CAPE COD JOINT TRANSPORTATION COMMITTEE
Transportation Advisory Group for the Cape Cod Metropolitan Planning Organization

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BYLAWS

FOR THE

CAPE COD JOINT TRANSPORTATION COMMITTEE

(CCJTC)

EFFECTIVE DATE: August 14, 1995
Amended: September 11, 1995
Amended: May 8, 1998
Amended: August 10, 2001

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ARTICLE I NAME, PURPOSE, AND DUTIES

1. Name . This joint transportation planning advisory group to be known as the Cape Cod Joint Transportation Committee (CCJTC) is established under agreements with its co-sponsoring agencies, which comprise the Cape Cod Metropolitan Planning Organization (MPO). The MPO includes: Cape Cod Commission (CCC), Massachusetts Highway Department (MHD), Cape Cod Regional Transit Authority (CCRTA) and Executive Office of Transportation & Construction (EOTC).

2. Purpose . The purpose of the CCJTC is to provide the mechanism for an open and broadly participatory intermodal transportation planning process with maximum involvement on the part of local officials and local citizenry. This will lead to a forum for regional consensus on aspects of the transportation system in keeping with the goals of the planning process as undertaken by the Cape Cod MPO. The CCJTC will advise the MPO on transportation planning programs.

3. Responsibility . The CCJTC is advisory to its co-sponsoring agencies. The CCJTC is also responsible to and will seek the participation of the citizenry of Barnstable County in formulating its decisions. Responsibilities of the CCJTC include comment, guidance and obtaining input on compliance documents of the CCC transportation program prepared under the "3C" (comprehensive, cooperative and continuing) transportation planning and programming process. These compliance documents include the Unified Work Program, the Long Range Transportation Plan and the Transportation Improvement Program.

4. Staff . The CCC under the supervision of the Executive Director will provide staff support to the CCJTC. The CCJTC will review and comment on the Unified Planning Work Program to provide direction to the staff.

ARTICLE II MEMBERSHIP IN THE PLANNING GROUP

1. Membership . Membership in the CCJTC is inclusive rather than exclusive in order to provide for the "open and broadly participatory" transportation planning process.

2. The composition of the CCJTC shall consist of members and alternates selected in the following manner and from the following sources:

    a. One member representative of each of the towns of Cape Cod appointed annually by the local appointing authority of each community.

    b. One alternate member representative of each of the towns of Cape Cod appointed annually by the local appointing authority of each community.

    c. Each town member present is eligible to vote on business requiring such action. In the absence of the member, the alternate member from the town may vote.

3. Ex-officio membership (members who shall be present at meetings, but are non-voting) shall consist of members selected in the following manner from the following sources:

    a. Representatives of the Massachusetts Highway Department, including a representative of the District Office, appointed by the Massachusetts Highway Department Commissioner.

    b. A representative of the Executive Office of Transportation and Construction / Bureau of Transportation Planning and Development, appointed by the Secretary.

    c. A representative of the Cape Cod Commission, appointed by the CCC Chair.

    d. A representative of the CCRTA, appointed by the CCRTA Chair.

    e. A representative of the Barnstable County Commissioners appointed by the Chair of the County Commissioners.

    f. A representative of the Assembly of Delegates, appointed by the Speaker.

    g. In addition, provisions shall be made for the addition of other members appointed by the CCJTC, such as: elected officials, representatives of the public and private institutions, and/or representatives of major transportation providers.

ARTICLE III OFFICERS AND EXECUTIVE BOARD

1. Officers and executive board . The officers of the CCJTC will consist of chair, a vice-chair, and such additional members as the CCJTC may direct, who will be members of an executive board to direct the carrying out of the business of the CCJTC including: keeping records, directing correspondence, preparing agenda, minutes, position papers, news releases, and such other matters as the CCJTC may direct. The executive board shall notify the CCJTC of all matters that are acted upon.

2. Duties of officers :

    A. The duties of the chair are:
    - the chair has the duty, when present, of chairing all meetings of the CCJTC;
    - to call all meetings to order at the hour scheduled in the presence of a quorum or to take up business not requiring action in absence of a quorum;
    - to announce the business of the meeting in accordance with the agenda;
    - to abstain from any appearance or practice of partisanship;
    - to facilitate discussion by those representatives and others 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 CCJTC and to present the sense of such discussion for the approval of the meetings;
- to accept motions and call for votes, as required;
- 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 CCJTC and, in general, to represent and stand for the CCJTC, declaring its will, and obeying its command.

B. The duties of the vice-chair are:
- in the absence of the chair, the vice-chair will chair the CCJTC meeting

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 a June meeting report out 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 CCJTC. Such slate will be mailed to all members and representatives to the CCJTC. At the following meeting, 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 as the first order of business. The next order of business to take place will be selection of officers. In the event that there is but one nominee for chair, the chair will, after a short discussion declare the nominee to be selected to fill that office for the ensuing year or until a successor has been declared. The vice-chair 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, it will be the duty of chair, after an appropriate period of discussion, to declare that the sense of the discussion is the selection of one candidate and so declare it or to declare that no sense of the discussion is apparent and ask for a motion to select a candidate by a majority (50%+) vote or representatives and individuals present and voting, provided that a quorum votes. The term of office will be for one year or until a successor be declared by the chair. Officers may be selected for two or more terms at the will of the CCJTC. 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 CCJTC 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 which transcend regional planning boundary lines.

2. Membership in task forces . Each task force established by the CCJTC 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 CCJTC, or from the municipal or organizational membership of the CCJTC where feasible, but membership on a task force will not be restricted to representatives of the CCJTC and may include any person who can make a substantial contribution.

ARTICLE V STANDING COMMITTEES OF THE CCJTC

1. The CCJTC may establish in these bylaws such standing committees, as may be necessary for the proper conduct of its business. Members of standing committees will be appointed by the chair with the approval of the CCJTC on an annual 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 April or May, the Chair will appoint a convener of a nominating committee. At the same meeting, the convener will in turn choose 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 approval, proposed nominating committee to the CCJTC. After being approved, the nominating committee will meet within thirty-one (31) days. This meeting shall be prior to the June CCJTC meeting at the call of the convener to choose at least one nominee for each office. In addition, the nominating committee will convene to make nominations to fill vacancies as they occur. In every case, names of nominees will be mailed to the CCJTC with the announcement of the 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.

ARTICLE VI MEETINGS OF THE CCJTC

1. Call of Meetings. Meetings of the CCJTC will be called by the Cape Cod Commission (CCC) staff with the approval of the chair on a regular, usually monthly, basis. Special meetings will be called as may be required by urgent business. Any eight (8) member municipalities or organizations may issue a call to a CCJTC meeting in the form of a petition to the representatives of the CCJTC 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 CCJTC representatives, and to the mailing list encoded "CCJTC agendas only" to ensure that meetings be open and broadly participatory. Any person may request placement on the

mailing list to receive CCJTC agendas. When the chair deems that special effort should be taken to publicize a meeting in order to obtain public participation on a particularly involved issue, the chair will cause appropriate notice to the media including the date, time, and place of the meeting.

2. Quorum . A quorum for any meeting of the CCJTC will consist of a minimum of five (5) voting members.

3. Conduct of meetings . All meetings of the CCJTC will be conducted on the basis of an open and broadly participatory process to which the citizenry of Barnstable County and other interested parties are 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. It is the policy of the CCJTC 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 CCJTC and the citizenry. To this end the CCJTC meetings shall begin 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 others 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 a 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 CCJTC and it will be so recorded in the minutes. The chair, at his discretion, may call for a motion and a vote, when necessary to clarify the position on a particular matter. An alternate shall vote only in the absence of the member.

4. Policy-Formulation . Policy will be formulated by a discussion of each issue properly before the CCJTC 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 CCJTC for discussion and resolution.

5. Divergent viewpoints . As not all issues will 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 statements will, in every case, be written by representatives to the CCJTC. 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 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 CCJTC.

ARTICLE VII COMMUNICATIONS

1. Communications . In accordance with its established policy of an open and broadly participatory transportation planning process, the CCJTC will make every effort to establish and maintain strong two-way lines of communications with boards of selectmen and town boards, with elected and appointed officials at municipal, district, and county levels of governments, with state and federal agencies, with the Cape Cod Commission, its delegates, alternates, and staff, with other regional planning agencies and above all, with the general public in its fifteen (15) municipality planning region.

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 CCJTC to all municipalities in the Region and to all representatives of 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 discussion and affirmative action by the CCJTC. The effective date will be recorded on the cover. These Bylaws are the original instruments of the Cape Cod Joint Transportation Committee.