

Morris County
Board of Transportation

By-Laws

Adopted: January 19, 2021

ARTICLE I - AUTHORITY

The Morris County Board of Transportation, originally named the Board of Public Transportation of Morris County, was created in 1961 by the Board of Chosen Freeholders.

ARTICLE II - PURPOSE

The Morris County Board of Transportation:

- 2.1** Exists to serve as the principal conduit for public input into the County's transportation planning process. The Federally funded Subregional Transportation Planning Program, through which the County receives substantial funding, requires that the County provide a proactive means of soliciting public input.
- 2.2** It provides a public forum for input, and fosters public awareness of transportation issues, projects, and programs that affect the transportation network.
- 2.3** Serves as an advisory body to the County Board of County Commissioners on the distribution of Federal funds for transportation projects in accordance with Federal legislation. Regulations set forth in the 1973 Federal Aid Highway and Urban Mass Transportation Acts mandate a coordinated, comprehensive, and continuous (3C) planning process through which the public, local government officials, representatives of business and industry, providers of public transit, and other interested parties can participate in decisions regarding transportation.
- 2.4** Reviews technical studies and provides advice to the Division of Engineering & Transportation and the Morris County Planning Board. This involves development of County transportation policies and Elements of the County's Master Plan.
- 2.5** Makes recommendations to the Board of County Commissioners and the Planning Board on transportation projects funded by Federal, State, County, and other sources.

ARTICLE III - MEMBERSHIP

- 3.1** The Morris County Board of Transportation shall consist of thirteen voting members: eight citizen members who are residents of Morris County, a representative from the Morris County freight community, a representative from the Morris County aviation community, a representative from the County's railroad operator, and two County Commissioner liaisons, all appointed by the Board of County Commissioners. The two County Commissioner appointments will be the Commissioner who represents Morris County on the North Jersey Transportation Planning Authority and the Commissioner who serves as the liaison to the Department of Public Works. The Board of County Commissioners may appoint two citizen alternate members designated as "Alternate No. 1" and "Alternate No. 2" to serve in the absence of any citizen member as determined by

their selection rank. As with regular members, the alternates are considered essential contributors to the Board of Transportation, and as such are expected to attend all board meetings. If not serving as a voting member at a meeting, alternate members are still urged to participate in the meeting.

- 3.2 The Board of Transportation shall function as a board with a chairperson, vice-chairperson, secretary, and other members, who shall serve for staggered three-year terms beginning January 1 and ending December 31. All members of the Board shall serve without compensation.
- 3.3 The chairperson shall appoint a nominating committee, not to meet nor exceed a quorum of the Board of Transportation, to recommend a slate of officers to serve a one-year term. Nominations may also be made by other Board members at the annual reorganization meeting.
- 3.4 Board members shall elect a chairperson from among the duly appointed members to serve a one (1)-year term at the annual reorganization meeting. The chairperson shall preside over all regular and emergency meetings. The chairperson, or his or her designee, shall act as the formal spokesperson of the Board of Transportation and will forward Board recommendations to the Board of County Commissioners.
- 3.5 Also at the annual reorganization meeting, Board members shall elect a vice-chairperson from among the duly appointed members for a one (1)-year term. In the absence of the chairperson, the vice-chairperson shall preside at that meeting. In the absence of both the chairperson and the vice-chairperson, the members shall select a chairperson pro tem to preside at that meeting. The chairperson pro tem shall be nominated by a Board member, seconded, and then approved by a majority vote of the Board members present.
- 3.6 Further, at the annual reorganization meeting, the Board shall elect a secretary from among the duly appointed members for a one (1)-year term. The secretary will review all minutes and provide comments to staff.
- 3.7 Committees, not to meet nor exceed a quorum of the Board of Transportation, may be established or terminated from time to time by the majority vote of the Board. The committees that are established by the Board will address the relevant issues of their title, with additional assistance for specific issues made available at the direction of the Board. The chairperson shall designate the chairpersons and members to serve on the committees. Committees shall hold such meetings as may be necessary to carry on their duties and shall report regularly to the Board of Transportation.

ARTICLE IV - MEETINGS

- 4.1 **Regular Meetings:** The Morris County Board of Transportation shall meet quarterly on the third or fourth Tuesday of the month at 2:00 P.M. at 30 Schuyler Place in

Morristown. The meeting shall be held virtually if necessary. Sufficient public notice will be given if a deviation from this schedule or location is required.

- 4.2 **Special and Emergency Meetings:** Special and Emergency meetings may be called by the Board chairperson at any time provided adequate notice.
- 4.3 **Executive Sessions:** All Board meetings shall be open to the public except for executive sessions.
- 4.4 **Committee Meetings:** Each committee may set a regular time and place for its meetings or meet on an as-needed basis.
- 4.5 **Meeting Materials:** Minutes from the previous meeting, an agenda, and other pertinent materials appropriate to the conduct of business at the meeting shall be sent to each member at least one week prior to each meeting date. Agendas for the meetings shall be prepared by the staff with the consultation of the chairperson and made available to members and other interested parties. Meeting materials will be sent by email unless otherwise requested by a member.
- 4.6 **Quorum:** At least seven members of the thirteen member Board shall be present to constitute a quorum. No formal action may be taken without a quorum. If less than a quorum is present at the time for which a regular or special meeting has been called, those present may, by a majority vote, reschedule the meeting to another date and time, or hold a meeting to discuss matters on the agenda, while not taking any formal action.
- 4.7 **Voting Procedure:** All meetings shall be conducted in accordance with *Robert's Rules of Order*. An official action may be taken by the Board by a majority vote of the voting members present. The method of voting, whether by voice, show of hands, or secret ballot, shall be decided by the chairperson or presiding officer.
- 4.8 **Resignation and Attendance:**
 - Members may resign from the Board of Transportation by sending a resignation letter to the Board of County Commissioners, with copies of the letter sent to the chairperson of the Board of Transportation and the director of the Division of Engineering & Transportation.
 - If unable to attend a Board meeting, a member shall alert the staff advisor or designate. The staff advisor, or designate, shall keep an accurate attendance record.
 - In accordance with Morris County Policy and Procedure No. 4:2.01, the attendance of a member missing two (2) meetings in a one year period shall result in the chairperson contacting that member to discuss his/her continuance on the Board of Transportation. Any further absences in the same year shall result in the chairperson notifying the county administrator who shall discuss with the member his/her continuance on the Board. After a meeting with the Board member and assessing all the facts, the county administrator may make a formal request to the Board of County Commissioners to dismiss and replace the member.

- 4.9 Vacancies:** In the event of a vacancy occurring in the Board of Transportation’s membership, a successor shall be appointed by the Board of County Commissioners to fill the unexpired term of office. Board of Transportation members may recommend possible members. Should the position of chairperson or vice-chairperson become vacant during the term of office, an election shall be held at a time to be determined by the Board, to fill the vacant position for the balance of the remaining term of office.
- 4.10 Meeting Minutes:** Division of Engineering & Transportation staff shall keep minutes of all proceedings at meetings of the Board, recording the time, place, attendance, subjects discussed, actions taken, votes of each member, the names of the persons appearing and addressing the Board, and the findings made by the Board and reasons therefore. The minutes of each Board meeting shall be available online or for public inspection during normal business hours at the Division of Engineering & Transportation’s office. A copy of the minutes of each meeting shall be provided to any person requesting them in accordance with the Open Public Records Act (OPRA) with the fee schedule established by the county.
- 4.11 Meeting Cancellation:** Regular meetings may be canceled by the chairperson when there is no business pending or in the anticipated absence of a quorum, provided that all members are notified.
- 4.12 Conflict of Interest:** The Morris County Conflict of Interest Policy (Morris County Policy and Procedure No. 4:2.02) established by the Morris County Board of County Commissioners for members of advisory bodies appointed by the County Commissioners shall be adhered to by the Board of Transportation. The purpose of the policy is to guarantee that funding decisions are made impartially and fairly and to assure public confidence in the funding recommendations made by advisory bodies. The Board of Transportation chairperson shall be responsible for the enforcement of the policy. If a decision cannot be reached regarding the possibility of a conflict of interest, the county administrator shall review the issue and make a final determination.

ARTICLE V - STAFF

Staff services for the Morris County Board of Transportation are provided by the Division of Engineering & Transportation. For further information please contact the Division at 973-829-8101 or mcdot@co.morris.nj.us. Staff shall be responsible for preparing the correspondence of the Board, drafting the final language of reports and resolutions, keeping the attendance and minutes, and preparing and forwarding notices and agendas of meetings.

ARTICLE VI - ADOPTION OF BY-LAWS

These By-Laws may be amended at any regularly scheduled Board of Transportation meeting in the following manner: A copy of the proposed amendment shall be sent to each Board member

for consideration at least five days prior to the scheduled meeting. By-Laws shall be adopted by a majority vote of the Board members in attendance.

ARTICLE VII - GENERAL RULE

The Morris County Board of Transportation shall be governed by the rules contained in *Roberts Rules of Order* in all cases to which they are applicable, as long as they are consistent with these By-Laws or with the policies of the Morris County Board of County Commissioners.

The order of business for each regular meeting of the Board shall be determined by the Chairperson, but will generally contain the following:

- Call to Order
- Roll Call
- Welcome and Introductions
- Approval of Minutes
- Presentations
- Staff Reports
- Old Business
- New Business
- Public Comments
- Announcement of the Next Regular Meeting
- Adjournment

ARTICLE VIII - HEARINGS

The Morris County Board of Transportation may hold public hearings when so directed by the Morris County Board of County Commissioners, at its discretion when approved by County Counsel, or when required by law.

Formal records shall be maintained for all public hearings. A transcript will be prepared by a court stenographer when required. The Board chairperson, or other designated Board member, shall act as the hearing officer. The hearing officer shall summarize the meeting's purpose. Interested parties shall have the privilege of the floor. The hearing officer may set rules necessary to conduct an orderly hearing.