:** Providing notice to LEP individuals about their right to language services
- **Identification:** Identifying LEP populations and LEP services in County departments
- **Interpretation:** Offering free and timely interpretation to LEP individuals upon request
- **Translation:** Providing free, timely, professionally verified translation of vital documents
- **Staffing:** Identifying NICE/County employees to meet LEP customer service needs.
- **Training:** Delivering training on LEP service mandates to all responsible employees

Additionally, NICE does welcome any comments or suggestions that would further improve the effectiveness of this Plan and/or our ability to communicate more effectively with our customers.

## FOUR-FACTOR ANALYSIS

The analysis provided in this report has been developed to identify Limited English Proficient (LEP) population that may use the NICE system and identify needs for language assistance. This analysis is based upon (and follows) the “Four Factor Analysis” presented in the *Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons*, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a NICE program, activity, or service.
2. The frequency with which LEP persons come into contact with NICE programs, activities or services.
3. The nature and importance of programs, activities or services provided by NICE to the LEP population.
4. The resources available to NICE and overall costs to provide LEP assistance

### **Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population**

DOT guidance for this first factor says, “The greater the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population, the more likely language services are needed.”

#### *Task 1, Step 1: Examine prior experiences with LEP individuals*

NICE provides services to individuals with limited proficiency in English. The most common languages spoken within the NICE service area are English and Spanish. Below is a list of policies and practices that NICE has instituted in order to ensure that those seeking service from NICE for their transportation needs have equal opportunities to communicate with NICE.

- Most customer service representatives are fluent in English and Spanish. A Customer Service Representative is typically the initial contact for potential NICE customers.
- Many NICE drivers speak a language other than English and can answer service questions in the field from customers.
- To the extent feasible, assign bilingual drivers to bus runs serving groups with a high concentration of LEP riders/patrons.

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From the systemwide ridership survey NICE completed in 2021, Spanish was the most common language other than English requested; 13% of participants requested the surveys in Spanish.

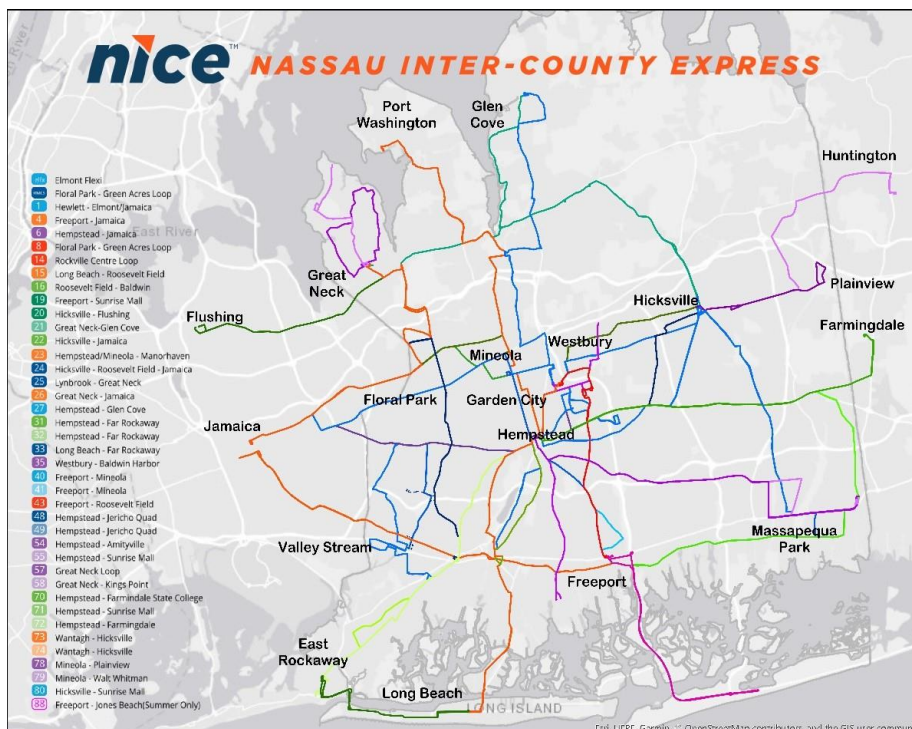
### *Task 1, Step 2: Become familiar with data from the U.S. Census*

The U.S. Census Bureau compiles data in its American Community Survey (ACS). Among the data collected is information on primary language is spoken at home and the ability to speak English. Categories include whether individuals indicate they speak English “very well” or “less than very well.” This report uses the 2015-2019 ACS 5-Year Estimates as for the basis for the analysis that follows.

According to the American Community Survey, transit riders represent 17.1% of the commuting population in Nassau County. Of those who commute by public transit, 6.10% are Spanish LEP and 4.54% speak some other language and are LEP. Spanish LEP makes up 5% of the total population in Nassau County (based on 1.4 million) and all other languages LEP represent 5% of the total population (based on 1.4 million).

### *Task 1, Step 2A: Identify the geographic boundaries of the area that your agency serves*

The geographic boundaries for the NICE service area are determined by including Nassau County census tracts served by a NICE bus route. The figure below shows NICE’s service area.



*Task 1, Step 2B: Obtain Census data on the LEP population in your service area*

Tables 1 and 2 provide information on the LEP population in the NICE service area. The data is derived from the 2015-2019 Census American Community Survey data. As presented in Table 1, 11% (or 143,080) of the 1,282,838 residents aged 5 years and older within the NICE service area reported that they spoke English less than “very well.”

**Language Proficiency in NICE Service Area (Table 1)**

Proficiency	Population	Percent
All Languages	1,282,838	100%
Speaks English only	894,782	70%
Speaks English less than “very well” (all languages)	143,080	11%
Spanish Native Speakers	69,832	5%
Speaks English less than “very well”		
Other Native Language Speakers	73,248	6%
Speaks English less than “very well”		

Source: 2019 ACS 1 Year Estimates; figures based on County Population 5 years and older

**Nassau County LEP LVW Populations by Language (Table 2)**

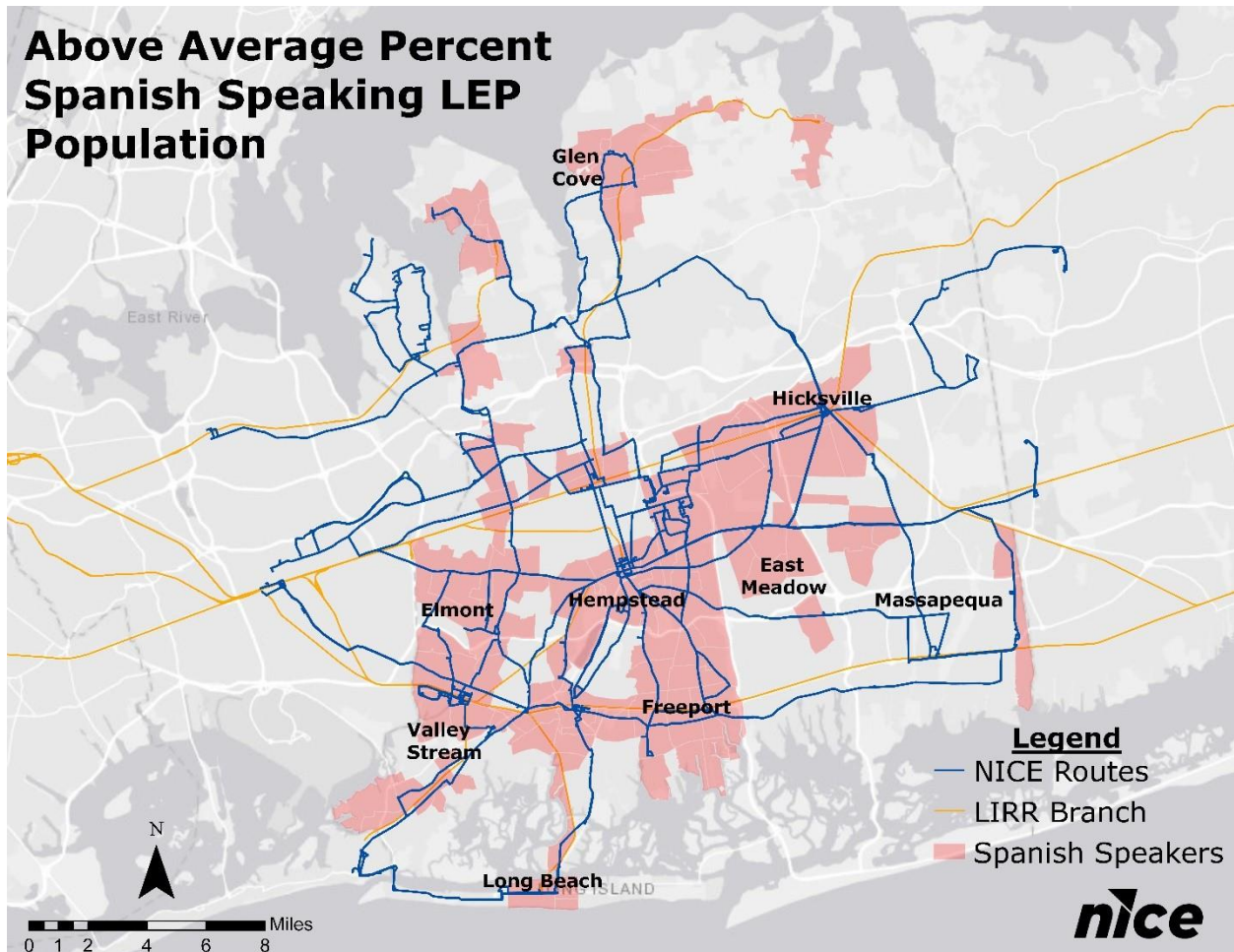
Category	Chinese	Italian	French Creole	Korean
Raw Count LEP LVW (Less Than Very Well English)	11,378	6,978	6,445	5,295
% LEP LVW	8%	5%	4%	4%

Source: [lep.gov/node/2376](http://lep.gov/node/2376)

*Task 1, Step 2C: Analyze the data you have collected*

Data confirms that Spanish is the most commonly spoken language after English in the NICE service area. NICE has worked to ensure that most customer service representatives are capable of communicating effectively in both English and Spanish. In the event of a call from an individual who does not speak one of these languages, it is our practice to engage the assistance of a NICE worker who speaks the requested language to assist. When a bilingual employee is unavailable to assist, NICE utilizes the help of a Translation Call Service. NICE is committed to providing English and Spanish in key documents (pamphlets and individual route brochures/schedules). In summary, NICE has taken steps to ensure that information about its transit services is available in English and Spanish.

The following map shows census tracts where the percentage of residents who are Spanish speaking and speak English less than very well is above the average (6.65%) for the NICE service area as a whole. All of these census tracts are well served by transit. The LEP population is not concentrated along specific routes; as indicated in the maps below, all NICE routes serve LEP census tracts.



*Task 1, Step 3: Consult state and local sources of data*

NICE provides transportation services within Nassau County and surrounding areas. There are several local authorities NICE can obtain data on LEP populations from including NYMTC and the NYS Data Center.

As Nassau County continues to refine its Title VI and LEP reporting procedures, we will share information on concentrations of LEP populations and frequency of contact by individuals who do not speak English well.

*Task 1, Step 4: Obtain information*

The Federal Transit Administration recommends that each agency conduct community outreach to organizations that work with LEP populations. These may be able to provide the agency with information that is not included in the Census, such as information on specific languages spoken by the LEP population, population trends and what services the LEP population most frequently seeks.

In its review of the U.S Census Bureau's 2015-2019 American Community Survey, NICE can confidently confirm that Spanish is the most prevalent language other than English in the NICE service area and that fixed-route transit service is important to the Spanish-speaking population since 16% of Nassau County's Spanish speaking population are public transit riders. Spanish speakers who don't speak English "very well" make up roughly 19% of NICE transit riders in Nassau County and qualify as LEP.

**Factor 2: The Frequency with Which LEP Individuals Come into Contact with Your Programs, Activities, and Services**

The Federal guidance for this factor recommends that agencies should, as accurately as possible; assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

The most common use of NICE for LEP individuals is getting to work (87.5%) and it is most commonly used daily (100%).

*Task 2, Step 1: Review the relevant programs, activities, and services you provide*

NICE operates fixed-route service and complementary paratransit within Nassau County. NICE has developed its programs and services to ensure that its transportation services are available to individuals in the County of Nassau who rely upon public transportation. Federal guidelines recommend that agencies list the various points at which LEP individuals may come into contact with the agency. In the case of NICE, the most common points of contact are the customer service telephone center and on the buses themselves. Within the past five years, very few calls have been received in a language other than English or Spanish. Many NICE drivers speak English and also speak another language and thus can answer service questions in the field from customers.

*Task 2, Step 2: Review information obtained by community organizations*

For this section, the Federal guidance recommends an agency to review community organization information on how frequently LEP persons use transit service and which routes of service are used most frequently.

As shown in the maps below, there are concentrations of LEP persons along several NICE routes. NICE is expanding its outreach to community groups to provide information on the services it provides. To date, no community group has indicated any problems among their members in terms of utilizing NICE services or communicating with NICE through its customer service representatives.

*Task 2, Step 3: Consult directly with LEP persons*

The Federal guidance for this section recommends that an agency obtain relevant LEP community information by conducting face-to-face meetings or group interviews with individuals to discover additional needs of this community. The agency may instead choose to conduct a survey of LEP individuals to determine their unique needs and whether or not the agency is meeting the community's needs.

NICE conducted an onboard survey (in English and Spanish) of its existing ridership to determine trip origins and destinations, extent and history of transit use, overall customer satisfaction and rider demographics. This survey was conducted in Fall 2021. The next survey will be conducted over several months starting Spring 2024.

Table 2 shows the number of surveys returned by language. Approximately 28 percent of the surveys were completed in Spanish. Respondents completing the survey in a language other than English may be considered the LEP population.

**On-Board Surveys Returned by Language (Table 2)**

Language	Number of Responses	Percentage of Responses
English	6,959	87%
Spanish	1,039	13%
Total	7,998	100%

Source: 2021 NICE Onboard Survey



Table 3 below shows the level of English proficiency from NICE's 2021 Onboard Ridership Survey.

**English Proficiency ("How well do you speak English?") (Table 3)**

Response	Percentage
Not at All	8.1%
Less than Very Well	25.1%
Very Well/Native Speaker	66.8%
TOTAL	100%

Source: 2021 NICE Onboard Survey

**Factor 3: The Importance to LEP Persons of Your Program, Activities, and Services**

Federal guidance provides that in this section, the more important the activity, information, service or program, or the greater the possible consequences of the service to LEP individuals, the more likely language services are needed. A recipient of Federal financial assistance needs to determine whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual.

*Task 3, Step 1: Identify your agency's most critical services*

In this section, Federal guidance requires that NICE should identify what programs or activities would have serious consequences to individuals if language barriers prevent a person from benefiting from the activity. NICE fixed-route service is our most critical service. NICE also provides paratransit service to persons with disabilities who cannot use the fixed route service within Nassau County.

**Factor 4: The Resources Available to the Recipient and Costs**

This section of the Four-Factor Analysis allows NICE to present proposed efforts to provide further access for LEP individuals for the agency's fixed-route transit services. Federal guidance looks to evaluate the proposed improvements against the level of resources available in an agency's budget to provide meaningful access for LEP individuals.

*Task 4, Step 1: Inventory language assistance measures currently being provided, along with associated costs*

NICE currently prints all major documents, including service brochures and routes schedules, in English and Spanish. We will also provide translations of all major documents in languages other than Spanish and English upon request. NICE posts notices in both English and Spanish in its office lobby. Terminal buildings and on its buses. Additionally, NICE posts notices about its Customer Service Line in English, Spanish, Mandarin, Korean, Haitian Creole, and Farsi in all buses. We also post a notice in buses featuring multiple languages with a QR code that can be scanned to the Google Translate site, for additional language assistance. Beyond these measures, NICE ensures that Spanish speaking operators are always available in the Customer Service Department. Recorded telephone greetings for our Customer Service Department are in English and Spanish and automated information is provided in both languages. If a caller to our Customer Service Department requires a language other than Spanish or English, a translator will be provided. Supervisors are provided with "I speak" translation identification cards to use with LEP customers. These cards help identify the language needed, and our translation line is then used to assist. While not a formal requirement for employment, many drivers speak a second language and can answer questions on the bus. In addition, the MetroCard (the fare medium used on NICE buses) vending machines at the Hempstead Transit Center provide information in four different languages. These are English, Spanish, Chinese and Korean. Lastly, the NICE website currently has a feature that allows the entire website to be translated into over 60 languages using Google Translate.

*Task 4, Step 2: Determine what, if any, additional services are needed to provide meaningful access*

Electronic versions of major documents are also available in both languages on the Nassau County transit webpage. The NICE website is presented in English by default, but features Google Translate, which allows a reader translate the entire website into almost any language. Of importance is to note that the Nassau County transit webpage is used as a repository for Transit Committee and FTA Capital Program information, but information regarding transit service, upcoming meetings, and Title VI information is posted on the NICE website.

*Task 4, Step 3: Analyze your budget*

NICE's Fiscal Year 2019 budget uses operating dollars to fund important LEP services for marketing to or communicating with LEP persons in their language (Spanish) about transit services available to them. This includes funding for translation services of current brochures (i.e. Rider's Guide), posters, website, etc. We will augment the publication of the Rider's Guide with Pull One(s) and Flyers on a case by case basis. We would like to increase this in future years to include training for Drivers and Customer Service Representatives and/or interpreter services. During each budget cycle, the Marketing and Communications Director at NICE will evaluate the services NICE provides to LEP individuals. Based on the evaluation, the Marketing and Communications Director will be responsible to include the necessary funds for providing additional LEP services.

*Task 4, Step 4: Consider cost-effective practices for providing language services*

The analysis of 2015-2019 and 2019 American Community Survey data, review of Customer Service Experience, analysis of the onboard survey, and the results of community outreach suggest that translation into languages other than Spanish would not be a cost-effective means to ensure meaningful access for LEP individuals. Only 4.9 percent of service area residents cannot communicate well in English or Spanish. NICE will encourage community groups to provide an interpreter to help individuals who do not speak English or Spanish well in obtaining transit information from NICE.

NICE'S LANGUAGE ASSISTANCE PLAN (LAP)

This Language Assistance Plan (LAP) has been completed to identify areas where NICE can expect to encounter LEP individuals in its operation of transit services and to ensure that LEP individuals are not prevented from using NICE services.

**Results of Four-Factor Analysis**

*Factor 1:* The majority of NICE's interactions with individuals who are LEP are with individuals who speak Spanish as their primary language. Spanish-speaking residents accounted for 85,619 of this group, 6.65 percent of the total population. Most telephone operators in the Customer Service Department are bilingual in English and Spanish. NICE has taken steps to ensure that Spanish LEP residents will be able to talk to a Customer Services representative in a language that they speak well. Community groups have not indicated any problems among their members in terms of utilizing NICE services or communicating with Customer Service Representatives.

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### *Factor 2: Frequency of LEP Contact*

Table 4 below shows the number of documented incidents NICE has recorded with LEP persons over the last 3 years.

**LEP Contact Incidents (Table 4)**

<b>Contact Method</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Document Translation Requests	0	0	0
Foreign Language Questions on GoMobile*	50	35	37
Foreign Language Questions from Transit Information Call Ctr*	260	200	230
Interpreter Requests for Public Meetings	0	0	0
Operator Reported Interactions*	55	30	32
Service Quality Manager (SQM) Reported Interactions*	7	13	16

Source: Marketing Department

\*all incidents encountered included Spanish as the language

*Factor 3:* NICE's goal is to make its service accessible to those who rely upon transit for their transportation needs. For many LEP individuals, public transit is the principal transportation mode used. It is important that NICE be able to communicate effectively with all riders, both LEP and non-LEP alike.

*Factor 4:* Factor 4: NICE contracts for a third-party translation service for document translation into other languages as required. Major documents such as pamphlets and route brochures are printed in English and Spanish. NICE provides Spanish translations of vital documents – either directly by or verified by a local professional translation service – including, but not limited to timetables, public service announcements, public notices, complaint forms, paratransit applications, and our paratransit rider's guide. Vital documents translated professionally or verified by a translation professional in languages other than Spanish are available upon request. Our website features options to translate the content into of 60+ languages. Our Travel Information Center phone line is available for both English and Spanish speakers. For speakers of languages other than Spanish, we will secure a translator to assist the customer in the language of their choice. Our buses feature stickers instructing customers in Spanish, Mandarin, Hindi, and Hattian Creole to contact our Travel Information Center for information. Our buses feature a sticker with instructions in Spanish, Mandarin, Korean, Hindi Haitian Creole, and Farsi instructing customers to scan QR code which links to the Google Translate website, for additional translation assistance. Additionally, many drivers speak a second language, and we utilize a "We Speak \_\_\_\_" card to help our identify which language customers speak and to get them a NICE employee or translation service to assist them.

## ELEMENTS OF THE PLAN

In developing a Language Assistance Plan for Limited English Proficiency (LEP) individuals, FTA guidance recommends considering five elements: 1) Identifying LEP individuals who need language assistance; 2) Providing language assistance measures; 3) Training staff; 4) Providing notice to LEP persons, and 5) Monitoring and updating the plan. Each of these five elements is addressed in this plan.

### **Element 1: Identifying LEP Individuals Who Need Language Assistance**

Federal guidance provides that “there should be an assessment of the number or proportion of LEP individuals eligible to be served or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.”

There is considerable overlap between this request and analysis that were done during the LEP four-factor analysis. NICE has identified the number and proportion of LEP individuals within its service area using United States Census data, (See Tables 1 and 2 in Task 1, Step 2A above).

As presented in Table 1 earlier, 70% of the service area population speaks English only. The largest non-English language spoken in the service area is Spanish. As shown in Table 1, service area residents whose primary language is not English or Spanish and who speak English “less than very well” account for only 5% of the County population.

NICE staff may identify language assistance need for an LEP group by any of these methods:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Having Census Bureau Language Identification Flashcards available at NICE meetings. This will assist NICE in identifying language assistance needs for future events and meetings.
3. Have Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to try to obtain contact information to give to NICE’s management for follow-up.
4. During quarterly safety meetings, Bus Operators are surveyed for the number of LEP interactions they typically encounter.

### **Element 2: Language Assistance Measures**

Federal Guidance provides that “an effective LEP plan would likely include information about the ways in which language assistance will be provided.” This refers to listing the different language services an agency provides and how staff can go about accessing this information.

For this task, the Federal guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively assist LEP individuals when they either call in to agency call centers or otherwise interact with the agency.

NICE is undertaking actions to improve access to information and services for LEP individuals:

1. Provide a bilingual Community Outreach Coordinator at community events, public hearings and Bus Transit Committee meetings.
2. Provide *Language Assistance Signs* with contact information onboard all NICE buses
3. Include language “Spanish a plus” on bus driver recruitment flyers and onboard recruitment posters.
4. When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers. A list of volunteers will need to be developed.

### **Element 3: Staff Training**

Federal guidance states that staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing this Task 3 of the Language Assistance Plan, involve (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities and provide regular re-training for staff for assisting LEP individual needs; and (3) designing and implementing LEP training for agency staff.

In the case of NICE, the most important staff training is for Customer Service Representatives and Bus Operators. The following trainings will be provided to Bus operators and Managers annually, many of whom are bilingual in English and Spanish:

1. Information on the NICE Title VI Procedures and LEP responsibilities.
2. Documentation of language assistance requests.
3. How to handle a potential Title VI/LEP complaint.
4. Refer customers to language assistance phone number on vehicles.

**Element 4: Providing Notice to LEP Persons**

NICE will make Title VI information available in English and Spanish on the Agency's website. Key documents are written in English and Spanish. Notices are also posted in NICE's office lobby, on buses, and at the Hempstead Transit and Mineola Intermodal Center. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, the documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

**Element 5: Monitoring and Updating the LEP Plan**

NICE will update the LEP as required by the U.S. DOT. The plan will be reviewed and updated with the next Title VI filing in 2025 or when it is clearly higher concentrations of LEP individuals are present in the NICE service area. Updates will include the following:

- The number of documented LEP person 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.
- Determine whether NICE's financial resources are sufficient to fund language assistance resources needed.

NICE understands the value that its service plays in the lives of individuals who rely on our service, and is committed to taking important measures to make the use of system easier. NICE welcomes suggestions from all sources, including customers, NICE staff, other transportation agencies with similar experiences with LEP communities, and the general public regarding additional methods to improve accessibility for its LEP communities.

## Section II-F: Committee Demographics & Diversity Plan

### NASSAU COUNTY BUS TRANSIT COMMITTEE

The County has appointed the members of the Nassau County Bus Transit Committee, and the committee was formed in accordance with applicable Nassau County laws, rules and regulations. The Transit Committee is empowered to act on behalf of the County. The Transit Committee meets with Transdev as necessary to timely review and approves, propose modifications to, or disapprove Transdev's proposed Annual Plans and Budgets, and undertake such other actions as are expressly provided under applicable law.

The Transit Committee has the following representation:

<b>Body</b>	<b>Caucasian</b>	<b>Latino</b>	<b>African American</b>
Nassau County Demographics	62%	16%	12%
Transit Committee Demographics	60%	20%	20%

### PLAN TO IMPROVE DIVERSITY

Nassau County has established the Bus Transit Committee with representation from all segments of the population served. The members are appointed by the County Executive, Legislative Majority, and Legislative Minority. The County and Legislative Leaders, through outreach to various advocacy agencies, and community affiliations, strive to encourage equality and opportunity in its member participation on the Transit Committee.



## **Section II-G: Subrecipient Assistance & Monitoring**

### PROCESS

Nassau County as a designated recipient of the Federal Transit Administration (FTA), submits a Title VI Program in compliance with the Civil Rights Act of 1964 and implementing guidelines under FTA Circular 4702.1B, published October 1, 2012.

In accordance with 49 CFR 21.9(b), and to ensure that the County and its subrecipient are in compliance with the Title VI requirements, the County undertakes the following activities as part of its annual monitoring process:

- (1) Conduct an annual site visit review to ensure compliance with the general reporting requirements, as well as other requirements that apply to the sub-recipient based on the type of entity and the number of fixed route vehicles it operates in peak service as a transit provider.
- (2) Notify, collect, and review the Title VI Program from the subrecipient within a three-month time frame of due dates.
- (3) At the request of FTA, in response to a complaint of discrimination or as otherwise deemed necessary by the County, the sub-recipient will be required to verify that their level and quality of service provided is conducted on an equitable basis.

### ASSISTANCE TO SUBRECIPIENTS

In addition to the activities above, Nassau County and the NICE staff are available on an ongoing basis for technical assistance to subrecipients in their preparation and implementation of a Title VI program to ensure full and fair participation and access to transportation programs in Nassau County.

### CURRENT SUBRECIPIENTS

Nassau County does not currently have any subrecipients.

## Section II-H: Determination of Site or Facility Locations

In 2021 Nassau County completed a site selection for a NICE Battery Electric Bus (BEB) Charging Facility.

*A copy of the **Title VI Equity Analysis** for the NICE Battery Electric Bus (BEB) Charging Facility can be found in **Appendix V-4** (p 92).*

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## Section III-A: Service Standards & Policies



### Nassau Inter-County Express 2022 Service Standards

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### EXECUTIVE SUMMARY

NICE Bus operates on a mission of meeting the needs of its community by providing efficient and economical public transportation services in keeping with our commitment to safety, quality and effectiveness.

### CORE VALUES

- Commitment to Customers
- Accountability, especially for Safety
- Respect for Others and the Planet
- Empowerment of Employees

### OBJECTIVES

As a provider of transportation to the residents of Nassau County, NICE strives to be at our highest level of performance, which is reflected in our core values to provide quality service to our customers. Managing a public transit operation is a serious undertaking; therefore having an outline of our standards and expectations, will guide our company in the right direction to achieve our goals as a transit company. This document does not only outline how our system runs, but also assists us in staying consistent in providing quality and service to all the different areas we operate in.

### SERVICE STANDARDS & POLICIES

Service guidelines build a systematic foundation for allocating capital and operating resources. Guidelines set criteria for the amount and quality of services carried out. NICE Bus uses the guidelines to develop optimal fixed route service configuration, to assess these services, and to institute a foundation for evaluating service alternatives consistently and equitably. Because markets, customer expectations and NICE's resources change over time, NICE must be receptive to these changes in order to retain customers and stimulate ridership growth.

NICE Bus uses performance indicators, internal service committee and quarterly progress reviews to evaluate fixed route and paratransit service delivery. Agency-wide and departmental goals are created annually and tracked through quarterly progress reports. Customer satisfaction is measured quarterly through system-wide surveys. Service changes and

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enhancements have been performed quarterly through the end of 2021. However, starting in January 2022 these operator picks will take place three (3) times per year (January, May, and September).

Seven key measures that have the utmost influence on service design are: service availability, span of service, vehicle headway, vehicle load, on-time performance, vehicle assignment, and distribution of transit amenities.

1. Our **service availability** policy determines the average customer's walk to get to a bus stop at certain times of the day.
2. **Span of service** are the hours and days a route operates which are based on a balance of market demand and service coverage.
3. **Service frequency** (headways) governs how long customers wait for service.
4. **Vehicle load** determines how crowded the bus will be when it arrives at the busiest location on a route.
5. **On-time performance** refers to the percent of trips completed on time.
6. **Vehicle assignment** refers to the method by which vehicles are assigned to routes throughout the system.
7. **Distribution of transit amenities** refers to the items of ease and convenience available to the riders.

## ABOUT NICE BUS

Nassau Inter-County Express is an integral link for thousands of residents of Nassau County, New York and nearby communities. NICE runs fixed-route service on 38 routes and paratransit service known as Able-Ride. NICE's service area is approximately 287 square miles and serves a population of 1.36 million. There are two operating facilities within the region, one for fixed-route and one for paratransit. There are 278 vehicles operated by the fixed route service and 92 vehicles operated by the paratransit service. NICE's service links riders to/from the city.

## OUR MISSION

NICE Bus operates on a mission of meeting the needs of the community by providing safe, efficient, and economical public transportation services. In addition, we also strive to deliver an affordable transit service which is vital to our customers. Service standards steer the planning and design of transit service in support of NICE's mission.

Providing affordable service is not only key to our customers, but to NICE Bus as well. We continually strive to present services that maximize efficiency. At the same time, we are

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committed to keep fares reasonably priced. From a corporate viewpoint, externally imposed funding constraints have influenced the amount of service that we are able to provide.

### THE NEED FOR SERVICE STANDARDS

The foremost objective of the service standards is to provide a structure for a consistent and fair assessment of both existing and projected services. Because markets, customer expectations and NICE Bus resources vary over time, service standards are evolutionary by nature.

NICE Bus must be quick to respond to these changes in order to preserve existing customers and achieve and maintain ridership. The link between our service standards and our funds are dynamic. The level of service NICE provides has a direct result on our operating and capital budgets. In turn, our service standards have an effect on the amount of service that we offer. Moreover, the amount of service provided must also operate within the bounds of limited financial resources.

Balancing customer expectations and budget constraints are challenges we embrace while holding customer expectations on a higher plain. NICE Bus' current services must be managed carefully and modified frequently to match service labels to demand and respond to opportunities for new or enhanced services.

### GOALS & OBJECTIVES

NICE Bus is designed to meet or exceed the needs and expectations of its customers and its employees. NICE is dedicated to:

- Creating a bus system and paratransit network that above all is safe, as well as reliable, accessible, and affordable.
- Delivering the highest possible levels of customer service, welcoming the input of its riders through numerous open communications channels, and responding to the needs of current customers and those of new ones.
- Working cooperatively with labor unions representing our employees to create a positive, diverse workplace, fulfilling careers and productive lines of communications; building strong and constructive relationships with the unions; and valuing the contributions of all employees and treating them with dignity and respect.

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- Building an organization that maximizes the financial resources that are available to it by creating new operating efficiencies, improving system performance and maximizing best practices in all aspects of its operations.
- Creating a culture where employees are accountable for top performance, and are respected, valued, and appreciated by their supervisors and peers.

The following essential goals and objectives offer context for the service guidelines:

1. Guarantee the design of efficient and equitable transit service.

### OBJECTIVES:

- Create a cost-effective transit service that favors both current and emergent origin-destination patterns.
- Improve the bus service to guarantee critical regional mobility and to ensure that all neighborhoods have access to NICE service.
- Allocate services and customer amenities based on ridership, equity, and geographic balance.

2. Make available a consistent method for planning, designing, and evaluating transit services and proposals within related laws and regulations.

### OBJECTIVES

- Develop a consistent, regular process for improving service in those areas within established demand.
- Attend to customer and community service needs and requests in a consistent and thorough manner by better engaging local communities.
- Evaluate and execute services consistent with Title VI and the Americans with Disabilities Act requirements.

3. Provide mobility to our customers by responding to varying travel patterns and new markets opportunities.



### OBJECTIVES

- Support intermodal services and connections that maximize the trip-making options offered to customers.
- Observe the results of customer service and satisfaction surveys to support service changes that will enhance the overall performance of NICE Bus.

## SERVICE DELIVERY GUIDELINES

### **Types of NICE Service:**

- Bus
- Paratransit Service
- Emergency Response Service
- Special Events Service
- Niche Market Service
- Flexible Service

### **Bus**

NICE Bus currently has a total of 278 vehicles operating from two different facilities in Garden City. The vehicles are used to run service for 40 distinct routes. Key routes and suburb routes define the bus system. The key bus routes provide the majority of the farebox revenue.

### **Paratransit Service**

NICE's paratransit service is known as Able-Ride. It provides door-to-door service for customers with disabilities. The Americans with Disabilities Act defines the standards for paratransit. Service coverage is defined by the ADA as within ¾ mile of fixed route service. Frequency is based on demand. Currently, Able-Ride has a total of 92 vans, cut-a-way buses and sedans.

### **Emergency Response Service**

NICE provides emergency service for customers when requested by the county or fire department. If a situation is to occur, such a fire, NICE sends out buses to the location to pick up individuals in need through cooperation with county, state or national emergency service organizations.

### **Special Events Service**

NICE provides additional bus service for events that occur in Nassau County. During the summer months, NICE sends out additional buses to and from Freeport to Jones Beach on concert nights. Because these services are temporary, and have atypical operating characteristics, they may not follow regular service procedures.

### **Niche Market Service**

Niche market services are established in response to a demonstrated need for specialized transit services. These services are open to the public and can include alterations to existing bus routes or new routes for shift changes and other work intentions. Services can also be modified for large employment centers, universities, high schools, medical centers, sports venues, industrial parks and other large traffic generators.

In some occurrences, NICE Bus creates a financial partnership with organizations to offer these niche market services. In these agreements, the partnering organization provides funding that, in combination with the projected customer revenue, meets variable cost for a particular service.

### **Flexible Service**

Flexible service was created as a means to balance customer needs with productivity goals. It is generally provided by smaller vehicles and is added to the key and support bus network. NICE Bus is currently studying the feasibility of this service and will be implemented if the results are positive.

## TITLE VI 2022 PROGRAM UPDATE

### SERVICE STANDARD MEASURES

1. Service Availability
2. Span of Service
3. Vehicle Headways
4. Vehicle Load
5. On-time performance
6. Vehicle Assignment
7. Distribution of Transit Amenities

These measures allow NICE to establish appropriate levels of service to meet existing demand, while maximizing use of equipment and labor. Alterations made to any of the guidelines influence the size and cost of services and the connectivity of the last mile service to customers. Consequently, each guideline is significant, and all are used in conjunction to make service choices.

#### **1. Service Availability**

NICE's service availability is a measure of the distance a person must travel to gain access to a transit service. When measured in time intervals, it is a factor of the travel time calculation. Service availability is a general measure of the distribution of routes within a transit area. The standards covering this area relate to existing services as well as proposed changes in levels of service.

Service availability and coverage are based on density of development. The maximum distance one must walk to obtain access to a transit service is 1-mile. In the more urban areas of Nassau County, routes will be spaced every 3/8ths to every 1-mile. In the lesser dense/suburban areas of Nassau County, busses will operate on major roads.

#### Guidelines for Employment/Commercial Trip End

Service should be provided to major activity centers that produce adequate trip activity to support cost-effective operations. Below are some key activity centers that may generate trip levels warranting bus services:

- Existing employment centers with 500 persons or more per shift
- At new or emerging employment centers; 2,000 employees is the threshold for extending a route or initiating an employee's shuttle loop
- Hospitals with 400 beds or more

## TITLE VI 2022 PROGRAM UPDATE

- Colleges with 4,000 or more students per day
- Shopping centers and freestanding stores and village business districts of 200,000 square feet or larger

### Directness

Because the NICE Bus system operates in a north-south or east-west fashion, many passengers must transfer to reach their destination. The potential to add new service – especially in north-south corridors which have fewer service options – is regularly studied.

### Connections

NICE Bus has connections to the LIRR, MTA Bus, Subway, Suffolk County Bus, Huntington Bus, and Long Beach Bus. The need for bus service to the LIRR stations is governed by parking availability, customer volumes, population density and railroad service frequency.

New service, service changes, and improvements will be provided based on identified needs and demand levels in NICE Bus' service area. In the interest of furthering public participation in service planning, delivery and changes, NICE Bus will include local, state, and federal government agencies, community groups, non-profit and public interest entities in planning new services or major service changes. Public participation will be undertaken as required for new routes, and for determining the threshold for major service changes. In terms of monitoring this, system-wide evaluations will be made annually.

## **2. Span of Service**

Span of service refers to the hours that service is provided and defines the minimum period of time that service will operate at any point in the system. This provides customers with the self-assurance that direct and connecting service will be provided during the span hours.

For the city routes, services are offered every day, usually for at least 14 hours. For the suburban routes, services are determined by demand. These routes are offered for a minimum of 6 hours.

## TITLE VI 2022 PROGRAM UPDATE

### Key Routes

<b>n1</b>	Jamaica-Elmont-Hewlett
<b>n4</b>	Freeport-Jamaica
<b>n6</b>	Hempstead-Jamaica
<b>n15</b>	Long Beach-Hempstead-Roosevelt Field
<b>n20</b>	Flushing-Great Neck-Hicksville
<b>n21</b>	Great Neck-Hicksville
<b>n22</b>	Hicksville-Roosevelt Field-Jamaica
<b>n24</b>	Hicksville-Roosevelt Field-Jamaica
<b>n31/32</b>	Hempstead-Far Rockaway
<b>n40/41</b>	Mineola-Freeport
<b>n70/71/72</b>	Hempstead-Farmingdale-Sunrise Mall

### Suburban Routes

<b>n15</b>	Long Beach-Hempstead-Roosevelt Field
<b>n16</b>	NCC-Hempstead-RVC LIRR
<b>n19</b>	Freeport-Sunrise Mall
<b>n23</b>	Mineola-Manorhaven
<b>n25</b>	Lynbrook-Great Neck
<b>n26</b>	Jamaica-Great Neck
<b>n27</b>	Hempstead-Roosevelt Field-Glen Cove
<b>n33</b>	Long Beach-Far Rockaway
<b>n35</b>	Baldwin-Hempstead
<b>n40/41</b>	Mineola-Freeport
<b>n43</b>	Freeport-Roosevelt Field
<b>n48/49</b>	Hempstead-Hicksville
<b>n54/55</b>	Hempstead-Sunrise Mall
<b>n57</b>	Great Neck Loop
<b>n58</b>	Great Neck-Kings Point
<b>n70</b>	Hempstead-Farmingdale
<b>n71</b>	Hempstead-Sunrise Mall
<b>n72</b>	Hempstead-Farmingdale
<b>n78</b>	Plainview-Hicksville
<b>n79</b>	Hicksville-Walt Whitman
<b>n80</b>	Hicksville –Sunrise Mall
<b>n88</b>	Freeport-Jones Beach

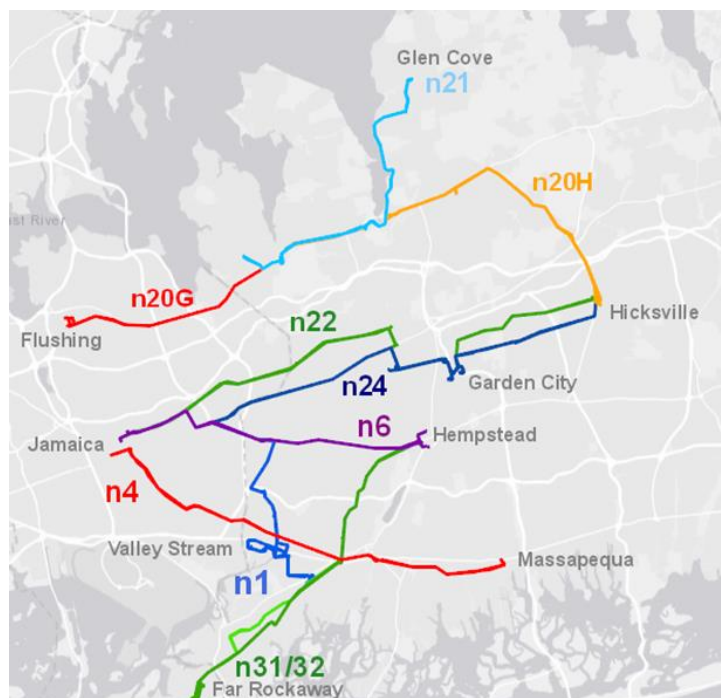
Span of service, when provided during the Owl (overnight) period, is mostly driven by market forces with consideration given to coverage and equitable service distribution. Owl service is offered to protect work trips in the strongest markets (health care and other essential workers)

maintaining coverage in those markets at all times. NICE Bus provides Owl service for three routes: n4, n6 and n40/41. These three routes operate 7 days a week, 24 hours a day.

### All Routes:

n1 Jamaica-Elmont -Hewlett	n31/32 Hempstead-Far Rockaway
n4 Freeport- Jamaica	n33 Long Beach-Far Rockaway
n4X Freeport-Jamaica Express	n35 Baldwin-Hempstead-Westbury
n6 Hempstead - Jamaica	n40/41 Freeport- Mineola
n6X Hempstead - Jamaica Express	n43 Roosevelt Field- Freeport
n15 Long Beach- Roosevelt Field	n48/49 Hempstead- Hicksville
n16 Hempstead-Rockville Centre	n54/55 Hempstead-Sunrise Mall
n16X NCC-Hempstead-Rockville Centre	n57 Great Neck Loop
n19 Freeport-Sunrise Mall	n58 Great Neck LIRR-Kings Point
n20G Great Neck-Flushing	n70 Hempstead- SUNY Farmingdale
n20H Great Neck-Hicksville	n71 Hempstead- Sunrise Mall
n21 Great Neck-Glen Cove	n72 Hempstead-Farmingdale
n22 Hicksville-Roosevelt Field-Jamaica	n78 Hicksville- Plainview
n22X Jamaica-Hicksville Express	n79 Hicksville- Walt Whitman
n23 Mineola-Manorhaven	n80 Hicksville-Sunrise Mall
n24 Hicksville-Roosevelt Field-Jamaica	n88 Freeport-Jones Beach
n25 Great Neck-Lynbrook	MMCS Mercy Medical Shuttle
n26 Jamaica - Great Neck	EIFx Elmont Flexi
n27 Hempstead- Glen Cove	SRS Shore Road Shuttle

### Key Routes



### 3. Frequency of Service

Frequency of service is a measurement of the time interval between two vehicles traveling in the same direction on the same route. The frequency of service is a general indication of the level of service provided along a route and an aspect in the computation of the amount of travel time spent by a passenger to reach their endpoint. On heavily traveled routes, the frequency of service provided is a function of demand and peak period loading levels. The average maximum frequency of service for key routes during the day is 30 minutes. The average maximum frequency of service for secondary routes is 60 minutes. The table shown below indicates the frequency of service for each route throughout the day on Weekdays, Saturdays and Sundays.

Frequency (time between buses in minutes)					
	Weekday			Sat	Sun
Route	AM	NOON	PM	NOON	NOON
<b>n1</b>	32	34	34	40	40
<b>n4</b>	18	20	11	20	27
<b>n4x</b>	24		25		
<b>n6</b>	10	10	10	12	15
<b>n6X</b>	15		15		
<b>n15</b>	10	10	10	20	20
<b>n16</b>	12	12	12		
<b>n16X</b>	40		30		
<b>n19</b>	35		30		
<b>n20G</b>	15	20	15	15	30
<b>n20H</b>	20	30	20	40	60
<b>n21</b>	30		30	60	
<b>n22</b>	20	30	15	20	30
<b>n23</b>	30	50	55	60	60
<b>n24</b>	30	30	23	35	35
<b>n25</b>	24	30	25	45	45
<b>n26</b>	32		30		
<b>n27</b>	60	60	60		
<b>n31/32</b>	25	25	18	32	32
<b>n33</b>	33	60	33	67	
<b>n35</b>	30	30	30	35	65
<b>n40/41</b>	13	15	15	20	22
<b>n43</b>	34	34	34	32	50
<b>n48/49</b>	23	35	25	44	52

<b>n54/55</b>	30	60	32	39	60
<b>n57</b>	35		35		
<b>n58</b>	18	30	19	45	45
<b>n70</b>	15	40	30	30	
<b>n71</b>	60	60	60	60	60
<b>n72</b>				60	60
<b>n78</b>	40		40		
<b>n79</b>	60		60		
<b>n80</b>	60		60		
<b>n88</b>	30	30	30	30	30
<b>MMCS</b>	40		40		
<b>Flexi</b>	60		60		
<b>PWS</b>	30		30		

### Schedule Adherence

- On-time performance is defined as up to 5 minutes late.
- At no point should a bus depart from a single point before its scheduled departure time.

### Policy

Within available resources, NICE Bus will provide a level of service essential to meet recognized customer demand. NICE Bus evaluates reliability and schedule adherence performance through quarterly reports and reviews

## **4. Vehicle Load**

Vehicle load is a ratio of the number of seats on a vehicle to the number of passengers. Load factor is an indicator of the extent of possible overcrowding or the need for supplementary vehicles. It is also a means to determine whether the level of service on a route at a particular time is adequate to guarantee a level of service demand appropriate for the transit system. Each bus is evaluated in terms of passenger flow, which is the number of passengers on buses at the busiest location along a route. This is known as the maximum load point.

NICE Bus will monitor peak loads on lines that are at or above ratios. When loads at the peak load point exceed vehicle load standards, service should be evaluated for adjustment.

System-wide evaluations will be conducted annually. The guidelines allow for a scheduled load of no more than 66 passengers per bus.



Standard 40-foot Bus: ORION VII, New Flyer & Gillig

Average seating capacity: 44 / 39

Average Standees: 21 / 22

Articulated 60-foot Bus: New Flyer

Average seating capacity: 58

Average Standees: 57

22-foot Cutaway: Arboc

Average seating capacity: 18

Average Standees: 2

Peak hours: 150% of seated load

Off-Peak hours: 125% of seated load

Weekends: 125% of seated load

## **5. Vehicle Assignment**

Vehicle assignment refers to the method by which transit vehicles are assigned to routes throughout the system due to variations among vehicles. Vehicles are assigned based on the depots vehicle requirement needs. Runs are distributed between depots strategically to minimize deadhead time to starting time point. All vehicles at NICE Bus are maintained in a state of good repair and assigned equitably throughout the system and service periods. Transit vehicles are equally distributed throughout the service area taking into consideration the following bullet points:

- New buses
- Mobility devices: Wheelchairs, lifts and kneeling equipped vehicles
- Non-polluting and new technology vehicles
- Clean, operational vehicles in a state of good repair
- Heated and air-conditioned vehicles
- Operational radio, public address and annunciator systems
- NICE Bus will periodically review vehicle age and condition.

## **6. On-Time Performance**

On-time performance refers to the percentage of runs completed on time. Routes are monitored every Pick and a hierarchy is set using information from customers, drivers and service quality managers to identify routes that need improvement.

## **7. Distribution of Transit Amenities**

Bus customer shelters, benches and signs contribute to NICE Bus riders experience of a secure and pleasant commute. These amenities are dispersed equitably throughout the service area. the utility of the advantage to the customer and site-related constraints. Furthermore, intense consideration is given to stops on key bus routes due to higher levels of demand.

### Stop Spacing and Location

A system-wide guideline for bus stop spacing is no less than four stops per mile. In denser parts of the county, stop spacing will be ¼ mile, wider in less dense areas.

### Bus Shelter Location

Nassau County Planning Department is responsible for bus shelter installation and maintenance., These shelters are repaired and cleaned by a private contractor. All shelter and bench sites are approved by the County and local municipalities consistent with safety and spatial concerns in mind.

### Bus Stop Signs

All bus stop signs should indicate, at minimum, route number, route destination, and the Travel Information Center telephone number. New signs will be distributed starting with routes with the highest ridership numbers.

### Public Information

- Public timetables contain a route map, intermediate time points, fare and transfer information, and holiday schedule
- Bus information is obtainable by telephone and a representative or recorded message is available at all times
- Bus information is available on the NICE Bus website and can assist a the bus riders ability to reach their destination with the use of an interactive system map and trip planner

- Bus information is readily available technology for smartphones through the GoMobile app

NICE Bus will uphold equitable distribution of transit amenities. Subject to supply and demand, public timetables will be available to customers.

System-wide evaluations will be made annually. Customer satisfaction surveys will be conducted quarterly.

The transit amenity policy is designed to provide the framework for the distribution of amenities equitably throughout the system, targeting locations with the highest number of boarding passengers; and taking into account other factors such as transfers between routes and access to other modes of transportation.

In situations where the County has the authority and available resources to site new amenities at multiple bus stops, amenities will be programmed for placement at those stops or terminals based on a ranked score. The ranking is determined by the system-wide evaluations. Amenities may include, but are not limited to, shelters, seating, trash receptacles, and transit information displays. Rankings are based on total scores assigned to each candidate stop or terminal and are based on weighted factors, including passenger boardings, transfer opportunities, and access to major activity modes. While the ranking system will be used to program the installation of amenities, external factors (e.g., site limitations, regulations of local jurisdictions, etc.) may dictate that amenities be installed out of order or not at all.

## SERVICE CHANGE PROCESS

*NICE Bus has a well thought-out method for evaluating services and anticipated changes that is tied to the annual budget, yet is responsive to small market changes all year long.*

As part of the continuing evaluation of the performance of all routes and services and contemplation of service change proposals, moderate and major service changes are to be brought to the Travel Advisory Committee for approval once a year. Minor service changes are examined frequently and can be executed at each section pick.

The process comprises of the following attributes:

- Development of an Annual Service Budget Proposal
- A translucent procedure for evaluating service changes

- Accountability and flexibility in minor and major service change decisions
- An annual comparative assessment for major alterations

### **Annual Service Budget Proposal**

In support of the annual budget process, Planning & Scheduling creates an Annual Service Budget Proposal that recognizes budget needs for each service change type for the following year's finances. This is derived from an evaluation of the performance of all routes and the service change proposals received.

Once approved, the Annual Service Change Budget guides the service changes that will be assessed and executed over the budget year. The Service Change Budget includes allotments for various classifications of service changes such as enhancements, reductions and major, moderate, and minor service alterations.

### **Process Overview**

Requests for service alterations and new services can be proposed by anyone such as private citizens, elected officials, NICE Bus employees, employers, etc. It can also be an effect of ongoing monitoring and data compilation.

Minor and moderate service changes are assessed within Planning and Scheduling through the Service Change Committee and can be executed throughout the year, in agreement with section picks, with the exception of when Bus Transit Committee approval is necessary. Major service changes must undergo an annual review and may be executed only once a year. These changes affect the budget and vehicle requirements and necessitate approval from the Board.

Once the Committee obtains a proposal, it is screened to see if it warrants additional study or rejection. This necessitates a brief analysis.

## **SERVICE MONITORING AND REPORTING**

*Service monitoring and data compilation are essential elements of the service evaluation process. All services and routes are regularly reviewed to assess their performance and efficiency.*

### **Monitoring & Data Collection**

The two broad classifications of service monitoring activities are ridership monitoring and route/branch performance monitoring.

Through the monitoring of ridership and customer feedback, NICE is able to ensure that service frequency matches passenger demand. Data collection and analysis activities for this type of monitoring include point checks, ride checks, and analysis of AFC data. Monitoring ridership allows for an immediate response to demand changes.

Monitoring route performance confirms the efficiency of existing services with respect to their variable operating costs and usage. Data collection and analysis activities for performance monitoring include point checks, productivity analysis, and analysis of AFC and APC data.

Operations Analysis, Maintenance, and Planning & Scheduling all evaluate the service and work together in approving any changes being made in service.

### **Reporting**

Planning and Scheduling reports bus ridership and passenger entries at bus stops monthly. Bus routes are ranked using passengers per vehicle hour to emphasize productivity. Passenger entries are used to rank the performance of different routes. It serves as an initial screening method for investigating service improvements and associated expenses.

### **BUS DESIGN GUIDELINES**

When designing routes and making alterations to current routes, a balance is attempted between accessibility and reducing travel time. An objective is to control and reduce door-to-door travel time for all potential customers. Transit travel time factors for a particular trip are made up of four components:

1. Walk access: amount of time from when one leaves his/her starting point to the bus stop
2. Wait for service: timelapse (dwell time) waiting for a bus to depart
3. On-board: amount of time traveling on the bus, including delays
4. Walk distribution: amount of time to get to the destination point from the point where one got off the bus stop (sometimes referred to as the last mile)

### **Walking Distance to Service**

It is the transit authority's policy to provide service accessible to nearly all of the residents within the NICE Bus service area with a 1-mile walking distance during the weekday peak period. These walking distances increase during the midday, evenings, weekends, and owl periods due to a decrease in the level of passenger demand at these times and thus fewer

frequencies of service. Demand generators, such as shopping centers, factories, and schools that are not within a 1-mile walking distance to a bus route and have streets able to support bus service, will be considered for service if there is probable ridership.

### Stop Spacing – Local Service

When locations of stops are being considered for a route, it is essential to create a balance between customer convenience, results on average bus speed, and above all, safety. A stop is usually located at major cross-street intersections and/or major traffic generators. In most cases, stops will be approximately 1/4 mile apart, depending on neighborhood density.

### Travel Time

Routes should be designed to reduce on-board time, while taking into account customers' overall travel time. Short routes maximize operating efficiency, by allowing a better match of service levels to demand along certain zones of a street, but may lead to additional transfers. Long routes, where one-way running time exceeds 75 minutes, are more susceptible to schedule adherence problems, but will reduce the need for customers to transfer.

### Route Branch

A branch is a new route that departs from the main route to serve a different market. It shares a common trunk segment; it may or may not have the same route name and number. To keep service intervals even, trunk line buses are usually alternated between branches. This leads to the branch interval being two times that of the trunk. Routes 40/41, 70/71/72, and 78/79 are examples of a branch.

### Bus Route Deviation

Routes will be intended to operate as directly as possible, using key streets. A route deviation brings service closer to a trip generator, decreasing walk access travel time for customers to and from a location, thus making the route more attractive.

### Limited-Stop Service

A limited-stop service is one that stops only at major transfer points. It typically operates on the same street with local service, with the local route making all the stops.

### Express Service

Express service is considered where there is a significant market that is utilizing the route from the start point to the end point, and decreased travel time could be achieved by introducing an express portion. This targets our goal of increasing productivity. The express service draws customers (specifically commuters) from the local portion and therefore service intervals widen. It appeals to existing/new passengers who are sensitive to time, convenience and

comfort. NICE has an express service for routes N4, N6, N16, and N22 (represented by an X after the route number).

### Facilities Characteristics

Any roadway section anticipated for operations with buses must meet minimum design standards for safe operations:

- Minimum turning radius of 50 feet
- Street composition must adequately support bus weight
- Minimum lane width of 12 feet
- No speed bumps
- Overhead clearance of 14 feet

Utilization of local streets should be avoided, except as part of a terminal routing. Turnarounds and off-street stands should comprise a range of amenities such as operator restrooms, shelters, seating, and operational needs. Partnerships with primary beneficiaries of the service are encouraged to supply and help maintain these facilities.

### CALCULATING SERVICE COSTS

A fundamental component of service planning is factoring in the financial impacts of certain service proposals. Determining the costs for most service proposals, Planning will compute the estimated direct operational costs, known as the variable costs. Examples of variable costs are operator pay, fuel and light maintenance supplies.

#### **Variable Cost Estimates**

A straightforward variable cost model is used to calculate the overall operational cost effects of a service plan. A cost model is an estimating method that uses past expenditures for certain functions and divides them based on costs such as pay hours, platform hours or vehicle mileage.

In nearly all instances, the labor rate will be applied to the labor pay hours for a projected service change. NICE Bus uses platform hours as a substitute. NICE Bus bills Nassau County based on platform hours. The fuel, power and maintenance supply costs are all applied to the vehicle miles of the service proposal. Those costs are sensitive to distance traveled rather than time traveled.

In scrutinizing a service proposal, all aspects of the plan will be calculated to assure that there are no additional costs that should be incorporated in addition to the variable costs. An

example of this could be whether an additional administrator would be needed if NICE were to add on a new bus service. Also considered are administrative costs such as marketing and community outreach costs.

## NICHE MARKET SERVICES

### Introduction

NICE Bus recognizes that there are many advantages in operating niche market services. Such services assist NICE in entering new markets and intensifying ties to the community. Niche market services strengthen NICE's current bus route network and as a result helps provide greater mobility and access to demand generators such as schools and tourist attractions. This in turn, it would then improve the quality of transit in the NICE service area.

A niche market service is one that is open to the public but is targeted to a particular group with common characteristics. Examples of this are employers, residential areas, and universities. A niche market service must guarantee operating cost recovery in order to be successful.

### Mission

- Enter new markets and increase ridership
- Promote NICE as a key transportation option in the area
- Foster business relationships with private and non-profit business and organizations

### Goals

1. Expand markets and ridership
  - Enhance services that have potential for growth
  - Develop services in markets not already served or are indirectly served by transit
2. Seek a formidable fiscal position
  - Cover direct operating costs with farebox income
  - Make certain that cost recovery is well-suited with NICE's system-wide average variable cost recovery
3. Guarantee that the service is justified as a publicly operated service
  - Ensure that existing services are not negatively impacted by new niche services

### Types



There are several types of niche market service that NICE Bus provides/or is planning to operate.

- Employment Center Services: Special changes to existing bus service or additional service for a group of employers' shift alterations outside the downtown area. The highest priority is for low income workers and services tailored for large employment centers such as Industrial Parks, medical, and shopping centers.
- Downtown Services: Special supplementary service to existing routes or new routes to employer sites in the downtown area. Downtown shuttles could be presented with lower fares under subsidy arrangements.
- Institutional Services: New routes or alterations to existing routes or new routes for students and employees of institutions including universities and medical centers. Institutional services include special campus and/or shuttle services designed around institutional campuses.

#### **Process of Receiving and Choosing Requests for Niche Services**

1. Requests are received from employers, employment centers, agencies, or institutions via phone calls or letters.
2. Rank requests based on simplicity of execution, importance, readiness for execution, level of interest, practicability, capital and/or land acquisition requirements, forecasted productivity compared with other NICE Bus routes, and anticipated costs involved.
3. Choose requests for implementation based on forecasted efficiency, compliance with NICE Bus goals, and whether the change is a time-sensitive opportunity.

#### **Examples**

1. University Campus Service
  - Provide mobility within campus and major destinations; including express service to and from campus to the LIRR in order to offer seamless service.
  - Increase NICE Bus ridership in the market.
  - Establish U-Pass program to attract student ridership. If a university requests a service improvement, U-Pass could be used to subsidize the request.
2. Major Employers
  - Serve employees, including persons transitioning from welfare, more suitably at times with NICE Bus service is insufficient, inconvenient, and/or too distant, such as late at night.
  - If major job center exists outside of route, create branch to service.

- When branch is not an option, create a shuttle.

### **Pricing Subsidized Bus Services**

When attempting to create a niche service, NICE Bus looks to cover direct operating costs by means of farebox revenue. NICE Bus will enter into contractual agreement with third parties, such as non-profit organizations and businesses, and in this agreement the third party will present full or partial revenue guarantee to a particular bus service.

In a subsidized service, as long as the service stays open to the general public, NICE Bus is not obligated to charge the charter rate. NICE Bus can design its contracts to attain performance goals based on market progress, social equity and revenue-enhancement ambitions to NICE.

*In pricing these services:*

1. Employees will compute the operational costs of the service, based on the service design and the variable cost model that comprises of operator pay, fuel, light maintenance parts, and continuing costs directly related to the service, such as marketing.
2. Farebox revenues should cover the routes' variable costs. The average bus variable cost recovery is intended for the entire bus system and is used as a benchmark for niche services.
3. All niche services will be experimental at first to ensure that they meet NICE Bus goals. Services will be examined consistent with fixed-route service standards.

### **Implementation Issues**

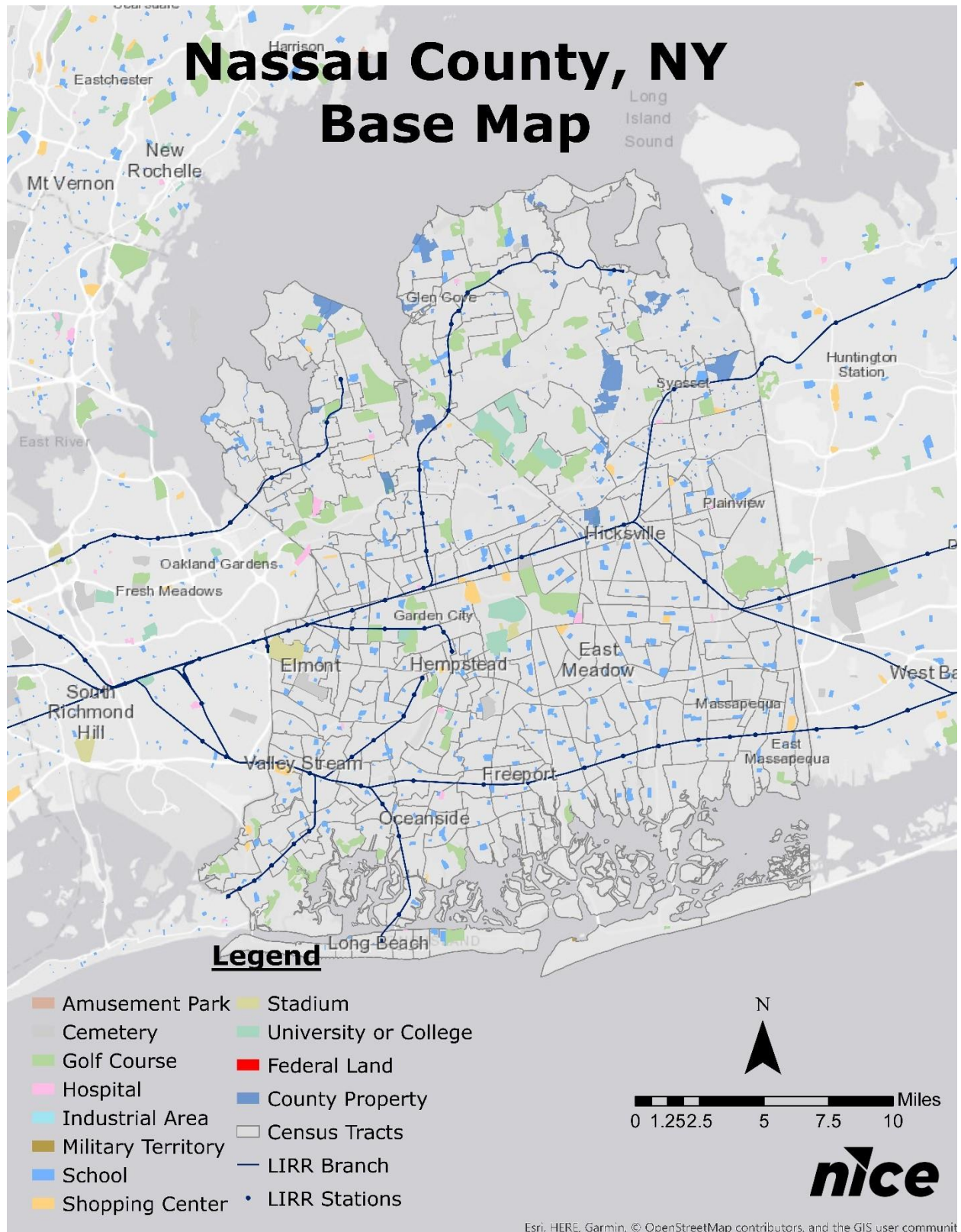
Niche services may be implemented on an experimental basis. The new service will be examined and assessed after completions in order to conclude if the service meets ridership and productivity expectations. Special vehicles or special paint design on vehicles for service may entail an additional charge to the person or organization requesting the service. An agreement between NICE Bus and the requesting entity outlines the essential operating and subsidy arrangements.

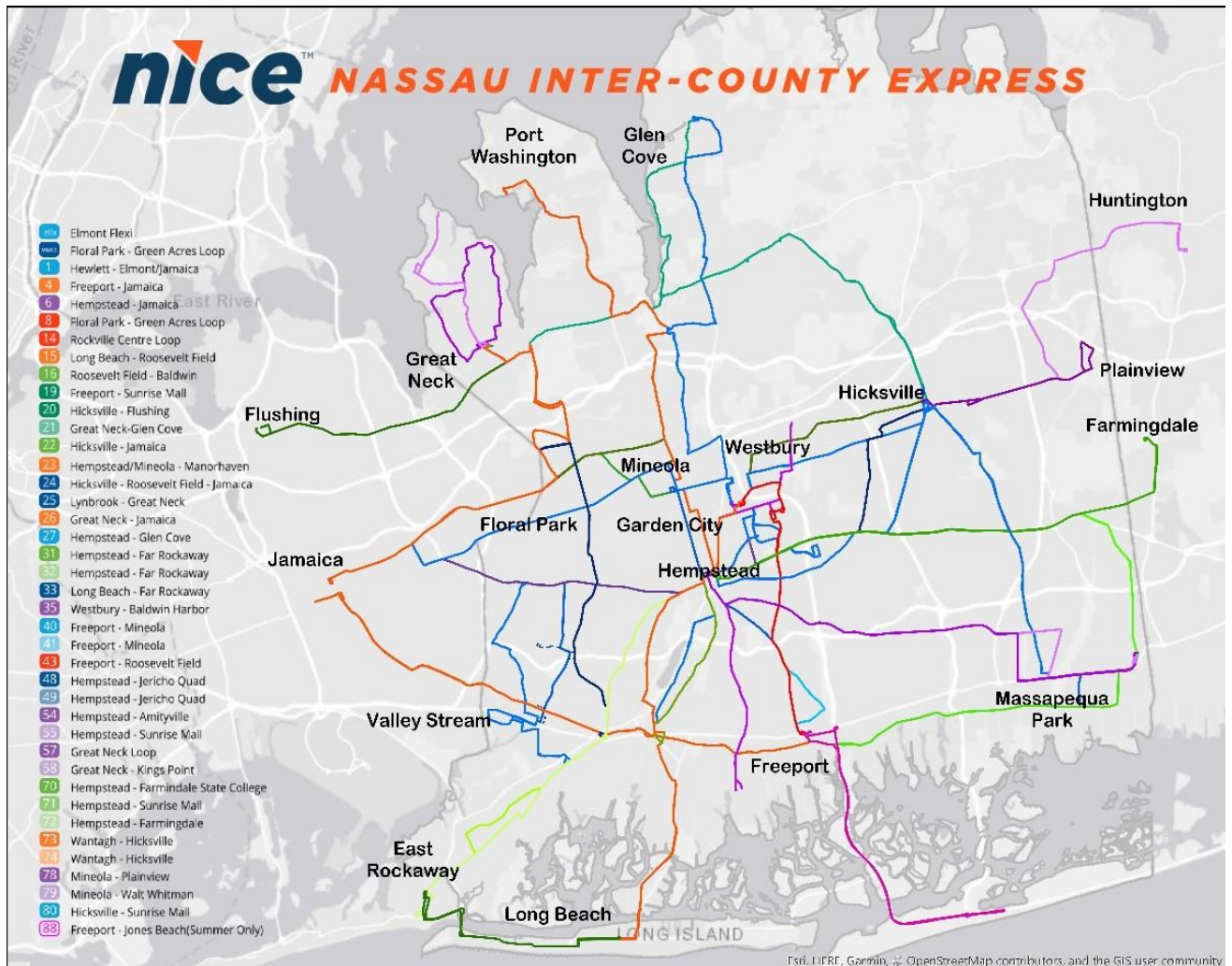
## **Section IV-A: Demographic Maps & Service Profiles**

On April 8, 2012, a major service redesign project was put into place. Most of the 40 routes operated by the previous operator, Long Island Bus, an arm of the Metropolitan Transportation Authority, were affected in some way. Many had schedule changes and adjustments implemented which adapted them to current ridership, running time, and traffic conditions and improved transfer opportunities between NICE routes and between NICE and other carriers, principally the Long Island Rail Road. Some routes saw increases in vehicle hours and miles and others saw decreases. Care was taken to stop short of the 25% threshold in order to implement the change expeditiously and with a minimum of disruption to passengers and to Nassau County government.

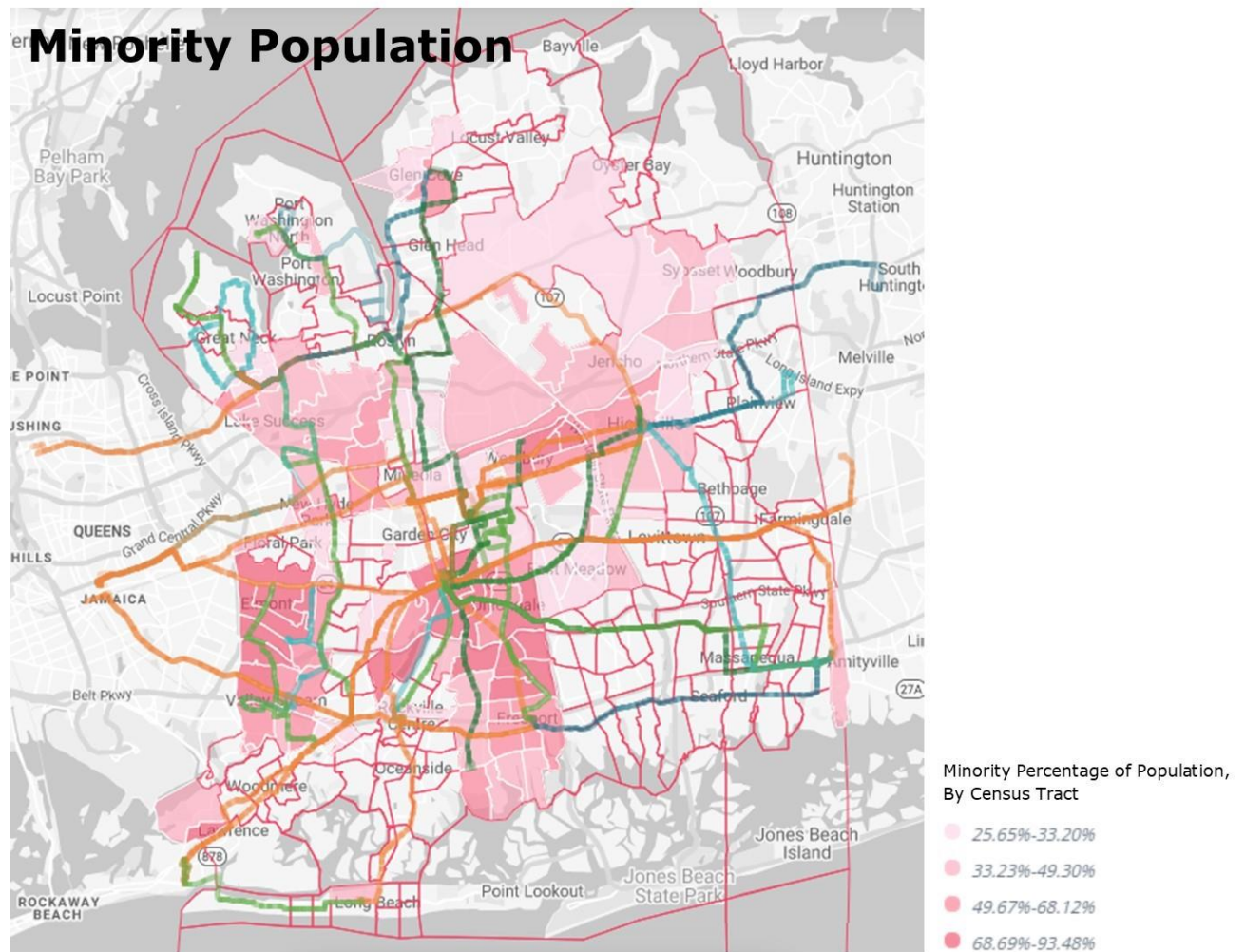
Additionally, NICE Bus has been utilizing every opportunity to continually improve the customer service experience. During the summer of 2021, NICE Bus ran a pilot that expanded the n88 Jones Beach service to include service to Hempstead Transit Center. The intention behind this expansion was to create easier access to Jones Beach by connecting to a major hub where multiple transfers are available. Based on customer feedback, NICE learned that the customers appreciate an easier travel to Jones Beach from the expansion.

Demographic maps were prepared in 2021, using demographic data from 2019 and 2020, and are presented within this report for informational purposes.

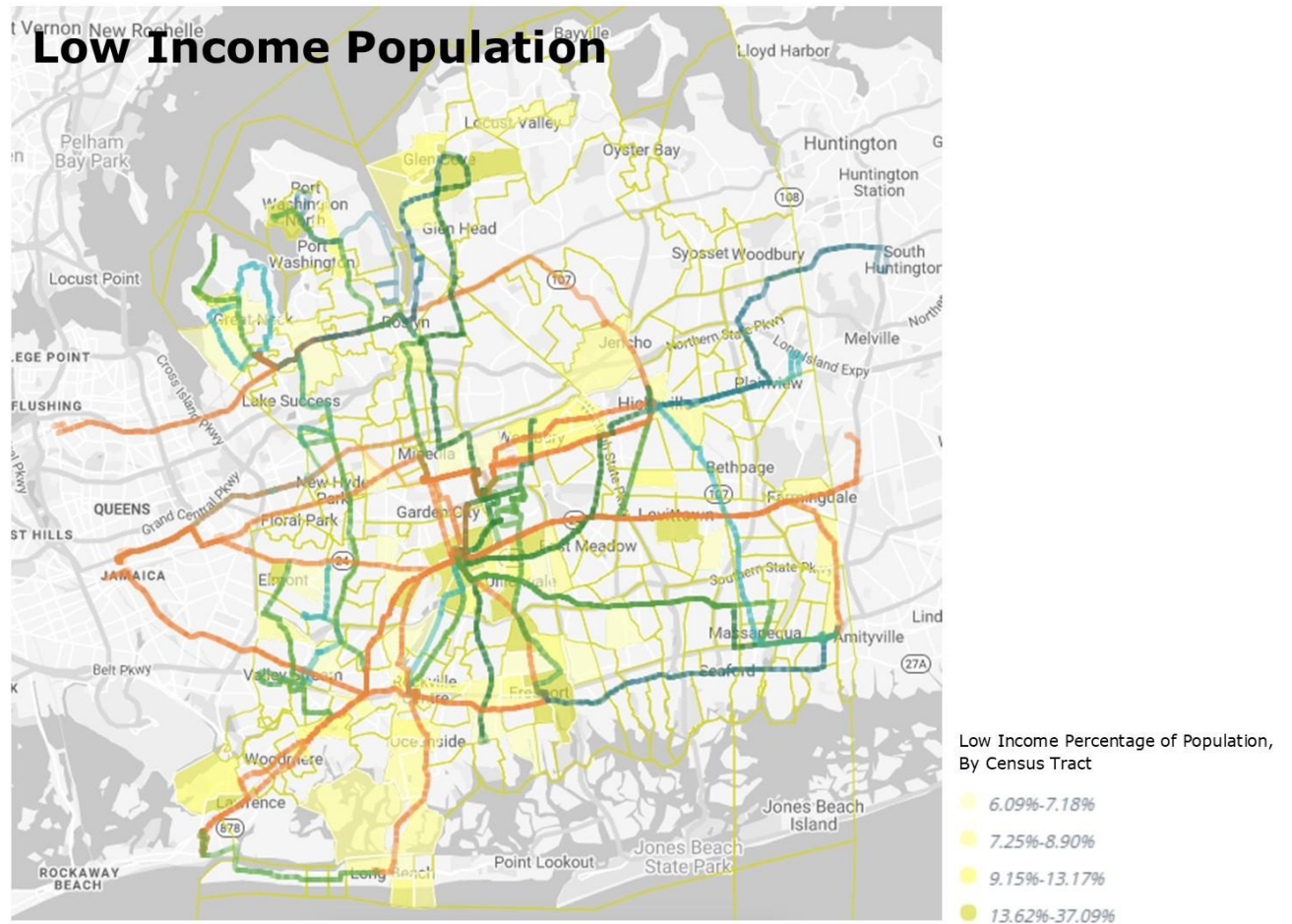






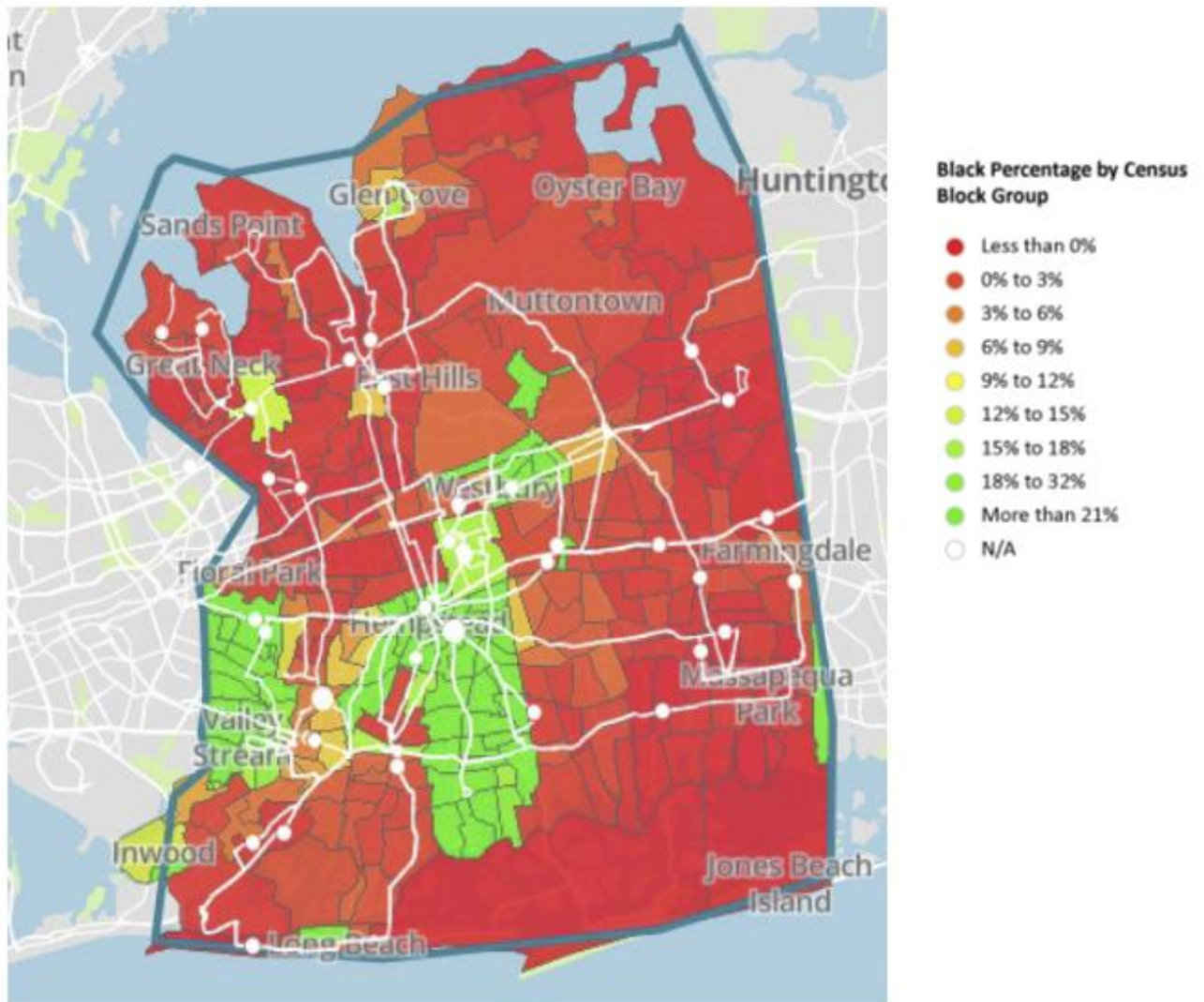


Source: **U.S. Census 2019 ACS 5-Year Estimates**



Source: **U.S. Census 2019 ACS 5-Year Estimates**

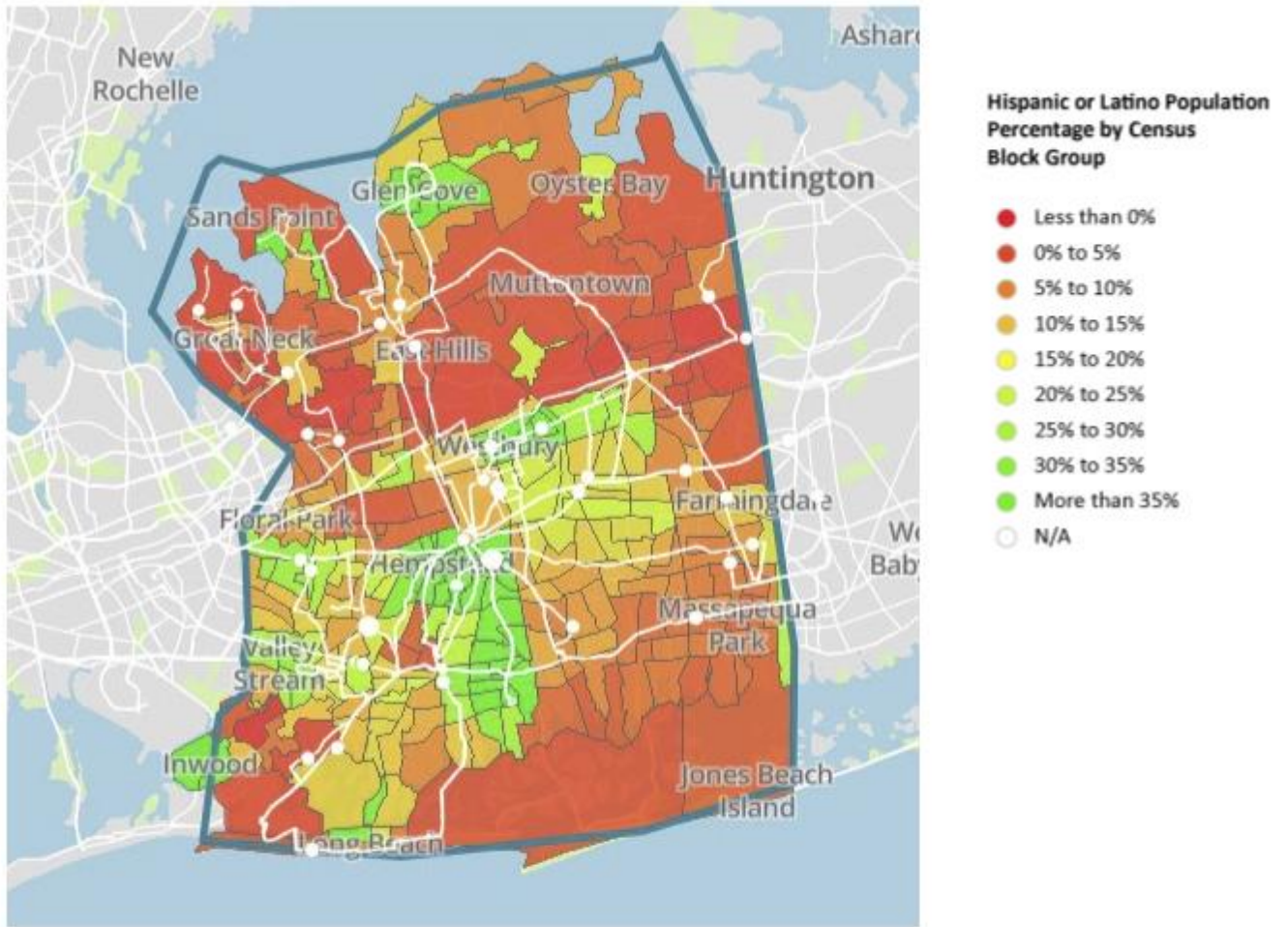
AFRICAN AMERICAN POPULATION



2020 American Community Survey Decennial Survey  
Nassau County, New York: Population: Black/African American  
<https://data.progress-index.com/census/total-population/black-population/nassau-county-new-york/050-36059/#cmap>



## HISPANIC / LATINO POPULATION

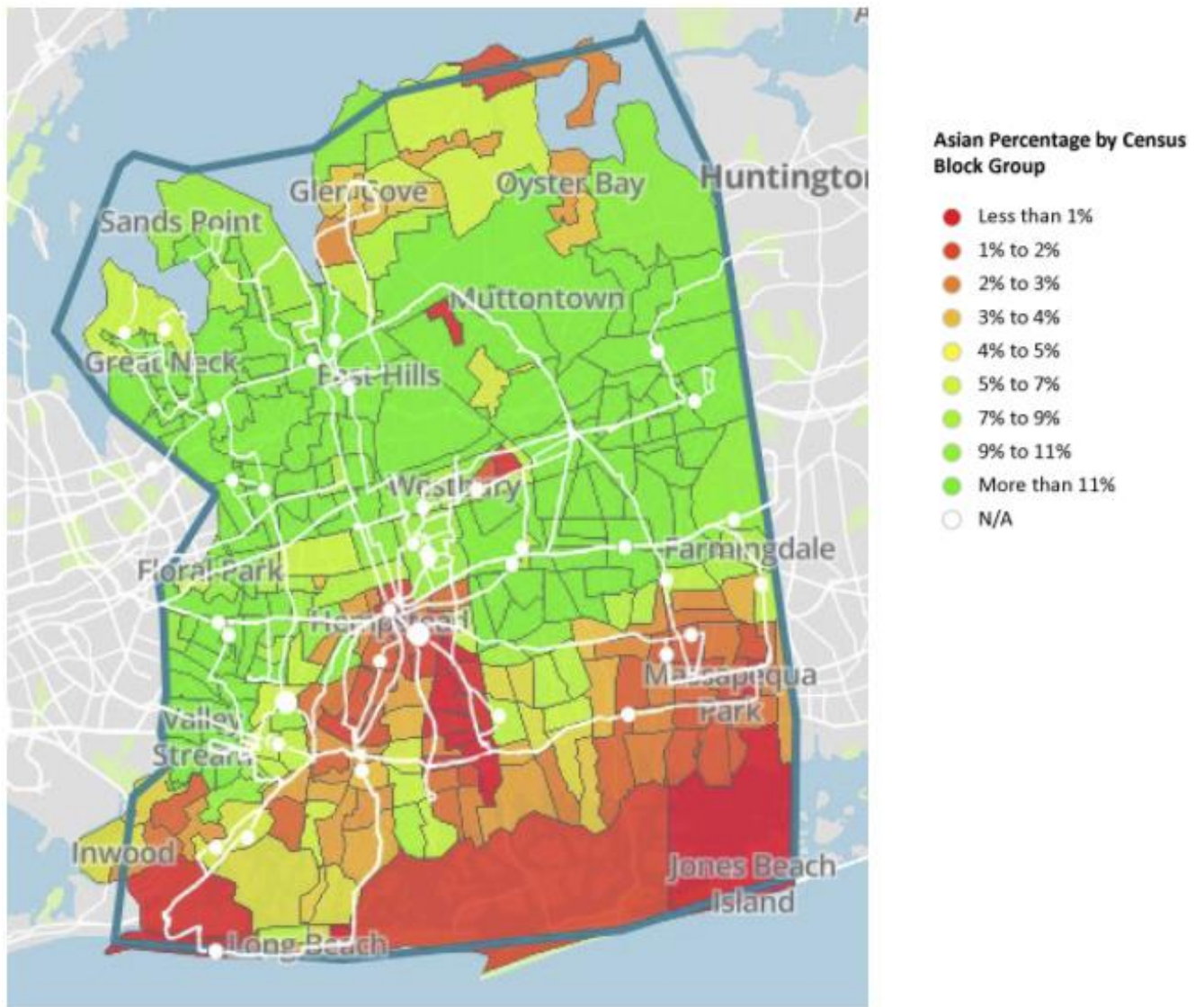


2020 American Community Survey Decennial Survey

Nassau County, New York: Population: Hispanic

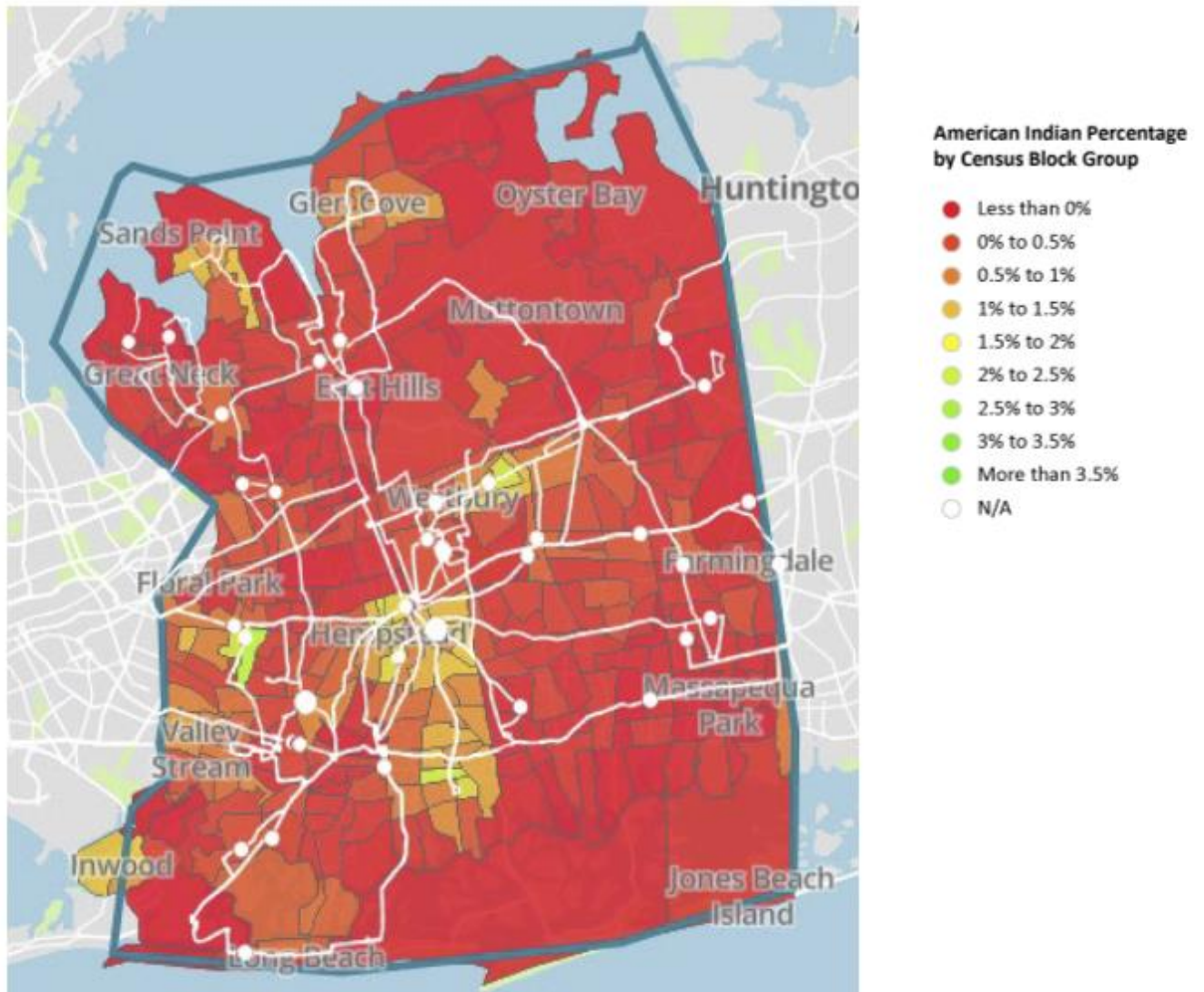
<https://data.progress-index.com/census/total-population/hispanic-population/nassau-county-new-york/050-36059/#cmap>

ASIAN POPULATION



2020 American Community Survey Decennial Survey  
Nassau County, New York: Population: Asian  
<https://data.progress-index.com/census/total-population/asian-population/nassau-county-new-york/050-36059/#cmap>

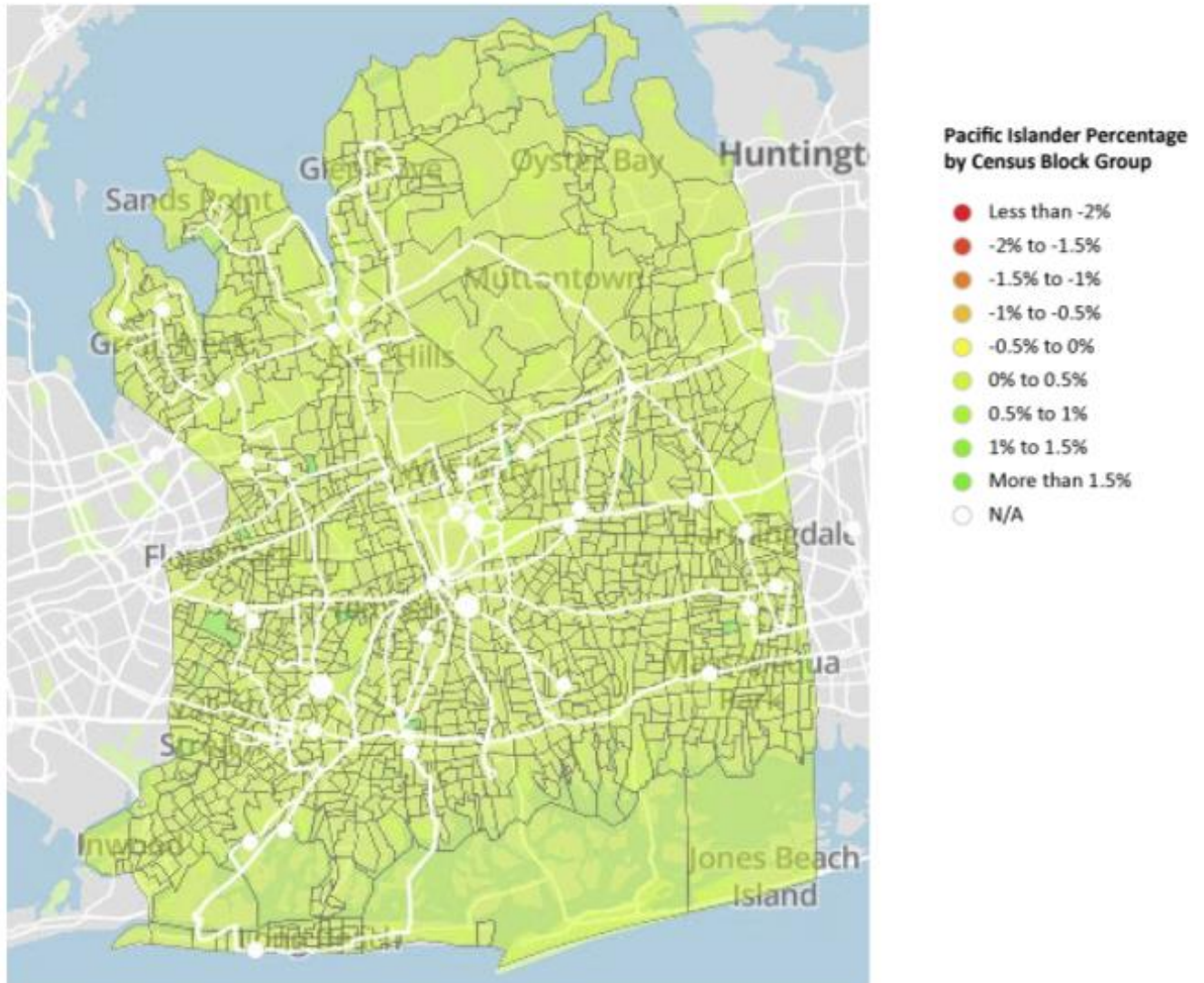
AMERICAN INDIAN POPULATION



2020 American Community Survey Decennial Survey  
Nassau County, New York: Population: American Indian/Alaskan Native  
<https://data.progress-index.com/census/total-population/indian-population/nassau-county-new-york/050-36059/#cmap>

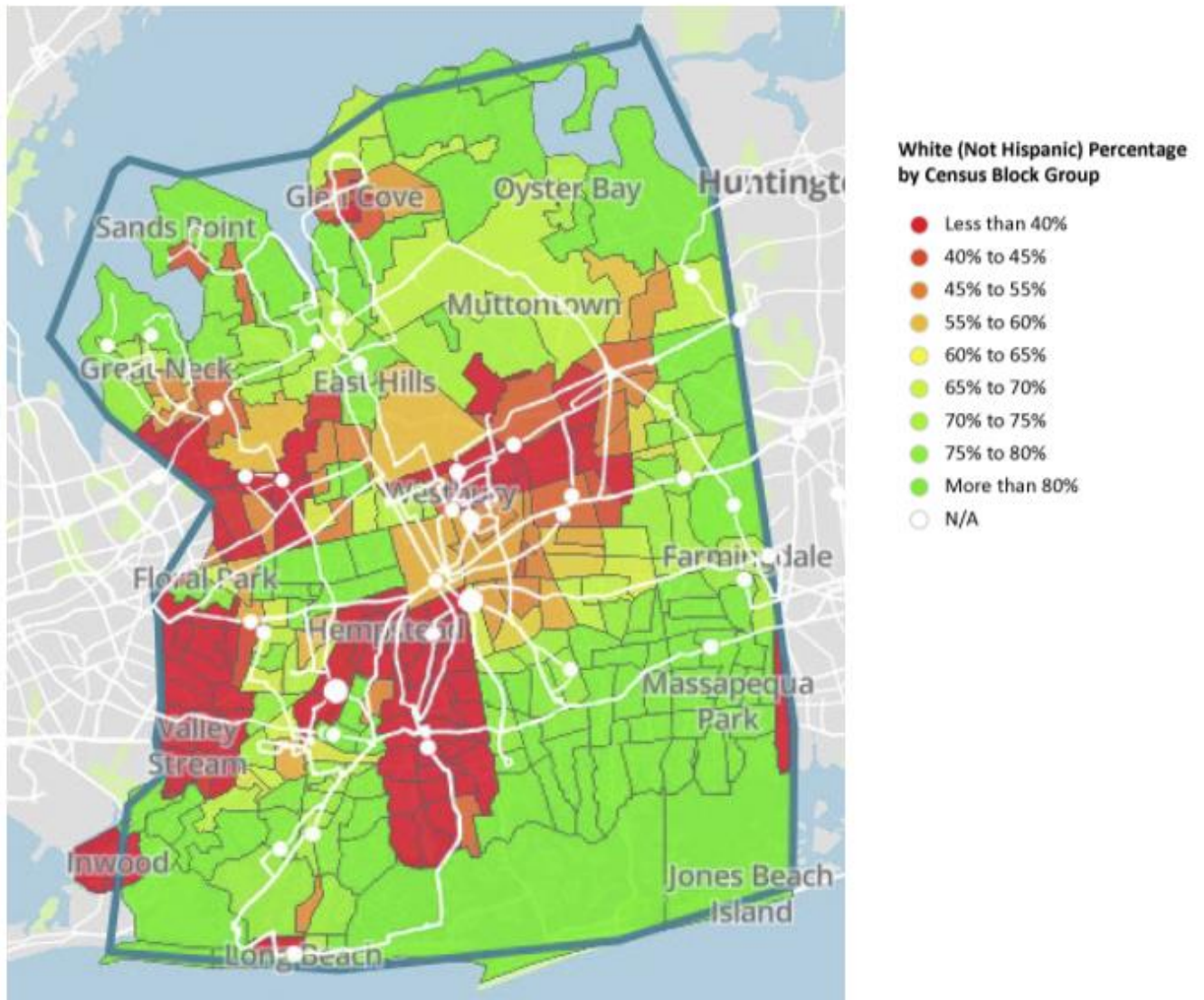


PACIFIC ISLANDER POPULATION



2019 American Community Survey 5-Year Estimates  
Nassau County, New York: Population: Native Hawaiian/Pacific Islander  
<https://data.progress-index.com/american-community-survey/nassau-county-new-york/population/islander/num/05000US36059/>

CAUCASIAN POPULATION



2020 American Community Survey Decennial Survey  
Nassau County, New York: Population: American Indian/Alaskan Native  
<https://data.progress-index.com/census/total-population/not-hispanic-white/nassau-county-new-york/050-36059/#cmap>

## Section IV-B: Survey Results of Demographic Ridership & Travel Patterns

In 2021, a 29-question onboard survey of riders using the Nassau Inter-County Express (NICE) fixed-route bus service was completed. The purpose of the survey was to develop a profile of travel and demographic characteristics of NICE fixed-route customers to ensure compliance with federal reporting requirements. The survey instrument was designed to capture the following information:

- **Travel patterns** and behavior, including why NICE riders select transit, how they access transit services, how they reach their final destination, how frequently they ride, what fare media they use, and incidence of transfer.

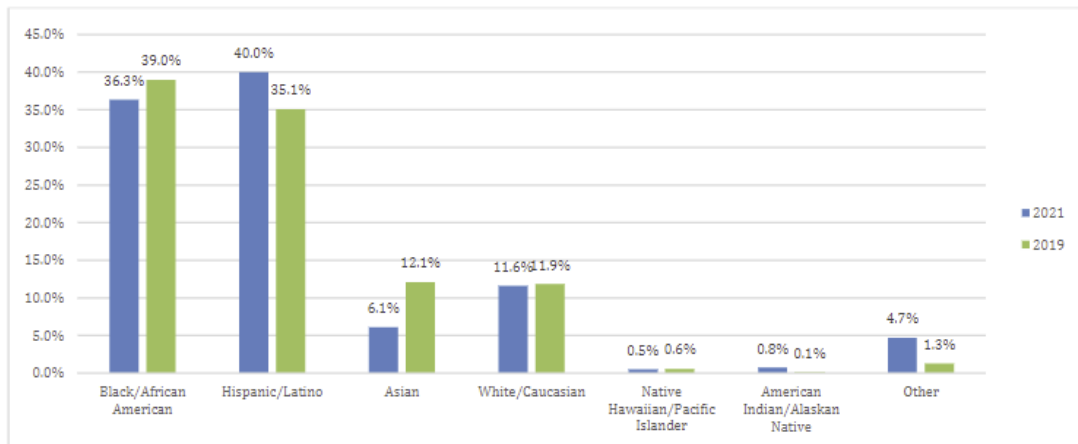
- **Rider demographics**, including race, gender, ethnicity, English proficiency, household income, and vehicle availability (such demographic information is necessary to address Title VI reporting requirements).

All routes were surveyed individually and all customers boarding were offered the opportunity to complete the survey. A sample of 7,998 responses was received. This sample reflects statistical accuracy of 95 percent and a  $\pm 1.1$  percent margin of error at the system level. Further, sufficient surveys were collected to ensure individual route sampling targets achieved a confidence level of not less than 95 percent and no greater than a  $\pm 5$  percent for routes with more than 750 daily boardings.

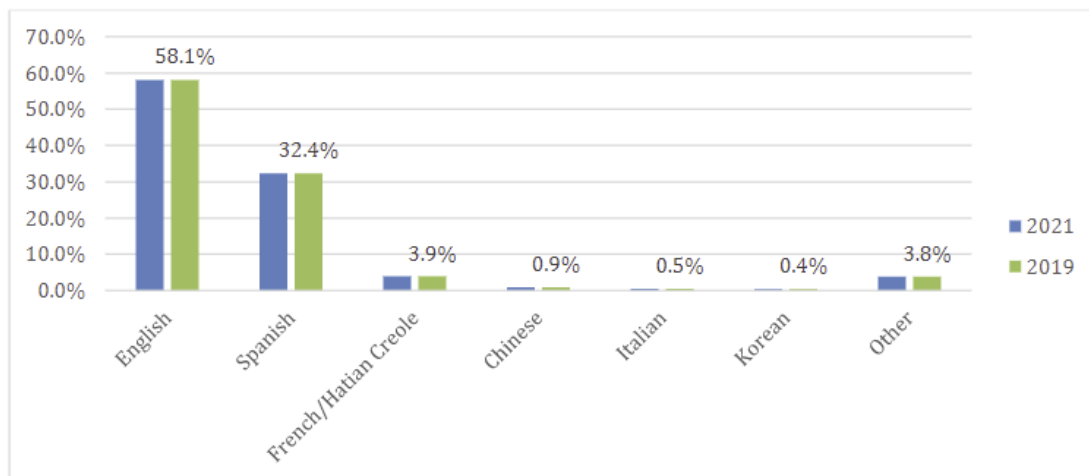
The charts below illustrate a sample of the systemwide results of the survey.

## Title VI 2022 Program Update

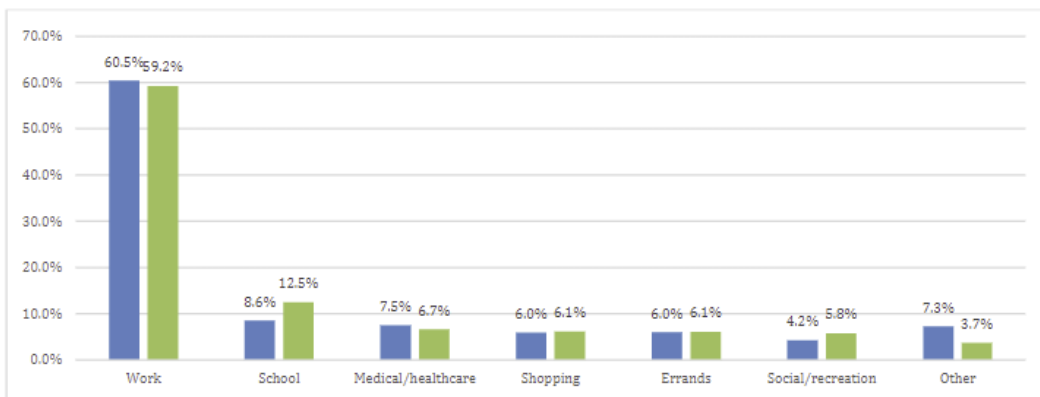
### ETHNICITY SURVEY RESULTS



### LANGUAGES SPOKEN RESULTS



### PURPOSE OF TRIP RESULTS



## Section IV-C: Service Monitoring Program, Report & Approval

### REQUIREMENT TO MONITOR TRANSIT SERVICE

Recipients are to adopt service standards describing the design and performance of transit routes and to then perform analyses of “Minority Transit Routes” versus non-minority routes comparing the degree to which the standards are met. Nassau County’s Bus Transit Committee adopted service standards on December 18, 2012. There are 6 standards which are described briefly here:

- **OTP** - All routes are measured for On-time Performance with a minimum goal of 75%. OTP is currently measured using Clever Devices which capture real-time data, providing NICE with up-to-the-minute performance numbers. OTP = up to 5 minutes late or up to 1 minute early.
- **Span of Service** - Routes identified as “key routes” are to operate for at least 14 hours a day between the commencement of the first morning trip and the conclusion of the last trip in the evening. Routes identified as “Suburb Routes” will operate for a span of at least 6 hours.
- **Frequency of Service** - Key routes are to average a frequency of no greater than 30 minutes during the day and Suburb Routes no greater than 60 minutes between trips.
- **Vehicle Load** Buses operating during peak hours are to carry no more than 150% of seated capacity and during the off-peak hours and on weekends no more than 125%. Seated capacity is 41 on the newest buses.
- **Vehicle Assignment** - To the extent that buses vary in material ways that affect passenger experience, buses are to be distributed equitably between Minority and non-minority routes. NICE has only two kinds of buses and the only material differences are floor height and mobility device access method.
- **Distribution of Transit Amenities** - Non-vehicular elements of riders’ experience such as stop spacing, signage, shelters, and information resources are to be distributed equitably between minority and non-minority routes.
- **Service Accessibility** It is the policy of NICE Bus to have service accessible to nearly all of the residents in the service area within a 1-mile walking distance during the weekday peak period. These walking distances increase during the midday, evenings, weekends, and owl periods due to a decrease in the level of passenger demand at these times and thus fewer frequencies of service.



## VEHICLE ASSIGNMENT

NICE Bus does not currently run vehicle specific routes. All vehicles, including new vehicles are randomly assigned each pull out. This ensures a random and fair distribution of the fleet throughout the system without regard to route.

## ON-TIME PERFORMANCE

### Minority Routes

<u>Routes</u>	<u>OTP</u>
n4	91%
n6	87%
n15	94%
n31	87%

### Non-Minority Routes

<u>Routes</u>	<u>OTP</u>
n20	87%
n23	87%
n54	84%
n70	89%
n80	90%

Data collected through Clever Devices daily for the period of October 2021 to December 2021. OTP is the average of all rides taken during this period per route. A trip is considered on time when it arrives up to 5 minutes late and 1 minute early.

## SPAN OF SERVICE

### Minority Routes Mon-Fri

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n4	24h	
n6	24h	
n15	4AM-2AM	22h
n31	4AM-1AM	21h

### Non-Minority Routes Mon-Fri

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n20	4:30AM-12:30AM	20h
n23	5:30AM-11:30PM	18h
n54	4AM-11:30PM	19.5h
n70	4AM-12:30AM	20.5h
n80	6AM-8:30PM	14.5h

### Minority Routes Sat-Sun

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n4	24h	
n6	24h	
n15	6AM-1AM	19h
n31	5AM-12AM	19h

### Non-Minority Routes Sat-Sun

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n20	5AM-12:30AM	19.5h
n23	6AM-10:30PM	16.5h
n54	5:30AM-11:30AM	18h
n70	5AM-12AM	19h
n80		

As demonstrated above, span of service is equitable across both minority and non-minority routes and, in general, falls within our overall system plan of 14 hours.

## HEADWAY COMPARISONS

### Minority Routes

<u>Routes</u>	<u>Begin</u>	<u>End</u>	<u>Peak</u>	<u>Base</u>	<u>Peak</u>	<u>Night</u>	<u>Sat</u>	<u>Sun</u>
n4	24 Hours		10	15	12	20	20	25
n6	24 Hours		10	15	10	20	15	15
n15	4AM	2AM	15	15	15	30	15	30
n31	4AM	1AM	9	30	15	40	25	32

### Non-Minority Routes

<u>Routes</u>	<u>Begin</u>	<u>End</u>	<u>Peak</u>	<u>Base</u>	<u>Peak</u>	<u>Night</u>	<u>Sat</u>	<u>Sun</u>
n20	4:30AM	12:30AM	10	15	12	30	20	30
n23	5:30AM	11:30PM	30	60	30	60	60	60
n54	4AM	11:30PM	30	30	30	30	45	60
n70	4AM	12:30AM	10	30	15	60	40	40
n80	6AM	8:30PM	65	90	90	90		

As demonstrated above, headways for both minority and non-minority routes fall within our guidelines.

## Title VI 2022 Program Update

### AVERAGE CUSTOMER LOADS

#### Monday – Friday

##### Minority Routes

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n4	28	0	28
n6	25	0	25
n15	16	0	16
n31	21	0	21

##### Non-Minority Routes

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n20	17	0	17
n23	16	0	16
n54	17	0	17
n70	18	0	18
n80	6	0	6

#### Saturday – Sunday

##### Minority Routes

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n4	23	0	23
n6	24	0	24
n15	17	0	17
n31	17	0	17

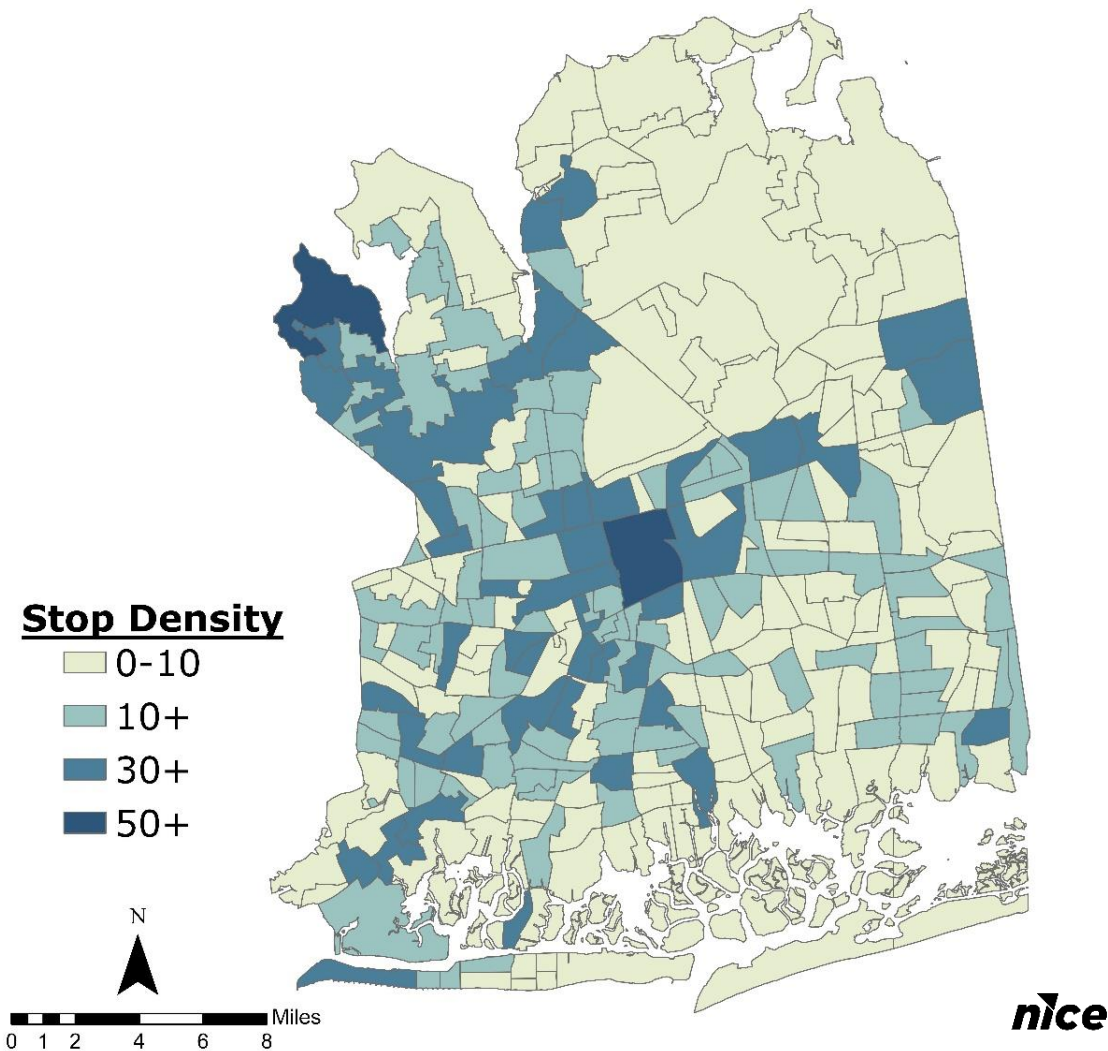
##### Non-Minority Routes

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n20	15	0	15
n23	15	0	15
n54	14	0	14
n70	16	0	16
n80			

As demonstrated above, average Customer loads fall within our guidelines and are equitable for both groups. Ridership samples were taken from September, 2021 and reflect the continued effects of the Covid-19 pandemic.

## SERVICE ACCESSIBILITY

It is NICE Bus policy to have service accessible to nearly all of the residents in the NICE Bus service area within a 1-mile walking distance during the weekday peak period. These walking distances increase during the midday, evenings, weekends, and owl periods due to a decrease in the level of passenger demand at these times and thus fewer frequencies of service.



The map above demonstrates stop density as it relates to various communities throughout Nassau County. Nassau County has approximately 4000+ stops with almost all falling within a half-mile of most residents which achieves our overall system goal and is equitable for both minority and non-minority residents.

## DISTRIBUTION OF TRANSIT AMENITIES

Bus stops are spaced throughout the County at no more than ¼ of a mile in either direction.

<u>Route</u>	<u>Direction</u>	<u>Minority Route</u>	<u>Avg Spacing</u>	<u>Service Standard</u>	<u>Compliant</u>
n6	East	Yes	0.22	0.25	Yes
n6	West	Yes	0.25	0.25	Yes
n4	East	Yes	0.25	0.25	Yes
n4	West	Yes	0.24	0.25	Yes
n19	East	No	0.20	0.25	Yes
n19	West	No	0.20	0.25	Yes
n24	East	Yes	0.23	0.25	Yes
n24	West	Yes	0.23	0.25	Yes
n15	North	No	0.24	0.25	Yes
n15	South	No	0.24	0.25	Yes

As shown above, the stop locations are set within the guidelines discussed in this document and are equitable across both groups.

NICE Bus does not control, own or maintain various bus shelters found throughout Nassau County as many are overseen by individual municipalities.

## ANALYSIS & MITIGATION

Service Standards are fully met on all routes including Minority Transit Routes, thus no mitigation measures are required at this time. NICE services on certain routes are heavily used and, though the Vehicle load standard is not violated, NICE is cognizant of the intense usage of certain lines and continues to look for ways to add service to over crowded routes, including the use of articulated buses.

PROOF OF APPROVAL OF MONITORING OF SERVICE STANDARDS

NICE Bus, operated by Transdev Services, on behalf of Nassau County has carried out monitoring of service standards as required by Title VI of the Civil Rights Act of 1964 and the implantation guidelines under circular 4702.1B

To my knowledge and belief, all data is correct and true:

A handwritten signature in black ink, appearing to read "Jack Khzouz". The signature is written in a cursive, flowing style.

Jack Khzouz – CEO NICE Bus

## Section IV-D: Public Engagement Process for Major Service Changes

NICE and Nassau County are committed to engage the public in a meaningful way (including receipt and consideration of the public's comments on the draft Title VI Program for NICE Bus operations) prior to approval of the Program (that is, prior to approval of the Program by Nassau County Executive).

NICE in conjunction with Nassau County followed the following process to engage the public in the review/comment of the Title VI Program and all its elements.

Notices were posted during March 2022, in a variety of media (NICE and Nassau County websites, NICE Facebook page, in local newspapers, on buses and transit centers (Hempstead Transit Center, Roosevelt Field, Hicksville and Mineola) advising the public of the following:

- That a draft Title VI Program for NICE Bus had been developed;
- That the draft Title VI Program was available for public review;
- That the Program was to be subject to final approval by the County Executive;
- That the public was invited to file comments in writing to Transdev and the County Executive by the end of March allowing sufficient time for receipt and consideration of the comments before the Program was reviewed for approval.

### MAJOR SERVICE CHANGE POLICY

All major increases or decreases in transit service are subject to a Title VI Equity Analysis prior to approval of the service change. A Title VI Equity Analysis completed for a major service change must be presented to the Bus Transit Committee for its consideration and included in the NICE Title VI Program with a record of action taken by the BTC.

A major service change is defined as:

- A reduction or increase of 25 percent or more in total vehicle revenue miles or hours in service on any specific route. The following service changes are exempted:
- Changes to a service on a route with fewer than 10 total trips in a typical service day are not considered "major" unless service on that route is reduced or increased by 50 percent or more in total vehicle revenue miles or hours.

The introduction or discontinuation of short- or limited-term service (e.g., promotional, demonstration, seasonal or emergency service, or service provided as mitigation or diversions for construction or other similar activities), as long as the service will be/has been operated for no more than twelve months. NICE-operated transit service that is replaced by a different mode or operator providing a service with the same or better headways, fare, transfer options, a span of service, and stops.

### REGULATORY REQUIREMENTS

As stated in the Major Service Change Policy, all major increases or decreases in transit service must be presented to the Bus Transit Committee for its consideration. Nassau Inter-County Express (NICE) during its annual system-wide evaluations will identify any necessary changes.

NICE in accordance with Title VI regulations, will assess whether the needed changes will constitute a change that meets the category of “Major Service Change”. If the changes will be Major, NICE will conduct the proper analysis to make sure that the changes are implemented in a non-discriminatory manner with respect to both the minority and income status of riders.



## Section IV-E: Disparate Impact Policy

This policy establishes a threshold for determining whether a given action has a disparate impact on minority populations. Per FTA Circular 4702.1B:

*Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exist one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin...*

The policy shall establish a threshold for determining when adverse effects of fare/service changes are borne disproportionately by minority populations. The disparate impact threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by minority populations compared to impacts borne by nonminority populations. The disparate impact threshold must be applied uniformly... and cannot be altered until the next Title VI Program submission.

In the course of performing a Title VI Equity Analysis, NICE will analyze how the proposed action would impact minority as compared to non-minority populations. In the event, the proposed action has a negative impact that affects minorities more than non-minorities with a disparity that exceeds the adopted Disparate Impact Threshold, or that benefits non-minorities more than minorities with a disparity that exceeds the adopted Disparate Impact Threshold, NICE will evaluate whether there is an alternative that has a more equitable impact. Otherwise, NICE will take measures to mitigate the impact of the proposed action on the affected minority population and demonstrate that a legitimate business purpose cannot otherwise be accomplished and that the proposed change is the least discriminatory alternative.

The Disparate Impact Threshold to determine if the adverse impacts of a major service change (as defined in the first part of this document) or a fare adjustment is established at **20 percent** based on the cumulative impact of the proposed service and/or fare changes. This threshold applies to the difference of the impacts borne by minority populations compared to the same impacts borne by non-minority populations.

## Section IV-F: Disproportionate Burden Policy

This policy establishes a threshold for determining whether a given action has a disproportionate burden on low-income populations versus non-low-income populations. The Disproportionate Burden Policy applies only to low-income populations that are not also minority populations. Per FTA Circular 4702.1B:

*The policy shall establish a threshold for determining when adverse effects of fare/service changes are borne disproportionately by low-income populations. The disproportionate burden threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by low-income populations as compared to impacts born by non-low-income populations.... The disproportionate burden threshold must be applied uniformly... and cannot be altered until the next [Title VI] program submission.... At the conclusion of the analysis, if the transit provider finds that low-income populations will bear a disproportionate burden of the proposed fare/service change, the transit provider should take steps to avoid, minimize, or mitigate impacts where practicable. The transit provider should describe alternatives available to low-income populations affected by the fare/service changes.*

NICE's Disproportionate Burden Threshold is used to determine if the adverse impacts of a major service change (as defined in the first part of this document) or a fare adjustment is established at **20 percent** based on the cumulative impact of the proposed service and/or fare changes. This threshold applies to the difference of the impacts borne by low-income populations compared to the same impacts borne by non-low-income populations.

## Section IV-G: Service & Fare Equity Analyses (SAFE) Since 2019 Program Update

NICE has not undertaken any major service changes since the 2019 Program Update. In response to the Covid-19 pandemic, NICE did implement emergency, temporary service changes as outlined below.

### COVID-19 IMPACT & RESPONSE

In early 2020, the effects of the COVID-19 pandemic began to be felt throughout Nassau County and the rest of the country. In mid-March the New York Governor implemented a stay-at-home order, bringing many parts of everyday life to a halt. This caused a sharp drop in NICE Bus ridership almost overnight, as indicated below:

<u>March 2020</u>	<u>Average Daily Riders</u>
Mon 3/2 – Fri 3/6	73,913
Mon 3/23 – Fri 3/27	22,193 (70% decrease)

### **Temporary Emergency Service Reduction: April 5 – June 28, 2020**

Due to the severe drop in ridership and to shortages in operator availability from the pandemic, NICE Bus implemented a temporary emergency reduced service schedule on Sunday, April 5, 2020. The reduced service was based on a regular Saturday schedule. Additional service (at near regular Weekday levels) was added on routes which normally did not operate on Saturdays including n16, n19, n27, n57, n80, ELFX, MMCS and PWS. This ensured that all routes continued operating during the temporary period of reduced service.

Further, social distancing was implemented onboard vehicles, reducing the maximum load desired to 20-25 passengers at one time. NICE monitored ridership on a weekly basis and added supplemental runs to routes whose trips regularly exceeded the new maximum loads of 20-25.

As the initial chaos of the pandemic began to subside, and adequate health and cleaning protocols were established, NICE reverted back to a full service schedule Sunday, June 28, 2020, twelve (12) weeks after the emergency reduced service schedule was implemented.

### **Fare Collection Suspension**

To reduce employees' exposure to COVID-19, NICE implemented a rear door-only boarding policy for passengers on March 23, 2020. Passengers requiring a ramp and/or using a mobility device were still permitted to board from the front door. To accommodate the majority of passengers boarding from the rear door, the collection of fares was temporarily suspended. Fare collection, and front-door boarding resumed on June 28, 2020, after additional protective measures could be implemented.

### **Health & Safety Protocols**

To protect passengers and employees from exposure to COVID-19, NICE Bus implement several proactive safety measures, including:

- Equipping all employees with masks, gloves, wipes and other PPE
- Reducing capacity to enable social distancing onboard vehicles
- Installing plastic barriers to cover the vehicle's operator compartment
- Screening body temperatures of all employees reporting for work
- Implementing one-way only directional paths in NICE offices
- Launching campaigns to remind employees to wash hands and keep clean
- Encouraging NICE use for essential trips only during stay-at-home order

### **Real-Time Crowding Information**

In fall of 2020, to help essential workers utilize public transit with greater confidence once the most severe stay-at-home orders had been lifted, NICE implemented a real-time crowding information display in our mobile app and third party transit apps. This functionality shows passengers who are waiting for a bus approximately how crowded the vehicle is before it arrives. If two vehicles are traveling close together, for example, the passenger may choose to board the vehicle which is less crowded, helping to continue facilitating social distancing onboard.

## Appendix V-1: Title VI Complaint Form (English)

### Title VI Complaint Form



<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Other				
Date of Alleged Discrimination (Month, Day, Year):				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
<b>Section IV</b>				
Have you previously filed a Title VI complaint with this agency?			Yes	No

<b>Section V</b>	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, check all that apply: <input type="checkbox"/> Federal Agency _____ <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Agency _____ <input type="checkbox"/> State Court _____ <input type="checkbox"/> Local Agency _____	
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name: _____	
Title: _____	
Agency: _____	
Address: _____	
Telephone: _____	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

\_\_\_\_\_  
Signature Date

Please submit this form in person at the address below, or mail this form to:

NICE BUS  
 700 Commercial Avenue  
 Garden City, NY 11530  
 Attn: Customer Service

## Appendix V-2: Title VI Complaint Form (Spanish)



### TITLE VI NOTICE TO THE PUBLIC

#### SPANISH

#### Transdev /NICE Bus Respeta Los Derechos Civiles

Transdev Inc. opera y mantiene el servicio de bus y paratransito NICE (Nassau Inter-County Express), este servicio se presta a todos sin importar su raza, color, país de origen, religión, genero, orientación sexual, estado marital, edad o discapacidad, de acuerdo a la ley.

#### Derechos Civiles (Título VI) Política

El Título VI del Acto de Derechos Civiles de 1964 dice:

“Ninguna persona en los Estados Unidos será excluida de participar en, ni se le negará los beneficios de, o será objeto de discriminación debido a su raza, color u origen nacional, en cualquier programa o actividad que recibe ayuda financiera federal.”

Transdev/NICE está comprometida a cumplir con los requerimientos del Título VI en todos sus programas financiados federalmente. Para pedir información adicional sobre NICE requerimientos de no-discriminación, llame al 516.542-0100 (TTY 516.228-4002) o por correo electrónico Danielle.Bachor@veoilatransdev.com.

#### TITLE VI COMPLAINT PROCEDURES - Public (Spanish)

#### Derechos Civiles (Título VI) Procedimiento de Quejas para el Público

Cualquier persona que se sienta víctima de discriminación por motivos de raza, color u origen nacional en relación con la prestación de servicios de transporte tiene el derecho de presentar por escrito su queja dentro de los 180 días del supuesto incidente. Para obtener un formulario de queja (abajo) o solicitar más información puede usar los siguientes métodos:

Correspondencia por escrito, dirijala a:

Latoya Pippins

NICE BUS

700 Commercial Ave. Garden City, NY 11530

Teléfono: 516.296.4157 TTY: 516.228.4002

Correo Electrónico: Latoya.Pippins@Transdev.com



### **Complaint Form SPANISH**

Formulario de Queja Discriminación según el Título VI

El Título VI del Acto de Derechos Civiles de 1964 dice:

“Ninguna persona en los Estados Unidos será excluida de participar en, ni se le negará los beneficios de, o será objeto de discriminación debido a su raza, color u origen nacional, en cualquier programa o actividad que recibe ayuda financiera federal.”

La siguiente información es necesaria para asistimos a procesar su queja. Si usted requiere asistencia completando esta forma o necesita información adicional o en un formato alternativo, por favor déjenoslo saber.

Complete esta forma y devuélvala a:

Latoya Pippins

NICE Bus

700 Commercial AVE

Garden City, NY 11530

1. Nombre de quien presenta la queja:
2. Dirección:
3. Ciudad: Estado: Código postal:
4. Telefono(casa) : Telefono (trabajo):
5. Correo electronico:
6. ¿Requisitos de formato accesible? Encierra en un círculo todo lo necesario:  
Letra Grande    TDD    Cinta De Audio    Otra
7. Esta llenando esta forma en nombre de otra persona? Si / No
- 7A. Si la respuesta es si, por favor escriba el nombre y su relación con la persona por la que complete esta forma de queja.





- 7B. Por favor explique porque completa usted esta forma por otra persona.
8. Por favor confirme que usted ha obtenido permiso de la persona afectada si usted esta llenando esta forma por una tercera persona. Si / No
9. Cual de las siguientes categorias mejor describe la discriminacion que usted reclama en su queja.
- e. Raza
  - f. Color
  - g. Origen Nacional
  - h. Otra
10. En que fecha ocurrió el incidente?
11. En sus propias palabras, por favor describa lo que pasó. Por favor explique que politica, programa, actividad o persona cree usted que fue discriminatoria.
12. Ha completado usted una queja referente a este incidente en otro estado, agencia federal o local? Con una corte federal o estatal? Si / No

En caso afirmativo, marque todo lo que corresponda:

- |   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> Federal Agency |                                       |
| <input type="checkbox"/> Federal Court  | <input type="checkbox"/> State Agency |
| <input type="checkbox"/> State Court    | <input type="checkbox"/> Local Agency |

13. Proporcione información sobre la persona de contacto en la agencia/Corte donde se presentó la queja.

Nombre:

Título:

Agencia:

Dirección:

Teléfono:

14. Por favor firme en la parte de abajo. Usted puede adjuntar cualquier información por escrito que usted crea relevante en esta queja.

---

Nombre del afectado(a)

---

Fecha:

---

Firma

## Appendix V-3: List of Public Outreach Events 2019-2021

<b>Date</b>	<b>Location</b>	<b>Activities</b>
2/4/2019	Great Neck/Hicksville/ Port Washington LIRR	Met with Customers to answer questions, distributed info, solicited feedback
2/5/2019	Mineola/Roosevelt Field/Nassau Community College (NCC)	Met with Customers to answer questions, distributed info, solicited feedback
2/10/2019	Hempstead Transit Center	Met with Customers to answer questions, distributed info, solicited feedback
2/6/2019	Freeport/Rockville Centre LIRR	Met with Customers to answer questions, distributed info, solicited feedback
2/7/2019	Hempstead Transit Center	Met with Customers to answer questions, distributed info, solicited feedback
5/4/2019	Touch a Truck - Hicksville	Met with Customers to answer questions, distributed info, solicited feedback
5/19/2019	Port Fest - Port Washington	Met with Customers to answer questions, distributed info, solicited feedback
8/7/2019	National Night Out - Hicksville	Met with Customers to answer questions, distributed info, solicited feedback
8/23/2019	NCC Orientation	Met with Customers to answer questions, distributed info, solicited feedback
8/24/2019	NCC Orientation	Met with Customers to answer questions, distributed info, solicited feedback
8/25/2019	NCC Orientation	Met with Customers to answer questions, distributed info, solicited feedback
8/26/2019	NCC Orientation	Met with Customers to answer questions, distributed info, solicited feedback
9/26/2019	Senior Event - Rockville Centre	Met with Customers to answer questions, distributed info, solicited feedback
10/1/2019	Senior Event - Garden City	Met with Customers to answer questions, distributed info, solicited feedback
10/9/2019	Senior Event - Freeport	Met with Customers to answer questions, distributed info, solicited feedback

## **Appendix V-4: Charging Facility Site Selection Equity Analysis**

### **Title VI Equity Analysis**

NICE Battery Electric Bus (BEB) Charging Facility  
Site Selection

February 10, 2022



**Nassau County**  
**Department of Public Works**

# **Title VI Equity Analysis**

## **NICE Battery Electric Bus (BEB) Charging Facility Site Selection**

February 10, 2022



**Nassau County  
Department of Public Works**



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## Background and Project Description

Nassau Inter-County Express (NICE), is a major suburban transit system on Long Island, New York. NICE is operated through a public/private partnership between Nassau County and Transdev Services, Inc., under a management and license agreement. NICE has a fixed route fleet with 278 low emission compressed natural gas (CNG) buses that operate through a network composed of 38 fixed routes serving 96 communities, 48 Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) stations, 5 MTA New York City Transit (NYCT) subway stations, plus shopping centers, colleges, museums, parks, theaters, beaches, retail, commercial, industrial, educational, health, social and residential clusters. Fixed route service is provided 24 hours a day, seven days a week serving residents of Nassau, Suffolk, and Queens Counties. With a service area population of over 1.3 million, average pre-pandemic weekday ridership neared 100,000 for fixed route and paratransit customers. As such, NICE provides a critical link to the LIRR, NYCT and the Suffolk County Area Transit system (SCAT). Over 80% of NICE customers are transit dependent.

NICE currently operates from a fixed route facility at Mitchel Field in Garden City (also known as the Senator Norman J. Levy Bus Facility), and paratransit operates from the Stewart Avenue facility in Garden City. NICE also operates from the Rosa Parks Hempstead Transit Center adjacent to a LIRR terminal and shares an intermodal facility with the LIRR in Mineola, New York. NICE will operate the Battery-Electric Bus (BEB) Charging Facility, which is the focus of this Title VI Analysis.

## Summary of NICE Facility Milestones

- In 1988, the 279,348 square foot Mitchel Field Facility was constructed on a 16-acre parcel. The parcel was acquired from the federal government in 1973.
- In 2004, NICE transitioned its fleet to Compressed Natural Gas (CNG) buses. Fueling for these buses occurs on-site at a fueling station that was recently upgraded in 2018.
- In 1975, Nassau County acquired title to the "Purex" property (650 Commercial Ave, Garden City), immediately north of, and adjacent to, the Mitchel Field Facility. Between 1990 and 2012, the Purex property was used as a groundwater treatment facility. The system was shut down in April of 2012.
- Nassau County acquired additional lots from the Long Island Rail Road in 1976 (Lot 23) and 2014 (Lot 24), which run between the Purex property and the Mitchel Field Facility.
- In 2018, the New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Health (NYSDOH) approved the use of the County-owned Purex property to create a single level surface parking area.
- In 2020, Nassau County began planning for its first procurement of battery-electric buses (BEBs).
- The County has evaluated whether it would be able to site the BEB Charging Facility's charging infrastructure within the existing Mitchel Field Facility, or on the unimproved Purex site, immediately adjacent and contiguous to the Mitchel Field Facility. The two options were evaluated in the Title VI Analysis.



## Study Purpose

The purpose of this Title VI Equity Analysis is to analyze the two options for a NICE-operated Battery-Electric Bus (BEB) Charging Facility to ensure the locations were selected without regard to race, color, or national origin. This study also compares the equity impacts of the two options:

1. 700 Commercial Avenue, Garden City (Mitchel Field Facility) – Site serves as the primary depot for NICE operations, maintenance, and fleet storage. There are no residents or businesses located on the property. The site is adjacent to other industrial, commercial and office uses.
2. 650 Commercial Avenue, Garden City (Purex Site) - Site currently has a structure that houses a former water treatment facility. The site is vacant and has no residents or businesses located on the property. The site is adjacent to other industrial, commercial and office uses, and is approximately 950 feet from the nearest residential property. See area map on page 7.

The County evaluated whether it would be able to site the charging infrastructure within the existing Mitchel Field Facility, or on the Purex site, immediately adjacent and contiguous to the Mitchel Field Facility. Per FTA C 4702.1B, Title VI equity analyses for the location of facilities must occur in the planning stage before a preferred site has been selected. Sites have been evaluated as part of the BEB Charging Facility Initiative's planning process and the Nassau County Planning Commission (NCPC) was notified of the two site options at a public hearing on June 24, 2021.

## Title VI Compliance

Nassau County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title 49 CFR Section 21.9(b)(3) states, "In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin."

Nassau County is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

- Include outreach to persons potentially impacted by the siting of the facility;
- Compare impacts of various siting alternatives;
- Determine if cumulative adverse impacts might result due to the presence of other facilities with similar impacts in the area; and
- Occur before the selection of the preferred site.

If disparate impacts are identified, the least discriminatory alternative must be implemented.





## Community Outreach

On June 1<sup>st</sup>, 2021, Nassau County opened a 30-day public comment period on the Title VI Equity Analysis. Notices were posted on the [Nassau County Planning Department](#) website as well as the [NICE](#) website. The comment period closed on July 1, 2021. Comments were accepted via an online submission form.

Additionally, Nassau County staff presented the purpose and process of this study at the June 24<sup>th</sup>, 2021 NCPC meeting. Notification of this public meeting was made via a notice on the Nassau County Planning Department website as well as emailed notices to Nassau County legislators, local municipal officials, and commissioners of the NCPC. The agenda for the meeting is included in Appendix A of this report. The public had the opportunity to send in their comments for the public comment portion of the June 24<sup>th</sup> meeting via email. Public comments for the NCPC were held open for three business days following the meeting. A recording of the meeting was posted on the Nassau County Planning Department website within twenty-four hours of the meeting. Additionally, an excerpt of the verbatim transcript from the meeting is included in Appendix B of this report.

By the close of the July 1, 2021 public comment period, no comments on the NICE Battery Electric Bus (BEB) Charging Facility Site Selection were received. While there was no opposition to the proposed facility, NCPC First Vice-Chairman Jeffrey Greenfield suggested during the June 24<sup>th</sup> meeting that the County also consider the County-owned NICE facility on Banks Avenue in Rockville Centre for battery-electric bus charging.



## Benefits and Burdens Analysis

Nassau County reviewed benefits and burdens of each site to determine any impacts that might adversely affect the community. There would be no displacement of residents or operating businesses at any of the two sites considered. None of the sites have residential properties within the immediate surrounding area, therefore, no persons are impacted by the siting of an electric charging facility.

**Table 1: Benefits & Burdens**

Site	Benefits/Positive Impacts	Burdens/Adverse Impacts
700 Commercial Ave, Garden City (Mitchel Field Facility)	<ul style="list-style-type: none"><li>- Less construction activity (no building demolition).</li><li>- Lower overall construction cost.</li><li>- BEBs will be on the same physical property as all other buses in the fleet.</li><li>- Proximate to future Bus Rapid Transit services in the Nassau Hub area.</li><li>- No impacts to surrounding land uses upon facility completion.</li></ul>	<ul style="list-style-type: none"><li>- Prevents future expansion of additional charging stations adjacent to currently proposed chargers.</li></ul>
650 Commercial Ave, Garden City (Purex Site)	<ul style="list-style-type: none"><li>- Aids in efficient vehicle movement and will enhance overall transit operations.</li><li>- BEBs will be located immediately next to the Mitchel Field Facility and will have dedicated area for charging.</li><li>- Site provides opportunity for additional BEB vehicles in the fleet.</li><li>- Provides dedicated infrastructure that will allow for efficient movement of the fleet for fueling/charging purposes.</li><li>- Proximate to future Bus Rapid Transit services in the Nassau Hub area.</li><li>- No impacts to surrounding land uses upon facility completion.</li></ul>	<ul style="list-style-type: none"><li>- Former water treatment structures will need to be demolished.</li><li>- Higher overall construction costs.</li></ul>

Maps  
Aerial View







## Site Location Maps





## Alternatives Equity Analysis and Cumulative Impacts

While location, logistics, future BEB fleet expansion compatibility, size and other criteria were considered, Nassau County analyzed demographics to ensure the site selection would have no disparate impact due to race, color, or national origin. Nassau County looked at the U.S. Census Tract shared by both sites and compared it to the demographics for Nassau County as a whole.

**Table 2: Demographic Data**

	<b>650 &amp; 700 Commercial Ave</b> Block Group 1, Census Tract 4073.01	<b>Nassau County</b>
<b>Total Population</b>	7,230	1,356,509
<b>White</b>	5,132	922,873
<b>Non-White</b>	2,098	433,636
<b>Non-White %</b>	29.02%	31.97%
<b>Population under Poverty Line</b>	292	74,291
<b>Percentage under Poverty Line</b>	8.1%	5.6%
<b>Median Income (Households)</b>	\$104,787	\$116,100
<b>Limited English Proficiency (LEP) %</b>	1.8%	5.5%

Source: Data from U.S. Census 2019 American Community Survey 5 Year Estimates

## Conclusions

The locations identified and evaluated for consideration for a new NICE BEB Charging Facility were selected without regard to race, color, or national origin. An evaluation of the minority population rate (non-white), poverty rate, median income, and Limited English Proficiency (LEP) rate for the proposed sites and Nassau County as a whole, indicated the following. Census Tract 4073.01 had a lower percentage of non-white residents and a lower percentage of LEP residents compared to Nassau County as a whole. The Census Tract does have a slightly higher poverty rate and slightly lower median income (households) than Nassau County as a whole. However, neither of the proposed sites have residents or businesses on the properties.

650 Commercial Avenue should be considered as a candidate for the BEB Charging Facility since it will allow for future expansion of NICE's BEB fleet, while 700 Commercial Ave does not. A larger BEB fleet will provide greater benefits to the local minority, low income, and LEP populations, with improved air quality from the elimination of vehicle emissions, lower vehicle noise levels, and a more efficient public transportation operation. While the selected sites have lower income and poverty levels than the County as a whole, adverse impacts to these populations is not anticipated.



## **Appendix A:**

### **Nassau County Planning Commission – 6/24/2021 Meeting Agenda**

# Nassau County Planning Commission

## Agenda for Regular Meeting

Thursday, June 24, 2021 - 10:00 A.M.  
Online Webinar Format  
Work Session - 8:45 A.M.

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*Due to the Coronavirus (COVID-19) Emergency and State & Federal bans on large meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the June 24, 2021 Nassau County Planning Commission (the "NCPC") Meeting will be held electronically via a web-based virtual meeting program and may be viewed by the public via livestream (video/phone conference application) as described below (the "June 24, 2021 NCPC Meeting"). The public may send in their comments for the public portion of the meeting via email to the address below. The NCPC will review and consider these public comments prior to making a final decision. A recording of the meeting will be posted on the Nassau County Planning Department website.*

Instead of a public meeting open for the public to attend in person, members of the public may listen to or log into the video conference. Access and instructions for the web-based virtual meeting program are available on the Nassau County Planning Department website:

<https://www.nassaucountyny.gov/2856/Planning-Department>

Final decisions will be made on Agenda items contained in Sections A, B, & F at the June 24, 2021 NCPC Meeting.

The Nassau County Planning Commission will be accepting public comments for the public portion of the June 24, 2021 NCPC Meeting by email to [NCPC@nassaucountyny.gov](mailto:NCPC@nassaucountyny.gov). The NCPC will accept public comments via email for Agenda items contained in Sections C, D, & E before making a final decision on the matter. The public will have until 4:00 P.M., Monday, June 28, 2021 to email their comments for Agenda items contained in Sections C, D, & E to the email address specified above. *Late comments received after Monday, June 28, 2021 at 4:00 P.M. will not be accepted nor considered.*

A second meeting will take place after public comments are received, reviewed, and considered by the NCPC for each item contained in Agenda Sections C, D, & E on Thursday, July 1, 2021 at 9:00 A.M., where the NCPC will make a final decision on each item contained in Agenda Sections C, D, & E. This meeting will also be conducted using a virtual meeting program and access instructions will be provided on the Nassau County Planning Department website.

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### **A. General Items**

1. Roll Call
2. Acknowledge Receipt of Transcripts from **May 27 & June 3, 2021** NCPC Hearing

### **B. OSPAC**

1. NCPC OSPAC File 5-2021

### **Disposition (Public Comment Period Closed)**

#### *Grant Easement*

Property at: Bay Park, Town of Hempstead  
2 Marjorie Lane, East Rockaway, NY 11518  
Section: 42, Block: A, Lot(s): P/O 57

### **C. Preliminary Major Subdivision Application & SEQRA Determination of Significance** (Public Comment Period Open)

- |                       |  |
|-----------------------|--|
| 1. NCPC File 1999-P-2 | Map of “Pironi Homes”<br>Property at: East Massapequa, Town of Oyster Bay<br>772 Clocks Boulevard, Massapequa, NY 11758<br>Section: 53, Block: 49, Lot(s): 8, 10-20, 22, 24, 26, 28, 30 & 32 |
|-----------------------|--|

### **D. Minor Subdivision Applications & SEQRA Determination of Significance** (Public Comment Period Open)

- |                                 |  |
|---------------------------------|--|
| 1. NCPC Minor Sub. File 29-2021 | Property at: Incorporated Village of Floral Park<br>115 Irving Avenue, Floral Park, NY 11001<br>Section: 8, Block: 88, Lot(s): 36, 37, 38, 39 & 235            |
| 2. NCPC Minor Sub. File 30-2021 | Property at: Incorporated Village of Rockville Centre<br>6 Banbury Road, Rockville Centre, NY 11570<br>Section: 36, Block: 428, Lot(s): 100 - 105              |
| 3. NCPC Minor Sub. File 31-2021 | Property at: Oceanside, Town of Hempstead<br>233 Hoke Avenue, Oceanside, NY 11572<br>Section: 43, Block: 311, Lot(s): 17 - 21                                  |
| 4. NCPC Minor Sub. File 32-2021 | Property at: Incorporated Village of East Hills ( <i>Roslyn Postal Code</i> )<br>82 Flamingo Road, Roslyn, NY 11576<br>Section: 19, Block: 41, Lot(s): 35 & 36 |
| 5. NCPC Minor Sub. File 33-2021 | Property at: Wantagh, Town of Hempstead<br>1736 Wantagh Avenue, Wantagh, NY 11793<br>Section: 56, Block: 492, Lot(s): 10                                       |
| 6. NCPC Minor Sub. File 25-2021 | Property at: Baldwin, Town of Hempstead<br>2148 Maple Street, Baldwin, NY 11510<br>Section: 54, Block: D, Lot(s): 718 & 731                                    |

### **E. Federal Title VI Equity Analysis – NICE Battery Electric Bus (BEB) Charging Facility Site Selection** (Public Comment Period Open)

The Nassau County Department of Public Works is conducting a Title VI Equity Analysis to analyze two options for a NICE-operated Battery-Electric Bus (BEB) Charging Facility to ensure the locations were selected without discrimination on the basis of race, color, or national origin. The two locations being considered are located at 700 Commercial Ave, Garden City, NY 11553, and 650 Commercial Ave, Garden City, NY 11553 (Section: 44, Block: 56, Lot: 18, and Section: 44, Block: F, Lot: 338). A 30-day public comment period was opened on June 1, 2021 and will close on July 1, 2021.

### **F. Zoning Referral Review: Pursuant to General Municipal Law Section 239-M**



# Nassau County Planning Commission

## Zoning Agenda



June 24, 2021

AGENDA ITEM	MAJ./MIN. SUBDIV. (*)	DATE REC.	NCPC NO.	APPLICANT	AREA	SECTION	BLOCK	LOT	TYPE	CASE NO.	CHANGE
01		5/24/2021	524121	Board of Trustees	Cedarhurst	39	424	12, 14, 21, 22, 23, 36, 50, 134, 234, 413, 711, 712	AZO	P2021- 02	Adoption of a Zoning Overlay District for two development sites that meet the criteria for inclusion in said Overlay District to build multi-family projects. The District includes community benefits in exchange for development incentives.
02		5/24/2021	524221	Pearsall Rock, LLC	Cedarhurst	39	424	12, 14, 21, 22, 23, 36, 50, 134, 234, 413, 711, 712	SPR		Proposed three 4-story buildings on 2.5 acres with 112 units within proposed Zoning Overlay District for Development Site 1. Companion referral to Item 1
03		5/21/2021	521121	Martin Passante	New Hyde Park	33	184	222, 223, 227, 228, 324, 326	SU		Proposed 3-story (35') self-storage building with parking below grade
04		6/9/2021	69121	Galena Associates	TOB Hicksville	11	286	812	V	11414	Replace existing automotive maintenance center with new facility that requires parking and area variances. Previously before NCPC on 3/25/21 for Special Use
05		6/9/2021	69221	CLBCG Realty, Inc.	TOB N. Massapequa	52	1	91, 92, 93, 94, 96	V	11424	Proposed extension of commercial parking lot into residential zone that is not a permitted use. Also, insufficient landscaped buffer between residential and commercial zone

AGENDA ITEM	MAJ./MIN. SUBDIV. (*)	DATE REC.	NCPC NO.	APPLICANT	AREA	SECTION	BLOCK	LOT	TYPE	CASE NO.	CHANGE
06	*(minor)	6/11/2021	611121	Danny Sharazi	TNH Roslyn Heights	7	173	1, 2	V	21075	Proposed three lot substandard subdivision (two lots to three lots). One lot will have insufficient lot frontage
07	*(minor)	6/15/2021	615121	R & A Home Improvement, Inc.	TH Bellmore	56	405	620 - 623	V	397, 398	Two-lot substandard subdivision, each lot having insufficient frontage
08		6/15/2021	615221	Square Frank LLC	TH Franklin Square	35	B	1152	SE/V	403 - 413	Proposed Taco Bell (with drive-thru), Starbucks (with drive-thru) and two retail stores that require use, parking and sign variances and Special Exceptions. Previously before NCPC on 3/27/18 for two different fast-food restaurants (Burger King and Red Robin)
09		6/16/2021	616121	Board of Trustees	Thomaston	2	250	5, 25	AZO	Bill T2021C .1	Proposed local law to provide Incentive Zoning for property located along the west side of Middle Neck Rd. (124 Middle Neck Rd.) for the purpose of constructing multi-family housing. Includes an affordable housing set-aside provision. Site is currently occupied by Tower Ford
10		6/16/2021	616221	Board of Trustees	Thomaston				AZO	Bill T2021D	Proposed local law in relation to location of exterior HVAC installations and equipment with setback, screening, and decibel requirements
11		5/14/2021	514121	Kay Development, LLC	Valley Stream	17	346	926, 927	REZ		Change of Zone from C-2 Commercial to C-A (Floating Zone Multiple Dwelling District) to construct 6-story multi-family building with 42 units with five floors of units over ground level parking. Previously before NCPC on 5/27/21

V - Variance; REZ - Rezone; E - Special Exception; CU - Conditional Use; SU - Special Use; SP - Special Permit; Mor. - Moratorium; Mor. Ext. - Moratorium Extension; SPR - Site Plan Review; AZO - Amend Zoning Ordinance; Sub. - Subdivision; \* - Major or Minor Subdivision w/ NCPC Jurisdiction; Mod./Rev. R.C. - Modification/Revocation of Restrictive Covenant; COU - Change of Use; LD - Local Determination; LDL - Local Determination w/ a Letter; D - Denial; GSS - Gasoline Service Station Overlay District (TH); V/GSS - Variance from GSS Overlay District; Incl. GSS - Inclusion in GSS Overlay District

## G. Adjournment

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*Due to the Coronavirus (COVID-19) Emergency and State & Federal bans on large meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the June 24, 2021 Nassau County Planning Commission (the "NCPC") Meeting will be held electronically via a web-based virtual meeting program and may be viewed by the public via livestream (video/phone conference application) as described below (the "June 24, 2021 NCPC Meeting"). The public may send in their comments for the public portion of the meeting via email to the address below. The NCPC will review and consider these public comments prior to making a final decision. A recording of the meeting will be posted on the Nassau County Planning Department website.*

Instead of a public meeting open for the public to attend in person, members of the public may listen to or log into the video conference. Access and instructions for the web-based virtual meeting program are available on the Nassau County Planning Department website:

<https://www.nassaucountyny.gov/2856/Planning-Department>

Final decisions will be made on Agenda items contained in Sections A, B, & F at the June 24, 2021 NCPC Meeting.

The Nassau County Planning Commission will be accepting public comments for the public portion of the June 24, 2021 NCPC Meeting by email to [NCPC@nassaucountyny.gov](mailto:NCPC@nassaucountyny.gov). The NCPC will accept public comments via email for Agenda items contained in Sections C, D, & E before making a final decision on the matter. The public will have until 4:00 P.M., Monday, June 28, 2021 to email their comments for Agenda items contained in Sections C, D, & E to the email address specified above. *Late comments received after Monday, June 28, 2021 at 4:00 P.M. will not be accepted nor considered.*

A second meeting will take place after public comments are received, reviewed, and considered by the NCPC for each item contained in Agenda Sections C, D, & E on Thursday, July 1, 2021 at 9:00 A.M., where the NCPC will make a final decision on each item contained in Agenda Sections C, D, & E. This meeting will also be conducted using a virtual meeting program and access instructions will be provided on the Nassau County Planning Department website.

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### Nassau County Planning Commission

Marty Glennon, *Chair*  
Jeffrey Greenfield, *1<sup>st</sup> Vice Chair*  
Leonard Shapiro, *2<sup>nd</sup> Vice Chair*  
Neal Lewis, *3<sup>rd</sup> Vice Chair*  
Jerome Blue  
Ronald Ellerbe  
Rick Shaper  
Lisa Warren

### Department of Public Works, Division of Planning

Gregory Hoesl  
Martin Katz  
John Perrakis

Kenneth Arnold, PE, *Commissioner*  
Sean Sallie, AICP, *Deputy Commissioner*



## **Appendix B:**

**Nassau County Planning Commission – Excerpt of 6/24/2021 Meeting Transcript**

1  
2 REGULAR MEETING  
3 of the  
4 NASSAU COUNTY PLANNING COMMISSION  
5  
6

7 Thursday, June 24, 2021  
8 10:03 a.m. - 11:53 a.m.  
9  
10  
11

12 LEGISLATIVE CHAMBER  
13 Theodore Roosevelt Executive & Legislative Bldg.  
14 1550 Franklin Avenue  
15 Mineola, New York  
16  
17

18 (Via Video/Phone Conference)  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S:

MARTY GLENNON, Chairman

JEFFREY GREENFIELD, First Vice-Chairman

LEONARD SHAPIRO, Second Vice-Chairman

NEAL LEWIS, Third Vice-Chairman

JEROME BLUE,

RONALD ELLERBE, (Present 10:09 a.m.)

RICK SHAPER,

LISA WARREN,

Commissioners

SEAN SALLIE, Deputy Commissioner

ROBERT O'BRIEN, Esq., Counsel

PATRICK GALLAGHER, Esq., Counsel

Staff:

GREGORY HOESL

MARTY KATZ

JOHN PERRAKIS

Also Present:

STEPHANIE J. VALDER, Stenographer

1 Proceedings

2 P R O C E E D I N G S:

3 CHAIRMAN GLENNON: Okay, good morning  
4 everyone. Welcome to the June 24th, 2021 meeting  
5 of the Nassau County Planning Commission.

6 Due to the Coronavirus Emergency, and  
7 State and Federal bans on large meetings or  
8 gatherings and pursuant to Governor Cuomo's  
9 Executive Order "220.1" issued on  
10 March 12th, 2020 suspending the "Open Meetings  
11 Law," the June 24th, 2021 Nassau County Planning  
12 Commission meeting will be held electronically  
13 via a web-based virtual meeting program and may  
14 be viewed by the public via "live stream" using  
15 either video or phone conference application as  
16 described below: The "June 24, 2021 NCPC  
17 Meeting."

18 The public may send in their comments  
19 for the public portion of the meeting via e-mail  
20 to the address below. The Planning Commission  
21 will review and consider public comments prior to  
22 making a final decision.

23 A recording of the meeting will be  
24 posted on the Planning Commission website.  
25 Instead of a public meeting open for the public

Proceedings

to attend in person, members of the public may listen to or log into the video conference. Access and instructions for the web-based virtual meeting program are available on Nassau County Planning Department website, which is located at "www.nassaucountyny.gov/2856/Planning-Department."

Final decisions will be made on Agenda items contained in Sections "A," "B" and "F" at today's meeting.

The Planning Commission will be accepting public comments for the public portion of today's meeting by e-mail to be sent to "NCPC@nassaucountyny.gov." The Planning Commission will accept public comments via e-mail for Agenda items contained in Sections "C," "D" and "E" before making a final decision on the matter. The public will have until 4 p.m. this coming Monday, June 28th, to e-mail their comments for Agenda items contained in Sections "C," "D" and "E" to the e-mail address specified above. Late comments received after Monday, June 28th at 4 p.m. will not be accepted, nor considered. Again, that e-mail address is "NCPC@nassaucountyny.gov."



1 Federal Title VI Equity Analysis

2 CHAIRMAN GLENNON: We have -- who's  
3 handling the Equity? Where is it?

4 DEPUTY COMMISSIONER SALLIE: Good  
5 morning, Commissioners.

6 Greg, if you wouldn't mind just  
7 clicking to the aerial, great. Thank you.

8 Okay. Good morning, Commissioners.  
9 The item before you today is a project that the  
10 County is working on to pilot battery electric  
11 buses, introduce those buses into the "NICE" Bus  
12 Fleet.

13 The County has applied for and has been  
14 awarded Federal Funding, funding from the "FTA"  
15 for the acquisition of the -- of -- of six  
16 battery electric buses and electric charging  
17 stations. The County is proposing to create a  
18 charging facility at what is known as the  
19 "Purex Site," which on the map here is at  
20 the southeast corner of Commercial Avenue and Oak  
21 Street, which is immediately adjacent.

22 Thank you, Greg. If you could, just go  
23 back to the prior slide, that -- that -- what's  
24 known as the "Purex Site" is immediately adjacent  
25 to the "NICE" Depot Headquarters, which is where

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2 their -- their offices are, bus maintenance, bus  
3 storage, et cetera.

4 So this is an exciting initiative for  
5 the County. So what is before -- what is before  
6 you today is a "Title VI Equity Analysis," which  
7 seeks to evaluate whether or not the siting of  
8 this, particularly this siting or -- or this  
9 charging facility is done without regard to race,  
10 color and national origin. So the evaluation  
11 looks at the "Purex Site" and an alternative  
12 site, which would be the -- the existing "NICE"  
13 facility, which is directly to the south.

14 So when evaluating the existing  
15 facility, it -- it was determined that there is  
16 not sufficient space on the existing facility to  
17 accommodate additional charging stations in the  
18 area that they need to -- to operate. So the  
19 adjacent site was selected as the preferred site  
20 to house the charging infrastructure.

21 The "Purex Site" is obviously  
22 immediately adjacent, and so many of the -- the  
23 impacts that -- that would be caused on -- on  
24 siting the infrastructure at the depot would be  
25 or -- or lack thereof would be similar to the

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2 "Purex Site."

3 So the evaluation concludes that there  
4 would be no impact, adverse impact to "Title VI  
5 Requirements" to site this, when siting this  
6 facility at the -- at the "Purex Site." The area  
7 is surrounded immediately by light industrial  
8 land use. And so again, there -- there would be  
9 no direct impact to -- to homeowners or -- or  
10 residents.

11 So this document is out for public  
12 review. It was -- public review was initiated on  
13 June First. The -- the document can be found on  
14 the Nassau County Planning Department homepage.  
15 It can also be found on the "NICE" Bus website.

16 There is a -- an electronic form for  
17 the public to submit comments. And we would  
18 appreciate any comments that -- that may be  
19 submitted.

20 But the purpose of this meeting today,  
21 again, is to make the Commission aware, of  
22 course, of this initiative. And if there are any  
23 comments or questions of the Commission, we'd  
24 like to incorporate those into the record and  
25 will do our best to update the -- the analysis

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2       per any comments that are received.

3           I'm -- I'm joined today by David Viana,  
4       who's a planner here at the Planning Division.  
5       David can answer any specific questions about the  
6       analysis. And I guess I'll -- I'll turn it over  
7       to any questions that the Commission may have.

8           CHAIRMAN GLENNON: I know that our  
9       First Vice-Chair is going to have some questions  
10      and comments.

11          DEPUTY COMMISSIONER SALLIE: Certainly.

12          FIRST VICE-CHAIR GREENFIELD: Yes.

13          This is Jeff Greenfield, citizen,  
14      taxpayer in the Village of Rockville Centre,  
15      besides First Vice-Chair of the Commission.

16          "NICE" has a derelict bus garage  
17      located in our Village on Banks Avenue. And they  
18      consolidated operations five, six years ago, in  
19      their facility on Commercial Boulevard [sic] --  
20      Commercial Avenue. And that site has been left  
21      in a state of disrepair and is storage for  
22      derelict buses, hence my term that it's a  
23      derelict site.

24          I would propose that this "Pilot  
25      Program" for electric charging station be moved

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2 to that site, since it would tie into the grid  
3 for the Village of Rockville of Centre. And the  
4 Village of Rockville Centre rates are 40 percent  
5 of the "LIPA" rate, because we get our municipal  
6 electric via contract of "Federal Law," wheeled  
7 down to us from the "Niagara Project" up, and  
8 Robert Moses up on the Canadian Border, also  
9 known as "Niagara Falls." Hence, we enjoy the  
10 deep discount, together with the Village of  
11 Freeport and the Village of Greenport and that's  
12 mandated by a -- a "WPA Law."

13 The fact that it would give new life to  
14 the garage, and save the County and "NICE" Bus  
15 money, it would also provide them with easy  
16 access to use the electric buses on their number  
17 one route, the "n4," which goes down Merrick Road  
18 from I think from Freeport to the Jamaica Train  
19 Station, which is their number one route, as I  
20 been previously advised, and put less mileage on  
21 the buses in the process.

22 I -- I throw that out for  
23 consideration. Maybe if it goes beyond a  
24 "Pilot," maybe if -- if we do approve this  
25 "Pilot" after thinking about my remarks at the

1 Federal Title VI Equity Analysis  
2 pre-meeting, then for future consideration if  
3 the "Pilot" gets expanded, that this is a -- a  
4 cost -- cost-saving feature that the -- the  
5 County shouldn't pass up by tying into the  
6 Rockville Centre municipal electric.

7 Thank you for allowing me to state my  
8 opinion on this.

9 CHAIRMAN GLENNON: Thank you.

10 And -- and to follow up on that, I -- I  
11 think just in terms of strategic planning, once  
12 we get past the "Pilot," I think it would be --  
13 behoove us to have various locations for the  
14 recharging stations anyway, in case one fails.

15 COMMISSIONER SHAPER: Yeah, good point.

16 And I -- I think that the "Pilot"  
17 should go ahead as a -- a proof of a -- a --  
18 that -- that the concept works. And then  
19 Chair -- Commissioner Greenfield's comments would  
20 apply to the -- the site he mentioned and as a  
21 further -- a -- a future consideration. I think  
22 it's a good point.

23 CHAIRMAN GLENNON: Okay, so --

24 THIRD VICE-CHAIR LEWIS: Yeah, I would  
25 just like to commend the County for moving ahead

1           Federal Title VI Equity Analysis  
2   with this initiative. It -- it does involve a  
3   significant infrastructure kind of project to get  
4   it up and going, and then you need the actual  
5   support for the actual buses.

6           So I know there's a lot of moving parts  
7   to pull together a program like this. But this  
8   would be a -- a great improvement for the County  
9   in -- in terms of reducing our carbon footprint  
10   and such. So I'm very supportive of it.

11           And I would just say in terms of the  
12   site itself, we should also consider a -- a solar  
13   canopy, so that it's a -- so that you're  
14   basically solar charging right at the same site  
15   that you're doing the --

16           CHAIRMAN GLENNON: Good point.

17           THIRD VICE-CHAIR LEWIS: Yeah.

18           CHAIRMAN GLENNON: Very good.

19           So we welcome the public to submit  
20   their comments. This will stay open until  
21   next -- is it going to be Monday or Thursday,  
22   Sean?

23           DEPUTY COMMISSIONER SALLIE: It -- so  
24   through the Planning Commission conduit, through  
25   Monday as -- as per our -- our normal procedure.

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2 CHAIRMAN GLENNON: Okay. So -- so the  
3 public has until Monday at 4 p.m. to submit their  
4 public comments and then we'll --

5 DEPUTY COMMISSIONER SALLIE: Yeah, to  
6 the Commission directly. If they'd like to  
7 submit directly through the website, they have  
8 until July First.

9 CHAIRMAN GLENNON: Okay.

10 And just tell them what website.

11 DEPUTY COMMISSIONER SALLIE: Sure.

12 It's the Nassau County Planning Department  
13 homepage. The link is directly on the homepage,  
14 as well as the "NICE" Bus homepage.

15 CHAIRMAN GLENNON: Okay.

16 So just so I have a better  
17 understanding of this process as well, are -- are  
18 we going to consider any of these comments, since  
19 some are going to be submitted to the County and  
20 some are going be submitted to -- to us, or do we  
21 just make a recommendation next week?

22 DEPUTY COMMISSIONER SALLIE: So  
23 there -- there is a -- procedurally, there is no  
24 vote of the Planning Commission for this --

25 CHAIRMAN GLENNON: Okay.



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2 DEPUTY COMMISSIONER SALLIE: --

3 particular --

4 CHAIRMAN GLENNON: So --

5 DEPUTY COMMISSIONER SALLIE: --

6 item.

7 CHAIRMAN GLENNON: -- so I guess it  
8 would be smarter then to submit the public  
9 comments directly to the Planning Department  
10 [sic] -- I mean to the County website;  
11 correct?

12 DEPUTY COMMISSIONER SALLIE: That --  
13 that would be convenient, yes.

14 (Laughter.)

15 CHAIRMAN GLENNON: Yeah -- yeah,  
16 because we -- we don't -- since we're not going  
17 to take action, we don't need to see the  
18 comments.

19 DEPUTY COMMISSIONER SALLIE: Yes.

20 CHAIRMAN GLENNON: Okay.

21 DEPUTY COMMISSIONER SALLIE: Okay,  
22 thank you, Commissioner --

23 CHAIRMAN GLENNON: Okay, thank you. It  
24 sounds like a good idea.

25 DEPUTY COMMISSIONER SALLIE: We'll keep

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2 you updated, as we -- as we progress.

3 CHAIRMAN GLENNON: Yeah, I -- I mean  
4 the only other caveat I'll tell you, only because  
5 I represent some of these guys that, you know,  
6 do supply power to Long Island is that I know  
7 currently we're running these buses on "C"  
8 and "G."

9 And, you know, an interesting point was  
10 brought up in terms of the more -- moving to a  
11 more sustainable environment, and electric cars  
12 and the like, that if we do have a power outage,  
13 we could cripple our buses and our cars, so, you  
14 know, we, again, we should just keep in mind  
15 contingency plans.

16 I think what Commissioner Lewis brought  
17 up is a good idea as well for the solar panels,  
18 so just keep those things in mind.

19 FIRST VICE-CHAIR GREENFIELD: And --  
20 and by the way on the solar panels, that's  
21 the only thing that would cost less than  
22 Rockville Centre Electric.

23 COMMISSIONER SHAPER: Well --

24 CHAIRMAN GLENNON: Now, you just talked  
25 them out of bringing it to Rockville Centre.

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2 FIRST VICE-CHAIR GREENFIELD:

3 (Laughter.)

4 COMMISSIONER SHAPER: -- you would need  
5 solar panels plus --

6 FIRST VICE-CHAIR GREENFIELD: Provided  
7 they're --

8 COMMISSIONER SHAPER: -- electrical  
9 storage because --

10 FIRST VICE-CHAIR GREENFIELD: Battery  
11 storage.

12 COMMISSIONER SHAPER: -- charging  
13 occurs at night.

14 CHAIRMAN GLENNON: Right, but -- but  
15 the -- the storage goes to the batteries to begin  
16 with, and that's what it charges the other  
17 batteries, so --

18 COMMISSIONER SHAPER: Well, how could  
19 you charge the buses while they're running? They  
20 can (inaudible) --

21 CHAIRMAN GLENNON: No -- no -- no, we  
22 get it.

23 COMMISSIONER SHAPER: -- charging  
24 station at night.

25 CHAIRMAN GLENNON: I think the

1                   Federal Title VI Equity Analysis

2       innovation's there. They'll -- they'll figure it  
3       out.

4                   Okay, great.

5                   (Commissioner Shapiro exits the  
6       hearing.)

7                               \*       \*       \*