

UNION COUNTY TRANSPORTATION ADVISORY BOARD

BY-LAWS

**REVISION ADOPTED 12/14/06
RESOLUTION #1187-06**

UNION COUNTY TRANSPORTATION ADVISORY BOARD

ARTICLE I

Composition

Section 1. Creation.

The Union County Transportation Advisory Board exists as the local element of the Subregional Transportation Planning Process as required and authorized by 23 CFR Part 450 and 49 CFR Part 613, to serve as the principal conduit for local and citizen input into the local transportation planning process; and to serve as the principal non-staff advisor on transportation policy matters to the Board of Chosen Freeholders.

Section 2. Guidelines.

Union County Transportation Advisory Board shall function within the guidelines set forth by the legislatures and appropriate administrative agencies of the United States of America, the State of New Jersey, the North Jersey Transportation Planning Authority and by the Board of Chosen Freeholders of the County of Union, New Jersey.

ARTICLE II

Objectives

Section 1. The objectives of the Union County Transportation Advisory Board are:

Overall Objectives

- (a) to provide for a balanced transportation system which most effectively meets the economic, social, energy and environmental needs of Union County and the surrounding region;
- (b) to provide a forum for all individuals and organizations desiring to express themselves on transportation;
- (c) to remain responsible to its municipal constituency as regards the fiscal or other local impacts which positions taken or recommendations made may have; and
- (d) to discharge its statutory obligations in a responsible and timely manner.

Section 2. Function within the subregional planning process: Subregional Planning Process

In its role within the subregional planning process the Union County Transportation Advisory Board shall:

- (a) as appropriate, develop, study, review and recommend plans for transportation improvements within or affecting Union County;
- (b) promote intermodal and public/private sector coordination of transportation in and around Union County;
- (c) review and make recommendations to the Board of Chosen Freeholders upon grant requests falling within the purview of the Board in accordance with specific procedures set up separately;
- (d) maintain liaison with superior and subordinate agencies involved directly or peripherally with transportation matters affecting Union County;
- (e) serve as a public forum open to local government, private citizens, the business community, interested organizations, and the transportation companies for the introduction of ideas, complaints, etc. relating to transportation; and
- (f) perform such other functions as required by law or as may be authorized by law and approved by the executive committee or by the Board as a Whole.

Section 3. Function as advisors to the Freeholder Board:

Advisor to Freeholder Board

In its role as principal advisor to the Board of Chosen Freeholders of the County of Union on Transportation Policy matters, the Union County Transportation Advisory Board shall:

- (a) work closely with, and call upon the professional expertise of the permanent staff assigned to transportation planning and engineering to ensure compatibility on policy, procedure and implementation;
- (b) make recommendations to Freeholder Board by resolution, motion or other formal communication;
- (c) assume such other duties as may be assigned by the Board of Chosen Freeholders.

ARTICLE III

Membership

Section 1.

Structure

In order to meet the objectives in Article II, the Union County Transportation Advisory Board shall be divided into three groups and various sub-groups. These are as follow: Group A – Full

Voting Membership; Group B – Non-voting Membership; and Group C – Ex-officio Membership.

(a) Group A Membership – Full Voting Members – shall be composed of 28 representatives comprising two groups. Group A1 and Group A2. All representatives within this group shall have full voting privileges.

(i) Group A1 shall be composed of 22 representatives: one principal representative or their alternate designated by the governing body of each of the 21 Municipalities within Union County, and one Freeholder Representative appointed by the Board of Chosen Freeholders to the Union County Transportation Advisory Board.

(ii) Group A2 shall be comprised of designated representatives of the general public, known as Members-At-Large with interest in transportation affairs. The Union County Board of Chosen Freeholders will attempt to appoint Members-At-Large from the general public who represent a diverse geographic cross section and range of interests.

(b) Group B Membership – Non-voting Permanent Members – Group B shall be comprised of two groups, Group B1 and B2.

(i) Group B1 members shall be comprised of a representative from United States Department of Transportation (USDOT), Federal Transit Administration (FTA), Federal Highway Administration (FHWA), New Jersey Department of Transportation (NJDOT), the North Jersey Transportation Planning Authority (NJTPA), Port Authority of New York and New Jersey (PANYNJ), New Jersey Turnpike Authority (NJTA), New Jersey Transit (NJT), and Permanent staff assigned by the Union County Board of Chosen Freeholders.

(ii) Group B2 members shall be comprised of such individuals and organizations not included in other groups or appearing before or attending committee meetings on an occasional or temporary basis. Such individuals and organizations may apply for an upgrade of membership group.

(c) Group C Membership – Ex-officio Members – In accordance with Article 26 of the County Administrative Code, ex-officio members shall include: 1. All members of the Board of Chosen Freeholders who shall be privileged to attend and participate in all meetings of the Advisory Board, but not have the right to vote; and 2. The County Manager who also shall serve as a non-voting member and may delegate a representative to attend meetings.

Section 2. The twenty-eight Group A members are appointed as follows:

Appointments

(a) The Mayor of each of the 21 Union County Municipalities. Each Mayor shall annually appoint a representative and may appoint an alternate to serve in the absence of the Mayor

(b) The Freeholder Representative is annually appointed by the Union County Board of Chosen Freeholders.

(c) The six Group A2 Members-At-Large are appointed by the Union County Board of Chosen Freeholders for a designated term.

Section 3. Any member may be removed for the following reasons:

Removal

(a) Violation of the policy of the Board of Chosen Freeholders, adopted pursuant to and consistent with Laws of 1979, Chapter 302, effective January 17, 1980, and cited as N.J.S.A. 40A-9-12, which, among other provisions, provides for the vacation of a board member's seat and term in the event such a member, without being excused fails to attend meetings of such board for eight consecutive weeks or four consecutive regular meetings, whichever period is of longer duration.

(b) Conflict of interest.

(c) Conduct prejudicial to good order.

(d) Other causes as approved by two-thirds of Class A members enrolled or as outlined by the Board of Chosen Freeholders.

Removal must take the form of a request to the appropriate municipality for A1 members or to the Freeholder Board for A2 members requiring appointment of a new member.

Section 4.

Compensation

Members of the Advisory Board shall not receive compensation for their services, except as provided herein, or be entitled to pension or other retirement benefits for such service. They shall, however, be entitled to receive their actual and necessary expenses incurred in the performance of their duties of office, subject to prior approval of the Board of Chosen Freeholders.

ARTICLE IV

Organization

Section 1.

Structure

Union County Transportation Advisory Board shall function as a "Committee of the Whole" with a designated executive committee and both permanent and ad-hoc subcommittees. Final Voting power is vested in the Board.

Section 2.

Officers

The Officers of Union County Transportation Advisory Board are a Chairman, First Vice-Chairman, Second Vice-Chairman and a Secretary. Officers must be Group A members.

Section 3

Duties

(a) Chairman: Presides at all meetings and hearings; appoints subcommittees, allocates duties to members; calls special meetings as he deems necessary or, upon his concurrence, at the request of other Board members and prepares the agenda and carries out such other duties normally incumbent upon the office.

(b) First Vice-Chairman: Oversees and is a member of the Mass Transit Group of subcommittees, and in the absence of the Chairman assumes the duties of the Chair.

(c) Second Vice-Chairman: Oversees and is a member of the Municipal Transportation Improvement Program Subcommittees, and in the absence of the First Vice-Chairman assume those duties.

(d) Secretary: Keeps the minutes and records of the Board under the direction of the Chairman, prepares the agenda for regularly scheduled meetings, attends to the correspondence of the Board and performs such other duties as are normally incumbent upon the Office of Secretary. As a collateral duty, the Secretary oversees and is a member of the General Subcommittee Group, which includes the Legislative and Environmental Subcommittee and any ad-hoc subcommittees.

Section 4.

Office

The terms of office are for one year. The Chairman shall not hold the office for more than two consecutive terms.

Section 5.

Executive Committee

The Executive Committee shall be composed of: current Chairman, First and Second Vice-Chairman and Secretary; Freeholder Representative; Permanent staff member assigned; and the immediate Past Chairman. The Executive Committee shall regularly meet as many times upon call of the Chairman. The committee shall:

(a) Function as a standing committee for the carrying out of the business of the Union County Transportation Advisory Board between regular meetings of the "Committee of the Whole". Members of the Executive Committee may also provide on-call advice and consultation to permanent staff and to the Board of Chosen Freeholders.

(b) Recommended to the Board of Chosen Freeholders applicants for A2 membership.

(c) Performed such other functions and duties as may be assigned by the Board by majority vote.

ARTICLE V

Election of Officers

Section 1.

Nominations

The Chairman shall appoint a nomination committee to recommend a slate of officers to serve a one year term. Nominations may also be made from the floor at the annual organizational meeting which is held in March. Any group A1, A2, B1 member may nominate.

Section 2.

Voting

Only Group A members are eligible to vote for officers.

Section 3.

Election

A candidate receiving the majority of the vote of all Group A members present shall be declared elected. Voting will be by open ballot unless a secret ballot is designated by the Chairman. In the event no one candidate receives a majority vote, a run-off shall be conducted between the two candidates receiving the greatest number of votes. The run-off candidates receiving a majority of the votes cast shall be declared elected.

Section 4.

Vacancies

Vacancies in offices shall be filled immediately by regular election procedures.

ARTICLE VI

Voting

Section 1.

Executive Committee

Executive Committee: Voting shall be by majority of members present.

Section 2. Transportation Advisory Board:

Transportation Advisory Board

(a) Voting shall be by majority of Group A members present. Matters of substance, defined herein, require a 2/3 vote of Group A members present.

(i) Voting shall be by open ballot unless a secret ballot is designated by the Chairman.

(ii) Abstentions by Group A voting members present will not destroy the quorum needed to conduct business.

(b) Matters of Substance: A matter of substance is a matter of major policy affecting, or of substantial fiscal impact upon, or of serious concern to a member municipality, or member municipalities, which has been:

(i) So designated by the Chairman before presentation.

(ii) Requested to be so designated by a Group A1 member and so voted by majority of Group A members present.

ARTICLE VII

Meetings

Section 1.

Time and Place

Regular Meetings shall be scheduled six times per year in advance and a minimum of one month apart shall normally be held on the first Wednesday, of each odd-numbered month at such times and places as may be designated in the meeting announcement. An agenda shall be mailed to each member prior to each meeting.

Section 2.

Quorum

For the transaction of ordinary routine business at any regular, adjourned or special meeting, 11 members of the Group A membership shall be present. In the Executive Committee, 3 members shall constitute a quorum.

Section 3.

Changes to Time & Place

Changes to time and place of regular meetings may be made only in advance by majority vote of voting members for a specific meeting only or, in emergency situations, only by action of the Chairman.

Section 4.

Special Meeting

Special Meetings may be called by the Chairman, or as approved by the Chairman or as approved by the Chairman at the request of any member. Notice of such Board, Committee or Subcommittee meeting shall be distributed specifying the purpose of the meeting; no other business beyond that specified may be considered without unanimous consent of voting members present. The requirements for a quorum shall be 11 voting members for Board meetings or a majority for Committee or subcommittee meetings unless otherwise specified herein.

Section 5.

Public Notice

All meetings and hearings shall be open to the general public and the press and shall be advertised pursuant to the provisions of Chapter 231 of the Public Laws 1975.

ARTICLE VIII

Order of Business

Section 1.

Order of Business

The order of business at regular meetings shall be:

- (a) Roll call.
- (b) Reading of minutes of the previous meetings.
- (c) Special/specific presentations.
- (d) Communications, bills.
- (e) Reports of officers and committees.
- (f) Local issues related to transportation
- (g) Old business.
- (h) New business.
- (i) Citizen input.
- (j) Adjournment.

Section 2.

Changes

The order of business shall not be changed and only items on the agenda shall be considered except in the case of an emergency. New business specifically listed on the agenda may be discussed, but not acted on except in the case of an emergency.

ARTICLE IX

Hearings

Section 1.

Hearings

The Board may hold public hearings:

- (a) when so directed by the Board of Chosen Freeholders of Union County.
- (b) at its discretion when it decides such hearings will be in the public interest and when approved by County Counsel.
- (c) when required by law.

Section 2.

Hearing Procedures

Formal records shall be maintained for all public hearings, preferably by continuous electromagnetic transcription.

Presentation of the matter which is the subject of the hearings shall be made in summary form by the Chairman, who shall act as Hearing Officer, or other designated member of the Board. Parties in interest shall have the privilege of the floor. No record or statement shall be taken, recorded or sworn to as evidence for any court of law without notice to parties involved who shall, in such instances, be accorded the privilege of counsel.

The hearing officer may set rules necessary to conduct an orderly hearing.

Section 3.

Voting

Votes of the board shall not be taken at a hearing.

ARTICLE X

Amendments

Section 1.

Amendments

Amendments to these Bylaws may be proposed by any member of the Board.

Section 2.

Adoption of Amendments

All proposed amendments shall be sent in writing to every member at least (7) days before they are to be voted upon. These Bylaws may be amended by a 2/3-vote of the Group A members present and voting at any regular meeting and shall become effective upon approval by the Board of Chosen Freeholders.

ARTICLE XI

General Rule

Section 1.

General Rule

The Union County Transportation Advisory Board shall be governed by the rules contained in "ROBERT'S RULES OF ORDER, NEWLY REVISED" in all cases to which they are applicable, and in which they are not inconsistent with the Bylaws or the Special Rules of Order of Union County Transportation Advisory Board.