

UNION COUNTY TRANSPORTATION ADVISORY BOARD

BY-LAWS

**REVISION ADOPTED 5.25.23
RESOLUTION #2023-471**

**BY-LAWS OF THE
UNION COUNTY TRANSPORTATION ADVISORY BOARD**

ARTICLE I: ESTABLISHMENT

The Union County Transportation Advisory Board (the “Board”) exists as the local element of the Sub-regional 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 Union County Board of County Commissioners.

The 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 Union County Board of County Commissioners.

ARTICLE II: OBJECTIVES

The objectives of the Board shall be as follows:

A. Overall Objectives

In general, the Board shall:

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

B. Sub-regional Planning Process

In its role within the sub-regional planning process the Board shall:

- (1) as appropriate, develop, study, review and recommend plans for transportation improvements within or affecting Union County;
- (2) promote intermodal and public/private sector coordination of transportation in and around Union County;

(3) review and make recommendations to the Board of County Commissioners upon grant requests falling within the purview of the Board in accordance with specific procedures set up separately;

(4) maintain liaison with superior and subordinate agencies involved directly or peripherally with transportation matters affecting Union County;

(5) 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

(6) 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.

C. Advisor to the Board of County Commissioners

In its role as principal advisor to the Board of County Commissioners on transportation policy matters, the Board shall:

(1) 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;

(2) make recommendations to the Board of County Commissioners by resolution, motion or other formal communication;

(3) assume such other duties as may be assigned by the Board of County Commissioners.

ARTICLE III: MEMBERSHIP

A. Voting members

(1) There shall be 22 local government members, one each appointed by and representing each municipality within Union County and one Board of County Commissioners representative appointed thereby. Each such entity may also appoint an alternate member. Each shall serve a one-year term.

(2) There shall be six (6) public members, appointed by the Board of County Commissioners who shall to the extent possible, have an interest in transportation affairs and represent a diverse geographic cross section and range of interests. Each shall serve a two-year staggered term.

B. Non-voting members

(1) There shall be allowed a representative from each of the following: 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), and New Jersey Transit (NJT).

(2) Ex-officio Members: each member of the Board of County Commissioners and the County Manager or representative, shall be privileged to attend and participate in all meetings.

C. Removal

Any member may be removed for the following reasons:

(1) violation of the policy of the Board of County Commissioners, 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.

(2) conflict of interest.

(3) conduct prejudicial to good order.

(4) other causes as approved by two-thirds of voting members, or as outlined by the Board of County Commissioners.

(5) upon removal, there shall be a request to the appropriate appointing authority for appointment of a new member to complete the remainder of the term of office.

D. Compensation

Members of the Board shall receive no compensation for their services, or be entitled to pension or other retirement benefits for such service, except as provided herein. They shall 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 County Commissioners.

ARTICLE IV: ORGANIZATION

The 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.

ARTICLE V: OFFICERS

A. Officers

(1) The Officers of the Board, all of who shall be voting members, shall be Chairman, First Vice-Chairman, Second Vice-Chairman and Secretary. The terms of all offices are for one year. The Chairman shall not hold the office for more than two consecutive terms.

(2) In the event of a vacancy in the position of Chairman, the then-serving First Vice-Chairman shall serve as Chairman for the remainder of the unexpired term.

(3) In the event of a vacancy in the position of any elected officer other than Chairman, the remainder of the unexpired term shall be filled by Special Election, to take place at the next special or regular meeting of the Board, upon no less than seven (7) days’ notice of the vacancy and meeting to the members, with nominations to be from the floor and election by majority vote of those present.

B. Executive Committee

The Executive Committee shall:

(1) be composed of all officers, the Board of Commissioners representative; and the immediate past Chairman. The Executive Committee shall meet as many times as called upon by the Chairman. Three members shall constitute a quorum.

(2) function as a standing committee for the carrying out of the business of the Board between regular meetings of the Board. Members of the Executive Committee may also provide on-call advice and consultation to permanent staff and to the Board of County Commissioners.

(3) recommend to the Board of County Commissioners candidates for public membership.

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

ARTICLE VI: MEETINGS

A. Reorganization meeting

The annual organizational meeting shall be held in March, each year.

B. Regular meetings

(1) Meetings shall be scheduled six (6) times per year in advance and a minimum of one (1) month apart. Meetings 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 may be distributed to each member prior to each meeting.

(2) At any regular, adjourned or special meeting, 11 voting members present shall constitute a quorum. Alternate members may participate in all meetings, but shall only vote in the absence of the regular member.

(3) Approval of a “matter of substance,” shall require a 2/3 vote of voting members present. A matter of substance is a matter affecting major policy, of substantial fiscal impact or of serious concern to one or more member municipalities, which has been so designated by the Chairman before presentation, or so designated by a majority of voting present.

(4) Special Meetings may be called by the Chairman, or as approved by the Chairman at the request of any member. Notice of such meeting shall specify the purpose of the meeting; and no other business beyond that specified may be considered without unanimous consent of voting members present.

(5) All meetings and hearings shall be advertised pursuant to the provisions of Chapter 231 of the Public Laws 1975. The 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 the Board.

ARTICLE VII: ELECTION OF OFFICERS

A. Nominations

The Chairman may appoint a nominating committee to recommend a slate of officers. Nominations may also be made by any member, from the floor.

B. Election

A candidate receiving the majority of the vote of 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.

ARTICLE VIII: DUTIES OF OFFICERS

A. Chairman: Presides at all meetings and hearings; appoints subcommittees; allocates duties to members; calls special meetings as the Chairman deems necessary; and carries out such other duties normally incumbent upon the office.

B. First Vice-Chairman: Oversees and is a member of the subcommittees as directed; in the absence of the Chairman assumes the duties of the Chairman.

C. Second Vice-Chairman: Oversees and is a member of subcommittees as directed; in the absence of the First Vice-Chairman assumes those duties.

D. Secretary: Keeps the minutes and records of the Board or as designated to the staff; 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 any designated subcommittees.

ARTICLE IX: HEARINGS

A. The Board may hold public hearings when so directed by the Board of County Commissioners; at its discretion when it decides such hearings will be in the public interest and when approved by County Counsel; or, when required by law.

B. Hearing Procedures

(1) A formal record shall be maintained of all public hearings, preferably by an audio and/or transcription service.

(2) 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.

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

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

ARTICLE X: AMENDMENTS

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

(Adopted: Union County Board of County Commissioners, Resolution 2023-471, 5.25.23)