

**TRANSPORTATION COUNCIL FOR THE
ELDERLY AND DISABLED OF ERIE COUNTY**

CONSTITUTION

Article I - Name

Section 1: The name of the organization shall be the "Transportation Council for the Elderly and Disabled of Erie County ("Council").

Section 2: The principal place of activity shall be Erie County, Pennsylvania.

Section 3: The Council has been organized for the purposes specified in Article II Section 1, below, and to assist the Erie Metropolitan Transit Authority to comply with the obligations set forth in 49 C.F.R. 37.137, regarding public participation in paratransit plan development.

Article II – Purpose

Section 1: The purpose of this Council shall be to collect and assess information and statistics concerning the transportation needs of the elderly and persons with disabilities of Erie County, Pennsylvania, and to use such information to advise governmental agencies, transportation authorities, private companies, and private agencies involved in the provision of transportation to elderly and persons with disabilities on the needs of these persons. The Council shall act as an advisory committee in the preparation of or amendment to any plan of service delivery in accordance with the Americans with Disabilities Act and all other applicable federal and state laws.

The Council shall establish priorities according to the laws governing the provision of such services and shall determine which persons shall receive services based on needs and within priorities. The Council shall provide an appeals mechanism, whereby any applicant for service may appeal a decision not acceptable to the applicant.

Article III – Membership

Section 1: The membership of this Council shall be described in the By-Laws.

Article IV – Officers

Section 1: The Officers of this Council shall be the Chairperson, Vice-Chairperson, and such other Officers as may be authorized.

Section 2: The terms of office of all Officers shall be established in the By-Laws.

Article V - Meetings

Section 1: Regular meetings of this Council shall be hybrid via the internet and in-person in accessible locations, during regular paratransit service delivery hours, at least quarterly, with special meetings as described in the By-Laws. Reasonable accommodation will be provided with advance request of 30 days prior to the meeting. EMTA staff will provide support for meetings including, but not limited to, scheduling, access accommodations and recording of proceedings.

Article VI- Amendments

Section 1: This constitution may be altered, revised, amended, or repealed through the following process:

- A. Any proposed change must be submitted at a regularly scheduled meeting.
- B. Changes will be made available to members no later than forty-five (45) days prior to the next meeting.
- C. At the following meeting, the issue shall be discussed and adopted if two-thirds (2/3) of those members present and voting cast affirmative votes.

Amended and Restated 7/20/23.

**TRANSPORTATION COUNCIL
FOR THE
ELDERLY AND DISABLED OF ERIE COUNTY**

BY-LAWS

Article I – Name

Section 1: The name of the organization shall be the "Transportation Council for the Elderly and Disabled of Erie County" ("Council").

Section 2: The principal place of activity shall be Erie County, Pennsylvania.

Section 3: The registered office of this Council shall be the business office of the Erie County Department of Planning and Community Development, , 150 E Front St, Suite 300, Erie, PA 16501.

Section 4: The Council has been organized for the purposes specified in Article II, Section 1 below, and to assist the Erie Metropolitan Transit Authority to comply with the obligations set forth in 49 C.F.R. 37.137, regarding public participation in paratransit plan development.

Article II – Purpose

Section 1: The purpose of this Council shall be to collect and assess information and statistics concerning the transportation needs of the elderly and persons with disabilities of Erie County, Pennsylvania, and to use such information to advise governmental agencies, transportation authorities, private companies, and private agencies involved in the provision of transportation to elderly and persons with disabilities on the needs of these persons. The Council shall act as an advisory committee in the preparation of or amendments to any plan of service delivery in accordance with the Americans with Disabilities Act and all other applicable federal and state laws.

The Council shall study alternative transportation methods and attempt to monitor existing funding sources and advocate for increased funding in order to achieve maximum services to all individuals.

The Council shall establish priorities according to the laws governing the provision of such services based on needs and within priorities. The Council shall provide an appeals mechanism whereby any applicant for service may appeal a decision not acceptable to the applicant.

Article III - Voting Membership

Section 1: Any persons representing an agency or organization serving the elderly or persons with disabilities, or consumers may be members of this Council under the following conditions:

- A. If the representative is a member of an organization, or is a member of the staff of an agency which is recognized in the community as serving or representing a segment of the elderly or disability community.
- B. Each agency or organization in attendance shall be permitted only one vote, regardless of the number of people present from the agency or organization. Individuals representing themselves shall be permitted only one vote.
- C. The agencies of this Council shall make every effort to maintain among the membership a substantial representation of actual consumers of the transportation service.

Article IV - Finances and Dues

Section 1: There shall be no membership dues.

Article V - Officers

Section 1: The Officers of this Council shall be a Chairperson and Vice-Chairperson.

Section 2: The Chairperson and Vice-Chairperson shall be elected from the membership and shall serve terms of three years. Elections shall be held at the last meeting of every third year.

Section 3: Any Officer not able to complete his/her term shall be replaced by special election.

Section 4: No persons shall be permitted to serve in more than one office at any one time.

Article VI - Duties of the Officers

Section 1: The duties of the Chairperson shall be:

- A. To serve as the public voice of this Council.
- B. To be the Chief Executive and carry out the policies of the Council.
- C. To carry out the following specific duties but not limited to:
 - 1. Prepare the agendas
 - 2. Chair all meetings.
 - 3. Serve as a member of all committees.
 - 4. Appoint all committees.
 - 5. Attend, or appoint a representative to attend, other meetings relevant to transportation for the elderly and/or persons with disabilities.

Section 2: Duties of the Vice-Chairperson shall be:

- A. In the absence of the Chairperson to preside at meetings, and otherwise assume the duties of that office.
- B. Such other duties as shall be assigned by the Chairperson.

Article VII - Meetings

Section 1: Regular meetings of this Council shall be hybrid--virtual via the internet and in-person in accessible locations—during regular paratransit service delivery hours, at least quarterly, with special meetings as described in the By-Laws. Reasonable accommodation will be provided, with advance request of 30 days prior to the meeting.

Section 2: The dates and times of regular meetings shall be established by consent of members present at prior meetings.

Section 3: Special meetings of the Council may be called by the Chairperson or by petition of the Chairperson of at least five (5) members, provided, that appropriate notice is given to all

members at least five (5) days prior to such meeting.

Section 4: At any meeting of the Council, six (6) members shall constitute a quorum. A quorum shall be required for the conducting of any business.

Article VIII - Committees

Section 1: The Council shall maintain a standing Quality Assurance Committee ("QAC") open to Council membership which will meet monthly or as needed.

- A. EMTA staff shall record and distribute the minutes of all meetings.
- B. The QAC shall be responsible for reviewing transportation complaints, appeals, concerns, incident reports, trip and revenue reports, transportation policies relating to the elderly and/or persons with disabilities, and making recommendations for improvement in the provision of transportation services.
- C. The QAC shall act as an advisory committee for the Rural Transportation Program for Persons with Disabilities ("PwD") as required by the Pennsylvania Department of Transportation for participation in the program.

Section 2: The Council shall maintain a standing Americans with Disabilities Act ("ADA") committee open to Council membership which meets annually or as needed.

- A. EMTA staff shall record and distribute the Minutes of all meetings.
- B. The ADA Committee shall be responsible for monitoring compliance, reviewing service plans and making recommendations to transit providers such as but not limited to: (1) the Erie Metropolitan Transit Authority (EMTA), (2) the LIFT Paratransit, and (3) any other transportation providers who offer transportation to persons with disabilities.

Section 3: Other committees shall be established and disbanded as needed.

Article IX - Rules of Order

Section 1: For all issues to be approved, a majority affirmative vote shall be required of those present, except as otherwise provided in these By-Laws.

Section 2: The latest edition of "Roberts Rules of Order" shall govern the proceedings of this Council unless otherwise prescribed in these By-Laws.

Article X - Amendments

Section 1: These By-Laws may be altered, revised, amended, or repealed through the following process:

- A. Proposed change must be submitted at a regularly scheduled meeting.
- B. EMTA Staff shall, no later than forty-five (45) days prior to the next meeting, mail the proposed change to all members in accessible formats with advance request of 30 days prior to the meeting.
- C. At the following meeting, the issue shall be discussed and adopted if two thirds (2/3) of the members present and voting cast affirmative votes.

ENABLING ACT

At the moment of adoption, the above Articles and Sections shall take effect upon the approval of two-thirds (2/3) of the members present and voting.

Amended and Restated 5/14/04.

**TRANSPORTATION COUNCIL
FOR THE
ELDERLY AND DISABLED OF ERIE COUNTY**

PARTICIPATING AGENCIES

AAA
Achievement Center
American Cancer Society
American National Red Cross
Benedictine Sisters
Bureau of Blindness & Visual Services
Care Givers
Community Resources for Independence Community Services Program
Cystic Fibrosis Association
Dr. Gertrude A. Barber Center
Edinboro Foundation
Emergency Care
Erie Association of Retarded Citizen, Inc. (ARC, Inc.)
Erie Center for the Blind
Erie County Department of Planning
Erie County Health Department Human Development
Erie County Mental Retardation & Base Service Unit
Erie Independence House, Inc. & Residence Council
Erie Infants & Youth, Inc.
Erie Metropolitan Transit Authority
Erie Speech & Hearing Association
Erie Transportation Services
Greater Erie Community Action Committee
Hamot Mental Health Center
Hispanic Council
Independent Council on Aging
Iroquois Senior Citizen Center
JFK NATO Center
Lakeshore Community Services
L'Arche
Lutheran Home for the Aged
March of Dimes Foundation
MECA UPC
MHEDS
Millcreek Community Hospital
Multiple Sclerosis Society
Muscular Dystrophy Association

Northwest Tri-County Intermediate Unit
Office for Students with Disabilities Office of Vocational Rehabilitation
Organization for Disability Awareness
Pennsylvania Protection and Advocacy, Inc.
Pleasant Ridge Manor
Safe Harbor Behavioral Health
Shriners Hospital for Crippled Children
Steady Strivers
Saint Vincent Health Center
Stairways
St. Mary's Home
St. Joseph Apartments
Senior Citizens Advocate
Twinbrook Nursing Home
Voices for Independence
Whole Person Home Health