

Berkshire Regional Transit Authority



BRTA

Title VI/Non Discrimination Policy

Updated: July 2015

TITLE VI/NON DISCRIMINATION POLICY

Effective: March 2011

Ref: FTA Circular 4702.1A Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients.

Purpose: The purpose of this policy is to establish guidelines to effectively monitor and ensure that Berkshire Regional Transit Authority (BRTA) is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI Regulations at 49 CFR Part 21.

Policy: Effective March 4, 2011, the BRTA will ensure that their programs, policies, and activities all comply with the Department of Transportation's (DOT) Title VI regulations. BRTA is committed to creating and maintaining public transit service that is free of all forms of discrimination. The agency will take whatever preventive, corrective and disciplinary action necessary for behavior that violates this policy or the rights and privileges it is designed to protect.

Required to provide an annual Title VI certification and assurance: To ensure accordance with 49 CFR Section 21.7, every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement, shall be fulfilled when the applicant submits its annual certifications and assurances to FTA. The text of FTA's annual certifications is available on FTA's website. The BRTA complies with this instruction annually in order to receive FTA funding.

Required to notify beneficiaries of protection under Title VI: In order to comply with 49 CFR Section 21.9(d), recipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Recipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's website. BRTA has information on their website as well as signage posted on all buses and in the main transfer hub.

Required To Develop Title VI Complaint Procedures: In order to comply with 49 CFR Section 21.9(b), recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. BRTA provides for their contractors dispatchers to take complaints and then forward them to the Title VI Complaint Coordinator (General Manager) who categorizes, tracks, develops responses and forwards them to the BRTA Administrator and if needed, legal counsel, see form on page 5

Required to record Title VI investigations, complaints and lawsuits: In order to comply with 49 CFR Section 21.9(b), recipients shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the recipient that allege discrimination on the basis of race, color, or national origin. This list shall include the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of, lawsuit, or complaint. The BRTA Title VI

Complaint Coordinator (General Manager) maintains these files. The BRTA has had no Title VI investigations, complaints or lawsuits that have occurred since the last submission of this program.

Required to provide meaningful access to Limited English Proficient (LEP) persons: Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient. The BRTA has installed a language translator on their website, www.berkshirerta.com, which includes information on schedules, fares and policies. Each driver and dispatcher has been issued a small book, "Basic Spanish for Transit Employees". They are to refer to this as needed. An LEP Plan was implemented to assist with limited English speaking customers.

Title VI Notification: BRTA has conducted numerous public meeting and hearings on the subjects of a fare analysis, service efficiency (route changes), Scheidt & Bachmann fareboxes, and the implementation of Charlie Cards over the past three years. All public meetings are held in a public meeting room at the Joseph Scelsi Intermodal Transportation Center, Columbus Avenue, Pittsfield, MA as well as locations in both North and South County. We will continue to hold public meetings at these accessible, transit friendly, central locations because it ensures all customers can easily participate if they wish. Meeting notices are sent to the Immigration Center, posted on BRTA vehicles, posted within the BRTA facility, faxed to local radio and print media, and posted on the BRTA website.

Recent public solicitations have included required Federal clauses which contain civil rights requirements. All solicitations posted on the BRTA website contain civil rights Title VI disclaimers.

Required to provide additional information upon request: At the discretion of the FTA, information other than that required by the referenced circular may be requested, in writing, from a recipient in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements. The BRTA Title VI Complaint Coordinator (General Manager) is available to provide additional information as needed and to respond to any inquiry.

Required to prepare and submit a Title VI Program: FTA requires recipients to report certain general information to determine their compliance with Title VI. The collection and reporting of this program constitute the recipients' Title VI Program. To ensure compliance with 49 CFR Section 21.9(b), FTA requires that all recipients document their compliance with this chapter by submitting a Title VI Program to FTA's regional civil rights officer once every three years.

Discrimination

Any act or omission of an act which would prevent the use of or exclude a person from access to public transportation based on (but not limited to) race, sex, disability, or religion.

Notice of Non-Discrimination

The notice below is posted on transit vehicles and throughout the transit facilities in English and the additional languages listed.

The BRTA complies with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964 and other federal equal opportunity laws and therefore does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in BRTA programs and activities, as well as in BRTA's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding BRTA's nondiscrimination policies may be directed to BRTA, One Columbus Avenue, Suite 201, Pittsfield, MA 01201 Attn: Civil Rights Officer.

This notice will be made available in other languages.	English
Este aviso estará disponible en otros idiomas.	Spanish
Niniejsze obwieszczenie będą dostępne w innych językach	Polish
Questo avviso sarà resi disponibile in altre lingue	Italian
Este aviso será disponibilizado em outros idiomas	Portuguese
Это уведомление будет предоставляться на других языках.	Russian

Este aviso estará disponible en otros idiomas. Spanish

El BRTA cumple con las Americans with Disabilities Act de 1990, la sección 504 del Acta de rehabilitación de 1973, título VI de la ley de derechos civiles de 1964 y otras leyes federales igualdad de oportunidades y por lo tanto no discrimina en base de raza, sexo, color, edad, origen nacional, religión o discapacidad, en la admisión o acceso y tratamiento en BRTA programas y actividades, así como en BRTA está contratando o prácticas laborales. Las denuncias de presunta discriminación y consultas sobre política antidiscriminatoria de BRTA pueden ser dirigidas a BRTA, uno Columbus Avenue, Suite 201, Pittsfield, MA 01201 Attn: oficial de los derechos civiles.

Niniejsze obwieszczenie będą dostępne w innych językach Polish

BRTA jest zgodny z Amerykanami z niepełnosprawnych ustawa z 1990 r., sekcji 504 ustawy o rehabilitacji z 1973 r., tytuł VI ustawy prawa obywatelskie prawa federalnego równych szans 1964 i innych i dlatego nie dyskryminacji ze względu na rasy, płci, kolor, wiek, pochodzenie, religię lub niepełnosprawności, czasowej lub dostęp do i leczenie w BRTA programów i działań, jak również w BRTA na wynajem lub praktyk zatrudnienia. Skargi o domniemanej dyskryminacji i zapytania dotyczące zasady niedyskryminacji w

BRTA mogą być kierowane do BRTA, jeden Columbus Avenue, Apartament 201, Pittsfield, MA 01201 Attn: oficer praw obywatelskich.

Questo avviso sarà resi disponibile in altre lingue

Italian

Il BRTA conforme l'Americans with Disabilities Act del 1990, sezione 504 del Rehabilitation Act del 1973, titolo VI del Civil Rights Act del 1964 e altre leggi federali pari opportunità e pertanto non discrimina sulla base di razza, sesso, colore, età, origine nazionale, religione o disabilità, di ammissione o di accesso e di trattamento in attività e programmi BRTA, come bene come in BRTA di assunzione o pratiche di occupazione. Denunce di presunte discriminazioni e richieste riguardanti le politiche di non discriminazione di BRTA possono essere indirizzate a BRTA, uno Columbus Avenue, Suite 201, Pittsfield, MA 01201 Attn: ufficiale di diritti civili.

Este aviso será disponibilizado em outros idiomas

Portuguese

O BRTA cumpre o Americans with Disabilities Act de 1990, seção 504 da lei de reabilitação de 1973, o título VI do acto de direitos civis de 1964 e outras leis federais de igualdade de oportunidades e, portanto, não discrimina com base em raça, sexo, cor, idade, nacionalidade, religião ou deficiência, na admissão ou o acesso e o tratamento em BRTA programas e atividades, como bem como BRTA está contratando ou práticas de emprego. Queixas de alegada discriminação e inquéritos sobre políticas de não discriminação do BRTA podem ser direcionadas para BRTA, um Columbus Avenue, Suite 201, Pittsfield, MA 01201 Attn: oficial de direitos civis.

Это уведомление будет предоставляться на других языках.

Russian

BRTA соответствует американцах-инвалидах закона 1990 года, статья 504 Закона о реабилитации от 1973 года, раздел VI Закона о гражданских правах 1964 и других законов федерального равных возможностей и поэтому не допускает дискриминации по признаку расы, пола, цвета, возраста, национального происхождения, религии или инвалидности, в приеме или доступ к и лечение в BRTA программах и мероприятиях, а также в BRTA в найме или занятости практики. Жалобы о предполагаемой дискриминации и запросы относительно BRTA в политику недискриминации могут быть направлены на BRTA, один Columbus Avenue, Suite 201, Питтсфилд, Ма 01201 Attn: сотрудник по вопросам гражданских прав.

Responsibilities

All employees and contractors of Berkshire Regional Transit Authority shall follow the intent of these guidelines in a manner that reflects agency policy.

Supervisors and managers receiving information regarding violations(s) of this order, shall determine if there is any basis for the allegation and shall proceed with resolution as stated in the sections Supervisor Responsibility and/or Investigation of Complaints and Appeal Process.

Supervisor Responsibility

Each supervisor or manager shall:

- A) Ensure that there are no barriers to service or accommodation that would prevent public transit usage or access.
- B) Train subordinates as to what constitutes discrimination and barriers to access.
- C) Take prompt and appropriate action to avoid and minimize the incidence of any form of discrimination.
- D) Notify the General Manager in writing of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

Investigation of Complaints and Appeal Process

Various methods of resolution exist. If a customer feels that their accommodation request and/or access to public transportation was denied, they may file a complaint through the following process:

- 1) Submit a written complaint with contact information to:
BRTA, One Columbus Ave, Suite 201, Pittsfield, MA 01201
Attn: Civil Rights Officer
- 3) E-mail the BRTA at info@berkshirerta.com

The General Manager will investigate the complaint and make a determination. Formal investigation of the complaint will be confidential and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Customer will be notified of the resolution.

If the complainant is not satisfied with the resolution, an appeal process is available. An appeal request for review of a determination of unlawful denial of access or accommodation to public transportation must be filed, in writing, within 60 calendar days of the incident. The written appeal must include the customer's name, address, and telephone contact number. A statement of reason(s) why the applicant believes the denial of accommodation request or access to public transportation was inappropriate is recommended.

The Administrator will set a mutually agreed-upon time and place for the review process with the applicant and/or representatives within 30 days of the request. The applicant may submit documents or other information to be included with the record and considered in the review process. A record of the review will be kept, as determined by the Administrator. Anyone needing special accommodations may contact the BRTA office at (413) 499-2782 for assistance.

The right of the appellant to a prompt and equitable resolution of the complaint must not be impaired by the appellant's pursuit of other remedies, such as filing of a complaint with the Department of Justice or other appropriate federal agency or the filing of a suit in state or federal court. Use of this procedure is not a prerequisite to the pursuit of other remedies.

Disposition of Complaints

Sustained Complaints – If the complaint is substantiated, this policy and procedure prohibiting discrimination will be reviewed with the offender. Appropriate disciplinary action and/or training will be taken pursuant to the agency disciplinary procedures.

Unsustained Complaints – If there is insufficient evidence to either prove or disprove the allegation(s), both parties to the complaint will be informed of the reason(s) for this disposition.

Unfounded Complaint – If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of unfounded shall be made.

Exonerated Complaints – If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of exonerated shall be made.



Robert Malnati, Administrator

7/28/15
Date

Attachments 1 – Board meeting minutes
Attachment 2 - Service Standards

Title VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
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
Section III:				
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				
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.				

Title VI Complaint Form

Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No
Section V		
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: _____		
Section VI		
Name of agency complaint is against: _____		
Contact person: _____		
Title: _____		
Telephone number: _____		

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:
 Berkshire Regional Transit Authority
 Title VI Coordinator
 1 Columbus Avenue, Suite 201
 Pittsfield, MA 01201

BERKSHIRE REGIONAL TRANSIT AUTHORITY
MEETING OF THE ADVISORY BOARD

March 20, 2014
4:00 p.m.
BRTA Intermodal Transportation Center
One Columbus Avenue Pittsfield, MA 01201

MINUTES

Berkshire Regional Transit Authority Advisory Board Members Present:

Mike Ouellette, Adams; Mary Cherry, Dalton; Jeanne Carmel, Hinsdale; Peter Gallant, Lanesborough; Ronald Giancola, Lee; Scott Laugenour, Lenox; Sandra Lamb, North Adams; Leonard Lipton, Pittsfield; and Rene Wood, Sheffield.

Berkshire Regional Transit Authority Advisory Board Members Absent:

Lucy Prashker, Alford; William Elovirta, Becket; Mark Webber, Cheshire; Thomas Webb, Clarksburg; Bruce Turner, Egremont; Glenn Burnick, Florida; Sean Stanton, Great Barrington; Wayne Burkhart, Monterey; James Lovejoy, Mount Washington; Donald Hawley, Otis; Alan Hanson, Richmond; Craig Berger, Stockbridge; Mike Case, Washington; Brian O'Grady, Williamstown; Leslie Bird, Windsor.

Also present: Gary Shepard, Robert Malnati, Barbara White- BRTA staff; Mark McClanan- BTM, and Patty Annechiarico.

	Voting Shares	Present	
Adams	2.14	2.14	
Alford	1.00	0.00	
Becket	1.00	0.00	
Cheshire	2.03	0.00	
Clarksburg	1.00	0.00	30.00 shares
Dalton	2.12	2.12	needed for
Egremont	1.00	0.00	quorum
Florida	1.00	0.00	
Great Barrington	3.73	0.00	38.27 present
Hinsdale	1.29	1.29	
Lanesborough	2.46	2.46	
Lee	3.79	3.79	
Lenox	3.10	3.10	
Monterey	1.00	0.00	
Mt. Washington	1.00	0.00	
North Adams	4.49	4.49	
Otis	1.00	0.00	
Pittsfield	17.87	17.87	
Richmond	1.01	0.00	
Sheffield	1.01	1.01	
Stockbridge	2.57	0.00	
Washington	1.00	0.00	
Williamstown	2.38	0.00	
Windsor	1.01	0.00	

1) ROLL CALL

The meeting was called to order at 4:00 PM. Those present or absent are listed above.

2) MINUTES OF January 30, 2014 MEETING- VOTE

Mr. Gallant made a motion to accept the minutes from the January 30, 2014 meeting. Mr. Lipton seconded the motion. Ms. Wood abstained and the motion passed unanimously.

3) ADMINISTRATORS REPORT

Mr. Shepard stated the MBTA has announced that they will run until 2:30am. They also approved \$1.6 billion to construct a connection from Somerville to Medford. The RTAs asked once it is constructed, what money will they use to operate it which they had no answer.

Mr. Shepard explained the attached line item amendment has been sent to the Berkshire County Delegation asking for their support with the HST appeal. HST still has not released the results of the study regarding service delivery. Instead, they gave us a bill for several thousands of dollars to produce all the requested documents. The RTA's will probably be in a better bargaining position because HST cannot put this all together by July 1. We are not giving up the battle. The press has been very supportive.

Mr. Shepard stated a few meetings ago a presentation on the Veteran's Call Center was made to the board. The enclosed package was presented to eight different parties in Washington, making the case to Senators and Congressmen from both sides of the aisle. The proposed budget for operating funds to open the Center in January 2015 was discussed. This whole proposal is helping Veterans and their families, not only to get them transportation, but also transportation for jobs and for their spouses. The proposal included a five year and ten year dollar amounts for the operation of the Center, but also included late night service during the week, Saturdays and Sundays. It is an opportunity for us to make the case to the Federal Government that if we are going to provide transportation, service shouldn't be shutting down at six o'clock. The proposed budget is eight million over 5 years and eleven million over ten years. In the eight meetings we had, everyone was very receptive and extremely supportive. Eight different Secretaries have written letters of support. Funding has been sought from Health and Human Services, Federal Transit, Department of Labor, and Department of Defense to name a few. Next week all these parties will be talking at one table with Soldier On and BRTA in Washington. Congressman McGovern and Congressman Neil have also asked what they can do to assist.

4) CASH REPORTS FOR JANUARY 2014- VOTE

Ms. Wood made the motion to accept the cash reports for January. Mr. Ouellette seconded the motion, which passed unanimously.

5) **BUDGET YTD**

Mr. Shepard reported the Governor's Budget is now on the House side. There is every indication that both the House and Senate will give the RTA's their own line items. The BRTA has received payments for the 4th quarter and the remaining outstanding due is for the receivables, which we should get by June 30th.

By the end of March, the picture on FY15 funding should be clearer based upon what the House does. A meeting with the Finance Committee will be scheduled before our next Board meeting in May.

6) **RIDERSHIP YTD**

Mr. Shepard stated the total ridership is up 5.7%. Fixed Route is up 6.1% and Paratransit up 3%.

Mr. McClanan remarked that we are seeing an increase in Routes 1 and 2 because more people are using them because of the one local fare into Lenox and Lanesboro.

Mr. McClanan also mentioned that the Charlie Card is moving along well and the credit card payment option is available on the machines downstairs. The BRTA system is also tied into the MBTA to allow the on-line addition of stored value to their cards. The mobile Sales Outlet Terminal, SOT, is still going out a couple days a week into the community and remains very popular in North County. Overall, there is a very good response from both the drivers and customers regarding a quicker to board, smoother transition.

Mr. McClanan stated issues with the system have dramatically dropped to one or two per run. Most of it can be attributed to human error. Someone could have tapped their card too many times or didn't tap the card fast enough and the driver didn't hit the button fast enough to extend time. Customers are reimbursed for any errors and they are happy about that.

Mr. Laugenour remarked that time out incident also happened to him when purchasing a pass on the bus. It was a long process but the driver handled it very well.

Mr. Lipton asked do you consider the request for unlimited ride passes for a year as being a serious inquiry.

Mr. McClanan stated we did that when we went through the fare structure analysis and there are pros and cons and my view on it is anything over thirty days is beyond what most of our customers can afford.

Ms. Cherry remarked she thinks it is going to be hard for people to tell what their needs are going to be on yearly basis vs a monthly basis. I don't think it would be a popular item.

Mr. Laugenour was interested in knowing if there was a report on how many passes we are selling a month and the ratio between cash and Charlie Cards.

Mr. McClanan remarked he would look for that type of report.

Ms. Cherry remarked she would like to see a full year of information. If the data shows there are good number of students, I think that gives us a lot of ammunition to go to the colleges and say this is a good service and you need to provide this for your students.

Mr. McClanan stated when the pass came out, passengers were asking what do they buy and we would ask how much do you utilize and figure it out what it would cost.

Mr. Malnati stated customers are still trading in the old passes for stored value on that card.

Mr. Laugenour asked how much longer they can trade in the passes.

Mr. Malnati remarked it was six months, till July 1, 2014.

7) LENOX FREE RIDES – VOTE

Mr. Laugenour stated that on March 5th the Lenox Select Board approved, subject to this Boards approval, the continuation of free rides in Lenox from April 18th to October 11. When it was a single zone, \$1.25 per adult ride was billed to the town of Lenox and I like to see if we could be billed \$1.40, which is the Charlie Card fare, rather than the \$1.75 cash fare. Questions and answers were discussed on the subject.

Mr. Laugenour made a motion to approve and bill the Town of Lenox the \$1.40 per adult ride fare on Fridays and Saturdays from April 18, 2014 until October 11, 2014. Mr. Gallant seconded the motion, which passed unanimously.

8) TITLE VI & LEP PROGRAM - VOTE

Mr. Malnati gave a brief overview to the board on the BRTA's Title VI and Limited English Proficiency (LEP) program. The BRTA must review and update the Title VI program at least every three years. This exercise ensures that BRTA is using up to date census information in formulating the LEP calculations. Last year FTA issued a circular that updated the Title VI program requirements which includes attaching a copy of the minutes of the Board Meeting approving the Title VI Program, and the BRTA Service Standards outlining the fleet age, vehicle type, vehicle occupancy, and state how the size and type of vehicle is used throughout the system. The updated program will be posted to the Federal Transit website before April 1, 2014 containing draft minutes of this meeting. Once the minutes are formally accepted in May, the attachment will be updated.

The Limited English Proficiency Program (LEP) is a stand alone document, but goes hand in hand with the Title VI Civil Rights Anti-Discrimination program. BRTA researches within our community what amount and percent of the population that speak English less than very well and use public transportation. BRTA uses census data from the Planning Commission to determine the native language of the population that speaks English less than very well and the number and percentage that are transit dependent. BRTA also uses data from the Adult Learning Center and Berkshire Community College to enhance the information contained in the LEP analysis. There was some information from BCC that arrived after the board packet was mailed out last week, so the updated LEP packet was distributed today.

Should the board approve both programs, BRTA can post to the FTA website for their review. An approved Title VI program is required before BRTA can apply for Federal Grants.

Ms. Cherry inquired if the decision on which languages to translate was based on that census for "this notice available in other languages" sign?

Mr. Malnati replied yes.

Ms. Cherry stated she was surprised there is no Asian language there because we do have a large Asian population in the schools. Did you say the data was Pittsfield only or Berkshire County?

Mr. Malnati replied the census information was for Berkshire County. The chart on page 4 does contain Asian Pacific, but does not break down which dialect. The section regarding public transit reliant stated there are 681 within the county 583 speak English only, 78 speak Spanish, and other languages are 20.

Ms. Wood made a motion to accept BRTA's Title VI and LEP Program. Ms. Cherry seconded the motion which passes unanimously.

9) OLD BUSINESS

None Discussed

10) NEW BUSINESS

None Discussed

11) NEXT MEETING DATE/TIME

May 29, 2014 at 4:00 pm

12) ADJOURMENT

Ms. Wood made the motion to adjourn. Mr. Cherry seconded the motion.

BERKSHIRE REGIONAL TRANSIT AUTHORITY
MEETING OF THE ADVISORY BOARD

May 29, 2014
4:00 p.m.
BRTA Intermodal Transportation Center
One Columbus Avenue Pittsfield, MA 01201

MINUTES

Berkshire Regional Transit Authority Advisory Board Members Present:

William Elovirta, Becket; Mary Cherry, Dalton; Jeanne Carmel, Hinsdale; Peter Gallant, Lanesborough; Scott Laugenour, Lenox; Sandra Lamb, North Adams; Leonard Lipton, Pittsfield; and Brian O'Grady, Williamstown.

Berkshire Regional Transit Authority Advisory Board Members Absent:

Mike Ouellette, Adams; Lucy Prashker, Alford; Mark Webber, Cheshire; Thomas Webb, Clarksburg; Bruce Turner, Egremont; Glenn Burnick, Florida; Sean Stanton, Great Barrington; Ronald Giancola, Lee; Wayne Burkhart, Monterey; James Lovejoy, Mount Washington; Donald Hawley, Otis; Alan Hanson, Richmond; Rene Wood, Sheffield Craig Berger, Stockbridge; Mike Case, Washington; Leslie Bird, Windsor.

Also present: Gary Shepard, Robert Malnati, Ana-Lisa Parise- BRTA staff; Mark McClanan- BTM Bill Muhalland-BCC, and Patty Annechiarico.

	Voting Shares	Present	
Adams	2.14	0.00	
Alford	1.00	0.00	
Becket	1.00	1.00	
Cheshire	2.03	0.00	
Clarksburg	1.00	0.00	30.00 shares
Dalton	2.12	2.12	needed for
Egremont	1.00	0.00	quorum
Florida	1.00	0.00	
Great Barrington	3.73	0.00	34.71 present
Hinsdale	1.29	1.29	
Lanesborough	2.46	2.46	
Lee	3.79	0.00	
Lenox	3.10	3.10	
Monterey	1.00	0.00	
Mt. Washington	1.00	0.00	
North Adams	4.49	4.49	
Otis	1.00	0.00	
Pittsfield	17.87	17.87	
Richmond	1.01	0.00	
Sheffield	1.01	0.00	
Stockbridge	2.57	0.00	
Washington	1.00	0.00	
Williamstown	2.38	2.38	
Windsor	1.01	0.00	

1) ROLL CALL

The meeting was called to order at 4:00 PM. Those present or absent are listed above.

2) MINUTES OF MARCH 20, 2014 MEETING- VOTE

Ms. Cherry made a motion to accept the minutes from the March 20, 2014 meeting. Mr. Lipton seconded the motion, which passed unanimously.

3) ADMINISTRATORS REPORT

Mr. Shepard stated for the past month, BRTA has been in discussions with HST about a brokerage contract extension. Originally HST wanted 1 broker to serve the entire state, which BRTA opposed. HST has shelved that plan and returned to the current brokers with a different offer. After some negotiations, BRTA has submitted a budget and provided HST with contract amendment language and associated administrative costs along with addition questions. HST has not provided responses yet, but they have relaxed some of the IT requirements originally proposed. There is really nothing that is insurmountable to signing a contract extension, but BRTA is still waiting for a legal opinion.

If BRTA does accept the terms and conditions set forth by HST, the proposed contract would be for 5 or 6 years. Then BRTA would have to release a solicitation for vendors for a 5 year contract.

Mr. Shepard stated he is hopeful that by the Board Meeting, he will be able to present a final outcome to the negotiations process, that none of the issues looked insurmountable.

Mr. Shepard explained the attached line item amendment has been sent to the Berkshire County Delegation asking for their support with the HST appeal. HST still has not released the results of the study regarding service delivery. Instead, they gave us a bill for several thousands of dollars to produce all the requested documents. The RTA's will probably be in a better bargaining position because HST cannot pull everything together by July 1. We are not giving up the battle. The press has been very supportive.

Mr. Shepard stated a few meetings ago a presentation was made to the board on the Veteran's Call Center. The enclosed package was presented to eight different parties in Washington, making the case to Senators and Congressmen from both sides of the aisle. The proposed budget for operating funds to open the Center in January 2015 was discussed. This whole proposal is helping Veterans and their families, not only to get them transportation, but also transportation for jobs and for their spouses. The proposal included a five year and ten year plan with funding amounts for the operation of the Center, but also included late night service during the week, Saturdays and Sundays. It is an opportunity for us to make the case to the Federal Government that if we are going to provide transportation, service shouldn't be shutting down at six o'clock. The proposed budget is eight million over 5 years and eleven million over 10 years. In the eight

Berkshire Regional Transit Authority
Title VI Program
Fixed Route Standards

Vehicle Load Standards

The average load factor for all peak operating vehicles should not exceed the maximum capacity of the vehicle type. For a 22' Ford van Mini-Bus the capacity is 22, a Heavy Duty Low Floor bus has a capacity of 40. All BRTA fixed route vehicles are housed at the maintenance facility at 67 Downing Parkway in Pittsfield. The vehicle type and size are selected for each route type to accommodate the level of customers need. A full size vehicle will be used on the feeder routes 1 and 2 during peak hours, then transition to a minibus during off peak periods.

Vehicle Type	Seating Capacity	Peak Seating	Maximum Load Factor
22' Mini-Bus	18	15	0.8
32' Low Floor Bus	32	28	0.9
35' Low Floor Bus	32	28	0.9

Vehicle Headway Standards

Service operates Monday – Friday on 60 minute headways. An Express route from Central to North County runs on 120 minute headway. On Saturday the longer runs operate on 60 minute headways with the local runs on 90 to 120 minute headway.

On-Time Performance Standards

A vehicle is considered “On-Time” if it departs no later than 5 minutes after the scheduled time. BRTA’s on-time performance objective is 90% or greater. BRTA continuously monitors on-time performance and posts them as part of the monthly performance report on the website www.berkshirerta.com. The current on-time performance for all fixed route operations is 90%.

Service Availability Standards

BRTA is a flag down service. Busses will stop at the nearest safe location to a passenger’s destination. Stops will not be more than 2 blocks apart on local trips. In addition to stops along the regular route, BRTA will deviate to select locations throughout the county. These destinations are determined by passenger need and accessibility. Currently BRTA is operating 99% or more of all scheduled trips.