

BYLAWS FOR THE MONTACHUSETT JOINT TRANSPORTATION COMMITTEE

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BYLAWS OF THE  
MONTACHUSETT JOINT TRANSPORTATION COMMITTEE

ARTICLE I NAME, PURPOSE, AND DUTIES

1. Name. This joint transportation planning advisory group, established under agreements among its co-sponsoring agencies, Montachusett Regional Planning Commission (MRPC), Massachusetts Highway Department (MHD), and Executive Office of Transportation & Construction (EOTC), will be known as the Montachusett Joint Transportation Committee, also MJTC, also the Transportation Planning Group (TPG).
2. Purpose. The purpose of the MJTC is to provide the mechanism for an open and broadly participatory intermodal transportation planning process with maximum involvement on the part of local communities, officials and citizenry. This will lead to a program implementing the recommendations of the MJTC toward an eventual transportation system which will provide for the most efficient movement of people and goods at a minimum cost. The transportation planning process will be an integral part of the general planning process as undertaken by the Montachusett Regional Planning Commission (MRPC).
3. Responsibility. The MJTC is advisory to its co-sponsoring agencies. The MJTC is also responsible to and will seek the participation of the citizenry of the Montachusett Regional Planning Area in formulating its decisions.
4. Staff. Staff support will be provided to the MJTC by the MRPC under the supervision of the MRPC Director. The MJTC will help to provide direction to the staff.
5. Unified Work Program. A principal task of the MJTC is the review and the provision of local input into the MRPC's annually prepared Unified Work Program (UWP). The UWP is a budget and programming task tool of all transportation planning activities for the Montachusett Regional Planning Area.
6. Comprehensive Regional Transportation Plan. The MJTC will review and provide local input in the development of a comprehensive Regional Transportation Plan (RTP) of the MRPC and in the revision thereof at appropriate intervals as established by state and federal requirements.

ARTICLE II MEMBERSHIP IN THE PLANNING GROUP

1. Membership Policy. Membership in the MJTC is inclusive rather than exclusive in order to provide for the "open and broadly participatory" transportation planning process. All MRPC communities and non-member communities within the transportation planning area will be represented.
2. The composition of the MJTC shall consist of members selected in the following manner and from the following sources;
  - a. One representative of each of the cities and town of the Planning area appointed by the Mayor or Selectmen of each community, annually, in the month of June to assume representation on July 1.
  - b. One representative of each of the cities and town of the Planning area appointed by the Planning Board of each community, annually in the month of June to assume representation on July 1, and who shall be either a member or a representative of said Planning Board.
  - c. In addition, provisions shall be made for the addition of other members, such as elected officials and representatives of public and private institutions, upon their request and appointment by the MJTC.
3. Ex-officio membership (members who shall be present at meetings and deliberate in the meeting, but be non-consensus makers) shall consist of members selected in the following manner from the following sources;

- a. Representative of the Massachusetts Highway Department, including a representative of the District Office, and a representative of the Bureau of Transportation Planning & Development, appointed by the Commissioner.
- b. A representative of the Secretary of the Executive Office of Transportation and Construction, appointed by the Secretary.
- c. A representative of the Montachusett Regional Planning Commission, appointed by the MRPC Chairman.
- d. A representative of the Montachusett Regional Transit Authority, appointed by the MART Administrator.

### ARTICLE III

### OFFICERS AND EXECUTIVE BOARD

1. Officers and executive board. The officers of the MJTC will consist of chairman, a vice-chairman, a secretary, and such additional members as the MJTC may direct, who will be members of an executive board to direct the carrying out of the business of the MJTC including: keeping records, directing correspondence, preparing agenda, minutes, position papers, news releases, and such other matters as the MJTC may direct. The executive board shall notify the MJTC of all matters that are signed-off. They shall also channel agency requests and other business to task forces and other subordinate bodies. The executive board may be expanded to not more than seven (7) members including the officers by the declaration by the chairman, after appropriate discussion, that such is the will of the MJTC.
2. Duties of officers. Except as specified below, the duties of officers are those usually assigned to such offices. The chairman has the duty, when present, of chairing all meetings of the MJTC. In the absence of the chairman, the vice-chairman will chair. The secretary will direct the keeping of the minutes and other records.
  - a. The duties of the chair are:
    - to call all meetings to order at the hour scheduled whether or not a quorum is present or to take up business not requiring action;
    - to announce the business of the meeting in accordance with the agenda;
    - to abstain from any appearance or practice or partisanship;
    - to encourage discussion by those representatives and other in attendance who need encouragement to speak and also to see that those who need no such encouragement state their positions clearly, succinctly, and without repetitiveness, and to encourage those who support a position already stated by another to indicate their concurrence, with or without stated reservations;
    - to attend to the discussion of each matter before the MJTC and to present the sense of such discussion for the approval of the meetings;
    - to restrain those in attendance within the rules of order;
    - to decide all points of order or practice;
    - to sign and authenticate all the acts, resolutions, proceedings and correspondence of the MJTC and, in general to represent and stand for the MJTC, declaring its will, and obeying its command, and;
    - in the event that a formal vote is required of the MJTC, the chair will vote only in the case of a tie.
  - b. The duties of the secretary are to direct:
    - correspondence of the MJTC;
    - notification of the day, hour, and place of each meeting;
    - preparation of agenda;
    - keeping of minutes of each meeting;
    - acceptance and summarization of committee reports;
    - preparation of new releases; and
    - organization of MJTC files.

3. Selection and term of office. Following the selection of a nominating committee as provided in Article V of these bylaws, the nominating committee will annually, at the June meeting present a slate of one or more names for each office and for each additional position on the executive board as such positions may be established by the MJTC. The chair will declare the meeting open to nominations from the floor and any such nominations will be recorded and added to the slate proposed by the nominating committee. Such complete slate will be mailed to all members and representatives to the MJTC. At the July meeting, selection of officers will take place as the first order of business. In the event that there is but one nominee for chairman, the chair will, after a short discussion declare the nominee to be selected to fill that office for the ensuing year and until a successor has been declared. The vice-chairman, the secretary and any additional members of the executive board will be selected in like manner. In the event that there be two or more nominees for any office, a formal vote of eligible voting members (i.e. Representatives of communities and organizations) present will be conducted by allot to select a candidate by a majority (50%+) vote provided that a quorum votes. The term of office will be for one year and until a successor be declared by the chair. Officers may be selected for two or more terms at the will of the MJTC. In the event of a vacancy in an office or on the executive board, the chair will so declare it and commit the matter to the nominating committee.

#### ARTICLE IV

#### TASK FORCES

1. Task Forces. The MJTC will organize such subordinate task forces as are necessary to carry out its duties. It may also, in cooperation with its co-sponsoring agencies, and with other regional planning agencies, organize such inter-regional task forces as may be helpful in dealing with inter-regional transportation issues with transcend regional planning boundary lines.
2. Membership in task forces. Each task force established by the MJTC may include elected local public officials or their representatives and also those persons with a technical or planning or other experience or training helpful to the declared purposes of the task force. Such persons may be drawn from the representatives to the MJTC, or from the municipal or organizational membership of the MJTC where feasible. Membership on a task force will not be restricted to representatives to the MJTC and may include any person who can make a substantial contribution.

#### ARTICLE V

#### SPECIAL COMMITTEES OF THE MJTC

1. The MJTC may establish in these bylaws such special committees, as may be necessary for the proper conduct of its business. Members of special committees will be appointed by the chairman with the approval of the MJTC on an as needed basis and, in the normal course of events, a majority of the members will continue in that capacity from year to year.
2. Nominating Committee. Annually in May, the Chairman will appoint a convener of a nominating committee. At the same meeting, the convener will in turn choose up to four more members of the proposed nominating committee, taking care that the proposed committee is well distributed, both geographically and occupationally. The convener will present for their approval, the proposed nominating committee to the MJTC. After being approved by a majority vote, the nominating committee will meet within thirty-one (31) days which shall be prior to the June MJTC meeting at the call of the convener to choose at least one nominee for each office. The nominating committee will convene to make nomination to fill vacancies as they occur. In every case, names of nominees will be mailed to the MJTC with the announcement of meeting at which selection of officers or the filling of a vacancy is to take place.
3. Review Committee. The duties of the review committee include the review of any reports or any matter referred to it.
4. Bylaw Committee. The duties of the bylaw committee will include the review of bylaws and amendments thereto, of tables of organization and the interrelationships of the several agencies and committees.

1. Call of Meetings. Meetings of the MJTC will be called by the secretary with the approval of the chairman on a regular usually monthly basis. Special meetings will be called as may be required by urgent business. Any nine (9) member municipalities or organizations may issue a call to a MJTC meeting in the form of a petition to the representatives of the MJTC over their signatures, which petition will state the agenda, time, day, and place of the called meeting. Notice of each meeting with a preliminary agenda will be mailed not less than seven (7) days in advance to all MJTC representatives, to boards of selectmen, city and town managers, planning boards, to the media, and to such wider mailing list as may seem necessary to ensure that meetings be open and broadly participatory as required by the Congress of the United States. When the chair deems that special effort should be taken to publicize a meeting in order to obtain public participation on a particularly involved issues, the chair will cause advertising to be ordered in appropriate media which advertising will include the date, time, and place of the meeting, and an invitation to the public to participate.
2. Quorums. A quorum for any meeting of the MJTC will consist of a minimum of six (6) member municipalities or five member municipalities and two organization members not representing a municipality. A municipality is considered represented if one or more of its members is present.
3. Conduct of Meetings. All meetings of the MJTC will be conducted on the basis of an open and broadly participatory process to which the citizenry of the planning district is invited and in which all voices may be heard. All meetings will be held with an absolute minimum of parliamentary procedure required for the efficient conduct of the meeting. The conduct of the meeting, the selection of officers, and the resolution of issues will be on the basis of the rules set forth in these Bylaws and in no matter before the MJTC will a vote be taken or counted, except as otherwise provided in these bylaws. It is the policy of the MJTC that every meeting will be adjourned to another day or dissolved at an early hour in order to encourage continued participation of both representatives of the MJTC and the citizenry. To this end the MJTC meetings shall being promptly at the announced time and shall be no longer than two (2) hours duration, except by consent of the members. The chair will actively work to encourage participation by representatives and other attending the meeting, taking special care to encourage participation by those who have not spoken on an issue which should concern them. The chair will also work to encourage those more willing participants to keep their remarks both short and to the point. The chair will be concerned that the discussion not be repetitious and, when a point has been well stated, will encourage others taking the same or similar position to state that they support the position or a previous speaker either unreservedly or with specified reservations, rather than to repeat a statement already well made. The chair will interrupt anyone making a repetitious statement, requiring the speaker either to make new points or to yield the floor to the next speaker. The chair will assess when the discussion of an issue has run its course and will, at that time, attempt to state the sense of the discussion. If the statement from the chair is received with general approval, of the members present, the chair will declare it to be the position of the MJTC and it will be so recorded in the minutes.
4. Policy-Formulation. Policy will be formulated by a discussion of each issue properly before the MJTC and no decision will be reached until all present have had a reasonable opportunity to be heard. In the event that a matter deemed routine and signed off by the executive board is challenged by five (5) or more representatives, it will be returned to the MJTC for discussion and resolution.
5. Divergent viewpoints. As all issues will not be readily resolved, the chair may, in due course of the discussion of an issue, decide that two or more divergent viewpoints are emerging. In such event, the chair will so declare it and appoint the person or persons best formulating each position to become part of an ad hoc committee to attempt to formulate a common position on the issue under discussion. The chair will also appoint a convener to head the ad hoc committee who will be neutral on the issue in question. Attendees may serve on such committees but position statement will, in every case, be written by representatives to the MJTC. The chair will then commit the issue to the said committee and the meeting may, at the discretion of the chair, be recessed or adjourned to allow the ad hoc committee to proceed with the matter at once. If the ad hoc committee can resolve the issue and report out a common position, it will reduce the position to writing and inform the chair. In the event that no resolution of divergent positions is possible in committee, the two or more divergent positions will be reduced to writing, signed by those committee members holding each position, and the convener will so inform the chair. Upon receiving the report or reports of the committee, the chair will cause said report or reports to be read before the MJTC.

6. Formal votes. In the event that consensus cannot be reached on an issue before the MJTC, a formal vote can be requested of the representatives present and eligible to vote (i.e. communities and organizational members) through an appropriate motion and second. Each community and organizational member of the MJTC may cast only one vote regardless of the number of representatives from that community or organization present at the meeting when the vote is to occur. Final decision of the issue will be determined by a majority vote (50%+) of the representatives present and voting, provided a quorum exists and votes.

## ARTICLE VIII

## COMMUNICATIONS

1. Communications Policy. In accordance with its established policy of an open and broadly participatory transportation planning process, the MJTC and its staff will make every effort to establish and maintain strong two-way lines of communication with boards of selectmen and city and town planning boards, with elected and appointed officials at municipal, district, and county levels of governments, with state and federal agencies, with the Montachusett Regional Planning Commission, its delegates, alternates, and staff, with other regional planning agencies and above all, with the general public in its twenty-two (22) municipality planning region.
2. Mailings. A fundamental component of the MJTC communications policy is a comprehensive mailing list which will include:
  - (1) all members of the MJTC;
  - (2) all boards of selectmen, mayor, city and town planning boards;
  - (3) organization, institutions and groups with an interest in transportation planning;
  - (4) elected and appointed public officials at every level of government with an input into transportation policy in the Montachusett Region.
  - (5) regional planning and transportation agencies with areas of jurisdiction contiguous to the Montachusett Region and others with reciprocal mailing policies;
  - (6) news media; and
  - (7) other agencies and organizations as may seem desirable.
3. News Releases. It is the stated policy of the MJTC that the staff establish and maintain close relationships with the working media; with reporters, editors, and news directors of daily and weekly newspapers and other publications with a local or regional input, radio and television stations, and operators of cable television systems.

## ARTICLE VIII

## AMENDMENTS AND EFFECTIVE DATE

1. Amendments to the Bylaws. These Bylaws may be amended after a notice to that effect containing the section or sections of the Bylaws affected and the text of the proposed amendment has been sent with the announcements of two successive regular meetings of the MJTC to all municipalities in the District and to all representatives on record. The proposed amendment will be on the agenda of the first meeting for discussion only and on the agenda of the second meeting for action under the rules of Article VI of these Bylaws. Copies of amended sections as passed will be included in the next mailing.
2. Effective date of these instruments. The effective date of adoption of these instruments shall be following notification to the membership and representatives preceding two successive monthly meetings of the MJTC and discussion and affirmative action at the said meetings. These Bylaws are the original instruments of the Montachusett Joint Transportation Committee.