The Bylaws of the Martha's Vineyard Joint Transportation Committee

Adopted as revised by the Joint Transportation Committee on June 6, 2007

Prepared by The Martha's Vineyard Commission
in cooperation with the Massachusetts Highway Department and the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration
The By-Laws of the Martha's Vineyard Joint Transportation Committee

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.

Of course, the JTC or its Coordinator will be happy to assist any member of the public with a concern or issue, but 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. In short, 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

As outlined in the MOU, the “COS shall annually determine the membership of the JTC in a manner
that will 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 and
other Non-voting Members.

Voting Members of the JTC shall consist of representatives of:
• one from the County of Dukes County,
• one each from the six Towns,
• one from the Wampanoag Tribe of Gay Head (Aquinnah). (Invited.)

*Ex-officio* (non-voting) Members of the JTC shall consist of:

- the Executive Director of the MVC,
- a representative from the VTA,
- a representative from the Steamship Authority (SSA),
- a representative from the Massachusetts Executive Office of Transportation,
- a representative from the Federal Highway Administration,
- a representative from the Federal Transit Administration,
- a representative from the Martha’s Vineyard Airport (MVY),
- a representative from the Martha’s Vineyard Chamber of Commerce
- a person representing the cycling and pedestrian community,
- a person representing the disabled community,
- a person representing the elderly community,
- a person representing the cycling and pedestrian community,
- a person representing the disabled community,
- a person representing the elderly community,

Other representatives of private providers of transportation, business groups, consumer groups, environmental groups, minority communities, and the public may also join the JTC as Non-voting Members.

JTC members shall be appointed, reappointed, or reaffirmed in January of each year by the COS. The Chairman and the Coordinator will solicit Voting and *Ex-officio* Members from the above municipalities and groups in December. Other Non-Voting Members will be solicited with advertisements in local media and on the MVC website. Those who would like to be considered for JTC membership should contact the Coordinator before January.

5. 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, Vice Chairman, Coordinators, and working group Coordinators. 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;
- preparing the agenda and notifying all members, interested individuals and groups, and the general public;
- opening all meetings and forums at the appointed hour, calling the sessions to order, and adjourning all sessions;
- facilitating consensus by inviting public participation, eliciting comments, and directing the discussion of all matters brought to the JTC;
- reporting the results of JTC meetings to the COS; and
- receiving all JTC correspondence and presenting them to membership.

The Vice Chairman shall preside in the absence of the Chairman.
The Coordinator, a non-voting officer nominated by the Executive Director of The Martha’s Vineyard Commission, shall assist the JTC as deemed necessary.

The Chairman of the JTC and the Coordinator shall be responsible for:
- organizing working groups;
- organizing public meetings and forums;
- overseeing the working groups.

Working group Coordinators shall:
- preside at working group meetings, facilitate consensus by inviting public participation, eliciting comments, and;
- direct the discussion of all matters pertaining to the working group, and prepare position papers, meeting summaries, and recommendations.

Working groups and Coordinators shall be appointed by the Chairman with the consent of JTC members.

6. Meetings

Regular Meetings. All meetings shall be open to the public and conducted according the “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 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 fourteen (14) 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 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 four (4) voting members, or three (3) voting members if at least two of those members represent the towns of Edgartown, Oak Bluffs, or Tisbury (those towns having a majority of the Island’s population).

A complete record of each regular meeting shall be prepared by the Coordinator. Copies of meeting records will be available on the website of the Martha’s Vineyard Commission (www.mvcommission.org) or from the Coordinator.
Working Groups. The JTC can, when necessary, designate working groups that report back to the JTC on specific issues. 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 “open meeting” law.

Scheduling of working group meetings pertaining to the development, review, or amendment of the Regional Transportation Plan, Unified Work Program, Transportation Improvement Program, or Public Participation Plan, as well as the availability of related records shall be as for regular meetings.

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 Coordinator. 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.

7. 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 and Coordinators 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.

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 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.

8. 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.

9. 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 Wampanog 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.

10. 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.