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10 **Bylaws of the**
11 **Martha's Vineyard Joint Transportation Committee**
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16 Adopted as revised by the Joint Transportation Committee on April 15, 2015
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<i>DRAFT FOR DISCUSSION</i>

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33 Prepared by the Martha's Vineyard Commission
34 in cooperation with the Massachusetts Department of Transportation, and the U.S. Department of
35 Transportation, Federal Highway Administration and Federal Transit Administration
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1. Introduction

The Martha's Vineyard Joint Transportation Committee (JTC) was created by agreement of the Committee of Signatories (COS) in 1979. The agreement, formally called the Memorandum of Understanding (MOU), was signed by the Secretary of the Executive Office of Transportation (EOT), the Commissioner of the Massachusetts Department of Public Works, the Chairman of The Martha's Vineyard Commission (MVC), and the Chairman of the Martha's Vineyard Transit Authority (VTA), jointly known as the COS.

Desiring to sustain a "transportation planning process that is reflective of both Federal and State policies and responsive to local goals and objectives", the COS established the JTC as a "citizen's advisory committee". The JTC's primary role is to advise the COS:

- on matters of policy affecting the conduct of the "comprehensive, cooperative, and continuous (3-C)" transportation planning process, and
- on such regional transportation documents as may from time to time be required by Federal or State laws and regulations.

Updates in major transportation laws, including the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the Transportation Equity Act for the 21st Century (TEA-21), and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) have broadened the 3-C transportation planning process. Now, "proactive involvement" of the public is the new foundation. Simply stated, the development of regional transportation planning documents is to be guided by the following principles:

- early and continuing public involvement,
- reasonable public access to information,
- timely public notice of activities, and
- explicit consideration and response to all public comments.

The purpose of the by-laws is to state the means by which the JTC, as the core group responsible for managing the 3-C process, will carry out its mission. The mission statement, objectives, and general procedures are consistent with the JTC's *Public Participation Plan*.

While the *Public Participation Plan* details policies on how citizens may become involved in transportation planning on Martha's Vineyard, it is worth emphasizing that the JTC always welcomes public input, be it through comment on documents, participation in public forums, participation in JTC workgroups or the JTC itself, or simply through contacting the JTC or a JTC member. The JTC also notes that if a member of the public has a concern regarding transportation on the Island, the first point of contact should be the voting representative to the JTC from that town. The JTC or its Coordinator will be happy to assist any member of the public with a concern or issue; however an official town representative to the JTC is often also a town official with the capacity to deal directly with certain concerns. The JTC would also like to note that the VTA has a Consumer Advisory Group that deals directly with issues involving public transit. While the JTC makes every effort to solicit and respond to public input in its decision-making, members of the public should

always feel free to contact the JTC with issues or concerns, and the JTC will make every effort to respond appropriately.

2. Mission Statement

Maintaining a 3-C transportation planning process requires the JTC to:

- identify significant regional transportation issues and needs;
- seek the fullest possible participation from individuals, interest groups, and public officials;
- consider the needs of Island residents, visitors, and businesses;
- provide advice, information, and recommendations to decision-makers at all levels of government concerning the planning and implementation of regional transportation projects; and
- review the effectiveness of the public involvement activities.

3. Objectives

The intent of the 3-C process is to allow all interested individuals and groups to influence the planning of an intermodal regional transportation system. The intermodal system will cover all modes of travel and highway systems on the Island and going to and from the Island. The intermodal system should result in improved mobility and accessibility for all Island residents, visitors, businesses, and goods.

The 3-C process shall be supported by activities of the JTC that:

- are oriented toward open planning and consensus-building;
- are perceived by the residents of Martha's Vineyard as a dynamic process through which the results are based on wide and effective participation;
- recognize that decisions affecting the regional transportation system should be made within the framework of the *Regional Island Plan*, the comprehensive plan periodically adopted by The Martha's Vineyard Commission; and
- produce recommendations concerning regional transportation priorities and programs that are consistent with the *Regional Transportation Plan for Martha's Vineyard*, the region's *Transportation Improvement Program*, the *Unified Work Program*, and other regional transportation planning documents.

4. Membership

The membership of the JTC should be inclusive to provide for a widely representative viewpoint and ensure a balanced consideration of transportation issues. There shall be two membership classes - voting members, and ex-officio (non-voting) members.

4.1 Voting Members

The voting members of the JTC shall consist of one representative of each of the following:

- County of Dukes County,

- Town of Aquinnah,
- Town of Chilmark,
- Town of Edgartown,
- Town of Oak Bluffs,
- Town of Tisbury,
- Town of West Tisbury,
- Vineyard Transit Authority Administrator or his/ her appointee,
- Martha's Vineyard Commission Executive Director or his/her appointee,
- Wampanoag Tribe of Gay Head (Aquinnah).

4.2 Ex-Officio Members

The *ex-officio* (non-voting) members of the JTC shall consist of one representative of each of the following:

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- Steamship Authority (SSA),
- Massachusetts Executive Office of Transportation,
- Federal Highway Administration,
- Federal Transit Administration,
- Martha's Vineyard Airport (MVY),
- Martha's Vineyard Chamber of Commerce
- Bicycle Pedestrian Advisory Committee (BPAC),

Other representatives of persons with disabilities, older citizens, private providers of transportation, business groups, consumer groups, environmental groups, minority communities, and the public may also join the JTC as Non-voting Members. All are welcome to the JTC public meetings.

JTC members shall be appointed, reappointed, or reaffirmed every three years, or as necessary to fill a vacancy.

4.3 Officers and Their Duties

The officers of the JTC who are to be selected by a majority of the members shall consist of the Chairman and Vice Chairman. Each officer's term shall be for one (1) calendar year.

The Chairman shall have the general supervision of the JTC and the duties shall include, but not be limited to:

- scheduling meeting and forums;
- assisting MVC staff in preparing the agenda;
- opening all meetings and forums at the appointed hour, calling the sessions to order, and adjourning all sessions;
- facilitating discussion and meeting business;

The Vice Chairman shall preside in the absence of the Chairman.

The Coordinator, **an MVC staff member named by** the MVC Executive Director, shall assist the JTC as deemed necessary, **including with organizing meetings, sending out notices, preparing and distributing minutes, and preparing reports.**

Subcommittee and working groups may be set up to look at particular issues or projects and make recommendations to the JTC. Subcommittee and working group chairmen shall be appointed by the Chairman with the consent of JTC members. The chairman of each subcommittee shall preside at meetings, invite public participation, direct the discussion, seek consensus, **as well as oversee the preparation of** position papers, meeting summaries, and recommendations.

5. Meetings

5.1 Regular Meetings

All meetings shall be open to the public and conducted according the Massachusetts Open Meeting Law (M.G.L. Chapter 39, section 23B).

Regular meetings shall be held monthly unless otherwise determined by the Chairman.

Regular meetings shall be publicized **at least** seven (7) working days in advance by the Coordinator. If the topic of a regular meeting pertains the development, review, or amendment of the *Regional Transportation Plan, Unified Work Program, Transportation Improvement Program, or Public Participation Plan*, then the meeting will be publicized **at least ten (10)** calendar days in advance.

Meeting notices shall state the place, date, and time of the meeting and the topics to be discussed. Meeting places and times shall be arranged to accommodate low-income householders and individuals whose mobility is impaired.

Notices shall be sent **via email to** members of the JTC, to town clerks, local news media, and to all interested individuals and organizations. Meeting notices and any supplementary materials for review will be available on the website of the Martha's Vineyard Commission (www.mvcommission.org).

A quorum for regular meetings shall consist of **five (5) voting members.**

Minutes of each meeting will be kept by MVC staff. Copies of meeting records will be available on the website of the Martha's Vineyard Commission (www.mvcommission.org)

5.2 Subcommittees and Working Groups

The JTC can, when necessary, designate subcommittees working groups that report back to the JTC on specific issues. Subcommittees and working group coordinators may call special meetings to consider issues and topics as directed by the JTC as a whole.

All meetings shall be open to the public and conducted according to the Massachusetts Open Meeting Law.

Scheduling of subcommittee and working group meetings shall be as for regular meetings.

5.3 Forums

Forums at which regional transportation issues, regional planning documents, or regional transportation projects may be presented to the public shall occur as deemed appropriate by the JTC as a whole.

Forums will be the primary means of informing the public and soliciting opinions related to a balanced regional transportation system.

Whenever possible, forums shall be publicized fourteen (14) calendar days in advance by the MVC staff. If the topic of a forum pertains to the development, review, or amendment of the *Regional Transportation Plan, Unified Work Program, Transportation Improvement Program, or Public Participation Plan*, then the forum will be publicized fourteen (14) calendar days in advance.

Forum notices shall state the place, date, and time of the forum and the topics to be discussed. Forum places and times shall be arranged to accommodate low-income householders and individuals whose mobility is impaired.

Notices shall be sent to the chief elected officials of Dukes County and the municipalities of Dukes County, the Island's Legislative Liaison, members of the COS, members of the JTC, town clerks, local news media, and to all interested individuals and organizations. Meeting notices and any supplementary materials for review will be available on the website of the Martha's Vineyard Commission (www.mvcommission.org).

A complete record of each forum will be prepared by the Coordinator. Copies of forum records will be available on the website of the Martha's Vineyard Commission (www.mvcommission.org) or from the Coordinator.

5.4 Public Comment

A public-comment period as to the Unified Work Program or Transportation Improvement Program, or amendments thereto, shall be for fifteen (15) calendar days. A public-comment period as to the Regional Transportation Plan, or amendments thereto, shall be for thirty (30) calendar days. A public-comment period as to the Public Participation Plan, or amendments thereto, shall be for forty-five (45) calendar days. All public-comment periods begin on the day the legal notice appears in

the local newspaper. Copies of the subject documents and supporting reports and research memoranda shall be available for public review during the public-comment period.

At the end of the public-comment period, the Coordinator shall summarize all public comments received and present a written report to the JTC that shall be published on the website of the Martha's Vineyard Commission (www.mvcommission.org).

Prior to its recommendations, endorsements, and other decisions, the JTC shall explicitly acknowledge and respond to comments received during the public-comment period.

If the final Regional Transportation Plan or Transportation Improvement Program or amendment thereto differs significantly from the one which was made available for public review, discussion and comment and raises new material issues which interested individuals could not have foreseen, then an additional fifteen (15) calendar day public-comment period shall be instituted by the Chairman. The additional public-comment period will follow the same procedures of the initial public-comment period.

The Chairman at regular meetings and forums, and the Coordinators at working group meetings, having solicited all opinions and comments and sensing that the discussion is complete, shall restate the issue and its resolution. With the consent of a majority of the JTC members, the Chairman of a regular meeting or forum or the Coordinator of a subcommittee or working group meeting shall direct the Coordinator to prepare a consensus statement in the minutes of that meeting to be adopted at the next regular JTC meeting.

The Chairman or Coordinators, if sensing that a consensus cannot be reached, shall, with the consent of the JTC members in attendance, either:

- request additional information so that the issue can be discussed at the next regular JTC meeting,
- or
- take a formal vote of Voting Members present, with a simple majority ruling.

Consensus statements in the minutes shall describe the consensus or result of the vote, and summarize the interest and major positions advocated by participating individuals and groups. Consensus statements shall be available on the website of the Martha's Vineyard Commission (www.mvcommission.org) or from the Coordinator.

5.5 Amendments

By-law amendments may be proposed by a majority of the JTC members at a regular meeting.

The Chairman shall distribute written amendment proposals at least fourteen (14) calendar days before a regular meeting.

At a regular meeting, proposed amendments shall be discussed and shall be voted on by the members.

The *Transportation Improvement Program* may be amended in order to:

- add or delete a project,
- increase the cost of a highway project by more than twenty-five (25) percent, or
- increase the cost of a transit project by more than ten (10) percent.

5.6 Decision Making

Decisions to be made by the JTC shall be based on consensus agreement when possible. The goal of consensus-building is to ensure that the actions of the JTC reflect the interests of many individuals and groups.

The Chairman shall facilitate consensus-building by:

- Soliciting opinions and comments from all persons attending meetings and forums; written statements may be submitted to the JTC prior to the preparation of any recommendation, endorsement, decision, or report;
- Encouraging discussion of issues until the interests of all individuals and groups are clearly expressed and understood;
- Resolving conflicting viewpoints so as to form a compromise or consensus statement; and
- Requesting formal presentations from the transportation planning staff of The Martha's Vineyard Commission.

6. Consistency with Federal and State Policies

Questions as to policy or procedure shall be resolved by the JTC as a whole in light of the provisions set forth in the MOU.

The *Public Participation Plan* is intended to reflect the JTC's commitment to conform to the public involvement policies of the Federal Highway Administration and the Federal Transit Administration as such policies may be applicable to the Martha's Vineyard Region. The *Public Participation Plan* is also consistent with applicable federal legislation, most recently the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). This law specifically requires that the public, as well as other entities, be consulted in development of the *Regional Transportation Plan* and the *Transportation Improvement Program*. The JTC, through the use of public forums and direct consultation, will actively seek the participation of not only the public, but also specifically cyclists and pedestrians, the disabled, relevant federal agencies, state and local regulatory agencies, the Wampanoag Tribe of Gay Head (Aquinnah), and other public and private entities engaged in planning, environmental protection, wildlife and natural resource management, historic preservation, and conservation.

Consistent with Title VI of the Civil Rights Act of 1964, Executive Order 12898 (Environmental Justice), and Executive Order 13166 (Limited English Proficiency), reasonable efforts will be made by the JTC to include and accommodate such populations.

As well, the *Public Participation Plan* is intended to be consistent with the public involvement activities of the Executive Office of Transportation wherever possible in order to enhance the public discussion of regional transportation planning issues.

7. Review of Process

The functioning of the JTC and its public-involvement activities will be formally reviewed biennially (every two years) by the JTC in order to evaluate the effectiveness of the by-laws and the *Public Participation Plan*.

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