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**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

82 JTC makes every effort to solicit and respond to public input in its decision-making, members of the
83 public should always feel free to contact the JTC with issues or concerns, and the JTC will make
84 every effort to respond appropriately.

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86 **2. Mission Statement**

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

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

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97 **3. Objectives**

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

104

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

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

116

117 **4. Membership**

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119 As outlined in the MOU, the "COS shall annually determine the membership of the JTC in a manner
120 that will provide for a widely representative viewpoint and ensure a balanced consideration of
121 transportation issues." There shall be two membership classes - Voting Members, and *Ex-officio* and
122 other Non-voting Members.

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124 Voting Members of the JTC shall consist of representatives of:

- 125 • one from the County of Dukes County,

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- 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,
- 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.

170 The Coordinator, a non-voting officer nominated by the Executive Director of The Martha's Vineyard
171 Commission, shall assist the JTC as deemed necessary.

172

173 The Chairman of the JTC and the Coordinator shall be responsible for:

- 174 • organizing working groups;
- 175 • organizing public meetings and forums;
- 176 • overseeing the working groups.

177

178 Working group Coordinators shall:

- 179 • preside at working group meetings, facilitate consensus by inviting public participation,
180 eliciting comments, and;
- 181 • direct the discussion of all matters pertaining to the working group, and prepare position
182 papers, meeting summaries, and recommendations.

183

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

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187 **6. Meetings**

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189 **Regular Meetings.** All meetings shall be open to the public and conducted according the "open
190 meeting law": M.G.L. Chapter 39, section 23B.

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

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194 Regular meetings shall be publicized seven (7) working days in advance by the Coordinator. If the
195 topic of a regular meeting pertains the development, review, or amendment of the *Regional*
196 *Transportation Plan, Unified Work Program, Transportation Improvement Program, or Public*
197 *Participation Plan*, then the meeting will be publicized fourteen (14) calendar days in advance.

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

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

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207 A quorum for regular meetings shall consist of four (4) voting members, or three (3) voting members
208 if at least two of those members represent the towns of Edgartown, Oak Bluffs, or Tisbury (those
209 towns having a majority of the Island's population).

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

214
215 **Working Groups.** The JTC can, when necessary, designate working groups that report back to
216 the JTC on specific issues. Working group Coordinators may call special meetings to consider
217 issues and topics as directed by the JTC as a whole. All meetings shall be open to the public and
218 conducted according to the “open meeting” law.

219
220 Scheduling of working group meetings pertaining to the development, review, or amendment of the
221 *Regional Transportation Plan, Unified Work Program, Transportation Improvement Program, or*
222 *Public Participation Plan, as well as the availability of related records shall be as for regular*
223 meetings.

224
225 **Forums.** Forums at which regional transportation issues, regional planning documents, or regional
226 transportation projects may be presented to the public shall occur as deemed appropriate by the
227 JTC as a whole.

228
229 Forums will be the primary means of informing the public and soliciting opinions related to a
230 balanced regional transportation system.

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

236
237 Forum notices shall state the place, date, and time of the forum and the topics to be discussed.
238 Forum places and times shall be arranged to accommodate low-income householders and
239 individuals whose mobility is impaired.

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

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

250 251 **7. Decision-making**

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

256
257 The Chairman and Coordinators shall facilitate consensus-building by:

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

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267 A public-comment period as to the *Unified Work Program or Transportation Improvement Program*,
268 or amendments thereto, shall be for fifteen (15) calendar days. A public-comment period as to the
269 *Regional Transportation Plan*, or amendments thereto, shall be for thirty (30) calendar days. A
270 public-comment period as to the *Public Participation Plan*, or amendments thereto, shall be for forty-
271 five (45) calendar days. All public-comment periods begin on the day the legal notice appears in
272 the local newspaper. Copies of the subject documents and supporting reports and research
273 memoranda shall be available for public review during the public-comment period.

274
275 At the end of the public-comment period, the Coordinator shall summarize all public comments
276 received and present a written report to the JTC that shall be published on the website of the
277 Martha's Vineyard Commission (www.mvcommission.org).

278
279 Prior to its recommendations, endorsements, and other decisions, the JTC shall explicitly
280 acknowledge and respond to comments received during the public-comment period.

281
282 If the final *Regional Transportation Plan or Transportation Improvement Program* or amendment
283 thereto differs significantly from the one which was made available for public review, discussion
284 and comment and raises new material issues which interested individuals could not have foreseen,
285 then an additional fifteen (15) calendar day public-comment period shall be instituted by the
286 Chairman. The additional public-comment period will follow the same procedures of the initial
287 public-comment period.

288
289 The Chairman at regular meetings and forums, and the Coordinators at working group meetings,
290 having solicited all opinions and comments and sensing that the discussion is complete, shall restate
291 the issue and its resolution. With the consent of a majority of the JTC members, the Chairman of a
292 regular meeting or forum or the Coordinator of a working group meeting shall direct the
293 Coordinator to prepare a consensus statement in the minutes of that meeting to be adopted at the
294 next regular JTC meeting.

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

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

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

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309 By-law amendments may be proposed by a majority of the JTC members at a regular meeting.
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311 The Chairman shall distribute written amendment proposals at least fourteen (14) calendar days
312 before a regular meeting.
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314 At a regular meeting, proposed amendments shall be discussed and shall be voted on by the
315 members.
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317 The *Transportation Improvement Program* may be amended in order to:

- 318 • add or delete a project,
 - 319 • increase the cost of a highway project by more than twenty-five (25) percent, or
 - 320 • increase the cost of a transit project by more than ten (10) percent.
- 321

322 **9. Consistency with Federal and State Policies**

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324 Questions as to policy or procedure shall be resolved by the JTC as a whole in light of the provisions
325 set forth in the MOU.
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327 The *Public Participation Plan* is intended to reflect the JTC's commitment to conform to the public
328 involvement policies of the Federal Highway Administration and the Federal Transit Administration
329 as such policies may be applicable to the Martha's Vineyard Region. The *Public Participation Plan*
330 is also consistent with applicable federal legislation, most recently the Safe, Accountable, Flexible,
331 Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). This law specifically requires
332 that the public, as well as other entities, be consulted in development of the *Regional Transportation*
333 *Plan* and the *Transportation Improvement Program*. The JTC, through the use of public forums and
334 direct consultation, will actively seek the participation of not only the public, but also specifically
335 cyclists and pedestrians, the disabled, relevant federal agencies, state and local regulatory
336 agencies, the Wampanog Tribe of Gay Head (Aquinnah), and other public and private entities
337 engaged in planning, environmental protection, wildlife and natural resource management, historic
338 preservation, and conservation.
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340 Consistent with Title VI of the Civil Rights Act of 1964, Executive Order 12898 (Environmental
341 Justice), and Executive Order 13166 (Limited English Proficiency), reasonable efforts will be made
342 by the JTC to include and accommodate such populations.
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344 As well, the *Public Participation Plan* is intended to be consistent with the public involvement
345 activities of the Executive Office of Transportation wherever possible in order to enhance the public
346 discussion of regional transportation planning issues.

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348 **10. Review of Process**

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