

**Special Meeting**  
**SULLIVAN COUNTY LEGISLATURE**  
**June 23, 2016 at 12:25PM**

The Special Meeting was called to order by Chairman Alvarez at 12:29PM with the Pledge of Allegiance.

Roll Call indicated Mrs. Rajsz absent.

The Clerk read the following legal notice:

There will be a Special Meeting of the Legislature for **Thursday, June 23, 2016 at 12:25PM** in the Legislative Chambers, 100 North Street, Monticello, New York. The purpose of the meeting is to Adopt a Title VI Program.

**Business in Order:**

**RESOLUTION NO. 292-16 INTRODUCED BY JOSEPH PERRELLO, CHAIRMAN OF THE PUBLIC WORKS COMMITTEE TO ADOPT A TITLE VI PROGRAM**

**WHEREAS**, in order to ensure compliance with Title VI of the Civil Rights Act of 1964 the County of Sullivan wishes to adopt a Title VI Program (“Program”), and

**WHEREAS**, the Program shall apply to all County divisions, department, agencies and offices, and

**WHEREAS**, the Program shall be implemented in compliance with all federal and state statutes and regulations, and

**WHEREAS**, the Program is attached hereto as Exhibit A and by this reference is made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature adopts the attached Title VI Program to be applied to all County divisions, departments, agencies and offices, and

**BE IT FURTHER RESOLVED**, that the appropriate County officials shall take the steps necessary to ensure that the Program is implemented in compliance with federal and state statutes and regulations.

**Moved by** Mr. Samuelson, **seconded by** Mr. Perrello, put to a vote with Mrs. Rajsz absent, unanimously carried and **declared duly adopted on motion** June 23, 2016.

**Executive Session**

**Mr. McCarthy moved to go into Executive Session at 12:34PM to discuss regarding proposed, pending or current litigation, seconded by Mr. Perrello at 1:18PM, agreed and carried.**

**Mr. Perrello moved to come out of Executive Session at 1:18PM, seconded by Mrs. Ward agreed and carried.**

There being no further business, Mr. Perrello moved to adjourn the Special Legislative Meeting, seconded by Mrs. Ward. The Special Meeting of the Legislature was adjourned at 1:19PM.

ANNMARIE MARTIN  
Clerk to the Legislature

**Sullivan County**

**Title VI Program**

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Sullivan County Title VI Program

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## Sullivan County Title VI Program

### **Sullivan County Title VI Program**

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#### **Introduction**

As a recipient of federal and state funds, Sullivan County is subject to the requirements and provisions of the Title VI of the Civil Rights Act of 1964, as amended. The provisions include but not limited to, prohibiting discrimination on the grounds of race, color or national origin (being denied the benefits of, or being otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services and activities). Non-compliance with this mandate can affect federal financial assistance.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance” (42 USC Section 2000d).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of federal aid recipients, sub-recipients, and consultants, whether such programs and activities are federally assisted or not.

Sullivan County assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The Sullivan County Attorney or his/her designee is responsible for monitoring the Title VI activities for Sullivan County.

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

The Sullivan County Employee Annual Education Form is attached hereto as Appendix C.

The Sullivan County Title VI Policy Statement is attached hereto as Appendix D.

The Sullivan County Limited English Proficiency Plan is attached hereto as Appendix E.

## Sullivan County Title VI Program

### **Public Notification Process**

#### **Title VI Information Dissemination**

Title VI information posters shall be prominent and publicly displayed in the Sullivan County's facilities. The County Attorney is also Sullivan County's Title VI coordinator. The name of the County Attorney is available on the Sullivan County website. Information relating to nondiscrimination obligation can be obtained from the Sullivan County Attorney or his/her designee.

Title VI information shall be available on the County website, [www.co.sullivan.ny.us](http://www.co.sullivan.ny.us), and will be reviewed annually at employee trainings.

### **Title VI Complaint Procedures**

#### **How to File a Title VI Complaint**

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

- Name of complainant, mailing address, and how to contact the complainant (i.e., telephone number, e-mail address, etc.)
- How, when, where and why the complainant believes he/she was discriminated against. The complainant shall include the location, names and contact information of any witnesses.
- Other information deemed significant by the complainant.

The Title VI Complaint Form may be used to submit the complaint information (Appendix A). The complaint may be filed in writing with Sullivan County at one of the following addresses:

Cheryl A. McCausland, County Attorney  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

AnnMarie Martin, Clerk to the Legislature  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

Edward McAndrew, Commissioner, DPW  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

Note: Sullivan County encourages all complainants to certify any mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. An original, signed copy of the complaint form must be mailed.

#### **What happens to the complaint once it is submitted?**

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Sullivan County will be directly addressed by Sullivan County. Sullivan County shall also provide appropriate assistance to complainants, including those persons with

## Sullivan County Title VI Program

disabilities, or who are limited in their ability to communicate in English. Additionally, Sullivan County shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of complaint will be mailed within seven (7) days. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

### **How will the complainant be notified of the outcome of the complaint?**

Sullivan County shall send a final written response letter to the complainant. In the event that the complaint is determined to be unsubstantiated, the letter notifying complainant of the determination shall advise complainant of his or her rights to 1) appeal within seven (7) calendar days of receipt of the final written decision from Sullivan County, and/or 2) file a complaint externally with the US Department of Transportation and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey, SE  
Washington, DC 20590

NYS DOT Office of Civil Rights  
Attention: Acting Director  
50 Wolf Rd, 6<sup>th</sup> Floor  
Albany, NY 12232

### **Community Outreach**

As an agency receiving federal financial assistance, Sullivan County makes the following community outreach efforts:

1. The public is invited to attend and participate in the legislative process.
2. Title VI statements are posted in all County facilities for public viewing (Appendix B).
3. Sullivan County has a user-friendly website to enhance community relation efforts.  
Sullivan County's Title VI plan is available to the community on the website.

Access to Title VI information is available on the New York State DOT website at:  
[www.dot.ny.gov/main/business-center/civil-rights/title-vi-ej](http://www.dot.ny.gov/main/business-center/civil-rights/title-vi-ej)

# **APPENDIX A**

## **Title VI Complaint Form**

Sullivan County Title VI Program

TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against, please provide the following information in order to assist us in processing your complaint and send it to one of the following addresses:

Cheryl A. McCausland, County Attorney  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

AnnMarie Martin, Clerk to the Legislature  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

Edward McAndrew, Commissioner, DPW  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

Please print clearly:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone #: (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_

Person discriminated against: \_\_\_\_\_

Address of person discriminated against: \_\_\_\_\_

\_\_\_\_\_

Please indicate why you believe the discrimination occurred:

\_\_\_\_\_ race/color

\_\_\_\_\_ national origin

What was the date of the alleged discrimination? \_\_\_\_\_

Where did the alleged discrimination take place? \_\_\_\_\_

# APPENDIX B

## Sample Narrative

Sullivan County Title VI Program

Sample of Narrative to be Included in Posters to be Displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance” (42 USC Section 2000d).

Sullivan 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 the Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the transit services by Sullivan County, or otherwise being discriminated against because of your race, color or national origin, you may contact:**

Cheryl A. McCausland, County Attorney  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

For more information, visit our website at: [www.co.sullivan.ny.us](http://www.co.sullivan.ny.us)

# APPENDIX C

## **Employee Annual Education Form**

Sullivan County Title VI Program

Employee Annual Education Form

**Title VI Policy**

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

All employees of Sullivan County are expected to consider, respect, and observe this policy in their daily work and duties. Citizen questions or complaints shall be directed to the Sullivan County Attorney, Sullivan County Legislature, or Sullivan County Division of Public Works.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to respectfully address them without regard to race, color or national origin.

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I have read the above statements and understand Sullivan County's Title VI policy. I agree to follow the policy for the duration of my employment with Sullivan County.

Employee Name (Print): \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# **APPENDIX D**

## **Title VI Policy Statement**

Sullivan County Title VI Program

Sullivan County  
Title VI Policy Statement

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As a recipient of federal and state funds, Sullivan County is subject to the requirements and provisions of the Title VI of the Civil Rights Act of 1964, as amended. The provisions include but not limited to, prohibiting discrimination on the grounds of race, color or national origin (being denied the benefits of, or being otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services and activities). Noncompliance with this mandate can affect federal financial assistance.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal aid recipients, sub-recipients, and consultants, whether such programs and activities are federally assisted or not.

Sullivan County assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The Sullivan County Attorney or his/her designee is responsible for monitoring the Title VI activities for Sullivan County.

\_\_\_\_\_  
Luis Alvarez, Chairman, Sullivan County Legislature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sullivan County Title VI Coordinator

\_\_\_\_\_  
Date

Approved as to form and legality:

\_\_\_\_\_  
Sullivan County Attorney

\_\_\_\_\_  
Date

# **APPENDIX E**

## **Limited English Proficiency Plan**

## **County of Sullivan Limited English Proficiency (LEP) Plan**

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

**Factor 1**

The number or proportion of LEP persons eligible to be served or likely to be encountered by the County's programs, services or activities.

The County of Sullivan utilizes data provided by the United State Census Bureau to determine the percentage of LEP individuals in the service area. The County is aware that such statistical data can be outdated or inaccurate. Therefore, the County will utilize other sources of information such as, social services agencies and other appropriate means to determine the proportion of LEP served by those entities.

**Factor 2**

The frequency with which LEP individuals come in contact with these programs, services or activities.

The County will provide provisions to accommodate LEP individuals. Data is to be collected on an annual basis on the amount of requests received for translation or interpretation of County programs, services, and activities. The collected data will be used to estimate the percentage of LEP individuals in the community and the most prominent languages.

**Factor 3**

The nature and importance of the program, service, or activity to people's lives;

The County believes transportation is important to the public. The County currently provides access to shopping centers twice a week. The County will continually develop and update information in the most prominent foreign languages including, but not limited to bus schedules, advertised County special events, public meetings and nondiscrimination and accessibility-oriented policies.

**Factor 4**

The resources available to the County and the likely costs of the LEP services.

The county of Sullivan has staff whom receive stipends and are available to provide translation services. A list of these staff members is include as Attachment 1 to this document. The county

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also has a Department Planning and Environmental Management, Department of Community Services, Division of Health and Family Services and a Sheriff's Department all of which can assist with the goals of this plan.

Current analyses of these factors suggest minimal LEP services are required at this time. Therefore the County has committed to the following:

- Maintain a list of employees who competently speak other languages and who are willing to provide translation and/or interpretation services. (see Attachment 1)
- Distribute this list to staff that regularly have contact with the public.
- Provide notification of the availability of LEP assistance in public meeting notices and on public involvement event signage.
- Translate essential documents into Spanish as data collected indicates this to be the most prevalent language used other than English.

As the County's community profile continues changing, the constant analysis of the four factors may reveal the need for more or varied LEP services in the future. As such, the County will annually examine its LEP plan to ensure it remains reflective of the community's needs.

Persons requiring special language services should contact one of the following:

Cheryl A. McCausland, County Attorney  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

AnnMarie Martin, Clerk to the Legislature  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

Edward McAndrew, Commissioner, DPW  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

### **Public Involvement**

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the County values input from the public. The County spends staff and financial resources in furtherance of this goal and encourages the participation of the entire community. The County holds a variety of public meetings, workshops and other events designed to gather public input on project planning and vision of the County.

Persons wishing to request special presentations by the County of Sullivan; volunteer in any of its activities or offer suggestions for improvement of County public involvement may contact one of the following:

Cheryl A. McCausland, County Attorney  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

AnnMarie Martin, Clerk to the Legislature  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

Edward McAndrew, Commissioner, DPW  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

### **Data Collection**

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The County of Sullivan will continue to accomplish this through the use of census data, driver and ridership surveys, and other methods as appropriate. From time to time, the County may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the County with improving its targeted outreach and measures of effectiveness. Self identification of personal data to the County of Sullivan will always be voluntary and anonymous. Moreover, the County of Sullivan will not release or otherwise use this data in any manner inconsistent with the federal regulations.

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Attachment 1

County Interpretation Service



**COUNTY OF SULLIVAN**  
**OFFICE OF PERSONNEL AND CIVIL SERVICE ADMINISTRATION**  
SULLIVAN COUNTY GOVERNMENT CENTER  
100 NORTH STREET  
PO BOX 5012  
MONTICELLO, NY 12701-5192

**TO:** Commissioners and Department Heads  
**FROM:** Lynda G. Levine, Esq., Director of Human Resources/Personnel Officer  
**SUBJECT:** County Employees who speak/write a second language and are paid a stipend  
**DATE:** 05/13/15

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COUNTY EMPLOYEES WHO PROVIDE INTERPRETATION SERVICES AND RECEIVE A STIPEND

AMERICAN SIGN LANGUAGE

|           |          |                               |
|-----------|----------|-------------------------------|
| Bennett   | Patricia | Public Health Services        |
| Caraballo | Antonia  | Sheriff's Dept. (Civil Dept.) |

CREOLE

|         |              |                       |
|---------|--------------|-----------------------|
| Desmond | Daniel James | Dept. Family Services |
|---------|--------------|-----------------------|

HAITIAN

|         |              |                       |
|---------|--------------|-----------------------|
| Desmond | Daniel James | Dept. Family Services |
|---------|--------------|-----------------------|

SPANISH

|                 |              |                                    |
|-----------------|--------------|------------------------------------|
| Alejandro       | Sandra       | Adult Care Center                  |
| Alonso          | Lazaro       | Sheriff's Department (Corrections) |
| Andino          | James        | Adult Care Center                  |
| Bentacourt-Pena | Christine    | Motor Vehicle                      |
| Caraballo       | Antonia      | Sheriff's Department (Civil Dept.) |
| Castro          | Doris        | Community Services                 |
| Cubero          | Maria        | Public Health Services             |
| Desmond         | Daniel James | Dept. Family Services              |
| Espinoza        | Lidia        | Adult Care Center                  |
| Julek           | Anizia       | Adult Care Center                  |
| Morgan          | Richard      | Sheriff's Dept. (Patrol)           |
| Nava            | Sandra       | Motor Vehicle Department           |
| Perez           | Edwin        | Dept. Family Services              |
| Perez           | Miriam       | Community Services                 |
| Quintero        | Ana          | Adult Care Center                  |

|               |             |                                    |
|---------------|-------------|------------------------------------|
| Ramirez III   | Vincent     | Sheriff's Department (Corrections) |
| Ramos         | Peter       | Sheriff's Department (Road Patrol) |
| Rau           | Alexander   | E-911                              |
| Reynolds      | Rosalinde   | Adult Care Center                  |
| Rodriguez     | Ana         | Public Health Services             |
| Rodriguez     | Serafin Jr. | Sheriff's Department (Corrections) |
| Romero        | Pepsine     | County Clerk's Office              |
| Santiago-Lugo | Pablin      | Veterans Service Agency            |
| Starnier      | Blake       | Sheriff's Department (Patrol)      |
| Torres        | Sallie      | Dept. Family Services              |
| Wagner        | John        | Sheriff's Department (Corrections) |
| Vargas        | Linnette    | Public Health Services             |
| Whittle       | Clement     | Family Services                    |
| Zayas         | Victor      | Sheriff's Department (Corrections) |

POLISH

|         |       |              |
|---------|-------|--------------|
| Snihura | Lesia | Youth Bureau |
|---------|-------|--------------|

PORTUGUESE

|       |        |                   |
|-------|--------|-------------------|
| Julek | Anizia | Adult Care Center |
|-------|--------|-------------------|

UKRANIAN

|         |        |                   |
|---------|--------|-------------------|
| Julek   | Anizia | Adult Care Center |
| Snihura | Lesia  | Youth Bureau      |

Attachment 2

2014 American Community Survey data

| Towns       | Population 5<br>and Older | Speaks a Language other<br>than English |            | Spanish |            |
|-------------|---------------------------|---|------------|---------|------------|
|             |                           | Numbers                                 | Percentage | Numbers | Percentage |
|             |                           | Bethel                                  | 4021       | 450     | 11.20%     |
| Callicoon   | 2852                      | 123                                     | 4.30%      | 24      | 0.84%      |
| Cochecton   | 1309                      | 98                                      | 7.50%      | 35      | 2.67%      |
| Delaware    | 2496                      | 287                                     | 11.50%     | 116     | 4.65%      |
| Fallsburg   | 12215                     | 3371                                    | 27.60%     | 2324    | 19.03%     |
| Forestburgh | 834                       | 72                                      | 8.60%      | 13      | 1.56%      |
| Fremont     | 1475                      | 58                                      | 3.90%      | 24      | 1.63%      |
| Highland    | 2286                      | 263                                     | 11.50%     | 78      | 3.41%      |
| Liberty     | 9022                      | 1705                                    | 18.90%     | 1276    | 14.14%     |
| Lumberland  | 2410                      | 352                                     | 14.60%     | 114     | 4.73%      |
| Mamakating  | 11317                     | 826                                     | 7.30%      | 354     | 3.13%      |
| Neversink   | 3343                      | 227                                     | 6.80%      | 75      | 2.24%      |
| Rockland    | 3391                      | 210                                     | 6.20%      | 98      | 2.89%      |
| Thompson    | 14215                     | 2999                                    | 21.10%     | 1876    | 13.20%     |
| Tusten      | 1285                      | 87                                      | 6.80%      | 30      | 2.33%      |

### Callicoon / Delaware Route

| Towns     | Population 5<br>and Older | Speaks a Language other<br>than English |            | Spanish |            |
|-----------|---------------------------|---|------------|---------|------------|
|           |                           | Numbers                                 | Percentage | Numbers | Percentage |
|           |                           | Bethel                                  | 4021       | 450     | 11.20%     |
| Callicoon | 2852                      | 123                                     | 4.30%      | 24      | 0.84%      |
| Delaware  | 2496                      | 287                                     | 11.50%     | 116     | 4.65%      |
| Liberty   | 9022                      | 1705                                    | 18.90%     | 1276    | 14.14%     |
| Thompson  | 14215                     | 2999                                    | 21.10%     | 1876    | 13.20%     |

### Lumberland / Bethel Route

| Towns      | Population 5<br>and Older | Speaks a Language other<br>than English |            | Spanish |            |
|------------|---------------------------|---|------------|---------|------------|
|            |                           | Numbers                                 | Percentage | Numbers | Percentage |
|            |                           | Bethel                                  | 4021       | 450     | 11.20%     |
| Highland   | 2286                      | 263                                     | 11.50%     | 78      | 3.41%      |
| Lumberland | 2410                      | 352                                     | 14.60%     | 114     | 4.73%      |
| Thompson   | 14215                     | 2999                                    | 21.10%     | 1876    | 13.20%     |